
**INTERNATIONAL CONFLICTS AND PEACE AGREEMENTS: THE
CASE OF THE REVOLUTIONARY ARMED FORCES AND THE
COLOMBIAN STATE**

***CONFLITOS INTERNACIONAIS E ACORDOS DE PAZ: O CASO DAS
FORÇAS ARMADAS REVOLUCIONÁRIAS E O ESTADO
COLOMBIANO***

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ABSTRACT

This article, based on the inductive approach method, and monographic procedure, aims to approach international conflicts and peace agreements based on the study of the Armed Forces and the Colombian State case. Firstly, one expatiates on about the armed forces and its origins; secondly, we shall follow up the peace negotiation process; subsequently, we will analyze the peace agreement and its implications to mankind's future through the question "Why war?". It justifies the study due to the peace agreement importance, essential requirement for citizenship, harmony and welfare of the human being, in order to meet the own humanity and rescue the alterity, fraternity and peace values.

KEYWORDS: Conflict; Civil War; Peace Agreement; Colombia; Armed Forces.

RESUMO

Este artigo, baseado no método da abordagem indutiva, e procedimento monográfico, visa abordar conflitos internacionais e acordos de paz baseados no estudo das Forças Armadas e no caso do Estado colombiano. Em primeiro lugar, discorre-se sobre as forças armadas e suas origens; em segundo lugar, daremos seguimento ao processo

de negociação de paz; Posteriormente, analisaremos o acordo de paz e suas implicações para o futuro da humanidade através da pergunta “Por que a guerra?”. Justifica o estudo devido à importância do acordo de paz, requisito essencial para a cidadania, harmonia e bem-estar do ser humano, a fim de atender a própria humanidade e resgatar os valores de alteridade, fraternidade e paz.

PALAVRAS-CHAVE: Conflito; Guerra civil; Acordo de paz; Colômbia; Forças Armadas.

INTRODUCTION

The excerpt above refers to what is called Holocaust, Greek originated word, which meaning is “sacrifice by fire”, and corresponds to the period of systematic, bureaucratic and financed by the own State, which decimated six million of, mostly, Jews, by the Nazi Regime and its supporters (NASCIMENTO, 2002, p. 11). The Nazis, who assumed the power in 1933, believed the Germans were a “superior race”, and the Jews, in turn, threatened the German supremacy, which justified the acts executed at the time, reaching other “unwanted”, such as the gypsies, the mentally ill, Polish people, the French resistance fighters and the cleric.

However, before that period, between 1914 and 1918, the world population had faced its first World War¹. The beginning of the 20th century was marked by non-overcome sequels, or for the Asia and Africa split (end of the 19th century); or for the fact the Germany and Italy did not participate in the neo-colonial process, being obliged to remain as spectators of the British and French expansion in several colonies; be it by the dispute between countries for the consumer market, unleashing a chain of

¹ The conflict started with the murder of the Prince of the Austro-Hungarian Empire, Francisco Ferdinando, during his visit to Sarajevo, in Bosnia and Herzegovina. The murderer was a young Serbian, who belonged to a group which was contrary to Austria-Hungary influence in the Balkans. Before dissatisfaction for the measures adopted by Serbia because of the crime, in July 28th of 1914, Austria-Hungary declared war to Serbia. The World War One alliances were already formed before the beginning of the Century. In one hand, there was the Triple Alliance, formed by Italy, Austria-Hungary and Germany. In the other, there was the Triple Entente, formed by France, Russia and Great Britain (CUMMINS, 2012, p. 244-260).

conflicts between themselves; or, still, for the fast development of the military industry, responsible for the fear and insecurity feeling among the nations which disputed the arms race, enabling, therefore, the outbreak of a world war.²

The now-narrated conflict was extended to the remaining continents and to all world population, for while men (family fathers) fought in war, not only against warfare weaponry, but agonized before diseases and unhealthy physical conditions, women were removed from their homes to work in arms industries in order to feed the warfare trading and finance the extinction of peoples. World War One indiscriminate destruction weapons (the use of mustard) and enhancement techniques of the art of killing, such as, for example, the airborne. Furthermore, this conflict has caused approximately 10 million deaths, three times of wounded people, devastated agricultural fields, destroyed industries and costed billions of dollars.

Although the carnage has reached proportions never seen before because of the trench war, and new ideologies have been established, opposing to the human being freedom and his fundamental rights, in September of 1939 the World War Two broke out³, considered the major catastrophe in history caused by the human being.

It is stated that this conflict has brought up deadlier instruments, such as the phosphorus bomb, the napalm⁴ and mass genocide⁵, for which were built concentration camps⁶, what justifies to affirm that the war to mankind experience is

² Added to those facts, the rivalry between France and Germany, just as Germany's desire of uniting one single nation all the countries of German origin, which happened equally with the Slavs, can be indicated as some of the reasons of the dispute for the Alsace-Lorraine region.

