

Colombia's Precarious Progress

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When Colombian President Alvaro Uribe spoke at the United Nations General Assembly in September 2007, he invited his audience "to visit Colombia, to talk to our fellow countrymen and women," and to appreciate their collective desire "to fight for the greater happiness of future generations." With justification, Uribe boasted of his government's security achievements, among them a vague "40 percent decrease in violence" and a significant weakening of left-wing guerrilla forces.

On the question of paramilitary activity, Colombia's president was equally sanguine. "Today there is no paramilitarism," he bragged, in defiance (or denial) of widespread accusations that links to the infamous United Self-Defense Forces of Colombia (AUC) persist at the highest levels of civilian authority. A former senator and governor and now a twice-elected president, Uribe is known in Colombia for capturing audiences with his words. Yet his uncharacteristically jittery voice at the un perhaps hinted at the precarious nature of his administration's successes.

Uribe was elected in 2002 and reelected in 2006 with hawkish plans to end Colombia's 40-year-old civil conflict, and he has remained tremendously popular throughout his two terms, with stable approval ratings of over 60 percent. If one thing is certain, it is that Uribe's hard-line approach has managed to make most Colombians feel safer. The country's aggressive campaigns against illegal armed groups have benefited greatly, moreover, from almost \$6 billion in U.S. aid via "Plan Colombia" since 1999.

Nevertheless, Uribe has struggled to maintain support internationally. Although he can be proud of restoring a modicum of security to the country, Amnesty International and other major human rights organizations accuse the Colombian security forces of turning a blind eye to extrajudicial killings and tacitly approving the murders of human rights and union activists.

As a result, nearly 10 years into Plan Colombia, the relationship between Washington and Bogotá has become surprisingly frail, especially since the Democratic Party regained the majority in the U.S. Congress. Congressional Democrats have long felt ignored by Uribe and his cabinet members, who have cultivated relationships with the administration of George W. Bush. Now in charge on Capitol Hill, Democrats and their constituents in the labor and human rights communities have closely examined Uribe's record as Plan Colombia faced reauthorization in 2007 and as the Bush administration lobbies for ratification of a long-stalled and controversial free trade agreement.

Despite these difficulties, Colombia remains a critical U.S. ally, one that Washington cannot easily afford to alienate. Next year, the United States will have a new president, and a year and a half later, Colombia will as well. Now is the time to undertake a measured reassessment of U.S.-Colombian relations in light of Colombia's recent progress and the significant challenges the country still faces. Indeed, the tone and scope of U.S.-Colombian collaboration in the next few years may determine the extent to which Colombia's authorities can build on their current security achievements and broaden the reach of state protection and democratic governance to the entire population.

Uribe's war on terror

Andrés Pastrana first suggested the idea of Plan Colombia when running for president in 1998. The plan was originally envisioned as a broad-based initiative linking alternative development strategies to the counter-narcotics agenda. When a bill based on this idea eventually passed the U.S. Congress, it focused more narrowly on crop fumigation and drug interdiction. Even though it was widely understood that Colombia's narcotics industry was

deeply intertwined with its civil conflict, Congress was reticent to again involve the United States in a Latin American counterinsurgency campaign. Initially, Congress mandated that U.S. funds be used exclusively to stem the flow of drugs, not to fight Colombia's armed groups.

Such hesitation evaporated following the attacks against the United States on September 11, 2001. Newly elected President Uribe portrayed his quest to defeat the Revolutionary Armed Forces of Colombia (FARC) as a war against terrorists in line with the United States' own war on terror. Although polls show that most Colombians do not see their internal conflict in these terms, the Bush administration was sold on Uribe's pitch, pledging in February 2002 to fund and train an elite squadron of Colombian counterinsurgency troops. Funds within Plan Colombia were then reshuffled for a "combined campaign" to reflect this new "narcoterror" calculus. Since then, military aid to Colombia has been openly used in battles against the farc, the National Liberation Army (ELN), and the AUC, each of which is on the State Department's list of foreign terrorist organizations.

