

# Colombia: Mapping the Eternal Crisis

For most international observers, violence remains the primary evidence of Colombian national failure. For the past two decades, debates about Colombian national identity have focused on Colombia either as a country in progress or as a failing state. Popular culture references consistently portray Colombians as criminal; the State Department warns U.S. citizens that travel to Colombia is dangerous. Inside Colombia, academics, artists, politicians, and cab drivers spend hours debating why, where, and how the country went so terribly wrong. By most measures, Colombia has been counted among the most violent places in the world, yet this is not the reason that it is a useful place in which to consider violence. Many other countries have experienced the dramatic spikes in political violence that are characterized by observers as a human rights crisis; the death toll in the Balkans and Central Africa during the 1990s dwarfs the number of Colombians who died in such circumstances.

What makes Colombia's case illuminating is not that it is the site of the worst violence but rather that multiple forms of violence exist in the context of a relatively wealthy, established democracy. Throughout the twentieth century Colombia has experienced periodic waves of political violence in which murder and torture were used to ensure electoral outcomes, guarantee property rights, and solidify economic power. Over the past three decades, Colombia has also had one of the world's highest murder rates and entrenched organized crime. The kinds of violent acts committed in Colombia—political, domestic, common, and organized crime—coexist

and commingle, making the classification of violence and the production of accountability a highly contested public process. Despite the inability of the Colombian state to monopolize the use of force, to control national territory, or to guarantee its citizens basic rights, Colombia has a wealth of democratic institutions, a stable economy, and a relatively well financed media and educational infrastructure. Colombians have traditionally enjoyed one of the highest per capita incomes in Latin America, and the country is defined as a “middle income” country by the World Bank (although poverty and inequality levels are growing) (Vélez 2002).<sup>1</sup> The persistent levels of violence combined with the wealth and educational levels enjoyed in major cities have created generations of policy makers, activists, and scholars devoted to analyzing and arguing over the causes and consequences of Colombian violence.

Here I want to sketch the broad outlines of Colombian history in order to locate debates over human rights activism within the history of debates over violence, focusing on the categories used to classify the episodic violence that has erupted since Colombian independence: partisan struggle, insurgent violence, counterinsurgency efforts, and organized criminal violence. The dynamics of these types of violence have varied over time and by region: the changing nature of capital accumulation privileged certain actors over others, and the shifting structure of political institutions facilitated new kinds of power accumulation. In my tour through discussions of Colombia violence, I draw on some of the most insightful studies, which have explored these changes in particular places over limited windows of time (Carroll 1999a, 1999b; Roldan 2002). For readers unfamiliar with Colombia, I paint with broad strokes the most prevalent evolving forms of violence over the past six decades. From this history, I turn to the example of complicated violence in one place, Trujillo, Colombia, where a specific set of murders came to be investigated and eventually categorized as human rights violations. I examine the factors that made this possible, factors that are the focus of much of the rest of this book: the increasing professionalization of human rights groups (and their corresponding greater credibility and research capacity), the growing acceptance of human rights in the post-cold war era, and the new state human rights agencies. Despite the achievements of the commission established to investigate these murders, which produced a consensus document finding local military commanders and drug traffickers responsible, the case demonstrates the limits of human rights activism. Finally, I examine two frames according to which the international community responded to the violence during the 1990s: Colombia as a humanitarian crisis and the need for a culture of

peace. Each frame catered to different institutional interests and constituencies, and while some organizations employed both frames, many groups viewed the human rights focus on justice and accountability as an obstacle to humanitarian assistance and the search for peace.

#### BASIC STATISTICS ON VIOLENCE IN COLOMBIA

A central point of this book is that the production of statistics on violence is a profoundly political and contested act. The debates among and between groups about which deaths to count in what category are explored throughout. Understanding the basic universe of figures being debated is important for understanding the wider context for these debates. Colombian homicide rates peaked in the early 1990s at more than 28,000 violent deaths a year (86 per 100,000 inhabitants). Since then the death rate has declined but still remains extremely high; during my research in 2002, the homicide rate was 66 per 100,000 inhabitants, almost eleven times that of the United States.<sup>2</sup> Kidnapping is a major industry; half of all the kidnappings in the world occur in Colombia. Colombia is home to the longest-running civil war in the western hemisphere and currently suffers from the highest rates of political violence. According to the Colombian Commission of Jurists, on average, ten people were killed daily in political violence in 1990; by 2000 that figure had risen to almost twenty a day (CCJ 2001: 4). The Council on Human Rights and Displacement (Consultoría para los Derechos Humanos, CODHES), an NGO that researches the Colombian conflict and internal displacement, reports that the number of people fleeing their homes has climbed dramatically, to an all-time high of 412,553 people in 2002, a 20 percent increase from the year before (CODHES 2003: 2). There are currently three Colombian groups on the State Department's list of terrorist organizations: the two Marxist guerrilla groups, the Revolutionary Armed Forces (Fuerzas Armadas Revolucionarias de Colombia, FARC) and the National Liberation Army (Ejército de Liberación Nacional, ELN), and the largest umbrella organization of right-wing paramilitary forces, the United Self-Defense Forces of Colombia (Autodefensas Unidas de Colombia, AUC).<sup>3</sup>

#### RELIGION, RACE, ETHNICITY, CULTURE, AND GEOGRAPHY

Colombian violence does not fit into the model of internal conflict most prevalent during the post-cold war period, which focused on ethnic and religious divisions. Religious institutions, in particular, the Catholic

Church, and ethnic divisions within society have shaped how violence was deployed and mobilized, but these factors were not the primary motor of the conflict. The vast majority of Colombians are Catholic, and the Catholic Church has played a privileged role in Colombian history, having been granted special rights, including control of the educational curriculum, by the 1886 Constitution (which was replaced in 1991). The church has also occasionally taken sides in the conflict. Historically, it was identified with the Conservative Party, and the hierarchy backed the Conservative government during moments of political violence. Despite the conservative hierarchy, many priests were involved in liberation theology and promoted grassroots organizations that were targeted for repression.

While significant discrimination is practiced along racial divisions, Colombia does not experience significant violent ethnic or racial tensions. Unlike the Incan Empire to the south or the Aztecs and Mayans to the north, Colombia's indigenous population lived in relatively isolated small groups and today account for only approximately 2 percent of the population, one of the smallest percentages of any Latin American country. Despite their small population, however, indigenous communities control almost 25 percent of Colombia's territories through the *resguardo* system (comparable to the system of Indian reservations in the United States). This has contributed to the targeting of indigenous groups by all the actors in the armed conflict (Jackson 2003).<sup>4</sup> Scholars have only recently begun to examine the racial dimensions of Colombian violence, particularly in terms of the Afro-Colombian population. Colombia has one of the continent's largest African-descent populations, approximately 26 percent of the population. Between 1580 and 1640 as many as 170,000 African slaves were brought through the port of Cartagena de Indias, the only slave port in Spanish America besides Veracruz, Mexico, primarily to work in plantation and cattle ranching and gold mining on the Atlantic and Pacific Coasts (Arocha 1998). While slavery was abolished in 1821, total manumission was only gradually achieved over the next three decades (Lohse 2001). Afro-Colombians remain concentrated on the Pacific Coast, especially the department of Choco, where freed and escaped slaves established independent communities; over the past two decades, however, Afro-Colombians have migrated throughout the country, in part because of the internal conflict. Racial identity remains a slippery category in Colombia, and most Afro-Colombians do not identify themselves as such, despite incipient efforts to organize around Afro-Colombian rights to combat ongoing discrimination (Wade 2002). In the current conflict Afro-Colombians are disproportionately victims of

forced displacement (Jeffery and Carr 2004). Although systematic demographic surveys do not exist, Afro-Colombians appear to be well represented among paramilitary combat troops (but not the command structure) because of their extensive recruitment along the Atlantic Coast.

“Culture,” understood as a national essence or identity, is often used as the default commonsense explanation for Colombian violence: Colombians are violent because violence is inherent in Colombian culture. In addition to being a dangerously reductionist and static view of culture, this view suggests that there is no possibility for transformation, or any need to address structural inequalities and injustices. Such a view of culture should not be confused with the more nuanced efforts by anthropologists and historians to understand the relationship between Colombian violence and political culture.<sup>5</sup> For example, the historian Marco Palacios argues that “Colombian political culture inasmuch as it is pseudolegal, ambiguous, and *tramposa* [deceitful], is not born of the matrix of modernity, Enlightenment, and Independence but from the matrix of tradition, conquest, and Baroque institutions” (Palacios 1999: 256). Most of those analyzing and reflecting on Colombian violence consider culture to varying degrees; here I focus on political culture broadly conceived, including how individuals imagine their relations to the state as well as the institutions that channel political power and participation.

The geographic distribution of mountains, rivers, and flood lands has contributed to Colombia’s strong regionalism as well as the ongoing conflict (Park 1985; Safford and Palacios 2001). The interior is cut off by the three Andean cordilleras, making land travel extremely difficult. The major rivers flow northward, and their passage is often obstructed by marshy wetlands and seasonal flooding in the northern regions. Almost two-thirds of Colombia’s landmass, the Amazon jungle and the flooded eastern plains, house less than 12 percent of the population. Much of this region remains to this day accessible only by plane or river during large parts of the year. Similarly, the Pacific Coast remains undeveloped, with few roads, as did the Atlantic Coast until the mid-1980s. The human geography of institutions, settlements, and infrastructure has been the decisive factor in shaping the patterns of Colombian violence, but this physical geography makes addressing conflict and promoting national integration more difficult.

## PARTISAN VIOLENCE

The first one hundred fifty years of Colombian independence were characterized by three major periods of violence: early coups and conflicts;

the War of a Thousand Days in the early 1900s; and La Violencia during the 1950s. Until the emergence of the leftist guerrillas in the 1960s, most of the violence was defined as partisan struggle between the Liberal and Conservative Parties, which continued to dominate Colombian political life until the 1990s. However, political life was characterized by sporadic violence throughout the past two centuries. While the fighters identified with Liberal red or Conservative blue, many scholars have pointed to conflict over resources, particularly land, as being the primary motor of these Colombian conflicts.

In many ways the parties were indistinguishable; that they inspired such passionate allegiances has been one of the great mysteries of Colombian political science. Both were led by members of the elite, with little difference between their economic and political platforms. Some scholarly explanations for the strength of party allegiances have focused on symbolic identification akin to a religious identity; party allegiances ran in families and were inherited from one generation to the next. Strong clientalist relationships led to intense rural and lower-class identification with parties, as the vertically linked networks of privilege and patronage were the only channel connecting remote rural regions to national politics. One of the few significant differences between the two was the issue of power and privileges accorded to the Catholic Church, with the Conservatives strongly backing Catholic legal and economic privileges and control over the public education curriculum (Bushnell 1993). As was common throughout Latin America, political debates centered on three major divisions, protectionist or free trade, centralist or federalist, and pro- and anticlerical, although in practice the positions of the parties varied from region to region.

