

# An Analysis of Colombia's Democracy

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ROBERTO LORENTE, APR 15 2010

### 1- Purpose and Scope

The purpose of this paper is to analyze the situation on democracy in Colombia and to address the prospects for political and economic liberalization in this Latin American country. More specifically, the paper will focus on the question whether the emergence of democracy in Colombia can be explained based on the assumptions of the 'sequentialist' or 'preconditionist' theories as suggested, amongst many others, by Fareed Zakaria or Edward Mansfield and Jack Snyder, or if, by contrast, the views of 'gradualists' or 'universalists' such as Sheri Berman or Thomas Carothers are more indicated to explain and analyze Colombia's democratic past, present and future.

### 2- Background

Colombia, with a Gross National Income per capita (GNIPC) of \$3,250[1] considered a developing country with a lower-middle-income economy by the World Bank[2], has struggled with political and social problems during the last decades, mainly caused by the armed conflict already lasting for more than 40 years. However, despite the internal conflict and unlike most of the countries in Latin America, Colombia has a strong democratic tradition. Since it won independence from Spain in 1819, it has only experienced two military interventions interrupting long periods of stable democracy: one during the mid-nineteenth century and another one at the response to "La Violencia", the confrontation between the two traditional political parties, Liberals and Conservatives, that claimed an estimated 200'000 lives and which began in 1948 as a response to the assassination of the popular Liberal leader Jorge Eliécer Gaitán and ended in 1958, when both parties reached a power-sharing agreement, known as the 'National Front'. However, and confirming Roll and Talbot's argument that "[w]ar can be a more immediate and disastrous economic result of maintaining power in too few hands"[3], the exclusion of other political forces and the poor rural population from that pact contributed to the formation of revolutionary guerrilla groups in the 1960s, the oldest and today largest one being the 'Fuerzas Armadas Revolucionarias de Colombia' ("FARC"). Threatened by the growing presence of these insurgent groups in the rural areas, the agrobusiness elite[4] actively supported the formation of right-wing self-defence groups, commonly known as paramilitaries, during the late 1980s and the 1990s. With the end of the Cold War and the fall of the Soviet Union, the FARC lost its main military and financial support. Confronted with a lack of financial resources, the guerrilla got involved in the narcotics business – a fact which transformed the economic, social, and political context of a struggle that by then had little in common with the "Violencia" of the 1950s.[5]

### 3- Definitions and democratization theories

There have been a vast amount of academic discussions on the definition and emergence of democracy and the characterization and classification of its various subtypes.[6] For the purpose of this paper, I will concentrate on the terms explained under this section.

Zakaria defines a liberal democracy as being a political system requiring free and fair elections[7] as well as guaranteeing the constitutional protection of civil and political rights such as the rule of law, separation of powers, or liberties of speech, assembly, religion, and property. Opposed to that, he describes illiberal democracies as "democratically elected regimes [...] that] are routinely ignoring constitutional limits on their power and depriving their citizens of basic rights.[8]

# An Analysis of Colombia's Democracy

Written by Roberto Lorente

The two predominant schools of thought in terms of theories about the emergence of democracy are what Thomas Carothers refers to as the 'sequentialists' on one hand and the 'gradualists' on the other hand.[9]<sup>&[10]</sup> The main argument of 'sequentialists' is "that it is dangerous to push states to democratize before the necessary preconditions are in place and that prudent democracy-promotion efforts should pay special attention to fostering those preconditions".[11] Zakaria, a major proponent of this theory, opines that the process of economic development often unintentionally results in liberalization, this being a prerequisite for a successful transition to democracy.[12] On the other hand, defending the 'gradualist' theory, Berman argues that history has shown that democracy develops in various ways and in various local contexts, rather than in a stage-like progression, as argued by the 'sequentialists'.[13] Roll and Talbott, also contradicting 'sequentialist' democratization theories, point out that although it is true that democracy might emerge easier in richer countries, "wealth is clearly not a theoretically necessary condition and many democratic events actually have occurred in poor countries".[14] Carothers, another proponent of 'gradualism', argues that before a society can democratize, the rule of law and a well-functioning state should be in place.[15]

## 4- The Colombian case

In the political literature, the Colombian case in terms of democracy has been characterized in many different ways. Bruce Bagley questions whether the term 'democracy' should even be used to identify the political system in Colombia during the National Front period (1958-74) and suggests that describing it as an 'inclusionary authoritarian regime' would be more appropriate.[16] William Avilés calls it a 'low-intensity democracy'[17], referring to the low level of effective citizen participation, and Manuel Trujillo draws on Guillermo O'Donnell's term of 'delegative democracy'[18] to describe the current political situation in Colombia, under Uribe's administration.[19] Bejarano and Pizarro refer to Colombia as a 'besieged democracy', where the adequate functioning of democracy is hindered by extra-institutional rather than intra-institutional forces, and that its main failure is the inability to establish the rule of law.[20]

