

A stylized map of the Americas, showing North and South America, rendered in a light beige color against a dark blue background.

XXVII

Summit of the Americas

Virtual Summit

**Colombian
Constitutional
Assembly 1991**

Committee Bulletin

Alex Zhou, Chair

Juan C. Venancio, Director of English Committees



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Welcome to HACIA XXVII

Dear delegates of the XXVIIth HACIA Democracy,

It is my pleasure to be the first to welcome you to HACIA's virtual summit for the twenty-seventh meeting of HACIA Democracy. My name is Juan C. Venancio and as the Director of English Committees at HACIA XXVII, it is my job to ensure that all of you have a rewarding experience in committee while substantively debating a series of intriguing topics endemic to Latin-America.

My interest in HACIA and Latin America stems from my own Mexican and Honduran heritage. Born and raised in Houston, Texas, I grew up in a predominantly Latin-American ethnic enclave, and this upbringing has driven my personal interests in government, economics, and law. It was through these influences that I developed a natural passion for the region, having participated in organizations like Model United Nations, since my time in high school. As is the case for many, conferences like Model UN allowed me to explore several world issues, contemporary political struggles, and engage with potential solutions with other brilliant minds throughout the country. Now, as a junior at Harvard, I have continued to explore these interests through my previous participation in HACIA, Harvard's Institute of Politics, and the David Rockefeller Center for Latin-American Studies.

At last year's HACIA, I co-directed the 1948 Costa Crisis Cabinet and was amazed by the talent that HACIA attracts every year. This year, I have worked with our talented team of committee directors to select a thematically and temporally diverse set of committees, ranging from the internal displacement of citizens in El Salvador, to women's rights through the OAS, and even current public health issues across the Latin-American region.

HACIA is unique because the issues that we discuss are diverse, well-researched, and relevant. Not only that, but all of you, as delegates, derive from a diverse set of countries, schools, and backgrounds, which all serve to provide multiple perspectives on these hot topics. This highly social type of group learning is an invaluable skill to refine, especially in the context of increased socio-political, environmental, and public health dilemmas. As a result, I would like to encourage all of you to come to this year's conference with unique ideas, well-researched arguments, and out-of-the-box proposals throughout the course of the conference.

In conclusion, I can't wait for our conference to begin and to meet all of you in March! I'm also looking forward to the productive conversations that we will facilitate over the course of our conference.

Sincerely,

Juan C. Venancio, Director of English Committees english_committees@hacia-democracy.org

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From your Chair

Dear Delegates,

Welcome to HACIA XXVII and to the Colombian Constitutional Assembly of 1991! I want to begin by expressing my excitement to welcome each and every one of you to the conference this coming March. I truly believe that this will be an incredibly formative, enriching, and productive experience that you will leave with long-lasting memories and lessons.

Second, I would like to speak a little bit about myself as your Committee Chair. I grew up in the San Francisco Bay Area, California, but my parents originate from Shanghai, China. I have always had a profound interest in our society, trying to make sense of the world around me through the lenses that were provided to me. As the child of immigrant parents, I have a particular interest in the rights of immigrants and the injustices that so many immigrants face in the United States, as well as all over the world. My personal experience has inspired a passion in me to strive for justice for the underserved and marginalized people in our world. In high school, after being exposed to U.S. foreign policy through many history and Spanish classes, I became very interested in the United States' history of imperialism and neocolonialism in Latin America. To deeper explore this topic, I am pursuing a concentration in Statistics with a focus on the social impacts of data in Latin America. Outside of these intellectual interests, I am an avid musician. I have been playing the violin my whole life, and I enjoy listening to and talking about music of all kinds. Feel free to chat with me about music, I am always open to new music and willing to give recommendations!

In this committee, you will be tasked with the immense responsibility and honor of debating, crafting, and passing a new Colombian Constitution after a prolonged period of violence, civil unrest, and government corruption that has left this country deeply divided. Delegates will discuss the merits and setbacks of many topics that are crucial for the survival of Colombia in this historical moment, with human rights being at the forefront of much of the discussion. If each delegate is willing to come informed, to compromise, and to communicate clearly, we should have an incredibly valuable and productive debate and resulting constitution. I am here to guide you in any way that I can, so please do not hesitate to reach out to me with any questions or issues. I look forward to meeting all of you this coming March!

Warmly,
Alex Zhou
alex_zhou@college.harvard.edu

Topic:

Colombian Constitutional Assembly 1991

Introduction

Amidst a century long political gridlock, economic hardship, and civil violence, the entire nation of Colombia is calling for a change. The country has been marred by violence from numerous groups including paramilitary organizations, powerful drug cartels, and leftist guerrilla groups, all running rampant in the face of an ineffective and corrupt government.

In the face of these issues, a last beacon of hope has arisen: a National Constituent Assembly, convened with the sole purpose of formulating a new foundational constitution upon which Colombia can begin to rebuild its future, moving away from its past issues and regaining the trust of its people, ultimately paving the path for peace and prosperity in Colombia.



