GLOBAL CENTRE FOR PLURALISM
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Multiculturalism in Colombia:

TWENTY-FIVE YEARS OF EXPERIENCE

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Colombia's constitutional recognition of indigenous peoples in 1991 is an important example of a changed conversation about diversity. The participation of indigenous peoples in the reform process, and the Constitution's inclusion of indigenous and Afro-Colombian peoples' rights heralded a new level of visibility, legitimacy and empowerment for these groups within Colombian society.

On one level, the change is part of a larger regional trend where commitments to respect and recognition of indigenous peoples are replacing older stigmas and stereotypes, such as indigenous "backwardness" and the need for paternalistic rule. On another level, the participation and recognition of indigenous peoples in the constitutional reform process came to symbolize a larger society's commitment towards a more democratic modern society.

The Global Centre for Pluralism is particularly interested in this second dimension of change. Under what conditions do societies come to embrace pluralism—not only in the sense of accommodating this or that particular claim, but in the deeper sense of building respect for diversity into their self-identity as a country and as a democracy? Which state or civil society actors championed this change and how was the change justified? At the same time, it is important to understand the limits of this shift. Constitutions are crucial expressions of a country's identity and have a distinctive symbolic significance as sites for manifesting a commitment to pluralism. Yet, without wider social and political reform processes, such commitments risk becoming merely symbolic.

In commissioning the Colombia case, the Global Centre for Pluralism has sought to understand the impact of Colombia's constitutional reform process on the lives and livelihoods of indigenous peoples and on the perception of inter-ethnic relations within the society. More than a quarter century later, what lessons can we learn from Colombia's experience about the potential for changed conversations about the place of pluralism within a country's self-identity and about the limits of such changed conversations for the lives of citizens?

This paper is part of a new publication series from the **Global Centre for Pluralism** called **Accounting for Change in Diverse Societies**. Focused on six world regions, each "change case" examines a specific moment in time when a country altered its approach to diversity, either expanding or eroding the foundations of inclusive citizenship. The aim of the series – which also features thematic overviews by leading global scholars – is to build global understanding of the sources of inclusion and exclusion in diverse societies and the pathways to pluralism.

CASE NARRATIVE

Numerous constitutional reforms processes have taken place across Latin America to build more democratic and pluralistic societies. At its vanguard, Colombia pioneered a new way of thinking about "living together". In 1990, bowing to social pressure for constitutional reform, elections were organized to convene a broad and participatory constituent assembly that reflected the political, ethnic and religious plurality of society. It included three representatives of the country's indigenous organizations, which mobilized to support the process. The resulting constitution, adopted in July 1991, recognized the diverse composition of the nation and articulated a commitment to a policy of "multiculturalism," for the first time in the country's history. "Promoting the conditions so that equality may be real and effective" became the responsibility of the state.

The new Constitution provided many protections for indigenous peoples. It recognized indigenous languages and laid the foundation for actions tailored to specific cultural values respecting education, health and the environment as well as justice. It reiterated the indigenous right to collective land ownership and for indigenous peoples to elect their own authorities. It required prior consultation before starting projects to exploit natural resources in their territories. Finally, it called for a congressional "special constituencies" to represent minorities.

In the twenty-five years since the adoption of the 1991 Constitution, notable changes have occurred in the hardware and software of Colombia's approach to pluralism, involving conversations about diversity itself, institutional and normative commitments to multiculturalism and modifications in how relationships between peoples and institutions are managed. In furthering these changes, adjustments have been made by the majority society and state institutions on one side and by social groups seeking to maintain the values, norms and authority of cultural communities on the other.

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National institutions have played a role. The Constitutional Court has been instrumental in ensuring that public debate about the adoption and implementation of laws and decrees is carried on in accordance with the constitutional principle of respect for diversity. Judicial mechanisms introduced in 1991 have ensured that respect for individual and collective rights as well as respect for the elements of constitutionality itself – such as actions for legal protection, actions of constitutional control and prior consultation—have been accepted by Colombian citizens. A significant symbolic change in public attitudes has also emerged. A national discourse about indigenous peoples as "savages needing to be civilized"—an idea enshrined in an 1890 law that was declared unconstitutional only in 1996—has given way to official pride in

the country's recognition of diversity. In these ways, both the hardware (practices) and software (attitudes) of pluralism have been integral to a burgeoning Colombian identity that embraces and reflects the nation's diversity.