The winner-take-all political system encouraged conflict to control bureaucratic resources, and those shut out of the political system often used violence to gain political power. The political structure established by the 1886 Constitution significantly contributed to Colombia's entrenched clientalism and conflict by creating a hierarchical system of political appointments. Departments (similar to states) were headed by presidentially appointed governors, who in turn appointed local mayors, and elected legislative assemblies were subject to strict review by national politicians (Park 1985: 265). This distribution of power remained in place until the electoral reforms of the 1980s, described below, and created a structure in which strong local leaders interacted directly with the national government rather than with locally based governance networks such as department-wide assemblies.<sup>6</sup> This system encouraged backroom

dealing and consolidated the power of local strongmen who functioned outside official electoral hierarchies. Regional powerbrokers were known as *gamonales*, while their local counterparts were called *caciques*, from the local slang for “Indian chief.”

Colombian political life was characterized by the use of violence to effect political change and control resources. The early years of Colombian independence were marked by political upheaval—one historian counted at least thirteen coups and armed insurrections during the last decades of the nineteenth century (Bushnell 1993: 13). While most were skirmishes with little impact on political order, “what is inescapable is the sheer frequency with which political factions in this land, which paradoxically always has prided itself on its adherence to civil government and strict legalism, made use of force, or the implied threat of force, in the hope of effecting a change in the rules” (Bushnell 1993: 12). Combat during the poetically named War of a Thousand Days (1899–1902) killed an estimated one hundred thousand people, about 2 percent of the population, and displaced hundreds of thousands more, pushing land colonization into new areas. Generated by partisan struggles (the Liberal revolt against the Conservative government) and exacerbated by an economic crisis caused by a sharp decline in world coffee prices, the guerrilla tactics developed during this conflict were a taste of things to come.

La Violencia, as the partisan violence of the 1940s and 1950s is known, burst forth with the April 9, 1948, assassination of the dissident Liberal populist Jorge Eliécer Gaitán in downtown Bogotá. Gaitán had formed his own third party in 1933, the National Revolutionary Leftist Union (Unión Nacional de la Izquierda Revolucionaria, UNIR), and was the front-runner for the 1950 presidential elections. The assassin was caught and lynched in the street, but the sponsor of the crime remains unknown. Enraged Liberals began a three-day riot, known as el Bogotazo, resulting in the near-total destruction of downtown Bogotá. In an effort to parlay the general unrest into a revolutionary movement, Communist and Gaitainista leaders created “revolutionary juntas” in Bogotá and small-town radical strongholds (most notably Barrancabermeja and Puerto Berrío) but failed to galvanize cohesive support. Political violence had increased throughout the 1930s, despite the economic recovery fueled by high coffee prices and U.S. compensation for the Panama Canal.<sup>7</sup> With polarizing absolutism, Liberals accused Conservatives of wanting to physically liquidate the poor; the Conservatives in turn accused Liberals of moral filth and being Communists, Jews, Protestants, and Masons (Perea 1996).<sup>8</sup> Conservative leader Laureano Gómez had

spent years in exile in Franco-ruled Spain and returned to Colombia with an apocalyptic vision of a threatening mob—led by an indistinguishable mass of Communists, Liberals, and Gaitanistas—on the verge of engulfing Colombian civilization. Violence dominated political life; during one debate, a Conservative shot and killed a Liberal on the floor of Congress. In the countryside the conflict was much worse.

El Bogatazo escalated to large-scale violence. The main agents of rural terror were the *pájaros* (lit., “birds”), assassins who traveled throughout the country carrying out the dirty work of their urban, elite sponsors,<sup>9</sup> and the *Chualitas*, peasants recruited from the Boyacá district of Chualita to replace Liberal policemen dismissed by Conservative politicians. Much of the violence involved torture and bloody public displays; killers developed elaborate mutilation techniques. To cite just one example, the *corte de corbata*, or necktie cut, involved slicing the victim’s throat and pulling the tongue through (Uribe 1990). Land conflict, particularly in areas of lucrative coffee production, fueled the struggle: the three most violent states (Viejo Caldas, Antioquia, and Tolima) produced two-thirds of Colombian coffee and 60 percent of the deaths during this period; coffee also provided approximately 80 percent of the foreign exchange revenues for the Conservative government (Chernick 2005). Over the coming decades the struggle to control resources, including oil, land, coca, and cocaine, increasingly shaped the geography of Colombian violence.

La Violencia was ended by Colombia’s only modern military dictatorship, when General Gustavo Rojas Pinilla took power in 1953 with significant civilian support. Four years later the traditional parties re-established their power by removing Rojas Pinilla and instituting a power-sharing agreement, known as the National Front, that would shape Colombian political life for the next half century. By alternating power between the two traditional parties while maintaining the system of political appointments whereby presidents appointed governors, who in turn appointed mayors, the possibility of any third-party participation was precluded.

#### POLITICAL EXCLUSION

Colombians and Colombianists alike have been interested in understanding and categorizing La Violencia. The first studies, produced in the 1960s, suggested that the conflict was the result of the transition from premodern to modern politics, while others focused on the rivalries



between patron-client networks.<sup>10</sup> The American sociologist Paul Oquist (1980) stressed the competition between Conservatives and Liberals for control of the resources of the increasingly powerful state; the French political scientist Daniel Pécaut (1987) posited the inability of the state to articulate a cohesive national identity and resolve conflicts in the face of the expanding “subcultures” organized along party lines. In his work focusing on the Gaitán movement and the immediate aftermath of el Bogotazo, the historian Herbert Braun (1985) focused on the degree to which political power and decision making was channeled through elite backroom deals rather than open political debate. The political scientist Gonzalo Sánchez stressed the connection between different phases of Colombian violence: “The Violence was an ambiguous process resembling both a 19th century style civil war and an embryonic peasant revolution, and as the former problem was resolved, the second took the fore. In theory a negotiated way out of the Violence, the National Front in practice actually inaugurated a new phase of it” (Sánchez 1992: 114).

Colombia’s closed political system has been one way to explain ongoing political violence. The National Front agreement ushered in decades of paradoxical results. While Colombia remains widely touted as Latin America’s oldest democracy, having missed the periods of repressive dictatorships that plagued its neighbors to the south, the strict limits on political participation imposed by the country’s political elites hobbled the political process. Scholars have stressed the partial nature of the country’s democracy, characterized variously as “elitist pluralism” (Bailey 1977), “exclusionary democracy” (Pécaut 1989), “*democradura*” (Leal 1989), and a “limited democratic consociational” arrangement (Hartlyn 1988, 1989). Leftist historians and activists argued that by preventing the participation of third parties the National Front pushed participation into illegal channels, including banned strikes and armed opposition movements. Palacios concluded that the National Front agreement embodied the paradox of desire for reform combined with the inability to enact it. He writes, “Trapped by the logic of oligarchic control and the cold war, [the National Front] meant the exclusion of popular interests in the central decisions of the state and repression of political dissidents, and the co-optation and absorption of popular sectors and emerging middle classes through the expansion of clientalist and patronage networks” (Palacios 1999: 58).

Political violence and electoral fraud continued to dominate political contests throughout the years of the National Front. In a classic example of the dramatic turns famous in Colombian political life, Colombia’s

only military dictator, Rojas Pinilla, returned to political life as a populist champion of the democratic process through the creation of the National Popular Alliance (Alianza Nacional Popular, ANAPO). Rojas Pinilla's dream of returning to power was denied, however. Many analysts contend that Rojas was the winner of the presidential elections of April 19, 1970, but the minister of the interior named Conservative Misael Pastrana Borrero the new president after a suspiciously timed massive power outage. Though ANAPO failed to garner significant political support in subsequent campaigns, the 1970 election was widely viewed by the left as definitive proof that there was no point in pursuing electoral politics; a group of nationalist guerrillas adopted the date as their name (the April 19 Guerrilla Movement, or the M-19) to focus attention on the alleged fraud and the closed nature of Colombia's political system.

Another limit to Colombian democracy throughout the second half of the twentieth century was the use of state of siege legislation by the executive branch to justify the assumption of extraordinary powers. From 1958 until 1991, when the new Constitution redefined and limited state of siege powers, Colombia was governed under almost continual decrees of "state of siege." The incidents that prompted months and even years of state of siege powers were often episodic outbreaks of violence or civic strikes, but the long-term impact was to strengthen the executive branch. The president also frequently appointed military governors and mayors in areas suspected of harboring guerrillas or strong civic associations (Gallón 1979).

Despite political reforms during the 1980s and 1990s to open the electoral system, participation in Colombian political life continued to be limited by violence. Reforms in 1986 led to the direct election of mayors, and the 1991 Constitution allowed election rather than appointment of governors. While opening local offices to popular election initially generated significant opportunities for third parties, paramilitary violence targeting legal leftist organizing wiped such efforts off the political map. The most famous attempt to garner significant support for a leftist alternative was the Patriotic Union (Unión Patriótica, UP), created during frustrated peace talks with the FARC in 1985. Activists claim that more than three thousand of their members were killed. Violence targeting politicians continued over the next decades. In the late 1990s the FARC began targeting mayors, forcing over 200 of the total 1,091 to resign. Many who remained in office were forced to abandon their towns and govern from capital cities. The political scientists Ana Maria Bejarano and Eduardo Pizarro Leongómez describe the Colombian political sys-

tem as going from “restricted to besieged.” They go on to write, “At the regime level, we claim that it is no longer the system’s ‘closed’ nature that affects prospects for democratic consolidation, but instead the excessively lax rules of the game created by the political reform initiated in the mid-1980s. This set of rules has engendered additional incentives for party fragmentation, leading to an extremely atomized and personalistic party system” in which powerful criminal syndicates and illegal armed groups now pose the most serious limits on political participation (Bejarano and Pizarro Leongómez 2002: 2).<sup>11</sup>

### INSURGENT VIOLENCE

Colombia is home to the longest-running guerrilla war in the hemisphere. Like most countries in Latin America, numerous small guerrilla forces emerged during the 1960s and 1970s espousing varieties of Marxist doctrine. However, some Colombian insurgencies differed in important ways from their counterparts throughout the hemisphere before and after the cold war zenith of such revolutionary groups. The FARC, for example, traces its history to peasant defense groups that emerged in the 1930s and 1940s. Rather than negotiate following the collapse of international support after the cold war, Colombian guerrilla groups were able to expand their operations by tapping into the revenues of one of Colombia’s most lucrative enterprises, the drug trade. Here I focus on the two largest remaining insurgent groups in Colombia: the FARC, which emerged at the beginning of the twenty-first century militarily stronger than any time in its history even as political support for their operations had dramatically declined at home and abroad; and the ELN, which has shrunk due to military defeats and desertion but remains a significant force in several regions.