It will be up to this committee's delegates to decide how to best transform all of these ideas into a concrete constitutional document. In this effort, your first aide will be the previous Constitution of 1886 and its following reforms and amendments. You should aim to critically analyze the elements of this previous constitution to see from where the central discontents of the current social, political, and economic situation arise.

This bulletin will guide you through the historical background of the situation, contextualizing the issues at hand in this committee. Following this perspective, it will go into more detail about the situation at hand, presenting key themes, actors, and conflicts faced by the committee. Finally, I will provide some guidance and leading questions for you delegates as you begin to write your position papers, broadly summarizing your opinion on the situation. There is a lot at stake: the possibility of a new constitution that encompasses reforms such as a more comprehensive list of fundamental and human rights guarantees, structural changes in the organization of the federal and local governments, and an alternative to rigid bipartisanship, among many others.

Committee Structure

Before we dive into the details of the Colombian National Constituent Assembly of 1991, I would like to share with you my vision for this historic committee. This committee will be run as a single-topic historical general assembly. Each delegate will be representing a delegate of the Constituent Assembly of 1991, with the ultimate goal of producing and voting on a very particular type of binding resolution: the new Constitution of Colombia. In order to pass, this resolution will require a two-thirds majority vote. As this committee will only be passing one resolution, we want to ensure that this final document represents the ideas and respects the work of all of the delegates present. In this committee, each delegate will have one vote, each carrying equal voting power.

In keeping with HACIA's mission of growth and self-development, you will have my trust in charting your own path through this committee. This means that you, the delegates, will set the agenda, lead the discussion, and come to resolutions. As the chair, I will be present to offer my help throughout the entire process, intervening only when necessary to preserve the respect and general goals of the committee. We will together be promoting an atmosphere of respect, cooperation, and intercultural understanding. Within the Colombian Constituent Assembly of 1991, I ask that you respect your fellow delegates as well as the committee staff. No disrespectful remarks or attitudes will be tolerated, and I as the chair will act appropriately against any transgression of these fundamental principles of respect.

Everyone present at the committee will be in the unique position to teach and learn from the insights and individual perspectives of each and every person. That being said, I am aware that during the formation of certain blocs and alliances, power imbalances may form due to the varying levels of conference experience as well as committee engagement. Therefore, during this entire process, I will be on the lookout for those delegates who reach out to less experienced or perhaps more introverted members of the committee and strive to include

them and their ideas in the conversation. A spirit of inclusion like this will not go unnoticed. Thus, rather than monopolizing speaking time and contributions, the best delegates will effectively communicate within, oversee, and unite the committee.

Finally, I would like to discuss my expectation for how the committee should progress towards a resolution. Delegates will be expected to mindfully and thoroughly engage in the spirit of diplomacy by aligning interests, negotiating solutions, and forming blocs. As ideas begin to merge and expand into concrete policy proposals, draft resolutions will begin to form. As our committee will be operating on the basis of a two-thirds majority, up to two draft resolutions will be entertained. Once delegates have submitted their initial draft, the entire committee will either vote for one to be selected and put through the amendment process, or to begin the process of merging the two draft resolutions together into a final resolution. Please note that these expectations may be updated in the time leading to and during committee and will be communicated to the delegates by the chair in a timely manner.

History and Powers of the Committee

As we have established, this committee will be modeling an ad hoc assembly, convened with a single objective of historical proportions: to produce the new Constitution of Colombia.

First, we must explore how this Constituent Assembly (Asamblea Nacional Constituyente; ANC) came to be. Following a long history of struggles between the government and the numerous guerrilla groups in Colombia that will be discussed in detail in the following **Situation in Context** section, these multiple parties of interest came to an agreement that a national constituent assembly would be the last beacon of hope in an ever-deteriorating situation of crisis. César Augusto Gaviria Trujillo, the newly elected president, took initiative. Based on a proposal that Gaviria made, the political leaders of many different factions signed a first agreement on the composition, term, electoral procedures, and thematic agenda for the ANC. Then, President Gaviria issued a presidential decree, setting a legal framework for the Colombian National Constituent Assembly. This decree determined the election of 70 delegates, the procedures, and most critically, established a limited list of topics for the agenda.

However, this did not pass the judgment of the Supreme Court. The Court saw the decree as a whole as constitutional, but ruled that there were a few improper parts. This included the prerequisites to candidacy, as it posed an unfair restriction to the principle of equality. Second, more importantly, it ruled that the restriction of the agenda by the limits set by the presidential decree was against the idea of a primary constituent as ultimate moral and political power, which was the basis of the establishment of the committee. With these segments of the decree struck down and consequently altered, electoral campaigns for the assembly commenced.

