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From Inclusion to Legitimacy

A Case Study of the Effectiveness of Civil Society Inclusion in the Havana Peace Talks

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ABSTRACT

In this study, seven Colombian civil society organisations (CSOs) are interviewed about their work in relation to the peace talks between the Colombian government and the Fuerzas Armadas Revolucionarias de Colombia – Ejército del Pueblo (FARC-EP) between 2012 and the end of 2016. The aim is to investigate how effectively the CSOs were included by the parties. Effectiveness is defined in terms of achieving the goals of civil society inclusion as derived from theory, i.e. increasing the legitimacy of the process and its outcome. It is found that the CSOs were largely satisfied with the avenues for providing input in the negotiations, saw much of their input reflected in the agreement, and were for the most part content with the outcome. This does not seem to have made the agreement more legitimate in the eyes of the Colombian people, however. The CSOs mostly attribute this to a failure in communicating the results of inclusion back to the population. The author argues that the sample investigated suggests that inclusion of CSOs was therefore ineffective, despite apparently inclusive input and output mechanisms, because it failed to translate into legitimacy in the eyes of the population. Despite the limited generalisability due to the size of the sample, the findings highlight a shortcoming in democratic theory and the literature on civil society inclusion in peace processes, which have difficulties accounting for the translation of inclusion into legitimacy. With reference to deliberative democratic theory, the potential role of CSOs in this translation process is briefly explored.

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1 INTRODUCTION

In November 2016, the Colombian government and the armed group Fuerzas Armadas Revolucionarias de Colombia – Ejército del Pueblo (FARC-EP, or FARC) signed a peace agreement that put an end to over 50 years of armed conflict. Compared to traditional peace negotiations both in Colombia and abroad, the negotiations in Havana from 2012 to the end of 2016 showed important signs of progress in terms of inclusion of civil society actors. Despite these apparent advances, however, the agreement seems to have suffered from a serious lack of legitimacy in the eyes of the population, with the first version of the agreement being rejected in a plebiscite in October 2016.¹ Both the apparent progress and this dissonance make the Havana negotiations a good case to study to explore several issues related to civil society inclusion in peace negotiations. It holds lessons for peacebuilding practitioners and researchers on what it takes to include civil society effectively. More broadly, it provides important insights into how to realise the human right to political participation in a moment that is decisive for a country's history and its further development.

The study presented in this paper opens the gates for this kind of research. It takes the form of a small-N case study of seven civil society organisations' (CSO) perspectives on how they have been included. The sample is small and the results therefore inconclusive, but they highlight a series of issues that not only pave the way for further research, but also bring out important shortcomings in the scientific literature's tools and frameworks for analysing civil society participation. The question guiding this research project is the following:

How effectively were civil society organisations included in the Colombian peace negotiations with the FARC between 2012 and the signing of the final agreement in 2016?

It is important to point out that the focus is active inclusion of civil society organisations by the parties to the negotiation, not other forms of influence the CSOs may have exercised without the explicit support of the parties. Furthermore, effectiveness is not meant to refer to effectiveness in terms of achieving whatever goals the parties may have had in initiating the inclusion. It refers to how effective the inclusion has been in terms of achieving the goals of

¹ Official statistics point to a 37.43% voter turnout, with 49.78% of votes cast in favour of the peace accord and 50.21% against. See www.plebiscito.registraduria.gov.co (accessed 14 May 2017). This shows that indifference was perhaps a more powerful force than hostility to the agreement. Both are arguably signs of lack of legitimacy. For a discussion of other factors affecting the turnout, such as the hurricane Matthew, see the Economist 2016.

civil society participation derived from scientific literature on the topic. These may coincide with the motives of the parties, but this need not be assumed.

To make clear the functions of civil society in peace negotiations, the paper starts by exploring what civil society is, how it relates to broader society, and what purpose it serves in political processes in general. The focus is national and local civil society and its role in democratic governance. International civil society will largely be ignored. This is partly for simplicity, but also because national civil society is seen to have the most vital role in internal democratic self-determination. To demonstrate this vital role, I discuss theories of participatory democracy, deliberative democracy and democratic legitimacy in section 2.2, which also provides important theoretical concepts for the further analysis. The concepts of input, output and throughput legitimacy become particularly useful for the examination of the case study.

With these concepts from democratic theory in mind, I turn to the literature on civil society's role in peace processes specifically. In section 2.3, the spotlight is on civil society's role in the negotiation phase of peace processes, but the gaze is kept wide to also consider roles in other phases. This is because the functions of civil society inclusion in negotiations are sometimes closely linked to civil society's other roles. The key function or goal of civil society inclusion, as derived from the literature, is its contribution to the legitimacy of the negotiation process. In particular, it is seen to add to the legitimacy of the agreement in the eyes of the population, which studies suggest has a positive correlation with the durability of the agreement and its chances of being successfully implemented. Civil society inclusion, in essence, is predicted to increase the chances of lasting peace.

Once the theoretical framework is in place, section 3.1 establishes a set of hypotheses to be tested against the data from the interviews with Colombian CSOs. The hypotheses are designed to determine effectiveness in terms of achieving input, output and throughput legitimacy. Section 3.2 through 3.5 then present a synthesis of the interviews topic by topic, with a cumulative assessment of the hypotheses underway and an overall assessment of the validity of the hypotheses in section 4.1.

The most striking finding of the study is that the CSOs largely felt included, but evidence suggests that wider society did not. The simplest explanation for this might lie in the imperfect way civil society organisations represent society. The interviews suggest another way to explain this problem, however. The informants generally suggest that it is an issue of communication. Chapter 4 is devoted to discussing this and other issues that emerge from the interviews. I argue

that the theoretical models have a challenge to surmount in explaining the translation of civil society inclusion to legitimacy, i.e. the link between CSOs being included and society feeling legitimacy. The theoretical models are mostly concerned with one-way articulation of interests or views, and little concerned with two-way communication or feeding the outcome of inclusion back into the population. I also briefly examine how the government and civil society actors can address this problem of communication.

2 THEORY

2.1 DEFINING CIVIL SOCIETY

The concept of civil society dates back at least as far as the Enlightenment and since then several influential thinkers have explored its significance and its role in relation to the governing institutions of the state. Thania Paffenholz and Christoph Spurk outline how the concept has been used by key thinkers in modern times, contributing to the modern conception of civil society:

John Locke identified civil society as its own body, separate from the state, and stressed its role as a protection against abuse of power, especially as relates to rights and property. Charles Montesquieu presented a less sharp contrast between the sphere of political society and civil society, seeing civil society mainly as a network of independent organisations that operate inside and outside the political structure. Alexandre de Tocqueville focused on the socialising effect of citizen participation in civil society, seeing independent organisations as *schools of democracy* where civic virtues are internalised. Antonio Gramsci, like other Marxist thinkers, distinguished civil society from the state but also from the market. He saw civil society as a public sphere where ideas and ideologies are contested, with different actors both upholding and challenging the existing order. Jürgen Habermas and others have focused on the role of civil society actors in articulating interests or views in society to put concerns on the political agenda. This is seen as an important addition to the input that filters through public institutions and political parties.²

Today, although consensus on a clear definition does not exist,³ some commonly agreed features of civil society can be identified in the literature. It is typically seen as a sector distinct from the state, the market and the family where collective action around shared interests take place.⁴ Nevertheless, as Paffenholz and Spurk point out, the lines between these sectors may be blurred in practice and some actors may belong in several of them or in between. There is some disagreement on whether the family and the market should count as separate sectors or be included in civil society,⁵ thus the dichotomy between the state and civil society from the Enlightenment thinkers is not entirely defunct. For the purposes of this essay, the exact borders

² Paffenholz and Spurk 2006, p. 4; World Bank 2007, p. 41

³ Valencia 2012, p. 475

⁴ Hüller 2010, p. 303

⁵ Paffenholz and Spurk 2006, p. 2

of the categories will not be important, though it may be noted that the type of actors investigated here fall neatly within the civil society sector in all the different taxonomies.

An alternative approach to the sectorial one is to consider civil society as the space between the different sectors in which actors from the sectors mobilise to influence society or politics, such as entrepreneurs demanding tax benefits or traditional groups claiming minority rights.⁶ Most of the time they would operate in other spheres, such as in business or in family or community life, but they may occasionally take part in civil society to pursue wider aims. The discussion in this essay could be adapted to this approach for example by considering an actor a civil society actor when it acts in this common space. I speak of “civil society actors” when talking in a general sense about actors in this space or sector, which is compatible with both approaches.

The list of actors included in the civil society sector varies with the author and the type of taxonomy used, but all authors seem to agree that the actors are numerous and varied. An uncontroversial sample would include trade unions, non-profit or non-governmental organisations (NGOs) and social movements, especially those with political aims. In addition to these, it is subject to debate whether actors such as the media, universities, religious groups, ethnic groups and others also belong in this category.⁷ As seen in chapter 3, the sample investigated in this study is composed of non-governmental organisations.

2.2 CIVIL SOCIETY’S ROLE IN DEMOCRATIC DECISION MAKING

In many branches of modern democratic theory, civil society is seen to have a role in public decision making alongside that of the formal institutions of the state. Most of these schools of thought have in common that they see electoral democracy alone as insufficient to provide legitimate democratic rule. I will not consider direct democracy to any extent, as it is commonly agreed that it is unrealistic in practice in large political units.⁸ Representative democracy in the form of democratically elected leaders chosen in periodic elections will be taken as the basis for the discussion. Elections alone, however, do not give a clear and precise political mandate to leaders on all issues they are required to make decisions on while in power. Politicians will not have complete information to make informed decisions about all issues. In one way or other,

⁶ *Ibid.*, p. 2

⁷ Valencia 2012, p. 476

⁸ See Pitkin 1972, p. 191

they have to turn to other sectors of society and include them in the decision making process. This is the entry point for discussing civil society's role.

Participatory democracy, as an example from democratic theory, provides more inclusive models of democracy as an alternative or an addition to electoral democracy. It generally builds on the basis of an electoral system but envisages a bigger role for civil society actors in decision making processes. The term 'participatory democracy' is applied to a variety of models of democracy, but often includes important elements of direct participation by the citizenry, such as in the accounts of its pioneers, Carole Pateman and Crawford Brough Macpherson.⁹ For the purpose of this paper, the term can be defined as all models of democracy that envisage broader and deeper forms of institutionalised participation for the citizenry and civil society than what is offered by electoral democracy. A danger in participatory democracy pointed out by several authors is that there is no automatic link between participation and reasoned discussion.¹⁰ This reminds us that simplistic forms of participatory democracy may run the danger of becoming a game where groups push their own interests and have no care for deliberation or considering the views of other groups. Some thought to deliberative aspects of public debate is therefore indispensable for a constructive participatory democracy.

Theories of deliberative democracy stress the capacity of actors to not only provide input to a discussion, but to also be able to critically reflect on the input of others and potentially change their position on an issue after collective deliberation.¹¹ The source of legitimacy for democratic institutions, according to these theories, lie in the extent to which they facilitate opinion formation in society around the rational consideration of arguments. Interests and views are seen to transform during the deliberative process. The focus is on informed and reasoned debate and decision making and on the process of preference formation and learning in society, rather than the views of the citizenry at the outset.¹² Habermas writes that civil society actors give voice to social problems and articulate public interests and needs to influence the political process. These actors contribute to opinion formation in society on politically and socially salient issues. Civil society, in his accounts, is a sounding board for issues that must be solved in the political system.¹³

⁹ Held 2006, p. 209

¹⁰ *Ibid.*, p. 233

¹¹ Bouvier 2007, p. 9

¹² Held 2006, pp. 232-237

¹³ Habermas 2009, pp. 355-359

Certain actors in the political sphere may be in more of a position to deliberate and potentially change their minds about issues to find compromise solutions. This is often indispensable in complex societies. There is a long debate in political theory about whether elected leaders should be bound by mandates or be at liberty to deliberate freely with their peers and make choices based on collective reasoning and their own rationality and conscience, as opposed to being bound by the predetermined mandate given to them by their constituencies.¹⁴ If public debate in civil society and the political system are taken as processes of opinion and will formation, such as in deliberative democratic theories, it is clear that politicians must have a certain flexibility in order to take into account the transformation of their own views and those of others.¹⁵ I would argue, in line with Hanna Fenichel Pitkin, that politicians have a responsibility to communicate with their constituencies and justify the choices they make in their roles as representatives. They may go against the expressed will of their constituencies on certain issues, as long as they can justify their behaviour and be held to account.¹⁶ This kind of freedom becomes even more salient in political decision making characterised by urgency. The theories on participatory and deliberative democracy mostly focus on legislative processes and policy making. Executive power is arguably a blind spot in these theories, as it is often subject to different dynamics than deliberation on law and policy. Decision making in situations such as peace negotiations may require a slightly different lens, as discussed in section 2.3.