³ It is important to stand out that the World War II (1939-1945) was triggered a sequence of poorly made or unsuccessful agreements from World War I. On World War II there were two poles: the Allies, formed by the USA, England, France and Soviet Union; and the Axis, formed by Italy, Germany and Japan (CUMMINS, 2012, p. 244-260).

⁴ Napalm is the sum of the names of its original components, aluminum salts, aluminum, coprecipitated from naphthenic and palmitic acids (SMITH, 2008).

⁵ According to article II from the 1948 Convention for Crime and Genocide Prevention and Repression, it is understood as "genocide" any of the following acts, perpetrated with the intention of destroying, fully or partially, a national, ethnic, racial, or religious group, such as: Murder of group members; Major Damage to physical or mental integrity of group members; Intentional submission of the group to conditions of existence that comes to cause partial or full physical destruction; Measures aiming to stop births in the group; Forced moving of minors from a group to another group (BRASIL, 1952).

⁶ Concentration camps were military confining centers for prisoners from the War. It is estimated that, from 1933 to 1949, there were, approximately, 20.000 Nazi concentration camps in Europe (CUMMINS, 2012, p. 244-260).

translated as “the mass murder sanctioned by the State” (CORREIA, 2014, s.p.), scarring deeply not only the conflictors, but all world society.⁷

During the just-narrated periods, marked by savagery, carnage and bellicosity between human beings, mankind sought for political, moral and legal mechanisms to fight the frantic violence engrained in society. Because of that, after World War I, the League of Nations (LON) was created in order to prevent and solve conflicts between States, which was not achieved, reaching only regional conflicts.

In this context, the physicist Albert Einstein participated in the works developed by LON, and, although the lack of strength and good will of the organization, he believed in the accomplishment of its goals. For that, he wrote a letter⁸ addressed to Sigmund Freud on July 30th of 1932, about the most urgent problem the civilization has to face, asking to the psychanalyst: “Is there any way to free the mankind from threat of war?” Einstein writes his letter hoping to find ways and means to make any armed conflict impossible.

To question “Why war?” is the purpose of this study, because, according to Einstein and Freud, the interface between Law and violence is the challenge continues following the human being and the society.⁹ For that matter, it is aimed, here, to approach the conflict between the Colombian State and the Armed Forces, analyzing the way it was solved, just as its implications for the future of the country.

⁷ For deeper reading: CUMMINS, Joseph. *As Maiores Guerras da História*. Os Conflitos Épicas que delinearam o mundo moderno. Trad. Vania Cury. Rio de Janeiro: Ediouro, 2012.

⁸ For further reading: WERMUTH, Maiquel Ângelo Dezordi. *Por que a guerra?: de Einsten e Freud à atualidade*. Santa Cruz do Sul: Essere nel Mondo, 2015.

⁹ As Ricotta stands out (2013, p. 81), “la criminalità è stata vista come fenomeno ineliminabile della società contemporanea, prodotto di scelte egoistiche e responsabili degli individui e dei gruppi che, se non represses, intaccano la struttura morale della società. La difesa della comunità dei cittadini diviene la priorità di alcuni sindaci, il più noto di essi Rudolph Giuliani a New York, che mettono in campo una politica di tolleranza zero nei confronti tanto della criminalità quanto di tutti quei segni di degrado urbano e sociale che, secondo l'ipotesi delle inciviltà, costituirebbero il terreno fertile per la proliferazione dei reati, oltre che per l'aumento del senso di insicurezza dei cittadini [...]”. Translation: “Criminality was seen as an unavoidable contemporary society phenomenon, the product of selfish choices responsibility of individuals and groups that, if it is not suppressed, affects the society moral structure. The citizen community defense becomes priority of some mayors, most known of all was from Rudolph Giuliani, in New York, which put in practice a policy of zero tolerance as for criminality as for all signs or urban and social decay, according to the incivility hypothesis, constituted fertile land for the proliferation of crime, as well as to raise the insecurity feeling on the citizens”.

2 THE ARMED FORCES AND ITS FORMATION

The May 27th of 1964 is considered the “Revolutionary Armed Forces of Colombia” date of birth. This is a symbolic date, since the FARC was created before that. Actually, that is the day of the first armed confrontation in the “Sovereignty Operation” scope, an offensive with 2.400 soldiers against a remote village called Marquetalia, formed by some families and protected by a small number of peasants led by *Tirofijo* (SENIOR, 2015, p. 35).