Change was palpable in the timeline of the electoral campaigns: a total of 116 lists were registered, stemming from a diverse range of social movements and political parties. This signaled a move away from the severe bipartisanship that had plagued Colombia for centuries. The electoral results of December 1990 further

proved this shift, with the primary alternative to bipartisanship, ADM-19, receiving 26.7% of the votes, falling only behind the Liberal Party, which received 31.2% of the votes.

There are, however, restrictions to the perceived inclusivity of the Assembly. First, the turnout rate for the assembly election was only 26%, the lowest in 30 years. The reasons behind this low turnout have been speculated upon, with the most probable one being that the political elites underestimated the consequences of this election. As a result, they did not initiate the *maquinaria*, or “voting machine,” that they would have in a normal election where they were acting upon high stakes. The second factor limiting the inclusivity of the assembly was the absence of crucial actors, such as drug cartels, FARC, and ELN, who chose not to participate. Ultimately, we can have an ambivalent assembly of the ANC’s inclusivity. Although each sector had equal opportunity to participate, the actual resulting composition of the assembly was not inclusive, since many figures central to the Colombian state of affairs were missing.

The final list of delegates is as

follows:

ANC Election 1990	
Parties / Movements	Delegates at the ANC
Liberal Party	25
ADM-19	19
National Salvation Movement	11
Social Conservative Party	5
Independent Conservatives	4
Christian Union	2
Patriotic Union	2
Indigenous Movement	2

You will be representing a member of one of these blocs. As delegates, you will debate on five main themes and elaborate these conversations on a final proposal to be discussed and passed by the last session. All articles must be approved by a two-thirds majority vote of the Assembly's delegates. This will ensure that no one political sector can carry out its will without the support of other groups.

This demand for a new constitution is driven by a need to establish modern democratic institutions that accomplish three main goals: 1. To encourage greater participation in the democratic process, 2. To strengthen the rule of law and defuse political violence, and 3. To secure human rights by establishing mechanisms for the protection of these rights. As President Gaviria put so eloquently, “Your responsibility is... the future of Colombia, with the children of our children, with all our fellow citizens. Advancing the century, they will remember with gratitude that Constituent Assembly from which emerged a constitution that helped to consolidate peace, to found a just order and to strengthen a democracy open to the participation of all Colombians.” This new Constitution will be the body of fundamental principles and established precedents that future governments will use, as well as a way to reestablish the Colombian people’s trust in the government. The fate of a stable, thriving Colombia rests on your shoulders.

Topic in Context

The first step to begin understanding the current political climate and the issues that incited the members to write the new Constitution is to revisit the history of Colombia. How did this bloody situation that claimed the lives of countless civilians arise? Why has the Colombian public lost faith in its government? What is the origin of the fierce bipartisanship that has gripped this nation? We will explore all of these questions and more by diving deep into the history of Colombia as an independent nation.

Colombia's Deep History of Bipartisanship

The root of the bipartisan split can trace its roots all the way back to the first government of Colombia. In 1819, the Congress of Angostura laid the foundation for the formation of the Republic of Colombia, also known as “Gran Colombia.” Gran Colombia included what now are Colombia, Panama, Venezuela, and Ecuador. Simón Bolívar, the revolutionary leader, was the president of Gran Colombia, with Santander as the Vice President. In 1830, Bolívar convened a convention that produced a constitution only honored in New Granada, which back then, was composed of Colombia and Panama. Then, Bolívar resigned and died, leaving New Granada alone with no leader. Santander consequently took the presidency in 1832. However, a Civil War that erupted in 1840 ended the beginnings of industrial development in the fledgling nation, disrupted trade, and discouraged local enterprise. More than 100 years before the Constituent Assembly of 1991, the seeds of political rivalry between liberals and conservatives had been sown already, and violence

between these two factions persisted until the 1900s.



The 1840s to the 80s were marked by a more clear delineation of the liberal and conservative parties. There were two issues in particular that divided the political elite: first, the debate surrounding a centralist versus a federalist structure of governance, and second, the role of the Roman Catholic Church in Colombian society. At first, the federalists and anticlericals had a stronghold in the establishment. Colombia was called the “United States of Colombia” from 1863-1880, and the 1863 constitution guaranteed freedom of religious practice.

However, in the era known as the Period of Regeneration, the conservatives regained power. In 1886, president Rafael Nunez drafted a new constitution, which re-established relations with the Vatican, and a wave of conservative leaders followed Nunez. Armed civil conflict continued at this time, leading to a Civil War named the War of a Thousand Days (1899-1903). Following this war, Panama, which then was still a part of Colombia, revolted and gained independence with the help of the United States, who wanted to build a canal across the Panamanian isthmus.

Then, with the worldwide, crippling economic depression of the 1930s, economic collapse in Colombia was followed by political results: the conservatives lost the election, with liberals taking office. This liberal hegemony continued throughout the 30s and World War II, as all four Colombian presidents who served between 1930 and 1946 represented the liberal party. After the war, power shifted again when conservative Mariano Ospina Pérez took office in 1946. Now in power, the conservatives began to institute crude reprisals against the Liberals. This started the period dubbed “La Violencia”.

