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Colombia

Thoughts on the political conjuncture beyond the referendum results

- Features -

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On October 2, 2016, Colombia’s referendum on the approval of the peace agreement between the government of Juan Manuel Santos and the Fuerzas Armadas Revolucionarias de Colombia – Ejército del Pueblo (FARC-EP – Revolutionary Armed Forces of Colombia – Army of the People) resulted in a rejection of the agreement by 50.23% to 49.76% of votes cast (on a turnout of 37% of the registered electorate). What were the reasons for this negative result?

I. The referendum

a) The referendum campaign of the Santos government:

The first aspect to take into account with regard to the October 2 referendum is that the “Yes” campaign became reduced to support for the Santos government. Caught in a legitimacy crisis and faced with unfavourable polls, Santos hoped to recover the initiative by winning the applause of the international community and creating favourable conditions for the 2018 presidential elections through the conclusion of the process of political negotiation via a referendum. An approval without much noise by a parliamentary majority obtained through budgetary manoeuvres would not be enough. [1] In reality, the referendum mechanism was not necessary to conclude the process of approval of the agreements drawn up in Havana.

For these same reasons, Santos nominated the former president Cesar Gaviria, who had presided over Colombia's neoliberal reforms of the early 1990s and had given the order to bombard the FARC leadership in the “Green House”, as coordinator of the campaign and as spokesperson of the members of his governmental team. [2]

The emphasis of the international campaign seeking support for the government’s policy was on the advantages that foreign capitalists could draw from the agreement for future business. The message anticipated new areas of investment for extraction and agro-industry in the zones affected by the conflict, which would supposedly improve the economic indicators of the country. [3] Colombian capitalists were offered the same possibilities and in particular the approval of a tax reform which they had been demanding for some months with the support of “international risk ratings agencies” because of the fall in oil prices. At the last Congress of the Asociación Nacional de Industriales (ANDI – National Association of Industries) Santos undertook to implement tax cuts once peace came under the pretext the modernization of the armed forces for the purposes of the war had required supplementary resources (in particular a wealth tax). [4]

Public presentations of this type led to a majority consensus among national and international business and financial elites in favour of the government’s peace strategy, while concealing the real intentions of the Santos team of legitimating a new phase of intensification of neoliberalism, particularly in the as yet unexploited rural areas. But this discourse meant nothing to the people. Santos hoped that the virtues of the peace proposal in a country that had spent decades at war, the support of the international community, the mobilization of the left and the social organizations, which mostly went along with him without raising differences, would lead to triumph in the referendum. His bet proved wrong.

b) The opposition led by Alvaro Uribe Vélez

The government's monopoly over the "Yes" campaign in the referendum opened the field to the opposition led by Uribe (Colombia's President from 2002-2010), giving continuity to a political conception (centre right versus right) tolerated by the establishment since Santos took the Presidency and reducing the debate on fundamental questions of society and politics to the Uribe-Santos confrontation. The Uribista campaign produced results, basing itself on:

– Using the discredit of the government linked to the economic crisis with its consequent unemployment, destruction of territory and privatizations and which forced the announcement of a new anti-popular tax reform. Uribe campaigned demagogically against the reform, claiming that the taxes on the people would be used to increase the public money being paid to the guerrillas. [5]

– Using the popular rejection of the FARC built up over recent decades and particularly during the implementation of Plan Colombia during Uribe's term in office, when he converted this rejection into the basis of his governance. This political operation was facilitated by attacks committed by the FARC against the civilian population, amidst a worsening of the conflict. [6] During the referendum campaign Uribe maintained his conventional discourse against the FARC, demanding the imprisonment of the members of its Secretariat and adding that they had no right to political representation because of their deeds.

– Utilising the religious sentiment organized by the Catholic hierarchy and the evangelical churches which invoked the defence of the traditional family and opposed a woman's right to control her body as well as LGBT rights, in particular the right to constitute a family. These churches distanced themselves from the Havana negotiations once the joint communiqués of the government and FARC announced that the agreements would contain a transversal view of gender. [7] Then came the incident of the circulars drawn up by the Ministry of Education on respect for a differential view of gender in the school curriculum. The response of the churches was to convene national protest mobilizations which were very well attended. From then on the alliance was sealed between the churches and the "No" campaign, which was decisive in the referendum result. [8]

The "No" campaign expressed the social content of this political current. Arising in the midst of the war through the alliance of traditional ranchers and farmers with the new landowners which emerged from the laundering of assets arising from the drugs trade and the massive displacement of peasants, combining the reactionary and traditional religious discourse which in Colombia continues to be a factor of cultural domination in the countryside and cities with the contemptible cynicism of these lumpen arrivistes who have climbed the social scale from the "underworld" the spheres of power. Effectively Uribe's campaign was based on a chain of lies seeking to produce indignation and fear in an uninformed population terrified after decades of ongoing violence. [9]

An additional element was the effect the internal civil war had in the countryside; here, where the violence had been most intense, the "Yes" vote was strongest, supported by the victims and populaces who wanted to end the armed conflict. This was not the case in the other areas of the country and in the cities. [10] Abstention at the national level was around 60%, a percentage equal to that of the presidential elections, whereas one might have supposed that a question of this significance would have led to a higher level of voting participation.

II. The inter-bourgeois contradictions

a) The political power of the hacienda in the history of the country

The international division of labour established by globalization implied a shift in big investments of capital to the Asian continent and in particular China. Latin America was condemned to extractivism and agro-industry and the land question recovered its relevance. In Colombia's history the land question concerns the political and economic power

of the hacienda. Configured from Spanish colonialism as the main form of organization of the economy, this power became dominant during the 19th century through a fragile integration with international trade via the appropriation of uncultivated land by families of colonists who expanded the agricultural frontier. [11]

In the 20th century during the capitalist modernization in the period of so-called “import substitution” this power structure was maintained by the use of systematic violence with private armed organizations (the “pájaros” and “chulavitas”) and the use in various regions of the police forces, witnessing to the weakness of a state which was the prisoner of corporate interests. [12] This power of the latifundists would become evident during the Frente Nacional – effectively, when this inter-elite political pact was set up following the Cuban revolution, US imperialism decided to implement a series of reformist policies in the rural areas of the region. To this was added the concern of a sector of liberalism (led by Carlos Lleras Restrepo) to contain migration from the countryside to the city, promising the strengthening of the smallholding economy through a “colonization directed by the state”, [13] and the punctual purchase of lands in the interior regions, a policy which was supplemented by centres of collection, technical aid and credit with the intent of co-opting the peasant movement. [14] At the beginning of the 1970s the elites concluded a pact known as the “Chicoral agreement” by which they put an end to the previous reformist cycle and enthroned the power of the latifundists.