The FARC, which was founded and based on socialist principles and ideas – with emphasis on agrarian reform and anti-imperialist-and-capitalist projects –, have also developed itself around ideas supported by the Latin-American leader Simon Bolívar, assuming, hence, a nationalist nature, supporting self-sustainability and independence before external interventions. For that matter, FARC arose as an organization concerned with the Colombian State social, political and economic progress, more specifically of the Colombian population with no development means, blaming Colombia for not providing the basic necessary resources (MEZA, 2001).

A Colombian historical analysis determines that the second half of the 20th century was marked by heavy instabilities, originated mainly for the lack of a stable economy and a centralized political power, becoming susceptible to external influences, such as USA proximity and its influence on domestic issues.

In this context, the formation of the international system stood out, marked by the Cold War and ruled by a fragile power balance, in which several influence areas of the planet were being disputed, under the auspices of the two global powers – USA and URSS (GUEVARA, 2010, p. 226).

Furthermore, the Colombian society situation, completely lacking of basic social, economic and political assistance, was even more undetermined by the fact that the country, besides not being able to supply de population needs, started being influenced by a global power. Such fact undermined even more the needy segments of the population, once the state assistance, which was already precarious, got even more debilitated due to Colombia’s external link, ignoring domestic national issues (AMIN, 2004).

From those information, it is evident that FARC was constituted emphasizing the need to give more attention to society marginal sectors, such as the peasants, indigenous people and workers, who would not have means to claim their rights. It stands out, as well, that the causes supported by its members, like Manuel Vélez – one of its founders – was based on Marxist bias ideas and principles, because they were under socialist ideologies, active in the clash among the States during Cold War, and consequently, to oppose to neoliberal practices existent in their country at the time (AMIN, 2004).

In that direction, it is notable that FARC considers itself an organized political group, which through that, tries to reach an alternative national development, opposing to the one performed by Colombia, believing they will be able to raise resources and win the civil population trust, reaching therefore a legitimate *status* before issues and practices they perform. Nonetheless, due to the low acceptance in part, mostly, of USA and Colombia, because of illegal actions performed by that entity, the financing of their actions through drug traffic money, guns smuggling, and even kidnappings in Colombian territory, FARC is also classified as a terrorist group, with any attempt of support, political or institutional, being repulsed (MEZA, 2001).

That way, it is observed that despite FARC being many times disapproved by international public opinion, and even confronted and chased by some States, it is still joined by Colombian citizens, who provide the necessary structure so it continues acting and representing its interests over the years.

3 PEACE NEGOTIATIONS

In the course of the years, since 1964, the Colombian government modified its positioning before the conflict with FARC, according to the political-strategic focus adopted by its State leader. The current national President, Juan Manuel Santos, has demonstrated more interest in a pacific resolution of the disputes. On the other hand, his antecessor, Álvaro Uribe, used to consider the group as terrorists, focusing on military nature measures, with the raise of repression as a way to resolve the conflict.

However, in historical terms, the relations between FARC and the Colombian government show a series of frustrated agreement attempts, marked by alternate periods of relative violence and peace. Nowadays, both parts are optimistic regarding a potential agreement, which is in negotiation, with debate point already established. Yet, this advance in the negotiations did not reflect on previous attempts for some reasons approached here.

Firstly, FARC have got weaker over the last years before the Ex-President Uribe's politics (based on armed confrontation), leading the guerrilla group to act more politically than militarily. Some of the coups that destabilized the guerrilla internally during his management were the death of Raúl Reyes, second man in FARC's hierarchy, besides the liberation of 15 hostages in 2008, among them, the ex-candidate of Colombia's Presidency, Ingrid Betancourt (DEL'OLMO; SANTOS, 2016).

In addition, there were two great and unsuccessful attempts of negotiation between the two parts: the first one, in 1980, when amidst peace negotiations, FARC assisted the formation of a political party, the Patriotic Union (UP). In that case, the government has justified the failure of the agreement in the use of political activism, by the guerrilla, for military reinforcement (BBC BRASIL, 2016). Concurrently, FARC accused the government inefficiency in reintegrating ex-guerrillas to the society. The second suspension of peace negotiations occurred in 1998. At the time, as a proposition for the end of the Colombian civil war, the then President Andrés Pastrana granted a demilitarized area to FARC in the south of the country. Nevertheless, the group, one more time, used the new Zone as a way to strengthen its military power, leading to the end of one more failed attempt of peace in Colombia.

Before the stated facts, the observed current situation seems to offer more realistic propositions than the previous ones. After all, the current conjuncture seems to be more propitious to a resolution. The FARC military retreat scenario, result of the old intense Uribe's armed confrontation policy, has changed the guerrilla's focus to an attempt of agreement aiming to political terms rather than military ones, through negotiation (DEL'OLMO; SANTOS, 2016).