The FARC’s origins in early peasant self-defense forces is the basis of its claims to political legitimacy and ability to represent the marginalized rural peasantry. These rural communities organized in part by the Communist Party developed into armed enclaves, often fleeing en masse into previously unsettled lands, a process later described as “armed colonization” (Molano 1989). Their leaders were larger-than-life Robin Hood figures who combined armed robbery with peasant resistance in an amorously defined political banditry, with profound consequences for political activism in the coming decades. In the words of one of Colombia’s most famous historians, himself the son of persecuted Liberals, “In this subculture of violence that was transforming social

conduct, language, and values, and spawning leaders of the Liberal resistance with nicknames such as *Desquite* (Vengeance) and *Sangrenegra* (Blackblood), an entire generation was growing up whose attitudes toward their condition oscillated between fatalism, a thirst for vengeance, and repressed rebellion” (Sánchez 1992: 90).

Over the next decade, these poorly trained self-defense forces developed into Colombia’s first guerrilla organizations. In the process they were disavowed by the national Liberal Party, targeted by ferocious counterinsurgency campaigns, and isolated from Colombia’s industrializing economy.<sup>12</sup> Although weakened by amnesty offers from the government that enticed many leaders into civilian life and battered by overwhelming counterinsurgency campaigns, these armed enclaves survived into the 1960s as “independent republics” operating outside the control of the central government. Guerrilla leaders, radicalized by the military campaigns against them, formalized their vision in a meeting on July 20, 1962, declaring themselves the southern bloc and issuing a national agrarian platform. Two years later, at the second national conference of guerrilla groups, the leadership adopted a Marxist platform and announced the birth of the Revolutionary Armed Forces of Colombia. The FARC remained a loose federation of poorly organized peasant fronts for its first two decades of existence, but increased resources from its “taxation” of the illegal narcotics trade and other criminal activities financed its expansion into the country’s largest guerrilla force by the late 1990s.

The next generation of guerrilla organizations emerged in the 1960s and 1970s. Students, union organizers, and other activists were inspired to take up armed opposition by the examples of colonial liberation movements around the world and the Cuban Revolution closer to home. Che Guevara and the leftist journalist Régis Debray popularized the *foco* theory of guerrilla warfare, which conveniently allowed would-be revolutionaries to circumvent tedious political organizing (in the form of a mass movement led by the Communist Party) in favor of a vanguard-sparking revolt. These ideas inspired a multitude of primarily urban, youth-led armed movements throughout the world in the 1960s (Colburn 1994; Varon 2004). Despite passionate—and sometimes lethal—sectarian disagreements among these groups in Colombia, the myriad armed radical organizations that arose throughout this period generally shared central elements of a political vision: the revolution was imminent, any possibility of national development was totally blocked by the oligarchy, and a monumental political crisis was brewing. Many of these groups were more concerned with establishing the proper theory to

explain the struggle's master plan than with establishing contact with the oppressed. Early organized efforts were characterized by extreme militarism and even brutal internal purges of young volunteers accused of insufficient commitment (Broderick 2000).

One of the most important of the second-generation guerrilla groups, the National Liberation Army, was the brainchild of a small group of Colombian scholarship students who had traveled to Cuba at the height of the missile crisis in 1962. Inspired by the revolutionary moment, a number of them requested military training and vowed to re-create the Cuban Revolution in Colombia on their return. Their first combat operations commenced on January 7, 1964. The group, boasting only sixteen men, opened fire in Simocota, Santandar, and distributed their first manifesto (the "Simacota Manifesto"). The ELN was closely linked to the liberation theology movement within the Colombian Catholic Church; three of their original leaders were Spanish Catholic Worker priests. Despite attracting one of Colombia's most promising and charismatic leftist leaders to their ranks, the Jesuit priest and sociologist Camilo Torres, the ELN suffered from divisive internal purges and had few combat successes during their first years. Torres was killed in his first combat operation on February 15, 1966, and the group was almost completely annihilated following a series of successful counterinsurgency operations in the early 1970s.<sup>13</sup>

Other guerrilla forces coming to prominence during the late 1970s included the Popular Liberation Army (Ejército Popular de Liberación, EPL) and the M-19. The EPL grew out of the Communist Youth and the Marxist-Leninist Communist Party (Partido Comunista Marxista-Leninista, PCML), a legal political party that sided with the Chinese during the Sino-Soviet split. Both the PCML and the EPL were often on the verge of total extinction because of the army's counterinsurgency campaigns and their own deep internal schisms, which generated spin-off groups that included the Marxist-Leninist League and the Marxist-Leninist Tendency, among others. The M-19, by contrast, emphasized nationalism and democracy, distancing itself from the dogmatic ideological debates that characterized its counterparts. Many of the group's leaders had been expelled from the Communist Party, the FARC, and the socialist wing of ANAPO. Its strength lay in dramatic symbolic gestures: stealing Simón Bolívar's sword as its first official act (vowing to return it when real democracy returned to Colombia, although the sword was then lost), stealing milk to give to the poor, a daring nighttime theft of weapons from the army's northern Bogotá arsenal, and taking fourteen

ambassadors hostage at the Dominican embassy during a dinner party were only a few of their major exploits.<sup>14</sup>

Most of these groups laid down their arms during peace talks in the late 1980s. The M-19 suffered a spectacular defeat when, in hopes of bringing attention to government intransigence and the torture of M-19 cadres in jail, they took over the Palace of Justice, the seat of the Supreme Court, in 1985. When the military stormed the Palace in what analysts later called a forty-eight-hour coup, eleven Supreme Court justices and more than one hundred bystanders were killed. Widespread rumors that the M-19 had been in the pay of the cartels, who wanted their case files destroyed to circumvent extradition efforts, contributed to the guerrillas' plunging popularity. Along with a host of smaller groups, the M-19 attempted to transform itself into a legal political party. The M-19 Democratic Alliance enjoyed a brief groundswell of popular support and was instrumental in rewriting the Colombian Constitution in 1991 but was unable to sustain a coherent national political organization.

In the 1980s the ELN was able to rebuild its organization thanks in part to the petroleum boom; a German multinational construction company, Mannesmann Anlagenbau AG, admitted paying more than \$2 million in ransom in 1985 during the building of the Caño Limon pipeline along the Venezuelan border (long an ELN stronghold). The ELN claimed to have received more than \$20 million in total ransom during the construction project (Chernick 2005). During the 1990s, however, the ELN was hard hit by paramilitary violence. A dissident wing known as the Socialist Renovation Current (Corriente de Renovación Socialista, CRS) laid down its arms in 1994; according to a December 2005 report in the Colombian newsweekly *Semana*, only approximately thirty-five hundred armed ELN combatants remained in the field, many divided between entering into peace talks with the government, continuing the armed struggle, or joining the ranks of the FARC. A surprising number of former ELN fighters, as well as combatants from other guerrilla groups, have joined the paramilitary forces.

During the 1990s, the Colombian guerrillas increasingly relied on criminal activities to fund their military and political operations. Of the more than 3,700 people reported kidnapped in 2002, approximately 70 percent are attributed to guerrillas and two-thirds of those motivated by extortion.<sup>15</sup> According to Colombian governmental statistics, the FARC and the ELN received approximately \$1.2 billion in ransom between 1991 and 1998.<sup>16</sup> The drug trade provides the majority of the FARC's revenues, however, with estimates ranging from \$100 million to \$200

million a year.<sup>17</sup> Initially the FARC was solely involved with taxing coca production by small farmers, but it has progressively moved up the production chain. The FARC used this money to more than quadruple its forces to approximately 18,000 by the end of the 1990s, as well as build substantial urban militias.<sup>18</sup>

#### COUNTERINSURGENCY VIOLENCE AND THE COLOMBIAN ARMED FORCES

The Colombian military's response to the long-running guerrilla conflict has differed substantially from that of other Latin American militaries in many respects. Colombia has not endured the military coups that have been common in the Southern Cone; compared to the conflict in Central America, combat operations were limited, due in part to the "containment" policy promoted by U.S. mentors. In other ways the Colombian military response has been typical of other instances of low-intensity conflict. In one of the primary examples, the military has resorted to the use of paramilitary forces (explored in greater detail below) that were responsible for the majority of human rights violations during the 1990s. To understand the differences and similarities, however, requires examining the institutional evolution of the military and its role in Colombia's political life.

Colombia's military has historically played a very different role in society from that of its counterparts to the south and north. Consolidated as a national, professional force only with the creation of the Military Academy in 1917 (a generation later than its military colleagues in the Southern Cone), the Colombian military has never been a primary receptacle for national identity and pride. After independence from Spain, the army was "not a pillar of the nation, a privilege reserved for political parties and the Catholic Church" (Blair Trujillo 1999: 10), but remained fractured under the authority of regional bosses until well into the twentieth century. In her groundbreaking study of the partisan violence of the 1950s, Mary Roldan concluded:

Unsure of their legitimacy or strength, Liberal and Conservative party leaders had historically proven unwilling to create viable forces of public order for fear that these might challenge or usurp civilian authority. Such public order forces consequently fulfilled the state's repressive functions but were never allowed to grow into sufficiently coherent entities bound by a code of ethics or professional identity. Poor pay, lack of discipline, and the subordination of public order to the interests of private parties and the shifting winds of political influence ensured that the armed forces would never compete for moral or physical parity with civilian rulers. (Roldan 2002: 145)

As the country was consumed by partisan violence in the 1940s, the military remained largely neutral, refusing to respond to pressures from local party bosses interested in capturing land and resources. Even as the violence escalated, President Laureano Gómez (1950–53, elected as the only candidate when Liberals boycotted the elections) made the controversial decision to send a battalion to fight alongside the United States during the Korean War in 1952, the only Latin American country to do so. Viewed by some as pandering to the United States and as a convenient means for the Conservative president to rid the corps of Liberal officers, the Korea Battalion was a telling example of how removed the armed forces were from the ongoing domestic disruptions. The Colombian police, at the time still appointed by local politicians, served as the basis of death squad operations at the behest of Conservative leaders in many areas. By the mid-1950s, however, the army was pulled into partisan violence in some areas as well. Small groups of soldiers were sent into conflictive areas, causing a breakdown in the chain of command, morale, and logistical supplies.