This moment showed once again what the history of the country has shown many times, that latifundism is not just an economic but also a political power. It is associated with the regional political powers of a clientelist type which allows a political control of the territories and influence at the national level through a closed and clientelist party system which it needs for its political reproduction. [15]

b) War, territorial alliances, drugs and paramilitaries

When the FARC emerged as self-defence campaigns in the period of violence they were displaced from the centre of the county to the eastern plains by a large scale military plan (“operación lazo”) inspired and coordinated directly by the United States, initiating a process of colonization in the south east of the country, encountering “an enormous potential in the poor colonists of the new internal frontiers, opening to production around 4 million hectares...”. [16] Then they returned to the agro-industrial zones, based on an extractive economy and extensive livestock rearing. [17] Other guerrillas in various areas of the country behaved similarly. The local elites reacted by creating paramilitaries. Paramilitarism could not have emerged without the direct presence of the army, conceived by the elites as an army of social repression which then became a counter-insurgency force. [18] The paramilitary actions of the Armed Forces had a legal basis in Decree 3398 of 1968 drawn up with US advisers under the format of the military-civic actions of the period, but when in the mid 1980s, in Puerto Boyacá, the local political elites, latifundists and entrepreneurs formed a territorial coalition. [19], and appealed to Israeli mercenaries to train their troops. [20], the need for finance obliged them to resort to drug trafficking. [21]

The alliance between the armed forces and the drugs trade as part of counterinsurgency policy had antecedents. Effectively, from 1981 and as a response to the kidnapping of Blanca Nieves Ochoa, a family member of a group of known drugs traffickers in Medellín, the drug cartels came together to create a paramilitary squadron called Muerte a Secuestradores -MAS- [Death to Kidnappers]. The army participated directly in the training of its members. [22]

What followed is amply documented. Once the popular election of mayors was officialised in the 1980s the paramilitaries began to assassinate the mayors, councillors, deputies and leaders of the UP (Unión Patriótica - Patriotic Union), the party which had emerged from the negotiations initiated at this time between the FARC and the government of Belisario Betancur [23], as well as any social or political leader who challenged the local regimes. [24] Subsequently the paramilitaries received institutional recognition with the creation of the so-called “Convivir”. In 1998 the Autodefensas Unidas de Colombia (AUC- Self-Defence Units of Colombia) were set up under the command of Carlos Castaño, continuing with a regime of terror that led to thousands of deaths and displaced millions of people.

[25]

Under the first government of Álvaro Uribe, amidst the internal tensions generated by the killing of Carlos Castaño by the paramilitaries themselves, negotiations began which included proposals for total impunity and political representation in Congress, leading to a referendum which did not receive sufficient votes for approval. Thus the negotiation with the paramilitary leaders had to take place in the context of legal regulations and in the midst of international pressures and the legal interpretations of the Constitutional Court, and the demands for impunity were not recognised.

The paramilitary leadership took this as an affront and began to use their confessions, necessary to obtain a reduction or cancellation of their sentences, denouncing the businessmen and politicians who has financed and supported them in their criminal activities. Then Uribe opted to extradite them to the USA. [26]; but subsequently "second generation" paramilitaries emerged in various regions of the country with other names (Bacrin, Autodefensas Gaitanistas).

c) Two different forms of wealth accumulation

The plunder of land by the paramilitaries allowed drug traffickers to launder money on a huge scale through the purchase of lands and cattle. [27], which allowed them to integrate with the local political elites. *Uribismo*, which emerged in the midst of the war, expressed the association of latifundists and traditional livestock raisers with emergent latifundistas originating from the drugs trade; it also expressed the political spectrum of the regional alliances which had violently won territorial control in various areas of the country. Organized from the regions towards the centre in the conventional political manner of the latifundists in a corrupt electoral system typical of a clientelist representative democracy, they ensured that people representative of their interests appeared on the national scene using the channels of the traditional parties. In 2002, following the breakdown of negotiations between the FARC and the Pastrana government which opened the way to the implementation of Plan Colombia and in the midst of the imperial "antiterrorist" crusade, inaugurated with the attack on the twin towers, Uribe became president, promising military victory and winning the support of national and international capital as well as popular support.

In contrast, Santos represented the internal fraction of the elites associated with globalized financial capital which aspired to adapt the countryside to the international standards of globalization in a country which was still far from observing them and in which there were vast areas for agricultural investment, particularly in the eastern *llanos*. [28] The commercial support for this globalized capital was provided by the big corporations which controlled the distribution of foodstuffs around the world. [29] The productive basis of a globalized agro-industry lay in the appropriation of space through "*clusters*" or associations of capital coordinated through the corporate control of the territories. (processing of agricultural goods, marketing, water, environmental sources, eco-tourism), which in the manuals of the international bodies is classified as the "New Ruralism". [30]

Globalized agro industry allows a rotation of investment in various national spatialities without the investors being obliged to buy the land. The legal form adopted by the WTO which is included in Colombian legislation is that of "surface use contracts", which allow long term rent of land accompanied by collateral investment such as the sale of seeds, technical assistance and the maintenance of cultivation. [31]