Civil society organisations are in a different position from politicians. They are not elected by the population, though some may have internally democratic rules and institutions. Some have broad membership structures, but it is rare to find ones approaching the numbers that may support a political party during, for example, elections. CSOs are furthermore not accountable to the population in the same way as politicians. It can be argued that they do not truly represent anyone, except maybe their members, as they were not invested with a mandate by the population. Thus, it is not so evident that they should be given powers and authority in decision making to the same extent as politicians.¹⁷

Nevertheless, civil society actors may be seen to have other ways of gaining legitimacy to act in political processes. Though they may not be *representing* the population, they may in certain ways be representative of certain ideas, sectors, values or interests in the population. Pitkin argues that *representing* in the active sense of the verb is done by politicians in truly

¹⁴ See Pitkin 1972, pp. 144-167; Bouvier 2007, p. 12

¹⁵ Bouvier 2007, p. 12

¹⁶ Pitkin 1972, pp. 209-210

¹⁷ For a discussion of the problem of accountability of CSOs, see World Bank 2007, p. 26

representative democracies. It implies acting on behalf of the population, with some degree of responsiveness to their constituencies.¹⁸ Being *representative of* something is another concept with the same linguistic roots, but it does not imply an authorisation to act on behalf of another. It is arguably an aesthetic concept related to resemblance. Civil society actors may for example resemble parts of society in certain ways that are politically salient and justify their inclusion in political processes. In Habermas' terminology, they give voice to important issues and put them on the political agenda.¹⁹ As implied in the discussion of participatory and deliberative democracy above, they may have a role in making a political system more legitimate.

The debate on the legitimacy of the democratic institutions of the European Union has provided some particularly useful concepts that can be applied also to the discussion of smaller political units such as states. Vivien Schmidt writes that in this academic debate, democracy is commonly seen to derive legitimacy from two main sources. One source is *input legitimacy*, which is judged in terms of "responsiveness to citizen concerns as a result of participation *by* the people."²⁰ The other is *output legitimacy*, which is judged in terms of effectiveness of policy outcomes *for* the people. Schmidt sees these in relation to the influential formulation by Abraham Lincoln of democracy as rule *by* the people (through political participation, in Schmidt's view), *of* the people (through citizen representation), *for* the people (a measure of governing effectiveness, to what extent the outcome is positive for the people).²¹

Election of leaders in democratic elections can be seen to provide the *of* in this triad. Greater political participation by the people outside elections adds to the *by* and is connected to input legitimacy, in that citizens have avenues to influence political deliberations. The *for* may be provided for by wise leaders making good decisions, but input from wider political participation may considerably influence the outcome as well, making the result better for the population and thereby increasing output legitimacy. This framework seems compatible with theories of deliberative democracy such as that of Seyla Benhabib, who defines legitimacy as coming from the free deliberation of citizens on matters of common concern (input) and from the decisions thus made resulting in the general will of the population that is equally in the interest of all (output).²²

¹⁸ Pitkin 1972

¹⁹ Habermas 2009, p. 373

²⁰ Schmidt 2013, p. 2

²¹ *Ibid.*, pp. 2-4

²² Benhabib 1994, pp. 26-31

Schmidt contributes a concept of her own to the debate, namely *throughput legitimacy*, which is related to how input turns into output in governing processes. Evidently, good input mechanisms do not translate directly into good output unless what goes on inside the “black box” of governance is of sufficient quality.²³ It should be noted that it is not only the mechanisms of translation of input to output that contribute to legitimacy in Schmidt’s account. More importantly, throughput is a measure of the efficacy, accountability and transparency of such governance processes.²⁴

Considering the discussion above, the roles of civil society in relation to these sources of legitimacy include providing avenues for input in political processes, giving a voice to problems, concerns and interests, and taking part in public opinion formation and deliberation on political issues. The expertise of civil society organisations may add to the quality of the output of governance processes. Civil society mobilisation and monitoring may also contribute to holding politicians accountable and increase transparency of decision making, especially where civil society actors are directly involved.

Some potential pitfalls in the articulation of views and interests by civil society actors, and thereby their role in providing legitimacy to political processes, may be found in the literature outlined above.²⁵ These include CSOs not necessarily representing broader society, not being accountable to the citizenry, and not necessarily communicating both ways with the broader population. Because of this, their role in providing legitimacy may be crucial, but it is subsidiary to the role of democratically elected representatives. Especially in the exercise of executive power, civil society’s role may be limited, but it may nevertheless play a role that complements that of the government, particularly in feeding their expertise into political processes and serving as an alternative channel for the expression of the concerns of the citizenry.

2.3 CIVIL SOCIETY’S ROLE IN PEACE NEGOTIATIONS

Peace negotiations are political processes. In the type of cases considered in this discussion, they involve at least one government actor. Decisions are made in these processes that have big implications for the whole or parts of the population of a country. Some peace agreements may have so large repercussions for legislation, policy and society as a whole that they become what

²³ Schmidt 2013, p. 5

²⁴ *Ibid.*, p. 2. It may be argued, from a philosophical point of view, that throughput as a measure of transparency and accountability is not a source of legitimacy in itself, but may be a factor that enables the other sources (input and output). For the purpose of this paper, the three categories are taken as useful tools of analysis.

²⁵ Especially World Bank 2007, p. 26

some authors have termed “constitutional moments” in a country’s history.²⁶ The Colombian agreement with the FARC is a good example of this, as it has implications for such themes as political rights, criminal justice, narcotics, agricultural and land policy, and more. These areas of public administration are usually subject to democratic deliberation and decision making, and the discussion in section 2.2 on political participation therefore naturally applies to peace negotiations as well,²⁷ even though peace negotiations raise certain crucial issues that may not come up in other political processes. Some of those issues will be touched upon in this section.

Paffenholz suggests seven functions of civil society that are particularly relevant in peacebuilding. They are protection of persons or rights, monitoring, advocacy, socialisation, social cohesion, facilitation of (informal) talks, and service delivery. Three of these are particularly relevant in the negotiation phase, according to Paffenholz, namely monitoring, advocacy and facilitation.²⁸ The World Bank utilises a similar framework, adding communication and public opinion formation to the concept of advocacy.²⁹ Some of the other features may be important for other aspects of peacebuilding than negotiation for a political settlement. Advocacy is far from civil society’s only function, and is not necessarily its defining feature. However, it is the one most closely linked to the justification for civil society’s participation in decision making more generally. It is especially linked to the civil society’s role in articulating views and interests of citizens and thus contributing to input legitimacy. Furthermore, it is related to its contribution to deliberation on social and political issues.

There are two main lines of argument for inclusion of civil society actors in peace negotiations found in the academic literature. One not so common argument is based in the right to political participation,³⁰ which as evident from the above seems to also apply to peace negotiations. Citizens have a right to participate in political decision making that affects their interests, as enshrined in Article 25 of the International Covenant on Civil and Political Rights.³¹ A strong argument could be made that the right involves more than just having the opportunity to run for office and voting in elections. The text itself says part of the right is to “take part in the conduct of public affairs, directly or through freely chosen representatives,”³² which does not invite a narrow interpretation as solely participating in the conventional forms of legislative and

²⁶ Bell and O’Rourke 2007, p. 293

²⁷ See Ortiz 2006, pp. 57-58

²⁸ Paffenholz 2014, pp. 74-75

²⁹ World Bank 2007, p. 15

³⁰ Paffenholz 2014, p. 73

³¹ United Nations 1967

³² *Ibid.*, Article 25 (a)

executive organs of government as an officially elected representative. The United Nations Human Rights Committee seems to have had mostly participation as an elected official in mind when drafting General Comment no. 25 on this issue, but they also write that

Citizens also take part in the conduct of public affairs by exerting influence through public debate and dialogue with their representatives or through their capacity to organize themselves. This participation is supported by ensuring freedom of expression, assembly and association.³³

They go on to underline the centrality of these other rights (under Article 19, 21 and 22 of the Covenant) to the realisation of the right to participation.³⁴ Thus, claiming more extensive forms of participation in political affairs under this right seems to fall within a reasonable interpretation of the Covenant. It could even be plausibly argued that more extensive forms of participation lead to a fuller realisation of this right, even though the lack of such extensive forms of participation would likely not count as a denial of the right. Forms of participation such as those found in the theories of participatory democratic theory may thereby serve to deepen the realisation of the right to participation when applied to peace negotiations.

The more common argument in peace research literature for inclusion of civil society in peace negotiations builds on an instrumental logic and revolves around the claim that such inclusion positively affects the durability of the ensuing peace.³⁵ In a widely-cited study, Desirée Nilsson demonstrates a positive correlation between inclusion and durability by statistical analysis of the 83 peace agreements in internal armed conflicts concluded between 1989 and 2004. In her methodology, however, civil society is coded as included if it is part of drafting the agreement but also if the accord stipulates that civil society shall have a part in implementation.³⁶ In other words, the study does not isolate the role in the deliberative phase, i.e. contribution to the negotiations. Similar results were found in an earlier study by Anthony Wanis-St. John and Darren Kew (2008), where the focus was the level of influence at the negotiation table itself, i.e. during the negotiations. Although with a smaller sample, they found that cases where civil society was more directly engaged seemed to enjoy more sustained peace.³⁷

A variety of authors have since contributed to the debate on how civil society inclusion affects negotiations and seems to have a positive correlation with the durability of peace. Many of the attempts at explaining this phenomenon revolve around the perceived legitimacy of the peace

³³ Human Rights Committee 1996, para. 8

³⁴ *Ibid.*, para. 25-26

³⁵ Paffenholz 2014, p. 73; Zanker 2014

³⁶ Nilsson 2012, p. 252

³⁷ Wanis-St. John and Kew 2008

process or the effect of civil society input on the quality of the peace agreement. Nilsson, for example, focuses on the concept of legitimacy, arguing that inclusion of more actors than the warring parties, from different segments of society, could lead to broader legitimacy of the process in the eyes of the public and thus increase the durability of the agreement.³⁸ Nilsson does not go into detail on the mechanisms by which inclusion could increase legitimacy. Paffenholz, however, presents several explanations found in the literature, including 1) that civil society actors often seek to address the underlying causes of conflict beyond the immediate interests of the belligerents, 2) that inclusion of civil society actors can include potential spoilers who would otherwise have been barriers to implementation of the agreement, 3) that inclusion adds a layer of accountability to the process and sense that the negotiations have higher legitimacy, which can lead to a shift in public opinion about the process, 4) inclusion can offer expertise and local knowledge, and 5) high-level civil society initiatives can “test out new ideas, conduct joint analysis, or contribute to changes in the political culture on each side.”³⁹

Paffenholz also outlines the main arguments against inclusion found in the literature. One is that choosing who to include can be challenging, as it can be politically difficult to include some actors while excluding others. It can furthermore be hard to assemble a representative sample of civil society actors. Furthermore, inclusion may be seen to complicate negotiations, as it adds voices that need to be taken into account and more actors that may hinder reaching an agreement.⁴⁰ Classic negotiations scholars such as James K. Sebenius present the reduction of parties in negotiations as a strategy to reduce the complexity of negotiations.⁴¹ These arguments against inclusion force us to think about how to best include civil society actors. It may be that maximum levels of inclusion are not necessary or desirable. We may even have to be careful about who to include and how, as the inclusion of certain actors might significantly reduce the chance of reaching an agreement or reduce the legitimacy of the negotiations in the eyes of the population. Consequently, not all models of inclusion must be considered mandatory, and the utility of each will depend on the circumstances.

³⁸ Nilsson 2012, pp. 248-249

³⁹ Paffenholz 2014, pp. 73-74

⁴⁰ *Ibid.*, pp. 73-74

⁴¹ Sebenius 1983; See also Watkins 2003

2.4 MODELS OF CIVIL SOCIETY INCLUSION IN PEACE NEGOTIATIONS

As mentioned in the previous section, Wanis-St. John and Kew structure their research around levels of influence at the negotiation table itself.⁴² Except for specifying that a high level would mean that civil society groups or coalitions have a seat at the table, they unfortunately do not enumerate the ways in which civil society actors may have a clear influence on the parties. A high level of inclusion does not automatically translate into a high level of influence. Paffenholz proposes nine different “models” of civil society influence that may add some flesh to that bone. These may be utilised at the same time and in different combinations. She presents them in the order of the most direct to the least direct form of participation:

1. *Direct representation at the negotiation table*, either as their own delegations or as members of official delegations;
2. *Observer status*, with no official roles but a direct presence;
3. *Official consultative forums* that run parallel to official negotiations and that are endorsed by the mediators and negotiators;
4. *Less formal consultations* that lack official endorsement from all the stakeholders;
5. *Inclusive post-agreement mechanisms* that involve civil society groups in the implementation of peace agreements;
6. *High-level civil society initiatives*, including facilitation of talks between main parties outside the negotiation setting;
7. *Public participation*, involving the broader population via public hearings, opinion polls, town hall meetings, or signature campaigns;
8. *Public decision making* via referenda and other electoral forms that put major political decisions to binding public vote (e.g. terms of peace agreements, constitutional reforms); and
9. *Mass action*, campaigns, demonstrations, street action, protests, and petitions.⁴³

All but one of these models may be seen as ways to provide input to negotiations. The degree to which they add input legitimacy might to some degree correspond to the ranking Paffenholz suggests. At least at face value, direct representation would seem to add a high degree of legitimacy. But there is a limit to the number of actors that can be included in such a way, and the legitimacy derived from inclusion will therefore depend on the representativeness of the

⁴² Wanis-St. John and Kew 2008, p. 25

⁴³ Paffenholz 2014, pp. 76-77

included actors. Because it is hard to include the entire people, CSOs or other important civil society actors may act as intermediaries or proxies. A delegation representing a coalition of civil society actors could add a high degree of legitimacy, as would a delegation with a civil society actor with a broad backing in wider society. Model 5, it should be noted, is not about civil society input in the negotiation phase but concerns the post-agreement phase. This may be relevant to the durability of peace and the sense of inclusion and buy-in on the side of civil society, but it is not a form of input in negotiations.

