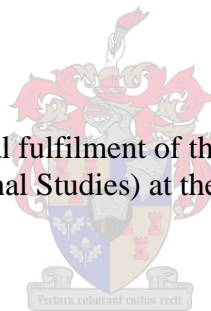


The Blurred Lines between War and Crime: The Case of Colombia

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Declaration

I, the undersigned, hereby declare that the work contained in this research assignment is my own original work and that I have not previously in its entirety or in part submitted it at any university for a degree.

Signature: .....

Date: .....

Abstract

This research assignment deals with the breakdown in the Clausewitzian concept of the modern trinitarian structure of war. Martin Van Creveld in his book entitled, “The Transformation of War” written in 1991, discusses ‘Future War’ and the way in which wars will be fought. It will not be the highly technical interstate kind of war the West has been preparing for, but rather low intensity conflict where the lines between state, soldier and civilian become blurred, society becomes a war zone and the conflict becomes a more direct experience for the people.

Colombia is a prime example of where this is occurring and the most salient manifestation of the low intensity conflict is the blurring of the lines between war and crime. There are left wing guerrillas fighting for social justice for the dispossessed population, but their tactics resemble crime and the government views them as terrorists. They run a self-sufficient organisation, one of the most profitable insurgent groups in the world largely funded through kidnap ransom payments. The right-wing paramilitaries are on a quest to cleanse Colombian society of the guerrillas and assassinate suspected guerrilla sympathisers. To complicate issues, both insurgent groups are involved in the drug trafficking trade, whether it be directly or by way of taxing land on which coca is grown.

In this situation, war and crime have become inextricably linked and a distinction between the two is impossible on both practical and conceptual levels. However, if it is not crime and it is not war, but a complicated melange of the two, a new framework for analysis is required in order to attempt a solution.

Opsomming

Hierdie navorsingsprojek gaan oor die ineenstorting van die Clausewitziaanse begrip van die moderne Trinitariese oorlogstruktuur. In sy boek, getiteld "The Transformation of War" wat in 1991 geskryf is, bespreek Martin van Creveld die 'toekomstige oorlog' en die wyse waarop oorloë gevoer staan te word. Dit sal nie die hoogs tegniese interstaatlike soort oorlog wees waarvoor die Weste hom voorberei nie, maar eerder 'n lae intensiteitskonflik waar die lyne tussen die staat, soldaat en burgerlike ineenvloei; die gemeenskap word 'n oorlogsone en die konflik word 'n direkte ervaring vir die bevolking.

Kolombië is 'n goeie voorbeeld van waar dit besig is om plaas te vind en die mees kenmerkende manifestasie van die lae intensiteitskonflik is die vervloeiing van die skeidslyne tussen oorlog en misdaad. Daar is linksgesinde guerrillas wat om sosiale geregtigheid veg namens die onteiene bevolking, maar hul taktiek kom voor soos misdaad; en die regering beskou hulle inderdaad as misdadigers. Hulle beheer 'n selfversorgende organisasie, een van die winsgewendste versetsgroepe in die wêreld wat tot 'n groot mate gefinansier word by wyse van ontvoering van mense, met die eis van lospryse vir vrybetaling. Die regs-gesinde paramilitêre groepe is op 'n sending om die Kolombiaanse gemeenskap te suiwer van die guerrillas en bring vermeende guerrilla simpatiseerders om die lewe. Om sake te kompliseer, is albei opstandsgroepe betrokke in die dwelmsmokkelhandel, hetsy direk, of indirek by wyse van belasting op die grond waarop coca gekweek word.

In hierdie situasie het oorlog en misdaad onteenseglik verweefd met mekaar geraak en is dit nie moontlik om enige onderskeid tussen hulle te tref op hetsy die praktiese of die konseptuele vlakke nie. Indien dit dan nie oorlog is nie en ook nie misdaad nie, maar wel 'n ingewikkelde verweefdheid van die twee, dan word 'n nuwe analitiese raamwerk vereis om te poog om 'n oplossing te vind.

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List of Acronyms:

AUC *Autodefensas Unidas de Colombia*
United Self Defence Forces of Colombia

FARC *Fuerzas Armadas Revolucionarias de Colombia*
The Revolutionary Armed Forces of Colombia

ELN *Ejército de Liberación Nacional*
The National Liberation Army

Chapter 1.