By now it is widely accepted that Plan Colombia has failed to stop the U.S.-bound flow of illicit drugs produced in the Andean region. In fact, the price of cocaine in the United States has decreased since 1999. Uribe did intensify Colombia's manual eradication and aerial fumigation campaigns once in office. But growers have steadily reduced field sizes, making plots harder to find and increasing yield per hectare. In fact, the United Nations Office on Drugs and Crime estimates that Colombia's 78,000 hectares of coca crops in 2006 could produce 610 metric tons of cocaine—30 tons more than Colombia's 102,000 hectares could have produced in 2002.

Without greater efforts targeting narcotics demand within the United States, where 40 percent of Colombian cocaine is consumed, Plan Colombia is unlikely to reach its original goal of reducing long-term coca cultivation or dramatically diminishing access to cocaine for American drug users.

Where Plan Colombia has helped the Uribe administration achieve significant progress is in the realm of domestic security. As a presidential candidate, Uribe pledged to provide *seguridad democrática* (democratic security) to all of Colombia's citizens by debilitating the farc, forcing the insurgents to negotiate under duress, and extending the presence of the state to historically neglected regions. Such a hard-nosed strategy was immensely popular with the Colombian electorate after the conciliatory policies of Pastrana.

Once in office, Uribe quickly instituted a onetime emergency tax of 1.3 percent on wealthy individuals and enterprises, raising \$800 million for the armed forces to supplement Plan Colombia funds. Using these resources, the government increased the defense department budget, built a network of civilian informants, offered incentives for insurgents to turn themselves in, and swiftly attacked the farc.

There is no doubt that Uribe's strategy has produced some positive results. According to the Free Country Foundation, a Colombian nongovernmental organization, kidnappings decreased substantially during Uribe's first term—from an annual average of 2,843 in 1996–2002 to 1,061 in 2002–2006, a drop of 63 percent. Over the same periods, assassinations attributed to guerrilla groups fell by 11 percent. Uribe also reached an agreement with the AUC that led to a controversial but still active demobilization process. The Colombian Commission of Jurists reports that the number of people assassinated or "disappeared" by paramilitaries fell from 1,756 annually in 1996–2002 to 1,060 in 2002–2006, a 40 percent decline. Attacks against the country's infrastructure also have fallen, and the October 2007 municipal elections were the safest and least violent in the past 10 years.

The new security

But there is another side to the Colombian security situation. Most military victories against the farc took place between 2002 and 2005, when the armed forces pushed the guerrilla group out of the nation's cities to hideouts in Caquetá and Putumayo. Although the farc is significantly weakened, it now looks as if the rebels may be successfully adapting to the government's assault by breaking up some of their main camps into smaller, specialized units. Perhaps

most worrisome, according to the Consultancy on Human Rights and Displacement, a Colombian organization, the number of people displaced from their homes as a result of the conflict actually rose by 40 percent in 2004 and a further 10 percent in 2005, after declining by 50 percent between 2002 and 2003.

The government's security strategy has also been criticized for incorporating a results-based approach that places pressure on the armed forces to count bodies of dead insurgents. Uribe has dismissed at least 30 generals for failing to deliver results. Similar pressures may be responsible for inciting some members of the armed forces to kill outside of combat and then dress up their victims as enemy combatants. Extrajudicial killings attributed to state agents, according to the Colombian Commission of Jurists, increased by 90 percent between the 1996–2002 and 2002–2006 periods, from an annual average of 119 to 227. Moreover, the Washington Office on Latin America has found that impunity for such crimes remains extremely high: Less than 1 percent of reported instances of extrajudicial killings lead to criminal convictions.

Specific sectors of the population remain highly vulnerable to violence and abuse, particularly civil society leaders. Uribe said last year that 25 trade unionists were killed in 2006, but the government's official statistics put the number at 58, and the National Labor School put it at 72. Any of these figures represents substantial progress since 2001, when the reported number of killings reached nearly 200. And preliminary statistics for 2007 suggest that union murders may have hit a two-decade low this past year. Even so, Colombia remains one of the most dangerous places for trade unionists in the world and, once again, impunity remains high.

Meanwhile, Colombia's internal displacement crisis remains the world's worst after Sudan's. Repeated threats and acts of aggression by guerrillas, paramilitaries, and their associates in the narcotics industry have caused more than 3 million civilians to flee their homes over the past 20 years. Not surprisingly, indigenous people (many of whom live near coca-growing areas) and Afro-Colombians (particularly in the neglected Pacific coast region, a prime center of narcotics trafficking) are overrepresented among the internally displaced.