La Violencia ended with Colombia's brief and only modern military dictatorship. Unlike the later wave of military dictatorships that swept the continent in the 1960s and 1970s, General Rojas Pinilla did not seize power as part of a plan orchestrated by a cohort of military officials. Afraid the violence was spiraling out of control, party leaders played a key role in organizing the *golpe de opinión* (lit., public opinion coup; refers to the widespread support for Rojas Pinilla) as a means of establishing an interim leader outside the traditional party structure but still under their control. Rojas Pinilla's efforts to develop an autonomous political movement and his increasingly heavy-handed censorship and repression of protests led to his removal from power by the Liberal and Conservative leadership. Rojas Pinilla was stripped of his political rights in a theatrical trial in the Senate (setting the stage for his comeback a decade later as a populist representing Colombians disenfranchised by elite political wheeling and dealing).<sup>19</sup> After a transition government called the Military Junta (1957–58), the National Front mandated that the parties alternate the presidency and equally distribute all public posts, including legislative offices, until 1974; informally, the deal lasted well into the 1980s. Enshrined in a constitutional amendment and approved by a plebiscite, the National Front limited political participation to the two traditional parties.

The perception of military neutrality during La Violencia was central to the subsequent political role of the armed forces. In exchange for its



ongoing neutrality, understood as a refusal to intervene with civilian leadership, the military was granted authority to design and implement national security policy largely independent of any civilian oversight. Originally known as the Lleras Doctrine, from the 1958 speech by then-President Alberto Lleras to the armed forces, this doctrine defined the *no deliberante* character of the military. “I do not want the armed forces deciding how the nation should be governed, instead of what is decided by the people,” Lleras told the crowd of officers, “but I also do not want, by any means, that politicians decide how to manage the armed forces, in their technical functions, their discipline, their rules, their personnel” (quoted in Pardo Rueda 1996: 319). This historic trade-off was instrumental in Colombia’s subsequent democratic transitions and lack of coups and established military expectations for almost complete autonomy in defining security policy.

During the early years of the insurgency, the Colombian Armed Forces followed a strategy of containment. Given a cost-benefit analysis of the scale of military operations required to eliminate small guerrilla forces, officials concluded that these groups should be allowed relative freedom in remote rural areas so long as actual combat operations were minimal. In areas where the guerrilla presence increased, the army often opted not for direct confrontation but to train and arm local civilians as “paramilitary” forces. However, the military has been extremely effective in lobbying to ensure that its privileges and policy prerogatives remain enshrined in Colombian legislation. Military officers have also not remained silent when in disagreement with civilian policy decisions over issues they believe are in the military’s domain. The primary example of such episodic “saber rattling” has been over the series of peace initiatives, established by each successive administration since 1982, intended to promote negotiated settlements with guerrilla groups. Military officers have strongly opposed these efforts and consider them examples of undermining counterinsurgency efforts and as civilian meddling in security policy; they often make their opposition to civilian policies known through media interviews.

#### ORGANIZED CRIME AND DRUG TRAFFICKING

The illicit drug trade has generated multiple forms of violence in Colombia. Revenue from drug production and trafficking has allowed for the expansion of all armed groups, including the military, which has received billions of dollars from the United States as part of counter-

narcotics programs. The dynamic of violence associated with the drug trade has shifted, however, as the illicit drug business has evolved. What is called “drug trafficking” in the United States is in fact a major, multifaceted, and global industry with deep roots in Colombia’s economic development. Colombians have long enjoyed a reputation for creative commerce and as well-connected middlemen for contraband. Benefiting from their strategic location at the crossroads of Central and South America, Colombians also enjoy access to both the Atlantic and Pacific Oceans. Since the time of the Spanish colonial monopoly on tobacco and salt, Colombians had profited by circumventing tariffs and trade laws. To this day, illegal trading of otherwise legal goods, including cigarettes, gasoline, and liquor, is a major motor of the Colombian economy. The most profitable of all contraband markets remains the illegal drug trade, first driven by the U.S. market and now expanded to European and Colombian users.

Colombia’s role in this industry has changed over the past decades. Beginning with the 1970s, a marijuana boom along Colombia’s Atlantic coast created a class of newly rich traffickers that radically altered local political and economic hierarchies. The serendipitous meeting in a Connecticut jail cell of George Jung, a small-time pot dealer from New England, and Carlos Ledher, a Colombian car thief who would rise to be a founding member of the Medellín Cartel, led to the dramatic expansion of cocaine sales along the West Coast of the United States (Bowden 2002; Porter 2001). Soon the Colombian role in the drug trade shifted to the more profitable—and easier to handle—cocaine trade, as dealers began shipping and processing coca grown primarily in Bolivia and Peru.

Led by a small number of powerful drug kingpins, the Medellín and Cali family-based empires came to control a billion-dollar cocaine industry. The flamboyant personalities of the Medellín Cartel embodied the contradictions of the Colombian drug trade during the 1980s. The traditional economic elite tolerated the growing power of the cartels as long as they were not perceived as rivals. Pablo Escobar, elected congressional alternate in 1982, became a flamboyant public figure who built subsidized housing and soccer fields as head of the Medellín Cartel. The Cali Cartel, led by the Rodríguez Orejuela brothers and José Santacruz Londoño, emerged as the Medellín Cartel’s main rivals. The Cali Cartel cultivated an image as sophisticated businessmen, in contrast to the Medellín Cartel’s rougher and more violent reputation, and invested heavily in legal businesses. Their violent competition with the Medellín Cartel escalated throughout the late 1980s, culminating in the creation of

People Persecuted by Pablo Escobar (Los Perseguidos por Pablo Escobar, PEPES), a shadowy group dedicated to attacking the Medellín Cartel's businesses and associates, as well as allegedly secretly supplying the DEA with information about their adversaries.<sup>20</sup>

The power and violence of the illicit drug industry came to permeate all facets of Colombian society, demonstrated by the saying “plata o plomo”—silver or lead—meaning “take the bribe or take a bullet.” By 1988 *Fortune* magazine reported that “the illicit drug trade is probably the fastest-growing industry in the world and unquestionably the most profitable” and estimated that Colombia's illegal exports were worth \$4 billion a year, more than coffee and oil exports combined (quoted in Dudley 2004: 71). Drug lords achieved unprecedented political influence through threats, bribery, and political contributions. Violently opposed to extradition treaties pushed by the U.S. government, a group of drug lords known as the *extraditables* declared war on the Colombian government and used what became known as “narcoterrorism” to cow officials into denying extradition attempts.<sup>21</sup> Drug traffickers from all groups began buying up land as a means of money laundering and buying their way into the respect of the elite; according to one estimate, as many as 6 million hectares changed hands from 1985 and 1995 in what some analysts called a “reverse agrarian reform” (Reyes and Gómez 1997).<sup>22</sup> This new role for drug traffickers was instrumental in the development of paramilitary groups. During the late 1980s, cartel mercenaries bombed public buildings, assassinated high-ranking officials, and blew up an airliner en route to the United States. To avoid judicial investigations, cartel-financed hitmen killed hundreds of judges, police investigators, journalists, and public figures.

During the 1990s, ties between illicit drug operations and paramilitary organizations solidified, with several high-level traffickers becoming paramilitary chiefs. Despite the U.S.-assisted breakup of the two largest cartels, Colombian drug trafficking continued unabated. These drug syndicates have been replaced by smaller, more vertically integrated trafficking organizations whose nimble, independent traffickers are much more difficult to detect and infiltrate. These traffickers employ new and constantly changing shipping routes through Central America, Mexico, and the Caribbean for moving cocaine and, increasingly, heroin.

The cultivation of both coca and poppies (used to make heroin) has expanded enormously in Colombia since the mid-1990s. Unlike in Peru and Bolivia, where peasants have for centuries grown and chewed the coca leaf (a mild stimulant, compared to the processed form, cocaine), in

Colombia this practice was limited to a very few small indigenous groups. While coca cultivation declined in Peru and Bolivia as a result of U.S.-financed eradication programs, cultivation in Colombia increased 54 percent from 1996 to 1998, leaving overall Andean coca production constant. By the late 1990s, Colombia was the world leader in both illicit drug trafficking and the production of coca. Guerrilla groups active in areas of increasing coca cultivation, primarily the FARC, funded their dramatic military expansion by taxing coca crops and by protecting drug processing labs and other illicit installations. U.S.-sponsored counter-narcotics program, including the massive spraying of chemical herbicides, pushed coca cultivation into new regions of Colombia without significantly diminishing overall cultivation levels. Paramilitary leaders, who have long been tied to drug trafficking, moved to increasingly control coca production as well.

#### THE EVOLUTION OF PARAMILITARY GROUPS

“Paramilitary groups” and “self-defense groups” describe a range of different groups active in Colombia over the past fifty years. Colombian paramilitary forces, like similar groups throughout Latin America, worked covertly with military forces in counterinsurgency operations characterized by death squad operations that targeted activists and opposition political parties. Unlike these groups in other countries, however, Colombian paramilitaries were able, thanks to the influx of drug money, to develop offensive military capabilities with large numbers of troops, in some cases better financed than the military; a series of charismatic regional spokesmen have argued that Colombian paramilitary groups now represent a significant independent political project (Aranguren Molina 2001; Tate forthcoming).<sup>23</sup> Despite wide regional variations, the evolution of paramilitary groups can be divided roughly into three major, at times overlapping, phases: death squad operations in the 1970s and early 1980s, private armies funded by the drug trade in the late 1980s and early 1990s, and the consolidation of paramilitaries into a single coordinating body represented by national spokesmen claiming to share a political platform in the late 1990s.