## 5- Colombia's democratic development

Unlike most other countries in Latin America, Colombia's democracy emerged in the late nineteenth century, a period to which Samuel Huntington refers to as the 'First Wave of Democratization'.[21]<sup>&[22]</sup> By the end of the 'Second Wave', towards the end of the 1960s and beginning of the 1970s, only three Latin American countries were considered to be liberal democracies – Costa Rica, Venezuela and Colombia. Towards the end of the 1980s, however, the political, economic and social situation in Colombia started to deteriorate, initiating a shift towards illiberal democracy.[23] The electoral regime, however, survived the increasing political and social violence, and after having initiated a series of institutional reforms, Colombia adopted a new Constitution in 1991, which "was supposed to steer Colombia towards a democracy open to citizen participation." [24]<sup>&[25]</sup> The reform project was characterized by the inclusion of groups which were traditionally excluded from formal politics, such as indigenous and afro-colombian groups, leaving a feeling that the new Constitution was an inclusive political pact.[26] Representing a "milestone of great significance in a series of attempts to redefine the model and the national political regime", the new Constitution has however not prevented political, social, economic and institutional instability[27], and has rather hindered the capacity to govern the country.[28] Many see the failure as the result of implementing two antagonistic models – an institutional reform with the aim to introduce social-democratic principles and the economy's shift towards neo-liberalism – simultaneously.[29] Between 1994 and 1996, Colombia experienced a gradual breakdown of democracy as a result of a corruption scandal and the deterioration of the rule of law under President Samper.

Álvaro Uribe, elected president of Colombia in 2002, came to power after the peace talks with the FARC under president Andrés Pastrana had failed, and during which the guerrilla gained considerable military power. During his campaign, Uribe, a dissident of the traditional Liberal party, promised to proceed against all insurgent groups – guerrillas and paramilitaries – with a "strong hand". Once elected, he worked out and implemented the very controversial "Democratic Security and Defense Policy"[30], which, despite the critics, has achieved considerable results in terms of reducing the number of homicides and kidnappings, which were the most alarming concerns in Colombia at the beginning of the twenty-first century.[31]

# An Analysis of Colombia's Democracy

Written by Roberto Lorente

Uribe's popularity throughout his first four years of government has been around 70 percent[32], a unique figure among its Latin American neighbours, attributable to the Colombian society's fatigue with regards to the high rates of kidnappings and homicides, as well as to the failed peace talks with the FARC during Andrés Pastrana's government. Notwithstanding, Uribe has been and still is a controverted person. His critics see him as "a right-wing populist who wields personalized power to the detriment of political institutionalization." [33] These feelings are further strengthened by the fact that he is the first president in the country's history that has been re-elected (in 2006) – something which was not provided for before he took office for the first time in 2002, but which was made possible after a constitutional reform during his first term. Since his first election to presidency, the traditional bipartisan system is undergoing a change towards a multiparty system, as new political parties are emerging and gaining influence on the national arena.[34]

## 6- Analysis

In order to do a more detailed analysis on Colombia's political and economic situation, I will draw on some of the following nine variables which Roll and Talbott argue to be relevant for determining the variation of the GNIpc and ultimately influencing democratic development (a plus (+) or minus (-) sign indicates whether the variable correlates positively or negatively with higher GNIpc): Property Rights (+), Informal Market Activity (-), Regulation (-), Political Rights (+), Civil Liberties (+), Freedom of the Press (+), Monetary Policy or Inflation (-), Trade Barriers (-), and Government Expenditures (+) as a percentage of GDP.[35]

### *Property Rights (+) and Regulation (-):*

The 1991 Constitution guarantees the right to property and constitutes that expropriated enterprises must be compensated.[36] Colombia's score on the International Property Rights Index has improved from 4.4 in 2007 to 5.2 in 2008.[37] Also, Uribe's government has pushed the privatization of state-owned enterprises. Since the implementation of neo-liberal practices and with the new Constitution, the markets have been liberalized and regulations for foreign investments have been loosened, therefore contributing to an increase in foreign direct investments within the last few years. Despite the progress made with respect to property rights, however, the government needs to address outstanding issues with regards to the indigenous and the afro-colombian minorities.

