

We do (not) negotiate with terrorists

Legitimization of concessions between national governments and terrorist groups; the case of the Colombian government and the FARC-EP



Master thesis

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1. Introduction

On June 18, 1985, then President of the United States Ronald Reagan stated: “Let me further make it plain . . . that America will never make concessions to terrorists – to do so would only invite more terrorism”. This claim would be reiterated by many of his successors, and the political leaders of numerous other nations took on the no-negotiation stance against terrorism as well (Powell, 2011). However, the Reagan Administration itself already deviated from this policy in September 1985, when it traded arms in order to obtain the freedom of an American citizen (Lapan & Sandler, 1988). This deviation from the official policy on terrorism seems to be adopted by leaders around the world as much as Reagan’s no-negotiation policy was in the first place.

In his book *Talking to Terrorists*, Jonathan Powell (2014) revealed this perpetual discrepancy between what governments say and what they actually do when it comes to negotiating with terrorists. He argued that every time when a new terrorist group emerges, world leaders state that there can never be negotiated with this group (2014). Political leaders tend to claim that the new terrorist group is significantly different from all the terrorists they have seen before, and thus cannot be compared with the terrorists with whom national governments have successfully negotiated (Powell, 2014). However, as Neumann (2007) and Powell (2014) showed, eventually governments always seem to find themselves sitting at the negotiating table with the terrorist groups they once refused to ever talk with. This shift in attitude towards terrorists seems difficult to legitimize. Similarly, terrorist groups may find it hard to legitimize the decision to negotiate with the government as well. Namely, terrorist groups have often turned to terrorism because they could not achieve their goals in the political arena and because they considered the prevailing political order to be illegitimate (Weinberg, 1991; Martin & Perliger, 2012). From this perspective, participating in negotiations with the national government seems counterintuitive.

If it is already difficult to defend the act of negotiation, how do both national governments and terrorist groups convince their supporters of the legitimacy of concessions that have been made during the negotiations? Some scholars have argued that the act of negotiation does not necessarily require the making of concessions. Powell, for example stated that the fact that governments are talking with terrorists does not necessarily mean that they are giving in to them. Moreover, despite the strong words against talking with terrorists of president George W. Bush (2002), it was an ex-Bush official, Nick Burns, who argued that negotiations

with terrorists were in fact “evidence of a strong and self-confident country” (in Powell, 2014). Zartman (2003) furthermore stated that governments that are negotiating with terrorists have to convince the terrorists to give a lot and to receive just a little in return. According to Zartman (2003), if governments would give in to the political goals of terrorists in exchange for the end of conflict, others would be encouraged to use terrorism as a means to attain political goals as well. Although it seems impossible, it is thus argued that the art of negotiation is to come to an agreement without giving in. However, terrorists will never agree to start talking if they have no chance of attaining their goals through negotiations (Powell, 2014). Therefore, if negotiations between a national government and a terrorist group result in an agreement, one would expect that at least some sort of concessions have been made by both parties.

Starting from this assumption, this thesis seeks to explore how national governments and terrorist groups seek to legitimize the concessions they make to each other. In order to do this, it delves deeper into the case of the recent Colombian peace process, which comprised negotiations between the Colombian government and the Revolutionary Armed Forces of Colombia – People’s Army (FARC-EP). The aim is to answer the following research question:

How did the Colombian government and the FARC-EP legitimize the concessions they made during the peace negotiations between 2012 and 2016?

In order to answer the central research question, this thesis addresses the following sub questions:

- *Which concessions have been made by the Colombian government during the peace negotiations between 2012 and 2016?*
- *Which concessions have been made by the FARC-EP during the peace negotiations between 2012 and 2016?*
- *How did the Colombian government seek to legitimize the concessions it made during the peace negotiations between 2012 and 2016?*
- *How did the FARC-EP seek to legitimize the concessions it made during the peace negotiations between 2012 and 2016?*

Since the Colombian peace process resulted in an agreement between the two opposing negotiation parties (Santos & Jiménez, 2016), it is expected that concessions have been made by both the Colombian government and the FARC-EP. Regarding the legitimization of these possible concessions, the key audiences towards which the legitimization is expected to take

place are the Colombian people and the international community. It is expected that the Colombian government and the FARC-EP have sought to legitimize their concessions towards the Colombian people because this audience has suffered the direct consequences of the conflict to which the peace process sought to make an end. Moreover, the Colombian people form the constituency that the Colombian government and the FARC-EP both – claim to – represent (Ospina-Ovalle, 2017). Finally, the national government and the FARC-EP expectedly sought to legitimize the negotiated agreement towards the Colombian citizens because they were to express their approval for this agreement through a national referendum (Doyle, 2016).

The international community is considered a key audience for the legitimization of concessions in the case of the Colombian government because the government has to adhere to international law and conventions. Moreover, the Colombian government might need support from the international community with the implementation of the peace agreement. In the case of the FARC-EP, the international community is considered a key audience because the FARC-EP has claimed to enjoy international support and because of the FARC-EP's international network (World Politics Review, 2008).

1.1. Contribution to the academic field

This research adds up to the literature on negotiating with terrorists. Given the fact that terrorism often ends through a negotiated agreement, this phenomenon deserves more attention than it has hitherto received in the academic field. Although some research exists on how to negotiate with terrorists, there is a lack of research into how the act of negotiation between governments and terrorist groups can be legitimized. Of course, it will be hard to draw conclusions on the legitimization of concessions by national governments and terrorist groups based on this single case. However, this research provides a preliminary framework for the legitimization of concessions. It thus serves as a starting point for getting a better understanding of how terrorism ends. Moreover, so far little research has been conducted into the Colombian peace process between 2012 and 2016. This research thus also serves to get a better understanding of this case in particular. Since both the Colombian government and the FARC-EP have published a large number of official announcements during the peace process, the case provides a unique insight in the discourse surrounding peace negotiations.

1.2. Societal Relevance

At the moment of writing, terrorist attacks in London (The Guardian, 2017, March 24 & June 7), Manchester (Pallazo & Allen, 2017, May 26) and Stockholm (Independent, 2017, April 8) make the headlines in Europe. Moreover, the Global Terrorism Database (2017) shows an increase in terrorist attacks worldwide, from 2009 attacks in 2005 to 14.806 in 2015. It could thus be stated that terrorism is not a problem of the past. Since terrorist attacks affect citizens, it is in the direct interest of society to get a better understanding of how terrorism can be ended. Although citizens may ask for a military approach against terrorism shortly after a terrorist attack, this may not be the best, or possible, solution. Research by Jones and Libicki (2008) showed that of the terrorist groups that had ‘ended’ since 1968, only around 19% had been defeated militarily. On the other hand, 50% of the ended terrorist groups had negotiated a settlement with a government (Jones & Libicki, 2008). It thus seems that, in order to get a better understanding of how terrorism ends, one should look further than military operations against terrorism and explore the phenomenon of negotiated agreements between national governments and terrorist groups as well.

Moreover, this research may in particular be relevant for national governments and terrorist groups who will participate in future peace processes. According to Powell (2014), it is time to use the lessons of the past when it comes to peace negotiations. He argued that political groups participating in peace negotiations were reinventing the wheel over and over again, instead of taking into account the successes and failures of earlier negotiations (2014). Although conflicts always have different causes and solutions (Powell, 2014), each peace negotiation process will provide some general lessons that future negotiators can learn from. To quote Powell (2014, p. 5): “If people are going to make mistakes negotiating with terrorists, they should at least make their own, new, mistakes rather than repeating those already made by others”. This applies not only to the act of negotiation itself, but also to the ways in which terrorist groups and national governments seek to convince their supporters that achieving peace is worth making concessions. Focusing on the latter, this study aims to research which lessons can be learned from the Colombian peace negotiations between 2012 and 2016.

1.3. Readers’ guide

Before this thesis starts elaborating on what new knowledge is found, it first provides an insight into the body of knowledge that it seeks to expand. Therefore, the second chapter of this thesis consists of a theoretical framework. This chapter outlines what is already known about

negotiations between national governments and terrorist groups and which parts of the body of knowledge are used for this research. How exactly the existing theory is used in this research is explained in the third chapter; the methods chapter. In this chapter, the research methods of this study are explained and accounted for. Moreover, chapter three addresses the limits and possible pitfalls of this research. The fourth chapter of this thesis then provides the reader with the necessary background information on the Colombian peace process. It elaborates on the Colombian conflict, the peace process, the peace agreement and on the question of whether the FARC-EP can be considered a terrorist group. Moreover, this chapter presents the most important concessions that have been made during the Colombian peace process and explains why these can be considered concessions. The fifth chapter then addresses how these concessions have been legitimized by the Colombian government and the FARC-EP. In this chapter, the results of the analysis are thus presented. Finally, the sixth chapter, consisting of the discussion and conclusion, addresses how these results can be explained. Moreover, this chapter elaborates on the implications of the results for theory development in this particular field of research. Furthermore, it provides some recommendation for further research. At the end of this thesis, the reader can find the bibliography and appendices.

2. Theoretical framework

Before the research into the Colombian peace process can be conducted, it must first be determined what exactly is being researched and what is already known about this topic. Therefore, this chapter explores the literature about negotiations between national governments and terrorist groups. Furthermore, it addresses the literature on the act of legitimization in general and the legitimization of concessions between national governments and terrorist groups in particular. At the end of this chapter, it is indicated which parts of the theory are used for this research.

2.1. Negotiating with terrorists

In the academic literature, the position against negotiating with terrorists enjoys wide support. Duyvestein and Schuurman (2011) made their argument against negotiating with terrorists by stating that it could be used by the terrorists to create time to prepare for a next offensive or to recover. Moreover, they argued that negotiations could possibly promote even more and worse violence (Duyvestein & Schuurman, 2011). Finally, they indicated that military victories might provide a greater chance on a stable and lasting peace than negotiated peace agreements (Duyvestein & Schuurman, 2011). Powell (2014) summarized three other main arguments against negotiating. First, negotiating with terrorists would mean that governments give in to blackmail and would encourage others to use terrorism as a means to attain their goals (Powell, 2014). Second, terrorists are often stated to be psychopaths, which would make negotiating with them pointless and wrong (Powell, 2014). A third argument against negotiating with terrorists is that it would be immoral and would reward bad behavior (Powell, 2014).

However, some authors have indicated that, under certain conditions, negotiations might be desirable. Powell (2014) for example showed that the three main arguments against negotiation that he distinguished, as discussed above, could be refuted. He argued that negotiating with terrorists could only be considered as giving in to blackmail when the government concedes to all the demands of the terrorist group (Powell, 2014). Moreover, Richardson (2006) claimed that terrorists are not immoral nor crazy but are rather rationally pursuing to attain a set of objectives. Furthermore, the absolute moral arguments against negotiating with terrorists can be counterbalanced by the practical need to negotiate in order to stop the terrorists from killing (Powell, 2014).

Apart from the normative arguments in favor of negotiating with terrorists, experience shows that national governments do in fact negotiate with terrorists. Lapan and Sandler (1988) pointed out several cases where administrations that were known for their strong stance against negotiating with terrorists – the Reagan administration of the United States and the Israelis during the 1970s and 1980s – made exceptions on this policy during hostage situations. Powell (2014) showed that national governments do also negotiate with terrorist groups at a more structural level, for example the Israel-Palestinian talks in 1993, negotiations between the British government and the Irish Republican Army between 1994 and 2007. He moreover emphasized that while he was writing his book, NATO countries were talking with the Taliban and the United States and Israel were negotiating with Hamas (Powell, 2014). The list does not stop here; Powell (2014) also pointed at examples from El Salvador, Sri Lanka, Mozambique and South Africa, among others.

There are thus a few authors who have argued that national governments should, normatively, negotiate with terrorists and there are also many examples of negotiations between national governments and terrorist groups in practice. However, there is a lack of empirical research into why nation-states decide to negotiate with terrorists. Similarly, it is still not clear how one could explain that national governments make concessions to terrorists. Abrahms (2006) argued that states are more likely to make territorial concessions than ideological concessions. Moreover, states would be very skeptical about making any concessions to terrorist groups with ideological objectives, since it is believed that these ideological objectives will not suddenly disappear when the terrorists are given, for example, some territory (Abrahms, 2006). Furthermore, Abrahms (2006) stated that target countries would never make concessions to terrorists who want to destroy the society and/or its values or who have other extreme demands that would fall outside of consideration. Abrahms (2006) thus summed up several situations in which governments do *not* give in to terrorists. However, he did not provide explanations for why governments do sometimes make concessions. Also De Mesquita (2005), who proposed an extensive model for the interaction between a government and a terrorist group, did not really refer to possible explanations for concessions.

Likewise, it is also unclear why terrorist groups would make concessions to national governments. Although most studies on negotiating with terrorists focus merely on the side of the governments (Cronin, 2009), the terrorists' perspective must not be overlooked. To quote Cronin (2009, p. 39): "If the goal is to understand how negotiations end terrorism, then focusing exclusively on the calculus of the incumbent side ... analyzes only half of the equation".

According to Cronin (2009), the big difference between state-to-state peace negotiations and state-to-terrorist peace negotiations is that, in the latter case, it cannot be assumed that both parties actually want to achieve peace. Whereas most states are considered to want a conflict to end, although preferably on their own terms, this cannot be said of many terrorist groups (Cronin, 2009). This makes it very interesting to explore the making of concessions on the side of terrorist groups as well. Abrahms (2011, 2012) distinguished two types of terrorist objectives: process goals – intended to sustain the group – and outcome goals – stated political ends. He argued that the latter could “be achieved only with the compliance of the target government” (2012, p. 367). Why would terrorist groups settle with national governments if that means that they have to give up on their outcome goals?

As this chapter showed, a paradox exists regarding negotiations between national governments and terrorist groups. On the one hand, both parties claim that they do not make concessions to each other. Moreover, the academic literature does not offer explanations for the making of concessions between national governments and terrorists. On the other hand, experience shows that national governments and terrorist groups do in fact make concessions to each other. When national governments and terrorist do something as counterintuitive as making concessions to each other, it seems that they have a lot to explain to their constituencies. Both actors probably have to put in a lot of effort to legitimize the concessions they make. This study aims to explore how this legitimization of concessions between national governments and terrorist groups is conducted.

2.2. The act of legitimization

In order to research how both national governments and terrorist groups seek to legitimize the concessions they make to each other, it must be determined what exactly is meant with ‘legitimizing’. According to the Cambridge Dictionary (n.d.), the verb ‘legitimize’ means “to make something legal or acceptable”. The verb is directly linked with legitimacy, which has been defined by Suchman (1995, p. 574) as “a generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs and definitions”. From this perspective, it could be argued that the act of legitimization consists of creating this perception among a specific target group. Reyes (2011, p. 782) defined legitimization as “the process by which speakers accredit or license a type of social behavior”. He added that this social behavior could refer to physical as well as mental behavior (2011). According to Reyes (2011), the process of legitimization is

enacted by the provision of arguments that explain thoughts, ideas, social actions, declarations, etc. In this, legitimization provides an answer, directly or indirectly, to questions such as “why should we do this?” and “why should we do this in this way?” (Van Leeuwen, 2007, p. 93).

The act of legitimization is carried out through the use of language (Reyes, 2011; Van Leeuwen, 2007). Filardo-Llamas (2008) considered legitimization to be one of the key features of political discourse. She argued that legitimization in political discourse is achieved through ‘discourse worlds’ (Filardo-Llamas, 2008). The concept of discourse worlds was put forward by Chilton (2004), who defined ‘discourse world’ as “the ‘reality’ that is entertained by the speaker, or meta-represented by (the) speaker as someone else’s believed reality (p. 54). In this, discourse worlds are considered to be mental spaces (Chilton, 2004). Filardo-Llamas (2008) used the concept of discourse worlds to show that the ‘universal truth’ as it is presented by political actors is in fact a rather ideological and subjective representation of their own reality. Political actors strategically manipulate language to legitimize their own world-view and to promote related values (Filardo, Llamas, 2008). Especially in political discourse, the act of legitimization is intrinsically intentional (Reyes, 2011). Namely, political actors are assumed to be very conscious about the main ideas they want to deliver to their audience during scheduled public appearances (Reyes, 2011). Often, they even have their own advisory team that supports them with writing speeches (Reyes, 2011).

Another useful concept concerning the act of legitimization is the concept of a ‘frame’. Brown and Yule (1983) defined ‘frame’ as “a fixed representation of knowledge about the world” (p. 239). Elliott and Hayward (1998) more broadly described a frame as “a framework within which information is considered, selected, interpreted, evaluated, or simply, understood” (p. 232). According to Reese (2001), frames should be considered “organizing principles that are socially shared and persistent over time, that work symbolically to meaningfully structure the social world” (p. 11). Although the exact definition of frames is contested, they thus represent different views and understandings of the world around us. Charniak (1979) argued that discourse can be used to fit a certain action in an existing frame. This process is referred to as ‘framing’, which was defined by Entman (1993) as follows: “to frame is to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation of the item described” (p. 52). Hall (2006) described framing as “the politics of signification” (p. 136). Political actors can seek to legitimize their actions by linking their actions to a particular ‘frame’.

A subsequent concern is which specific frames and discourse worlds are used to legitimize social behavior. Several authors have proposed a framework for legitimization, consisting of different legitimization strategies. Rojo and Van Dijk (1998) for example distinguished three levels of legitimization. The first level, the pragmatic level, comprises the simple explanation or justification of a controversial act (Rojo & Van Dijk, 1998). At the second level, the semantic level, one cognitive-discursive representation of this controversial act is presented as a fact (Rojo & Van Dijk, 1998). In this, all other representations, or “versions”, of the same act are neutralized (Rojo & Van Dijk, 1998, p.12). The third level that was defined by Rojo and Van Dijk (1998) was the socio-political level. The socio-political legitimization of a controversial act is achieved through placing emphasis on the authoritative source and formal context of the speech act itself (Rojo & Van Dijk, 1998). According to Rojo and Van Dijk (1998), the pragmatic and semantic legitimization of a certain type of social behavior would be more politically, socially and symbolically effective if the legitimizing discourse takes place in a formal context and is conducted by a speaker who enjoys a high level of authority. As an example, Rojo and Van Dijk (1998) outline a situation in which a certain act by the speaker is, or may be, considered to be a mistake. At the pragmatic level of legitimization, the speaker could in this case simply state that the particular act was not a mistake (Rojo & Van Dijk, 1998). Subsequently, at the semantic level of legitimization, the speaker could elaborate on why it was not a mistake. The speaker could then, at the socio-political level, strengthen this version of the reality by referring to his or her own authority and the formal setting in which he or she is speaking.

Instead of looking at the multiple vertical levels of a certain legitimization scheme, Van Leeuwen (2007) addressed the different strategies of legitimization at a more horizontal level. He defined four major strategies of legitimization: (1) authorization, (2) moral evaluation, (3) rationalization and (4) mythopoesis (Van Leeuwen, 2007). Authorization concerns legitimization by reference to the authority of conformity, tradition, law, experts, role models, or persons in whom authority is vested because of their role or status in a specific institution (Van Leeuwen, 2007). For example, the legitimization question of “why should we do this?” (Van Leeuwen, 2007, p. 93) could be legitimized through authority by giving answers such as ‘because the teacher says so’ or ‘because everybody does’. This category of legitimization is similar to what Rojo and Van Dijk (1998) described as the socio-political level of legitimization. The second legitimization category that was defined by Van Leeuwen (2007), moral evaluation, regards the reference to certain value systems. Sometimes, the reference to a value system is

very direct (Van Leeuwen, 2007). The moral value is in this case for example proclaimed by words as ‘good’ and ‘bad’ (Van Leeuwen, 2007). However, more often, the value systems are only “hinted at, by means of adjectives such as ‘healthy’, ‘normal’, ‘useful’ and so on” (Van Leeuwen, 2007, p. 97). Therefore, the moral evaluation strategy of legitimization can only be recognized if one considers the social and cultural background of discourse. Van Leeuwen (2007, p. 99) provides the following example of legitimization through moral evaluation: “instead of ‘the child goes to school for the first time’, we might say ‘the child takes up independence’, so that the practice of schooling is legitimized in terms of a discourse of ‘independence’”. In this, it takes some cultural knowledge to understand that ‘independence’ is considered a good quality.