Quantitatively, it was estimated that there were around 20 thousand guerrilla fighters in 1998. In 2013, it is estimated that this number has decreased to around 8 thousand men (DEL'OLMO; SANTOS, 2016). Furthermore, FARC has lost public

support, as inside as outside Colombia, due to constant reported cases of kidnapping and murders. This way, it is important to understand that the conflict in Colombia must not be seen as a strictly military topic, but a confrontation of political, economic and social nature and influence.

The pacific solution of a violent long-lasting conflict, as in Colombia, is always a fragile and unstable process. There are several factors that make the negotiations more difficult, for example the historical feeling of resentment and suspicion between the parts, besides the public opinion great expectations about the restabilization of the country and containment of violence (DEL'OLMO; SANTOS, 2016).

The current President of the Colombian Republic, Juan Manuel Santos, announced, in September of 2012, the beginning of new negotiations between the government and FARC, with the goal to elaborate peace plan. According to him, the informal negotiations with the guerrilla group started right at the beginning of his first mandate, in August of 2010. From there, they advanced direct negotiations with representatives of both parts in Havana, in Cuba, in February of 2012. As result of those meetings, on August 26th of 2012, an agreement was signed where were defined issues to be discussed, the principles and procedures rules.

It was determined that the first meeting would take place in Oslo, Norway, in October, and subsequently the head office would be in Havana. Furthermore, all negotiation rounds would be mediated by the governments of Norway, Cuba, Venezuela and Chile. The agreement would approach the following main issues: rural development, assurance of civil and political rights to demobilized members of the guerrilla, end of the armed conflict and drug traffic, assurance to victims' rights and execution of trials of people involved in murders, kidnappings and torture.

The Colombian State name as its main negotiator, Humberto de la Calle Lombana Caldas, a 66 years old lawyer who had already as Vice-President of the country (1994-1996). At the same time, FARC command defined its two representatives in the negotiations, Ivan Márquez and Santriz José.

A new age starts in Colombia. After more de half a century of conflicts, the government and FARC signed on Thursday, June 23rd of 2016, a definitive and bilateral ceasefire, the antechamber of a peace agreement with the oldest guerrilla in Latin America, which will happen, as hoped, within three months. From there, the truce will

be implemented, as well as the concentration of guerrilla-fighters and submission of guns, which shall be melted by the UN in order to create three monuments.

With an emphatic handshake, before the UN secretary-general, Ban Ki-moon, the President Juan Manuel Santos and the guerrilla leader Rodrigo Londoño (known as Timochenko) closed the months long negotiated agreement. The Revolutionary Armed Forces of Colombia will gather their contingent in 23 concentration zones – temporary locations, with fluvial and terrestrial access and a “reasonable extension, depending on the district”. The precise location of those zones is still unknown.

FARC will surrender all its arsenal to an international verification committee run by the UN. In a period of 60 days after the signature, they will receive the weaponry and decommissioned explosives. The rest will be returned melted in up to 180 days, in three phases. The final result, after the submission and verification by the UN is concluded, will be three monuments: one at the UN head office, another in Cuba, where the negotiations took place, and a third one in Colombia, wherever the Colombia government and FARC decide.

Another important aspect of the June 23rd agreement, is that FARC accept a plebiscite proposed by Santos, possibly in September. This way, the most ancient and still active guerrilla in Latin America acknowledge the Colombian State institutionality. “It is time we live with no wars, it is time for us to be a country in peace”, said Santos as soon as he started his speech, complementing FARC’s willingness to negotiate. “I will defend your right to express yourself and to continue your political fight through the legal channels, even we are never on the same page”, the President stressed out. Timochenko, in his turn, pointed out that the negotiation has resulted in an agreement in which “nor FARC nor the State are beaten parts” in the conflict. “Peace is not an utopia, is a fundamental right”, added the Cuban President, Raúl Castro, who, just like Ban Ki-moon, asked to the involved parts to close the definitive agreement as fast as possible, in order to start the agreed measures.

According to many sources of both sides, the final signature could happen in August of 2016. One thing is right, the ceremony will be in Colombia. “The deadlines are fatal”, said, however, the government negotiators chief, Humberto de la Calle, aware of the bad image transmitted by the March 2013 fiasco, the original foreseen date for the agreement.

Used to – and for many, eternally condemned – to bad news, Colombia was finally protagonist of world news (concurrently to the Brexit news), for something positive. The government and the Marxist guerrilla terminate now Latin America's oldest civil war, which extended for more than 50 years and made almost 50 million victims, among deads, intern refugees and missing people. An agreement which makes it even more clear that, after several attempts over the last decades, the two parts are finally going to get to a whole peace (DEL'OLMO; SANTOS, 2016).