Between 1946-1964, more than 200,000 people died. One aspect of the violence that distinguishes this time period and this era of violence is the extreme cruelty that was perpetrated on the victims. Under Laureano Gómez, who even went as far as to attempt to introduce a fascist state, the violence further intensified. “La Violencia” eventually escalated to the point that the mass killings and resulting instability affected up to 20% of

the entire population.



Finally, the downfall of the quasi-fascist Gómez was brought on by a military coup, the first in the nation's history. General Gustavo Rojas Pinilla assumed the presidency in 1953 and immediately began an effort to stimulate the economy and end La Violencia. As a populist leader, Rojas Pinilla supported citizen demands and shared their grievances against the traditional elite. Despite these sympathetic leanings, the promises he made were not being kept. When the economy faltered in this precarious position, he was driven out of office by the military junta.

As demonstrated by the incessant return to and ousting of power being exchanged by the liberals and conservatives, this bipartisanship led to a gridlocked nation, making very little progress. Each party, when taking over from the rule of the previous, worked to undo the work of the previous regime rather than advancing the interests of the nation. This political game was proving to be highly unproductive and even violent, and members on both sides of the game acknowledged this fact. In an attempt to address this rampant issue, the National Front was created.

The Reign of the National Front

In the Declaration of Sitges, created in 1957, the National Front (Frente Nacional) was established. This was an agreement between the conservatives and liberals that called for a system of government based on the alternation of conservatives and liberals in the presidency, as well as the equal sharing of ministerial and all other government positions. This also meant equal representation in all executive and legislative bodies. This agreement, at the time of its advent, was meant to remain for sixteen years, with the question of what would happen after left alarmingly

unanswered.



During the first four years of the National Front, Lleras was president. In this period of the first presidency, Lleras was faced with severe economic difficulties caused by low coffee prices and domestic unemployment. This led to an economic growth standstill by 1962. Also during this time, Colombia became a partner in Alliance for Progress, a program of the United States that attempted to further economic development in Latin America. However, rather than having its intended effect of helping the damaged economy, this cooperation merely increased Colombia's economic dependence on the United States, further crippling the economic prospects of the nation.

The social unrest and tension in this moment was made clear when only half of the eligible population voted in the 1962 election in which Guillermo León Valencia, a conservative, took office. The economic situation showed no signs of improvement, with a historically precarious devaluation of the peso, rampant inflation, and unemployment rates skyrocketing and remaining over 10% in major cities.

The National Front came to an end when the election of a liberal president coincided with conservative consensus to terminate the system. In retrospect, the National Front, a system initially implemented with the goal of escaping political gridlock, further propagated a rigid bipartisanship that systematically disenfranchised anyone who did not fall under the established liberal or conservative parties and led to further political violence.

The Arrival of Guerrilla Groups on the Scene

During this time, several Marxist guerrilla groups began appearing in Colombia. The first to appear on the scene was the National Liberation Army (Ejército de Liberación Nacional; ELN). ELN was founded in 1964 by Colombian students who studied in Cuba, following the studies of the Cuban revolutionary, Che Guevara.

The second is the Colombian Revolutionary Armed Forces (Fuerzas Armadas Revolucionarias de Colombia; FARC). This group, unlike the Cuban influenced ELN, was more connected to Soviet-influenced

communist movements. FARC's origins date back to La Violencia, where they started out as resistance committees that appeared during that time.



The third and final pertinent guerrilla movement was the 19th of April Movement (Movimiento 19 de Abril; M-19). M-19 arose out of discontent with the 1970 election, in which General Gustavo Rojas Pinilla, the populist leader who had ousted Laureano Gómez, barely lost the election to Misael Pastrana Borrero, the conservative National Front candidate. This group relied on highly audacious militant actions that drew attention to their group.

Growth of Drug Trafficking

As the National Front era came to an end, a new problem came to the forefront of Colombian domestic affairs: narcotics. Colombia's role as a supplier in the extensive international drug market developed rapidly after massive interdiction efforts launched in Mexico. At first, marijuana was the only primary narcotic

being exported, and at a very high rate; at one point, Colombia accounted for about 70% of all marijuana being imported into the United States. Using these profits, the drug lords diversified into cocaine.

Out of this illegal yet highly lucrative industry, two main mafia-like organizations evolved, each of them based in a geographic location. The first of these was based in Medellín, led by the infamous Pablo Escobar, and the second was in Cali. The importance of these drug cartels was demonstrated on a violent, national level when conservative candidate Betancur Cuaratas took office. In 1984, individuals linked to the international drug trade assassinated the minister of justice. Then, in 1985, M-19 guerrillas entered the Palace of Justice, taking hostages. This resulted in 100 deaths, including half of the Supreme Court judges. This all points to a growth in the power of the drug trade and its members, as well as the inability of the government to control such terrorist activities.