The Santos government has implemented an agricultural policy and developed a regulatory framework favouring this type of agriculture. Institutionalizing zones of business investment (*zidres*) to guarantee big capital spaces open to investment, which includes legalization of lands acquired illegally by enterprises and concessions in uncultivated lands; accepting foreign ownership of the land; promotion of production for foreign trade and the increase of agricultural productivity based on transnational corporate technology; the financialisation of agriculture and an

increase in the trade in “commodities”. But the future stabilisation of this policy requires updating the rural land register, formalizing ownership according to the market, promoting the efficient use of the land, questioning the excessive number of hectares devoted to ranching, in a word, nothing less than confrontation with the bastions of Uribismo. So there is a confrontation between two class fractions with different material interests as regards the land. While Uribismo wishes to maintain the latifundist status quo and the lands which were acquired violently during the war to continue accumulating wealth through the appropriation of profits from the land, Santos and transnational capital wish to adapt to the demands of globalized investment. Also there are differences between the legal form of ownership which guarantees the accumulation of capital. Thus, while the traditional and emergent latifundists attribute their wealth to titles of ownership, the globalized investors in agriculture base it on the use of rural assets, and articulation with transnational chains of production and agricultural distribution. This is one of the keynotes of contemporary capitalism.

Initially under the Uribe government the elites, independent of their economic contradictions, decided to unite politically in support of ending the war through military victory under the coordination of US imperialism and through the implementation of “Plan Colombia”. [32] Thus Santos himself was Minister of Defence in this period.

Plan Colombia radically transformed the armed forces, giving them military technology based on the application of advances in computing technology, dynamizing the aerial combat units, improving military intelligence, restructuring the army and police and increasing their personnel. [33]

It should be added that Plan Colombia was not only about the military confronting the guerrillas but above all concerned the recovery of territorial control in areas where the state was non-existent, and thus the military strategy was combined with political and institutional adaptations focused on poverty. [34]

When Santos became President for the first time the imperial diagnosis had already established that the correlation of forces was favourable to the establishment and that it was possible to enter a phase of political solution to the armed conflict and begin negotiations. [35] Then the political unity of elites began to fissure. It was time to gather the dividends of victory.

The Havana agreements made possible the legitimization of the globalizing agrarian policy and would open new spaces for investment in the country. Thus they received the unanimous support of globalized capital. They were hailed by the Obama government which monitored the development of the negotiations with a permanent delegate, the European Community, China, the IMF, World Bank and OECD, to cite the most representative. [36] After the referendum defeat this same capital gave the Nobel peace prize to Santos, with the intention of giving him political support. [37] For the same reason, the government also invited the Uribistas to the negotiations table, something the FARC willingly accepted for obvious reasons.

III. A new political conjuncture with the renegotiation of the Agreements

a) Uribismo wants to legalize land stolen during the war

The contradictions between Uribismo and the Santos government are reflected in the text of the Havana agreements in the section on Land and Justice. In the case of the land the FARC accepted a mixed model for rural development which would combine agro industry with a peasant economy and associative forms of agro-ecological production. [38]] And in a section called “Technical aid plan for the rural sector” the use of genetically modified seeds is accepted. [39]

The mixed rural model agreed does not include the realization of an agrarian reform and in exchange creates a permanent Land Fund which will dispose of 3 million hectares for the first 10 years (which means a programme of 300,000 hectares per year) added to 7 million hectares which will be obtained under the programme of property formalisation that will be carried out mainly in the areas of colonization in which the FARC has been present. [40]

The Land Fund will dispose of:

1) Lands restored judicially for having been acquired illegally; 2) Lands legally recuperated by the state in illegally appropriated waste lands; 3) Lands resulting from the delimitation of forest zones; 4) Lands legally recovered because inadequately exploited; 5) Lands acquired with indemnification under the criteria of social interest or public utility with the proposal of promoting access to rural ownership; 6) Lands which the state obtains through donation. [41] Also the agreements recognize the Peasant Reserve Zones, an associative and solidaristic form of the peasant economy in which the extension of ownership over the land is limited and thus cannot be concentrated. For the FARC the zones constitute a key element for its social activity and at the beginning of the negotiations they demanded that they should have their own mechanisms of political decision, outside of the territorial authorities, a proposal that was not accepted by the governmental delegation.

A transversal element in the conception of Integral Rural Reform is the “polyvalent land register”, since in a country that has not updated its rural land register since the mid 1960s, it is necessary to know the legal situation of the occupiers to facilitate the programme of formalization of ownership and the strengthening of regional taxes. The land register is “polyvalent” because, in addition to setting out the limits of the land, it takes into account its environment within a perspective of territorial reorganisation. [42] Also it should serve as an element of proof in the processes of restitution of land to the victims of forced displacement.

Once the results of the referendum were known Santos and the FARC agreed to renegotiate the agreements and the government began to consult with the visible figures of the “No” campaign, a political spectrum made up of several personalities from the Conservative party. [43], evangelical pastors and the group led by Álvaro Uribe. Uribismo has presented a public document called “Bases for a new Peace Agreement” in which it opposes everything which was agreed in Havana. On the land question, it begins by rejecting the possibility of the FARC and social organizations influencing the selection of beneficiaries of the Land Fund. Then it argues in favour of the enterprises and latifundistas who have illegally appropriated waste lands. [44] There were many cases in which these lands were improved and there should be a process to legalise them, it is argued. The Constitutional Court has however ruled against such legalizations arguing that the waste lands are national property and that they can only be granted by a state ruling. [45] Such an interpretation as that proposed by Uribismo means in practice that the concept of waste land and the possibility of the Land Fund obtaining this type of land is suppressed.

Uribismo also questions the process of restitution of land which began with law 1448 of 2010. [46] They argue the “good faith” of the current holders and third parties (front men) who acquire them, and add that the conditions in which they were bought should be ignored. [47] This proposal would legalise the despoliation of 6 million hectares according to the official statistics for the period 1985-2016.

Also, Uribismo opposes special treatment for the Zonas de Reserva Campesina and the “polyvalent land register” because it increases the cadastral base of estates and thus the land tax, whereas the regional political power of the latifundistas has until now kept the latter fairly low.