The third category of legitimization, rationalization, concerns on the one hand the reference to the uses, goals and effects of established social action. This type of rationalization is called instrumental rationalization. Regarding the question of ‘why should we do this?’, instrumental rationalization is reflected in answers such as ‘because it is purposeful’ or ‘because it is effective’ (Van Leeuwen, 2007). Another type of rationalization is theoretical rationalization, which refers to the knowledge, as constructed by society, that provides cognitive validity to institutionalized social action (Van Leeuwen, 2007). In this, legitimization is grounded in whether the specific act is founded on some sort of truth; on “the way things are” (Van Leeuwen, 2007, p. 103). Finally, within mythopoesis, the fourth category that Van Leeuwen (2007) distinguished, legitimization is achieved through storytelling. This particular type of storytelling comprises moral tales; narratives that reward persons for taking part in legitimate social actions or for restoring the legitimate order (Van Leeuwen, 2007). Non-legitimate actions, on the other hand, are negatively portrayed through cautionary tales; narratives that portray what happens if one does not conform to the existing norms of social practices (Van Leeuwen, 2007). The main characters of the moral tales engage in socially accepted activities that lead to happy endings, while the main characters of the cautionary tales engage in deviant activities and experience an unhappy ending of one kind or another (Van Leeuwen, 2007).

The set of strategies of legitimization that was proposed by Van Leeuwen (2007) has been further developed by Reyes (2011). He not only expanded some of the strategies, but also proposed new ones (Reyes, 2011). In this, Reyes particularly focused on the legitimization practices of political actors. This led to a new framework of legitimization, existing of five “discursive strategies social actors employ in discourse to legitimize their ideological

positionings and actions” (Reyes, 2011, p. 788). These five strategies are (1) legitimization through emotions, (2) legitimization through a hypothetical future, (3) legitimization through rationality, (4) legitimization through voices of expertise, (5) legitimization through altruism.

The first strategy, legitimization through emotions, particularly comprises the creation of an ‘us’ and a ‘them’ (Reyes, 2011). In this, the ‘Self’ is presented as positive while the ‘Other’ is presented as negative (Reyes, 2011). Moreover, the ‘Self’ and the ‘Other’ are linked to specific emotions. Social actors appeal to emotions such as fear, sadness and anger to legitimize certain perceptions of reality (Reyes, 2011).

The second strategy, legitimization through a hypothetical future, is carried out by posing a future threat that requires immediate action in the present (Reyes, 2011). Legitimization is in this case thus achieved through the image of a future in which the generations to come suffer the negative consequences of current inaction or, on the other hand, through the image of a future in which the generations to come enjoy the positive consequences of current action (Reyes, 2011).

Legitimization through rationality, the third strategy that was distinguished by Reyes (2011), is enacted when political actors present the decisions they seek to legitimize as being made after a “heeded, evaluated and thoughtful procedure” (Reyes, 2011, p. 786). The decisions are thus portrayed as being logical and making sense; as the right thing to do (Reyes, 2011). This strategy is similar to the strategy of theoretical rationalization as it was defined by Van Leeuwen (2007).

The fourth strategy put forward by Reyes (2011) is legitimization through voices of expertise. Political actors display voices of expertise in discourse to show the audience that experts in a particular field, with their well-informed statements, support the decisions of the political actors (Reyes, 2011). Moreover, political actors may bring voices of expertise into the discourse to make sure that they share the blame for possible negative consequences with others (Reyes, 2011). The voices of expertise are represented by persons with authority, for example former presidents, or persons whom the community admires (Reyes, 2011). This strategy is thus related to the legitimization category that Van Leeuwen (2007) described as authorization, and to what Rojo and Van Dijk (1998) called the socio-political level of legitimization. Philips (2004) argued that speakers seek their speech to be an ‘authoritative speech’ – a speech that is associated with authority – in order to be “more persuasive, more convincing, and more attended to” (p. 475).

The fifth strategy that Reyes (2011) defined, legitimization through altruism, is carried out by public speakers through presenting their decision or action as a ‘common good’ that will improve the living conditions of a specific community. In this, speakers seek to let their decisions appear as being driven by the interests of their supporters rather than by their own personal interests (Reyes, 2011). Particularly, public speakers tend to present their actions as beneficial for the innocent and unprotected members of the community (Reyes, 2011). The strategy of altruism refers to a certain system of values, and is thus related to the category of ‘moral evaluation’ as it was described by Van Leeuwen (2007).

The predominant strategy of legitimization that was observed by Reyes (2011) was the use of discourse that distinguished between the ‘Self’ and the ‘Other’. This strategy is linked to what Foucault (1972) defined as the exclusion principle of division and rejection. Namely, rather than only making an division between these ‘Self’ and the ‘Other’, the ‘Other’ is often being rejected by public speakers as well (Reyes, 2011). This rejection takes place by portraying the ‘Other’ as immoral, irrational, mad, etcetera. It is thus the strategy of legitimization through emotions that is put forward by Reyes (2011) as the general legitimization strategy of public speakers.

2.3. Legitimization of concessions

This research seeks to explore a particular type of legitimization, namely, the concessions that are made during peace negotiations between national governments and terrorist groups. Addressing the importance of legitimization during peace processes, Bar-Siman-Tov (1997, p. 179) stated: “Decision-makers must ... convince others that they have both the knowledge and competence to achieve the proposed peace policy. They must show that they have a correct and realistic view of the conflict environment, that they have accurately assessed the other side’s interest in reaching peace, and that they have the ability to steer the peace process in the desired direction”. Moreover, Bar-Siman-Tov (1997, p. 180) argued that legitimacy could be gained by the “conscious manipulation of national symbols, language, and rituals”. Furthermore, he claimed that political actors participating in peace negotiations could legitimize the eventual peace policy by emphasizing both the attractiveness of peace and the risks and costs of not making peace (Bar-Siman-Tov, 1997).

Powell (2014) and Cronin (2010) also argued that political groups should emphasize the importance of peace in order to gain public support for peace agreements. Powell (2014) stated that the only way for governments to legitimize concessions to terrorists is to convince the

public that the resulting peace will be worth it. He underscored the difficulty of this task, since the public often only wants peace on its own terms (Powell, 2014). Cronin (2010) furthermore argued that societies will be more likely to support peace agreements when there exists a general war fatigue among citizens. National governments and terrorist groups could thus try to legitimize the concessions they make by emphasizing the horrors of war that these concessions put to a halt.

Besides underscoring the importance of peace, the literature on peace negotiations offers several other ways to legitimize concessions. Powell (2014) for example stated that it is important that the political groups that try to convince their supporters of an agreement do so in a confident manner. In his words, “if you decide to go for an agreement there is no point in being apologetic or half-hearted” (Powell, 2014, p. 269). Namely, if you are not convinced of the agreement yourself, how is your audience going to be? Moreover, in an empirical research on public opinion about combatting terrorists, Pronin, Kennedy and Butsch (2016, p. 387) showed that their research participants were more likely to advocate negotiation over military action when they perceived terrorists as being motivated by “a rational analysis based on the facts” rather than by “heavy doses of social influence, conformity, and emotional reactions”. Also, the research participants were more likely to be in favour of negotiations with terrorists when they had just read an article that portrayed terrorists as rational actors (Pronin, Kennedy & Butsch, 2016). If the same trend is observable when it comes to concessions, national governments could legitimize the concessions they make to terrorist groups by framing the terrorists as rational actors.

When it comes to terrorist groups in particular, Powell (2014) noted that the key turning point in reaching an agreement is when the terrorist group becomes to see its weaponry as an obstacle rather than a means to achieve success. Somehow, the terrorist group thus has to convince its supporters that the act of laying down the arms does not mean that the terrorist group is losing but that they are actually becoming closer to success. This seems to be very hard, and Powell (2014) does not further indicate how this can be done.

Ultimately, the most important step to legitimize a peace agreement, and thus also the concessions that are made to reach this agreement, seems to be to keep the public involved in the process (Powell, 2014; Wanis-St. John, 2008). Powell (2014) warned that a peace process can easily become a bubble that has lost connection with the outside world. When the parties that participate in the negotiations get isolated from their supporters during the negotiations,

both the national government and the terrorist group will have difficulties in gaining support for result (Powell, 2014). Moreover, Wanis-St. John (2008) argued that while the included parties are negotiating in their bubble, the excluded parties will find it relatively easy to gain support against peace. Thus, the negotiating parties must keep their constituencies involved in order to mobilize support for a peace agreement and to prevent a movement against peace to be started behind their backs.

It must be noted that the theory that has been discussed so far mainly focuses on the legitimization of entering into negotiations. It is questionable whether this theory is directly applicable to the legitimization of concessions that are made during negotiations. On the one hand, one could argue that concessions are inherent in negotiations. Namely, one could perceive the negotiation parties as being positioned at the opposite ends of a continuum (Winham, 1977). In order to reach an agreement, the negotiation parties have to come closer to each other. From this perspective, negotiation could be considered a process of convergence, driven by the exchange of concessions (Winham, 1977). If the negotiation process is portrayed as a process of convergence, one could claim that, by legitimizing the entering into negotiations, the making of concessions has also automatically been legitimized. However, Zartman (2003) and Powell (2014) argued that national governments should negotiate with terrorists without giving in to them. This implies that it is possible to negotiate without making concessions, and that the legitimization of the act of negotiation itself does not necessarily legitimize the making of concessions. Moreover, even when concessions are to be made, it seems impossible to predict which concessions will be made during negotiations. It is thus uncertain which concessions exactly are legitimized when the entering into negotiations is legitimized. One could argue that a particular concession needs a different legitimization than the broader act of negotiation. Specific theory on how concessions during negotiation processes, especially those involving terrorist groups, can be legitimized is missing.

2.4. From theory to research

This literature review showed that many authors have argued that national governments should not negotiate with terrorist groups. Moreover, it indicated that the incentives for terrorist groups to negotiate with national governments are unclear. Still, national governments and terrorist groups do negotiate with each other. Because of this paradox, the legitimization of the act of negotiation in general and the making of concessions in particular seems essential. As noted above, there is a lack of theory on how these concessions can be legitimized. This thesis aims

to fill in that gap, at least partially, by researching how the Colombian government and the FARC-EP have sought to legitimize the concessions they made during the Colombian peace process between 2012 and 2016. In this, legitimization is considered “the process by which speakers accredit or license a type of social behavior”, as it was defined by Reyes (2011, p. 782). The social behavior that is legitimized is in this case thus the making of concessions by the Colombian government and the FARC-EP. This research takes from the literature that the process of legitimization is enacted through discourse. Namely, this was argued by several authors (Entman, 1993; Filardo-Llamas, 2008; Reyes, 2011) and confirmed by the different frameworks of legitimization that were discussed (Reyes, 2011; Rojo & Van Dijk, 1998; Van Leeuwen, 2007). Regarding these frameworks, this research uses the framework that was proposed by Reyes (2011). This framework is preferred over the other two frameworks because it is the most comprehensive one and because it also includes the findings by Rojo and Van Dijk (1998) and Van Leeuwen (2007).

3. Methods

This chapter serves to explain how the research into the Colombian peace process is conducted. First, the general research design of this study – a qualitative case study – is explained and accounted for. Subsequently, it is clarified why the case of the Colombian peace process is chosen. Third, this chapter elucidates how this particular case will be researched. This section elaborates both on the method of discourse analysis and on the combination of deductive and inductive research. After the research methods are clarified, it is explained how the texts that are to be studied are selected. Finally, this chapter addresses some limits and possible pitfalls of the research.

3.1. Research design

As stated above, this thesis aims to explore how national governments and terrorist groups seek to legitimize the concessions they make to each other during peace negotiations. In order to do this, qualitative research is conducted. The choice for this research strategy can best be explained on the basis of the four key characteristics of qualitative research, as defined by Bryman (2012). First, qualitative research has a tendency to focus on words rather than numbers (Bryman, 2012). Since the very act of legitimization is carried out through the use of language, the choice for qualitative research seems logical. Second, qualitative research is mostly inductive in its nature, meaning that it is theory building rather than theory testing (Bryman, 2012). In the previous chapter, it became clear that there is a lack of theory about legitimization strategies of concessions between national governments and terrorist groups. Qualitative research may help to generate such a theory. This theory may later be – deductively – tested by means of quantitative research. Third, qualitative research takes an interpretivist epistemological position, meaning that “the stress is on the understanding of the social world through an examination of the interpretation of that world by its participants” (Bryman, 2012). It is believed that such a political phenomenon as peace negotiations between national governments and terrorist groups cannot be researched through a natural scientific model, but can only be understood through the interpretations of the negotiations by the parties involved and their constituencies. This strongly correlates with the fourth key characteristic of qualitative research: its constructionist ontological position (Bryman, 2012). This position implies that social reality is produced, and continually revised, by social actors (Bryman, 2012). As emphasized in the theoretical framework, the act of legitimization is all about creating a certain version of reality. This study is thus interested in the reality that is constructed rather than in

some sort of ‘objective’ reality, making qualitative research the most appropriate research design.

More specifically, this research has a qualitative case study design. A case study is suitable because this research is mainly interested in questions of ‘how’ (Yin, 2003). Obtaining a deep understanding of how certain phenomena occur requires an in-depth analysis. The focus on one single case gives the opportunity to conduct such an in-depth analysis. Moreover, a case study offers the possibility to extensively observe the context in which the researched phenomenon takes place (Yin, 2003). In order to understand *how* national governments and terrorist groups seek to legitimize the concessions they make during negotiations, it must be clear *what* exactly must be legitimized. An understanding of the context in which the act of legitimization takes place is thus necessary to draw any conclusions from this research. Finally, a case study design is chosen because the behavior of those involved in a study into negotiations between national governments and terrorist groups can impossibly be manipulated (Yin, 2003). Namely, this type of negotiation is such a complex and inherently political phenomenon that it could never be realistically simulated in some kind of experimental setting. Therefore, a qualitative case study design offers the best chances at obtaining an understanding of how the concessions made during these negotiations are sought to be legitimized.

3.2. Case selection

The case that is analyzed for this research is the Colombian peace process that took place between 2012 and 2016, consisting of peace negotiations between the Colombian government and the FARC-EP. The case of the Colombian peace process is mainly chosen because it is the most recent example of successful negotiations between national governments and terrorist groups, in the sense that the negotiations resulted in a peace accord. According to Cronin (2009), the “dramatic, publicized “eureka moment of a negotiated accord” (p. 41) seldom takes place in the case of negotiations between national governments and terrorist groups, making the Colombian peace accord a unique and therefore very interesting case. However, in all probability because of its recentness, little research have been conducted into the Colombian process so far. Another incentive to research this particular peace process is the fact that both the Colombian government and the FARC-EP have published a large number of official announcements during the peace process, offering a large amount of information about how the two negotiation parties have sought to legitimize the concessions they made. Finally, this case may provide lessons for future peace processes in the region, for example the negotiations

between the Colombian government and the National Liberation Army (ELN) that started in February 2017 (Clavel, 2017).

3.3. Research methods

The aim of this thesis is thus to explore how both the Colombian government and the FARC-EP have sought to legitimize the concessions they made during these peace negotiations. This section serves to explain how this research is conducted.

3.3.1. Method of analysis: discourse analysis

From the literature on legitimization, as it was discussed in the theoretical framework of this thesis, it appeared that the act of legitimization is carried out through discourse. If one is interested in legitimization practices of political actors, one should thus turn to the discourse of these actors. Therefore, the question of how both the Colombian government and the FARC-EP have sought to legitimize the concessions they made during the Colombian peace process will be answered by means of discourse analysis. Gee and Handford (2012) defined this research method as follows: “Discourse analysis is the study of language in use. It is the study of meanings we give language and the actions we carry out when we use language in specific contexts” (p. 1). They argued that discourse analysis is important because it recognizes the fact that, through discourse, one makes the world meaningful in certain ways and not in others (Gee & Handford, 2012). Discourse is thus considered to be much more than just language: it is regarded “constitutive of the social world that is a focus of interest or concern” (Bryman, 2012, p. 528). In this, the method of discourse analysis itself takes a particular view on the world. Namely, this method is inherently anti-realist and constructionist (Bryman, 2012). Discourse analysis is anti-realist in the sense that “it denies that there is an external reality awaiting a definitive portrayal by the researcher” (Bryman, 2012, p. 529). The constructionist, or constructivist, nature of discourse analysis strongly relates with this anti-realism. As described above, constructionism is an ontological position that holds that social reality is produced, and continually revised, by social actors (Bryman, 2012, p. 33). In this, discourse analysis places an emphasis on the versions of reality that are proposed by different members of the social setting that is investigated (Bryman, 2012). The aim of this research is thus not to display some sort of objective reality. Rather, this research seeks to reveal the realities as they are portrayed by the Colombian government and the FARC-EP.

In order to understand the significance of the concessions that have been made in the Colombian peace process, this study will first provide an overview of the Colombian conflict, the role of the Colombian government and the FARC-EP in this conflict and the build-up to the negotiations. This background information will give a better idea of the context in which the Colombian government and the FARC-EP had to legitimize the concessions they made. Several authors have underscored the importance of this contextual understanding of language (Bryman, 2012; Gee & Handford, 2012; Schiffrin, 1994). Not only can the context of discourse help in understanding what is being said, it also provides an insight in what is *not* being said (Gee & Handford, 2012). As described above, discourse makes the world meaningful in certain ways, while rejecting other meanings that could be given to the world (Gee & Handford, 2012). Understanding the background of the discourse around the concessions provides an idea of the meanings of the concessions that were rejected through this discourse.

3.3.2. Deductive/inductive research

Despite the lack of theory on the legitimization of concessions that are made during peace negotiations involving terrorist groups, this research is partly deductive. Namely, it is tested whether the five discursive strategies of legitimization that were distinguished by Reyes (2011) are observable in the legitimization of concessions as well. This study will therefore search for these strategies in the discourse around the concessions that were made during the Colombian peace process. The first strategy, legitimization through emotions, is linguistically constructed mainly by first creating an enemy; an ‘Other’ or a ‘they-group’ (Reyes, 2011). The creation of an ‘Other’ may simply be achieved by talking about ‘us’ and ‘them’, but may also be accomplished in a more subtle manner. Later on, this enemy is demonized because of what they are and what they do (Reyes, 2011). Moreover, the first strategy of legitimization can be recognized by the appeal to emotions such as anger, sadness and fear (Reyes, 2011).

The second strategy, legitimization through a hypothetical future, is often linguistically constructed by the use of conditional structures (Reyes, 2011). These conditional structures make a link between present actions and future consequences (Reyes, 2011). In this, two futures are presented: a positive scenario in the case that the actions that a political actor seeks to legitimize are taken and a negative scenario in the case that these actions are not taken (Reyes, 2011). Although these futures are hypothetical, because the future is always unknown, they are often presented as facts (2011). The strategy of legitimization through a hypothetical future can for example be recognized by this type of conditional sentence: ‘**If** ... – we make this

concession – , – there – **will** – be a positive future’ (Reyes, 2011). The same kind of strategy can be applied when a certain action is legitimized in hindsight, through this type of conditional sentence: ‘**If** ... – we had not made that concession–, – there – **would** – have been a negative present’ (Reyes, 2011).

The third strategy, legitimization through rationality, can be recognized by a reference to the decision-making process leading up to the actions that are sought to be legitimized. Reyes (2011) portrays the decision-making process as a process of reviewing the situation, exploring all the options, consulting other actors, making a decision – in that order. By determining whether this strategy of legitimization is being used, one should thus search for references to these different steps that are being taken to arrive at a certain decision (Reyes, 2011).

The fourth strategy, legitimization through voices of expertise, can be recognized by the use of quotation marks or certain verbs that indicate “verbal processes, such as ‘say’, ‘announce’, ‘report’, etc.” (Reyes, 2011, p. 800). In order to fall within the fourth strategy, the quotes or verbal processes that are referred to should be linked to certain ‘experts’ or other persons with authority (Reyes, 2011).

The fifth strategy, legitimization through altruism, is implemented when a certain action or decision is framed as being in the interest of others – mostly the innocent and unprotected – rather than in the interest of the speaker him- or herself (Reyes, 2011). Unfortunately, one cannot point at a particular linguistic construction through which this strategy of legitimization takes place. This strategy thus requires a certain level of interpretative ability to be recognized. In fact, all five discursive strategies of legitimization that were distinguished by Reyes (2011) require this interpretative ability to some extent. This means that legitimizing discourse cannot simply be codified by counting the occurrences of certain fixed linguistic structures.

This does not necessarily have to be a problem. As was underscored by Bryman (2012), codifying is unusual within discourse analysis. Instead of codification, this research uses a so-called “analytic mentality” (Schenkein, 2014, p. 6) or “skeptical reading” (Gill, 2000, p. 178), which means that there is searched for a purpose lurking behind the ways that the concessions of the Colombian peace process are presented (Bryman, 2012). This process partly consists of the search for the five discursive strategies of legitimization that were outlined above. It is, however, imaginable that the Colombian government and the FARC-EP have also used other strategies of legitimization. The ‘analytic mentality’ that is linked with discourse analysis offers the possibility to search for these other legitimization strategies. This research thus takes a

deductive as well as an inductive approach: it tests the applicability of the theory on legitimization strategies while it at the same time seeks to generate more specific theory about the legitimization of concessions that are made in peace negotiations involving terrorist groups.