It is true that there is still a way to go, and that Colombia has to fight other battles, such as a pact with the National Liberation Army (NLA) and the combat to criminal or neo paramilitary organizations, but for that, it was crucial to end one of the oldest conflicts in its history. At least that was the international community opinion, which approved the process unanimously.

In Havana, six Latin American presidents were present: the host, Raúl Castro, the Chilean Michelle Bachelet, the Venezuelan Nicolás Maduro – the last two, the representatives of the two countries which had the *status* of observers of the peace process –, the Mexican Enrique Peña Nieto, the Dominican Danilo Medina and the Salvadorian Salvador Sánchez Cerén. The governments from Norway and USA sent representatives.

The unanimous support from the international community to the peace process contrasts to its opposition inside Colombia. The main opposing party, the Democratic Center, of the Ex-President Álvaro Uribe, keeps strong in its staunch critics to the agreements and expresses its rejection to the peace process. Meanwhile, in Havana, all participants agreed with a same message: that Thursday, June 23rd of 2016, has been the last day of the war.

4 THE PEACE AGREEMENT AND THE END OF THE CIVIL WAR IN COLOMBIA

Colombia lives immerse in a continuous paradox. The State and FARC already work together in the region to demarcate the areas in which the guerrilla will gather. In Havana, the last opened points are being negotiated in a negotiation which has been extended more than expected, but in four years a 50 years old conflict was resolved.

The political debate, however, was fierce by the battle to win the plebiscite that referenced the agreements, a consultation for which there are not dates yet.

The possibility of victory of “no” shook the politics foundations in Colombia. Over the last few weeks four surveys for voting intention on the future plebiscite were released. The *yes* wins on two surveys, one of which is a study commissioned by the government, while *no* has more votes on the other two. The researches were the first ones published, which shook de public opinion and one-question still remains with no clear answer: what will happen if Colombia votes to not accept the agreements?

The plebiscite, convoked after the announcement of the final peace agreement with FARC has become the president Juan Manuel Santos’ major bet. Even with no need to do it, he always promised he would do a consultation to reference what was negotiated in Havana. There is another paradox in the Colombian present. The President was the only one capable of conducting successfully a peace negotiation with FARC, that ends a 50 years old war with millions of victims. All of his predecessors have tried, but no one could do it. Santos, however, could not nor knew how to take advantage of a victory which he received compliments for from the international community and an expressive part of the national political spectrum. The president has a high unpopularity level among the Colombians. In a research from Ipsos for the *Semana y RCN* magazine, 65% disapprove the way the President conducted the peace process and 76% do not support his management over the two years of his mandate.

The Colombian President’s lack of charisma stands out as one of the Achilles tendon of the campaign in favor of the plebiscite. Disadvantage of which his antecessor, Álvaro Uribe – who crossed the paradox border until he got in the contradiction –, intends to use in his favor. Uribe and his party, the Democratic Center, will work to the *no*’s victory in a plebiscite they called “illegitimate”. “Saying no to the plebiscite is saying yes to peace”, affirmed Uribe. In fact, may senators affirmed that, even the *yes* wins, they will continue doing campaign against the deal with FARC. The lack of arrests for the guerrilla’s leaders is the pillar of a campaign that does not have international support, from ONU to the Vatican, one of the most respected institutions by the most conservative sector of Colombia. Uribe seeks to renegotiate some of the points of the agreement with FARC – besides the problem about justice, he does not

want the guerrillas' leaders be able to enter the politics –, but few people in Colombia doubt that the core of the issue of this new political challenge is in his eternal battle with Santos, who was his Defense Minister and who he nominated as his successor. Santos beat Uribe's candidate two years ago on the presidential elections and the Democratic Center underperformed on the regional elections from last year. Uribe, who still counts with a legion of millions of followers, has decided to bet a significant part of his political capital on obtaining a *Brexit* in the plebiscite. But if he loses, he might get closer to a *Uribexit*.

The great challenge of the Government and its campaign for the yes, led by the ex-president César Gaviria, will be to mobilize the electorate in a country where the abstention rate uses to overcome 50% of the electorate. In order to win, the yes must obtain at least 13% of the votes after the necessary minimum has been much reduced.

To answer the question “Do you support the final agreement for the end of the conflict and the construction of a stable and lasting peace?”, on October 2nd of 2016, the Colombians went to the polls, recording a 63% abstention rate (MIRANDA, 2016). “No” was the winner, with 50,2% of the valid votes, revealing the difference of approximately 60 thousand votes. The majority of votes for “No” reveals the Colombians questioning to the agreement's shape, this is, an agreement without the people's participation and with several concessions to the other part.

It was questioned, in that sense, the guarantee given to the political party which FARC would become: they would get five chairs in the Senate and five in the City Council in the two following legislative cycles. All the same, the freedom of the guiltyies of war crimes and against humanity was not accepted (WELLE, 2016).