Some of these models may properly deserve the label *inclusion*. By this I mean that mediators and negotiators actively take steps to involve civil society actors in the negotiations. Examples of this would include models 1 through 4, plus 7 and 8. Other models may not require any action on the part of the mediators or negotiators, such as model 6 and 9. In these models, civil society actors try to influence the negotiations from outside the formal negotiation setting, perhaps without any form of support or recognition by the parties. The parties may have indirect roles in this, such as condoning or repressing demonstrations, but this would be a reactive role and it does not amount to *inclusion* in the active sense. The input provided this way may of course be integrated into the negotiations, so these models clearly belong in the list of ways civil society can exercise influence. But they do not seem to contribute immediately to input legitimacy, as they are not part of the formal process and therefore do not add legitimacy to that process, at least in theory. Nevertheless, if the input thus provided is taken into account, it could be imagined that citizens feel that the process has gained in legitimacy as their voices have been heard. They may thereby feel that the process has become more inclusive, even if this is not due to active steps by the ones in charge of the formal process. This sort of influence will be hard to distinguish from the influence due to active inclusion.

3 EMPIRICS

3.1 METHODOLOGY

The above sections have gone some way towards explaining civil society's role in peace negotiations and given us a conception of legitimacy that will be crucial to analysing the data collected on the Colombian peace negotiations. To start responding to the research question, the concept of effectiveness in relation to civil society inclusion needs to be operationalised. As a reminder, the research question is the following:

How effectively were civil society organisations included in the Colombian peace negotiations with the FARC from 2012 to the signing of the final agreement in 2016?

The question text may seem to imply goals on the part of the ones in charge of the inclusion. For the purpose of this study, I am not concerned with the goals of the negotiators. I am referring to effectiveness in terms of achieving the aims of inclusion in theory, principally increasing legitimacy (i.e. input, output and throughput legitimacy in the eyes of the CSOs).

Effectiveness seems to be most naturally linked to outcome legitimacy. If something is said to be effective, it typically means that a relatively low level of input or effort brings about a relatively high level of output. Thus, we could measure effectiveness by how much an agreement reflects the concerns of the civil society actors involved, compared to the level of input they provided. As can be seen in the interview guide in Annex I, information on this effect on outcome is sought.

One aspect of throughput is in this context the translation process of input into output, which could be considered a key component of effectiveness. In practice, this would be the way the parties in the negotiation incorporate (or not) the input provided by civil society actors and others. In cases where civil society is directly represented at the negotiation table, it would be how their input interacts with the input of the other parties. A full account of throughput would require a different methodology than what is employed in the research presented below. Importantly, it would require consulting more actors than just CSOs. One way to assess it would be to carry out interviews with the mediators and the negotiation teams of the parties to the negotiation. This could be an interesting avenue for further research. Nevertheless, some idea of the quality of throughput can also be gleaned from interviewing civil society organisations. It does not give a complete picture, but it does provide insight into the most important aspect of legitimacy: how it is perceived by relevant actors.

In the arguments for civil society inclusion in peace processes discussed in section 2.3, it is the public's perception of the legitimacy of the peace negotiations that is decisive for the effect on durability of the ensuing peace. In the interviews, the focus is on the perceptions of the CSOs interviewed, and while they share their impressions of legitimacy as perceived by the population, a more expansive study would be required to assess in full what were the actual perceptions of the population. With subjective perceptions in focus, investigating effective inclusion equals looking at how effectively the actors perceive themselves to have been included. The subject matter is how seriously they feel they have been treated in the deliberations, how they have been listened to, and to what extent their input has been allowed to influence the negotiations. This is primarily a matter of input legitimacy with an important layer of throughput legitimacy. The focus in this paper is the perceived quality of the process and outcome more than the actual quality of either. These may of course be interlinked, as perceptions are usually at least partially derived from actual facts, but there need not be a one-to-one relation.

Based on the above discussion, three measures of effectiveness can be formulated for the purpose of this investigation. They can be expressed as hypotheses, to be able to test them against the empirical data:

H1: The CSOs feel that the avenues for providing input in the peace negotiations they have been offered were adequate.

H2: The CSOs feel that their input has been taken into account.

H3: The CSOs feel that their concerns are reflected in the final agreement.

If these hypotheses are verified, we can conclude that the consultation process has been effective at including CSOs in the perspective of the CSOs interviewed. H1 can be seen as a proxy for perceived input legitimacy, H2 and H3 as proxies for throughput legitimacy, while H3 is also a measure of output legitimacy. If one or more hypothesis is verified while others are not, this may imply that the consultations have been less effective. If none of the hypotheses are verified, we should be able to conclude that the inclusion has been ineffective in the eyes of the interviewees. It may be noted there is another obvious way to measure output legitimacy, which can be formulated as:

H4: The CSOs are content with the final agreement.

H4 is however less directly tied to the influence of the CSOs and may therefore be less decisive for determining effectiveness. Nevertheless, contentment with the agreement may in certain ways reflect whether the CSOs felt that the agreement took in sufficient input from civil society. Asked in this way, the CSOs are not invited to say that the agreement could have included more input from civil society, which H3 does risk. As H3 alone would not sufficiently measure output legitimacy and might be biased towards showing discontentment, H4 complements H3 by adjusting its interpretation.

The investigation is set up as semi-structured interviews to allow the participants to reflect somewhat freely on the different topics. Questions that give an idea of the topic are clustered under each heading in the interview guide. As the interviewer, I start by introducing the topic in a general manner and may later pose one or more of the questions directly if I feel that it has not been covered. The main idea is to allow the participants to present their thoughts on the issue in their own way, instead of imposing a list of questions on them. The interview guide was sent out some days in advance so that the interviewees had time to reflect on the topics beforehand. Getting thorough and thought-through responses is a higher priority than getting spontaneous ones.

The interviews were carried out over two weeks in the middle of January 2017 in Bogota, Colombia. They were conducted in Spanish, with one hour set off for each interview. One interview had to be carried out over telephone at the end of January because the participant was unable to attend at the initially agreed time. At the outset, the aim was to carry out all of them in person because this would allow for a more natural and interactive conversation with the added communicative richness of facial expressions and body language. Nevertheless, the small loss of these aspects in the last interview should not seriously affect the results.

Potential participants were first contacted by email, as I was outside Colombia during the planning phase of the research. In the search for interviewees, the aim was not to get a large enough sample to be able to make statistically significant conclusions. This would have been unrealistic considering the limited time and resources available. Instead, the intention was to have a wide array of different types of organisations in the sample that would span the spectrum of organisations working in Colombia with some relation to the peace process. They were initially found by consulting lists of organisations registered with the United Nations or the Colombian chamber of commerce.

Out of 28 organisations contacted, eight agreed to meet for interviews. Two of these were unable to meet at the agreed time, due to unforeseen circumstances, but one of these was later interviewed over phone. The sample is relatively broad in terms of types of organisations, including a human rights organisation, a women’s rights organisation, a minority rights one, several organisations working explicitly with peacebuilding and one focusing on participation of the citizenry in decision-making processes. In 5 out of 7 interviews conducted, the organisations were represented by their directors, while in the remaining two, the interviewees were, respectively, the head of communications and a lawyer closely engaged in work of the organisation connected to the peace negotiations.

Table 1: Sample of Civil Society Organisations Interviewed⁴⁴

Name	Acronym ⁴⁵	Field	Type
ABCPAZ	ABCPAZ	Peacebuilding	Professional NGO
Casa de la Mujer	CDLM	Women's Rights	Professional NGO
Comisión Colombiana de Juristas	CCJ	Human Rights	Professional NGO
Comisión Intereclesial de Justicia y Paz	CIJP	Human Rights	52 members
Movimiento Cimarrón	Cimarrón	Minority Rights	Approx. 3,600 members
Red de Paz	RDP	Peacebuilding	Network of NGOs
Viva la Ciudadania	VLC	Political Rights	Network of NGOs

The sample could have been improved by including for example indigenous rights groups, organisations representing victims of the guerrillas, former guerrilleros, the LGBTI community, youth organisations and possibly trade unions or academia. It should also be noted that all the organisations in the sample have been working in favour of peace. A broader sample would include organisations more hostile to the peace process. The sample is also limited in that the organisations all have headquarters in Bogota. Because of the limited resources available, it

⁴⁴ For more information on the organisations, see the table in Annex III

⁴⁵ The acronyms used here are for convenience only and are not necessarily the official acronyms of the organisations.

was not possible to travel outside of Bogota to do interviews. Thus, the sample includes organisations that have a national scope and have members or connections in the regions, but not organisations that only have presence in the regions and none in Bogota.

Because of the limited sample, the investigation may be treated as a small-number case study of 7 organisations involved in the peace process in Colombia. For more conclusive findings, more organisations would have to be interviewed. This study may be thought of as a probe or partial cross-section of Colombian CSOs engaged in the peace process. It does not necessarily give an accurate picture of all of civil society in Colombia. Nevertheless, for the organisations in the sample, the discussion provides a rich picture of their involvement in the peace process and their perceptions of the consultations with civil society. Though only a few out of many possible perspectives, this tells us much about the process of consultations in Colombia and may be a good starting point for further research.

The remainder of the chapter presents the data collected in the interviews, structured according to the CSOs' perceptions of the concept of representativeness, input in the peace negotiations, output and throughput, and their overall evaluation of the consultations with civil society. Some indication of how the data relates to the hypotheses is given underway, with a final evaluation of the research question and hypotheses stretching over chapter 4 and the conclusion.

3.2 REPRESENTATIVENESS

The interview guide starts with two headings designed to give insight into how the organisations conceptualise their role in society and relationship to the citizenry, which gives an idea about their perspective on their functions in political processes. This contextual information is necessary for determining whether the theoretical frameworks employed are relevant to the actors in question. Comisión Colombiana de Juristas (CCJ) and ABCPAZ said in very explicit terms that they did not pretend to represent anyone apart from their own members. ABCPAZ said they may be representative of a certain force or will in some sectors of society, but that they did not speak for any of these. CCJ did not wish to speculate on this point, but said they may be representative of certain ideas. Viva la Ciudadanía (VLC) expressed similar views in vaguer terms, saying that no single entity can be said to represent civil society. According to them, there is a diversity of organisation in Colombia with different levels of representativeness in the national sphere and in terms of internal democratic representativeness.

This recalls the distinction between *representing* as a verb and *representative* as an adjective from section 2.2. Several of the organisations were being very clear about not representing civil society or citizens in the sense that for example politicians do. It is ambiguous whether the CSOs thought they can be representative of civil society as a whole, though some of the interviewees seemed inclined to think they can be. Red de Paz (RDP) expressed this most clearly, claiming to be one of the organisations in the country with most national presence and most diversity, and they held that each group representative of Colombia was part of the network of NGOs and citizen's movements that make up the organisation.

Comisión Intereclesial de Justicia y Paz (CIJP) is a good example of an organisation that sees itself as internally democratic. They saw representativeness for civil society organisations as a construction of internal consensus. Furthermore, representation was to them, in another sense, to present positions. They claimed that one of their aims was to make sure that the voices of certain groups affected by the armed conflict has resonance and are listened to in national and international institutions. Cimarrón similarly expressed that they saw representativeness as being a spokesperson for the claims and interests of the Afro-Colombian population. Finally, Casa de la Mujer (CDLM) distanced themselves from the idea of numerical representation and subscribed to the idea of representation of interests. They underlined that having more women in power, for example, does not necessarily ensure a better representation of women's interests.