Since the adoption of the 1991 constitution, notable changes have occurred in the hardware and software of Colombia's approach to pluralism, involving conversations about diversity itself, institutional and normative commitments to multiculturalism, and modifications in how relationships between peoples and institutions are managed.

Nevertheless obstacles remain. Marginalization and exclusion of indigenous and Afro-Colombian groups persists in relation to economic development, education and health. Legal and political blockages continue to hamper the implementation of constitutional principles. "National development" priorities—promoted through mega-projects to develop natural resources or infrastructure—often conflict with constitutional recognition of indigenous culture and the right to community survival. Racism also endures and significant inequalities and competition persists among indigenous, Afro-Colombian and mestizo groups, not all of which are accorded the same constitutional recognition or treatment.

Ethnic organizations, especially those of indigenous peoples, continue to use rallies and protests to demand the implementation of the agreements reached with the state since 1991. This mobilization has become a site of a shared struggle for democracy and equality for diverse sectors within the society, as indigenous peoples, Afro-Colombians, rural peasants, students and women, among others, seek to hold the state to account for constitutional commitments to equality. These efforts highlight Colombia's ongoing challenge to move beyond the recognition of diversity to the creation of spaces where dialogue is actively encouraged. Reaching a consensus where political, economic, and social change is made through actively embracing difference is a key condition for the further development of democracy and pluralism in Colombia.

THROUGH A PLURALISM LENS

Sources of Inclusion and Exclusion

The Global Centre for Pluralism asked each author in the Change Case Series to reflect on the sources of inclusion and exclusion using the Centre's "drivers of pluralism" framework. Some highlights from the full Colombia change case are included here.

Livelihoods and Wellbeing

- Tensions persist between the state's desire to bolster the economy through exploitation of natural resources and local communities who want their autonomy respected.

- Constitutional recognition does not automatically translate into improved living conditions for marginalized groups.
- Poverty remains widespread and indigenous and Afro-Colombian communities have been the primary victims of Colombia's internal conflict.
- Lack of disaggregated data exacerbates the challenge of addressing marginalization.

Law, Politics and Recognition

- As well as recognizing the multi-ethnic and multicultural character of Colombia, the 1991 constitution imposes a responsibility on the state to promote equality and fight against discrimination and marginalization.
- An independent and progressive Constitutional Court has promoted state adherence to the principle of respect for diversity by providing forums for civil society to challenge discriminatory laws and practices.
- New inequalities continue to arise between groups who receive particular constitutional and legal treatment—such as indigenous and Afro-descendants—and others who fall outside the constitutionally protected categories.

Citizens, Civil Society, and Identity

- Official recognition of indigenous cultural practices and their symbolic integration into state ceremonies (such as the President's investiture) have fostered pride in national diversity.
- Grassroots social mobilization led by indigenous groups has helped to hold the government accountable and has fostered a sense of shared purpose among diverse groups such as Afro-Colombians, women, students, and peasants.

CONCLUSION

Following a process of broad civic participation, the adoption of the 1991 constitution ushered in a legal framework for greater pluralism in Colombia. As well as recognizing Colombia's multi-ethnic and multicultural character, the Constitution has provided previously marginalized communities direct access to judicial institutions, such as the Constitutional Court, which indigenous groups and others have used to hold the state accountable on its commitment to respect for diversity. While clashes over national economic interests and community rights have continued, in the Colombian case a relatively virtuous cycle between the practices (hardware) and attitudes (software) of pluralism is discernible. Despite resistance to change in some areas, Colombian society seems to subscribe to this "social contract," such that diversity has become a central aspect of how Colombian identity is defined in day-to-day life.

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