Methodology

1.1. Political Problem

Colombia, situated at the north-eastern edge of South America is a beautiful country with a phenomenal natural heritage. Unfortunately this is all spoiled by the conflict and violent climate that has damaged this country for decades. The state is disintegrating as the government is losing legitimacy. The left-wing Marxist guerrillas kidnap, whilst the right-wing paramilitaries are on a quest to 'cleanse' Colombian society of the guerrillas. The government is somewhere in the middle with the United States as an ally. The government is backed by the Colombian political, economic and military elite who are desperately trying to preserve a democracy that has marginalised much of the population. To add fuel to the fire, Colombia has an extensive cocaine growing and trafficking industry run by drug lords on guerrilla land. The guerrillas claim that they are fighting a war for social justice for the dispossessed population, whilst the government and paramilitaries view the guerrillas as criminals trying to destabilise the country in order to keep up their drug trade. Herein lies the political problem: the conflict in Colombia is intractable because the stakeholders are not sure whether they are dealing with war or crime, each of which requires a different settlement route and policy prescriptions. However, if the conflict is about both war and crime, then an entirely new framework is required in order to resolve the issues at hand.

1.2. Research Problem

In Martin Van Creveld's book, "The Transformation of War" (1991) he discusses how the traditional conception of war, the Von Clausewitzian universe, is on its way to becoming obsolete and is no longer adequate in providing a framework for analysis. He describes the change and how he anticipates the form 'future wars' will take which will closely resemble war in pre-Westphalian times. The lines separating government, civilian and soldier as categories with differing rules within the modern state, are becoming blurred as the state loses its monopoly over violence and civilians take up arms. The traditional demonstration of this trinitarian relationship is made

manifest in war: the state is the war making mechanism and owns the monopoly of war. The soldiers are the fighters who engage in war against other soldiers. The civilians are unarmed and should be protected as far as possible from direct involvement in the war. However, these traditional lines and rules of war are now changing and becoming blurred. One merely has to observe the conflict in Colombia to see how traditional Westphalian conceptions of war are becoming obsolete, as are the trinitarian state structures. Colombia is in fact probably the prime example and manifestation of the blurring of these lines. As traditional structures change, lines become blurred. To some groups, who still adhere to these traditional formats, the low intensity conflict in Colombia is seen as committed by criminals. However, for those who no longer have faith in the state, the low intensity conflict is war. Where the legal monopoly of armed force is taken away from the state, distinctions between crime and war break down. This creates a situation in which other societal lines are also blurred, making resolution especially difficult.

Herein lies the research problem – Is crime being disguised as war? Or is war itself being treated as if it were crime? Or is it perhaps both? Such are the blurred lines between war and crime in Colombia.

1.3. Research Objectives and Questions

The objective of this research assignment will be to look at and describe the relationship between war and crime in Colombia. It will aim to describe contemporary circumstances that are prevalent in the country.

The questions that will be dealt with will be of the following nature: Has the civil unrest in Colombia blurred the line that separates war and crime? Who are the actors? What has caused the blurring of the lines between war and crime? These questions will aid in being able to achieve the objectives that have been set out.

1.4. Research Design

1.4.1 case study

This research assignment will take the form of a case study, and will be focusing on the state of Colombia. The assignment will be a case study in order to determine how the event of the civil unrest has affected the various groups of subjects. It will involve a detailed and thorough investigation of the theme of the blurred lines between war and crime within the state of Colombia as well as the help and assistance provided to this country by the United States of America. But the role of the US will be limited to assistance within the framework of bilateral agreements between the two countries.

Because the research takes the form of a case study, many units and people will be measured across a period of five decades. A wide variety of aspects in one case will be examined. The features of Colombian society and the groups that constitute this society will be examined over a period of time in a cross-sectional and longitudinal research manner.

The logic used will be analytic rather than quantitative in order to illustrate and analyse what is transpiring in Colombia today. The logic will also be to demonstrate a causal argument about how the social forces within Colombia (and the US in certain cases) shape and produce results in Colombia, within its domestic context. The assignment will examine the context in which Colombia finds itself and how its parts are configured.

1.4.2 descriptive study

This research assignment will take the form of descriptive research in order to 'paint a picture' of the specific details of the social unrest, the social setting and the relationships involved in Colombia. It will seek to describe how matters are in the country, rather than to explain why they are as they are. The assignment will attempt to describe the political situation in Colombia with regard to the social unrest, the drug trafficking, the social dynamics of the groups that make up the players in this context as well as the involvement of the USA in the conflict.