3.4. Text selection

According to Filardo-Llamas (2008), the text selection for discourse analysis should be based upon three dimensions: the thematic dimension, the temporal dimension and the speaker dimension. The thematic dimension concerns the ‘reality’ that is portrayed through discourse (Filardo-Llamas, 2008). Since this study seeks to research how the concessions that were made in the Colombian peace process were framed, the Colombian peace process represents the portrayed reality. The discourse analysis will thus be conducted into texts concerning the Colombian peace process.

In order to limit the number of texts that are to be studied, and to ensure that only the texts that are relevant for this research remain, a temporal dimension is added. The timeframe that is researched is the period between the official announcement of the peace talks (Santos, 2012, 4 September) and the end of 2016, the year in which the final peace agreement was reached (Santos, 2016, 22 November). It must be noted that the peace process that is researched for this thesis actually started already in 2010 (McDermott, 2013). During the first phase of the peace negotiations, which took place in secrecy, the Colombian government and the FARC-EP agreed on an agenda for the peace process (Maldonado, 2017). Because of its secret nature, there are no documents available of this first phase of the peace process. Moreover, just because of this secrecy, the Colombian government and the FARC-EP did not have to legitimize anything during this phase. Therefore, it seems logical to leave this part of the negotiations out of the research. The end of 2016 is chosen as the boundary for this research because it is imaginable that the concessions that were made during the peace process were partly legitimized in hindsight, after the final peace agreement was reached.

The selection of texts that is analyzed for this study is further narrowed down by the addition of a speaker dimension. Since the aim of this research is to find out how the Colombian government and the FARC-EP framed the concessions they made during the Colombian peace process, only the discourse of these two actors will be analyzed.

Based on the three dimensions described so far, the following texts will be analyzed: official announcements and speeches regarding the Colombian peace process that were

published between 4 September 2012 and 31 December 2016 by the Colombian government and the FARC-EP. Concerning the Colombian government, this research focuses on the texts that were published on the website of the Colombian presidency (Presidencia de República, n.d.). At the time of writing, the speeches and announcements of 2016 are still available on this website, the older texts can be found in the Government Information System (Sistema Informativo del Gobierno, 2015). Because of the huge amount of texts that are published by the Colombian government in the period that is researched, it is impossible to read them all. Therefore, the texts are selected on the basis of the titles. If the title makes it clear that a particular speech or announcement concerns the peace process, the text is included in the research. If the title is very general, for example ‘official announcement by the president’, it is checked whether the text concerns the peace process. If this is the case, the text is also included in the research. In total, 178 texts that were published by the Colombian government are selected. In Appendix A, one can find which texts this concerns exactly.

The official announcements and speeches by the FARC-EP can be found on its official website (FARC-EP, n.d.) and on the special international website it has launched on the occasion of the peace process (FARC-EP International, n.d.). The FARC-EP did not publish as many texts as the Colombian government during the researched period. In total, it published 351 communiqués on its international website for the peace process and 205 communiqués on its official website. Comparison shows that 60 of these texts are exactly the same. The FARC-EP thus published 496 different texts. Of these texts, 7 are joint communiqués, mostly published together with the Colombian government. Since this research focuses on these actors as separate entities, the joint communiqués are excluded from the research. The remaining 489 texts all concern the Colombian peace process and are thus included in the research. Since the selected texts – all the communiqués published between 4 September 2012 and 31 December 2016, except for the 7 joint communiqués – can in this case easily be identified, they are not included in an appendix.

In chapter 4, the most important concessions that were made during the Colombian peace process are outlined. This chapter will further elaborate on how it is determined which parts of the peace agreement can be considered concessions. When analyzing the selected texts, it is researched how these specific concessions were framed by the Colombian government and the FARC-EP. Moreover, it is researched how the making of concessions in general is legitimized.

3.5. Limits to this research

It must be emphasized that this research has its limits and possible pitfalls. First, the study is based on only one case. On the one hand, this provides the possibility to conduct very extensive research into this case. On the other hand, it makes it hard to draw any conclusions for negotiations between national governments and terrorists in general. The external validity of this research, as with most qualitative researches (Bryman, 2012), is thus low. However, as discussed above, there has been very little research into the concessions that are made during this type of peace negotiations so far. This research should thus be seen as a starting point. From a case study like this, it is possible to generalize at an analytical level (Bryman, 2012). This means that based on this study, a theory might be developed about the legitimization of concessions that are made during peace processes. This case study will hopefully lead to further research, in which the generalized theory or framework can be tested.

A second limit of this research is that it strongly depends on the interpretation of the researcher. On the one hand, this research searches for the five discursive legitimization strategies as defined by Reyes (2011), and the corresponding linguistic structures, in the discourse around the Colombian peace process. On the other hand, this research explicitly searches for other, unknown, discursive legitimization strategies. Especially this part of the research is dependent on the interpretation of the researcher and has an inevitable subjective dimension. This could be a problem for the internal validity, or “credibility” (Bryman, 2012, p. 390), of this research. One way to improve the internal validity of this research is to use more than just one source of data or method, and thus to use the technique of triangulation (Bryman, 2012). However, as was pointed out by Wood and Kroger (2000), this technique goes against the principles of discourse analysis. Namely, triangulation assumes that certain versions of the world can be taken as a route to some kind of ‘real’ world behind them (Wood & Kroger, 2000). It thus presumes that there is an objective reality out there, waiting to be discovered (Wood & Kroger, 2000). Apart from the question of whether this is true or not, the aim of this research is not to find an objective reality. This research is solely interested in how the reality was framed by the Colombian government and the FARC-EP, and the only way to find that out is to analyze the discourse of these two, and only these two, actors. However, in order to guarantee the internal validity of this research, this thesis provides extensive insight in how any theoretical ideas can be developed from the analyzed discourse. Namely, in the analysis section, examples from the texts are given of each legitimization strategy that is found to be used by the Colombian

government and the FARC-EP. Moreover, an exemplary coded text can be found in Appendix B.

A third limit to this research is that part of the context in which the concessions were legitimized by the Colombian government and the FARC-EP is unknown. Namely, the actual negotiations between the two parties took place in isolation from the outside world. It is thus, at least at the moment of writing, not known how the peace agreement of 2016 was reached exactly. Although this does not necessarily affects the analysis of how the concessions that were made were framed to the Colombian people and the international community, it is something that should be kept in mind while reading this analysis.

Finally, the official announcements and speeches by the Colombian government and the FARC-EP were published in different languages. Whereas the speeches and announcements by the Colombian presidency, at least those available, were almost all in Spanish¹, the communiqués by the FARC-EP were more often published in English. This has two main consequences for this research. First, the texts that were published in English can linguistically not be one-to-one compared with the texts that were published in Spanish. Nevertheless, it is unlikely that the differences in languages will lead to significant differences in framing. The second consequence, however, may have caused differences in framing. Namely, the differences in languages may imply that the discourse of the Colombian government is mostly directed at the Colombian people and that the discourse of the FARC-EP is to a greater extent directed at the international community. Therefore, during the analysis, it must be continually considered to whom exactly the analyzed discourse is directed.

¹ The author of this thesis has a good understanding of the Spanish language

4. Overview of the Colombian peace process

This chapter provides the necessary background information of the case that is researched for this thesis; the Colombian peace process. It starts with a summary of the Colombian conflict. Of course, a summary of only a few pages can never provide a complete picture of a conflict as prolonged and complex as the Colombian conflict. However, the summary only serves to give an idea of the context of the peace process. Therefore, it mainly addresses the role of the two most important actors in the Colombian conflict: the Colombian government and the FARC-EP. The second part of this chapter addresses why the FARC-EP is considered a terrorist group, and why the Colombian peace process is thus regarded an example of negotiations between a national government and a terrorist group. Third, this chapter provides some factual information about the peace process. It then continues with a summary of the final peace agreement and the main differences between the final peace agreement and the agreement that was rejected earlier. Finally, this chapter addresses the main concessions that have been made during the peace process by the Colombian government and the FARC-EP.

4.1. The Colombian conflict

The Colombian State has always been weak and has in fact never had control over its whole territory (Livingstone, 2003). During colonial times, the territory of present-day Colombia was first part of the Viceroyalty of Peru and later of Nueva Granada, which consisted of what are now Colombia and Panama (Livingstone, 2003; Safford & Palacios, 2002). Throughout Latin America, colonialism left a legacy of prosperous, land-owning elites who looked down on, but were also afraid of, the poor non-white majority (Livingstone, 2003). In what is now Colombia, different regional elites competed over local power, which impeded the creation of a unified state (Livingstone, 2003). Because the different regional powers could not unite, attempts at independence in the early 19th century failed (Livingstone, 2003). Independence was ultimately achieved in 1819, when the Venezuelan General Simón Bolívar defeated the Spanish forces at the battle of Boyacá (Livingstone, 2003). Under the leadership of Bolívar, Nueva Granada, Venezuela and Ecuador were joined as the Republic of Colombia (Safford & Palacios, 2002). It was Bolívar's dream to unite South America into one, unified state (Livingstone, 2003). However, as the self-proclaimed dictator of the Republic of Colombia he found it impossible to keep Colombia together and after two years, in 1830, he resigned. In the same year, at his deathbed, he spoke the famous words: "America is ungovernable" (in Pearce, 1990, p. 22).

The first truly national organizations of Colombia were the two political parties that were founded respectively in 1848 and 1849: the Conservative party and the Liberal party (Livingstone, 2003). Whereas the Conservatives identified with the Catholic Church and advocated a centralized state, the Liberals strove for a secular and federal state (Livingstone, 2003). Both parties were led by the upper classes but were followed by the masses (Livingstone, 2003). The loyalty of these masses to the political parties was greater than the loyalty to the national government (Livingstone, 2003). During the six bi-partisan wars in the 19th century, the party divisions grew deep and intense among the lower classes (Livingstone, 2003). However, the elite repeatedly managed to overcome its differences and the Conservatives and the Liberals formed coalition governments from the 1850s onwards.

During the end of the 19th century and the beginning of the 20th century, two important developments took place in Colombia. First, a coffee market emerged, together with a class of small coffee growers (Livingstone, 2003). This also meant that Colombia became involved in the world economy (Livingstone, 2003). Second, public lands were privatized. This privatization was to the benefit of the big landlords, whose estates enlarged (Livingstone, 2003). Simultaneous with these developments, the Colombian elite started to divide. The Moderate Liberals and the Moderate Conservatives supported the existing free trade policies and a small state (Livingstone, 2003). These groups themselves benefited from the export growth, and formed the majority of the elite (Livingstone, 2003). However, the Radical Liberals wanted to improve the lot of the poor and advocated greater state intervention (Livingstone, 2003). On the other hand, so-called Historic Conservatives, supported by big landowners, looked back to the 'golden days' of colonialism (Livingstone, 2003).

Because of the growing divisions, the Liberal Party decided to choose two presidential candidates for elections in 1946; both a Moderate and a Radical Liberal (Livingstone, 2003). The Radical Liberal was Jorge Eliécer Gaitán, a lawyer who advocated economic redistribution and greater political participation (Sánchez, 1992). Because the Liberal vote was split, the Conservatives won the 1946 elections (Livingstone, 2003). This set off a wave of bi-partisan violence in the rural areas, as conservative peasants started to seize land from liberal peasants (Livingstone, 2003). It marked the starting point of a period of upheaval known as 'la Violencia' (Sánchez, 1992). Meanwhile, Gaitán became the new leader of the Liberal party and seemed to turn Colombian politics on its head (Livingstone, 2003; Sánchez, 1992). Gaitán was a reformer rather than a revolutionary, but his mass rallies in Bogotá terrified the elite (Sánchez, 1992). On April 9, 1948, Gaitán was assassinated, resulting in mass protest and rioting in the streets of

Bogotá (Livingstone, 2003). The assassination thereby culminated the first wave of violence (Sánchez, 1992).

Between 1948 and 1953, 200.000 civilians were killed (Livingstone, 2003). These murders were surrounded with indescribable torture, and the persons that were not executed were “subjected to every depredation imaginable” (Sánchez, 1992, p. 88). La Violencia was partly a bi-partisan war, partly a social uprising against the village notables and landlords and partly an attempt to carry out a revolution (Livingstone, 2003, Sánchez, 1992). Mostly, la Violencia represented the explosion of the repressed anger of the poor and the total breakdown of the existing social order (Livingstone, 2003). In certain villages in the provinces of Tolima and Cundinamarca, Liberals and Communists formed guerrilla-militias to defend the villages against the Conservative onslaught (Livingstone, 2003). These villages became known as ‘resistance communities’ (Livingstone, 2003).

La Violencia was ended at its height, in 1953, with a coup against the far-right Conservative government (Livingstone, 2003). The coup was led by General Gustavo Rojas Pinilla, who claimed to stand above partisan divisions and to be the leader of all Colombians (Livingstone, 2003). When in power, Rojas Pinilla launched a military offensive against the ‘resistance communities’ (Livingstone, 2003). Defended by the guerrillas, the communities were able to flee to the provinces of Meta, Caquetá and southern Tolima and set up self-sufficient farming communities (Livingstone, 2003). Meanwhile, the Liberals and Conservatives were afraid that Rojas Pinilla would create a third force in Colombian politics and started to negotiate about a power-sharing scheme (Livingstone, 2003). The negotiated scheme, the National Front agreement, was endorsed by a national referendum in 1957 (Livingstone, 2003). In the National Front agreement, the Liberals and Conservatives arranged that the presidency would be alternated every four years and that the seats in all legislative bodies would be equally divided (Livingstone, 2003). In fact, the National Front formalized the elite’s exclusive access to the political system (Livingstone, 2003).

During the years of the National Front, the United States promoted Colombia as the role model of Latin American democracy (Livingstone, 2003). However, in the rural areas, conflict continued. Moreover, the four main guerrilla groups of Colombia – the FARC-EP, the National Liberation Army (ELN), the Popular Liberation Army (EPL) and the 19th of April Army (M-19) – were founded in this period (Livingstone, 2003). The rise of guerrilla groups can partly be explained by the persistence of extreme rural poverty (Livingstone, 2003). Whereas

politicians often claimed to aim at agrarian reform, land ownership became even more concentrated during the years of the National Front (Livingstone, 2003). In 1964, the Colombian government, backed by the United States, attacked and captured two of the 'resistant communities' which were now called 'independent republics' (Livingstone, 2003; Molano, 2000). However, the two leaders of these republics, together with 41 other guerrillas, were able to flee (Molano, 2000). They took refuge in the mountains of Cauca, in the southwest of Colombia (Molano, 2000). In the following two years, the rebels managed to hold meetings with guerrillas across southwestern Colombia (Livingstone, 2003). Eventually, in 1966, these dissident Liberal and Communist guerrillas formed the *Fuerzas Armadas Revolucionarias de Colombia* (FARC).

With the foundation of the FARC, the guerrillas replaced their defensive strategy of 'resistant communities' with an offensive tactic and "the peasant self-defense groups were turned into mobile fighting units and sent across the country" (Livingstone, 2003, p. 72). In the following decades, the FARC grew into a highly organized army of an estimated 16.000 to 20.000 combatants (Manwaring, 2002; Molano, 2000; Saab & Taylor, 2009). By 1982, the FARC had grown so big that it decided to add the title of 'the People's Army' (EP) to its name (Vargas, 1999). Although most of its violent activities were targeted at the Colombian army, the FARC-EP became "increasingly involved in massacres and violence against civilians" (Saab & Taylor, 2009, p. 460). In this, the ultimate goal of the FARC-EP has always been to destroy the Colombian state and to replace it with a government controlled by the FARC-EP in a final offensive (Manwaring, 2002; Saab & Taylor, 2009). The FARC-EP found it easy to expand in regions where the state was hardly present. In these regions, the guerrillas were welcomed as forces of law and order (Livingstone, 2003). The political support it enjoyed mainly came from poor peasants and student radicals (Rochlin, 2011). Although the FARC-EP was strongly linked to the Colombian Communist Party, its philosophy was mostly "a mixture of radical agrarianism and anti-imperialism" (Livingstone, 2003, p. 72). The FARC-EP referred to itself as a Marxist-Leninist organization (Ángel, 2014; Ferro Medina & Uribe Ramón, 2002). However, many of the FARC-EP's members lacked any global, or often even national, political vision (Livingstone, 2003). Rather, most members of the FARC-EP "joined to defend or improve conditions in their immediate locality (Livingstone, 2003, p. 72). Because of its nature as a grassroots peasant army, the FARC-EP never became a truly Marxist group (Livingstone, 2003).

Not only did the FARC-EP persistently generate support for its cause, it was also consistently able to generate resources (Borch & Stuvøy, 2008). The FARC-EP for example taxed big landowners and protected their properties in return (Livingstone, 2003). Moreover, drugs played a significant role in financing the activities of the FARC-EP (Labrousse, 2005). Claims that the FARC-EP is nothing more than just another drug cartel (Villamarin Pulido, 2006) do however ignore its nature and longstanding ideological vision (Peceny & Durnan, 2006). In fact, when marijuana, cannabis, opium and coca were introduced in Colombia in the 1970s (Labrousse, 2005), the FARC-EP was opposed to the cultivation of these illicit crops for moral reasons (Livingstone, 2003). Moreover, the FARC was afraid that drug cultivation would create a new class of rich farmers, and thereby erode the support for the political project of the FARC-EP (Livingstone, 2003). However, the FARC-EP could by no means stop the rapid spread of illicit crops throughout Colombia (Livingstone, 2003). Furthermore, the peasants, who were until then growing unprofitable crops such as plantain, maize and yucca, would probably perceive a prohibition of illicit crops as the denial of a chance to a better life (Livingstone, 2003). It appears that, since the FARC-EP could not stop the coca boom, it decided it could better make use of it (Livingstone, 2003). Namely, the FARC-EP started to tax the drug trade. In this, coca production has fueled the Colombian conflict (Byman, Chalk, Hoffman, Rosenau & Brannan, 2001; Rochlin, 2003). Some authors have even argued that the FARC-EP would not exist anymore if it were not for the drugs (Fleischman, 2013; The Global Initiative against Transnational Organized Crime, 2016).

President Betancur was the first Colombian president who sought to restore peace through negotiations with the guerrillas (Pecaut, 1992). When he took office in 1982, before the different guerrilla groups had even agreed to talks, he immediately announced an unconditional amnesty and hundreds of imprisoned guerrillas were freed (Livingstone, 2003; Pecaut, 1992). The FARC-EP decided to negotiate with the Colombian government and a cease-fire agreement was signed in 1984 (Pecaut, 1992). However, the fighting did not end and the conflict only escalated further, mainly because the Colombian military did not accept a negotiated political solution (Gutiérrez, 1999; Pecaut, 1992). Nevertheless, the FARC-EP decided to form a political party together with the Communist Party – the Patriotic Union (UP) – and to participate in the presidential elections of 1986 (Livingstone, 2003). The UP was unexpectedly successful in these elections and managed to secure six seats in the Senate, nine in the House of Representatives and 350 in local councils (Freeman, 2004). However, in 1987, the systematic assassination of UP-members began (Freeman, 2004). Between 1985 and 1989,

circa 3000 UP candidates – including two presidential candidates – and supporters were murdered by a combination of the army, right-wing paramilitary groups, drug dealers and members of the government (Freeman, 2004; Leech, 1999; Livingstone, 2003). The surviving members of the UP fled the country and the political party became essentially extinct in the 1990s (Freeman, 2004). Because of these events, the FARC-EP largely lost its belief that Colombia could function as a democracy (Livingstone, 2003).

Meanwhile, violence had intensified throughout Colombia. Between 1982 and 1992, the number of homicides per year increased from 9.721 to 28.224 (Livingstone, 2003). The violence was not only caused by guerrilla groups, but also to a large extent by the drug traffickers who had declared ‘war’ against the state in 1989 (Livingstone, 2003). By then, drugs money had already corrupted all sections of Colombian society (Livingstone, 2003). Shortly after the Liberal President Samper was elected, evidence was leaked that his campaign had accepted money from a large drug cartel, the Cali Cartel (Livingstone, 2003). This scandal dominated his entire presidency (Livingstone, 2003). Samper offered to negotiate with the FARC-EP, but the FARC-EP did not agree to talks because of the lack of Samper’s political legitimacy (Livingstone, 2003). The FARC-EP did, however, agree to negotiate with his political rival, the Conservative Andrés Pastrana (Livingstone, 2003). The promise of peace negotiations was the main reason that Pastrana won the elections in 1998 (Livingstone, 2003).