Many have landed in the shantytowns and slums of Colombia's major cities. The government's policies to address the welfare of the displaced, while recently improved, have faced numerous implementation problems.

Thanks in large part to Plan Colombia, Uribe has made significant advances toward regaining state control and reducing violence—improvements that can readily be seen by comparing today's bustling cities of Bogotá and Medellín with their infamous reputations of only a decade ago. Nonetheless, security remains a privilege, absent from the lives of minorities and other subsets of the population. In fact, a July 2007 Invaer-Gallup poll found that a majority of Colombians still view security as their greatest problem, as do majorities throughout Latin America.

Outside of major cities, Uribe still has only military victories to show for his policy of democratic security. The government's nonmilitary institutions—schools, health clinics, tax collectors—have, for the most part, not followed the army into places where the state is regaining a presence.

Talking with the enemy

Outside the purview of Plan Colombia, but intimately connected to U.S.-Colombian relations, are the Uribe administration's efforts to compel armed groups to negotiate and demobilize. As with Plan Colombia, these efforts have achieved mixed results. Colombia's government has long sought a humanitarian agreement under which the farc would free 45 political hostages—including former presidential candidate Ingrid Betancourt and three American defense contractors—in exchange for the release of roughly 500 farc prisoners from Colombian jails. After numerous failed attempts at such a deal, negotiations were rekindled last fall when opposition Senator Piedad Córdoba was authorized by Uribe to invite Venezuelan President Hugo Chávez to serve as a mediator.

Although Colombian authorities seemed frustrated with Venezuela's involvement from the outset, the arrangement created some hope. Washington remained aloof, and the farc appeared to welcome the publicity generated by Chávez's participation. Nonetheless, in early December Uribe swiftly barred Chávez from further negotiations after the Venezuelan leader spoke directly with Colombia's military command against Uribe's wishes.

A few days later, Colombian authorities intercepted several videos and letters that the farc had pledged to release as a sign of good faith. Not only did they prove that the hostages were alive, but they also suggested that the process had been moving forward with Chávez's assistance. In what seems like an endless chess match, Uribe then agreed to allow the farc to release three hostages directly to Chávez, but the guerrillas balked at the last minute. Whatever the pace of negotiations over the next several months, as long as all ties cannot agree on a humanitarian exchange, a broader peace agreement is out of the question.

On the other hand, with the assistance of Cuba and other foreign governments, negotiations with the ELN have moved forward. The parties have been negotiating since 2002 in Havana, and there is hope that Colombia's government will sign a ceasefire with this smaller guerrilla group before Uribe finishes his second term in 2010. Because the ELN has been known to sabotage the operations of multinational corporations, Colombia's investment and security prospects would surely improve were the ELN to demobilize. Just as importantly, successful negotiations with the ELN would send a signal to the farc, perhaps inducing it to reconsider its positions and come to the negotiating table.

The Uribe government's efforts to negotiate with the AUC are far more advanced. During his first term, Uribe reached an agreement with the paramilitaries under which the highest-ranking combatants would serve a maximum of eight years in prison if they confessed the entirety of their crimes and returned all stolen property. Lower-ranking paramilitaries would demobilize and receive help reintegrating into society, and the victims of crimes committed by paramilitaries would receive compensation. These mechanisms were codified in the 2005 Justice and Peace Law and extended to also include defecting members of guerrilla organizations.

The limits of demobilization

Both that law and the demobilization process have been heavily criticized for not providing harsher penalties, for failing to meet victims' requests for truth and compensation, and for neglecting to implement safeguards that would prevent demobilized combatants from rearming. Some observers see the demobilization as an inside deal between two longtime allies—the government and the paramilitaries—in which the government gains from demobilizing an internationally unpopular force while the paramilitaries retain their economic and political power. Particularly skeptical are members of the Alternative Democratic Pole (Polo Democrático Alternativo), the party that forms the chief opposition to Uribe's coalition. Government officials, on the other hand, are convinced that AUC leaders would not have agreed to demobilize had they not been offered an attractive package. In response to critics, Eduardo Pizarro Leongómez, the president of the government commission charged with attending to the victims' side of the process, argues that “Colombians have a right to justice, to truth, and to reparations, but also a right to peace.”