Paramilitaries historically have acted in concert with and have been supported by the state military apparatus rather than in opposition to the state (an important exception is paramilitaries’ violent repression of state judicial efforts to investigate their crimes, particularly in relationship to the drug trade). Paramilitary groups have periodically been incorporated

legally into counterinsurgency efforts, and the links between legal and illegal paramilitaries have historically been pervasive. The legal basis for state sponsorship of paramilitary organizations was Law 48, approved by the Colombian Congress in 1968, allowing the government to “mobilize the population in activities and tasks” to restore public order.<sup>24</sup> International pressure and additional attacks against government officials led President Virgilio Barco to declare the creation of paramilitary groups illegal in 1989. The expansion of paramilitary groups in the 1990s coincided with the organization of legal rural defense forces, known as the Convivir. Officially launched in 1995, the Convivir were enthusiastically supported by Colombia’s current president, Alvaro Uribe, during his tenure as governor of Antioquia (1995–98). In 1997, after numerous complaints that Convivir was involved in human rights abuses, the Supreme Court continued the organization’s legal status but prohibited it from collecting intelligence for the security forces and from receiving military-issued weapons.<sup>25</sup>

According to human rights groups and government investigators, during the first phase of paramilitary activity, there was considerable overlap between the civilians legally trained by local military forces in the 1970s and illegal paramilitary death squads such as the American Anti-Communist Alliance (*Alianza Americana Anticomunista, AAA*), active in the Magdalena Region. The first qualitative shift in Colombian paramilitary groups occurred in the 1980s, when money from the drug trade allowed them to grow from small groups linked to local military commanders to private armies. Unlike the death squad operations in other Latin American countries, the paramilitaries benefited from the spectacular resources provided by the drug trafficking industry. The fusion of counterinsurgency ideology and illegal narcotics revenue produced one of the most lethal fighting forces in Latin America. As the owners of vast haciendas, drug traffickers needed protection from the guerrillas, whose primary fund-raising techniques involved *boleteo* (extortion), *vacunas* (“vaccination” against guerrilla attack), and, increasingly, kidnappings of the rural elite. Paramilitary groups linked to drug cartels (especially the Medellín Cartel) worked closely with Colombian military officers to eliminate suspected guerrilla sympathizers, while at the same time they attacked Colombian authorities who tried to investigate drug trafficking. Throughout the 1980s paramilitary groups were implicated in the assassinations of high-ranking government officials, including those of Minister of Justice Rodrigo Lara Bonilla in 1984 and hundreds of police officers and judges. Paramilitary groups were particularly vicious in tar-

getting activists from the leftist parties, who enjoyed considerable support after the 1987 reforms allowing popular election of mayors and other local officials previously appointed to their posts.

By the end of the 1980s a loose network of paramilitary groups covered the country: Henry Perez and Gonzalo Rodríguez Gacha operated in the Middle Magdalena Valley; the Eastern Plains region was split between Rodríguez Gacha and emerald baron Víctor Carranza; Fidel Castaño controlled Córdoba and northern Antioquia; and Pablo Escobar funded a Medellín-based group of young assassins for hire, known as *sicarios*. Though primarily focused on economic control, some forward-thinking paramilitary groups also developed a political platform, the National Renovation Movement (Movimiento de Renovación Nacional, MORENA; modeled in part on Salvadoran death squad leader Roberto D'Aubuisson's ARENA party). The party won six mayoral seats in the Middle Magdalena Valley in 1988, thanks in part to support from the Association of Middle Magdalena Ranchers and Farmers and to backing from the Liberal mayor of Puerto Berrío, the self-proclaimed counterinsurgency capital of the country. Behind a network of health clinics, "patriotic" education, and agricultural cooperatives, paramilitary operatives conducted deadly assassination campaigns (Dudley 2004; Medina Gallego 1990). The paramilitaries failed to develop a national political network or overcome entrenched regional differences; their primary focus continued to be ensuring their profits were safe from Communist-inspired attack.

The third phase of expansion was marked by the creation of a national coordinating body of paramilitary groups, the United Self-Defense Forces of Colombia.<sup>26</sup> Under the umbrella of the AUC, the paramilitaries transformed themselves from regional renegades into political operators respected in many quarters and viewed as valid interlocutors worthy of sitting at the negotiating table with the government. This metamorphosis involved changes in paramilitary tactics as well as a substantial public relations campaign aimed at changing public perceptions at home and abroad. These groups began new and wider military operations in the late 1990s, dramatically expanded their troops from an estimated 2,500 in the early 1990s to more than 15,000 by the end of the decade, and embarked on offensive military campaigns to conquer new territory. Following a summit in July 1997, the AUC issued a statement announcing a military offensive into new regions of the country "according to the operational capacity of each regional group." Newly created "mobile squads"—elite training and combat units—carried out these

operations, which included a series of massacres targeting the civilian population in these areas. The July 1997 massacre in Mapiripán, Meta, was the first step in implementing this new plan.<sup>27</sup> AUC fighters carried out similar massacres throughout Colombia. Paramilitary leaders undertook a public relations campaign employing a range of strategies to engender political legitimacy and acceptance as political spokesmen by the government and international funders. These efforts were a critical component in the domestic and international support for the current negotiations between the government and paramilitary leaders. Through these negotiations the Colombian government officially demobilized 31,671 paramilitary fighters by the end of 2006, using classic conflict resolution strategies based on the collective disarming, demobilization, and reintegration of combatants (Alto Comisionado para la Paz 2006).

#### CONNECTIONS AND CONTRADICTIONS IN COLOMBIAN VIOLENCE

As the history of the practice of violence in Colombia demonstrates, definitively classifying Colombian armed actors is difficult. The complex connections among these groups and the difficulty of parsing their motives feed debates over how to best resolve the Colombian crisis. Paramilitary and guerrilla groups have undergone profound shifts over the past three decades and exhibit marked regional differences. Guerrillas claim the mantle of revolutionary violence and representation of an oppressed and neglected rural poor but devote few resources to political education, while their increasing criminality further erodes their popular support. Paramilitary leaders have claimed that paramilitary violence is part of state-supported counterinsurgency efforts, yet they also want to be considered insurgents; they are at once defining themselves as independent of the state, a substitute for the state in some areas, and supportive of the state (even as they threaten and murder judicial representatives investigating their crimes). Guerrillas and paramilitaries employ violence in the struggle to control resources, including land, drug production and trafficking routes, and other business enterprises; they are deeply involved in petroleum contraband trade and the fight to control coca production, although to different degrees in different regions. Military corruption in many areas deeply implicates state security forces in the drug trade. The paramilitaries have worked closely with military officers to coordinate military operations and select targets and have benefited from the tacit approval of much of the Colombian elite. Para-

militaries have also adopted guerrilla strategies to build political legitimacy, and have even brought former guerrilla opponents into their ranks. These examples demonstrate both the difficulties of developing simplistic models and the importance of tracing these complicated histories and exploring regional variations.

There are many other dimensions of violence that I have not explored here, including the role of gender in shaping Colombian violence. Women are both participants in and victims of violence in Colombia. Several high-profile leaders of the guerrillas were women, among them Maria Eugenia Ramirez and Vera Grabe in the M-19; as many as 30 percent of the FARC's members are estimated to be women, although they are not proportionally represented among the commanders. Female combatants constitute a very small part of paramilitary fighters, between 2 percent and 4 percent according to most observers. According to an interview in January 2004 with the paramilitary commander Jorge 40, most women involved in the paramilitaries are "dedicated to social and political projects."<sup>28</sup> Thanks in large part to the efforts of Colombian women's organizations, violence against women by illegal armed actors is beginning to be examined by human rights organizations.<sup>29</sup> A high percentage of internally displaced people are women. In their report focusing on violence against women, Amnesty International noted numerous cases of female community activists who were captured and raped by paramilitary forces, even during the declared paramilitary ceasefire. Paramilitary and guerrilla efforts to enforce social control are also highly gendered. Women accused of socializing with suspected enemy sympathizers, wearing suggestive clothing, or engaging in inappropriate behavior are targeted for public punishments. Violence against women is underreported; many cases involving sexual violence are closed without investigation.

I have mapped the history of Colombia according to kinds of categories usually described as political violence: partisan, insurgent, and counterinsurgent violence that also at times intersects with criminal violence and the struggle to control resources. Each of these categories is defined according to the motives and intentions of perpetrators. There are many other ways to map this history, for example, through the identities of the victims rather than the aspirations of the perpetrators, tracing the violences experienced by women, indigenous groups, Afro-Colombians, and other minorities. Much of those histories remains to be written, and will, I hope, guide future research on Colombia.



MAKING HUMAN RIGHTS NARRATIVES:  
TRUJILLO AND MODERN COLOMBIAN VIOLENCE

The human rights groups that I examine in Colombia attempt to use the category “human rights violations” to highlight particular instances of violence within this pantheon of aggressive acts. In doing so, they focus on certain characteristics of the act itself: the motives of the perpetrators, the credibility of the evidence, and the degree to which this example represents a larger universe of events. Institutional and historical shifts were instrumental in making the use of the human rights framework possible. This process was exemplified by the “Trujillo case,” the torture and murder of more than one hundred people, which became one of the most widely discussed human rights cases in Colombia in the 1990s. The Inter-American Human Rights Commission (IAHRC) of the Organization of American States (OAS) ruled on the case. The Trujillo Commission, a mix of government, military, and NGO representatives named to investigate the murders, was called a mini-truth commission for Colombia. Its investigation found a lethal mix of military commanders and drug traffickers responsible for the violence, which had included the dismemberment of living victims with chainsaws and the decapitation of the local priest.

The work of the Trujillo Commission typifies many of the issues I explore in this book. Out of the complex panorama of multiple armed actors, the commission crafted a narrative using the human rights frame to establish accountability of state agents. Its work was possible because of the increasingly credible and professional investigations undertaken by NGOs, the state human rights institutions created in the early 1990s, and the Colombian military’s willingness to participate (and attempt to co-opt) human rights spaces. The perpetrators of the murders in this case were a mix of state agents (military officers) and economically powerful businessmen (drug traffickers), and common criminals, just as they had been throughout Trujillo’s history. But now they could be labeled “human rights violators” in an effort to publicize the case and bring the guilty to trial. In that effort, the activists who pushed for the commission largely failed. Nevertheless, they participated in the dramatic transformation of the political landscape of human rights activism in Colombia and the efforts to understand and address Colombian violence throughout the 1990s. To understand the complexity of their task requires first a brief mapping of the dynamics of political violence in the decade before the commission began its work.