Two additional themes. Uribismo supports aerial fumigation with herbicides based on glyphosate, defined by the World Health Organisation as carcinogenic, in the peasant and colonised zones where coca cultivation takes places, which has led to huge damage to the peasant families who live there and has failed as a mechanism of control of illicit cultivation, whereas the Havana Agreements privilege the manual substitution of cultivation through the

formalization of ownership. [48]

Also, there is the theme of the guarantees to multinational companies involved in extractivism. Uribismo proposes to reduce still further the popular consultations with the ethnic and peasant communities affected by this type of investment because the economy is damaged by such obstacles to business. In this point there is no contradiction with the Santos government which has just begun the same policy, On the other hand, the concern expressed by Uribe and his supporters on the parity committees (government-FARC) established by the Agreement for the elaboration of regional plans makes it hard to obtain the state licences needed for this type of investment, so they demand a regulation be introduced to favour them. [49]. It should be added that in the Agreement the theme of extractivism is not covered.

b) The debate on transitional justice

The Havana agreements support the creation of a Jurisdicción Especial para la Paz (JEP – Special Jurisdiction for Peace) based on the tenets of International Humanitarian Law, demanded by the FARC so as not to be subjected to the ordinary jurisdiction of a state they have confronted for several decades. Thus the directives of Geneva Protocol-2 will be observed on the subject of amnesty for rebel organizations, except where there are crimes against humanity which will be dealt with separately. In exchange, defending state terror, the government has symmetrically demanded the inclusion of the presumption of legality of the acts of the armed forces. [50] and amnesty for the crimes committed by the members of the latter and the police, [51] opening the possibility that they are included among the so-called “false positives”. [52] Both parties have agreed the elimination of responsibility of the higher hierarchies, except in the cases mentioned.

In the “Bases for a New Peace Agreement”, Uribismo proposes eliminating the Jurisdicción Especial para la Paz and transferring these judgements to ordinary justice through the creation of a Special Tribunal of Judgement in the Supreme Court of Justice and the application of the law of justice and peace implemented in the negotiations with the paramilitaries which is a law subject to justice and recognises the crime of rebellion. The essential reason Uribismo wants to end the JEP concerns the theme of judicial sanctions for the enterprises and latifundistas who financed the paramilitaries. Accepting the JEP, the government recognises the standards of International Humanitarian Law that make possible the judgement of individuals under this law.

The Santos government has presented this point to the enterprises arguing that the line between individuals who were victims of extortion and those whose financing was voluntary was very fragile and facilitated impunity. It has appointed as Public Prosecutor Nestor Humberto Martínez, a lawyer trusted by big capital both nationally and internationally, who has said that the possibility of finding those responsible for this type of action was virtually zero. [53] But for Uribismo these interpretations are not sufficient. They propose to broaden “the amnesty and pardon to third party non combatants like collaborators or auxiliaries if they hand in all the military equipment they possess”. [54]] An alteration intended to guarantee impunity.

In the renegotiation opened by the “No” victory, Uribe has said he has no concern for time, and that the discussion on the Agreements can continue until the presidential debate of 2018. However, for Santos time is limited, because he intends to divide the bloc of those who voted No to construct a new consensus that could make a new referendum possible. He is considering the option of implementing the Agreements through parliament, to take account of the majorities of his disposal, although he is conscious that they would then lack social legitimacy. Members of the parties who support his government talk of the possibility of international mediation. He has announced the start of negotiations with the ELN to broaden the spectrum of the discussions. For now the presidential option remains uncertain, but Santos knows he must decide before the second week in December when he makes the speech in which he accepts the Nobel Peace Prize to the so-called “international community”.

c) An institutional impasse without political alternatives

The institutional impasse of the Agreements is affecting the FARC. Complying with the schedule agreed with the government, its 10th conference ratified the Agreements and declared its willingness to end the war and to become a political party. The schedule agreed supposed the concentration of troops for a period of six months in sites previously agreed with the commitment to decommission arms once this period was over. The guerrillas have begun the journey to these sites of concentration. On the other hand, the beginning of the schedule starts with the adoption of an amnesty law which the President should submit to Congress on condition that the referendum authorises it. There is the possibility of approving it without the presidential request. For now the FARC has accepted a protocol established between the government and themselves with representatives of the United Nations and the International Committee of the Red Cross, to locate the guerrillas in areas of "pre-concentration" and maintaining the ceasefire which Santos has himself extended until December 31. The FARC is not expecting the agreements to be modified.

Amidst these tensions large scale urban mobilizations have begun, mainly of university students in the cities in support of the negotiations or against the renegotiation of the agreements. It is a long time since the squares of the big cities have been so full. They express the lassitude of the war. But the political horizon of these mobilisations is reduced to the possibility of supporting a possible agreement between the elites. The organisers repeat this incessantly. Such an agreement, although experiencing difficulties right now, can be obtained (the inter-bourgeois contradictions are not irreconcilable) and we would then face a scenario in which a new Frente Nacional would be constituted with the support of the masses.

The emergence of movements of this type has various explanations. The first results from the war itself and its relation with the social movements. In recent decades the war has been used to apply state terror to the social movements by equating them with the guerrillas. Any social mobilization which raised the most minimal demands was catalogued as a guerrilla movement and its leaders murdered or prosecuted. There were many who suffered this repression and this has consequences in social organizations. Also under the current Santos government this remains a recurrent practice. While in Havana it spoke of peace, in the streets and neighbourhoods there was killing and imprisonment. And the possibility that this reality will change with the political negotiations was and remains virtually zero. From the beginning of the conversation the government delegates laid down two "red lines" which could not be crossed – the economic model and state terror - and the negotiations took place within these limits.

Another explanation relates to the political options of the left. The President of the Polo Democrático Alternativo and presidential candidate in the last elections has entered the government as Minister of Labour in the name of the need to support the peace process and has led this party into a dead end. The majority of the left and the human rights movements support Santos under the logic of "the lesser evil" faced with Uribe. We ecosocialists participated in a front of political unity in favour of a yes vote in the referendum, supporting the victims and differentiating ourselves from Santos and Uribe. This Front was made up of organizations of territorial resistance, indigenous peoples and those of African descent, environmentalists and students. Currently we call for a political unity which ignores the inter-elite pacts and opposes the possibility of a new Frente Nacional. We also call on the popular organizations to construct an alternative political platform allowing an exit from the crisis from below. We appeal to the peoples of the world to denounce the humanitarian tragedy that Colombia has undergone in recent decades and for solidarity with the victims of the conflict, demanding truth, justice and reparation.