Nonetheless, the integrity of the demobilization process has been further called into question since information was revealed that links key Uribe supporters to paramilitary groups, in what has become known as the *parapolítica* scandal.

The controversy first made headlines in 2005, then gained momentum in 2006 when the seized computer of a paramilitary turned out to contain information linking politicians to the AUC. Since then, judicial investigations within and outside of the Justice and Peace process have led to the arrests of 15 current and former parliamentarians, and at least 30 others have been implicated.

The scandal reached a low in February 2007 when Foreign Minister María Consuelo Araújo resigned after arrest warrants were issued for her father and brother. A few days later, the former director of Colombia's chief intelligence agency, Jorge Noguera, was arrested as well.

Uribe argues that the scandal is proof of his government's interest in eliminating paramilitary influence from its ranks. Yet the president's habit of publicly attacking those who criticize the demobilization process has not helped his case. In addition to routinely implying that his detractors are unpatriotic or sympathetic to terrorists, Uribe in October 2007 accused an auxiliary judge, Iván Velásquez, of offering a paramilitary member favorable treatment in exchange for falsely implicating the president and his cousin. This led to a tense confrontation in which the Colombian Supreme Court issued a press release backing Velásquez and accusing Uribe of attempting to delegitimize the investigations. As the inquiries proceed, there is concern that the president's criticism of the courts threatens judicial independence and the rule of law.

Alongside the *parapolítica* scandal, other problems have plagued the demobilization process. More than 30,000 paramilitary and 9,000 guerrilla combatants have disarmed and demobilized, and more than 18,000 weapons have been turned in to authorities—no small achievement. Once demobilized, the former combatants are supposed to go through an 18–24 month program in which they receive a stipend, living accommodations, counseling, and training to help them reincorporate into mainstream society. However, because the government initially estimated there to be only 12,000 AUC members, it has been overwhelmed by the much larger numbers of demobilizing combatants. Former combatants have protested that the government has not kept its end of the bargain, and it is estimated that 75 percent remain unemployed. Dissatisfied former paramilitaries are at great risk of being recruited into new criminal organizations.

Bush administration officials have generally ignored these complications. During a hearing before the U.S. House Subcommittee on the Western Hemisphere last April, Principal Deputy Assistant Secretary of State Charles Shapiro told representatives that “a massive demobilization of nearly all paramilitary groups has been completed and paramilitary prosecutions and victims reparations programs are under way.” At the other extreme were remarks by Maria McFarland Sánchez-Moreno, a Colombia specialist with Human Rights Watch who appeared at the same hearing. She impugned the legitimacy of the demobilization process, calling it “more image than substance, more about making concessions to paramilitary commanders than ensuring that paramilitaries' criminal networks disappear.”

The debate in Washington

While attempting to confront such a diverse array of domestic challenges, Colombia's authorities have been under intense scrutiny as the U.S. Congress contemplated reauthorizing Plan Colombia and continues debating whether to ratify the 2006 U.S.-Colombia Free Trade Agreement (FTA). For the Uribe administration, both legislative items are absolutely vital. Without U.S. assistance, Colombia's aggressive security campaign would obviously be hindered. Similarly, Colombian authorities see free trade with the United States as a critical step on their country's path to long-term prosperity.

The White House and many members of Congress share this view, and in the past there has been a tradition of bipartisanship with respect to Colombia policy. Nevertheless, the polarizing style of the Bush presidency on many foreign policy issues—as well as the economic insecurities generated by globalization—has placed passage of the FTA with Colombia at the center of a congressional and national debate over how the United States can project its power abroad while staying competitive globally. Partisanship in this debate became especially acute in 2007 and early 2008 and is likely to continue in the context of the presidential election. When Uribe visited Washington last summer to lobby Congress for passage of the FTA, Representative Jan Schakowsky declared, “Mr. Uribe has come back to Washington too soon. Come back next year, Mr. Uribe, and let's see what has actually been accomplished.” Uribe has fiercely resisted the Democrats' disapproval of his policies, insisting that it is merely his “strong determination” that is

“the cause of belligerent criticism.” Colombian Vice President Francisco Santos has described the debate in Washington as “a huge political brawl in which we are innocent bystanders.”