*Power Disputed: Trujillo in the 1980s*

While human rights violation as a category for understanding violence was applied to events in Trujillo, a small town west of Cali, only at the beginning of the 1990s, violence has long played a central role in the town's political life.<sup>30</sup> At the end of the nineteenth century, like much of the Colombian countryside, the land that became Trujillo was first emptied of its sparsely settled indigenous occupants and then filled with the second-generation sons of Spanish adventurers, who founded the first official settlement in 1922. In a pattern that would be repeated along the agricultural frontier throughout Colombia's history, settlers were driven by a desire for economic opportunities and to escape political violence. Political bosses employed violence to control their patronage system and consolidate their ownership of land and other economic resources, channeled through divisions between the traditional Liberal and Conservative Parties.<sup>31</sup>

The violence that was the subject of the Trujillo Commission emerged from the new actors that began to dominate political and economic life during the 1980s: guerrillas, paramilitaries, and drug traffickers. In Trujillo, as in many small towns across the country, the military was deeply implicated in supporting paramilitary activity, which was in many cases financed by drug traffickers. The guerrillas had first arrived in the region in the early 1980s. The ELN sent periodic political and military excursions into the mountainous outskirts, composed primarily of students and union activists from Cali and Medellín, as part of the Frente Luis Carlos Cardenas Arbelaez. By the time they arrived in the mountains of Trujillo, the ELN was slowly rebuilding its ranks after a near-total defeat in the early 1970s.<sup>32</sup> Its effort to consolidate a rural power base coincided with the arrival of a new priest to the area, Tiberio de Jesus Fernandez Mafla, known simply as Father Tiberio. By all accounts, he was a charismatic native son, from a neighboring small village, committed to the growing radical Catholic movement that focused on solidarity with the poor, liberation theology. He had been a youth leader in the Jesuit rural training program (Universidad Campesina, or Peasant University) and had traveled to Israel to learn cooperative farming on a kibbutz. Father Tiberio promoted lay organizations, supported community businesses and cooperatives, and became an active voice in local politics. From the pulpit, he used his homilies to condemn the *acciones pistoleras* (gangster actions) of the most important political bosses in the region, the Giraldo family.

The ongoing shifts in power relations with the guerrillas were one of the many factors that would ignite the new outburst of violence at the end of the decade. According to Adolfo Atehortúa, for much of the early 1980s Father Tiberio's ministry and activism coexisted peacefully with the ELN. He managed a "tacit agreement" with the ELN following long conversations; the guerrillas agreed not to take over the town and to respect the autonomy of the community groups organized by Father Tiberio and the Instituto Mayor Campesino, a Jesuit-led education and community development cooperative. Atehortúa admits, however, that Tiberio did not have much leverage in these informal negotiations: he "could not oppose them: they had arrived first, were in the zone with his parishioners, and they were armed" (Atehortúa 1995: 240).

The importance of drug money in shaping local politics and violence was personified by Henry "The Scorpion" Loaiza. Local legend has it that Loaiza was "an illiterate peasant, [employed] before as a driver, who left one good day for the Putumayo, and then one day returned with his pockets full of money and ready to become the patriarch of the area" (Atehortúa 1995: 276). Loaiza eventually became head of security for the Cali Cartel and one of the largest landowners in the region, one of many who rose from peasant to near-king on the tide of drug money that washed across Colombian's small towns.

In addition to the ELN, M-19 dissidents arrived, their political and economic prospects badly battered. After frustrated peace talks with the administration of Belisario Betancur (1982–86) and the M-19's unsuccessful attempt to take the Palace of Justice in 1985, M-19 combatants returned to the area where they had once hopefully made plans for peace. Desperate for economic resources, they kidnapped Rogelio Rodríguez, an up-and-coming power broker who supported Father Tiberio's peasant organizing projects. Because of Father Tiberio's "understanding" with the ELN, neither believed that he would become a target.

The fragile, unwritten agreements between these complex, competing forces had been broken, and the conflict between groups escalated throughout the mid-1980s. The ELN, attempting to expand its base of support while staving off increased army incursions, fought M-19 influence. Drug traffickers felt increasingly threatened by the guerrillas, as they bought up land to consolidate a strategic shipping corridor up the western Andes. Traffickers spread their bribes to police and military forces, hoping to replace the traditional agricultural elite as the main power brokers in the region and reduce the influence of the reformist politician Rodríguez and the radical priest Tiberio. After his kidnapping

by the M-19, Rodríguez was unwilling to trust the guerrillas. The Giraldo family hoped to maintain their power against the multiple threats of Rodríguez, drug traffickers, and guerrillas. The poor peasants saw their access to land threatened by the drug traffickers' land grab. The small "middle class," made up of independent tradesmen, coffee farmers, and *inspectores de policias* (police inspectors; civilian officials who are often the only government representatives in small hamlets), were pressured from all sides.

In the Cauca River valley, Loaiza and his Cali Cartel cohorts developed alliances with the local military. They were convinced that the peasant organizing going on in the guise of Catholic solidarity was simply a cover for the guerrillas. The final straw was local participation in a series of protest marches, including local organizing to support the National Strike on October 27, 1988. Several of the banners demanding state action on agricultural credit bore the insignias and slogans of the ELN. The following March local peasants again protested the lack of state services, and on April 29 they occupied the central plaza. The army responded by cordoning off the area and declaring a curfew; a negotiating commission that included Father Tiberio, the mayor, and other local officials was established to mediate with the protesters. Peasant leaders accused the army of mistreatment, and the protest ended with a shoot-out in which fourteen people were wounded. Tensions increased again during the mayoral elections a year later. To prevent violent disturbances during the voting on March 11, 1990, the army militarized the area.

Local inhabitants reported a notable increase in the disappearance of their neighbors and the appearance of unidentified, mutilated bodies. By the end of the month a series of incidents involving the army and the ELN left seven soldiers dead and a number of civilians dead and disappeared. On March 29 two army patrols began searching for an ELN camp in La Sonora. In confused circumstances, an ELN ambush and possibly other combat left seven soldiers dead and six civilians wounded. In the middle of the night of March 31, soldiers rounded up ten local farmers from their homes; the farmers were never seen again. The first week of April, five carpenters were detained, tortured, and killed by the army. Selective assassinations were also on the rise, with increasing numbers of mutilated bodies washing up on the banks of the Cauca River. Prominent locals did not escape the violence. Among them was *gamonal* José Noe Giraldo, a *concejel* (councilman) and congressional representative, who was shot dead in Cali. The final straw was Father Tiberio's brutal killing. He disappeared, along with his niece and two parishioners,

while returning from a funeral. His decapitated and mutilated body was found on April 23, 1990, on the banks of the Cauca River.

### *The Trujillo Commission*

The Trujillo Commission was a response to the number and brutality of the killings that occurred during the first months of 1990, but before and after, massacres similar in scale did not enjoy such treatment. A number of factors conspired to focus attention on Trujillo and facilitate the work of the commission. Human rights NGOs viewed the case as an opportunity to raise international awareness. The leadership of the new governmental human rights agencies created by the 1991 Constitution, many of whom had previously worked with the NGOs, saw the case as the chance to demonstrate their capacity to take on sensitive investigations. The increased profile of human rights in the international community in the post-cold war political climate opened new avenues for transnational activism. Closer to home, the personal commitments and political crisis made human rights a priority for the Samper administration.

The first important factor was the increasing ability of NGOs to carry out credible research. The Trujillo murders were first investigated by a Catholic NGO, Intercongregational Commission of Justice and Peace (Comisión Intercongregacional de Justicia y Paz), known as Justice and Peace. An influx of international funding, including major grants from the Ford Foundation, had allowed the expansion of several large organizations and professional training for its staff and other activists. Father Javier Giraldo, a radical Jesuit priest with a long history of human rights activism, founded Justice and Peace in 1989. He made documenting paramilitary expansion a priority. He could also marshal significant resources from the Catholic Church in cases of persecuted clergy and was particularly touched by Father Tiberio's brutal death.

The Trujillo case itself was seen as an example of the growing number of massacres being carried out around the country. As such, it served as an archetype that NGOs could use to demonstrate national patterns of political violence. At the same time, researchers were able to gather enough specific evidence to build a compelling case. The NGOs had another critical advantage in this case: they had a witness, someone who was not simply a surviving victim or a local peasant who had seen the events. Daniel Arcila was a participant in the murders, a paramilitary informant who had turned himself in after overhearing paramilitary leaders plan to kill him precisely because of what he had witnessed.<sup>33</sup> Arcila

gave a detailed account of the full history of the murders, including incidents that left no survivors, and implicated drug barons, among them Loiaza, and local military commanders. His chilling tale included a gruesome recounting of victims stuffed into burlap sacks and dismembered with chainsaws while still alive (the many nicknames for paramilitary groups included the *monchacabezas*—headsplitters—and the *motosieras*—chainsaws). Beginning on April 19, 1990, Archila testified at least six times before three different government agencies.<sup>34</sup> Despite this testimony, the Colombian courts absolved all the implicated military officers of any responsibility.<sup>35</sup>

Newly organized NGOs such as Justice and Peace were also involved in developing new strategies for transnational activism that began pushing multilateral human rights mechanisms for action. In March 1992 the NGOs decided to try a relatively new tactic, taking the case to the InterAmerican Human Rights Commission. Based on the evidence produced by the NGOs, the IAHRC was prepared to rule against the government, but the head of the governmental Ombudsman's Office (Defensor) and the director of one of the NGOs bringing the case before the commission advocated a different outcome. Rather than present a formal statement finding the government responsible, one that would simply be reported in the press and filed away, they argued that a consensus agreement (*arreglo amistosa*) between the government and the NGOs promising follow-up to victims would provide real closure to the case. That agreement resulted in the Trujillo Commission: an investigative body including both state and civil society representatives charged with clarifying the events, determining responsibility (state and otherwise), and recommending compensation for the victims. Nineteen representatives of civilian state agencies, military branches, and NGOs were named to the commission.<sup>36</sup> The commission addressed events occurring from the end of 1988 to 1990, with special attention to events during March and April 1990, from the ambush of a National Army patrol by a guerrilla column of the ELN until the day Father Tiberio Fernandez's body was recovered from the banks of the Cauca River. Sixty-three victims were named in the original documents, with a total of 107 victims named in the final report.

New state human rights agencies gave crucial support to the commission and to NGO human rights initiatives during this period. As part of the democratic reforms and the negotiated settlement between the M-19 and the government in the late 1980s, a broader movement for political reform led to a Constitutional Assembly, resulting in the 1991

Constitution. The final document stressed human rights and offered an expansive list of guarantees for a range of civic, political, economic, social, and cultural rights while leaving the system of military privileges largely intact. The 1991 Constitution also created a series of new judicial bodies. The *Fiscalía* (Attorney General) and *Procuraduría* (Inspector General) were given separate functions; the latter was charged with investigating official misconduct by state agents. The new Constitution also established a central governmental human rights agency, the *Defensoría del Pueblo*, a type of ombudsman's office, which was charged with assisting victims of abuse but lacked specific investigative and enforcement powers. The first *defensor* was charged with establishing institutional procedures and defining a work program for his vague mandate; many of the first staff attorneys were drawn from NGOs. The presidential human rights adviser, a cabinet-level position established in 1987, also played a critical role in promoting the commission among reluctant governmental officials.