1.4.3 data sources

The sources used in this assignment comprise of literature reviews from books, journal articles, newspaper articles, government publications and internet resources. Some of the information collected was in Spanish, but translated into English. Internet resources used were mainly academic sources, such as the World Bank websites, however, some sources were not academic, such as the FARC website which was vital to the research in order to develop a well rounded picture of the situation in Colombia.

Information has also been gathered through interviews with the Colombian Ambassador to South Africa, the Director of Latin American Affairs at the South African Department of Foreign Affairs, as well as through correspondence with Professors at the University of Los Andes in Bogotá, Colombia.

The data that has been collected is both qualitative and quantitative. The majority of the information is, however, qualitative in the form of written texts. Quantitative data is in the form of existing statistics.

1.4.4 theoretical perspective

This assignment will focus on the lines between war and crime in Colombia. The use of middle-range theory will be used in general, but the theoretical framework of Van Creveld (1991), who engages in the classical theories of war of Von Clausewitz, will be used to describe the break-down in the traditional distinction between war and crime. Theory will also be applied to refine concepts and evaluate the assumptions of Van Creveld, and will aid in the understanding of the picture that is being painted of Colombia.

1.4.5 hypothesis

The hypothesis of this assignment is that the state of the low intensity conflict in Colombia has contributed to a blurring of the traditional lines that separate war and crime.

1.4.6 concepts

In this context, crime has the meaning of the violation of a norm thought to threaten society (Reading, 1977 'Crime'). Crime is also defined as behaviour that violates the law, which means that the state determines the nature of crime (Gottfredson & Hirsch, 1990: 3). Normally this violatory behaviour entails acts of fraud or force that are undertaken in pursuit of self-interest (Gottfredson & Hirschi, 1990: 15). The main distinctions that are made within the definition of crime are: trivial, serious, property and person crime.

In contrast to this, war takes on the meaning of a conflict between political units carried out by armed forces. The classical view of war as defined by Von Clausewitz is, "War ...is an act of violence intended to compel our opponent to fulfil our will ... War is not merely a political act, but also a real political instrument" (Luttwak, 1971 'War'). War was organised violence waged by the state, for the state and against the state (Van Creveld, 1991: 35-36), however, this postulate is changing as is evidenced by low intensity conflicts. The state no longer holds the monopoly over violence, civilians take up arms and society becomes the battleground. The problem with von Clausewitz's conception of war is that armed violence that is not conducted by the state, for the state or against the state, does not constitute the elements of war. However, all over the Third World, low intensity conflicts have abounded, which were wars, but with different characteristics, such as armed groups conducting criminal activities because they lacked the financial resources, or strength to fight conventionally. This indicates that Von Clausewitz's framework is becoming less and less useful as a tool of analysis in this respect.

Instead, with the rise of low intensity conflict, fighting is more of an insurgent nature: localised conflict between forces of a constituted government and other forces originating within the same national territory, which may take the form of guerrilla warfare consisting of military operations conducted by informal forces operating within a territory (Reading, 1977 'Insurgency' and 'Guerrilla Warfare'). Related to this is Van Creveld's definition of future war, where he states that belligerents will be intermingled in civilian society and thus Clausewitzian strategy will no longer apply.

He states that troops will have more in common with policemen, while weapons will become less sophisticated (Van Creveld, 1991: 212).

Van Creveld defines war as the deliberate shedding of blood, an activity which cannot be tolerated by any society unless there are rules which define what is, and what is not allowed (Van Creveld, 1991: 90). Van Creveld argues that throughout history, only the kind of killing that is carried out by authorised persons in prescribed circumstances in accordance with prescribed rules, could be saved from blame and even regarded as a praiseworthy act. However, bloodshed that contravenes these rules or conditions has usually resulted in punishment (Van Creveld, 1991: 90). And although different societies have varied in the way in which the lines between war and crime were drawn, Van Creveld argues that it is the existence of the line between the two that is essential. He says that where this distinction is not preserved, society will fall to pieces and a distinction between war and indiscriminate violence becomes impossible (Van Creveld, 1991: 90).