In July 1998, Pastrana and Manuel Marulanda, then leader of the FARC-EP, pledged to start peace negotiations (Livingstone, 2003). Pastrana agreed to create a neutral, demilitarized zone, in which the peace talks would be carried out as from January 1999 (Livingstone, 2003). In fact, the FARC-EP had already almost full control over this region (Livingstone, 2003). The peace process got off to a bad start, as Marulanda showed up weeks after the talks should have started, only to announce the postponement of the talks of three months (Livingstone, 2003). Meanwhile, Pastrana presented an integrated plan for peace and economic justice: Plan Colombia (Livingstone, 2003). However, due to the involvement of the United States, this plan was transformed into “a militaristic anti-drugs trafficking plan” (Livingstone, 2003, p. 86). As Plan Colombia unfolded, collaboration between the Colombian military and paramilitary groups increased (Livingstone, 2003). Pastrana was not capable to control the paramilitaries and was therefore not in the position to offer peace to the FARC-EP (Livingstone, 2003). Moreover, because of a cost-cutting agreement with the International Monetary Fund (IMF), the Colombian government could not even offer a fraction of the economic reform that the FARC-EP proposed (Livingstone, 2003).

Meanwhile, the FARC-EP seemed to use the demilitarized zone “as a base from which to wage war” (Livingstone, 2003, p. 90). The guerrillas would flee back into the safety of the zone after kidnapping civilians or attacking units of the army (Livingstone, 2003). Public support for the peace process was in constant decline, but Pastrana kept extending the existence of the demilitarized zone (Livingstone, 2003). A key turning point came from outside: the terror attacks in the United States on September 11th 2001 (Livingstone, 2003). Whereas the United States had initially supported the peace process, they now assured the Colombian government that any offensive against a ‘terrorist group’ such as the FARC-EP would have their full support (Livingstone, 2003). Pastrana gave peace one last chance by letting a special negotiator of the United Nations facilitate a compromise (Livingstone, 2003). In January 2002, the FARC-EP signed a deal in which they agreed to set the terms of a ceasefire (Livingstone, 2003). However, in order to strengthen its position at the negotiation table the FARC-EP decided to demonstrate its military capacity by bombing critical infrastructure (Livingstone, 2003). Moreover, the FARC-EP kidnapped a Colombian senator (Livingstone, 2003). These acts convinced Pastrana that the FARC-EP had no desire for peace and on February 20, in a TV address to the Colombian nation, he announced the official end of the peace process (Livingstone, 2003). That same night, the Colombian air force started bombing the demilitarized zone (Livingstone, 2003).

In May 2002, the disillusioned Colombian population elected Alvaro Uribe as their new president (Livingstone, 2003). During his presidential campaign, Uribe had promised to crack down on the FARC-EP (Livingstone, 2003). Backed by the United States and the paramilitaries, Uribe launched a war against the guerrillas (Bargent, 2014). Uribe denied that Colombia had a civil war, and placed the offensive against the FARC-EP within the ‘War on Terror’- paradigm instead (Bargent, 2014). The military attacks drove the FARC-EP back to the periphery of Colombia and the number of FARC-EP-fighters dropped to an estimated 8000 (Bargent, 2014). Moreover, the rates of kidnapping and homicide decreased dramatically during Uribe’s presidency (Posada-Carbó, 2011). At the same time, the FARC-EP’s popularity among the Colombian people declined (Marks, 2007). Uribe, on the other hand, was exceptionally popular, which explains why a constitutional amendment that allowed re-election was passed by the Colombian Congress during his first term (Posada-Carbó, 2011). An attempt to achieve another constitutional change, which would pave the way for Uribe to be elected for the third time, did not succeed and Colombia had to elect a new president in 2010 (Posada-Carbó, 2011). These elections were won by Juan Manuel Santos (Posada-Carbó, 2011). Santos was considered to be the natural successor to Uribe (Pachón, 2011). He had been a successful Minister of Defence

during the second term of Uribe's presidency (Pachón, 2011). In that position, Santos was responsible for what were believed to be successful operations against the FARC-EP (Pachón, 2011). Therefore, his decision as a president to negotiate with the FARC-EP took many people by surprise (Gomez-Suarez & Newman, 2013).

The peace process that was initiated by Santos marked the end of a civil conflict in which 220.000 persons have been killed, 80% of which were civilians (Grupo de Memoria Histórica, 2013). Among the deaths were 200 judges, 175 mayors, sixteen Congressmen, three presidential candidates, one Minister of Justice and one Attorney General (Maldonado, 2016). Furthermore, Colombia has registered almost 40.000 kidnappings in the period between 1970 and 2010 (Maldonado, 2016). Moreover, 100.000 persons became victim of involuntary disappearances (Grupo de Memoria Histórica, 2013). Finally, in the period between 1996 and 2012 only, 4.7 million forced displacements were reported (Grupo de Memoria Histórica, 2013).

4.2. The FARC-EP; a terrorist group?

“Si lo que tengo que hacer para que hagan la paz es no decirles terroristas, yo no tengo inconveniente en decirles arcángeles” (Uribe, 2005)²

Readers of this research may question whether the FARC-EP, as it entered the negotiations with the Colombian government, was in fact a terrorist group. Therefore, it may be unclear whether the Colombian peace process can be considered an example of negotiations between a national government and a terrorist group. In the academic literature, the FARC-EP is alternately referred to as a guerrilla group or a terrorist group. On the basis of numerous existing definitions of terrorism (Adams, in Abeyratne, 2009; Caridge, 1996; Coady, 2002; Poland, 1988; Powell, 2014, Lacqueur, 1977; Wilkinson, 1997), it could be argued that the FARC-EP fighters were indeed terrorists. Namely, the FARC-EP was a non-state armed group that attacked both military and civilian targets, had a political objective and enjoyed political support. However, as the concept of 'terrorism' is highly contested, there are undoubtedly definitions of terrorism according to which the terrorist nature of the FARC-EP is questionable. This thesis has in no way the aim to interfere in that academic discussion. That is to say, the normative discussion of whether or not the FARC-EP should be considered a terrorist group is independent from the

² Álvaro Uribe – then President of Colombia – , about the FARC-EP and the ELN. Translation: “If what I have to do in order to make peace is not calling them terrorists, I have no problem with calling them archangels”.

fact that the Colombian government has consistently done so. Since the Colombian government was to negotiate with the FARC-EP, the latter is of main importance.

The point that is made here is that terrorism is in itself a social construct (Ben-Yehuda , 1993; Turk, 2004). Exactly because it is a contested concept, terrorism can impossibly be objectively identified (Chagankerian, 2013). This provides political actors the possibility to use the term freely or even “promiscuously” (Jenkins, 1980, p. 1). as a means to achieve political goals (Chagankerian, 2013). This was already underscored in chapter 4.1, in which it was described how former president Uribe used the ‘war on terrorism’-narrative to legitimize his military offensive against the FARC-EP and to deny the existence of a civil war in Colombia. However, Uribe was not an exception for calling the FARC-EP fighters terrorists. For example, the three presidents that have negotiated with the FARC-EP did so too (Betancur, in Hidalgo, 2010; Pastrana, in El Tiempo, 2002 & Santos, in Nuestra Tele Noticias, 2015). Moreover, the FARC-EP has been on the official United States’ list of Foreign Terrorist Organizations since 1997 (U.S. Department of State, n.d.) and is also still listed on the terrorist list of the European Union (European Council, 2017). The FARC-EP has thus been consistently labelled a terrorist group by the Colombian government as well as by its international partners. On the other hand, the Colombian government has repeatedly claimed that it would never negotiate with terrorists (Powell, 2014). Therefore, the Colombian peace process seems to be a perfect example of a national government that negotiates with the terrorists it once refused to ever talk with.

4.3. The peace process between 2012 and 2016

Only a few days after Juan Manuel Santos was inaugurated as the president of Colombia in August 2010, his administration started to talk, in secret, with members of the FARC-EP about the possibility of a new peace process (Gomez-Suarez & Newman, 2013). This period of preliminary talks served to design an agenda and to build a set of rules that could further the peace process (Monteiro Dario, 2014). The fact that the FARC-EP continued with the preliminary talks even after its chief in command, Alfonso Cano, was murdered by the Colombian government in 2011 (Peña, 2013) showed its willingness to negotiate (Gomez-Suarez & Newman, 2013). On September 4th, 2012, Santos publicly announced that the exploratory meetings had resulted in the signing of a framework agreement between the Colombian government and the FARC-EP – the ‘General Agreement for the Termination of Conflict’ – that established a procedure to reach a solution to the conflict. In this agreement, an agenda of six points was established. The six points were: (1) comprehensive agricultural

development policy, (2) political participation, (3) end of conflict, (4) solution to the problem of illicit drugs, (5) victims, (6) implementation, verification and endorsement (FARC-EP, Norwegian government, Cuban government & Colombian government, 2012).

The official peace process started on October 18, 2012, in Oslo, Norway (Monteiro Dario, 2014). As from the second round of the peace talks, the dialogues took place in Havana, Cuba (Monteiro Dario, 2014). It was decided to involve Norway in the process because of its experience in conflict resolution and because several Norwegian diplomats had extensive knowledge about the dynamics of the Colombian conflict and the history of the negotiations (Monteiro Dario, 2014). On the other hand, Cuba was involved because the Cuban government was one of the few governments that the FARC-EP had confidence in (Monteiro Dario, 2014). The negotiation team of the Colombian government included president Santos' men of confidence and representatives from the military and the business world (Monteiro Dario, 2014). The head of this negotiation team was Humberto de la Calle, who had served as the vice president under president Uribe (Monteiro Dario, 2014). On behalf of the FARC-EP, high commanders, members of the Secretariat and members of the Central High Command were sitting at the negotiating table (Colombia Reports, 2016). One of the FARC-EP's most important political leaders, Ivan Marquez, was the head of this delegation (Colombia Reports, 2016). During the process, external interference was marginal and details about the content of the negotiations were kept confidential (Monteiro Dario, 2014). The process was organized within a single undertaking logic (Monteiro Dario, 2014), meaning that "nothing was agreed until everything was agreed" (Renwick & Hanson, 2014). Moreover, Santos refused to agree to a cease-fire during the talks, because he believed that this would only create an incentive for the FARC-EP to prolong the peace process (Renwick & Hanson, 2014).

On September 26, 2016, the Colombian government and the FARC-EP signed an agreement that would make an end to 52 years of conflict (Wade, 2016). The agreement was submitted to voting during a national referendum on October 2, 2016 (Doyle, 2016). The Colombian people were asked to respond yes or no to the following question: "Do you support the final agreement for the termination of the conflict and the construction of a stable and lasting peace?" (Santos, 2016, August 30). Former president Uribe led a campaign against the peace accord, by "linking it to anxieties about Cuba, Venezuela, private property, gay rights, and the weakening of patriarchal authority" (Gill, 2017). Unexpectedly, the peace deal was rejected by the Colombian people, by a thin margin of 49.8% for 'Yes' and 50.2% for 'No' (Doyle, 2016). Analysis of the referendum showed that most of the pro-deal votes came from the rural areas,

which had been most affected by the Colombian conflict (Doyle, 2016). Strikingly, less than 38% of the Colombian population voted during the referendum (Nasi & Rettberg, 2016; Potter, 2016). Only days after the peace agreement was rejected, president Santos was awarded the Nobel Peace Prize (Angelo, 2017). The Colombian government and the FARC-EP did not give up on peace and they continued with the peace talks. In a month, more than 500 proposals from opposition groups were considered (Angelo, 2017; Salazar, 2016). On November 12, 2016, the Colombian government and the FARC-EP announced a modified version of the peace agreement, which was signed by the Colombian government and the FARC-EP on November 24 (Angelo, 2017; Santos & Jiménez, 2016). This time, no referendum was held and the revised peace deal only faced ratification by the Colombian Congress, which unanimously approved the agreement (Angelo, 2017; Gill, 2017). By December, 6, 2016, implementation of the agreement began and FARC-EP fighters moved to special demobilization zones where they started preparing to disarm (Angelo, 2017).

4.4. The final peace agreement

This chapter provides a summary of the final peace agreement that was signed on November 24, 2016, as well as a summary of the main differences between this peace agreement and the agreement that had been rejected by the Colombian people on October 2nd, 2016. Since the aim of this thesis is to research how the concessions that were made for the agreement as it was signed in 2016 were legitimized, this chapter does not address whether, and how, the different elements of the peace agreement have been implemented.

4.4.1. Summary of the final peace agreement

The peace agreement that was signed on November 24, 2016 consisted of the following six chapters (Santos & Jiménez, 2016):

- 1) Towards a New Colombian Countryside: Comprehensive Rural Reform

The “Comprehensive Rural Reform” (Santos & Jiménez, 2016, p. 10) that is announced in this chapter covers all rural areas of Colombia and aims to enhance the well-being of the rural population and to strengthen the presence of the state in the rural areas. The Colombian government and the FARC-EP agreed to create a Land Fund, which would redistribute 3 million hectares of land to rural people without – sufficient – land. In this, rural women and displaced people would enjoy priority. Moreover, this chapter announces a set of national policies that are aimed at the eradication of extreme poverty

and the reduction of rural poverty and inequality in general. These policies regard social and economic development, the expansion of infrastructure and a program to combat hunger and malnutrition. To speed up the implementation of these policies, so-called “Development Programs with a Territorial Approach” (Santos & Jiménez, 2016, p. 21) will be set up in the zones that are most affected by poverty and the conflict.

2) Political participation: democratic opening to build peace

In order to eliminate violence as a method of political action, this chapter aims at strengthening the representation of the different interests and visions of the Colombian society. The chapter announces measures to enhance the rights and security of the parties and movements that are part of the political opposition, including the leaders of social movements and human rights advocates. Moreover, it presents a set of measures to promote citizen participation in society and politics.

3) End of the conflict

This chapter consists of two main components. The first component, the “agreement on the bilateral and definitive ceasefire and cessation of hostilities and laying down of arms” (Santos & Jiménez, 2016, p. 57), comprises a very detailed explanation of how the technical procedures of the definitive ceasefire and the laying down of arms are to be carried out. It is agreed that the United Nations receives all of the FARC-EP’s weaponry and will transform this weaponry into monuments for peace. Special transition zones are set up in which the FARC-EP members are prepared for their reincorporation in civilian life. The second component, the “reincorporation of the FARC-EP into civilian life – in economic, social and political matters, in accordance with their interests” (Santos & Jiménez, 2016, p. 68) describes how this reincorporation is further facilitated. Regarding the political reincorporation of the FARC-EP, it is stated that the political party that emerges from the FARC-EP will have a recognized legal status as long as it meets all the necessary legal requirements. However, the political party does not have to comply with the minimum voting threshold. Indeed, the FARC-EP is guaranteed a minimum of five seats in both the Senate – which comprises 102 members – and the House of Representatives – which comprises 166 members – for two consecutive terms. Moreover, the political party will receive funding from the Colombian government until at least 2026. Regarding the economic and social reincorporation of the FARC-EP, the individual FARC-EP members receive an accreditation from the Colombian government for the knowledge they have required

during their membership of the FARC-EP. Furthermore, they receive financial support and access to the social security system when they have laid down their arms.

4) Solution to the problem of illicit drugs

In this chapter, the Colombian government and the FARC-EP describe how they aim to tackle the problem of illicit drug. First, they address the problem of illicit crops. It was agreed to create a national program for the substitution of illicit crops and to specifically support the areas of Colombia that have suffered the consequences from the placing of anti-personnel mines. Second, regarding the use of illicit drugs, the Colombian government and the FARC-EP acknowledge the need to address drug use as a matter of public health. Third, measures are announced to intensify the fight against corruption associated with drug trafficking specifically and the fight against criminal organizations that are engaged in drug trafficking and money laundering in general.

5) Victims

This chapter addresses the creation of a “Comprehensive System for Truth, Justice, Reparations and Non-repetition” (Santos & Jiménez, 2016, p. 127). The objectives of this system are to clarify what happened during the conflict, to contribute to the recognition of the victims and to facilitate social coexistence across Colombia. The Colombian government and the FARC-EP agreed to create a “Special Jurisdiction for Peace” (Santos & Jiménez, 2016, p. 143), that investigates, prosecutes and sanctions the crimes that are committed during the conflict. In the agreement, it is stated that no amnesty or pardon will be granted for “crimes against humanity, genocide, serious war crimes – that is, any systematical violation of international humanitarian law-, hostage taking or other serious deprivation of liberty, torture, extra-judicial executions, forced disappearance, violent sexual intercourse and other forms of sexual violence, child abduction, forces displacement and the recruitment of minors” (Santos & Jiménez, p. 151). Those who participated in these crimes are stated to be restricted of their liberty for a period between five and eight years when they recognize their responsibility. For each case, the Court has to define where the convicts are to reside during this restriction of liberty. Those who do not recognize their responsibility will receive prison sentences of at least 15 and at most 20 years. This arrangement means that those FARC-EP fighters who have not participated in the listed crimes, but may have participated in for example other forms of violence, political crimes or drug crimes, are granted a pardon or amnesty.

6) Implementation and verification mechanisms

In the final chapter of the agreement, the Colombian government and the FARC-EP announced the creation of a special commission, consisting of representatives of the government, that would monitor the implementation of the agreement. Moreover, they presented a ten-year framework plan for the implementation of the agreement.

4.4.2. Differences between the first and the second peace agreement

As explained in chapter 4.3, the peace agreement that was signed on November 24, 2016 and that is currently being implemented is a revised version of the agreement that was rejected by the Colombian people during the referendum on October 2, 2016. The political turmoil surrounding this referendum made clear that the Colombian society was deeply divided over a wide range of issues, some being only vaguely related to the content of the agreement (Nasi & Rettberg, 2016). For example, debate rose about “the course of the economy and corruption, ... the separation between Church and state, the rights of sexual minorities and the role of gender in determining family values” (Nasi & Rettberg, 2016, p. 1). As stated above, the Colombian government and the FARC-EP considered more than 500 proposals from opposition groups for the revised agreement (Angelo, 2017; Salazar, 2016). The peace delegation of the Colombian government published a document in which all the changes that were made are visible (Equipo Paz Gobierno, 2016).

One of the aspects of the first agreement that was unpopular with the opposition was that it had been arranged that the peace accord would become part of the National Constitution with the status of an international treaty, which would make it tremendously difficult to amend the propositions in the accord (Nasi & Rettberg, 2016). In the final peace agreement, it was stated that the accord would not become part of the Constitution (Equipo Paz Gobierno, 2016). Another change regarded the “restriction of liberty” for those FARC-EP members that were not to be granted amnesty. In the final agreement, as indicated in chapter 4.4.1, it was added that the Court would in each case decide the territorial spaces in which the convicts had to be located during these restrictions of liberties (Equipo Paz Gobierno, 2016). Furthermore, the Colombian government and the FARC-EP put more emphasis on the right to private property in the final agreement (Equipo Paz Gobierno, 2016). Moreover, families and religious leaders – in general – were recognized as victims of the conflict and the focus on the LGBTI (Lesbian, Gay, Bisexual, Transgender and Intersexed)-community was reduced (Equipo Paz Gobierno, 2016). Finally, it was arranged in the final agreement that the FARC-EP should not only hand in its

weapons – as stated in the first agreement – but also its assets (Equipo Paz Gobierno, 2016). These assets would be used for the compensation of victims (Equipo Paz Gobierno, 2016).

However, not all the demands of the opposition were met by the Colombian government and the FARC-EP. As reported by the Associated Press (in Katkov, 2016), the FARC-EP “rejected demands for jail sentences for rebel leaders responsible for atrocities and stricter limits on their future participation in politics” (see also Al Jazeera, 2016; Marcos, 2016 & Salazar, 2016). Moreover, the FARC-EP was still allowed, and supported, to transform into a political party (Equipo Paz Gobierno, 2016).

4.5. Concessions by the Colombian government

The most logical method to define the concessions that have been made by the Colombian government would be to compare the demands of the Colombian government prior to the peace process with the actual arrangements that have been made in the final peace agreement. However, unfortunately, the Santos administration has not been very clear about what exactly it hoped to achieve during the peace process. This in itself may be a form of legitimization, because it makes it also harder for the Colombian people and the international community to determine which concessions have been made by the government. From this perspective, being unclear about what your demands exactly are may offer room to deny that you have made any concessions.