In an attempt to stop this guerrilla violence, Betancur signed a law in November of 1982 that granted amnesty to almost all insurgents. Then, he was able to successfully convince FARC and M-19 to enter into cease-fire agreements.

Yet another layer to this violent situation began to arise with the formation of vigilante groups across the country. These paramilitary groups, formed in the name of “self-defense,” often served the interests of landlords who wanted protection from the guerrilla groups. The Colombian army played a major role in helping to train and even equip these groups that existed outside of the law, but were heavily encouraged by the government.

During the 1986 presidency of Virgilio Barco Vargas, guerrilla groups became more active than ever. However, a lot of damage was being done by the paramilitary groups- they were causing even more deaths than the leftist insurgents of the guerrilla groups. Drug cartels, especially Medellín, started to use terror to bargain with the government. The combined damage of all of these violent groups led to homicide being the leading cause of death in Colombia at this time.

However, there is another side of the drug trade that some may look to to argue that the presence of the drug industry had a categorically negative effect on Colombian society. The drug trade was a huge economic asset, making the annual trade balances positive even when it was negative for legal goods in certain years. Furthermore, as drug dealers became wealthier, they invested this wealth back into their communities. They constructed residential and commercial buildings, spent money on research and development, organized groups for protection, among many other activities. This ironically benefitted more Colombians than the legitimate economy in some cases. This potential positive, however, never outweighed the immense negative effects of the violence. In the 1990 presidential campaign, three leading candidates and hundreds of others were killed by drug traffickers in a backlash against both implemented and proposed tougher drug trade policies.

This leads us into our 1991 Constituent Assembly. As demonstrated by the brief outline of the history of Colombia, severe bipartisanship, guerrilla groups, and the drug trade have created an extremely volatile and unstable situation in 1991. This is the background in which the new constitution is being created, and as delegates, you must take all of this into consideration when thinking about the situation and topics at hand.

Topic for Discussion

To now focus on the current situation at the 1991 Constituent Assembly called to write the new constitution of Colombia, we must step back a few years and have a closer look at the Colombian Student Movement of 1989-1990. This movement originated in the assassination of the popular Liberal senator and presidential candidate Luis Carlos Galán in August of 1989. One week after the assassination, students from universities in Bogotá participated in a silent march to his grave, demanding respect for human rights and rejecting violence. They also called for a reform of the institutions that they believed led to the current political crisis.



Following this initial catalyst, a united student movement was created with the purpose of providing answers to the current crisis. In October of 1989, this student group published a manifesto in *El Tiempo*, the

primary newspaper of Colombia. This was meant to generate public support for its central proposal, which was a call to the president to hold a plebiscite to allow the Colombian public to vote on the convocation of a national constituent assembly to reform the constitution. This manifesto ended with the phrase “Todavía podemos salvar a Colombia” (“We can still save Colombia”), which became the name of this new united student movement.

The manifesto gained traction and was signed by 35,000 people. Nevertheless, due to the gravity of surrounding national events such as the ongoing war between drug cartels and the government as well as President Barco’s own proposed constitutional reform and following Congressional debate, the students’ efforts were obscured. However, as Barco’s reform proposals failed to pass the floor of Congress, more and more attention was shifted towards the efforts of the students.

1990 was an election year. The students took full advantage of this, considering a new tactic; they decided to leverage local and congressional elections to mobilize popular support for constitutional reform. The specific action that the students urged was for Colombians to cast an extra ballot in favor of a national constituent assembly during the March elections. This was dubbed the “séptima papeleta” or seventh ballot, since it would be an additional one to the six elective offices that they were already voting for. The plan worked remarkably well- over two million votes were cast in favor of this constituent assembly. Although it held no real legal standing, it was an outstanding indicator of public discontent that did not go unnoticed by the government and the traditional political elite. As a result of this propulsion, all four major presidential candidates soon after announced their support for this reform

mechanism.

EL ESPECTADOR

VIDA COLOMBIANA

Sábado, 10 de marzo de 1990

Sección B

La séptima papeleta:

¿La destorcida de una era vergonzosa?

Ahora es la gran oportunidad de los colombianos. Con la séptima papeleta, es posible que el último mercado realizado por los políticos sea el que culmina con el debate electoral de mañana domingo. ¿Qué y por qué de esta alternativa democrática?

AGUSTIN ESCANDON PEÑA

El lenguaje de la posibilidad nacional se enriquece con nueva definición popular. Busca promover el plebiscito por Colombia. Es el voto para Asamblea "que reforme la Constitución y determine cambios políticos, sociales y económicos en beneficio del pueblo".

No es absurdo que suceda al elegir los nuevos legisladores y al presidente de la República para el periodo 1990-1994, un acto de salvación colectiva, obligatorio por la mala calidad de quienes han venido actuando. Salvo excepciones, tan notorias, que permiten sin irrespeto la omisión, la clase política ha sido condenada por la opinión pública, de inepta, comprometida, abusiva e irresponsable.