The Trujillo Commission was made possible by a favorable international and domestic political climate. In the post-cold war decade, before the war on terror, human rights played an increasingly prominent role in international relations. Absent the defining conflict between the superpowers, some analysts argued that diplomatic relations could now be driven by the moral imperatives of protecting citizens rather than the crass commerce of national interest. The human rights bodies of international organizations, including the OAS and the U.N., took on more prominent roles in discussing particular national cases. Having the IAHRIC offer to provide institutional support for the Trujillo Commission, in place of the public censure of the Colombian government, undoubtedly played a role in the willingness of the Samper administration to participate. The Samper administration in general was open to human rights concerns, and its position on these issues marked a decided shift in government rhetoric. Whereas previous governments had rejected the suggestion that Colombia had a human rights problem, President Samper took a different tack: Colombia had a problem, but it was not his fault. The government was a victim of the extremist violence of the left, the right, and organized crime and needed the help—not the criticism—of the international community. When I interviewed former President Samper at his international business consultancy office, he was proud of his human rights record. “We had to admit that we had a human rights problem,” he told me. “It was a reality, and what we had to change was not the image of the problem abroad but the reality itself. That was the

philosophy that I worked from.” According to Samper’s aides, this was in part an ideological conviction and in part a reflection of the cyclical nature of Colombian politics, in which presidential administrations alternated between negotiations and military campaigns; Samper was consciously distancing himself from the “total war” approach of the previous president, Cesar Gaviria.

The profound political crisis that shook the Samper administration from its inception also influenced its policy. Immediately after Samper’s election, the DEA released alleged proof that he had received campaign contributions from the Cali Cartel. Much of the first two years of his administration was spent refuting rumors of his imminent resignation, and his power as a political broker was infinitely weakened. Samper’s campaign manager (then minister of defense) was forced to resign and was ultimately jailed, Colombia was “decertified” by the U.S. Congress, and Samper’s visa to the United States was revoked.<sup>37</sup> Becoming a champion for the human rights cause was one way to win back a margin of political capital for his embattled administration. “The crisis was so extreme that everyone could do whatever they wanted,” one former senior official told me. “Which meant that the military had a lot of freedom, but the human rights people had a lot of freedom too.”

#### TRUTH AND CONSEQUENCES: THE LIMITS OF HUMAN RIGHTS REPORTING

The publication of the Trujillo Commission’s final report was itself a great achievement: a consensus document, produced by NGO, civilian state, and military representatives working together to clarify the events surrounding sixty-three brutal murders. On January 31, 1995, President Ernesto Samper officially accepted state responsibility for the Trujillo murders, concluding, “The attitude which we have assumed today will serve as an example for all public servants in Colombia with regard to the unwavering commitment of my government to respect and to enforce respect for human rights” (quoted in ICCHRLA 1997). According to the final report, the paramilitary death squad operated in coordination with the army’s Palace Artillery Battalion No. 3 under the command of Major Alirio Antonio Ureña Jaramillo. As a result of the report, Ureña was removed from active duty; Henry Loaiza had surrendered to Colombian authorities in Bogotá on June 19, 1995, and had been tried on drug trafficking charges.

The lasting legacy of the Trujillo Commission remains uncertain. After



its findings were released in 1995, President Samper publicly accepted state responsibility for specific human rights violations—a first in Colombia’s history. His public apology was heralded as a major triumph for the human rights groups that had pushed for the commission. For the remainder of the decade, the case remained a major point of reference for both its supporters and its critics, an example of the success of human rights activism and its dismal failure. For the NGOs who participated, the failure to try high-ranking military officers remained a vivid example of impunity. For governmental human rights officials, the commission was an example of the extreme fragility of the compromises required by working in coalition, never to be repeated despite efforts to revive the model to address abuses in other regions. For the military, witness to the demotion of a rising colonel, the commission was a demonstration of how its commanders were scapegoats and contributed to the emergence of a human rights discourse developed to advance military programs, from its own perspective. Perhaps most tragically, the nature of political violence in Colombia itself shifted in part as a result of the commission and other pressures from human rights groups. In the decade after the commission, violence by private actors—paramilitary forces—replaced abuses committed directly by the armed forces as the single largest kind of human rights abuse committed in Colombia. Paramilitary commanders gave their troops lectures on how to escape the attention of human rights groups—by avoiding the publicity of a massacre by killing their victims individually or scattering the bodies, for example—and developed sophisticated public relations campaigns. Ultimately, examining Trujillo, the town and the commission, illuminates both the history of Colombian violence and the way in which human rights activism functioned in response.

The Trujillo Commission brought the issue of state responsibility for brutal human rights violation in Colombia to the attention of the Colombian public and to the world at large in an unprecedented fashion. As a result of the commission, and of lobbying by NGOs and state human rights officials, the Colombian Congress passed Law 288, which ensures the compensation of victims in cases where the InterAmerican Human Rights Commission finds the government responsible. In the long term, the commission set the stage for the evolution of governmental human rights agencies into major players both in terms of international lobbying and in defining the domestic human rights agenda. The commission also began a slow shift in the political culture of NGOs as they moved toward closer cooperation with state agencies.

The commission also contributed to a number of unintended, less positive effects. Its failure to effect jail sentences radicalized many NGO participants; Justice and Peace repeatedly described the outcome as “Truth without Justice” in its publications. Despite the exhaustive investigation and the consensus report naming five individuals responsible for at least thirty-five murders, no one spent a single day in jail as a result. The failure of the commission to bring about legal accountability was used as a justification for refusing to cooperate with governmental initiatives in the future. There was no follow-up to the commission’s recommendation. The efforts of Justice and Peace to continue to assist the families who were victims of violence met with ongoing repression, and its Trujillo branch office was forced to close as a result of death threats in 1997.

The civilian state representatives were disappointed in the results as well. According to one such representative whom I interviewed at length, the Defensoría staff viewed the governmental refusal to invest in follow-up as a betrayal of their own hard work. Subsequent efforts to replicate the commission’s experience in other regions failed. Almost immediately after the commission concluded its work in 1995, NGOs pushed for a similar investigation of violence in Meta. After a few months of bitterly divisive meetings, however, the effort disbanded, with all sides unwilling to invest political capital in compromises.

The military leadership’s resentment of the commission arose from different reasons. Colonel Ureña’s ruined military career signaled to many officers that they were to be the scapegoats in the new era of human rights activism. In response, over the course of the 1990s the Colombian military established a network of human rights institutions in order to influence the human rights debates at home and abroad (see chapter 5). “One of the most important things that came from Trujillo was that it opened the way for the state [human rights] agencies to begin a relationship with the [military] leadership,” former President Samper told me. “The truth is that it began a consciousness-raising campaign with the military, human rights offices were opened in all the departments, a special human rights adviser was named, and a military human rights curriculum was established.”

#### COMPETING NARRATIVES:

#### SUPPORT FOR PEACE AND THE HUMANITARIAN CRISIS

Human rights work is a slippery category that both blurs into and conflicts with other categories of the newly emerging “international helping

operations.” These include humanitarian aid, peace keeping, nation building, conflict resolution, and political advocacy. In practice, such operations can often be very similar, involving establishing bureaucracies, delivering material assistance, fund-raising and public relations, and ensuring staff security. One of the major similarities, however, is also the element that produces the most conflict: all these operations involve the production of knowledge and the categorization of violence, making suffering socially legible in particular ways in order to generate specific kinds of social obligations. Where these operations differ is in their reading of violence and in the nature of the social obligations they generate, so that despite their similarities, in practice these categories are often felt by the people who enact them to be different, even contradictory. These conflicts are generated in part from the kind of social response they require. In traditional NGO human rights activism, the central focus is on the perpetrator and on establishing accountability. For activists involved in other kinds of international interventions, such efforts can seem frivolous (worrying about laws when people starve) or counterproductive (undermining efforts for negotiated settlements by insisting on trials for leaders). A number of institutions devoted to these operations began to operate in Colombia during the late 1990s, offering support as well as competition for human rights NGOs. These institutions operated with their own frameworks for categorizing and addressing the violence in Colombia.

Within the humanitarian aid community, the issues of accountability and prosecution have emerged as highly controversial, and possibly even counterproductive, for organizations that define their primary mandate as providing assistance to reduce suffering and protect life. The largest and oldest humanitarian network, the Red Cross movement, was developed in the late 1800s, following the first Geneva Accords to protect civilians, medical personnel, and noncombatants during wartime. Absolute neutrality and impartiality, defined as providing assistance without supporting any of the parties in conflict, was the touchstone of their operations, and arguably what allowed the International Committee of the Red Cross to continue to operate in many entrenched conflict situations. By the end of the cold war, however, this approach to humanitarian operations was increasingly scrutinized by critics who concluded that in practice neutrality actually resulted in a political position that favored one party over others during conflicts. Famines and other so-called natural disasters were increasingly seen as the result of human intervention, bringing the issue of accountability to the fore in order to prevent future

disasters. Frustration with treating the result (starving people and structural poverty) rather than the cause (local power structures, war, and economic policies) led many humanitarian agencies to develop advocacy and lobbying programs to address the perceived causes.<sup>38</sup>

The “humanitarian crisis” frame that emerged in the late 1990s was a new one for Colombia, despite the long-running internal conflict. The traditionally high relative per capita income and stable economy prevented Colombia from qualifying for most international development funding and programs. Colombia’s level of conflict has also been low, particularly compared to Central America and Peru. Yet by the mid-1990s conflict, displacement, and the production of refugees in those areas had largely ended, while in Colombia combat and political violence was on the rise. The worst economic crisis in a century threw Colombia into a tailspin, with almost 20 percent unemployment, growing poverty, and negative growth. Agencies working former hot spots in Latin America were looking for new institutional mandates and ready to expand into new program areas, and they were eager to open programs in Colombia.

Internal displacement first became a visible issue in Colombia in the mid-1990s. The Catholic Church, through its Office on Human Migration, was instrumental in bringing the issue to public notice. Though periodic earlier press coverage and a few NGO reports focused on the issue of displacement, there was little international attention to the issue and almost no major agencies working in Colombia (Kirk 1993). The Office on Human Migration published one of the first comprehensive studies of internal displacement, based on a nationwide survey of parishes, in 1995.<sup>39</sup> In the first evidence of major governmental concern, the Samper administration created the position of presidential adviser on displacement. This position has since been abolished, but the issue now takes up considerable bureaucratic space within the Ministry of the Interior and the Social Solidarity Network, the government agency currently charged with providing assistance to the displaced. By the end of the decade, the U.S. Committee for Refugees (USCR) had named Colombia as one of the major humanitarian crises in the world, on par with the Sudan. After staff visits the USCR issued several reports examining the situation of Colombian refugees and the internally displaced.