Although the final peace agreement cannot be compared with any stated demands by the Colombian government, it seems that the low – or in many cases even the absence of – penalties for FARC-EP members and the transformation of the FARC-EP into a political party can be considered significant concessions. Namely, in the academic literature on the peace process that has emerged since 2016, these two agreements are consistently stated to be the most important concessions that have been made by the Colombian government (Caicedo Atehortúa, 2016; Carlin, McCoy & Subotic, 2016; Carasik, 2016; Eckhardt, 2017; Huneus & Urueña, 2016; Melamed, 2016; Nasi & Rettberg, 2016; Tate, 2016; Urueña, 2016). Moreover, a survey among Colombians by Ipsos in 2012, the year that the negotiations started, showed that by then, 72% of the respondents “opposed the idea that former guerrilla leaders should be allowed to participate in democratic politics” and that 68% of the respondents “rejected a pardon for crimes committed by the guerrillas” (in Battaglino & Lodola, 2013, p. 2). Considering the fact that the Colombian government has been democratically elected, this thesis

argues that agreements in the peace accord that are inconsistent with the demands of the majority of the Colombian people at the beginning of the peace process are to be considered concessions by the Colombian government.

Therefore, this research aims to explore how the Colombian government has sought to legitimize the following concessions:

- 1) The relatively soft, or even absence of, sentences for committed crimes by FARC-EP members as part of the Special Jurisdiction for Peace, described in chapter 4.4.1, point 5.
- 2) The allowance for the FARC-EP to become a political party, which will receive state funding and will be granted 5 seats in both the Senate and the House of Representatives for two consecutive terms, as described in chapter 4.4.1, point 3.

4.6. Concessions by the FARC-EP

The FARC-EP has been clearer about its demands for the peace process than the Colombian government. Regarding the topics of political participation and illicit drugs, it even published lists of ten minimum proposals on its website (Peace Delegation FARC-EP, 2013, 2014), with around ten sub-proposals for each of these proposals (FARC-EP International, n.d). When the demands that were published on the website of the FARC-EP are compared with the final peace agreement, the following concessions are observable:

- 1) No political reform.

One minimum proposal of the FARC-EP was the “democratic restructuring of the state and political reform” (Peace Delegation of the FARC-EP, 2013). According to the FARC-EP, this political reform would include “the redefinition of public authorities”, “reducing presidential powers” and “the transformation of the Military Forces into a peace-building force” (Peace Delegation of the FARC-EP, 2013). These elements cannot be found in the final peace agreement, indicating that the FARC-EP has made a concession in regard to political reform.

- 2) No blanket amnesty and/or pardon for all FARC-EP members.

One of the minimum proposals that the FARC-EP presented was “political and social pardon as a foundation for a national reconciliation process” (Peace Delegation of the FARC-EP, 2014). Earlier, the FARC-EP had stated that the FARC-EP members were victims of the Colombian conflict (Secretariat of the Central High Command, 2012).

Therefore, according to the FARC-EP, transnational justice would be an offense, turning victims into executioners (Secretariat of the Central High Command, 2012). The fact that the FARC-EP agreed to the prosecution of a part of its members can thus be considered a concession.

Another concession was identified by Nasi & Rettberg (2016). Namely, they stated that the FARC-EP initially did not want to set a deadline for the laying down of its weapons. However, in the final peace agreement, it was agreed that the FARC-EP had to lay down its weapons within six months after the agreement was signed. Moreover, the FARC-EP had to hand in all of its assets. As described in chapter 4.4.2, the latter agreement was only added to the peace accord after the first accord had been rejected. Therefore, the handing in of assets is also considered to be a concession. Furthermore, considering the nature of the FARC-EP as a self-proclaimed Marxist-Leninist organization, it is striking that no economic reform is addressed in the final peace agreement. Since the FARC-EP has throughout its existence aimed at economic reform (see chapter 4.1), the absence of such reform is considered a concession by the FARC-EP as well. Finally, the agrarian reform that the Colombian government and the FARC-EP agreed on was not the radical agrarian reform that the FARC-EP had always pursued. Namely, as explained by Gutiérrez-Sanin in 2015 – when the chapter on rural reform was already made public – the peace agreement did not address some of the FARC-EP’s main points on this issues, such as the expropriation of private properties. On top of the two concessions that are listed above, the following concessions can thus be distinguished:

- 3) A deadline for the laying down of weapons by the FARC-EP
- 4) Handing in of the FARC-EP’s assets
- 5) No economic reform
- 6) No radical agrarian reform

In the next chapter, it will be explained how the FARC-EP has sought to legitimize these six concessions, as well as how the Colombian government sought to legitimize the concessions it made to the FARC-EP.

5. Analysis

In this chapter, the results of the discourse analysis that was conducted for this thesis are presented. Chapter 5.1. comprises the results of the research into the legitimization of concessions by the Colombian government. In chapter 5.2., the legitimization of concessions by the FARC-EP is addressed.

5.1. Legitimization of concessions by the Colombian government

For the first part of the analysis, 178 speeches and announcements by the Colombian government, which were published on the website of the presidency of Colombia in full text, were researched. These texts include 143 speeches and announcements by the Colombian President, Juan Manuel Santos, 30 announcements by the peace delegation leader of the Colombian government, Humberto de la Calle, and one joint announcement by Humberto de la Calle and the Minister of Defense, Luis Carlos Villegas. Moreover, the texts include one speech by then-President of the United States, Barack Obama, one speech by then-Secretary of State of the United States, John Kerry, and one announcement by the mayors of the capital cities of the provinces of Colombia. Of course, the latter three texts cannot directly be considered discourse from the Colombian government. However, the presidency of Colombia did publish them on its website. In chapter 5.1.4. it will be further explained why these texts were included in the research.

From this part of the analysis, it appeared that the Colombian government indeed sought to legitimize the concessions it made with the five discursive strategies of legitimization that were distinguished by Reyes (2011). The results are therefore presented in accordance with these five strategies. However, the strategies that were conducted by the Colombian government at times slightly differed from how they were described by Reyes (2011). This was the case with the strategies of legitimization through emotions, legitimization through rationality and legitimization through voices of expertise. In chapter 5.1.1., 5.1.3. and 5.1.4. it is explained how exactly these strategies differed. Moreover, two new discursive strategies of legitimization that appeared to be conducted by the Colombian government are addressed, being the strategies of legitimization through trivialization and legitimization through democratic mechanisms. These strategies are further explained in their corresponding chapters; 5.1.6. and 5.1.7.

5.1.1. Legitimization through emotions

In the discourse of the Colombian government, there was not so much a ‘Self’ and an ‘Other’ created in terms of particular persons or groups. Rather, what was presented as the immoral, irrational and mad ‘Other’ was the more abstract circumstance of war. In several speeches, President Santos referred to the Colombian conflict as an “*absurd confrontation between children of the same nation*”³ (For example in 2016, February 23). By presenting the Colombian government and the FARC-EP as “children of the same nation”, the FARC-EP was added to the ‘Self’. The presented common enemy of the Colombian government, the FARC-EP and the Colombian people in general was war. The immorality of this ‘Other’ was underscored by references to the horrors of war. An example is the speech by President Santos on December 10, 2013, in which he stated: “*As I speak, probably, someone dies, someone gets injured, someone loses his legs*”. Moreover, the Colombian government often summed up the numbers of deaths, wounded and displaced persons the war in Colombia had caused so far. The combination of the Colombian government and the FARC-EP being presented as brothers and sisters and the explicit references to the constant horrors of war created the image of an immoral, irrational conflict. This contributed to the legitimization of the peace agreement because it was, according to the Colombian government, precisely this agreement that would made an end to the war.

The circumstance of war was not only portrayed as immoral through references to the concrete negative consequences of war, but also by linking more abstract negative values to it. Meanwhile, positive values were linked to peace. President Santos explicitly compared the negative values that he linked to war with the positive values that he linked to peace. This is illustrated by the following quote: “*We Colombians have to change our mentality by replacing hatred with reconciliation, distrust with friendship, intolerance with respect, insensitivity for empathy and selfishness with solidarity*” (Santos, 2016, 24 September). War was thus linked to hatred, distrust, intolerance, insensitivity and selfishness, while peace was linked to reconciliation, friendship, respect, empathy and solidarity. Moreover, the Colombian government repeatedly stated that peace was the “*supreme value*” of any society (Santos, 2014, September 8; De la Calle, 2015, May 21) and that “*an imperfect peace is always better than a perfect war*” (for example in Santos, 2016, August 5). This narrative implied that a peace that

³ All quotes in chapter 5.1. are translated from Spanish by the author of this thesis

required concessions by the government was still better than the continuation of war. Therefore, it contributed to the legitimization of concessions in general.

Regarding the legitimization of specific concessions, the strategy of legitimization through emotions was mostly used to legitimize the concession of the Special Jurisdiction for Peace. When addressing this concession, the Colombian government stated that the Colombian people had to learn how to forgive. President Santos for instance told the same story five times about a person who told him that the Colombian people had lost compassion during the conflict. Similarly, he stated shortly after the signing of the first agreement: *“52 years of war have destroyed our social capital, our compassion, our capacity to feel the pain of others. That is what war does ... it generates hatred and revenge, it destroys. War is destruction, war is death, war is suffering”* (Santos, 2016, September 27b). In accordance with this narrative, the Colombian government then framed the concession of the Special Jurisdiction for Peace as a process of finding inner peace and replacing hatred and rancor with forgiveness and reconciliation, rather than a process of giving in to the demands of the FARC-EP. This narrative was strengthened by references to religion. The government presented peace as the ultimate goal of all religions. Moreover, President Santos claimed that God himself stood for love, unity and mercy. The Colombian government thus created the image of the Special Jurisdiction for peace as a moral obligation to God and the world rather than a concession.

To sum up, it appeared that the Colombian government in its discourse indeed created a ‘Self’ – those in favor of peace – and an ‘Other’ – those in favor of war . However, it did so mostly by referring to moral values, such as forgiveness, solidarity and empathy, rather than by referring to specific emotions. Therefore, it can be concluded that the Colombian government legitimized the making of concessions through a mix of the strategy of moral evaluation as it was described by Van Leeuwen (2007) and the strategy of legitimization through emotions as it was described by Reyes (2011).

5.1.2. Legitimization through a hypothetical future

This discursive strategy was also used by the Colombian government, mostly in the discourse prior to the referendum on October 2, 2016. Regarding the referendum, two hypothetical futures were portrayed for the Colombian people; an *“if you vote no”*-scenario and an *“if you vote yes”*-scenario (for example in Santos, 2016, September 27a). The hypothetical future in the case of a ‘no’ was a very negative scenario, while the hypothetical future in the case of a ‘yes’ was a

highly positive scenario. Namely, the portrayed future that followed the sentence “*if you vote no*” was a future in which the FARC-EP would eventually be defeated, but only after 20 to 30 more years of war and thousands of deaths. The hypothetical future that followed the sentence “*if you vote yes*” was described in much more detail. In this future, Colombia would be a quiet, safe and normal country without victims, with high levels of investment, employment and – green – economic growth, with a thriving tourism sector, with its nature wealth restored, with more police, more social welfare, better education and no drug trade. In this Colombia, the children and grandchildren of current generations would grow up in peace. Moreover, millions of peasants would have the opportunity to return to their original residences to live in dignity, supported by the government. When portraying the hypothetical future that would follow the yes-vote, President Santos repeatedly referred to the metaphor of driving a bus with an activated parking brake. He used this metaphor to argue that Colombia was functioning at only a fraction of its potential because of the war.

The strategy of legitimization through a hypothetical future was in the case of the Colombian government directly linked to the making of concessions in general, and often also explicitly to the two concessions that this research focused on. In this, the message of the Colombian government was that peace comes at a price, being the making of concessions. However, the Colombian government created the image that the benefits of peace would outweigh its price. For example, in an interview on September 8, 2014, President Santos stated: “*The people have to understand that peace does not come for free. It is going to have costs, but the costs are minimal compared to the immense benefits that peace could bring us*”. And on the other hand, the Colombian government created the image that if the Colombian people did not want to make concessions, an even higher price would have to be paid; the continuation of war and suffering. On November 24, 2016, President Santos for example stated: “*This is the price of keeping things as they are: continuing the war for 20 or 30 more years. And the people decide: buy peace or continue in war. As simple as that*”.

The Colombian government thus used the strategy of legitimization through a hypothetical future exactly as it was described by Reyes (2011). Namely, the government claimed that the decision in the present that had to be legitimized, the making of concession to the FARC-EP, would have positive consequences in the future. Similarly, the Colombian government stated that present inaction – i.e. not making concessions to the FARC-EP – would lead to negative consequences in the future.

5.1.3. Legitimization through rationality

One of the discursive strategies of legitimization that was used by the Colombian government was indeed to portray the making of concessions during the peace process as being rational. First, this was done by references to the decision-making process. The Colombian government underscored that the agreement was a result of a thoughtful procedure. It did so for example on September 15, 2016, when President Santos stated: *“This agreement has not been an improvised agreement. This process has been a responsible, serious and very well planned process”*. In addition, President Santos repeatedly underscored that he had done extensive research into other peace processes before he started the peace process with the FARC-EP. Furthermore, by stating that the agreement presents *“the best peace possible”* (for example in Santos, 2015, March 16), the Colombian government implied that all the other possible options had been explored as well. Moreover, the government indicated that external actors were consulted during the peace process. For example when addressing the Advisory Commission for Peace, which President Santos described as the following on March 10, 2015: *“A group of outstanding Colombians – whose experience, independence and commitment to the country are indisputable – that is going to advise and accompany me in the execution of this last phase of the peace process”*. Regarding the concession of the Special Jurisdiction for Peace, President Santos referred to the involvement of *“prestigious”* international jurists (for example in 2016, October 1). Especially after the referendum, the Colombian government emphasized the consulting of other actors, in particular the spokesmen of those who voted ‘No’, in the process to reach a new agreement. The government thus presented the agreement, including the concessions, as the result of an evaluated decision-making process. In this, it referred to the different elements of the decision-making process that were distinguished by Reyes (2011); reviewing the situation, exploring all the options, consulting other actors and making a decision.

However, referring to the decision-making process was not the only method that was conducted by the Colombian government to portray the agreement, and the making of concessions, as rational. Namely, President Santos also repeatedly claimed that those who truly understood the peace agreement would always be in favor of it. He thus argued that those who opposed the agreement simply had to be explained what the agreement really meant in order for their opinion to change. Santos emphasized that the process of gaining support for the agreement was a process of ‘pedagogy’. On December 23, 2015, Santos explained the effect of this so-called pedagogy: *“One has to say to the Colombian people; “See, the agreement is this, this and this”*. *And when the people understand it, they buy it”*. The Colombian government

thus claimed that those who were informed would make the –rational – decision to conclude the agreement and that those who were uninformed would make the – irrational – decision not to conclude the agreement.

Third, the making of concessions was rationalized by presenting the agreement as being the result of a cost-benefit analysis. For example, on November 11, 2015, President Santos stated that providing legal benefits to the FARC-EP and involving the FARC-EP in politics would in itself be irrational decisions. However, he argued that making these concessions as part of the whole “*package*” (Santos, 2015, November 11) that the peace agreement comprised was in fact a rational decision. The Colombian government namely created the image of minimum costs against maximum benefits. The maximum benefits were underscored by using hypothetical futures, as was explained in chapter 5.1.2. The government thus presented it as rational to make some concessions in order to achieve the higher purpose; peace. Furthermore, the government presented the peace process as a process to find the balance between the application of justice to those who committed crimes and making it possible for them to reintegrate into society. Regarding both the first and the second final agreement, the Colombian government stated that that balance was found. President Santos for example stated on December 17, 2016: “*Colombia has achieved that balance, a difficult balance to obtain, which satisfies the maximum justice that allows us peace*”.

In conclusion, it appeared from this research that legitimization through rationality was one of the discursive strategies that were used by the Colombian government to legitimize the concessions it made to the FARC-EP. However, the government did not only conduct this strategy by references to the decision-making process but also in particular by presenting the agreement as the result a cost-benefit analysis and by referring to the process of gaining support for the agreement as a process of pedagogy.

5.1.4. Legitimization through voices of expertise

This discursive strategy of legitimization was also used in different forms by the Colombian government to legitimize the peace agreement and the making of concessions in particular. First, the government extensively referred to different actors with authority who supported the peace process and the final agreement: all political parties of Colombia, the Colombian military, political leaders of the whole Western Hemisphere, Europe, Asia, Russia, China, Japan, Australia and New Zealand, the United Nations, the Organization of American States, the

European Union, Pope Francis, the Catholic Church in general, the University of Harvard and more. On June 16, 2015, President Santos even stated: *“Today, not a single country exists that does not support peace in Colombia”*. Regarding the concession of the Special Jurisdiction for Peace, Santos claimed: *“The most renowned international experts say: How wonderful! For the first time in history a special jurisdiction for peace is agreed to satisfy the rights of the victims”* (2015, December 23). Moreover, the Colombian government repeatedly referred to the fact that President Santos had won both the Nobel Peace Prize and the Peace Lamp of St. Francis of Assisi because of the peace process.

Second, it was striking that there were three speeches posted on the website of the Presidency of Colombia by actors that were –directly- part of the national government. In these cases, the speakers were, respectively, then President of the United States Barack Obama (2016, February 4), then Secretary of State of the United States John Kerry (2015, December 23), and the mayors of the capital cities of the provinces of Colombia (Alcades de las Ciudades Capitales de Colombia, 2013, April 7). In all these three speeches, support was expressed for the Colombian peace process. With the posting of the speeches on its website, the Colombian government thus very directly brought voices of expertise into the discourse.

Third, Santos often referred to his own position, not only as the president of Colombia but also as the former Minister of Defense. In one speech, he for example quoted a professor of the University of Harvard who had said: *“You have been a great leader in times of war, you have been Minister of Defense during the most successful period of the Armed Forces in the history of the war against the FARC”* (in Santos, 2016, May 24). With the references to his former position as the Minister of defense, Santos underscored that he should not be considered a friend of the FARC-EP and that he had always fought against them. Moreover, by emphasizing his history with the FARC-EP, Santos seemed to imply that if somebody knew how to ‘solve’ the problem of the FARC-EP, it was him.

Fourth, the Colombian government argued that the making of concessions is part of all peace processes. The authority that the government referred to was in this case not the authority of a certain expert, but the authority of tradition. The strategy that was used here could therefore better be described as the legitimization strategy of authorization (Van Leeuwen, 2007). Regarding the concession of the FARC-EP’s involvement in politics, President Santos for example stated on November 12, 2016: *“It is very important that the Colombian people understand that the raison d’être of ALL peace processes in the world is precisely that the*

guerrillas lay down their weapons and can practice politics within the legality". Regarding to the concession of the Special Jurisdiction for Peace, the Colombian government also claimed that the tension between justice and peace is present in all peace processes and that a line always has to be drawn somewhere between the two.

Another type of authority that the Colombian government referred to was the authority of law. Namely, the government claimed that everything that was agreed in the peace accord fulfilled the minimum requirements of the Colombian constitution and laws. Moreover, the government emphasized that the peace agreement complied with international standards regarding non-impunity and transnational justice. The government went even further by repeatedly stating that it fulfilled more than just the minimal standards of international law and could serve as a precedent for future peace processes. This type of authority was in particular brought into the discourse when the concession of the Special Jurisdiction for Peace was addressed.

The Colombian government thus indeed used the strategy of legitimization through voiced of expertise as it was described by Reyes (2011), by referring to the support of experts for the agreement and the concessions and by referring to the authority of the speaker himself, in the case of the speeches by President Santos. However, since the Colombian government also referred to the authority of tradition and the authority of law, the broader strategy of legitimization through rationalization as it was defined by Van Leeuwen (2007) better describes how the government sought to legitimize the concessions it made.

5.1.5. Legitimization through altruism

This discursive strategy of legitimization was also employed by the Colombian government in different manners. First, President Santos underscored many times that he was seeking peace with FARC-EP for the Colombian people rather than for himself. For example, he stated on April 21, 2015: *"This peace is not mine. This peace is not of Juan Manuel Santos, it is not of my government. It is yours, it is of all Colombians"*. He strengthened this statement by referring to warnings from others that this peace process would cost him a lot politically, and by stating that he did not mind paying political costs. On June 13, 2015, Santos for instance said: *"I am willing to spend up to the last penny of my political capital in order to achieve that peace"*.

Besides the Colombian people in general, the Colombian government presented the peace agreement and the making of concessions as being beneficial for two vulnerable groups

in particular; the victims of the conflict and the peasants of Colombia – these groups arguably overlap to a large extent. Regarding the concession of the Special Jurisdiction for Peace, Santos extensively referred to the benefits for the victims. In this, the situation that he portrayed was that the victims wanted the truth more than they wanted justice. An example is this quote from a speech of September 15, 2015: “*The victims want justice, of course. But if one asks them what they want more, it is to know the truth: the truth about what happened, the truth about the fate and the whereabouts of their loved ones*”. In the same speech, Santos stated: “*While some persons only demand revenge and retaliation, the victims are the most willing to forgive. Because they want not one more Colombian to go through what they have been through. And that is why we have to end the conflict*”. These quotes serve to illustrate that the Colombian government created the image that the Special Jurisdiction for Peace was in the benefit of the victims and that the victims were themselves in favor of making concessions in order to achieve peace and to find out the truth.