Considering the above, it should be noted that all CSOs seemed to see civil society as a sector, not a sphere or a space between the sectors. A minority of the organisations saw themselves as representing parts of society directly, but to most it seems to approach what I termed an aesthetic representation or resemblance in section 2.2, while some CSOs distanced themselves even from this conception. Thus, we may not be able to attribute the same roles and responsibilities that would be implied in the representing relationship between, for example, citizens and politicians. At least four of the organisations stressed their role as articulators of interests or points of view. This does not immediately seem to include communicating results back to society or a role in facilitating two-way communication between the citizenry and the political system.

3.3 FORMS OF INPUT

The input the organisations provided in this process can be classified according to the models of civil society inclusion from Paffenholz outlined in section 2.4. Some of the activities mentioned by the CSOs are difficult to classify according to the models of inclusion, however, and a few seem to fall outside the list of models Paffenholz provides.

Three organisations had been to Havana to participate in activities connected to the negotiations proper, namely RDP, VLC and CIJP. RDP and VLC specified that this was only after the plebiscite. No organisations were present as formal parties to the negotiations, so this would arguably not amount to the highest level of inclusion that Paffenholz suggests, which would be *direct representation at the negotiation table*. Though able to participate directly in the talks as active *observers*, the CSOs did not have a veto on changes to the agreement, and the negotiations formally remained between the two original parties.

Four organisation mentioned attending the *official consultative forums* that were arranged around each chapter of the agreement during the negotiation phase. CCJ, VLC and RDP did not. The proposals made in these forums were brought to the negotiation table. Interestingly, CCJ, VLC, RDP and ABCPAZ all state that they have been engaged in *less formal consultations* with one or both parties to the negotiations. This means that except for ABCPAZ, which participated in both forms of consultation, the organisations are neatly divided into two groups: (i) those that mention participating in the forums and (ii) those that mention participating in less formal consultations. Though the forums may imply a higher level of civil society inclusion, the forms of informal consultations mentioned by these organisations should likely be regarded as more prestigious, as they give more direct access to decision makers.

CCJ, VLC and ABCPAZ all seem to have been consulted multiple times by both parties. ABCPAZ even said this happened frequently. The parties would call to ask their opinion on certain issues, for example. The organisation seems to have been the only one to enjoy this level of communication with the parties, however. RDP only mentions such participation after the plebiscite, when they went with other civil society organisations to Havana. They describe it with words such as “to plan,” “discuss,” “analyse” and “reflect” with the parties.⁴⁶ Thus, the level of involvement at that time seems to have been quite high for the organisations participating, involving substantial discussions with the parties.

None of the organisations described anything like the arch example of *high-level civil society initiatives* given by Paffenholz, which would be facilitation of talks between the main parties by civil society actors. *Public participation* such as involving the broader population via public hearings, opinion polls, town hall meetings, or signature campaigns, was not put forward as an important form of influence either. This may be due to CSOs not being the main beneficiaries

⁴⁶ Interview, 17 January 2017. All translations are those of the author. The quotes in Spanish are found in Annex III.

or participants in this form of inclusion. Even if this sort of participation did take place, CSOs might not highlight it as a main line of activity in their work.

The plebiscite that was carried out in October 2016 to consult the population on support for the first agreement is well known and it is a prime example of *public decision making* as a model of inclusion. All the organisation referred to it extensively, illustrating its immense importance to the peace process in Colombia. The organisations had varying opinions on the impact of the plebiscite and the changes in the agreement that were due to the dialogue with civil society after it. As the perceptions of the plebiscite are highly complex and the views expressed on it are hard to distinguish from overall evaluations of the consultations, this issue is treated further in section 3.6.

RDP and CIJP mentioned having carried out work connected to the plebiscite, such as supporting the Yes campaign. CMLD, RDP and Cimarrón all participated in public marches and demonstrations in favour of peace, with RDP sometimes taking part in organising these. These activities may fall in the category of *mass action*, together with activities such as Cimarrón organising letter-writing campaigns and VLC organising a social mobilisation campaign. As mentioned in section 2.4, it is important to note that such activities may count as participation and exerting influence on negotiations, but do not seem to constitute active inclusion by the parties.

Many other activities mentioned by the CSOs do not fall neatly into any of the models of inclusion. These are especially activities that could be seen as forms of influence, but not active inclusion. As an example, CCJ mentioned launching litigation against the state connected to legislation on accountability for crimes in the armed conflict. CCJ also explained how they and other human rights organisations publicly supported the current president Juan Manuel Santos in the presidential elections because it was feared that if the opposition candidate won, the peace process would fall apart. Cimarrón, ABCPAZ, VLC and CCJ all mentioned different work to affect public opinion through public media, with authoring articles as the most frequently used method. In several of these accounts, this was clearly an indirect way of influencing the negotiations. For others, it was also a way to communicate and engage with wider society.

The underlying question is of course what all the above implies for input legitimacy and how it responds to Hypothesis 1. This will be treated further in section 3.5, where the focus is the CSOs' evaluation of the consultations. Initially, though, it can be observed that most of the models of civil society participation outlined by Paffenholz have been employed to some degree

in the peace talks. The notable exception being direct representation at the negotiation table, while high-level civil society initiatives and public participation were not highlighted as significant to the CSOs in question. No forms of inclusion seem to have been utilised by all of CSOs, either because they were inaccessible or perhaps not seen as important.

That the CSO have used other forms of influence than those facilitated by the government consultations and inclusion processes should come as no surprise, and it does not necessarily mean that the inclusion has been ineffective. It would be strange for CSOs to give up other activities in their repertoire because they are given new channels to influence the negotiations. An issue for the further analysis is that the influence exercised through formal and informal channels will be hard to distinguish. Lastly, it should be noted that I have not aimed to tie input to specific output. The most relevant aspect for legitimacy is the CSOs' general impression, more than any objective account of whether their input corresponds to specific output.

3.4 PERCEPTIONS OF THROUGHPUT AND OUTPUT

The CSOs' perception of results of their work and overall contentment with the agreement may be difficult to distinguish in practice, but they constitute distinct elements of legitimacy. Contentment with the results is likely the most important element in the definition of output legitimacy defined as effectiveness of policy outcomes for the people (section 2.2). It can be tied to Hypotheses 3 and 4. Perceptions of successful influence is likely to tell us more about throughput, and is mostly tied to H2 and H3. Nevertheless, these elements are interlinked, as the objectives of civil society actors reflect their ideas about what a good agreement would contain. Assessing whether they have achieved these objectives may therefore tell us something about both output and throughput legitimacy.

To start with perceptions of influence, ABCPAZ, RDP, CIJP and VLC saw their input reflected in the agreements at several points. It is worth noting that the latter three were all participating at the highest level of inclusion observed, namely at the peace talks in Havana. CCJ also felt that they had been listened to, especially as relates to the question of impunity. As seen in the last section, CCJ, VLC and ABCPAZ were consulted informally several times by the parties. These two models of inclusion therefore seem to correlate with perceived influence.

At least three organisations seem to have recognised their input very clearly in the agreement. ABCPAZ in particular saw that their work had been "worth the effort." They said "we see ourselves reflected in some points of the agreements. We see that there, in that phrase, at times

one of our ideas has been planted...”ⁱⁱ ⁴⁷ According to ABCPAZ, this occurred several times and they see themselves reflected in various parts of the agreement, including on rural development, farmers’ participation in decision making and on food sovereignty. VLC also stated that there were concrete things in the agreements that corresponded to arguments they had made. They could identify at least seven such proposals clearly. “For example,” they said, “all of the model for substitution of illegal crops correspond almost to the letter to things we have written on the topic.”ⁱⁱⁱ Not all cases were this clear:

Some we can identify in a clear way in the agreement including in the way it is written, because it resembles things we have written, although we cannot say: “Look, this is what they took from us and they copied it there.” That would be insulting the intelligence of the negotiators. But much of what is there is now in the agreement, much more than seven [proposals] that we can identify clearly.^{iv} ⁴⁸

CIJP, similarly, saw several of their proposals as taken into account, mentioning the topic of justice, the truth commission, the commission for the search for disappeared persons, and

... all of the fifth chapter which has aspects in which we feel represented or identified in the final agreement. And there are other points in relation to the topic of participation that have been taken into account, such as the one that has to do with access to information media. Also on the... topic of drugs.^v ⁴⁹

Overall, CIJP confessed to being satisfied with their influence, within what is possible. They stressed how the negotiations ultimately were a conversation between the parties to reach an agreement, where no party could impose anything on the other. Several other organisations expressed similar realism (or pessimism) about influence in the negotiation process, which will be discussed further in section 4.4.

Other organisations, while not denying their own influence, were more careful in making claims about how the text of the agreements was a result of their work. CDLM was particularly careful in making claims about its own influence. It stressed how difficult it was to link specific points in the agreements to its own influence, because many other organisations mobilised around the same points.

It is difficult because it was a contribution of many women’s organisations. Therefore, I could say that [the agreement] collects contributions of women, but not of [this organisation] as such... we cannot say that a specific thing was the proposal of an organisation, because this was a joint movement of women.^{vi} ⁵⁰

⁴⁷ Interview, 12 January 2017

⁴⁸ Interview, 12 January 2017

⁴⁹ Interview, 31 January 2017

⁵⁰ Interview, 19 January 2017

Nevertheless, CDLM was able to identify several points where they achieved their objectives in terms of influence on the negotiations. One was the creation of the sub-commission on gender, although this had not been an objective as such at the outset. Another was that the parties stayed at the table, negotiating. CDLM also thought it had contributed to the agreement being better known by the population. Furthermore, there were points that they recognised relating to victims, amnesty, and the integral focus on women.

RDP expressed similar ideas to CDLM, saying that they saw in the agreement many things that were perhaps not theirs as such, but reflected things that had been important nationally. This included points such as on land rights, political participation, and differentiated focus on women. They also saw civil society influence in that there was an agreement at all, echoing CDLM's point about keeping the parties at the table. RDP thought that civil society influence could be demonstrated in that there now is an agreement:

If it had not been for this participation of civil society, perhaps we would not have an agreement today. After the second of October [the date of the plebiscite], we were left in uncertainty... and I am convinced that it was the pressure of the citizenry that made it so that there was an agreement within a reasonable time.^{vii 51}

Only one of the organisations interviewed seemed to think that their input had not been taken into account at all. Cimarrón thought that the Afro-Colombian population as a group, Afro-Colombian rights and a differentiated focus on Afro-Colombians had not been taken into account in the negotiations. They claimed that despite the forums and proposals to the negotiation table, the government and FARC had not really incorporated the input of civil society organisations into the negotiations. In Cimarrón's view, the agreement could have included more elements to address human rights, increased democracy and political participation. This is a good example of when it becomes difficult to distinguish between output legitimacy and throughput legitimacy, as they seem to be mixed in the account of the outcome. The discontent seems to be both rooted in the lack of incorporation of the organisation's own input, but it is also a discontent with the final agreement as a whole.

Turning to output legitimacy in terms of contentment with the agreement, or Hypothesis 4, the other organisations, though largely content, expressed certain reservations. CDLM, for example, was looking into whether certain parts conformed to constitutional norms, especially as relates to accountability for crimes against women and accountability of the military. Nevertheless, CDLM thought that Colombia could move towards peace with this agreement.

⁵¹ Interview, 17 January 2017

Others, like RDP, did not consider the agreement perfect, but stressed that one had to be realistic about what the parties would accept. CCJ was by far the most enthusiastic about the agreement. In their view, the agreement conforms to International Humanitarian Law and International Human Rights Law. Both the first and the second agreement were admirable, in their view, being perhaps the most developed peace agreements to this day in terms of respect for victims, justice and several other points.

Considering the above, it is clear that the views expressed fall within grey zones and mostly do not amount to unreserved approval of the agreement. Nevertheless, the views so far seem positive enough to validate hypotheses H2, H3 and H4. When asked about results of their work and level of contentment with the peace agreements, most organisations provided positive responses. Three had certain reservations, while one was particularly discontent with its influence. The contentment may be seen to correspond to some extent to the level of the models of inclusion the CSOs were privy to. More depth will be provided in ensuing sections, allowing for a more accurate assessment of the hypotheses.

3.5 COMPARISON TO OTHER POLITICAL PROCESSES

To contextualise the reflection on the level of inclusion in the peace negotiations, it was deemed useful to ask the CSOs to talk about how it compares to other political processes. This also provides material for assessing Hypothesis 1 on whether the avenues for input provided were adequate. Four of the CSOs were able to make comparisons to their own experiences in other advocacy work. Two organisations had peace as their exclusive focus but still offered their impression of how the peace process compares, while one organisation offered no comparison.

Of the four that had other processes to compare to, CDLM, VLC and CCJ saw the treatment of CSOs in the peace negotiations as distinct from the treatment in other processes. CDLM compared it to the process of dialogue between the government and paramilitary groups.⁵² According to CDLM, there was no consultation in those negotiations and the final decision was an almost exclusively bilateral affair. Other issues, such as the law on violence against women, have been more concentrated in specific parts of the government or the state. The peace process, CDLM noted, was much more comprehensive, implying that it was natural to see wider consultations.