Such polarized rhetoric reflects real differences of opinion among the concerned parties, but it also conceals important points of agreement among Democrats, the Uribe administration, and the Colombian people. In a 2005 survey by the University of the Andes and the Institute of Development and Peace Studies, Colombians were asked to choose among 15 policy options for bringing about peace. “Increase employment and combat poverty” received the highest support, while “strengthen the armed forces through foreign aid” received the second-lowest ranking. Colombia’s government seems to agree that, while it continues an aggressive security agenda and pursues negotiations with armed combatants, it must now also emphasize the slow and decidedly unglamorous tasks of institution-building and sustainable development.

In line with this thinking, congressional Democrats last year questioned whether it makes sense to so overwhelmingly emphasize military over social aid in the Plan Colombia package. It is the Bush administration that seems to be behind the curve, having only slightly altered the guns-versus-butter balance in its initial \$590 million Colombia aid request for 2008 (76 percent of the money for military/policing, 24 percent for social/ economic development). Since then, Congress retilted the balance, proposing a final package with 65 percent for the military and police, and 35 percent in social and development assistance. After threatening to veto the bill, President Bush signed it into law on December 26, 2007.

In search of solutions

To achieve true democratic security, all parties agree that Colombia must consolidate the state’s institutional capacities and strengthen the rule of law. In practice, this means bringing civilian government agencies to historically neglected regions where the state’s nonmilitary presence is still in question. This strategy must also include increased funding for the overburdened attorney general’s office. In recent years it has received more than 3,700 reports of mass grave sites and has begun to process more than 2,600 former paramilitary leaders who have agreed to be prosecuted under the Justice and Peace Law.

The judiciary branch in general is under great strain as it undergoes a transformation from a written to an oral accusatory system, a process in which the United States has assisted since the 1990s. Human rights will not be adequately protected and crimes will not be appropriately punished in Colombia until a strong, independent, and well-funded judiciary is active nationwide.

The Democrat-led proposal for a reformed Plan Colombia was an important step in the right direction, including more funding for the Colombian attorney general’s office. The revamped Plan Colombia also includes funding earmarked to help with the transformation of the judiciary system, as well as additional money for the inspector general’s office.

All parties also agree that Colombia must seek not only to sustain current levels of economic growth, but also to spread the benefits of growth to the entire population, decreasing inequality in the process. However, opinions vary on how best to accomplish this. Supporters of the pending U.S.-Colombia FTA view such an agreement as a fundamental tool for generating job opportunities and attacking poverty. While most Colombian exports already enjoy relatively unencumbered access to the United States under the Andean Trade Preference and Drug Enforcement Act, the free trade agreement would help Colombia’s manufacturing and other small and medium-sized industries lock in access to the American market and avoid the uncertainties associated with congressional reappraisal of the Andean Trade Preference law.

U.S. agricultural products currently subject to a complicated price-band system of tariffs in Colombia would also gain from unhampered and predictable access to what is already their second-largest export market in Latin America. Yet

the potential benefits for U.S. agriculture raise important questions about those who would be adversely affected in Colombia itself. Most of Colombia's export crops, such as bananas and cut flowers, are grown on large commercial plantations. But others that would compete with U.S. imports, such as corn and beans, are grown on small plots. Faced with an influx of cheap foreign crops, small-scale producers may be drawn to the production of the coca leaf.

Given coca's importance to the economy of insurgency and violence, it is critical that policy makers closely consider the links between trade policy and the security situation. Safety nets need to be in place to prevent more workers in Colombia's small-scale agriculture from being driven into the drug economy. For this reason, the revamped Plan Colombia includes increased funding for a number of alternative development programs, sponsored by the U.S. Agency for International Development, that should provide rural economic opportunities. Unfortunately, too little attention has been paid to the programs' potential effectiveness, especially in light of the widespread failure of similar programs in the past to affect the profitability of the drug trade in Colombia and beyond. It is also expected that, under an FTA, the Colombian government would forgo about \$500 million each year in revenue because of the elimination of tariffs on U.S. imports, an amount close to the yearly allocation of Plan Colombia funds. Even less attention has been given to how this sizable loss would affect the Colombian government's public expenditures or how it might be balanced by gains elsewhere in the economy.

Trade symbolism

It is remarkable that such significant and tangible considerations remain largely absent from current public debate over this trade deal. As Cynthia Arnson of the Woodrow Wilson International Center for Scholars pointed out in a recent article for the Spanish version of *Foreign Affairs*, "the symbolic importance of the trade agreement exceeds its economic benefits, and therein lies a good part of the difficulty for both supporters and opponents alike."