### *Political Rights (+), Civil Liberties (+) and Freedom of the Press (+):*

Although the right to vote and to run for office as well as the freedom of information, speech and organization are guaranteed by the Constitution, they are factually limited, especially in rural areas, and mainly due to the massive distortion and manipulation by the actors in the violent conflict – guerrillas, paramilitaries and the state's security forces.[38] The state has so far proven unable to enforce the rule of law on the entirety of the country's territory. With regards to the freedom of the press, Colombia ranks 4<sup>th</sup> in the CPJ Impunity Index, which ranks countries where killers of journalists go free. The armed conflict has led to the death of dozens of journalists, particularly those reporting on issues such as drug trafficking and corruption, but many cases remain unsolved.[39] In terms of civil liberties, there is a considerable difference between major urban areas, where they are generally respected, and remote rural areas, where regular abuses of the civil rights are almost the order of the day.[40] Further, Uribe's "Democratic Security and Defense Policy", which has initially given good results in terms of massively reduced numbers of kidnappings and homicides, is nowadays boomeranging on him, as the case of hundreds of extra-judicial executions of civilians, registered as guerrillas killed in combat, which were committed by the military forces in order to get incentives such as promotions or days off is coming to light.[41]

### *Monetary Policy or Inflation (-), Trade Barriers (-), and Government Expenditures (+):*

The 1991 Constitution included inflation control and an adequate exchange-rate policy as one of the main tasks of the central bank, recognizing these as a priority.[42] Further, the liberalization of foreign trade has increased since the early 1990s, and the Uribe administration has worked towards a free trade agreement with the US during the last few years, which is now pending ratification by the US congress.

# An Analysis of Colombia's Democracy

Written by Roberto Lorente

## 7- Conclusion

During the first half of the twentieth century, Colombia experienced economic growth and prosperity, and enjoyed the emerging civil and political liberties resulting from the 'first wave of democratization' which reached the country as one of the first ones in Latin America. These developments, however, did not contribute to a betterment of the social conditions, and did not even prevent the country from violent conflicts, as evidenced by the "Violencia" in the late 1940s and the 1950s, and the resulting emergence of insurgent guerrilla groups. Later in history, in the 1990s, the simultaneous implementation of neo-liberal economic practices and of a social-democratic framework with the new Constitution led to the deterioration of the rule of law and have not contributed to the expected goals of alleviating social problems such as income inequality or poverty. This leads to the assumption that, with reference to Zakaria's argument that "[o]nce rich, democracies become immortal"[43], the 'sequentialist' arguments are not valid in the case of Colombia's past, where conditions of economic growth and a certain degree of political liberties as compared to other Latin American countries were given, and it rather underpins Guillermo O'Donnell's opinion that "there is not, and there will never be, a clear-cut and theoretically grounded dividing line that can tell us once and for all when those conditions have or have not been met." [44]

Seeking an end to the violent conflict should be the main objective of the current and future administrations, be it either through military pressure, as currently done by Uribe due to the negative position of the FARC to enter into talks with his administration, or through peace negotiations. Such a starting position would facilitate approaching some of the other problems the country is facing.

A major challenge for Uribe is the currently ongoing 'para-politics' scandal, where "hard evidence of the infiltration of paramilitary groups into elections and various branches of the government"[45] threatens the country's political institutions. However, these have, so far, and despite the difficult political and social environment caused by the decades-old violent conflict, proven themselves fairly resilient.[46] Recent developments and advances in the scandal, such as the conviction of a considerable amount of members of the Congress as well as the arrest of Uribe's cousin, Mario Uribe, a long-time senator and presidential confidant, are a clear evidence for their strength and for the functioning of the separation of powers.

The current and future administrations should continue to focus on strengthening the rule of law in the country, this being the main concern and obstacle for a move towards a 'freer' society. Further, despite at times sustained economic growth, Colombia has not achieved to reduce the massive income inequality. Its Gini index, being at 0.586 in 2006, is currently one of the highest in the world, confirming that the degree of inequality in the distribution of family income is extremely high.[47] The situation on human rights is another key area where the Colombian administration needs to focus on. The armed conflict negatively impacts the human, civil and political rights. It hinders democratic participation, especially in rural areas where the insurgent guerrilla and paramilitary groups fill the power vacuums left by the government forces, therefore obstructing the rule of law in these regions. The recent events regarding extra-judicial executions of civilians by the army evidence a lack of control of the state over the military forces.