1.4.7 limitations and delimitations

This research assignment will focus on events occurring within the Colombian territory, over a period of five decades. Some chapters' chronologies begin at the end of the 1950s with the end of *La Violencia* ('*The Violence*'), a brutal civil war between liberals and conservatives, as actors that are pertinent to this study emerged from this war. This assignment will look at events in Colombia from the end of the 1950s until the time of writing, 2003.

The first chapter looks at the works of Von Clausewitz, and how this theory is no longer pertinent to an accurate description of the world, as set out by Van Creveld, however, the assignment will have neither an in-depth look at military history nor military strategy. Furthermore, as this assignment is of the descriptive type, it will not seek to establish cause and effect, but rather to contribute to understanding the nature of the conflict.

This research assignment will also look at issues such as kidnappings. Kidnapping for political ends or hostage taking is prevalent in times of war, but kidnapping for economic ends, for ransom, is often viewed as crime. In Colombia the same actors kidnap for both economic and political ends, which demonstrates the muddled lines between war and crime. However, this assignment will not delve into the social or psychological issues of the impacts of kidnappings, nor will comparisons be drawn between the state of the kidnappings in Colombia and other countries. The kidnapping section will be restricted to the situation in Colombia alone.

Furthermore, this assignment will deal to a large extent with the amount of drugs produced and exported from Colombia, who grows and who sells them, as well as demand and supply issues related to the drug-trafficking industry. There will be no reference either to the immediate social impacts of drug takers or to the reasons for taking drugs. The drug-trafficking trade will mainly be focussed between Colombia and the USA, as this is the main export market of Colombian cocaine and heroine. Consequently Colombian drug exports to other countries will not be looked at, as they bear no immediate importance on the topic. Although drug cartels will be mentioned, their make-up and distribution networks will not be documented, for restrictions on time and space.

Detailed descriptions of Colombian society will be looked at in terms of their social classes and the political, economic and military groups that they constitute. Colombia has many racial groups and ethnic minorities, with over 58% of the Colombian society being mestizo ('mixed') and 20% being white (The World Factbook, 'Colombia') The small minority groups will not be looked at, unless within the context of a social class or because of a political, social or economic affiliation.

Multilateral agreements will be scrutinised, especially in the latter part of the assignment, but these agreements fall mainly under drug-prevention, developmental and trade agreements. Regional influences beyond these multilateral agreements fall outside the purview of this study. Cross border collaboration amongst groups is deemed irrelevant for the purpose of this study, except for cross-border collaboration between the Colombian government and the United States government.

The final chapter will make conclusions and suggestions will be made, based upon the information set forward during the research assignment. These proposals are to serve as logical suggestions following the data collected and are purely a personal opinion.

1.5. Colombia



Colombia is a republic that lies in the North-West of South America, with the Caribbean Sea to the north and the Pacific Ocean to the west. Its neighbours are Venezuela, Brazil, Peru, Ecuador and Panama. Colombia is home to Amazon rainforests, the Andes Mountains, tropical beaches, lovely cities and enchanting people.

(Map from CIA World Factbook)

The population of Colombia is roughly 41 million and the language spoken is Spanish (CIA Factbook, 2002). 95% of the population are Roman Catholic, with small Jewish and Protestant minorities (Europa World Yearbook, 2002: 1144). The capital is *Santafé de Bogotá*.

As a colony, Colombia was under Spanish rule until 1819, when *Gran Colombia* (Colombia, Ecuador and Venezuela) gained independence. Ecuador and Venezuela seceded in 1830 when Colombia (including Panama) became a republic. In 1903, Panama became an independent country.

For the last century, Colombia has been ruled primarily by two parties, the Liberals and the Conservatives, whose rivalry has often led to violence. Fighting between these two parties between 1949 and 1958 caused the deaths of approximately 280 000 people and was known simply as *La Violencia* (Europa World Yearbook, 2002: 1144). During this time there was a dictatorship that was overthrown by a military

coup d'état which was subsequently also overthrown. Peace was restored when the National Front was created, which rotated the Presidency between the two parties. Cabinet portfolios were equally shared and each had equal seats in each House of the bicameral Congress (Europa World Yearbook, 2002: 1144). After *La Violencia* many of the guerrilla organisations sprung into being as a result of the peasants that fled the violence or were suspicious or marginalised by the new democracy that was created. Right-wing anti-guerrilla groups associated with the drug trafficking enterprises sprung into being in the early 1980s, calling themselves *Muerte a Secuestradores* MAS (Death to the kidnapers) whose targets later became union leaders, academics and human rights activists (Europa Yearbook, 2002: 1144). These groups will be observed in greater detail in the chapter dealing with the fault lines of the conflict.