[1] The clientelist leaders of the parties linked to Santos also lost the referendum. A "no" vote predominated in the departments where they had influence.

[2] The "Green House" was the name of the site in the eastern mountains where negotiations took place between the government and the FARC

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leadership under the presidencies of Belisario Betancour and Virgilio Barco. On December 9, 1990 the new government of César Gaviria Trujillo bombed the site.

[3] There were many international events where Santos made statements of this type, such as his dialogue in New York with the heads of multinational companies after the presentation of the September 21 agreement at the United Nations, “Santos also took part, with the presidents of Mexico, Peru and Chile and their respective advisors and trade ministers, in an event organized by the Bloomberg agency, which sought to reinforce the role of the Pacific Alliance in international trade. The Colombian deputy was invited by the International Economic Alliance, based at Harvard University, to present the conference Invest in Colombia, involving companies from 51 countries and academics. The idea was to show the possible potential of a Colombia without armed conflict and demonstrate the facilities offered by the country to foreign investors. [“La paz clave en la visita de Santos a La Habana”. September 21, 2016.](#)

[4] “When I was designated Minister of Defence, at a very critical time in our struggle against the guerrillas, the first thing that I did was to address myself to the private sector, to the companies to say to them, help me. I asked Luis Carlos (then President of the ANDI and current Minister of Defence): I need resources to continue the strengthening of our Forces. And you have not hesitated. Immediately you gave me your blessing. We approved in Congress the resources necessary to continue this strengthening of our Forces. And today we can say that this strengthening has allowed us to give the Armed Forces better capacities, better equipment, than in all our history and has allowed us to advance this possibility of peace”. Hence, he added, “the companies have paid too much. Inasmuch as investment in total, as a percentage of the economy, is below average, what companies pay as taxes is well above the average. And this indicates to us that our budgetary structure is not adequate... And what does that oblige upon us? To carry out structural reform. This reform that takes a long, long time, from when we begin to open the economy as demanded by the private sector and the country. And we will do it. And we will do it carefully. And we will do it in a concerted fashion”. [“Closing speech by the President of the Republic Juan Manuel Santos at the 71st Meeting of the Andi”. August 14, 2016.](#)

[5] The agreements specified, as had been the case with previous negotiations with other guerrilla groups including paramilitaries, that the guerrillas would individually receive from the state budget the equivalent of a monthly salary as well as other sums of money to realize productive projects during a transitional period until their social reintegration.

[6] In the weeks prior to the referendum the Secretariat of the FARC apologised to the victims affected by these attacks.

[7] Joint government-FARC communiqué No 82 of July 24.

[8] This was recognised by the evangelical pastors themselves. To quote one of them, “On August 11, 2016 in massive marches, the evangelicals sent a clear message to the Santos government, that we would not accept a peace agreement which questioned our monogamous and heterosexual vision of the family, we exist, listen to us, but president Santos, drunk with power, underestimated us, and supported [education minister] Gina Parody in implementing the ideology of gender under the euphemism of context of gender, Did Juan Manuel Santos and the Farc really believe that evangelicals would vote for an agreement where the lgtbi movements are mentioned 140 times in the context of public policy?...” [Halinsky Sanchez Meneses](#). The Catholic Archbishops also mainly supported a “No” vote.

[9] Recently the director of Uribe’s campaign, Juan Carlos Vélez confessed to this explicitly, “We have discovered the viral power of social networks. For example, in a visit to Apartadó, Antioquia, a municipal councillor passed me a photo of Santos and ‘Timochenko’ with a message explaining the need to give money to the guerrillas when the country is in need. I published it on my Facebook and last Saturday it was shared by 130,000 individuals with a reach of six million people... Some strategists from Panama and Brazil told us that the strategy was to cease to explain the agreements so as to centre the message on indignation... We based our messages to the middle and higher layers on impunity, eligibility and tax reform, whereas to the lower layers we focused on subsidies. In each region we used their respective accents. On the coast we individualized the message by speaking of being turned into Venezuela...” [see](#).

[10] “Among the main cities of the country, only Barranquilla, Cali and Bogotá gave majority support to the agreements reached between Farc and the government. Bucaramanga, Medellín, Cúcuta and Pereira had ‘No’ majorities...” It should be added that in Barranquilla the rate of abstention was higher than the national average. [See](#).

[11] The so-called “antioqueña colonisation” was the typical example of a colonization directed by latifundists which ended by defining the region in the centre of the country and strengthening the coffee economy. The expansion of coffee production gave possibilities to the smallholding

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economy and opened contradictions between cultivators and landowners in the first decades of the 20th century when coffee became the main export product.

[12] The Colombian state had not succeeded in imposing a logic of political action on the factions of the dominant class. Also, far from the nationalist populisms that emerged in other countries of the region and that at the economic level led to the appropriation of export profits, the Coffee Producers' Federation closed this possibility and appropriated this profit for private benefit, leading to a recurrent fragility of the public budget which obliged a violent state response to social demands. The first "violence" began with the assassination of the liberal leader Jorge Eliécer Gaitán in 1948 and ended with the 1957 referendum which initiated the so-called Frente Nacional, an inter-elite pact creating a form of bipartisan control of the state. The number of deaths is calculated at around 300,000.

[13] A summary of this proposal and the debate which arose among the elites can be found in Vélez Humberto, "Concepciones de Política Económica durante el Frente Nacional", *Revista de Cuadernos Colombianos* No 2. This author is also cited by Bejarano Jesús, *Ensayos de Interpretación de la Economía Colombiana*, Editorial La Carreta, Bogotá, 1974, pages 67 and following.

[14] This organization was called the ANUC and the government's intention of co-opting it failed, giving rise to an organisation which reflected the radicalism of the peasantry in the early 1970s.