To sum up, the strategy of altruism was indeed used by the Colombian government as the strategy was described by Reyes (2011). Namely, the government presented the peace agreement, including its concessions, as a ‘common good’ that would improve the living conditions of the Colombian people, and in particular the living conditions of the victims of the conflict.

5.1.6. Legitimization through trivialization

This discursive strategy of legitimization was not distinguished by Reyes (2011), but appeared from this research. Namely, one way in which the Colombian government sought to legitimize the concessions it made was by presenting these concessions as being relatively small. The Colombian government did this on the one hand by emphasizing the concessions that it did not make to the FARC-EP. The government for example repeatedly underscored that no concessions were made in the military field, mostly described by President Santos as “*we have not given up an inch of our territory*” (2013, December 10, among others). Moreover, the Colombian government referred to the fact that it had not negotiated the Colombian development model, the government’s policies or the social system. Furthermore, it was emphasized that no impunity was granted to those who had committed crimes against humanity.

On the other hand, the Colombian government compared the concessions that it did make with concessions that were made in other peace processes. When addressing the particular

concession of the involvement of the FARC-EP into politics, President Santos referred to peace processes where the national governments had provided even more political power to the opponent. For example on November 12, 2016, when Santos stated: “*In other countries, like in Northern Ireland, they (the opponents) began to co-govern from the signing of the agreement. Last week I was in that country and met up with the Prime Minister who is Protestant and with the Vice Prime Minister who is Catholic. That was part of the deal. This does not happen in this agreement. Let this be clear. They will not have fixed seats. On the contrary, they will have to participate in the elections. Neither will they have government positions, as has happened in many other cases. But they can be chosen*”. Furthermore, when addressing the Special Jurisdiction for Peace, the Colombian government repeatedly claimed that it was the first time ever that an armed conflict was ended by an agreement that created a system of transnational justice. Moreover, the government underscored the fact that international crimes and crimes against humanity were not amnestied. This, according to the Colombian government, had not been the case in other peace processes.

It is decided to define this strategy as legitimization through trivialization, because the emphasis on concessions that were *not* made during the peace process seems to contribute to the image that the concessions that *were* made were relatively small or even unimportant. The message that one could deduce from this narrative is that it could have been much worse.

5.1.7. Legitimization through democratic mechanisms

This discursive strategy of legitimization was also not defined by Reyes (2011). The strategy is listed here because it appeared from this research that the Colombian government sought to legitimize the concessions it made by references to democratic mechanisms. First, the Colombian government often referred to the referendum of October 2, 2016. For example on August 7, 2014, when Santos stated: “*It will be the Colombian people who will endorse the final agreement that is reached here. It will be you, the Colombians, who have the last word*”. The Colombian government emphasized that the referendum would provide “*maximum legitimacy*” to the agreement (2016, September 26, among others). The message that was sent by the government was that if the people did not want to make certain concessions, these concessions would not be made.

Second, the Colombian government sought to legitimize the peace process and the peace agreement by referring to the involvement of citizens in the process. This was mostly conducted

by references to a special website where citizens could express their opinions and ideas about the peace process. This website was described by peace delegation leader Humberto de la Calle in the following manner: *“It is a web page on which every citizen, in all freedom, openly, can propose proposals on the six points of the agenda which we will receive in all seriousness, which will be tabulated, which will be studied. There is also the opportunity to provide feedback”* (2012, December 4). During the peace process, the Colombian government repeatedly referred to this website and asked the Colombian citizens to participate in the peace process with their proposals, criticisms, opinions and support. The government thus presented the peace process as a process of the Colombian society as a whole rather than an isolated process between the government and the FARC-EP.

Third, the Colombian government sought to legitimize the peace process by referring to the re-election of President Santos in 2014. For example on June 13, 2015, when Santos stated: *“The Colombian people gave me a mandate, a mandate during the last elections. They chose me to seek peace and I am going to persevere until I reach it”*. The Colombian government used this ‘mandate’ in particular to legitimize the continuation of the peace process after the first agreement was rejected in the referendum. Namely, after the referendum, the government referred to the re-election of Santos to underscore that the Colombians indeed wanted to reach peace. From this conclusion, the result of the referendum was portrayed as a rejection of the particular agreement rather than a rejection of peace in general. For instance, President Santos stated on November 24, 2016: *“Two years ago, during the presidential election, the Colombians reaffirmed their decision to make peace a national priority. Last august we reached an agreement with the Farc, a fundamental step to begin to build that peace. The citizens, last October 2, expressed themselves. They said: We want peace. But we want a new agreement”*. The reference to the re-election of President Santos was thus used to legitimize the peace process in general rather than the making of any concession in particular.

A specific concession that was, however, legitimized by referring to democratic mechanisms was the involvement of the FARC-EP in politics. The Colombian government portrayed the transformation of the FARC-EP into a political party as a sign of strength rather than a sign of weakness. Namely, the Colombian government emphasized that it would be the strength of a well-functioning democracy that different opinions are represented in the political arena. The message that was sent by the Colombian government then was that the Colombian people could still reject the FARC-EP simply by not voting for the political party it would transform into. In this, the FARC-EP’s involvement in politics was thus presented as a

strengthening of the Colombian democracy rather than a concession by the Colombian government. This narrative is illustrated by the following quote from the speech of President Santos of November 24, 2016:

“The FARC, as a party without weapons, will be able to present and promote its political project. It will be the Colombians who, with their vote, will support or reject it. That is the purpose of all peace processes. That the armed insurgencies abandon their arms, that they recognize and respect the institutions and laws and that they are able to participate in the political contest in legality. May all Colombians be able to decide their future in peace. That is what democracy is about”.

In conclusion, with the strategy of legitimization through democratic mechanisms, the Colombian government sought to portray the agreement and its concessions as a product of the Colombian society as a whole rather than of the government alone. Moreover, the concession of the FARC-EP’s involvement in Colombian politics was presented as being a sign of strength of the Colombian democracy.

5.1.8. Conclusion; narrative of the Colombian government

From the first part of the research, it appeared that the Colombian government used seven different discursive strategies in its attempt to legitimize the concessions it made during the peace process with the FARC-EP between 2012. The government framed the final peace agreement as the result of a democratic, well thought out process and as being beneficial for the Colombian community as a whole.

The concession of the Special Jurisdiction for Peace was legitimized by framing it as a process of finding inner peace rather than an actual concession to the FARC-EP. Moreover, this concession was legitimized by claiming that all peace processes are about finding the perfect balance between justice and peace, and by presenting the Special Jurisdiction for Peace as the perfect balance that the victims of the conflict had sought. Furthermore, the concession of the Special Jurisdiction for Peace was legitimized by making the comparison with cases where the opponent of a national government had been provided even more legal benefits, making the concession appear relatively small.

The concession of the FARC-EP’s involvement in politics was also legitimized by framing the involvement of the insurgent group in politics as an element of all peace

processes and by presenting the concession as being small in comparison with the concessions made in other peace processes. Moreover, the Colombian government created the image that the involvement of the FARC-EP in politics was a sign of strength rather than a sign of weakness of the Colombian democracy, and that this concession in essence put the fate of the FARC-EP in the hands of the Colombian people.

In sum, it was the discursive strategy of legitimization through emotions, better described as legitimization through moral evaluation, that predominated the discourse of the Colombian government around the peace agreement with the FARC-EP. As noted in chapter 5.1.1., this strategy was mostly conducted by presenting war as the common enemy of the Colombian government, the FARC-EP and the Colombian people in general. In this, war was presented as immoral by underscoring the negative consequences of war and by linking war to negative values. The narrative of the Colombian government was thus most of all a narrative of moral values. Although the other six strategies were less dominant in the discourse of the government, none of them was clearly underrepresented. It also was not the case that one strategy disappeared in the course of time or that one strategy only appeared later in the peace process. Moreover, all seven discursive strategies were used interchangeably and were complementary to each other. The discourse of the Colombian government did therefore not appear as a continuously changing, inconsistent narrative but rather as one, multifaceted narrative. The only inconsistency that was found was related to the audience to which the discourse of the Colombian government was addressed. When the speeches or official announcements were directed at the Colombian people, as they mostly were, the narrative of the Colombian people was as described above. However, when the discourse was addressed to the international community, for example to the General Assembly of the United Nations, the strategy of legitimization through emotions was less dominant. In the latter cases, the Colombian government mostly sought to legitimize the peace agreement and the concessions by referring to the authority of law and to democratic mechanisms.

5.2. Legitimization of concessions by the FARC-EP

From the research into the discourse of the FARC-EP, it appeared that the FARC-EP put strikingly low effort in legitimizing the concessions it made during the Colombian peace process. Rather, the FARC-EP was legitimizing its own transformation into a political party. The FARC-EP was thus in fact legitimizing one of the concessions that was made by the Colombian government. In this, the FARC-EP presented itself as a political organization that

had always sought peace. The FARC-EP for example consistently referred to its role in the Colombian conflict as a “*struggle for peace*” rather than a war against the Colombian government (Central High Command of the National Secretariat of the FARC-EP, 2016, May 27, among others). The FARC-EP contradicted the image of the FARC-EP as an immoral terrorist group. On September 28, 2016, FARC-EP leader Timoleon Jiménez for instance stated:

“It must be recognized that the FARC-EP always tried, by all means, to avoid the misfortunes of a prolonged internal conflict in Colombia. Other interests, too powerful at international levels and in urban centers and areas of the country, have been responsible to tip the scales in the opposite direction through multiple media and intense communicative action in which media manipulation and lies have become part of daily bread”

In another communiqué, the FARC-EP stated:

“We have risen up in arms because the doors to a legal, peaceful and democratic political struggle were closed in our country” (FARC-EP, 2016, March 19).

From statements like these, it appeared that the FARC-EP was mostly defending its role in the Colombian conflict and its maintenance as an important actor in Colombian politics.

Regarding the peace agreement in general, the FARC-EP sought to legitimize this agreement by referring to the support from the Colombian people and the international community and by referring to the positive consequences that peace would have for Colombia and the world. It could thus be concluded that the FARC-EP used the strategy of legitimization through voices of expertise and the strategy of legitimization through a hypothetical future to legitimize the peace agreement. Moreover, the FARC-EP highly emphasized that the agreement should not be considered an act of surrender by the FARC-EP but rather a consensus between the FARC-EP and the Colombian government. Furthermore, the FARC-EP underscored that it would persist in pursuing its ideals. The latter could be seen as a form of legitimizing the FARC-EP’s concessions, because it indicated that the fact that the FARC-EP’s political ideas were not represented in the peace agreement did not mean that the FARC-EP had given up on them. After the signing of the first peace agreement, the FARC-EP for example stated: *“Our voices against the injustices inherent in capitalism will continue to rise”* (Jiménez, 2016, September 28). This could be considered a legitimization of the fact that the peace agreement did not ensure economic reform. However, in general, it can be concluded that the FARC-EP barely sought to legitimize the concessions it made.

6. Discussion and Conclusion

In the last chapter of this thesis, the main findings of this research are summarized in explained. Subsequently, this chapter addresses the implications of this findings for the literature on legitimization and negotiations between national governments and terrorist groups. Finally, it provides suggestions for further research.

6.1. Main findings of this research

In the following sections, the main findings of the research are presented and employed to answer the research questions of this thesis. Moreover, this section elaborates on whether the findings matched the expectations and how the differences between the expectations and the results of this research may be explained. Chapter 6.1.1. addresses the findings concerning the Colombian government whereas chapter 6.1.2. elaborates on the findings concerning the FARC-EP.

6.1.1. The Colombian government

This thesis first explored what concessions had been made during the Colombian peace process between 2012 and 2016. Regarding the Colombian government, it appeared that two noteworthy concessions had been made to the FARC-EP. First, the Colombian government allowed and supported the transformation of the FARC-EP into a political party, which would be guaranteed a minimum of five seats in both the Senate and the House of Representatives for two consecutive terms. Second, the Colombian government agreed to the so-called Special Jurisdiction for Peace, in which a pardon and/or amnesty was granted to all FARC-EP members that had not committed serious war crimes. Moreover, with the Special Jurisdiction for Peace, the Colombian government agreed to relatively soft sentences for the FARC-EP members who did commit serious crimes and would recognize their responsibility for these crimes.

On the one hand, the finding that the Colombian government made concessions to the FARC-EP is not surprising. Namely, one could expect that a peace agreement between opposing parties that have been negotiating for years requires concessions from both sides. However, the fact that a national government made concessions to a terrorist group goes against the official stances of national governments and most of the academic literature on this topic. The predominant image that is created by both politicians and academics is that national governments do not negotiate with terrorists, and that they most certainly do not make

concessions to them. The case of the Colombian peace process proves otherwise. This is in itself an interesting finding.

The central question of this research, then, was how concessions that are made during peace processes between national governments and terrorist groups are sought to be legitimized. From this case, it appeared that the national, Colombian, government made a great effort to legitimize the concessions it made to the FARC-EP. In this, it used seven different discursive strategies of legitimization. This finding is in line with the expectations of this research. Namely, since the act of making concessions to terrorist groups strongly deviates from the predominant stance on this issue, one would expect that the government makes a great effort to explain this seemingly counter-intuitive decision. Nevertheless, the discursive strategies that were conducted by the Colombian government to legitimize the concessions it made differed from what one would expect based on the academic literature about the legitimization of political decisions.

The literature on legitimization by political actors was put together by Reyes (2011) in his framework of five different discursive strategies of legitimization. This research showed that the Colombian government conducted all of these five strategies to legitimize the concessions it made to the FARC-EP. Two of the strategies, being legitimization through a hypothetical future and legitimization through altruism, were conducted by the Colombian government in the exact manner that one would expect based on the framework of Reyes (2011). The other three strategies that were defined by Reyes (2011) were used by the Colombian government in a slightly different manner.

First, the strategy of legitimization through emotions as it was conducted by the Colombian government differed in the sense that the government referred to values of the Colombian society rather than it appealed to specific, negative, emotions. Moreover, the enemy that was created through the discourse of the government was a quite abstract one: the circumstance of war. In this, negative values were linked with war while positive values were linked with peace. The strategy that was conducted by the Colombian government thus had more similarities with the strategy of legitimization through moral evaluation as it was defined by Van Leeuwen (2007) that it had with the strategy of legitimization through emotions as distinguished by Reyes (2011). A possible explanation for this finding is that, in the case of a peace process, the goal is to make peace with the opponent. In terms of discourse, this means that the former 'Other' thus has to be integrated in the 'Self'. From this perspective, a narrative

of enmity towards the FARC-EP would be rather counterproductive. The attempt to create the image of war as the common enemy may be explained by the idea that making concessions to the former enemy, the FARC-EP, is legitimate if it is necessary to defeat this new enemy.

Second, the strategy of legitimization through rationality was conducted by the Colombian government in a more comprehensive manner than it was described by Reyes (2011). Namely, the government did not only present the making of concessions to the FARC-EP as rational through references to the decision-making process, but more specifically by presenting the final peace agreement as the result of a cost-benefit analysis. Moreover, the government claimed that everybody who was truly informed about the peace process, and thus capable of making rational choices, would be in favor of the concessions that were made to the FARC-EP. A possible explanation for the finding that the Colombian government portrayed the concessions as being rational in more than one respect is that, exactly because making concessions to a terrorist group seems irrational based on the ruling attitude towards terrorism, the government sought to put extra emphasis on the rationality of the concessions. Moreover, the narrative of a cost-benefit analysis in the discourse around concessions can be explained by the idea that concessions are in essence a sign of giving something to the negotiating partner, and would therefore be legitimate if something greater is given back in return.

Third, the strategy of legitimization through voices of expertise differed in the sense that the Colombian government not only referred to the authority of specific experts to legitimize the concessions it made to the FARC-EP but also to the authority of tradition and the authority of law. This finding is not particularly new, since the strategy of legitimization through authority as it was defined by Van Leeuwen (2007) already comprised these three different types of reference to authority. It thus seems that the strategy of legitimization through voices of expertise that Reyes (2011) described does not represent all the different forms of authority that national government may bring into discourse to legitimize their decisions, whether political decisions in general or concessions in particular.

On top of the five discursive strategies of legitimization that were distinguished by Reyes (2011), this research found that the Colombian government conducted two other discursive strategies to legitimize the concessions it made to the FARC-EP during the peace process. The first new strategy that appeared from this research was the strategy of trivialization. This strategy consists of the presentation of actions as being trivial in comparison with what could have been done or with what was done in other cases. The Colombian government

conducted this strategy by putting emphasis on the concessions that it did not make and on the concessions that were made in other peace processes, all being arguably greater concessions than the two concessions that the government did make to the FARC-EP. A possible explanation that this strategy is not yet included in the academic literature on legitimization strategies is that making certain actions appear trivial will possibly not always contribute to the legitimization of these actions. It will only do so when the prevailing opinion on the type of actions that is legitimized is: 'the less, the better', which is arguably the case with the making of concessions. Otherwise, the trivialization of actions will probably only contribute to the perception that these actions are non-productive.

The second new discursive strategy that was found in this research was the strategy of legitimization through democratic mechanisms. This strategy is conducted by making references to democratic mechanisms in order to portray decisions as being made by the society as a whole rather than by political actors alone. The Colombian government did this mostly by referring to the referendum through which the Colombian citizens could indicate whether they were willing to make the proposed concessions or not. This could be an explanation for the fact that the strategy of legitimization through democratic mechanisms is not yet included in the legitimization literature, since not all political decisions are submitted to a referendum. However, the Colombian government also sought to legitimize the second peace agreement, which was not submitted to a referendum, through democratic mechanisms. Namely, the Colombian government in this case referred to the involvement of citizens in the peace process to legitimize the agreement and, moreover, portrayed the re-election of President Santos in 2014 as a public vote in favour of the peace agreement.

This research thus showed that the Colombian government used seven different discursive strategies to legitimize the concessions it made to the FARC-EP during the peace process between 2012 and 2016. An interesting finding was that the discourse that was directed at the Colombian people differed from the discourse that was directed towards the international community. When the Colombian people formed the audience, the Colombian government mostly used the strategy of moral evaluation to legitimize the concessions it made. When speaking to the international community, the predominant strategies were legitimization through authority and legitimization through democratic mechanisms. This difference may be explained by the distance of the audience from the Colombian peace agreement.

Namely, the international community stood at a greater distance from the peace agreement than the citizens of Colombia because the vast majority of the international community had not been directly affected by the conflict to which the peace agreement made an end. Because the international community experienced the peace agreement from a distance, it would arguably assess the legitimacy of the concessions that were made in the agreement mostly on the basis of their legitimacy on paper. In other words, it is probable that the international community determined the legitimacy of the concessions based on whether the concessions were in accordance with national and international law and on whether the concessions enjoyed support from experts as well as the whole Colombian society. From this perspective, it seems logical that the Colombian government emphasized this, rather formal type of legitimacy when it directed its discourse to the international community.

The Colombian citizens, on the other hand, are to a far greater extent affected by the conflict. It could be argued that, when someone is directly affected by the acts of a certain terrorist group, formal legitimacy of concessions that are made to this terrorist group will not convince this person that these concessions should indeed be made. For this person, another narrative would have to be used to legitimize the making of concessions. The Colombian government's choice for the moral narrative can possibly be explained by the notion that the moral reasoning of the Colombian people, being their perception of what is right and what is wrong, had to be changed in order to gain their support for the peace agreement. From this perspective, it could be argued that the Colombian government continuously referred to certain value systems in its discourse directed to the Colombian people in order to convince them that making concessions to the FARC-EP was the right thing to do.

Another explanation for the difference between the discourse towards the Colombian people and the discourse towards the international community might be that the Colombian government and the Colombian people share values to a greater extent than the Colombian government and the international community do. For example, since 79% of the Colombian citizens are Catholic (Pew Research Center, 2014), the government might have reasoned that references to Catholic values would be effective in terms of legitimization towards the Colombian people rather than it would be towards the whole international community.

6.1.2. The FARC-EP

Regarding the FARC-EP, this thesis also aimed to explore which concessions had been made during the Colombian peace process and how the FARC-EP sought to legitimize these

concessions. Regarding the first question, it appeared from this research that the FARC-EP made several concessions to the Colombian government. Again, this was in line with the expectations since a peace agreement between two opposite parties was argued to mostly probably require concessions from both sides. Moreover, the finding that three of the six concessions that were made by the FARC-EP were related to its ideologies is in line with the academic literature on this topic. Namely, as pointed out in the theoretical framework, Abrahms (2006) stated that it was highly unlikely that states would make ideological concessions to terrorist groups. If national governments do not make ideological concessions, terrorist groups must give up on their ideological goals if they want a negotiated agreement. This could explain why the FARC-EP made concessions regarding its ideologies, in the sense that no radical agrarian, economic or political reform was agreed in the peace agreement.