For that reason, after new discussions, on November 24th of 2016, a new agreement was made, considering many of the propositions made by the political groups which defended the “No” in the plebiscite. The new agreement was ratified by the Congress, after the approval by part of the House of Representatives. It is stood out, in that sense, that the text was renegotiated after the failure of the October 2nd

referendum, marked by the victory of “No”. The new version of the agreement, as previously portrayed, includes propositions from the critics to the original ones¹⁰.

The agreement signed between the Colombian State and the Armed Forces, which came into effect on the first day of December of 2016, marks the end of a civil war, and presents six points that integrate the general agenda to put an end to the conflict and build a stable and lasting peace: (a) full agrarian reform; (b) political participation: democratic opening in order to build peace; (c) cease fire and hostilities, with surrender of guns; (d) solution to illicit drugs; (e) guarantee of truth, justice and compensation to victims of the conflict; e (f) implementation of mechanisms for guaranteeing and verifying the observing of the agreement.

5 EINSTEIN AND FREUD: WHY WAR?

To approach the question above – why war? –, made by Albert Einstein, as referred in the beginning of this paper, the physicist claims that there is a simple way, from its superficial spectrum, this is, in the institution, through an international agreement, of a legislative and judiciary organism with the objective of arbitrating all existent conflicts between States. This way, each nation would be submitted to obedience and orders of such organism, to appeal of its decisions, to accept its decisions and accomplish all determined measures for the execution of its decrees.

However, his proposition meets an initial obstacle: a Court, considered as a human institution that, regarding the power it has, is unsuitable to enforce its decisions, it is subject to have its decisions overruled by external pressures. Furthermore, at the time of the letter sent to Sigmund Freud, society was far from having a supranational organization competent enough to issue unquestionable authority trials and completely guarantee the respect to its decisions.

And, he continues, by saying that the intense desire for power, natural in dominant classes, is contrary to any limitation of its national sovereignty. On this

¹⁰ Before his active participation in the peace agreement, the president Juan Manuel Santos had acknowledged his efforts to put an end to the 50 years old conflict, winning the Nobel Peace Prize (GLOCO.COM, 2016).

viewpoint, he refers to a small group, present in each nation, integrated by people that, regardless conditions and social controls, consider war, weapon fabrication as market expansion opportunity, expanding its personal authority.

From this analysis, a new question rises: how does this small group take on the majority's will, who accepts the loss and suffering for war in benefit of a few? As an answer, Einstein affirms that the minority represents the dominant class, which owns the schools, the press, and, usually, the Church, which enables the ruling over the masses, and consequently, as approached previously, the production and exclusion of differences. And that happens from the desire for hate and destruction the man has within himself, which, due to the duality friend-enemy existent in the social fabric and inserted in the relationships between people, generate the conflict.

The comprehension of the word conflict does not suffer of lack of terms to designate its several confrontations among men, from the competition to war or battle, covering the fight, the combat or simply the dispute, the disagreement or rivalry. All the same, it is confused the conflict with the crisis, the tension or antagonism.

It is possible to realize, therefore, that the notion of conflict is not unambiguous, for the moral philosophy refers to conflicts of duties to designate a same act that may seem fair or unfair according to rules in which it is considered. In psychology, in its turn, the conflict occurs when there is indecision of someone among opposite feelings. In turn, the legal discourse proposes jurisdiction conflicts or attribution conflicts when there is discussion between two instances about the competence of a same issue (FREUND, 1995, p. 57-58).

Society's problem resides in the relation its forces and shapes stablish with people, and if society exists inside or outside them¹¹. That way, there is a variety of real conflicts between individual and society, because, at one hand, in individuals, the elements are merged with society, which acquire its own pillars and organs that oppose to the individual, demanding from him as if he was a strange party.

On the other, the conflict lies just through society's inherence in the individual, here that its ability to split in parts and feel any part of itself as its authentic being puts the human being in a contentious relation with the impulses of his self that were not

¹¹ In that sense, Martins claims (1997, p. 31) that "we can not imagine a society constituted by good and evil, of tormentors and victims, empty of contradictions, tensions, conflicts, differences and violences".

absorbed by its social nature: “the conflict between society and the individual proceed in the own individual as a struggle between the parts of his essence” (SIMMEL, 2006, p. 83-84).

Humanity’s history describes a reality in which the human being has always lived in conflict¹², which face is revealed in slavery, homosexuality, environmental preservation, freedom of belief, women rights to an equalitarian treatment, among other disputes excluded from the debate, however the evolution of the human thinking enabled the integration of conflicting parts and the satisfaction of their needs¹³. That way, each society is highly marked by the existence of conflicts, positive or negative, between union and company, between employee and employer, between nations, between the husband and the wife, between children, this is, in all sectors and levels of society’s tissue, appearing in every conflict the values and motivations of each involved part, its aspirations and goals, its physical, intellectual and social resources to raise or handle a dispute (DEUTSCH, 2004, p. 30).