[15] Throughout his work, Antonio García founded on this political characterization of the hacienda the thesis of the "oligarchic republic" which rendered difficult the "commodification of the land", an essential element in the functioning of capitalism. He added that this explains why agrarian reform had a limited character in Colombia, being reduced to preserving the latifundist status quo "with concessions to middle proprietors though the channelling of the pressures on the land towards the agrarian frontiers. Also, the establishment of non-cultivated lands was privileged and the lands in the centre were barely affected, except when social confrontation demanded it...".

[16] Palacios Marcos, in *Violencia pública en Colombia: 1958-2010*, Fondo de Cultura Económica, México, D. F., 2012, p. 47.

[17] In this period the seventh FARC conference took place, deciding on a qualitative leap from guerrilla force to army to the point of waging a war of position. At this time they had already succeeded in increasing their finances by controlling the production of coca and by profiting from the extractive economy in the peripheral regions of colonisation. In the regions with a different development where they established themselves, they obtained profits from "taxing" local investment and influencing the political decisions of the local elites, in particular in the area of social expenditure.

[18] "The military mentality was forged slowly in the repression against the oil workers of Barrancabermeja and the banana cultivating zone of Santa Marta in the 1920s, in the repression of the popular insurrection of April 9, 1948, nationally and internationally characterised as a Communist conspiracy, and in the participation of the Colombia battalion in the Korean War (1951 -1954) under the command of the US army". Palacios Marco, see note 13, p. 47.

[19] "According to studies made by the researcher Carlos Medina Gallego, a formal meeting of all the powers of Puerto Boyacá took place to approve the creation of the armed anti-subversive group. Participating at this meeting were military leaders, representatives of the Texas Petroleum Company, livestock raisers, political leaders, the civil defence, members of the Armed Forces, traders and special guests. It was agreed that each livestock raiser would give \$2,000 per head of cattle, and around 200 million dollars were thus collected, but it was quickly realized that this was not enough to maintain a well equipped army with adequate communications..." Taken from the interrogation of retired army lieutenant Luis Antonio Meneses Báez by the Dirección judicial de Investigación (Dijin – Judicial Directorate of Investigation) of the National Police, after his arrest on November 1, 1989, in *Guerras Recicladas*, María Teresa Ronderos, Editorial Aguilar, 2014, page 35

[20] Yair Gal Klein, a colonel in the Israeli army and at the time a member of an international company of mercenaries, trained the paramilitaries of Puerto Boyacá in the first half of 1988. "I taught them the arts of infantry, arms maintenance, rapid response to ambushes.... ..." See note 16, page 81. The training was then extended to other regions and paid for by similar territorial alliances. A complete account of Klein's role in the training of paramilitary squads is to be found in *El caso Klein: El origen del paramilitarismo en Colombia*, by Olga Behar

[21] In the case of Puerto Boyacá through Gilberto Rodríguez Gacham, nicknamed "El Mejicano".

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[22] "According to a US army intelligence report of January 1983, on the 11th of that month, three presumed members of the MAS said that they were trained, prepared and armed by the army to eliminate the left wing guerrilla leaders in Colombia and to eradicate the last vestiges of Communism... They also indicated that in this year the MAS had been responsible for at least 100 deaths." Ibid, page 42.

[23] One of the most shameful episodes of the misnamed "Democracia Colombiana" in recent decades was the genocide of the Unión Patriótica, which saw more than 3,000 of its activists murdered. Most of these killings remain unpunished. The UP achieved good electoral results in the first popular elections of mayors, in the parliamentary elections which followed and with the presidential candidacy of Jaime Pardo Leal who was assassinated in 1988

[24] Described in detail in the book by Mauricio Romero, *Paramilitarismo. La ruta de la expansión paramilitar y los Acuerdos Políticos*.

[25] This shadowy alliance formed by the paramilitary groups was responsible for the greatest humanitarian disaster experienced by the country in recent decades. The association La Unidad de Víctimas was created some years ago to record a number of 8 million people in this capacity, between 1985 and today". Of the 8 million, more than 6 million were displaced. The second group of victims were those murdered, with 265,000 direct victims and 704,000 affected family members. "Víctimas del conflicto en Colombia ya son ocho millones", [El Tiempo, April 16, 2016](#).

[26] Colombia has an asymmetrical extradition treaty with the USA favouring the latter on the grounds of anti-drugs policies

[27] The predomination of the haciendas in the country is associated with extensive ranching. Currently this type of ranching is concentrated in 32 million hectares whereas agricultural production is confined to 7 million hectares. "Although one of the least visible consequences, a major structural impact of the drugs trade in recent decades has been the massive purchase of rural lands by the drug barons. For them it has been a useful way of laundering illicit capital, accumulating valorizable savings, and creating areas of safety and refuge as well as an infrastructure of laboratories and airstrips for the operation of the drugs trade... In 1995 an investigation by the author, with Ana Lucía Gómez Mejía and experts in the land market throughout the country covering the period 1980-1995, found that there were significant rural land purchases by drugs traffickers in 409 municipalities representing 42% of the country's municipalities..." Alejandro Reyes Posada, *Guerreros y Campesinos*, Editorial Ariel, pages 107 and 109

[28] The international financial institutions, and in particular the World Bank, have stressed the "waste" involved in having large rural areas without investment. They classify Colombia as one of the few countries in the world in this situation.

[29] "The 10 companies which control (nearly) all of what is consumed every day produce and distribute more than 2,150 products of daily consumption in dozens of countries around the world and charge more than a thousand million dollars daily for this. Coca Cola, Pepsico, Kelloggs, Nestlé, Johnson & Johnson, P&G, Mars, Kraft, Unilever and General Mills are the 10 corporations which control a good part of the market in mass consumption. Probably some of the big names absent from this list are the French group Danone, specializing in dairy products, which markets more than 30 milk and water product brands, and Associated British Foods, which markets around a dozen product brands in a total of 44 countries..." ["El oligopolio alimentario: las empresas que monopolizan lo que consumes cada día"](#).