⁵² *Paramilitares*, in Spanish. In Colombia, these are groups that were fighting against the *guerrillas*, on the side of the government but outside the law, often committing atrocities against the civilian population. Not to be confused with the *guerrillas*. See Garcia-Peña (2005) for historic overview of paramilitary activity in Colombia.

VLC and CCJ both explained how the government's interests coincided with those of civil society in the peace process. CCJ informed that they have always been openly critical of the government and its job has been to criticise it and denounce it in front of international institutions. Because of this:

The government – the governments – have been obliged to respect us because we have recognition by international institutions. But yes, there has been a tension. With this government, the topic of peace has brought us closer together.^{viii 53}

Even though CCJ was formulating objections to what the government was proposing during the peace negotiations, they were always explicit that this was because they were supporting the peace process. VLC informed that there were different levels of responsiveness to civil society in different parts of the government. In the peace process, the interests of the current government largely coincided with those of civil society organisations, bringing the two closer to each other.

The fourth organisation that had experience of its own to compare to was Cimarrón. They held that civil society participation has been used for a long time in Colombia, but that nevertheless, it was always the government that commanded and made decisions. For example, for the national plan of development, civil society input was sought but the government went on to make the plan that they wanted without including what civil society presented. The same was true for the peace negotiations, and civil society proposals were not really taken into account. Cimarrón also made a comparison to the work on a bill on non-discrimination against Afro-Colombians. In that process, they did not feel listened to and they felt that politicians were not interested in listening, even if this was a bill where it would be important to consult the Afro-Colombian population. If anything was different in the peace negotiations, they said, it was that there was more publicity, “but the people did not know the agreement in detail and they still do not know it. It was publicity, no more.”⁵⁴ Consequently, there was at least one out of seven organisations that felt that the peace negotiations were no different from other political processes, in that civil society input was not taken into account to any greater extent in political processes in general, with the peace negotiations being no exception.

The two organisations that worked exclusively on the peace process in Colombia, RDP and ABCPAZ, largely agreed with the organisations that considered the treatment of civil society in the peace negotiations as distinct from other political processes. ABCPAZ was of the mind

⁵³ Interview, 11 January 2017

⁵⁴ Interview, 12 January 2017

that there was a crisis of democracy in Colombia, amongst other tied to the distance between politicians and the people, and that new spaces for direct participation had been created to try to fill this divide. The forums for the different chapters of the peace agreement were one example of such spaces. RDP thought the process was much wider than other political processes, even other peace processes. The plebiscite was not required by the constitution and was according to RDP a sign that forms of consultation had been sought. An aim for the negotiators was also to include as many sectors of society as possible so that all felt considered, in their view. The consultations were as a consequence wider, more participatory, and more representative of the different groups and communities in the country.

In summary, most of the organisations thought that the civil society inclusion in the peace negotiations was wider and more comprehensive than in other political processes. This may in part be due to government interests coinciding with those of civil society, as several organisations suspected. The outlier case, the one organisation that disagreed strongly with the others, may call for an explanation. Nevertheless, the evidence presented so far gives reason to consider Hypothesis 1 validated, though the next section provides additional information to assess this. I will not speculate at length on why Cimarrón disagreed so strongly with the others, other than to say that their assessment may perhaps be understandable given their perception of their influence, as seen in the last section. The dissent does make it evident that all civil society organisations did not necessarily experience the inclusion in the negotiations as effective. Certain groups in society may have felt this more strongly than others, which only a wider study could provide an answer to.

3.6 EVALUATIONS OF THE CONSULTATIONS

Towards the end of each interview, the CSOs were asked how they would evaluate the consultations with civil society overall. This gave them a chance to express not only their impression of how their own organisation had been treated, but also to share their perception of the quality of the process of consultations in general, for all civil society. This offers us another layer of depth for analysing the responses outlined in the preceding sections and the hypotheses connected to them. In particular, it let the CSOs express in their own way whether they felt that the consultations had been effective, as they understood the term, and whether the process had added legitimacy to the agreement.

With one notable exception, the CSOs were largely positive in their overall evaluation of the consultations. Nevertheless, all but one of them had varying degrees of reservations concerning

the process and the results. There were mostly positive remarks about the models of inclusion, especially compared to other political and peace processes both domestically and abroad.⁵⁵ Several CSOs, however, had wished for more of the proposals from civil society to be incorporated in the agreement. Some saw the process as being wide and extensive, but lacking in terms of effectiveness in integrating civil society input.

ABCPAZ was by far the most positive in their evaluation. On the topic of informal consultations, they thought that the parties had been open to consulting different views. ABCPAZ was also pleased to have been able to participate in the forums, to express their opinions, and to see those points of view reflected in the agreement. In ABCPAZ's view, it was important to remember that the negotiations were a political settlement between two parties to an armed conflict and that all recommendations were obviously not taken into account. Speaking also for the ongoing pre-negotiations with the Ejército de Liberación Nacional (ELN), ABCPAZ noted that:

... a dose of realism is needed when you are dealing with a peace process. When you are going to make peace, the peace that you want is never made, only the peace that is possible – the peace that is possible, and that is possible to conclude by way of a political agreement between the parties that are facing each other.^{ix 56}

CIJP and RDP expressed similar realism in their expectations for the consultations. RDP would have liked to see more proposals from civil society included in the agreement, but stressed that we have to keep in mind that this is a peace process between two parties and that it cannot solve all structural problems in society. CIJP, as mentioned, was satisfied with their influence within what is possible. They stressed how reaching an agreement is a conversation, and that no party can impose their opinion on another. Nevertheless, they would have liked to see more progress on accountability for military personnel. This realism stands somewhat in contrast with more maximalist expectations for the peace agreement, embodied especially by Cimarrón. We return to this issue in section 4.4.

Cimarrón was undoubtedly the organisation that expressed the most negative perception of the consultations. As explained in the preceding section, they felt that their input had not really been taken into account. After the negotiations were over, said Cimarrón, groups of Afro-Colombians were invited to speak with FARC, but this “was just diplomacy. It was not one of

⁵⁵ For an academic discussion of former peace processes in Colombia, see Hernández (2011), Ortiz (2006) and Sandoval (2013). For a comparison to other peace agreements internationally, dating from before the signing of the final agreement, see Bell (2016).

⁵⁶ Interview, 12 January 2017

the topics in the negotiation.”^{x 57} Overall, they saw the forums as important instruments to make the negotiations visible to the population and mobilise and involve citizens. but they thought that in general, the forums had failed to inform the public and civil society proposals from these forums had not been taken into account.

Though the other organisations generally were more positive in their evaluations, Cimarrón’s criticism nevertheless touches on issues that were raised by several others. CDLM, for example, thought that civil society participation had been positive, but that inclusion could have been much more effective in terms of taking in suggestions. CIJP also thought that the consultations had been fruitful, but that the scenarios for participation should have been wider and that the government had not set up a system to organise and systematise the information coming from civil society actors. VLC, similarly, said that the proposals were so many and diverse that all were probably not taken into account.

A big change can be seen in the plebiscite. In the accounts of the CSOs, there was strong disagreement on whether it was a good thing or not. ABCPAZ, Cimarrón and CDLM see positive aspects to it. ABCPAZ thought that the second agreement was a positive one, as the changes were due both to the pressure of the No-side and pressure from forces defending the fundamental elements of the first agreement. Thus, the second agreement left the opposition partly satisfied and it saved the fundamental parts of the first agreement. CDLM thought it was important to ask the country, and agreed with ABCPAZ that the plebiscite got actors both for and against involved, which meant that both sides were more content in the end. The plebiscite also showed the lie of the land, the different points of view, and signalled the challenge of showing to the population what is in the agreement. In Cimarrón’s view, the plebiscite made the vast majority of the population get involved, including people who had not taken an interest in the peace negotiations before. The agreement was thus enriched by popular participation, which had good consequences amongst other in clarifying parts of the agreement.

VLC and CIJP both thought that calling for a plebiscite was a mistake. VLC suggested that plebiscites and referenda are not always good ways to consult the population. They thought certain non-majoritarian rights, such as those affected by the armed conflict, should not be submitted to popular will. In this case, it was a mistake, as it put peace at risk by tying it to political disputes that had nothing to do with the content of the agreement, or disputes linked to elections in the medium-term. VLC could not see any good consequences. In their view, the

⁵⁷ Interview, 12 January 2017

plebiscite had diminished the legitimacy of the agreement and led to serious regressions in terms of democracy, without significant gains. CIJP, however, saw important clarifications in the second agreement, especially as relates to accountability for military personnel. They furthermore tied the defeat of the first agreement in the plebiscite to a failed communications strategy on the part of the government.

CCJ also thought the plebiscite was a mistake, but admitted that there were some positive aspects to it, especially in that it showed the depth of the division in Colombian society. If it had not been for the plebiscite, said CCJ,

... or the plebiscite had been won the other way around, 51 in favour and 49 against, we would have been in apparent tranquillity. But the problem would still be underneath. Here, at least, we know that we have a problem.^{xi 58}

Nevertheless, CCJ thought the plebiscite was not worth the effort put into it. In an attempt to do consultation better, the government had done it worse. RDP, in the same vein, thought that the plebiscite was neither a good thing nor a bad thing for Colombia. It was simply something that had come to pass, and that the country had managed to overcome. It was not an ideal situation, said RDP, but it was perhaps necessary in order to be able to change as a society. According to them, it gave a reflection of the country, and there is much to learn from it.

As is seen in the above, several of the organisations claimed that the population did not know the peace negotiations or the contents of the agreement. In the accounts of CCJ, CIJP, CDLM and Cimarrón, this emerges as one of the main issues connected to the negotiations. Cimarrón thought that the people did not know what was in the agreement before the plebiscite and still did not know at the time of the interviews. They thought the government would have had to do a lot more work on informing the public and educating it about the agreement, a work that was not done and that still had not been done.

CCJ agreed that the government had not done sufficient work in public communication. Even if it had done much, such as on radio and television, it should have been a lot stronger considering the enormous political difficulties faced, referring to the strong opposition in certain parts of the population and the political sphere. CCJ thought that one of the great lessons of the peace talks with the FARC was that such a process needs to be accompanied by an intense public information effort.

⁵⁸ Interview, 11 January 2017

CIJP also saw problems with public communication concerning the plebiscite, claiming that the government had great difficulties communicating with society. They pointed to misinformation and myths around the plebiscite also mentioned by others, such as RDP and CCJ. CIJP thought an important lesson from Colombia was that the points in the agreement have to be clear and it must be clear how each word is understood. They pointed out that:

Mechanisms of participation may be limited at first, but they cannot stay limited, because if civil society participation stays limited to some forums, the majority of the population does not know what is happening. So, what we have here is rather a problem of a failed communications strategy that did not make it possible to inform and touch the reason of the majority of Colombians.^{xiii 59}

CDLM agreed that it is essential to have good communication with society in such a process, and said that the government has the main responsibility for this. More direct and richer communication was needed from the government to the people, explaining the negotiations and the points of the agreement and addressing the fears of the population. In terms of the plebiscite, the greatest lesson was that this kind of consultation needs some work beforehand from the government's side to inform the population, with clear and concrete information, and it cannot be treated as any old vote.

Despite these criticisms and reservations, most organisations had an overall positive evaluation of the consultations. VLC, for example, thought that there had been much more participation in this process than in most other peace processes around the world, especially on the part of victims, though the Philippines and Nepal arguably had more direct participation. They also thought the agreement was more robust because of civil society participation. RDP agreed that compared to other processes globally, the negotiations in Colombia have aimed at being very inclusive. If civil society had not been involved, said RDP, there could have been several negative outcomes. Civil society participation gave more legitimacy to the process, according to them, and without it, the process would not have been legitimate. Civil society had in this process proven that it can exert influence and generate change, according to RDP.

CIJP agreed that participation of civil society had given more legitimacy to the process. There had been progress on inclusion since previous processes and wide sectors of society were now involved. The consultations were according to them fruitful, even if the scenarios for interaction could have been widened. CDLM was also of the opinion that the consultations had been positive, but thought that they could have been more fruitful in terms of taking in proposals.

⁵⁹ Interview, 31 January 2017

They thought that a lesson from Colombia was that civil society's voice needs to be taken into account such as in forums, but that more forums would be needed.

CCJ thought that *objectively*, the consultations had given more legitimacy to the process. There had according to them been big progress in terms of consultation, for example in that certain victims had been taken to Havana. Even if other victims saw this as them being excluded, CCJ thought this was a step forward. Nevertheless, because of the political polarisation that existed in Colombia, this *objective* legitimacy did not prevent certain sectors from pointing to the shortcomings of the consultations and claiming the agreement was illegitimate. Because of the conflict between President Santos and ex-President Álvaro Uribe and the polarised environment this created, some parts of society had not felt sufficiently listened to or well treated by the government, but not necessarily because they had not been objectively well treated. As signalled, CCJ thought the government should have addressed this polarisation by stronger public communication efforts.