In February 2002, former President Andrés Pastrana cut off peace negotiations with the FARC guerrillas (Revolutionary Armed Forces of Colombia), which ended three years of not very successful talks. The FARC kidnapped a Senator, after which the army was sent in to reoccupy the territory given to the FARC in 1998. Since then, clashes between the troops and the guerrillas have escalated. More kidnappings have followed, including the abductions of Presidential candidate Ingrid Betancourt and other political figures (Lonelyplanet).

Colombia has a GDP of roughly \$255 billion with a growth rate of 1,5% for 2001 (CIA Factbook, 2002). The export commodities are oil, coal, apparel, coffee, flowers and bananas. Colombia has many natural resources too, such as oil, gold, emeralds, coal and copper. However, the economy has suffered from weak domestic demand, high external debt, which was sitting at \$39 billion in 2001 and high unemployment levels of 17% (CIA Factbook, 2001). Colombia has a very unequal distribution of wealth, indicated by its Gini index of 57,1.

Colombia extends universal suffrage to all citizens over the age of 18. The President, currently Mr Alvaro Uribe, is chief of state and head of the government. The President and Vice President are elected by popular vote for a period of four years. The legal system is based on Spanish Law, with an added criminal code based on that of the United States (CIA Factbook, 2001).

1.6. Chapter Outline

Following this chapter, the outline is as follows:

Chapter Two: The traditional lines of war collapse

This chapter will fall mainly within the analytical and theoretical framework of Martin Van Creveld and his book entitled “The Transformation of War”. The chapter will describe the lines traditionally separating the soldiers and civilians within a society that have collapsed in Colombia. Secondly, the chapter will look at how armies have privatised and how war has changed from a state on state, army against army, to a personal battle intertwined within society. Thirdly, a description will follow of how the civilian society in Colombia has become the battlefield.

Chapter Three: The Fault Lines of the Conflict

This chapter will delve into some of the segments that make up the Colombian society, in order for one to understand how society is constituted, how it has changed in some sectors and how it has not changed at all, and how these segments contribute towards the situation in the country. The first part of the chapter will look at the elites of the country, political, economic and military elites and the roles they play. The second part will observe the new social class that has been created as a result of the drug-trade activities in Colombia. Thirdly, the chapter will describe the peasant class and the make-up of the guerrilla groups, with a special section on the role of women within the guerrillas.

Chapter Four: Kidnappings

This chapter will further examine the extent to which the lines between war and crime have become ill-defined by looking at the rampant kidnappings taking place in Colombia. The first part of the chapter will cover kidnappings for political ends, which are mainly within the lines of the civil war. However, many kidnappings are for economic ends, which fall under crime, which will be dealt with in the second part of the chapter. Some kidnappings are for economic reasons to wage a civil war, with the

result that the scene is rather muddled. In some cases the war itself has become an end, which will form the final focus of this chapter.

Chapter Five: Blurred lines – Blurred Solutions

This chapter will observe the attempted solutions in the past by the Colombian government with the involvement of the United States Government. This part will begin by looking at the US involvement in Colombia from 1961 to 2001, followed by Plan Colombia, a Colombian government initiative largely aided by the United States Government. The third part will deal with US foreign policy towards Colombia that has been contradictory over the last four decades and how it has evolved since. The fourth part will make some conclusions based on the information gathered from the other three sections of this chapter and end with a brief look at development initiatives that are in place and how perhaps they could better serve anti-narcotics programmes.

Chapter Six: Conclusion

This final chapter will bring together all the elements looked at in the assignment, and based on these, policy recommendations will be made.

Chapter 2

Traditional lines of war collapse

2.1. Introduction

This chapter will set out the theoretical framework for this research assignment, from which Colombia will be used as the case study of the manifestation of future war as set out by Martin van Creveld. Firstly, this chapter will examine the work of Carl Von Clausewitz, whose work contains the derivation of the modern trinitarian conceptions of war and strategy. According to Von Clausewitz, war is a social activity conducted by the state, for the state and against the state. However, Martin van Creveld argues that the traditional lines of war as described by Von Clausewitz, are becoming less and less relevant and prevalent and sets out his theory on how future wars will be conducted. This will be described in the second part of the chapter, followed by the manifestations of the future war; that being the collapse of the distinction between soldiers and civilians, the privatisation of armies and society becoming a war zone. In this situation, the lines that separate war and crime become blurred.