[30] For the FAO the new ruralism involves: "i) stressing the territorial dimension rather than the sectoral agricultural dimension, as well as a greater awareness of the different functions and services provided by agriculture beyond its productive aspect ii) recognising the multiple links between the small towns and the surrounding countryside and the relationship between urban and rural development; iii) recognition of the complementarity between agriculture and other occupations in the generation of rural incomes, the generalization of part time farming and the multi-sectoral origin of the incomes of many rural families; iv) being conscious of the residential function of the rural zones, in opposition to a purely productive or recreational perception of the latter, which means paying attention to the provision of social and residential services to the rural populations; v) recognition of the growing integration of the rural areas into markets (of products, inputs, technology and labour) and their incorporation into the process of globalization, as well as consciousness of the importance of territorial rather than sectorial competitiveness; vi) attention to the economic potential offered by assets linked to the territory, whether geographical, historical, cultural, picturesque or ecological; and vii) stressing the participation of the various agents involved in the design and application of policies and programmes of rural development..." FAO, ["Agricultura y ruralidad en Europa y América Latina"](#).

[31] An example of this type of investor is the group "Los Grobos" belonging to the Argentine entrepreneur Gustavo Grobocopatel, the biggest producer of soya in the world, which has negotiated with the Colombian government participation in the coming years with investments of 3 million

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hectares in the “Colombia Siembra” programme in the eastern plateaus. “Los Grobos cultivates a million hectares in Argentina but does not own any of them. Instead of buying land, Los Grobos rents it, sows it, equips it and provides the logistics to maintain cultivation, and is also responsible for selling its products. In addition to soya it is a big producer of maize, and is present in Argentina (especially in the province of Buenos Aires), Uruguay, Paraguay and Brazil...” In [lasillavacia](#), March 20, 2016.

[32] This plan was drawn up in the early days of the Andrés Pastrana government since the army had in previous years suffered various “strategic blows” at the hands of the FARC on the battlefield, giving rise to concern among the Colombian bourgeoisie and the Clinton government that a phase of “military defeat syndrome” had set in. It was the Clinton government which took the decisive step. Arturo Valenzuela, then Deputy Secretary for the Western Hemisphere, has acknowledged this publicly, “I entered the White House in June 1999, and immediately asked myself what we would do with regard to Colombia, I had a meeting with my direct chief, who was President Clinton, who said to me having reference to international security themes that we were in a time where we have to assume a US policy of support to Colombia, a policy which should be raised to a third level and we would prepare the ground to support this decision... It was President Clinton personally who told me what we were going to do. There were many sectors against doing it, there was the Kosovo war, the Balkan war, there were many questions on the table, and one might think that the US could do everything, but we couldn’t. This is an example, but I am happy with what we did because it was an important time, because it internationalized the conflict in Colombia and the US, as in other countries in the world, supported the processes here, at the same time having a process which finally unmasked the FARC...” “La lupa de Valenzuela a los últimos gobiernos”, interview given to Norbey Quevedo, in the newspaper [“El Espectador”](#).

[33] Army and police personnel together rose to 500,000 with the application of the plan, a number equal to the army of Brazil, a country with four times the population of Colombia. With Plan Colombia the Colombian armed forces became one of the biggest in the region to the point that the country now “exports” military assistance and sells arms to other Latin American countries. This confirms that the US wanted not just an army for the internal war but an army for imperial security throughout the region. A journalist notes, “Colombia’s defence sector, which advises on police reform in three countries, Honduras, Guatemala and the Dominican Republic, and has agreed to reproduce the national model of the war on the drugs trade from México to Panama, now hopes that these operational strengths can also be reflected in the sale of boats, pistols, rifles and visors to these nations.... “Colombia exporta su modelo de seguridad”, Juan Guillermo Mercado, [El Tiempo, October 7, 2013](#).

[34] USAID played a decisive role in this aspect. A complete description of the contents of Plan Colombia can be found in “El Plan Colombia –La intervención de Estados Unidos en el conflicto armado colombiano (1998-2012)”. Diana Marcel Rojas, Ediciones Debate-Universidad Nacional, Bogotá, 2015.

[35] Arturo Valenzuela, in the interview already cited in note 32, said, “...right now is maybe the best time to look again at what the Colombians called the internal conflict to see if it was possible to settle this, in a situation where the relationship of forces was completely different from the relationship of forces between state and insurgents which existed when we in the White House began the effort of collaboration”.

[36] The US delegate was Bernard Aronson, who has combined a diplomatic career with working for investment banks, “He worked in Goldman Sachs for three years, as advisor for Latin America and in 1996 founded his own private capital company, Acon Investments. Aronson and his partners Ken Brotman and Jonathan Ginns are the managing partners of ACON, a firm which has offices in Washington, Los Angeles, Sao Paulo, Mexico DF and Bogota. Aronson was on the board of directors of several US services companies like Liz Claiborne, Royal Caribbean International and Global Hyatt, and energy mining companies like Mariner Energy, Inc, Northern Tier Energy GP LLC from 2010 to 2013 and Chroma Oil & Gas, LP. Then he was on the board of the NGO, the National Democratic Institute for International Affairs, linked to the Democratic Party”. Bernard William Aronson, [“La silla VacÃ-a”, July 2016](#).

[37] The fact that the Norwegian committee responsible for the decision on the Nobel Peace Prize award it to Juan Manuel Santos, who was Minister of Defence under Uribe, in a government responsible for the greatest number of indiscriminate killings and displacements in recent years in the country and who as minister maintained consultants and arms purchases with the genocidal state of Israel confirms the lack of moral stature of these committees and the cynicism of globalized capital. One of the Wikileaks cables from 2008 on Colombia confirms that Santos contracted the firm Global CST, directed by an ex- soldier named Yisrael Ziv, as adviser for developing strategic military analysis and the US ambassador of the time, Brownfield, indicated that in 2008 an agreement was made between Colombia and Israel to update 24 Kfir planes. And on the other hand, it mentioned three other arms deals underway - a possible contract of 160 million dollars with the firm Israel Aircraft Industries to renew the Mirage 5 war planes and the Kfirs; the possible purchase of drones with intelligence, surveillance and reconnaissance capacities, and participation in a tender for the sale of frigates to the Colombian government. According to an internal document of the Ministry of Defence, said Brownfield, around 38 per cent of Colombia’s defence purchases from abroad in 2007 came from Israel.” [See](#).