Reanima que los universitarios con el lema *Todavía podemos salvar a Colombia*, provoquen esta oportuna dinámica ideológica, donde sin banderas pero con mucha esperanza, se obligue a la gente a exigir por sus derechos. La manera de hacerlo es depositando la séptima papeleta el próximo 11 de marzo, para requerir la convocatoria de asamblea que reforme el Congreso y la Constitución. El ciudadano votante solicitará a los jurados que tengan en cuenta la séptima papeleta y sirvan de testigos del admirable acto cívico.

La Federación Colombiana de Municipios respalda y urge la Asamblea Nacional Constituyente. En el mundo entero, aún en los sitios y sistemas cerrados se ventila el cambio; entre

nosotros, la componenda de los usufructuarios de la cosecha electoral hace imposible la reorganización que nos incorpore a lo contemporáneo.

El cinismo ofende, el clan de los Escruceria en Tumaco reafirma que puede seguir explotando la rica región, paupérrima por ellos mismos. Se repite en Buenaventura y Chocó con otros nombres y apellidos. Mantienen la vigencia de los textos desesperados de Sofonías Yacup en *El litoral recóndito*. Soliviantan cautivos oyentes con la repetida cantinela del abandono centralista, ofreciendo intendencia o departamento del Pacífico, donde exegetas de la incompetencia ocuparían sillones de poder burocrático. Curiosamente, ninguno ha rendido cuentas del discretísimo tránsito de los años congresales.

Es de urgencia la Asamblea Nacional Constituyente. *El Espectador* la propuso originalmente, en momento oportuno. Fue aceptada, para diluirse en la controversia de los hechos inútiles con la jurisprudencia de la zancadilla legal. Ahora estamos arrepentidos, llorando muertes como las de Silvia Margarita Duzán, José Vargas, Saul Castañeda y Miguel Angel Barajas, perpetrando otra vez la negación por el derecho a la vida y a la libertad de expresión.

El Espectador, con la coherencia que lo caracteriza, ofrece a cada uno de los electores la séptima papeleta: recórtela e inclúyala con su voto el domingo 11 de marzo. Después se sentirá satisfecho porque está respondiendo al grito hermoso de *Todavía podemos salvar a Colombia*. ¡Hágalo! Convenza a sus cercanos del deber de salvar a Colombia con la Asamblea Nacional Constituyente. No olvide la séptima papeleta.

PLEBIS
POR
COLOMBIA

VOTO
por una
ASAMBLEA CONSTITUYENTE

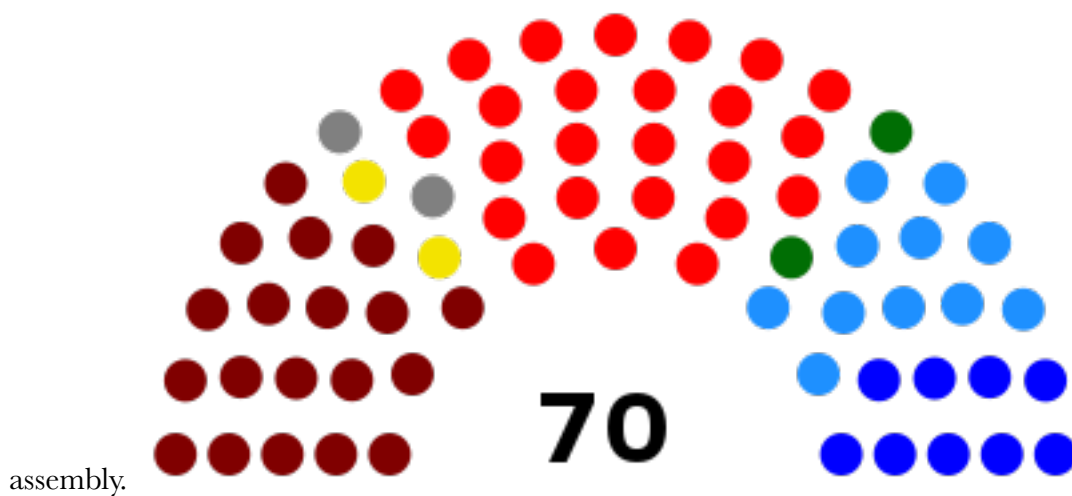
que reforme la
Constitución y determine
cambios políticos, sociales
y económicos en beneficio
del pueblo.

GUIDO CACERES

Finally, on 27 May 1990, the Barco administration held an official plebiscite in conjunction with the presidential elections on the possibility of a National Constituent Assembly. Just as demonstrated in the unofficial seventh ballot, it received an overwhelming majority of support, securing 86.6% of all votes in favor. Then, as previously elaborated upon in the **History and Powers of the Committee** section of the bulletin, the newly elected President Gaviria went about running the constituent assembly elections and preparing for the assembly.