Even Cimarrón, who as shown above had the most critical perspective on civil society inclusion, thought that civil society participation had given more legitimacy to the process, because it had included and mobilised the people. They did not think that the inclusion had been effective, however. The agreement was according to them better because of the involvement the plebiscite generated, but this was more due to the plebiscite than the consultations that came before. Nevertheless, they said, several of the gestures of inclusion made by the government were positive. Compared to previous processes, where all contact had been between the government and the guerrillas, there had been a complete change. The forums were a lesson to the world, according to Cimarrón, as well as opening the negotiation tables to proposals from civil society and inviting sectors of civil society and victims to present their views at the negotiation table itself.

4 DISCUSSION OF THE FINDINGS

4.1 DETERMINING EFFECTIVENESS

Considering the views of the CSOs outlined in the preceding chapter, the hypotheses set forth in section 3.1 seem to have been largely validated for almost all the organisations interviewed. It is important to note that their responses cannot easily be classified according to a binary distinction between validation and falsification of each hypothesis. For each hypothesis, the responses are distributed somewhere along a grayscale between two extremes, where the cutting point for considering the hypothesis validated is diffuse and must be determined by sound judgment.

Section 3.3 showed that most of the models of inclusion were observed in the negotiations, although not all of them were used by all CSOs. Taken with the overwhelmingly positive comparison to other political processes seen in section 3.5, this seems to validate Hypothesis 1, that the CSOs felt that the avenues for providing input that they had been offered were adequate. Their overall evaluations of the process in section 3.6 strengthens this conclusion. As seen in section 3.4 especially, the CSOs were largely content with the outcome of the negotiations. The reservations they had to certain parts of the agreement do not seem to be sufficient to falsify Hypothesis 4, that they were content with the agreement.

Because these hypotheses are valid, a positive response to the research question is implied. There are some important caveats, however, especially as relates to Hypotheses 2 and 3. The evidence in section 3.4 suggests that the CSOs were largely content with their influence and recognised much of their input in the agreement. Overall, this provides strong evidence to suggest that Hypothesis 2 and 3 are valid, in that the CSO felt that their input was taken into account and that their concerns are reflected in the agreement. Section 3.6, however, presents comments that may suggest that the process was not effective at taking input into account. This implies a lack of effective throughput in the perspective of the CSOs.

Furthermore, the issue of communication with the population emerges as a strong concern among a majority of interviewees. This could be interpreted as the absence of several elements of throughput legitimacy not measured in the hypotheses, especially transparency and accountability. Importantly, it hints at an aspect of effectiveness that is beyond the scope of the hypotheses. The hypotheses measure the perspectives of the CSOs interviewed, while the issue of communication goes beyond this to touch on the link to legitimacy in the eyes of the

population. Hypotheses 2 and 3 may be valid, but this does not seem to have led to increased throughput legitimacy as far as the population was concerned. Overall, this suggests that CSOs might have been included, but the people were not. The consultations may have been effective if the goal was only to consult and make a decision based on the information that was collected through these consultations and the ensuing negotiations. But if the goal was to realise the positive functions of civil society inclusion outlined in chapter 2, then important elements are missing. These elements are especially related to legitimacy, public sense of ownership, buy-in and commitment to the agreement. In section 4.2, I argue that what is missing, both in theory and practice, is an understanding of how inclusion translates into legitimacy.

Two other issues that emerged in the interviews must also be assessed to determine the effectiveness of the consultations. Firstly, there is the disagreement on the value of the plebiscite. It raises the question of whether all models of inclusion should be used in peace negotiations. This issue is discussed in section 4.3. Secondly, the CSOs mostly thought the consultations were wide, extensive and comprehensive. Nevertheless, some found them lacking in effectiveness in terms of collecting and incorporating proposals. Others were what could be interpreted as more moderate, realistic or pessimistic about their expectations for influencing the negotiations. This raises the question of what level of expectations needs to be met for the consultations to be deemed effective. This issue is discussed further in section 4.4.

4.2 THE MISSING LINK: TRANSLATING INCLUSION INTO LEGITIMACY

The most striking finding in these interviews is that the CSOs experienced a relatively high level of inclusion, yet this did not translate into a correspondingly high level of perceived legitimacy of the agreement in the eyes of the population. Assuming for the argument's sake that the sample investigated is indicative of civil society organisations more generally, this raises serious questions both for the theory and practice of civil society inclusion. If we were to look for the simplest explanation, we might say this dissonance is due to CSOs not being the population and not representing the population, so the population does not feel included by including CSOs. It may be that the majority of the population was not content with the input and output the CSOs managed to secure, as they simply did not share the views of the CSOs and the input was not their own. This might be part of the answer, but it is unsatisfactory as it implies that the only way to make the population feel included or represented is to include all citizens directly, which may complicate the negotiations to the point of making it impossible to find an agreement. Of course, the findings may be seen to suggest that there could have been

more direct participation and public decision making, i.e. models of inclusion 7 and 8. It may furthermore be that the models of public participation and decision making employed were not sufficient or effective. Whether it is implied that the plebiscite was a necessary form of inclusion, judging by this evidence, will be discussed further in section 4.3.

The findings of this study offer another explanation for why civil society inclusion did not translate into legitimacy. There may be alternative explanations, but I will focus on the one offered by the CSOs interviewed because it highlights certain theoretical shortcomings in the literature. The interviewees all point to the lack of effective communication between the government and the population. Thus, more public involvement alone may not be the only answer, or the entire answer, to securing legitimacy. The lack of communication seems to have meant that a high level of inclusion, with considerable influence on the negotiations, was never communicated to the population in a good way. Even if the inclusion of civil society actors led to the points of view of the population feeding into the negotiations and achieving results in the form of concrete points in the agreement, the population seems to have remained unaware of this outcome, according to the accounts of the CSOs interviewed. The CSOs, for the most part, imply that this was due to a failing of the government. It was the government's responsibility to communicate the inclusion and its effects on the agreement to the population, they suggest. This may be true to some extent, as the government was the one representing the population in the negotiations. Nevertheless, the contention merits deeper analysis.

As shown in section 3.2, the CSOs did not see it as their role to represent the population. Their idea of representativeness mostly did not include the sense of representing in an active sense, as in being agents or representatives of the population. At the same time, they are arguably included in the negotiations to serve as the voice of civil society. This was how the interviewees often justified their own role and *raison d'être* and it is also the clearest justification for their inclusion found in theory. Franzisca Zanker, on this topic, argues that "civil society actors should respond to those they represent by explaining the role and input they had afterwards."⁶⁰ The normative question of whose responsibility it is to convey the results of their inclusion back to the population is beyond the scope of this study, yet it is worth investigating briefly what role CSOs could play in this regard.

In the section 2.2, I warned that inclusion of civil society actors in decision making processes could degenerate into a shouting match, with each actor articulating interests without a care for

⁶⁰ Zanker 2014, p. 68

deliberation. The evidence is too inconclusive to speculate on whether this happened in Colombia. Even if most organisations did not seem to see it as their role to be two-way conduits for communication between the political system and the population, stressing their roles as articulators of interests and views, several organisations nevertheless said they had done public awareness work of various kinds. This included participating in mass action, contributing to public discussion in media and carrying out public information campaigns. At least two organisations, VLC and RDP, said they had done information work and pedagogy aimed at the population to inform about the agreement. Cimarrón said they wanted to do this kind of work, but did not have the resources.

In this paper, I have focused on the role of CSOs in articulating interests. The findings may however suggest that we may need to see their role in the negotiations in relation to the wider role of civil society in political processes generally and their other functions in peace processes outside the narrow context of negotiations. Of the functions outlined in Paffenholz and the World Bank study mentioned in section 2.3, this especially includes the functions of communication and public opinion formation these authors see in the concept of advocacy.⁶¹ Furthermore, the findings may point to a shortcoming in the theoretical frameworks surrounding the analysis of civil society participation. The models of inclusion are mostly concerned with communication in one direction, from society to the political level. This is an important shortcoming, as it prevents us from understanding the mechanisms behind the translation of inclusion into legitimacy. Zanker touches on this issue when she argues that “if there is no knowledge of the role civil society actors played in the negotiations, it is difficult to argue that their involvement made the process and outcome more legitimate.”⁶² Neither inclusion nor influence turn into legitimacy, it seems, without some form of feedback into the population.

It is evident, from these findings, that the theories of inclusion must be sensitive to communication in two directions. Theories of deliberative democracy too are most concerned with one-way input, in the form of articulation of interests and views, though some attention to feedback may be implicit in the concept of opinion formation found in deliberation theory. A light reading of for example Habermas seems to imply that opinion formation happens before the input is fed into the political system. Yet Habermas sees opinion formation as a continuous

⁶¹ World Bank 2007, p. 15

⁶² Zanker 2014, p. 68

process which goes beyond elections and the taking of decisions.⁶³ The findings underline the importance of the steps after public opinion has fed into the political system. For deliberation at societal level to truly take place, the results of discussions at the political level must feed back into the opinion formation in civil society and among citizens.

The discussion above suggests two models of the role of civil society in this communication. Below, I give a graphical illustration of these models. The arrows symbolise the flow of information.

Figure 1 and 2: The Roles of Civil Society in Flows of Information

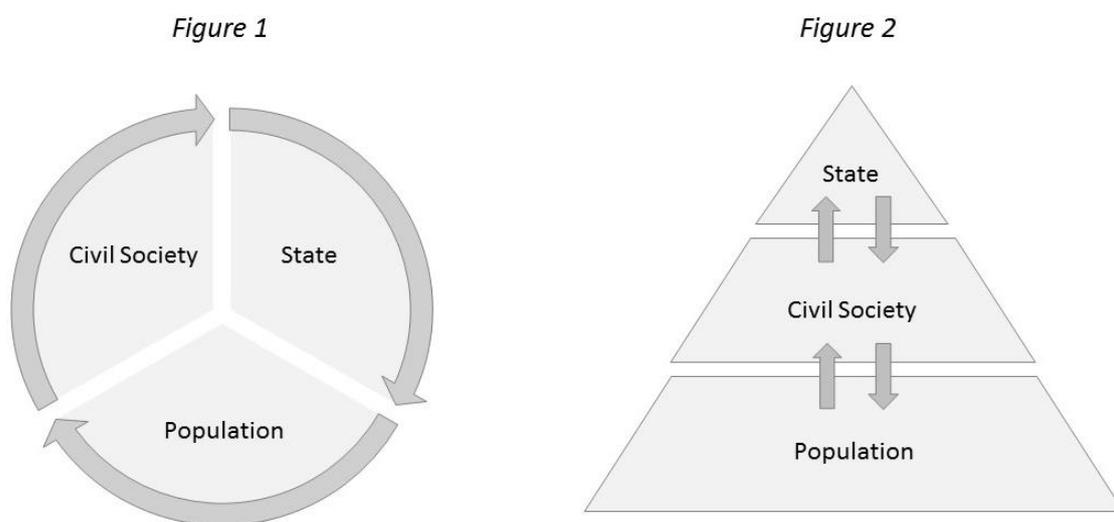


Figure 1 shows a loop where the government is in charge of feeding the results of civil society input back to the population. There are several issues with this model if employed on its own. As implied in the interviews, elected officials may lack credibility and trust in the eyes of much of the population, and a polarised political atmosphere may prevent them from reaching citizens other than their constituents. Furthermore, news media may serve their own interests, as pointed out explicitly by at least one organisation, and are not necessarily good intermediaries for conveying information.⁶⁴ Media evidently have an invaluable role to play, but the issue of how to ensure performance in that role is beyond the scope of the current discussion.⁶⁵

Figure 2 shows a model where civil society actors take on the role as two-way conduits and agents of deliberation, as opposed to being mere articulators of interests. They feed into the negotiations at a higher level, but also convey the results of their work back to the population.

⁶³ See for example Habermas 2009: 384

⁶⁴ For a discussion of the role of media in previous peace negotiations in Colombia, see Ortiz 2006, p. 59

⁶⁵ For a discussion of the medias' role in societal opinion formation, see Habermas 2009, pp. 378-380

It may be in government's best interest to support these kinds of activities to counter the challenges outlined in the last paragraph, for example lack of credibility. The CSOs engaged in the negotiations were arguably better able to communicate the agreement to the population than the government alone, especially when it comes to conveying how the agreement reflected civil society actors' and the population's concerns. They provide an alternative voice to that of the government and may have more credibility and neutrality in the eyes of much of the population. I am not arguing that they should be made mouthpieces of the government. On the contrary, they are in a position to tell their own story of their inclusion, successes and failures, which may complement, counterbalance or correct the official account.