The answer to the question of how concessions that are made during peace processes are legitimized was in the case of the FARC-EP highly surprising, as it appeared that the FARC-EP barely attempted to legitimize the concessions it made. Since the making of concessions by a terrorist group to a government it fought against for decades seems just as counterintuitive as the making of concessions the other way around, it was expected that the FARC-EP would have made a greater effort to legitimize the concessions it made. Possible explanations for the finding that the FARC-EP did not do so may be related to the key audiences towards which the FARC-EP was expected to legitimize its concessions.

First, regarding the international community, a possible explanation would be the global decline of Marxist-Leninist ideology (Jowitt, 1992; Montgomery & Chirot, 2015; Pop-Eleches, 2006). Because of this decline, it is imaginable that the vast majority of the international community did not need to be convinced of the legitimacy of concessions made by a group that pursued Marxist-Leninist ideals by means of terror. This presumption is strengthened by the decline in global support for the FARC-EP in the years prior to the peace process (Ince, 2013; Rochlin, 2011). An explanation for the finding that the FARC-EP hardly sought to legitimize the concessions it made to the Colombian government towards the international community could thus be that it believed that this audience was already convinced of the legitimacy of the concessions.

Second, regarding the Colombian people, a similar explanation can be found. Namely, as emphasized in chapter 4.1., the popularity of the FARC-EP among the Colombian people declined during the presidency of Alvaro Uribe (Marks, 2007). Ospina-Ovalle (2017) stated

that the FARC-EP, although still claiming to represent the masses, had lost support from the civilian population when the peace process began. The lack of popular support serves to explain why the FARC-EP possibly did not consider it necessary to legitimize the concessions it made to the Colombian government towards the Colombian people. Moreover, it must be emphasized here that the FARC-EP, in contrast to the Colombian government, did not formally represent the Colombian people. It may thus be that the FARC-EP did not consider itself accountable to the citizens of Colombia and therefore decided not to legitimize its concessions towards this audience.

Third, regardless the lack of support for the FARC-EP among the international community and the Colombian people, one would expect that the leaders of the FARC-EP would at least have made an effort to legitimize the concessions they made to the government towards the other FARC-EP members. A possible explanation for the finding that they did not make this effort lies in the hierarchical structure of the FARC-EP (Johnson & Jonsson, 2013, Norman, 2013). It might be that the leaders of the FARC-EP were convinced that they did not need to legitimize the concessions they made towards the other members of the FARC-EP because of this hierarchical structure. Namely, their reasoning might have been that the simple fact that the decision to make concessions was made by the top of the hierarchy gave the concessions full legitimacy. A second explanation is that the leaders of the FARC-EP did in fact use discursive strategies to legitimize the concessions they made to the government towards the members of the FARC-EP, but that this legitimization took place through internal communications that were not available for outsiders, and were therefore not included in the research.

Besides the finding that the FARC-EP did barely seek to legitimize the concessions it made to the Colombian government, an interesting finding was that it did seek to legitimize its transformation into a political party, which actually was a concession that was made by the Colombian government. A possible explanation is that the FARC-EP, by presenting itself as a political organization that had always pursued peace and would represent the interests of all Colombians in the political arena, already sought to gain the support from the Colombian people for its future political party. Moreover, it could be that the FARC-EP, knowing that it would have to hand in its weapons, feared revenge from those affected by the conflict and therefore focused on gaining a certain level of acceptance from the Colombian people in general rather than it focused on legitimizing its concessions towards its small group of constituencies.

6.2. Implications for theory and further research

The finding that the Colombian government and the FARC-EP did make concessions to each other during the Colombian peace process does not correspond with the predominant idea in academic literature that national governments and terrorist groups would never make concessions to each other. Because of the great discrepancy between theory and practice in the case of the Colombian government, it seems that the validity of the literature on this topic should be reconsidered. A better understanding of the relationship between national governments and terrorist groups requires a shift in academic thinking, in which it must be acknowledged that there are cases in which national governments and terrorist groups have negotiated with each other and have made concessions. This empirical finding stands apart from the normative question of whether national governments and terrorist groups should negotiate with each other.

Concerning this question, the predominant stance in both the academic literature and society is that national governments should not negotiate with terrorists. Therefore, when it is observed that a national government has made concessions to a terrorist group, a consequential concern is how the national government has sought to legitimize this, seemingly counter-intuitive, decision. This thesis sought to answer this question for the case of the Colombian peace process, starting from the framework of legitimization that was proposed by Reyes (2011). Based on the findings of this research, as presented in the previous chapters, this thesis proposes a preliminary framework for the legitimization of concessions to terrorists, consisting of the following seven strategies:

1) Legitimization through moral evaluation

The concessions are legitimized by linking the making of these concessions to positive values such as forgiveness, respect and solidarity, while not making concessions is linked to negative values such as selfishness, hatred and intolerance.

2) Legitimization through a hypothetical future

The concessions are legitimized by references to hypothetical futures. The image is created that the making of concessions will lead to a positive future, whereas not making concessions will lead to a negative future.

3) Legitimization through rationality

The concessions are legitimized by presenting them as being made after a “heeded, evaluated and thoughtful procedure” (Reyes, 2011, p. 786) or in particular by presenting them as the result of a cost-benefit analysis. This strategy may also be conducted by

claiming that the concessions are rational because everyone who is fully informed would make the same concessions.

4) Legitimization through authority

The concessions are legitimized by referring to the authority of the persons who decided to make the concessions or to the authority of experts who support the making of the concessions. Moreover, this strategy may be conducted through references to the authority of law or the authority of tradition.

5) Legitimization through altruism

The concessions are legitimized by presenting them as not being in the interest of the persons who decided to make the concessions, but rather in the interest of a broader community. Particularly, the concessions are portrayed as being beneficial for the innocent and unprotected members of the community.

6) Legitimization through trivialization

The concessions are legitimized by portraying them as being trivial in comparison with the concessions that could have been made instead or in comparison that have actually been made in other cases.

7) Legitimization through democratic mechanisms

The concessions are legitimized by presenting them as being made by the community, consisting of all stakeholders, as a whole rather than by the representatives of this community alone. This strategy may for example be conducted by referring to the involvement of stakeholders in the decision-making process that led to the concessions. It differs from strategy of legitimization through authority because it does legitimize decisions by referring to the authority of certain actors to make decisions *for* the people but by portraying decisions as being made *by* the people.

In order to determine whether this framework of discursive strategies of the legitimization of concessions is complete and representative for all cases of negotiations between national governments and terrorist groups, deductive research could be conducted into a large number of cases. Moreover, it would be interesting to explore whether the new discursive strategies of legitimization that were found in this research, – legitimization through trivialization and legitimization through democratic mechanisms – are only used to legitimize the concessions that are made to terrorist groups or also to legitimize other types of concessions or even to legitimize decisions by political actors in general.

Furthermore, research could be conducted into the effectiveness of the different strategies of legitimization that have been distinguished in this thesis. Considering the fact that the Colombian people rejected the first peace agreement, it might be argued that the strategies that were conducted by the Colombian government were not effective. However, especially because of the low turnout in the referendum on the agreement, no conclusions can be drawn on the effectiveness of different strategies of legitimization based on this case alone.

Concerning terrorists groups that participate in negotiations with national governments, this research indicated that the main concern of the terrorist group might be its successful integration into society rather than the maintenance of support from its – small group of – constituencies. Therefore, it would be interesting to conduct research into how former terrorist groups seek to legitimize their integration into society. Moreover, it could be further researched how terrorist groups transform into legal political parties and how this transformation changes the discourse of terrorist groups.

This research might thus have revealed new questions as much as it has provided answers. However, this was exactly the purpose of this thesis, since it aimed to serve as a starting point for research into a field of study that has hitherto been underrepresented in the academic literature: the legitimization of concessions that are made between national governments and terrorist groups. The louder politicians claim that they do not negotiate with terrorists, the more interesting the question of how they legitimize that they in fact do.

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Appendix A – Studied speeches and announcements by the Colombian government

The texts can be found in the online archive of the Presidency of Colombia:

<http://wp.presidencia.gov.co/Discursos/2015/Paginas/Diciembre.aspx>

The texts that have not been archived yet, at the moment of writing all the texts that were published after 2015, December 8, can be found on the official website of the Presidency of Colombia: <http://es.presidencia.gov.co/discursos>

Number	Date	Speaker	Title
1	04-09-2012	Juan Manuel Santos	Alocución del Presidente de la República, Juan Manuel Santos sobre el ‘Acuerdo General para la Terminación del Conflicto’
2	04-09-2012	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la posesión de Magistrados de la Corte Constitucional
3	05-09-2012	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos al designar el equipo del Gobierno para las negociaciones de paz
4	16-10-2012	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno Nacional en las conversaciones de paz, Humberto de la Calle Lombana, al viajar a Oslo
5	18-10-2012	Humberto de la Calle	Declaración de Humberto de la Calle, Jefe de la Delegación del Gobierno Nacional, durante la instalación de la mesa de conversaciones para la terminación del conflicto
6	18-11-2012	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno Nacional para las conversaciones de paz, Humberto de la Calle Lombana, desde el Aeropuerto Militar Catam
7	04-12-2012	Humberto de la Calle	Declaración del jefe del equipo negociador del Gobierno Nacional, Humberto de la Calle, antes de viajar a La Habana
8	09-01-2013	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos luego de la tercera reunión del Comité de Víctimas
9	13-01-2013	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno Nacional para los Diálogos de Paz, Humberto de la Calle Lombana
10	24-01-2013	Humberto de la Calle	Declaración del Jefe del Equipo del Gobierno Nacional para los diálogos con las Farc, Humberto de la Calle, desde La Habana, Cuba
11	30-01-2013	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno Nacional para los diálogos de paz, Humberto de la Calle.

12	10-02-2013	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno Nacional para los diálogos de paz, Humberto de la Calle.
13	17-02-2013	Humberto de la Calle	Declaración de Humberto de la Calle Lombana, Jefe de la Delegación del Gobierno Nacional para los Diálogos de Paz
14	07-04-2013	Mayors of the capital cities of Colombia	Declaración de los alcaldes de las ciudades capitales en apoyo al proceso de paz
15	29-04-2013	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno en la mesa de conversaciones, Humberto de la Calle.
16	03-05-2013	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el Acuerdo para la Prosperidad número 105 en Apartadó
17	03-05-2013	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos sobre la desmovilización de once guerrilleros del frente 57 de las Farc en Acandí, Chocó
18	26-05-2013	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno Nacional en La Habana, Cuba, Humberto De la Calle Lombana
19	27-05-2013	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos sobre el primer acuerdo de la Mesa de Conversaciones de La Habana, el tema agrario
20	11-06-2013	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno en la Mesa de Conversaciones, Humberto de La Calle
21	25-07-2013	Juan Manuel Santos	Intervención del Presidente Juan Manuel Santos en la Audiencia Pública del Marco Jurídico para la Paz
22	15-08-2013	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la Cumbre de Gobernadores 'Preparémonos para la paz'
23	23-08-2013	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos sobre diálogos con las Farc, paros campesinos y disparos contra la Embajada de Colombia en Costa Rica
24	24-09-2013	Juan Manuel Santos	Remarks by the President of the Republic of Colombia, Juan Manuel Santos, before the General Assembly of the United Nations Organization in the 69 th period of ordinary sessions
25	06-11-2013	Juan Manuel Santos	Alocución del Presidente Juan Manuel Santos sobre avances en las conversaciones para ponerle fin al conflicto armado en Colombia

26	26-11-2013	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos sobre los nuevos miembros del equipo negociador del Gobierno en La Habana
27	10-12-2013	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la clausura del XXXV Foro Anual Parlamentario: “Construyendo una paz estable y duradera”
28	16-05-2014	Humberto de la Calle	Declaración de Humberto de la Calle, Jefe de la Delegación del Gobierno en la Mesa de Conversaciones
29	16-05-2014	Juan Manuel Santos	Alocución del Presidente de la República, Juan Manuel Santos, sobre avances en conversaciones para poner fin al conflicto armado
30	20-07-2014	Juan Manuel Santos	Mensaje del Presidente Juan Manuel Santos a los colombianos en el exterior con ocasión de la celebración de los 204 años de la Independencia de Colombia
31	07-08-2014	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en su posesión para el período presidencial 2014-2018
32	01-09-2014	Juan Manuel Santos	Entrevista del señor Presidente de la República, Juan Manuel Santos, en el programa Agenda Colombia
33	03-09-2014	Humberto de la Calle	Declaración de la Delegación del Gobierno Nacional en los diálogos de La Habana, en cabeza de Humberto de la Calle
34	08-09-2014	Juan Manuel Santos	Declaraciones del Presidente Juan Manuel Santos al programa de televisión ‘Agenda Colombia’
35	21-09-2014	Juan Manuel Santos	Mensaje del Presidente Juan Manuel Santos con ocasión del Día Internacional de la Paz
36	24-09-2014	Humberto de la Calle	Declaración de Humberto de la Calle, Jefe de la Delegación del Gobierno en la Mesa de Conversaciones
37	27-09-2014	Humberto de la Calle	Declaración de Humberto de la Calle, Jefe de la Delegación del Gobierno en los diálogos de paz
38	09-10-2014	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la reunión del Consejo Nacional de Paz
39	30-10-2014	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el Evento sobre Paz y Reconciliación
40	24-12-2014	Juan Manuel Santos	Alocución del Presidente de la República, Juan Manuel Santos, de saludo de Navidad y Año Nuevo
41	05-01-2015	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos al término de las reuniones con el

			equipo negociador del proceso de paz y expertos internacionales
42	25-02-2015	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la instalación del foro “Comisiones de la Verdad y Proceso de Paz: Experiencias Internacionales y Desafíos para Colombia”
43	09-03-2014	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la conmemoración de los 25 años de la firma de la paz con la guerrilla del M-19
44	10-03-2015	Juan Manuel Santos	Alocución del Presidente Juan Manuel Santos con anuncios sobre el proceso de paz
45	16-03-2015	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos luego de la primera reunión de la Comisión Asesora para la Paz
46	07-04-2015	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la presentación del libro ‘La restitución de tierras en Colombia: del sueño a la realidad’
47	09-04-2015	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos con motivo del Día Nacional de la Memoria y la Solidaridad con las Víctimas, y el lanzamiento del concurso para diseño del Museo Nacional de la Memoria
48	21-04-2015	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la instalación de la tercera sesión del Consejo Nacional de Paz
49	01-05-2015	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el conversatorio Trabajo para la Paz
50	08-05-2015	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno Nacional, Humberto de la Calle
51	11-05-2015	Juan Manuel Santos	Declaración del Presidente Santos sobre designación del nuevo MinTIC y reunión de máximos cabecillas de las Farc y el Eln
52	12-05-2015	Humberto de la Calle	Declaración del Jefe del Equipo Negociador Humberto de la Calle
53	21-05-2015	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno, Humberto de la Calle
54	25-05-2015	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos en el lanzamiento de la Cátedra para la Paz
55	04-06-2015	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos al término de la presentación de la evaluación integral de la Universidad de Harvard sobre la reparación de víctimas en Colombia

56	04-06-2015	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno de Colombia, Humberto de la Calle
57	05-06-2015	Juan Manuel Santos	Palabras del Presidente de la República, Juan Manuel Santos, en la Convención del Partido de la U
58	09-06-2015	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la sanción de la Ley del Plan Nacional de Desarrollo 2014-2018 ‘Todos por un Nuevo país’
59	13-06-2015	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos sobre ataques terroristas de la guerrilla
60	16-06-2015	Juan Manuel Santos	Palabras del Presidente de la República de Colombia, Juan Manuel Santos, ante el Foro de Oslo
61	26-06-2015	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno, Humberto de la Calle
62	26-06-2015	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos al término de la Reunión de Gobierno en Tumaco, Nariño.
63	30-06-2015	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el Día del Servidor Público 2015
64	03-07-2015	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos al término del Consejo de Seguridad de Bogotá
65	12-07-2015	Juan Manuel Santos	Alocución del Presidente Juan Manuel Santos sobre el proceso de paz con las Farc
66	28-07-2015	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno Nacional, Humberto de la Calle
67	30-07-2015	Juan Manuel Santos	Intervención del Presidente Juan Manuel Santos en la gira ‘Estamos Cumpliendo’, Sector Defensa y Seguridad
68	01-08-2015	Juan Manuel Santos	Intervención del Presidente Juan Manuel Santos en la gira ‘Estamos Cumpliendo’, Sector Defensa y Seguridad
69	07-08-2015	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la ceremonia del Día del Ejército y aniversario de la Batalla de Boyacá
70	18-08-2015	Humberto de la Calle	Declaración Jefe de la Delegación del Gobierno de Colombia
71	31-08-2015	Juan Manuel Santos	Intervención del Presidente Juan Manuel Santos en el cierre de la Gira ‘Estamos Cumpliendo’
72	09-09-2015	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el lanzamiento de la Maestría en Construcción de Paz en la Universidad de los Andes

73	09-09-2015	Humberto de la Calle & Luis Carlos Villegas	Declaraciones del Ministro de Defensa y del Jefe del Equipo Negociador en la mesa de La Habana
74	23-09-2015	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos a la prensa sobre Acuerdo en La Habana
75	24-09-2015	John Kerry	Declaración del Secretario de Estado, John Kerry, sobre el proceso de paz en Colombia
76	02-10-2015	Humberto de la Calle	Declaración del Jefe del Equipo Negociador, Humberto de la Calle
77	08-10-2015	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno Nacional, Humberto de la Calle
78	15-10-2015	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el conversatorio con empresarios sobre paz y economía en la Cámara de Comercio de Bogotá
79	18-10-2015	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno Nacional, Humberto de la Calle
80	19-10-2015	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos al término de la reunión con el Consejo Gremial Nacional sobre el proceso de paz
81	29-10-2015	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos sobre mandato de la ONU para cese bilateral del fuego
82	11-11-2015	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno Nacional, Humberto de la Calle
83	11-11-2015	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos al término de la reunión con el Enviado Especial de la Unión Europea para el Proceso de Paz en Colombia, Eamon Gilmore
84	11-11-2015	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el Encuentro Nacional de Jóvenes por la Paz: 'Una Mirada hacia el posconflicto'
85	19-11-2015	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno Nacional, Humberto de la Calle
86	20-11-2015	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos durante la firma del Acuerdo de Cooperación para el posconflicto con Usaid
87	24-11-2015	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la posesión Ministro Consejero de Postconflicto, Derechos Humanos y Seguridad, Rafael Pardo Rueda

88	09-12-2015	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la instalación del conversatorio ‘Los dividendos de la paz’
89	15-12-2015	Juan Manuel Santos	Colombianos: Nunca habíamos estado tan cerca a la paz
90	23-12-2015	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos durante la Exposición Itinerante ‘Servidores Públicos Constructores de Paz
91	12-01-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos sobre regreso de negociadores a La Habana, visita oficial a EEUU y 15 años del Plan Colombia
92	19-01-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos sobre acuerdo en La Habana sobre un mecanismo para verificar el cese al fuego y la dejación de las armas
93	04-02-2016	Barack Obama	Palabras del Presidente de Estados Unidos, Barack Obama, en la conmemoración de los 15 años del Plan Colombia
94	18-02-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la conferencia ‘El futuro de una país en paz’
95	19-02-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos sobre el proceso de paz
96	23-02-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos sobre el Pacto por la Paz
97	24-02-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos durante el conversatorio sobre el proceso de paz en la Universidad de los Andes
98	25-02-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el evento ‘La Paz es una nota’
99	10-03-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el Foro ‘Dividendos Ambientales de la Paz’, de la Fundación Buen Gobierno
100	28-03-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos sobre el proceso de paz
101	03-04-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos al finalizar reunión con Equipo Negociador de Paz
102	15-04-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos durante el Foro “En la Ruta de la Paz: Encuentro De Dialogo Político”
103	29-04-2016	Juan Manuel Santos	Declaración del Presidente de la República Juan Manuel Santos sobre el apoyo del senado de EE.UU. al proceso de paz
104	05-05-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la instalación del Foro Nacional de Diputados por la Paz y la Democracia