Economic growth over a considerable amount of years has not led to a more consolidated democracy in Colombia, therefore contradicting Zakaria's 'sequentialist' theory. The armed conflict is certainly the most influential factor in this case, together with a neo-liberal economic approach which has not contributed to alleviate the social problems the country suffers. I believe that for significant steps towards further democratization and a more liberal Colombian democracy, more than just economic growth is needed, and I therefore tend to believe more in the 'gradualist' approach, as suggested by Roll and Talbott, Berman, Carothers and others. However, as the analysis shows, many hurdles are still to overcome, most importantly closing the inequality gap and establishing the rule of law, in order to create a basis on which all other variables can be further developed upon. Also, on its path towards a consolidated democracy, there is no way around the inclusion of the rural population and the indigenous and afro-colombian communities, whose rights, although constitutionally guaranteed, have been constantly disregarded throughout the country's history.

Given Colombia's long democratic tradition and history and the fact that, although deteriorated to a certain degree, the political institutions and the separation of powers have outlasted the decades lasting conflict, and together with

# An Analysis of Colombia's Democracy

Written by Roberto Lorente

the strong and progressive constitutional framework as a basis, I believe that the case for a liberal Colombian democracy is still alive, and that it can be achieved if approached gradually.

[1] Colombia's GNIpc was \$3,250 in 2007, as per the World Bank's "World Development Indicators 2008" report, (accessed on November 11, 2008); available from <http://www.doingbusiness.org/ExploreEconomies/EconomyCharacteristics.aspx>.

[2] The World Bank's main criterion for classifying economies is the Gross National Income per capita (GNIpc). Countries classified as lower-middle-income economies have a GNIpc in the range of \$936 to \$3,705. Further information is available from <http://www.worldbank.org/data/countryclass/classgroups.htm> (accessed on November 13, 2008).

[3] Richard Roll and John R. Talbott, "Political Freedom, Economic Liberty, and Prosperity," *Journal of Democracy* 14, no.3 (2003): 80.

[4] In his article "The Politics of Negotiating Peace in Colombia" published in the NACLA Report on the Americas, Vol. 38, no. 6 (2005), Nazih Richani refers to the "agrobusiness elite" as being comprised of cattle ranchers, large landowners, the narco-bourgeoisie, banana plantation owners and owners of palm oil and flower plantations.

[5] Eduardo Posada-Carbó, "Colombia's Resilient Democracy," *Current History* 103, no. 670 (2004): 69.

[6] Among others, David Collier and Steven Levitsky discuss the different characterizations of democracy in their Article "Democracy with Adjectives: Conceptual Innovation in Comparative Research," *World Politics* 49, no. 3 (1997).

[7] As per Larry Diamond "[e]lections are 'free' when the legal barriers to entry into the political arena are low, when there is substantial freedom for candidates and supporters of different political parties to campaign and solicit votes, and when voters experience little or no coercion in exercising their electoral choices. Freedom to campaign requires some considerable freedom of speech, movement, assembly, and association in political life, if not fully in civil society." (Larry Diamond, "Elections without Democracy: Thinking about Hybrid Regimes," *Journal of Democracy* 13, no. 2 (2002):28).

[8] Fareed Zakaria, *The Future of Freedom: Illiberal Democracy at Home and Abroad*, (New York: Norton, 2003), 17.

[9] Thomas Carothers, "How Democracies Emerge: The 'Sequencing' Fallacy," *Journal of Democracy* 18, no. 1 (2007): 12-14.

[10] Sheri Berman refers to these as 'preconditionists' and 'universalists', respectively.

[11] Edward D. Mansfield and Jack Snyder, "Exchange: The Sequencing 'Fallacy'," *Journal of Democracy* 18, no. 3 (2007): 5.

[12] Zakaria, 71-72.

[13] Sheri Berman, "How Democracies Emerge: Lessons from Europe," *Journal of Democracy* 18, no. 1 (2007): 37.

[14] Richard Roll and John R. Talbott, 83-84.

[15] Carothers, 13.

# An Analysis of Colombia's Democracy

Written by Roberto Lorente

[16] Bruce Bagley, "Colombia: National Front and Economic Development" in *Politics, Policies, and Economic Development in Latin America*, ed. Robert Wesson (Stanford, Calif.: Hoover Institution Press, 1984), 125-27, as cited in David Collier and Steven Levitsky, "Democracy with Adjectives: Conceptual Innovation in Comparative Research," *World Politics* 49, no. 3 (1997): 441-442.

[17] William Avilés, "Paramilitarism and Colombia's Low-Intensity Democracy," *Journal of Latin American Studies* 38: 380.