Major Parties, Old and New

Now, I would like to introduce the participants of the National Constituent Assembly. Although the majority of delegates were politicians, there were also economists, engineers, journalists, union leaders, athletes, writers, and representatives of ethnic and religious minority groups. Already to begin, this showed a massive improvement from the previous entrenchment of Colombian political processes in the traditional elites. The Liberal Party had the strongest presence, accounting for 25 of the 70 total elected delegates. The second strongest force at the assembly was ADM-19 (Acción Democrática Movimiento-19, Democratic Action-Movement 19), a now legal political movement consisting mostly of previous members of M-19 (the guerrilla group) who had disarmed amidst amnesty negotiations with Betancur. Its delegates presented a very heterogeneous list of ex-guerrillas, intellectuals, and leaders, winning a total of 19 seats at the



The National Salvation Movement (Movimiento de Salvación Nacional; MSN), created by Álvaro Gómez Hurtado as a dissenting party originating from the traditional Conservative party, won 11 seats. Other parties and movements included the Conservative party, split between the Social Conservative Party and the independent conservatives, securing nine seats among both groups. The Christian Union Movement and the Patriotic Union each had two representatives, and finally, the two indigenous movements of ONIC and AICO had one delegate

each.



Months before the commencement of the Constituent Assembly, the National Salvation Movement formed an alliance with ADM-19. Then, Navarro Wolff of ADM-19, Álvaro Gómez Hurtado of MSN, and Horacio Serpa Uribe of the Liberal Party jointly assumed the presidency of the Assembly. All other movements obtained at least one presidency or vice presidency in a committee.

The Assembly Commences

The work of the assembly began on 4 February 1991. There was a unique air of hope and expectation in the air, as all participating parties were certain that the ANC presented a unique opportunity to end the political crisis. During the opening sessions, each political group was asked to present its interpretation of the country's political crisis and to formulate its proposals for the new constitution. One consensus arose among all

groups during these opening sessions: the state was undergoing a crisis of legitimacy. The public no longer perceived state-society relations as effective. The ANC's task, then, is to restore these relations and create better control mechanisms.



Although there was agreement on the core issue, disagreement arose regarding the source of the legitimacy crisis. Traditional political parties, such as the Liberal Party and the Conservative Party and its offshoots, highlighted the state's inability to guarantee, respect, or offer a sufficient range of fundamental rights as the source of the crisis. Then, to address this, the central mission of the ANC must be to create an updated and broader range of fundamental rights and guarantees. Other nontraditional delegates, however, pointed to the political and social exclusion of wide sectors of society as the root of the crisis. The traditional clientelistic system of Colombia in which the political system depends on a network of patronage and exchange favored

those already entrenched in the politics and power, allowing very few exceptions to this pernicious rule. This, then, questioned the fundamental political system itself, arguing that parties dominated by traditional elites cannot promote substantive change. The proposed mechanism out of this perceived issue is to reinvent the state in a more participatory way by recognizing Colombia's diversity. Specifically, these delegates called for inclusivity through the establishment of new participatory governance structures that work to make decision making more accessible and subject to constant public monitoring.

Questions a Resolution Paper Must Answer + Position Papers

As you begin the task of planning and negotiating a comprehensive resolution that addresses areas of great political controversy and aims to become the symbol of a new, modernized nation-state, you may find it difficult to achieve definitive proposals and reforms across all of the important topics of debate as laid out in the previous two sections. I will remind you that this difficulty is an inherent challenge of this committee: Colombia is emerging from an elongated period of civil unrest and political impotence. While all social, political, and economic issues would be rectified at once in an ideal world, I hope that this guide has begun to demonstrate the complex nuances of this situation, and that you all, as delegates, are encouraged to see a path of compromise and cooperation. Balancing the immediate demands of the people and the country alongside the necessary long-term groundwork will prove to be crucial for a document of this magnitude and importance.

The stakes of this committee are historically high. The expectations of the populace are equally as high, wanting a more fair and equitable document of the land to come out of this assembly of a wider range of political and social backgrounds than ever before. The search for consensus in solutions extends from the members of this committee to all of the stakeholders in this debate. Indeed, the crux of the art of diplomacy is knowing when to compromise and accept incremental change for the sake of greater change elsewhere or in the future, and to maneuver oneself carefully around such distinctions.

Each delegate will be required to write a position paper for this committee. Treat this paper as an excellent opportunity to prepare yourselves for the committee and to crystallize your more abstract ideas and concepts into concrete policy suggestions. My hope is that working on this paper will help you understand and frame the topics being discussed while thinking creatively about the complex problems that extend even beyond everything that has been discussed in this bulletin. This is helpful not only for you, but for me, your committee chair, as well. It will provide me with a first look at how you will be approaching your position in this committee,

as well as present you with the first opportunity to distinguish yourself as a strong delegate by submitting a well-researched, organized, and succinct position paper. Before starting your work on the position paper, I strongly encourage you to conduct some additional research on the Topics of Discussion and on the background of your individual positions and views, beyond the information that has been presented to you in this bulletin.