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[38] The relevant section in the introductory considerations says, “that in its vision the integral rural reform (RRI) recognises the fundamental role of the peasant, family and community economy in the development of the countryside, the eradication of hunger, the generation of jobs and incomes, the dignifying and training of labour, the production of food and in general in the development of the nation, *in consonance and complementary articulation with other forms of agrarian production*” (my emphasis) and a little later in another of the considerations it is added that “the integral rural development will advance in the context of globalization and of policies of integration in it through the state which requires a special attention to national agricultural and agro-alimentary production and peasant, family and community production.” [“Final agreement for the termination of the conflict and the construction of a stable and durable peace”](#).

[39] “Also, the strict socio-environmental and sanitary regulation of *genetically modified organisms* will benefit the common good, in the context of the unshakeable obligation of the state to take measures and use tools to safeguard genetic patrimony and biodiversity as sovereign resources of the nation”. (my emphasis). Agreements, page 25.

[40] The formalization of ownership after the war is a definitive element in order to clarify future investments. Also in open economies this formalization is decisive to integrate the peasant and colonist in the market for “empowerment and credit” given the spatial control of capital in the territories of investment. Also, through the criterion of “associativeness” they can be inserted in the productive chains, “The productive alliances involve different actors in the productive processes. The said actors link together in voluntary form to interchange resources, generating commitments in the resolution of a common objective, whose principal virtue is to aggregate value...” “Alianzas Productivas en agronegocios experiencias de la FAO en América Latina y El Caribe”, FAO, Santiago de Chile 2012, page 32. For this reason the resistance of the international peasant movement demands an alternative spatiality, alternative markets outside of supermarkets and big retailers, specific production according to use values, and so on.

[41] Agreements, point 1.1.1.

[42] “Among the benefits of this “polyvalent land register” is the inclusion of variables that were not previously taken into account, like identifying owners, holders, tenants and occupiers; and support for the process of restitution of lands. Also it will provide information on the limits, form of estate and location of the community and serve for the territorial organisation of the investment of the municipalities and to plan risk management processes...” “Catastro multipropósito, instrumento de consolidación para la paz y el ordenamiento territorial”: Juan Antonio Nieto Escalante, manager of the Instituto geográfico Agustín Codazzi.

[43] Including the former president Andrés Pastrana, the former presidential candidate Marta Lucía Ramírez, the former Public Prosecutor Alejandro Ordoñez, a fundamentalist and activist in a religious sect similar to “Opus Dei”

[44] “The government will characterize precisely the concept of national waste land and the processes of its conversion into private ownership based on occupation in good faith. The ownership of waste lands occupied in good faith inside the times prescribed by the law will be respected and formalized, and these estates will not form part of the land fund. The agreements should not affect honest owners or holders, whose good faith should be presumed, without being linked to the absence of fault...” “Bases for a new peace agreement”.

[45] Judgment C-255 of 2012.

[46] The application of this law confirms the incapacity of the state to obtain these restitutions. The government promised restitution of at least two million hectares in the short term but six years after its application only a little more than 100,000 hectares has been returned. As if that was not enough, 70 of the leaders that this law authorized to organize this process have been assassinated.

[47] “Without any a priori, the government should revise the distortions of law 1448 of 2011 in its restitution of land component, among them the concept of “buyers of land in good faith not exempt from fault” which is not only a contradiction in terms, but an affront to legitimate land law. The analysis of context cannot serve as prove to indicate a fault in owners in good faith.” “Bases for a new Peace Agreement”.

[48] What is implicit in this debate is the defence of a big deal with the multinational Monsanto, now merged with Bayer which holds the patent for glyphosate. The Constitutional Court and the current Health Minister are opposed to this type of fumigation.

[49] This concern has been expressed by the former Hacienda Minister Hugo Palacios Mejía, who was linked to the no campaign, “The

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Agreement magnifies the opportunities for “social protest”, and with that it will not be enough to obtain the licenses and permits specified in the laws, but it will be necessary to face those who initiate “social protest”. The Agreement multiplies the task of consultation and approval by many new “communities” which will grow like weeds throughout the country... [“Siete razones para votar No en el plebiscito”](#).

[50] See the Open Letter by Juan Manuel Santos to Álvaro Uribe Vélez, on the website of the Presidency of The Republic, July 10, 2016

[51] “Thus the ministers of Defence and Justice will sign a “commitment” (?) so that the agents of the state will have a special treatment, “differentiated, simultaneous and equitable”. Fiesta in the barracks: the text adds that soldiers and police imprisoned for crimes of this type can request the revision of their sentences (and be freed as if they had completed their sentence), that the higher hierarchy will be responsible only for their own actions, and the that sentences will be completed in military installations (they have already ordered the transfers)... “ Hernando Gómez Buendía, [“Los siete pasos hacia la impunidad”](#).

[52] The so-called “false positives” were the highest expression of the degradation of the war on the part of the army. They were the product of the mercenary regulations of this institution which offered bonuses and other benefits to soldiers who could show the best results in numbers of guerrillas killed. This led the members of the army to kill impoverished young people in peripheral areas of the cities, taking them to combat zones and putting them in uniform. Members of the establishment have made many statements on this theme, in particular Jorge Mora Rangel and Jorge Perdomo, now a candidate for Public Prosecutor.

[53] “Néstor Humberto Martínez [The Prosecutor General]: “it seems to me irresponsible that right and left speak of the existence of 13,000 trails. The truth is that in the Public Prosecutor’s office we have 16,000 copies in which a number of third parties are mentioned. That does not mean that 16,000 companies are investigated. The number is infinitely less, hardly 1% of this figure...”, “Los Empresarios Extorsionados no tienen deudas con la Justicia”, [Revista Semana, September 9, 2016](#).

[54] “Bases for a New Peace Agreement”, paragraph on Justice.