[18] Guillermo O'Donnell describes 'delegative' democracies as "to rest on the premise that whoever wins election to the presidency is thereby entitled to govern as he or she sees fit, constrained only by the hard facts of existing power relations and by constitutionally limited term of office. The president is taken to be the embodiment of the nation and the main custodian and definer of its interests." (Guillermo O'Donnell, "Delegative Democracy," *Journal of Democracy* 5, no. 1 (1994): 59-60.)

[19] Manuel Trujillo, *Delegative Democracy: The Case of Colombia*, (accessed November 11, 2008); available from <http://www.coha.org/2007/09/delegative-democracy-the-case-of-colombia/>.

[20] Ana María Bejarano and Eduardo Pizarro, "From 'Restricted' to 'Besieged': The Changing Nature of the Limits to Democracy in Colombia," (University of Notre Dame, Helen Kellogg Institute for International Studies, Working Paper no. 296, April 2002): 5.

[21] Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, (Norman: University of Oklahoma Press, 1991), 14-15.

[22] Huntington argues that democratic institutions have emerged in waves of democratization, of which, according to him, there have been three so far. He defines a 'wave of democratization' as "a group of transitions from nondemocratic to democratic regimes that occur within a specified period of time and that significantly outnumber transitions in the opposite direction during that period of time." Following are the dates of the democratization waves as per Huntington:

First, long wave: 1828-1926

First reverse wave: 1922-42

Second, short wave: 1943-62

Second reverse wave: 1958-75

Third wave: 1974-

[23] Peter H. Smith and Melissa R. Ziegler, "Liberal and Illiberal Democracy in Latin America," *Latin American Politics and Society* 50, no. 1 (2008): 35.

[24] Gabriel Murillo-Castaño and Victoria Gomez-Segura, "Institutions and Citizens in Colombia: The Changing Nature of a Difficult Relationship," *Social Forces* 84, no. 1 (2005): 3.

[25] Avilés, 379.

[26] Gabriel Murillo-Castaño and Victoria Gomez-Segura, 3.

[27] Ibid., 13-14.

[28] Scott Mainwaring and Timothy R. Scully, "Latin America: Eight Lessons for Governance," *Journal of Democracy*

# An Analysis of Colombia's Democracy

Written by Roberto Lorente

19, no. 3 (2008): 121.

[29] Gabriel Murillo-Castaño and Victoria Gomez-Segura, 2-3.

[30] A more detailed summary of the goals and achievements of the "Democratic Security and Defense Policy" is available from [http://www.presidencia.gov.co/sne/visita\\_bush/documentos/security.pdf](http://www.presidencia.gov.co/sne/visita_bush/documentos/security.pdf) (accessed November 12, 2008).

[31] The results balance for the "Democratic Security and Defense Policy" as per the end of September 2008 is available from [http://www.presidencia.gov.co/resultados/english/01\\_security/security\\_081021.pdf](http://www.presidencia.gov.co/resultados/english/01_security/security_081021.pdf) (accessed November 12, 2008).

[32] Posada-Carbó, 83.

[33] *Ibid.*, 80-81.

[34] *Ibid.*

[35] Richard Roll and John R. Talbott, 76.

[36] Bertelsmann Stiftung, *BTI 2008 — Colombia Country Report* (Gütersloh: Bertelsmann Stiftung, 2007), 18.

[37] 2008 International Property Rights Index, (accessed November 14, 2008); available from <http://www.internationalpropertyrightsindex.org/>.

[38] Bertelsmann Stiftung, 7-8.

[39] Committee to Protect Journalists, *Getting Away with Murder – The Index*, (accessed November 11, 2008); available from <http://cpj.org/reports/2008/04/getting-away-with-murder.php#countries>.

[40] Freedom House, *Countries at the Crossroads 2007 – Country Report Colombia*, (accessed on November 14, 2008); available from <http://www.freedomhouse.org/uploads/ccr/country-7156-8.pdf>, 9.

[41] Colombia Reports, *2,300 security officials investigated for extrajudicial executions*, (accessed November 14, 2008); available from <http://colombiareports.com/colombian-news/news/1858-2300-security-officials-investigated-for-extrajudicial-executions.html>.

[42] Bertelsmann Stiftung, 15-17.

[43] Zakaria, 70.

[44] Guillermo O'Donnell, "The Perpetual Crises of Democracy," *Journal of Democracy* 18, no. 1 (2007): 7.

[45] Freedom House, 1.

[46] Posada-Carbó, 93.

[47] Bertelsmann Stiftung, 13.

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