Your primary goal in the position paper is to provide a brief, first-person introduction of who you are as well as the general direction you intend the Constitution to have. This includes both the topics presented in this bulletin as well as other topics that you deem important to this new document as you encounter them in your personal research. I urge you to be thoughtful in forming your positions, but do not hesitate to form an opinion that is against the status quo or that of any other real delegate in this historical committee. Remember that this Constituent Assembly has uniquely brought together an ideologically diverse group of delegates with all sorts of perspectives on how the country should proceed and what changes need to be made. Therefore, you should feel free to speak your mind.

Also to mention, you should not feel obliged to cover all, or even most of the themes and topics of discussion delineated in this document. Please focus on a few aspects of the discussion that you personally deem most important, or are most intellectually interested by. You will have more than enough opportunities to exchange your ideas on each of the topics in our sessions, so it is better that you hone in your attention and expertise to a select few topics to dive deeply into. In addition to outlining your broad ideas about the themes, spend some time reflecting on which areas you would be willing to compromise and make concessions, and which are your priorities, or more hardline stances. Being clear on where your priorities lie will prove to be extremely helpful in the negotiation process in session.

To provide a bit of guidance as you think through your position papers, I am providing you with some open-ended questions that I encourage you to consider. This list is by no means exhaustive, it is just a means to get you thinking about the varied nuances of many topics of this constituent assembly.

- What do you believe is the root of the political crisis at hand? Is it the lack of fundamental rights guaranteed by the government, the existing political structure, some combination of both, or perhaps an entirely separate issue?
- How can the Colombian government begin to regain the trust and confidence of the Colombian people?
- Do you support a federalist or a more centralized government? How should the relationship between local, gubernatorial, and national governments be organized?
- What are some mechanisms that will greatly expand and encourage political participation, specifically from historically marginalized and excluded groups?
- How can we create political systems that are less prone to both clientelism and rigid bipartisanship?

Closing Remarks and Recommendations for Further Research

Thank you so much for reading this bulletin! I hope that it has given you a clear and helpful overview of the topic without too many question marks. I will do everything in my power to ensure that the Colombian Constituent Assembly of 1991 is a rewarding intellectual and interpersonal experience that inspires you to explore more about Latin American politics, social movements, and development in general.

To supplement your research, I recommend that you look into other constituent assemblies of the past, specifically those that occurred in Latin America (e.g., Chile 2021, Costa Rica 1948) as well as recent major constitutional changes in Latin America (e.g., Argentina 1994, Mexico 1992). This will inspire more creative and flexible solutions that the original delegates might have overlooked as a result of being entrenched in their current situation. Also, depending on the delegate that you choose, it may be useful to look more in depth into the history and stance of that delegate and the party or movement to which they belong. I have emphasized that you are not required to take the stance that they would have taken, but it may be a helpful practice in developing your own perspectives as well as getting into character for the sessions.

If you are a Spanish speaker, or are willing to use translation devices to aid with your research, I highly recommend searching for topics and themes in their Spanish names (e.g., “Asamblea Nacional Constituyente de Colombia” rather than Constituent Assembly of Colombia). In my own personal research, I have found that there is a greater abundance and variety of resources, both primary and secondary, available in Spanish than English (for obvious reasons). I hope that you will take this bulletin as a starting point for further research to formulate your own beliefs and policies, grounded in historical truth while demonstrating innovation and deep insight. My ultimate goal is that we, as delegates and chair, learn more about the constant vigilance required to protect democracy.

In writing this bulletin and chairing this committee, I acknowledge that some of you are likely seasoned veterans of simulations like this one, while others might be completely new to model conferences or feel not as comfortable in such a setting. Personally, I was not introduced to the model conference scene until college, so believe me when I say that I understand the reservations and concerns some of you may hold. Regardless of your experience or confidence, I want to reassure you that above all, HACIA and this committee in particular is a judgment free zone in which you will experience an unparalleled opportunity to grow as orators, negotiators, listeners, and as global citizens.

By nature, the issues at hand in our committee are notoriously difficult to solve. There are no easy solutions, and certainly none that do not require compromise and negotiation. In the same way that the Constituent Assembly of 1991 was an inspiration for its participating delegates and for many generations to come, I firmly believe that you can draw strength and inspiration from the gravitas of this topic and come together to deliver a promising, durable resolution. With these closing words, I encourage you to be ambitious, creative, and passionate heading into your preparation for the conference and committee itself. Through all of this, if you have any questions, concerns, or comments about this committee or HACIA in general, please reach out to me. I sincerely look forward to meeting you all at this coming conference.

Warmly,

Alex Zhou



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