From this analysis, the conflict is conceptualized as a confrontation by intentional shock, between two people, groups of the same species or, even, between nations, which manifest a hostile intention usually because of a right and, in order to maintain it, affirm it, or even reestablish it, break with other’s resistance, eventually through violence, which can entail the other’s physical annihilation (FREUND, 1995, p. 58).

Furthermore, Simmel supports (1983, p. 122), by referring that the conflict is a form of sociation, which dissociation factors – hate, envy, need, desire – are the causes of the conflict. Therefore, the conflict is bound to solve divergent dualisms, being a way of reaching some kind of unity, even it is through one’s annihilation.

Through this point of view, the conflict may present itself as totally different manifestations, from the confuse and disordered fight to most repressed ones because they are subject to rules or rites, ceasing to be only a confrontation simulation. The

¹² The importance of the conflict lies in the fact that no society is perfectly homogeneous, except the utopic ones (SPENGLER, 2010, p. 262).

¹³ Simmel (2006, p. 72) claims that all forms of integration and association between people like, for example, the desire of overcoming one another, the trade, the formation of parties, the desire of winning, the chances of meeting and separating, the change between opposition and cooperation, decoy and revenge, all relations have, actually, intentional contents. “The society game has double deep meaning: not only plays in society the one who keeps it externally, but with him “plays” indeed “the society”.

fight may present itself from a direct violence or from the use of the sliest procedures, even insidious, since its goal is long term. As examples, we have mutinies (for direct violence), and the class fights (for slier procedures).

The combat is a type of conflict subjected more precise rules or conventions, which are not always regular, because it may produce during its development episodes of paroxysm close to fight anarchy, exemplifying with battle. This way, it presents itself as a way of moderating the conflict imposing discipline to the confronters, subjecting them to a will which is sometimes strange and superior.

The desire of transforming the fight into combat will consist in a contemporary event and that it would be the expression humanitarian progress during last centuries. The Law is a translation of this effort, it being possible to indicate the Church's imposition in the limitation of private wars, the same way Hague and Geneva Conventions are in he context of the search for permanent limitation of the violence resource in conflicts. However, in each period those fights have failed and returned to merciless fights, as seen in Vietnam and Algeria. The difference today is that the irregular fights (terrorism, urban guerrilla) are theorized, trying to justify them at least indirectly, and concluding that there is a regression to the combat/fight.

The known revolutions have perpetuated this glorification to violence, justifying sometimes the blindest terrorism. In order to judge the current period, it is necessary to consider in parallel the effort made to transform the fight into combat due to international conventions and the revolutionary justifications that, in contrast, tend to degenerate combats into bloody fights or into a humiliating violence, to concentration camps and psychiatric hospitals.

The effort to replace the fight's disordered violence by the regulated combat is developed in two plans: in the interior politics, mainly through the emergence of the Modern State, and in the exterior politics (FREUND, 1995, p. 60-69).

The means found by the human being to limit violence consist partly in a regulation of life through moral and customs, and on the other hand, through setting of agreements (legal rules and institutions) and through the concentration of violence in an organism which control is possible nowadays (army for external security and police for internal security). The mistake is in believing that one does not have enemies or

not wanting to have them. In reality, the enemy elects his opponent and once chosen, it will be, despite conciliation and benevolence propositions (FREUND, 1995, p. 93).

From a confrontational event, several issues can be raised: a) the characteristics of the parts involved in the conflict (their values, motivations, goals, physical, intellectual and social resources, strategies, etc.); b) their previous relationships with each other (their beliefs and expectations to each other, from each occur the labels of “good-evil”, “reliable-unreliable”); d) the environment in which the conflict is developed (the facilities and difficulties for its progression); e) the spectator interested in the conflict (the ones related to the parts and themselves); f) the strategy and tactic used by the parts in the conflict (utility, inutility and the subjective probabilities of each one); g) the consequences in the conflict for each participant and for the interested parts (gains and losses related to the conflicts itself) (DEUTSCH, 2004, p. 31-32).

Through this point of view, it is observed in interpersonal, intercollective and international conflicts, from a socio-psychological view, characteristics that bring them closer: a) each participant of a social interaction/conflict respond to another according to their perceptions and cognitions, being possible or not, to correspond do the other one’s reality; b) each participant of a social interaction/conflict, being aware of the other one’s perception capability, sustains influence of their own expectations to each other’s actions; c) a social interaction/conflict in not only initiated for reasons, but also generates new reasons and can change the already existent ones; d) the social interaction takes place in a social environment with techniques, symbols, categories, rules and relevant values developed for human interactions; e) although each participant, by belonging to a social interaction, is a complex unit composed by several interactive subsystems, he can act individually in some aspects of his environment (DEUTSCH, 2004, p. 33).