With higher visibility, and a subsequent increase in available funding, the number of international NGOs operating in Colombia focusing on humanitarian aid expanded dramatically. The ICRC renegotiated its mandate in 1996, expanding its ability to meet with illegal armed actors

and dramatically increasing its field presence.<sup>40</sup> Doctors without Borders (the Dutch, French, and Spanish chapters) and other humanitarian organizations established field presence and programs in Colombia. Project Counseling Services, a coalition of European and Canadian aid organization, began with one project in Colombia in 1992 and by 2000 had relocated its Latin American headquarters from Lima to Bogotá.<sup>41</sup> The United Nations High Commissioner for Refugees opened a Bogotá office in 1998 and established three field offices by 2002; last-minute negotiations limited its mandate to monitoring the “situation of internal displacement” and small aid delivery projects. At least three coordinating coalitions of humanitarian agencies developed during the last years of the 1990s: the Inter-Agency Dialogue (Diálogo Inter Agencial, or DIAL, made up of Oxfam, Christian Aid, Save the Children, the Norwegian Refugee Council, Diakonia, Project Counseling Services, and PBI as observers) and two groups coordinating southern European and Nordic humanitarian agencies. The U.S. aid package passed in 1999 also pumped tens of millions of dollars into humanitarian projects and assistance to the displaced.

The expansion of humanitarian agencies in Colombia occurred simultaneously with growing debates within the field over the relationship between the role of neutrality, human rights, and political advocacy in aid provision during conflicts. Sharp controversies within and among leading agencies led to widely different positions. Some groups saw humanitarian aid as a means of assisting populations at risk while avoiding messy political commitments in the context of entrenched internal conflicts. Others, like Oxfam, came to see their role as increasingly political and began advocacy programs to target policy makers to change what they viewed as the origins of these conflicts. The result was a surprising new landscape of competition and opportunity for Colombian human rights NGOs. While some humanitarian agencies dismissed these NGOs as too overtly political and partisan, others provided funding for human rights advocacy campaigns or incorporated human rights issues into their initiatives.

#### PEACE AND HUMAN RIGHTS

The use of a culture of democratic or peaceful coexistence (*cultura de convivencia democrática* or *pacífica*), not to explain violence, but as a way out of it, was first forcefully articulated during the public debates surrounding the writing of the 1991 Constitution and is reflected in a

number of its articles. For example, Article 70 states, "Culture in its diverse manifestations is the foundation of the nation. The State recognizes the equality and dignity of all who live within the country."<sup>42</sup> This demonstrates a new emphasis on the "diverse manifestations" of culture, reflecting a previously unacknowledged multiculturalism in this new imagining of the Colombian nation. President Samper suggested that such a culture could be institutionally stimulated through the Ministry of Culture. As he stated at the Forum of Culture in Bogotá on March 23, 1995: "The Ministry of Culture will help us replace the culture of conflict that characterizes our social relations today for the culture of democratic co-existence [*convivencia democrática*]. The Ministry of Culture will enable us to remember always and for always that we are richly different. . . . But above all the Ministry of Culture will help us achieve peace for Colombia. The peace of identity, the peace of return to the basics of conviviality, the peace of equality based on differences" (quoted in Ochoa 1996: 26–27).

This process is not unique to Colombia. During the 1990s, the decline of the socialist model, the end of armed opposition movements, and the continued economic decline in spite of democratic reforms have engendered a deep crisis of both state institutions and leftist movements throughout Latin America. With the absence of clear alternative political platforms, "culture" is increasingly being emphasized as a site of political identity and activism. As Ana Maria Ochoa explains, "With the disenchantment produced by the failure of left-wing movements of the sixties and the emergence out of dictatorial regimes the inquiry over the role of culture in the current processes of democratization in Latin America has taken a central state" (Ochoa 1996: 169).

In Colombia this vague exhortation for a culture of peace has been championed by numerous networks, including many organizations backed by the Catholic Church that have adopted a conflict resolution approach as a means of reducing the conflict in Colombia. Their political platform has largely centered on supporting guerrilla negotiations, and these groups experienced a dramatic resurgence during Pastrana's frustrated peace talks with the FARC in the late 1990s. Their major international allies included staff of the U.N. missions that were being slowly phased out of Central America following the culmination of peace treaties in El Salvador and Guatemala; for several years Colombia was rumored to possibly be the next large-scale mission should peace talks succeed.<sup>43</sup> Despite an important attempt to build alliances within the human rights community based on protesting specific kinds of abuses,

tensions about differing political agendas and priorities led to an eventual rupture.

One of the largest civil society peace organizations was Redepaz (lit., “peace network”), founded in 1993 as a loose coalition of organizations from throughout the country, with strong backing from the Catholic Church. According to Monsignor Leonardo Gomez Serna, bishop of the province of Socorro and San Gil in the Northeast and a leading proponent of the initiative, the main objective was “defeating the war.” The initial group received an important influx of ex-combatants from the M-19 (reconstituted as the Democratic Movement M-19 after peace talks that resulted in a negotiated settlement in 1991). Later successive groups of *reincertados*, guerrillas who accepted a series of amnesties and negotiated settlements, were also influential in peace activism, among them the CRS, a dissent group from the ELN, which laid down arms in 1994.

During the mid-1990s, Redepaz was one of the main organizers of a series of marches and symbolic actions in support of peace. A primary, and unexpected, ally was País Libre (lit., Free Country), an organization that supported the family members of kidnap victims and whose major constituency was middle-class businessmen. The organization was inspired by then-journalist Francisco Santos, who had been kidnapped and help captive by the Medellín Cartel for almost nine months during its “narcoterrorism” campaign against governmental prosecution. In an *El Tiempo* editorial, Santos complained that greater understanding of the phenomenon of kidnapping—and support for the victims—was needed.<sup>44</sup> País Libre remains the primary NGO dedicated to assisting kidnap victims and their families.

In 1996 País Libre, Redepaz, and other peace groups organized a series of peace marches in five cities, with a massive turnout that surprised even the organizers. In Bogotá nearly fifty thousand people marched under the banner “For the country that we want, no to kidnapping.” Redepaz agreed to work with País Libre on the condition that the protest include forced disappearances (abductions carried out by state agents) and that the call to end guerrilla violence be broadened to a blanket rejection of war and support for a negotiated settlement. Redepaz also participated in the organization of a number of symbolic votes for peace, including the Children’s Mandate for Peace and Rights in October 1996 and the Citizen’s Mandate for Peace, Life, and Liberty, which resulted in more than 10 million votes in support of peace in late 1997.<sup>45</sup> Critics decried these efforts as so symbolic as to be meaningless. Peace was not defined; the ballot simply offered a choice between war and

peace, so the vote did not advance any larger social consensus regarding specific policies to promote peace. However, the process of organizing the referendum encouraged interaction among persons and sectors that rarely had the chance to share a common cause, such as members of the Business Council and trade union leaders along with members of human rights organizations and representatives of economic groups. The high-profile peace campaigns made negotiations with the guerrillas the central issue in the 1998 elections, and a clear factor in Pastrana's election.

Media coverage and publicity soundbites reduced these efforts to a slogan, *No more!* (No más). The more nuanced position of the citizens campaign for liberty and against kidnapping and forced disappearance was lost, and the marches developed into a distinctly antiguerrilla affair. Redepaz and other organizations were profoundly critical of this shift. Despite the advances, many complained that the oligarchy stole our movement, in the person of the leader of the Santos family, the powerful owners of *El Tiempo*. The organizing coalition no longer convened a broad spectrum of organizations, instead beginning to function as another NGO in its own right. For their part, businessmen and economic associations organized an NGO based on the "No more" campaign. For these groups, the primordial objectives were to stop the war and end kidnapping; they did not support the broader social justice platform advanced by Redepaz.

Human rights NGOs continued to participate in peace efforts through a series of umbrella organizations convened to foster civil society participation in negotiations. Trade union groups, human rights NGOs, and activists from the left organized the Comité de Búsqueda de la Paz (Search Committee for Peace), which held seminars on peace and civil society in the main departmental capitals. These seminars included representatives from the "organized sectors": workers, indigenous people, women's groups, youth groups, and environmentalists. In 1996 this committee was absorbed by the Permanent Assembly of Civil Society for Peace, organized to galvanize Catholic leadership on the peace issue and to broaden participation. This was a particular concern in light of what some leaders called the "jet-set" civil society (primarily business representatives) who played a crucial (some would say steamrolling) role in the civil society discussions with the ELN and the paramilitaries. The first Permanent Assembly meeting had support from international organizations including the Red Cross and the United Nations Development Program; Danielle Mitterrand, widow of the former French President François Mitterrand, was the keynote speaker at the first national conference.<sup>46</sup>



For Colombian human rights NGOs, concern that the human rights agenda would be sacrificed in the name of peace became a significant concern. During the Pastrana administration, the focus on peace translated into neglect for state human rights programs; Pastrana's message stressed that human rights abuses could be dealt with only after the war was ended. This view of human rights was widely shared by groups involved in the burgeoning field of conflict resolution, which commonly view efforts to ensure human rights accountability as an impediment to peace agreements between warring factions. Amnesty legislation and guarantees of immunity are often viewed as fundamental for trust building at the negotiating table; warlords have little incentive to lay down their arms if they will immediately be tried for war crimes or other abuses. Human rights activists point out that such amnesties can fail to ensure lasting peace, with criminal elements within political factions frequently returning to armed actions.

Confronted with the complex panorama of Colombian violence, activists began using the human rights framework to classify the violent homicides that years earlier had been considered partisan violence, or part of insurgent and counterinsurgency campaigns. However, human rights is only one of the frameworks used to prompt specific responses from the international community. Other NGO actors and government officials were deeply invested in documenting the humanitarian crisis in Colombia and the growing number of internally displaced people to generate increased assistance. Groups focusing on negotiations and prospects for a settlement with the guerrillas advocated for the creation of a culture of peace that required support from groups focusing on conflict resolution strategies. Other rights frameworks were also deployed in Colombia throughout the 1990s, including women's rights, children's rights, indigenous and Afro-Colombian rights, and economic, social, and cultural rights. International concern about child soldiers and the forced recruitment of minors spurred the creation of new NGOs and networks focused on the particular needs of this population. These groups offer important sites for further research. My focus for the remainder of this book is on the human rights professionals who employed the human rights framework to focus international attention on politically motivated homicides.