2.2. Von Clausewitz and Modern Trinitarian War

Carl Philipp Gottlieb von Clausewitz, a Prussian officer who lived between 1780 and 1831, wrote over a span of thirty years, but his work, *vom Kriege* for which he is remembered, is the work upon which modern trinitarian conceptions of war and strategy are rooted. It is regarded as the greatest work on strategy ever written within the Western civilisation and his work was paid homage by both sides during the Cold War (Van Creveld, 1991: 34). Von Clausewitz contended that war was a social activity waged by one state against another, and organised violence should only be called war if it were by the state, for the state and against the state (Van Creveld, 1991: 36).

states waged war, and their instrument for so doing was the army, organisations that served the state and were made up of soldiers drafted into the organisation and formally discharged when their duties ended. Civilians were a group distinct from the

soldiers and contact between them were generally discouraged. The military had their own separate customs and swore to obey their own separate laws, with their own uniforms and were even housed in a separate institution or barracks (Van Creveld, 1991: 38). Subsequently came the rise of the professionalism of the military and war was seen as an art or science and had to be exercised by professionals and them alone.

Finally, there were the civilians. It was largely agreed that since war was an instrument of the state, the people should be excluded from it as far as possible.

These ideas were subsequently codified by International Law and war was distinguished from mere crime by being defined as something that was waged by sovereign states and by them alone (Van Creveld, 1991: 40). Soldiers were personnel licensed to engage in war on behalf of the state, licensed only to fight when in uniform carrying arms openly and obeying a commander (Van Creveld, 1991: 40). The civilian population were supposed to be left alone and let the soldiers fight it out, and if they took up arms, it was considered illegal (Van Creveld, 1991: 41). In this framework, the separation between governments, armies and civilians became legal, strict and codified.

This all seems very familiar as it is the way in which war has been conducted in the modern era, that being since the Peace of Westphalia in 1648. However, Van Creveld challenges this conception and argues that future wars will no longer be of the same character. Colombia is probably the prime example of this change in character of war, with the breakdown of the trinitarian structure and as a result, the blurring of the lines between war and crime.

Martin Van Creveld argues that the trinitarian war is just one type of war that has come to the fore in the modern era, however, throughout history, very different types of war have been fought and that this trinitarian war was unknown to many civilisations throughout history. Van Creveld also argues that the modern fixation with the trinitarian war has caused us not to take low intensity conflict seriously, and in many cases until it was too late. He uses the example of Algeria and Vietnam (Van Creveld, 1991: 57).

Van Creveld suggests that the Clausewitzian universe is rapidly becoming out of date and is serving as inutile as a framework for understanding war (Van Creveld, 1991: 58). He traces the rise in low intensity conflict, which is the demonstration that the trinitarian style of war is becoming less and less prominent, to the Second World War, where the large scale German and Japanese invasions violated the established ethical norms and the civilians had the right to revolt even if their armies had put down their weapons and their governments had surrendered, causing the instances of wars waged by non-state entities to multiply (Van Creveld, 1991: 58). Apart from the historical context, most of the wars being fought on the planet today are low intensity conflicts, with very few state on state wars being waged. Present day armed violence does not distinguish between governments, militias and civilians and this is highly evident in both Colombia and in much of the developing world.

Van Creveld argues that the developed world has been preparing for the wrong kind of war, and still thinks in terms of trinitarian war and to a large extent seeks to use its military might as solutions to problems, for example, the military assistance the USA provides Colombia, which is discussed in greater detail in the chapter on blurred solutions. Yet, throughout the developing world, there has been a proliferation of low intensity conflict and of insurgent groups, whose aims or methods often resembled those of criminals, yet willing and able to use warlike violence to achieve their aims (Van Creveld, 1991: 59). According to Clausewitzian Trinitarian war standards; these groups stood little chance of success, especially considering their few economic resources. However, their economic situation often urged these groups to resort to criminal activities, such as drug trafficking and kidnapping, as is the case in Colombia, which causes the lines between war and crime to break down. Most of these groups were militarily weak at the outset nor did they have heavy weapons and did not abide by the established rules of war (Van Creveld, 1991: 59). Furthermore, “far from observing the distinction between combatants and non-combatants... that was just the distinction they tried to abolish” (Van Creveld, 1991: 59) and society became the target.