For a conflict to exist, a minimum of two people or objects are needed; the conflict not only corresponds to each other, for each one modifies their tactics due to the people’s subjective desires fluctuations, all the same it is not a product of a situation, but a consequence of people, groups or collectivities’ subjective desires, which end up breaking each other’s resistance and impose their intentions or projects.

A conflict is not a game nor a crisis, nor should it be confused with dialectics. On the other hand, law is in the center of the conflict, since there are conflicts born from the legislation deficiency, others which happen due to law's inability to not only prevent all situations, but by legislative inflation (FREUND, 1995, p. 276-278).

One of the main characteristics of the conflict is the emergence of the friend-enemy duality or bipolarity, which generates the dissolution of the third party, reason by which the conflict is defined as relation marked by the exclusion of the third party. Thus, if analyzing solely the problem of the conflict, it is realized the impossibility of ignoring the third party, because due to the polarity, it eliminates the start and regain during the ending, besides being able to break the conflictive duality. The third party, therefore, presents itself as the correlative notion by contrast to the conflict.

The third party has many roles in the conflict: it may be active in the conflict or interested in it. As active, the third party can play the alliances game; behaving as one of the parts protector; or it can be who takes advantage of the conflict, denominated discord third party. In its turn, as an interested part, the main role is the one of a moderate third party who tries hard to solve the conflict in which it is involved. The third party is a capital factor for the interior concordance, so as in the shape of associations as institutions which participates in active citizens and contrary parties. That way, the third party is the elementary configuration of a society, for it enables balance, makes the most diverse social combinations and at the same time is a factor for internal conflicts deterrent (FREUND, 1995, p. 241-252).

The third-party intervention for the making of peace, just like indicated by Einstein previously, is the theme for Freud's answer, and it is observed in the peace agreement between FARC and the Colombian State. In order to allow the violence transition to a new law or justice, a psychological condition must be filled. The unity of the majority must be stable and lasting, which supports the realization of the plebiscite approval by the Colombian Congress. If they only reunited to fight one person, and subsequently dissolved it, they would have accomplished nothing. Just the same, someone who would think about himself as a superior force, would try more than once to establish domain through violence, and the game would repeat infinitely – the civil war lasted more than 50 years for the fact that the dialog was replaced by force. Because of that, the community must be organized and have rules in order to prevent

rebellions and establish authorities and assure its laws compliance and execution of the legal acts of violence.

As claims Freud (2005, p. 42-47), wars will only be avoided if the mankind unites and establishes a central authority, to which will be conferred the right to arbitrate all interest conflicts. For this purpose, two requirements are necessary: the creation of a supreme instance endowed with the necessary power. Also, Freud agrees with Einstein in the sense that the man has a hate and destruction instinct, which cooperates with the efforts of war merchants. Indeed, there is no way to fully eliminate the aggressive impulses of men, yet it is possible to try to divert them so they do not need to find expression in war.

In this regard, everything that benefits the strengthening of emotional links among men is the antidote to war. It can be in relationships similar to those ones regarding a loved object or emotional link is what uses the identification. At the end of his response letter, Freud states that just like Einstein, he reacts to war because every person has the right to their own lives, because war ends lives, plains with hopes, drives men and humiliating situations, compels them to kill each other and destroys precious material objects, produced by mankind's work.

War consists in the opposition to the psychic attitude instilled by the civilization process, and for that reason, it is not possible to avoid the rebellion against it. The pacifists have a constitutional tolerance to war, but, it may be utopic to expect within a short time spam that the rest of mankind puts an end to the threat of war. Everything that stimulates the civilization development works simultaneously with war.

CONCLUSION

The letters related above were made during a break of World Wars, picturing a violent and warfare scenario lived and instilled in society. Nevertheless, although mankind has evolved, discoveries and advances in the scientific-technologic field were made, the text can be used as a description of the social reality in the 21st century and, in this case, in the conflict experienced in Colombia for at least 50 years, because people have an internal aggressiveness, the desire for annihilation and submission of

the other one to his power, which is outsourced before situations of menace and danger to their safety, whether it is individual or about the market, because they guide their actions on individuality and accumulation of goods.

Coexistence between humans and societies can be pacific, but always conflictive, because peace does not mean the absence of conflicts, but the management of any way other than violence, annihilation and exclusion – verified in this research from the peace agreement made between FARC and the Colombian State, which made possible to the country, and specially, to mankind, the celebration of a pact to citizenship, harmony and evolution of the human beings.

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