Both of the models illustrated in the figures may be employed at the same time. In fact, both employed simultaneously may be more effective than either employed in isolation. Something has to be done so the gains of inclusion do not go to waste but are translated into legitimacy. This requires a feedback mechanism, be it two-way or a loop. If the population can see that their input and demands have been taken into account, that civil society actors have been included and felt included, and that the parties have taken their input seriously, then they may feel that the agreement is more legitimate. This would contribute to the transparency and accountability Schmidt sees as components of throughput legitimacy.

It should be pointed out that the veil of secrecy surrounding negotiations is not solely the result of intentional secrecy and lack of transparency. The interviews make it clear that it is also a question of complexity. Even if civil society and the public are allowed to participate and observe, real effort is required to communicate the content of the agreement clearly to the population. The agreement with the FARC was nearly three hundred pages long, and even trained lawyers might have a hard time deciphering it. Thus, even if more public participation and decision making (models 7 and 8) had been employed and the negotiations and outcome were transparent and public, this may not have guaranteed a higher level of perceived legitimacy. Communication, clearly, is an indispensable part of the puzzle, which may enable the potential for legitimacy in inclusive input processes and output that is responsive to the demands of the public by making these visible to the population.

4.3 THE PLEBISCITE: AN EXAMPLE TO BE FOLLOWED?

It may be useful to recall the arguments against inclusion of civil society discussed in section 2.3 and the warning issued there that we have to be careful about how to employ the models of inclusion. It may be that a model of inclusion has merit, yet can be applied in such a way or in

such a context that it goes against the justification for employing it in the first place. In this case, certain organisations thought the plebiscite put peace itself in limbo. Maximum inclusion is not necessarily ideal, it may be argued, and in a polarised situation, it may do more damage than good.

Nevertheless, the organisations that thought the plebiscite was a mistake tended to link it more or less explicitly to the failure of communication with the population. This may suggest that the problem was not the plebiscite as such, but the atmosphere of polarisation and misinformation surrounding the negotiations and the agreement. Considering the enormous popular involvement the plebiscite generated, it seems to have had some merit in terms of creating ownership of the process. It must be noted that the engagement seems to have been more a result of the failure of the plebiscite than of the inclusion by plebiscite itself, however, given the low voter turnout.⁶⁶ Most of the mass action (model of inclusion 9) in favour of peace mentioned in the interviews took place after the plebiscite. The plebiscite seems to have made much of the population realise that peace was at stake, which led to massive mobilisation in favour of peace and appropriation of the peace process by a large segment of society. Thus, in some way, the plebiscite must be said to have generated engagement, even though it did not inspire a high turnout rate for the actual voting. Considering that the population did not seem to feel included before the plebiscite, not utilising this model of inclusion might therefore have been a grave error. If the aim of inclusion is to increase ownership and legitimacy, this high-stakes political move was arguably necessary.

Consequently, the evidence does not seem to suggest that states should avoid plebiscites and other forms of public decision making as models of inclusion. Arguably, they should rather address the polarisation and misinformation present in the population, if such exist. As some CSOs argued, we would not have known there was a problem if it were not for the plebiscite and the implementation might thereby have stalled at a change in government. Change in government may lead to the commitments in the peace agreement being left behind if only the current government and a minority of the population are behind them. Ownership of the agreement by the whole population is therefore crucial for it to be successful, as the timeframe for implementation is long, spanning several election cycles.

The above recalls the discussion in section 2.3 on legitimacy in the eyes of the population being positively correlated with the durability of peace agreements, partly due to ownership of and

⁶⁶ Mentioned by several informants. See note 1 above.

commitment to the process by the population. This kind of support may have been what the Santos administration was after when initiating the plebiscite. But to secure it, it seems that a much stronger communications strategy would have had to be employed to convince the population, considering the significant opposition met. In that regard, cooperating with other actors, especially civil society actors, may have increased the chances of success considerably. The interviews show that this was attempted to some extent in Colombia, but the informants suggested that much was left wanting.

4.4 ON REALISTIC EXPECTATIONS FOR NEGOTIATIONS

A final issue that emerged during the interviews was what may be deemed a difference in expectations for civil society participation in the negotiations. This took the form of different ideas about the range of issues the agreement should address and, consequently, to what extent civil society could influence the parties to incorporate progressive and wide-ranging measures in the agreement. When considering effectiveness, we must therefore consider whether the inclusion should be seen as ineffective if it did not lead to the incorporation of issues of increasingly demanding nature.

Most of the CSOs seemed to have rather moderate expectations for civil society influence. Several of them said the negotiations were ultimately between the parties and the agreement must therefore be acceptable to these parties and conform with their demands and red lines.⁶⁷ It may be noted that the reason only two main parties were negotiating in Havana was the lack of the highest level of inclusion, direct participation by civil society actors. Several organisations expressed discontent that this was so. In a context such as this, the contention that the agreement must be acceptable to the parties seems almost self-evident. It can only push as far as the parties are ready to commit, as they would simply refuse to sign the agreement if it pushed too far. At least this is the case if we assume that their alternative to an agreement is acceptable to them, i.e. the continuation of the armed conflict, which is an issue that is beyond the scope of the current study.

Assuming the agreement must be acceptable to the parties is not to say that it need not also be acceptable to the population. Not being a direct participant in the negotiations does not mean the population or parts of it cannot be a potential spoiler or veto in the negotiation process or after. In Colombia, we saw a rejection of the first version of the peace agreement by plebiscite

⁶⁷ See Ortiz 2006, pp. 57-58 for an argument along the same lines.

and the citizenry may still exercise a veto in abandoning the peace process if they elect representatives who are not committed to following up on the agreement. Nevertheless, this does not mean that all the demands of the population necessarily need to be met, as may be the case for the main parties to the negotiations. Public opinion and will is often diffuse, diverse and disorganised. Some views and interests may potentially be overlooked without the agreement losing the support of a sufficient majority of the population. If this majority is plural and spans political divisions, it may have an even higher chance of surviving changes in leadership and administration. It may also have to include strategic parts of the population that may have disproportionate influence in sabotaging the agreement, so-called spoilers.

As for the question of what range of problems a peace agreement can solve, it also seems self-evident that it cannot resolve all structural and other issues in society. Not all issues in Colombia are due to the conflict with the FARC, for example. Several informants expressed views agreeing with this line of thought. Even Cimarrón, who may have had the most demanding expectations for the agreement, tended to lean in this direction. They agreed that the struggle for broader and deeper democracy and betterment of the human rights situation in the country were struggles that would continue into the future. ABCPAZ suggested that these issues could not be resolved by two parties representing a minority of the population gathered around a negotiation table to decide for everyone else. A larger, broader and more inclusive process involving all of society would be needed to address further democratisation in Colombia, in their view.⁶⁸

Consequently, I would argue that it cannot be said that the inclusion of civil society was ineffective because it did not lead to grand strides in democratisation and amelioration of the human rights situation in Colombia beyond what was directly related to the armed conflict with the FARC. Even if some civil society actors took the opportunity provided by the inclusion in the negotiations to advocate for such progress, the parties cannot be said to have ineffectively incorporated civil society views simply because such demanding claims were not taken into account. The CSOs interviewed seem to have been mostly satisfied in this regard, generally agreeing that the agreement was a start and lets Colombia move in the right direction on these broader issues. Anything more would arguably be demanding too much from the peace agreement.

⁶⁸ See Ortiz 2006, p. 61 for an argument to the same effect

This is not to say that one has to be minimalistic about expectations from a peace agreement, aiming for the least common denominator at the intersection of the parties' demands and red lines. As several CSOs pointed out, civil society showed in this process that it can have an influence. Furthermore, the parties were by all appearances lucidly aware of their best interest in laying the foundation for sustained peace, which would require attention to the deeper causes of dispute. This is evidenced by the statements of the parties in 2012, inviting all of Colombian society to accompany the process and aiming for a stable and lasting peace.⁶⁹ This awareness, which may also exist in other armed conflicts, provides an opening for civil society actors to push for more progressive peace agreements.

In terms of effectiveness, this means that civil society claims that go beyond the narrowly conceived interests of the parties must also be considered and that inclusion would be ineffective if such claims were not taken into account at all. The question of what input to include becomes a balancing act, where the agreement may become throughput and output illegitimate in the eyes of certain observers if their claims are not taken into account. The agreement may nevertheless retain legitimacy in the eyes of a significant majority (and even these excluded parts of the population) if it is seen that important elements of civil society input have been taken into account in the negotiations and are incorporated into the agreement.

⁶⁹ Sandoval 2012, p. 117

5 CONCLUSION

Building on the role of civil society actors in democratic processes (section 2.2) and their functions in peace negotiations (section 2.3), I have defined effective inclusion of civil society in peace negotiations in terms of the inclusion's contribution to the legitimacy of the process and outcome. Using the three sources of legitimacy outlined in section 2.2, I investigated the perspectives of 7 CSOs engaged in the Colombian government's negotiations with the FARC. The hypotheses set up in section 3.1 to measure effectiveness in terms of achieving these three sources of legitimacy appear to have been largely validated when applied to the data in section 3.3 through 3.6, with certain important exceptions. The evidence suggests the inclusion was effective in providing avenues for input in the negotiations for the CSOs and translating this into output in the agreement, but it was apparently deficient in communicating this to the population. Therefore, the inclusion may have had a strong potential for input and output legitimacy, but this failed to turn into actual legitimacy. This failure was apparently due to shortcomings in terms of the transparency and accountability aspects of throughput legitimacy, which may have brought the other two sources of legitimacy home to the citizenry.

This leads to the conclusion that the inclusion may have been effective if effectiveness were only to be determined in relation to the perspectives of the CSOs. However, if effectiveness is defined in terms of achieving the positive functions of inclusion derived from the literature, namely to increase legitimacy in the eyes of the population, the evidence suggests that the inclusion of civil society in the Havana peace talks was not effective in certain crucial respects. With the population being the ultimate arbiter of legitimacy, it is of limited comfort that the process seems to have been legitimate in the eyes of the CSOs, which were the primary units of analysis in this study. In the discussion of the findings in chapters 3 and 4, it became clear that inclusion of civil society could not be considered effective if the results of inclusion were not communicated to the population. This is an issue that is devoted scant attention in the theoretical and empirical literature on democratic legitimacy and civil society inclusion in peace negotiations. It is therefore in certain ways a surprise finding which challenges the theoretical frameworks employed.

The sample of CSOs examined in this paper is not large enough to make conclusions that are valid for all Colombian civil society organisations that were engaged in the peace negotiations in Havana. Furthermore, the study has an important limitation in that it focuses solely on the perspectives of the CSOs. The negotiation process is still recent and it is therefore not surprising

that not much peer-reviewed literature has been published on this topic, yet the lessons learned from the negotiations with the FARC will be relevant for future negotiations, such as the ongoing talks with ELN, formally launched in February 2017. An interesting avenue for further research would be to broaden the sample to see if the findings are valid for larger parts of civil society and broader parts of the population, including citizens not directly engaged in CSOs. Such studies may benefit from greater attention to the translation of inclusion into legitimacy. In this study, I have focused on the issue of communication with the population because this is what emerged as the strongest explanation for the lack of effectiveness in the accounts of the CSOs interviewed and it also points to important shortcomings in the theoretical framework that will be important for future studies. This does not mean that future studies should ignore alternative explanations that were not touched on here. Such explanations could, amongst other, include the imperfect representation of society that civil society actors provide, as well as the influence of the media and political actors on public opinion formation.

More broadly, the lessons learned from Colombia are relevant to other countries going through peace processes where civil society actors can play important roles. The issue of communication of the results of inclusion is also relevant for political processes in general and should not be narrowly construed to solely apply to peace negotiations. Both in democratic theory and practice, for the legislature and for the executive branches of government, the issues of ownership and legitimacy of political processes in the eyes of the citizenry remain extremely relevant. In countries where democratic systems are facing challenges to their legitimacy and populations are experiencing increasing lack of trust in their institutions, learning from cases of participatory governance and communication between state institutions and the citizenry may provide valuable tools for increasing the legitimacy and quality of democracy.

In this regard, it should be stressed that the argument in this paper has not been that legitimacy can be increased simply by giving greater attention to public relations and one-way communication strategies. Transparency in itself is not enough to ensure legitimacy. It may however be central to demonstrating the quality of input processes and output to the population. Throughput legitimacy thereby becomes an enabling factor for the other two sources of legitimacy, without which they may not bear fruit. The three sources of legitimacy the argument has been based around imply that to secure legitimacy, steps must be taken to ensure broader avenues for participation in deliberation and decision making on issues of public concern, effectiveness in transforming popular and civil society input into law and policy output, as well as the quality of law and policy in terms of benefit for the population. The findings suggest that

for any of this to increase legitimacy, the results must be clearly communicated to the population.