105	07-05-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos durante la inauguración del Estadio Municipal de la Paz, en Apulo, Cundinamarca
106	13-05-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos sobre nuevo acuerdo logrado en La Habana
107	16-05-2016	Juan Manuel Santos	Alocución del Presidente Juan Manuel Santos sobre blindaje jurídico de la paz
108	24-05-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el conversatorio ‘Cómo liderar empresa en un país que supera el conflicto’
109	16-06-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos, durante la sesión plenaria “Asegurar la Paz de Colombia”, del Foro Económico Mundial sobre América Latina
110	20-06-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos al concluir reunión con representantes del Consejo Nacional de Paz
111	21-06-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el evento Pedagogía por la Paz
112	23-06-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la firma del Acuerdo para el Cese al Fuego y de Hostilidades Bilateral y Definitivo, y la Dejación de las Armas
113	27-06-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el saludo a las Fuerzas Militares tras la firma del Acuerdo para el Cese al Fuego y de Hostilidades Bilateral y Definitivo, y la Dejación de las Armas
114	06-07-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el evento de pedagogía de paz en El Retorno, Guaviare
115	08-07-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos durante la jornada de Pedagogía por la Paz, cumplida en Chibolo, Magdalena
116	18-07-2016	Juan Manuel Santos	Alocución del Presidente Juan Manuel Santos tras aprobación del plebiscito para refrendar acuerdos de paz
117	19-07-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos durante su encuentro con la Organización Social ‘La Paz Sí es Contigo’.
118	19-07-2016	Juan Manuel Santos	Mensaje del Presidente Juan Manuel Santos a los colombianos en el exterior con ocasión de la celebración de los 206 años de la Independencia de Colombia
119	29-07-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el evento de Pedagogía de Paz en Cali

120	30-07-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el lanzamiento de la estrategia 'El Turismo le dice Sí la Paz'
121	03-08-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el Encuentro Nacional 'La creatividad para construir paz'
122	03-08-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos durante su encuentro con Pasantes Manos a la Paz
123	04-08-2016	Juan Manuel Santos	Declaración del Presidente de la República Juan Manuel Santos en el lanzamiento de la estrategia 'Universidades de Paz'.
124	05-08-2016	Juan Manuel Santos	Palabras del Presidente de la República, Juan Manuel Santos, durante el evento "Paz en Acción", en Mapiripán, Meta
125	19-08-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el lanzamiento del Programa Bosques de Paz en el Vaupés
126	24-08-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el lanzamiento del concurso 'Pinta una Colombia en Paz'
127	24-08-2016	Juan Manuel Santos	Alocución del Presidente Juan Manuel Santos sobre el Acuerdo Final con las Farc
128	25-08-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la entrega al Congreso de la República del Acuerdo Definitivo con las Farc y del informe sobre la convocatoria al plebiscito
129	26-08-2016	Juan Manuel Santos	Clausura IV Seminario Internacional, Comercialización y Calidad de Cacao 'Aromas de paz de Colombia para el mundo'
130	30-08-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos durante la firma del decreto que convoca al plebiscito
131	05-09-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos en la entrega del balance del cese al fuego y de hostilidades con las Farc, primera semana
132	08-09-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la entrega del libro Ruta Pacífica de las Mujeres
133	13-09-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la inauguración de la sede industrial del SENA en Quibdó y lanzamiento de Estampilla de la Paz
134	15-09-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el conversatorio 'El sector privado de cara a la construcción de paz

135	18-09-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos durante el lanzamiento de la Iniciativa Global de Desminado Humanitario
136	19-09-2016	Juan Manuel Santos	Palabras del Presidente Santos al recibir el Clinton Global Citizens Award
137	22-09-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el homenaje a Bolívar por la sede de los XXI Juegos Deportivos Nacionales y por la firma de la paz
138	24-09-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la develación de la obra ‘La paloma de la paz’, donada por Fernando Botero
139	26-09-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el acto de firma del Acuerdo Final para la Terminación del Conflicto con las FARC
140	27-09-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el evento ‘Barranquilla celebra la paz’
141	27-09-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el evento de pedagogía de paz en Ciénaga
142	30-09-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el acto que dio vía libre a fases II y III de Transmilenio
143	01-10-2016	Juan Manuel Santos	Palabras del Presidente de la República, Juan Manuel Santos, en el acto de instalación de la Misión Internacional de Observación Electoral para el plebiscito del 2 de octubre
144	02-10-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos al depositar su voto en el Plebiscito
145	02-10-2016	Juan Manuel Santos	Palabras del Presidente de la República, Juan Manuel Santos, luego de conocerse los resultados del Plebiscito por la Paz
146	03-10-2016	Juan Manuel Santos	Declaración Apertura de diálogo nacional
147	05-10-2016	Juan Manuel Santos	Declaración avance del Diálogo Nacional
148	09-10-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en su visita a Bojayá (Chocó) luego de obtener el Premio Nobel de Paz
149	10-10-2016	Juan Manuel Santos	Alocución del Presidente de la República, Juan Manuel Santos, sobre los avances del Diálogo Nacional por la Paz y en las conversaciones con el Eln
150	12-10-2016	Juan Manuel Santos	Alocución del Presidente Juan Manuel Santos sobre avances del Diálogo por la Unión y la Reconciliación

151	13-10-2016	Juan Manuel Santos	Alocución del Presidente Juan Manuel Santos sobre los avances del Diálogo Nacional para la Unión y la Reconciliación
152	18-10-2016	Juan Manuel Santos	Alocución del Presidente Juan Manuel Santos sobre el diálogo por la unión y la reconciliación
153	20-10-2016	Juan Manuel Santos	Alocución del Presidente Juan Manuel Santos sobre el diálogo por la unión y la reconciliación
154	21-10-2016	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno, Humberto de la Calle
155	23-10-2016	Juan Manuel Santos	Alocución del Presidente Juan Manuel Santos sobre avances del Diálogo Nacional por la Unión y un nuevo Acuerdo de Paz
156	24-10-2016	Juan Manuel Santos	Palabras del Señor Presidente Juan Manuel Santos al conocer la distinción de la Orden Franciscana y la entrega de la Lámpara de la Paz
157	28-10-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos sobre el avance del Diálogo Nacional por la Unidad y la Paz
158	05-11-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos luego del informe del jefe negociador, Humberto de la Calle.
159	07-11-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos sobre el proceso para alcanzar un nuevo acuerdo de paz
160	09-11-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos sobre avances para el Nuevo Acuerdo de Paz
161	12-11-2016	Humberto de la Calle	Declaración del Jefe de la Delegación del Gobierno, Humberto de la Calle
162	12-11-2016	Juan Manuel Santos	Alocución del Presidente Juan Manuel Santos sobre nuevo acuerdo de paz
163	17-11-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos luego de reunirse con integrantes del Congreso de los Estados Unidos
164	19-11-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos tras reunirse con Jefe del Equipo Negociador y Ministro del Interior sobre nuevo Acuerdo de Paz
165	21-11-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el Concierto por la Paz y la entrega del título de Doctor Honoris Causa en Humanidades, de la Universidad Central
166	22-11-2016	Juan Manuel Santos	Alocución del Presidente Juan Manuel Santos sobre la firma del nuevo Acuerdo de Paz

167	24-11-2016	Juan Manuel Santos	Intervención del Presidente Juan Manuel Santos en el acto de la Firma del Nuevo Acuerdo de Paz con las Farc
168	29-11-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en la clausura del Foro “Encuentro de la Prosperidad Ganadera para consolidar la Paz”
169	09-12-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos en el Instituto Nobel
170	10-12-2016	Juan Manuel Santos	Remarks by the president of the Republic of Colombia, Juan Manuel Santos, upon accepting the Nobel Peace Prize
171	11-12-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos en el Concierto al Premio Nobel de Paz 2016
172	12-12-2016	Juan Manuel Santos	Declaración del Presidente Juan Manuel Santos en la firma del Fondo Fiduciario para el Posconflicto
173	15-12-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos durante el conversatorio ‘Colombia en paz, una nueva oportunidad’.
174	17-12-2016	Juan Manuel Santos	Palabras del Presidente Juan Manuel Santos al recibir la Lámpara de la Paz
175	17-12-2016	Juan Manuel Santos	Conferencia del Presidente de la República, Juan Manuel Santos ‘Los Caminos de la Paz’
176	23-12-2016	Juan Manuel Santos	Saludo navideño del Presidente Juan Manuel Santos a las Fuerzas Militares y de Policía
177	24-12-2016	Juan Manuel Santos	Saludo de Navidad del Presidente Santos para los colombianos
178	31-12-2016	Juan Manuel Santos	Saludo de Año Nuevo del Presidente Santos para los colombianos

Appendix B – Example of one of the coded texts of the Colombian government

Text number: 162

Title: Address by President Juan Manuel Santos on the new peace agreement*

Date: 12 November 2016

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Discursive strategies of legitimization:

Legitimization through moral evaluation

Legitimization through a hypothetical future

Legitimization through rationality

Legitimization through authority

Legitimization through altruism

Legitimization through trivialization

Legitimization through democratic mechanisms

Compatriots: 41 days ago, on October 2, I recognized the result of the plebiscite, in which the ‘No’ obtained the majority of the votes, as soon as it was made public.

But that result could not bury the hope of peace.

Instead of letting it paralyze the country and drown us in uncertainty, we had to make that result a great opportunity to unite around the desire for peace expressed by all, regardless of whether we voted Yes or No on that day.

That was my reaction, and for that reason I started as from that night a great national dialogue for union and reconciliation.

The goal was clear: Listen. Listen to the voices of all Colombians and collect their hopes and concerns about the agreement.

Moreover: pick up their proposals for adjustments and changes in order to achieve a new, better peace agreement with the FARC.

It was necessary to reach an agreement - strengthened by such adjustments and changes - that would reflect the feelings of the vast majority of our compatriots and would thus build a broader, deeper peace.

It was also essential to achieve this renewed agreement very quickly. The cease-fire is fragile. Uncertainty generates fear and increases the risks of ruining this immense effort.

There had to be worked with dedication and without rest in order to achieve an agreement that would meet the aspirations of the Colombians, without putting at risk everything that had been achieved during six long years of negotiations.

So we did. We worked hard, honestly, generously, frankly and with an open mind and spirit, both in Colombia and in Havana. Everyday. Long hours.

We received more than 500 proposals from all sectors: social and religious groups, victims and political parties. For the discussion with the FARC, these proposals were grouped in 57 topics.

All, absolutely all, were discussed in depth with the FARC and defended by the government delegation with total loyalty and fidelity to what was expressed by the different sectors.

We kept the main spokespeople informed about the progress and difficulties of this exercise.

The last 48 hours were especially intense. We worked the whole day. With great results.

We achieved precisions, adjustments and changes in 56 of the 57 topics covered.

The Democratic Center, some conservative leaders who voted No, the coalition parties for peace, the church, the High Courts and magistrates, religious and social organizations, businessmen, hundreds of thousands of young people who mobilized, unions, Indigenous and Afro-descendant communities, victims, retired military personnel, women's movements and those who reiterated their support for the agreement; all contributed their ideas and proposals to adjust the agreement.

To all, THANK YOU.

Their initiatives helped to achieve this new agreement that now belongs to everyone. TO ALL!

How great! Because peace belongs to everyone.

Also a special recognition to the negotiators of the National Government and the FARC.

Their working discipline and their willingness to listen and to recognize the different ideas made it possible to unblock the negotiations and to find solutions.

We are going to divulge this agreement, which was strengthened with citizen contributions, widely from tomorrow so that it is known by all.

Today I have met with former President Uribe in Rionegro for three hours, and I have spoken several times with former President Pastrana and former Minister Martha Lucía Ramírez. All spokespeople of the 'NO'-camp will receive the texts no later than tomorrow.

From now on I want to highlight the most important changes that were made:

One of the issues most demanded by Colombians was for the FARC to hand over their assets and the money they have available in order to repair the victims. That was achieved.

Under the new agreement, the FARC will have to declare and hand over all its assets, under penalty of losing the benefits of the agreement, which will be used to repair the victims.

A generalized claim of the No's and the Yes's was to define what comprised the effective restriction of freedom, since this was criticized for being imprecise.

That was achieved.

The Court must determine in each case:

The specific spaces where those sanctioned have to be during the execution of the sentence (which will never be larger than a Transitional Verification Zone of Normalization).

The schedules in which those sanctioned must comply with the restorative sanctions

Establish the place of residence during the execution of the sanction

Impose on them the duty to request authorization to leave the areas where they have to be during the execution of the sentence

Indicate the periodicity with which the verification body must report on compliance with the sanction.

It was also established, and that was another request from supporters of the 'No', that the time they spend in the Transitional Areas of Normalization, will be considered part of the sanction, under the condition that they carry out repair activities during that period.

We listened to valid comments from various sectors, including our High Courts, to improve transitional justice and to articulate it with our ordinary judicial system.

One expressed request was for a time limit to be placed on the Special Jurisdiction for Peace. That was achieved. It will be in function for up to 10 years and investigation requests will only be accepted during the first 2 years.

It was also established that NGOs cannot act as prosecutors. They can only present information, which will be evaluated and verified by the judges and magistrates of the Court.

Another issue that many of the 'No'-people demanded was that there should be no foreign judges involved. That too was eliminated. All judges will be Colombians and they will have the same qualities as the judges of our courts.

One of the main concerns of the Democratic Center was respect for private property, respect for private initiative and that no property would be expropriated outside the law already in force. All this was achieved and ratified, as former President Uribe expressly requested. Let there be no doubts: The right to property will be respected!

There have been some concerns about agrarian legislations that are not part of the Cartagena Agreement, but which we know must be addressed. For this reason, we decided to establish a committee of experts to review those issues.

The cadastre - fundamental to formalize the land - will not modify the appraisals of the land by itself.

We made it absolutely clear that under this agreement no new peasant reserve areas were authorized, beyond the normal procedure according to the current legislation on these areas.

Several groups of businessmen expressed concern about the potential impact of post-conflict investments on macroeconomic stability. To ensure peace of mind, it was expressly included that the implementation will be carried out with respect to the principle of fiscal sustainability, and the term of implementation was extended from 10 to 15 years to reduce the fiscal pressure, if any, and to prevent that the government's priority programs would be affected in any way.

Another concern of the businessmen was that a possible witch hunt would be unleashed by the application of transitional justice. That fear was completely dispelled to the satisfaction of the entrepreneurs. Those who are not responsible for serious crimes have the possibility of terminating the processes that may affect them in ordinary justice today.

Many sectors, the retired military personnel in particular, were concerned about the treatment of State agents in the Special Jurisdiction for Peace. This fear was resolved. We achieved a formula that guarantees our soldiers and policemen, in both those in active service and those who are retired, the maximum benefits, but with total legal certainty. This solution left everyone calm. It was the least we could do for them and it was a personal commitment of mine.

A repeated complaint from the spokespersons of the 'No'-camp was that the 16 temporary seats in the House of Representatives, established for the communities and victims affected by the conflict, would be for the FARC.

The new agreement expressly included that the party that arises from the reincorporation of the FARC cannot, I repeat, cannot register candidates for these seats.

This amendment satisfied many of the 'NO'-spokespersons who had expressed concern about this issue.

At the request of the different political sectors of both the 'Yes' and the 'No', the financing of the FARC party after its first year was reduced by 30% so that they party would be on an equal footing with the other parties.

In the same chapter, it was made clear that social protest must always be peaceful, and that the State has an obligation to protect the rights of all citizens.

One of the most sensitive issues in all peace agreements is the protection of those reincorporated into civilian life. In Colombia, especially, we have suffered this drama. That is why a commission was created for protection and security guarantees, in which the FARC would participate.

Its participation generated concern among many promoters of the 'No'-vote. In the new agreement, following a recommendation from Dr. Marta Lucía Ramírez, the FARC's participation in that commission was eliminated.

The powers of that commission to review resumes or to exercise inspection and surveillance powers over private security companies were also eliminated.

On the fight against the drug problem, the new agreement obliges all those who appear before the Special Jurisdiction for Peace to deliver all the information related to drug trafficking in an exhaustive and detailed manner in order to assign responsibilities. In this subject, former President Pastrana was particularly insistent.

It was also reiterated and stressed that the government maintains all the tools for eradication, including fumigation, in addition to the substitution programs for farmers.

There will be no formalization of any property in Colombia without these properties first being confirmed free of illicit drugs.

In order to tackle the problem of drug use more effectively, the role of the family and religious groups in the prevention and care policy was strengthened.

The idea of incorporating the whole agreement into the constitutionality block generated a lot of rejection, expressed by Pastrana, Uribe, Marta Lucía Ramírez, and by many spokesmen of the 'No'- and some of the 'Yes'-camp.

I confess that they were right, because it also generated many misunderstandings about the Agreement.

That was corrected. Only the issues of human rights and international humanitarian law, which are already part of the constitution, will remain.

The implementation of the agreement was another topic on which we received comments and proposals. Some were worried that there would be some sort of co-government with the FARC for this implementation.

It has now become much clearer that the government will be the only one- the ONLY ONE - responsible for implementation. There will be, however, a commission that will monitor, boost and verify compliance with the agreements.

A concern shared by many Colombians, and in particular by the church and religious organizations, was that the peace agreement would contain elements of the so-called gender ideology and would affect the values of the family.

Well, that subject was carefully reviewed by the Catholic Church, by Christian pastors and by other spokesmen of the 'No'-camp

Modifications were made to ensure that the so-called gender ideology is not present – even though it never was - even in a suggested way.

What has been made clear is that this chapter seeks to ensure that women, who have suffered especially from this terrible conflict, are treated with priority and that their rights as victims are fully protected.

The new agreement was incorporated into the principles of equality and non-discrimination, freedom of worship, and family and religious leaders were also recognized as victims of the conflict. That was another expressed request.

These are some of the major changes that have been made. As I pointed out, in 56 of the 57 subjects there were achieved changes and improvements.

[The following section concerns one of the concessions that was made by the Colombian government.]

One thing that was demanded by the No-camp was that the guerrilla chiefs could not be elected.

I understand that this is the feeling of many citizens. At Havana's table, government negotiators insisted on that point in order to respond to that concern.

I have to put it frankly. There was no progress here.

It is very important that Colombians understand that the raison d'être of ALL peace processes in the world is precisely that the guerrillas give up their arms and can do politics within the legality.

This process with the FARC is no exception, nor can it be.

The FARC have a political origin and their intention for the future is to be able to make policy without arms.

Many of you remember that in 1990, in the agreement with the M-19, its leaders came directly from the negotiating table to participate in the elections.

In El Salvador and many other countries, the guerrillas were congressmen since the election following the signing of the agreements.

In the constitution of 91, transitional articles 12 and 13 gave the president the chance to name ex-guerrillas at the congress. That does not happen in this agreement.

In other countries, as in Northern Ireland, they began to co-govern from the signing of the Agreement. Last week I was in that country and met up with the Prime Minister who is Protestant and with the Deputy Prime Minister who is Catholic. That was part of the deal. This does not occur in this agreement.

Let this be clear. They will not have fixed seats. On the contrary, they will have to participate in the elections. Neither will they have charges in the government, as has happened in many other cases. But they can be chosen.

[End of the section that concerned a concession]

Colombians:

The agreement that was signed on September 26 in Cartagena was, according to the scholars of the subject, such as from the Kroc Institute of the University of Notre Dame, one of the

best – if not the best and most complete - that has ever been signed to resolve an armed conflict.

But, with all humility, I want to recognize that this new agreement is a better agreement.

Looking back, the result of the plebiscite gave us the opportunity to unite and I once again want to thank all the spokesmen, in particular those of the ‘No’-camp, for their willingness and goodwill.

This peace agreement with the FARC resumes and reflects the proposals and the ideas of all who participated in this great national dialogue. It answers and clarifies the concerns that many had about the content, the meaning and the implementation of the agreement.

This agreement, renewed, adjusted and clarified, must unite us, not divide us.

That is my invitation. To unite, since the agreement does not satisfy all the aspirations of all different sectors.

I invite all Colombians, the promoters of ‘Yes’ and of ‘No’, to give peace a chance with this new agreement.

It is what the Colombian people are asking us and what the international community is asking us. That is why I have instructed Dr. Humberto de la Calle and the negotiating team to return to Bogota immediately in order to explain the agreement, with the texts in hand, in detail to the spokesmen of the ‘No’-camp to receive their reactions.

We have worked judiciously and hope that this work will satisfy those of the ‘NO’-camp and the nation.

In addition to bringing an end to the conflict with the FARC and to the violence, this agreement seeks to ensure that the peace we build from now on is not only a peace of the silence of arms, but a peace of reconciliation and respect for difference .

May it be a peace that allows us to unite as a nation and to take full advantage of the opportunities that tranquility, security and unity bring us.

It is the hour of union and reconciliation!

It's time to leave the divisions behind!

It is time to combine wills and join efforts to build peace together!

Thank you very much.