For the Bush administration, the FTA is an important tool with which to repay a close regional ally for its continued support. For Colombian authorities, ratification of the agreement would be seen as a crucial endorsement of their security and economic policies. And for Congressional Democrats, the Colombia FTA has fallen victim to the insecurities many Americans feel about free trade generally, rather than to its actual predicted effects on U.S. workers, let alone on Colombians.

Indeed, among Colombian think tanks and other interested constituencies, there is little consensus on what impact the FTA would have on poverty and job loss or job creation, although most agree that small and medium-sized agricultural producers would lose out. Meanwhile, U.S. analysts are mostly concerned about indirect effects such as increased drug job losses in the United States are expected to be minimal because Colombia's economy is minute by comparison, and most Colombian products already enter the U.S. market tariff-free.

That said, while Colombia's political class and President Uribe interpret the agreement as a blessing, opportunity, and seal of approval, many congressional Democrats understandably question the appropriateness of in effect rewarding the Uribe government. This is a government that not only may be compromised by links to paramilitaries, but also, as its critics see it, remains unresponsive to the violence endured by trade union leaders and seems to condone a culture of impunity.

The Uribe administration has already agreed to a wide range of labor and environmental standards that congressional Democrats have insisted on for this and other recent trade agreements. Nonetheless, the adjustments to Plan Colombia's priorities as described above probably represented a necessary first step to securing bipartisan support for the FTA.

If Colombia's authorities use these funds to strengthen the judiciary, aggressively expose paramilitary links, and improve protection of human rights, there may be hope yet for a free trade agreement with the United States. Even if progress on human rights and labor issues is not an explicit condition for rebuilding the political will to pass the

agreement, Uribe will at a minimum have to put rhetoric aside and do a better job of convincing Democrats that he is committed to addressing their concerns.

The need for strong and legitimate institutions makes it all the more critical for the Uribe administration to support fully the dismantling of all paramilitary structures and to allow the judiciary to investigate the paramilitaries' influence in politics. The Uribe government must also take a stronger stance against extrajudicial killings in order to recover the armed forces' legitimacy.

Strengthening the rule of law and pursuing innovative development strategies also will be crucial in defeating Colombia's armed insurgent groups and decreasing illegal drug production and trafficking. In addition, while Uribe has taken a number of steps to increase the financial reach of the government, tax collection as a percentage of gross domestic product is still at only 17 percent, far below the average in developed countries. Raising the tax take will help increase the state's redistributive powers. Finally, Uribe must resist the temptation to amend the constitution and seek a third term in office. Doing so would create at least the impression of undermining Colombia's democracy at a time when the country's institutions require consistency.

The fate of collaboration

President Uribe has undoubtedly enhanced security in a country where only a decade ago traveling on major roads left one exposed to violence or kidnapping. But the security improvements, however needed, remain incomplete and have also involved significant costs: a flawed demobilization process, sustained impunity, increased extrajudicial killings by state agents, and attacks against the independence of Colombia's judiciary and other institutions.

As a result, U.S.-Colombian relations may have reached their lowest point in recent memory. While congressional Democrats would not have dared to simply cut off Plan Colombia funding, they remain skeptical of Uribe's intentions and are far from eager to deliver quickly the free trade benefits for which he has so vigorously lobbied. Nevertheless, Bush appears to be leaning toward sending the Colombia FTA to Congress for a vote in 2008, despite the atrophy of his administration's political capital since reelection in 2004.

The reconfigured Plan Colombia, which places greater emphasis on judicial accountability and socioeconomic initiatives, raises hope for the future. A pragmatic trade agreement that recognizes and responds to the potential social and security implications of trade dislocations would do so as well. At the end of the day, U.S. Democrats and Republicans and the Uribe administration need to find a way to get past the current stalemate and work together to finally break the cycle of violence and poverty that has placed Colombia at the center of U.S. policy on Latin America for nearly 10 years. The stakes are too high not to do so. Indeed, the success or failure of U.S.-Colombian collaboration in coming years will determine whether the heightened public security of the moment represents truly long-term progress or merely a hiatus from decades of civil conflict.

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