Finally, with the discussion of two-way communication in mind, the deliberative role of all actors in the democratic system should not be forgotten. Broad participation does not in itself translate directly into reasoned opinion formation on public concerns. The government and public institutions may have the greatest responsibility to deliberate on issues and engage the public in the reasoning process, both upstream and downstream of making decisions, but other actors may also have important roles to play. I have argued that civil society actors may be helpful both in articulating views and interests of groups in society and in communicating the results of popular input in political processes back to the population. This is because they may have the expertise, connections and trust to do this where the government may not. With support from public institutions, they may thus play a complementary role to that of the government in ensuring the information flow that is necessary for active deliberation and reasoned opinion formation in society. For communication around peace negotiations to be effective, and the positive effects of civil society inclusion on lasting peace to be realised, governmental institutions and other actors may be wise to support this communicative potential of civil society actors.

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ANNEX I: INTERVIEW GUIDE

Explicative note: the hypotheses in section 3.1 can be formulated into questions for the interviewees to respond to. H1 and H2 are included under heading 3 in the guide, H3 is reflected under heading 4, and H4 under headings 4 and 6. The first five headings are concerned with the work and perceived influence of the CSO in question. Under heading 6, the topic is expanded to the CSO's evaluation of the process as a whole, for all CSOs, not just their own. Under this heading, the discussion casts light on all four hypotheses. Moreover, heading 6 explicitly raises the question of whether the CSOs feel that the consultation has given more legitimacy to the process. Heading 7 gives them a chance to address these questions in another way, by asking what the lessons from the consultations in Colombia are and what other countries can learn from Colombia.

As is seen in the interview guide, heading 5 also urges a comparison to other political processes where the CSOs may be engaged. This is because it would be senseless to ask them to assess the consultations without contextualising this. The issue needs a frame of reference to give the findings meaning. By urging the CSOs to make a comparison to other processes, we are better able to say to what extent the consultations have been effective.

Furthermore, the interview guide contains two headings that are designed to give us insight into how the CSOs think about their role in society. Heading 1 raises the issue of representativeness, especially for CSOs, and how the interviewees understand this concept. Heading 2 allows them to talk about their organisation more generally, what structure they have and what part of society they have ties to. The last point is formulated as "What part of society does your organisation represent" to provoke a response to whether they believe they are representative of or represent a part of society, if this has not already been answered under heading 1.

The interview guide was sent out in advance, with a note specifying that the issue was the negotiations with the FARC specifically, which was also stressed when starting each interview.

English translation:

1 On representativeness

How do you understand this concept? (For example, the importance derived from your function in society vs. from a large membership)

2 On your organisation

What type of organisation are you? Structure? Financing? How many members do you have? Are all of them Colombian? What part of society does your organisation represent?

3 On your advocacy work in the peace process

When did you start involving yourselves in the peace process? In that first phase, what were your objectives?

How have you worked? Have you tried to influence the negotiations? If this is so, in what way?

Have the parties consulted you at any point?

In your opinion, how did the parties receive the contributions of your organisation?

Did you change your objectives or strategies underway?

4 On the results

To what extent did you meet your objectives? Can you demonstrate that your work has given concrete results, for example in the text of the agreements? To what extent do you feel satisfied with the first agreement, before the plebiscite? And the second?

5 Comparison with other political processes

Do you also work in other political processes? Which ones? Making a comparison, how does your participation in the peace process compare to other advocacy work? In both cases, these processes can be called consultations. In the peace process in particular, have you been treated in a distinct manner?

6 On the participation of civil society in general

How do you evaluate the consultations with Colombian civil society? Have they been good or brought results? Were they adequate in terms of consolidating, securing or adjusting the peace process? And even more generally, do you believe the participation that took place managed to give more legitimacy to the process? Has it strengthened it or made it more robust?

7 Lessons from Colombia

What are the lessons from the peace process in Colombia when it comes to consultation of civil society? What can other countries learn from this process?

Spanish original:

1 Sobre ‘representatividad’

¿Cómo entienden ustedes este concepto? (Por ejemplo, importancia derivada de la función de su organización en la sociedad o por contar con una numerosa membresía.)

2 Sobre su organización

¿Qué tipo de organización es? ¿Estructura? ¿Financiación? ¿Cuántos miembros tienen? ¿Son todos colombianos? ¿Cuál parte de la sociedad representa su organización?

3 Sobre su incidencia en el proceso de paz

¿Cuándo empezaron a involucrarse en el proceso de paz? En esa primera fase, ¿cuáles fueron sus objetivos?

¿Cómo han trabajado? ¿Han intentado influir en las negociaciones? Si es así, ¿en qué manera? ¿Les han consultado en algún momento las partes?

A su parecer, ¿cómo recibieron las partes las contribuciones de su organización?

Durante la marcha, ¿cambiaron ustedes en algún momento sus objetivos y/o estrategias de trabajo?

4 Sobre el resultado

¿Hasta qué punto alcanzaron sus objetivos? ¿Pueden demostrar que su trabajo haya dado un resultado concreto, por ejemplo en los textos finales de los acuerdos? ¿En qué grado se sintieron ustedes satisfechos con el primer acuerdo, antes del referéndum? ¿Y con el acuerdo final?

5 Comparación con otros procesos políticos

¿también trabajan ustedes en otros procesos políticos? ¿Cuáles? Haciendo una comparación, ¿cómo se compara su participación en el proceso de paz con otros trabajos de incidencia? En ambos casos estos procesos pueden calificarse como ‘consultas’. En el proceso de paz específicamente, ¿les han tratado de manera distinta?

6 Sobre la participación de la sociedad civil, a manera general

¿Cómo evalúan ustedes la consulta con la sociedad civil colombiana? ¿Ha sido bueno o fructífero? ¿Adecuado en cuanto a consolidar o anclar o ajustar el proceso de paz? Y de manera aún más general, ¿creen que la participación que de hecho se dio ha logrado darle más legitimidad al proceso? ¿Le ha robustecido o fortalecido?

7 Lecciones de Colombia

¿Cuáles son las enseñanzas del proceso de paz en Colombia en materia de consulta de la sociedad civil? ¿Qué pueden aprender otros países de este proceso?

ANNEX II: OVERVIEW OF ORGANISATIONS INTERVIEWED

Out of privacy concerns, the names of the persons interviewed are on file with the author.

Name	Acronym used	Field of work	Type	Date interviewed	Website
Viva la Ciudadanía	VLC	Political Rights	Network of NGOs	12 January	http://viva.org.co/
Red de Paz	RDP	Peacebuilding	Network of NGOs	17 January	http://www.redepaz.org.co/
Movimiento Cimarrón	Cimarrón	Minority Rights (Afro-Colombian)	Approx. 3,600 members	12 January	http://movimientocimarron.org/
Comisión Intereclesial de Justicia y Paz	CIJP	Human Rights	52 members	31 January	http://justiciaypazcolombia.com/
Comisión Colombiana de Juristas	CCJ	Human Rights	Professional	11 January	http://www.coljuristas.org/
Casa de la Mujer	CDLM	Women's Rights	Professional	19 January	http://www.casasmujer.com/
ABCPAZ	ABCPAZ	Peacebuilding	Professional	12 January	http://abcpaz.com/

ANNEX III: ORIGINAL QUOTES IN SPANISH

Full transcripts of the interviews are on file with the author.

- ⁱ “Y post plebiscito Red de Paz, con grupo de organizaciones sociales y civiles, viajaron a la Habana para reunirse con líderes de las FARC y del Gobierno... Justamente para planear, discutir, ¿qué pasó?, analizar, reflexionar...” (Interview, 17 January 2017).
- ⁱⁱ “Y esto es lo que en cierta forma nos da aliento para continuar y hemos dicho: ‘Ha valida la pena.’ Sí, nos vemos reflejados en algunos puntos de los acuerdos. Vemos que allí está en esta frase, a veces en una sola frase que se ha planteado nuestra idea; Contribuimos a elaborar esta idea que ayudó a la solución de la guerra en Colombia y eso es bastante satisfactorio (Interview, 12 January 2017).
- ⁱⁱⁱ “Por ejemplo, todo el modelo de... sustitución de cultivos de uso ilícito corresponde casi a la letra a cosas que nosotros escribimos al respeto” (Interview, 12 January 2017).
- ^{iv} “Hay cosas concretas que están escritas en los acuerdos que corresponden a tesis que nosotros hemos sostenido. No podemos decir: ‘Oiga, esto lo redactaron así,’ pero algunas de las cosas que están escritas aquí también están escritas en los acuerdos posteriormente... algunas las puedo identificar de manera clara en el acuerdo por la redacción inclusive, porque se parece a cosas que hemos escrito nosotros, aunque no puedo decir ‘Oiga, es que los tomaron de nosotros y los copiaron ahí.’ No, eso sería insultar la inteligencia de los negociadores. Pero mucho de lo que está ahí quedó en los acuerdos, mucho, mucho más que siete que podemos identificar claramente” (Interview, 12 January 2017).
- ^v “... todo el punto quinto tiene aspectos en los cuales nos sentimos representados o identificados en el acuerdo final. Y hay otros puntos en relación con el tema de participación que ha sido recogido, como es el que tiene que ver con el acceso a los medios de información. También el tema de apuestas y propuestas de sustitución voluntaria, tema de la droga” (Interview, 31 January 2017).
- ^{vi} “Difícil porque fue un aporte de muchas organizaciones de mujeres. Entonces yo podría decir que recoge aportes de las mujeres, pero no de la Casa como tan. Esto en Colombia lo que hacemos es que las organizaciones aportan, pero también se articulan en espacios de movimientos de mujeres, igual, como una fuerza conjunta. Entonces no podríamos decir que haya una cosa en particular que propuesta una organización porque esto fue un movimiento conjunto de las mujeres” (Interview, 19 January 2017).
- ^{vii} “Yo pienso que se puede mostrar en que tenemos un acuerdo. Digamos que si no hubiese habido esta participación de la sociedad civil quizá no tendríamos un acuerdo hoy. Después del dos de octubre parecería que quedamos en la incertidumbre y nosotros como sociedad civil y como un movimiento de paz pudimos quedarnos ahí. Pero yo creo y estoy convencida que fue la presión de la ciudadanía la que hizo que hubiese un acuerdo en un tiempo prudencial...” (Interview, 17 January 2017)
- ^{viii} “Y el gobierno, los gobiernos se han visto obligados a respetarnos porque tenemos un reconocimiento de parte de los órganos internacionales. Pero sí, ha habido una tensión. Con este Gobierno, el tema de la paz nos acercó. Y aunque somos críticos de otros aspectos de la política del gobierno, en el tema de la paz, y a pesar de que formulamos la demanda, contra lo

que el gobierno estaba proponiendo... Repito, nosotros dijimos desde el principio: 'Estamos de acuerdo con el proceso de paz y lo hacemos porque apoyamos el proceso de paz.' Y eso nos ha acercado" (Interview, 11 January 2017)

^{ix} "Y por eso se necesita mucha – una dosis de realismo al momento de encarar un proceso de paz. Cuando se va a hacer la paz, nunca se hace la paz que se quiere, se hace la paz que se puede. La paz posible, que es posible pactar mediante acuerdo político entre las partes que están enfrentadas" (Interview, 12 January 2017).

^x "También nosotros hemos participado en el movimiento por la paz, sí, el clamor por la paz, las marchas por la paz. Siempre hemos estado ahí. ¿Si son efectivas? ¿Nuestras reivindicaciones han sido acogidas? No. No, por un hecho: Porque las FARC y el Estado, el Gobierno, ellos dos son los que están negociando y no le dieron espacio, participación directa para hablar con ellos durante el proceso de negociación, a la población afrocolombiana. No se tuvo en cuenta como grupo étnico. Ellos no nos escucharon. Al final, cuando ya habían terminado las negociaciones, asistió un grupo de personas afros a hablar con las FARC, pero eso ya era diplomacia, eso no fue parte de los temas de la negociación" (Interview, 12 January 2017).

^{xi} "Ahora, hay un aspecto positivo y es que el plebiscito mostró la profundidad de la división de la sociedad colombiana. Si no hubiera habido eso, o si el plebiscito se hubiera ganado al revés, cincuenta y uno a favor y cuarenta y nueve en contra, estaríamos aparentemente tranquilos; pero el problema seguiría por debajo. Aquí, por lo menos, se sabe que hay un problema, que la sociedad colombiana tiene un problema muy grave, que el problema no se soluciona solamente con creer que ¡hicimos la paz y ya! No. Hay que trabajar muchas cosas" (Interview, 11 January 2017).

^{xii} "Es que los mecanismos de participación al comienzo pueden ser limitados, pero no pueden quedarse en esa limitación, porque al quedarse en esa limitación a unos foros, la mayoría de la población no sabe qué está pasando. Entonces aquí es más un problema de estrategia de comunicación errada que no permitió informar y tocar la sensibilidad de la mayoría de colombianos" (Interview, 31 January 2017).