The next part of this chapter will take a more in-depth look at Van Creveld’s prediction of future war, using Colombia as the case, demonstrating how the von Clausewitzian universe is rapidly fading away.

2.3. Future War

Martin Van Creveld, in his book, “The Transformation of War” talks about war and the rules of war and demonstrates that traditional war, based on Clausewitzian theory and strategy, is becoming less and less relevant in our analysis of what is occurring in the world today. He describes how traditional inter-state types of war are becoming less and less numerous and how the rules of the new type of war taking its place, that is, low intensity conflict, run contradictory to traditional conventions. There are many reasons as to why this is occurring and these reasons will be discussed in this research assignment, taking Colombia as the case in point. Colombia is the prominent example of how conventions of war are changing, and whilst this change is happening, the conventional lines of thought seem to be blurred. There are no longer clear lines between what is war and what is crime, no longer clear lines between civilians and soldiers and as a result, everyone is affected directly.

John Mackinlay, in his article entitled “defining warlords,” supports this view. He also compares the old wars within the Clausewitzian paradigm with this new type of war. However, it should be mentioned that it would not be entirely correct to term low intensity conflict (LIC) as a ‘new’ type of war as it closely resembles fighting that occurred during the Middle Ages. On the other hand, low intensity conflict has been rare since the Treaty of Westphalia in 1648 and the establishment of the state system. Thus LIC is, in a manner of speaking, ‘new’ considering the way in which wars have been fought since Westphalia. During the modern era, wars were between strong states, which had the monopoly over violence within their territory. Both Mackinlay and Van Creveld describe the trinitarian relationship that could be found within the state consisting of the state, the Army and the People. In this type of structure, there is a clear separation between war and peace, military and civil, public and private (Mackinlay: 127). In this paradigm, the soldiers are professionals, distinguishable from civilians with rules of combat, and violence is impersonal. This is contrasted with small-scale military eruptions with guerrilla armies, terrorists and bandits as actors. The state has become weaker and its monopoly of violence has deteriorated – its power has declined. The professional armies have broken apart and have been replaced to some extent by private security forces and civilian militias. The former rules of the game have disappeared and the casualties are civilians (Mackinlay: 127).

These warriors and their tactics testify the end of conventional war as we know it. In brief, the lines of war have collapsed; there are no frontlines, no separations between civil and military, nor between war and crime.

2.3.1. Soldier – civilian line collapses

According to Von Clausewitz's conception of war, and understandably considering the world in which he drew his frame of reference (1780-1831), war was waged exclusively by states (Van Creveld, 1991: 41). Besides brief guerrilla uprisings, his ideas became even more applicable in the nineteenth century. During this period by way of International agreements, such as the Congress of Vienna in 1814 and 1859 and The Hague International Peace Conferences (1899 and 1907) following the Battle of Solferino, more formal conventions on the laws and customs of law were adopted (Chesterman, 2001: 1). The legal separation between governments, armies and peoples became more prominent. During this time, states monopolised the use of armed force and codified it in International Law.

Emmeric Vattel (1714-1769), a Swiss jurist who contributed to the growth of International Law (Dugard, 2000: 12) saw war as an affair for sovereign princes only. Princes were supposed to wage war in such a way as to minimise the harm done to their soldiers and their citizens. In return, the civilians had no right to interfere in war waged by their sovereigns as the integrity between the lines of civilians and soldiers had to remain intact at all costs, otherwise Europe would return to the barbarism of the 30 years war, pre-Westphalia (Van Creveld, 1991: 37).

In the Third World of more recent times, national liberation groups have sprung into being. The majority of these groups did not have an army, let alone a government, although they did claim to represent the people. Economic resources at the disposal of such liberation groups were very small and some had to resort to, as in Colombia, kidnapping for ransom and drug trading in order to finance their plight; causing the distinction between crime and war to become blurred. Furthermore, these groups were too militarily weak at the outset to bear arms openly, neither could they afford to wear

uniforms. One can see that this already defies the established rules of war, as low intensity conflict rarely involves uniformed armies, or established rules of engagement. It is often a question of regulars on one side, versus guerrillas and terrorists who are civilians (including women and children) on the other side (Van Creveld, 1991: 20). This is how the soldier-civilian lines have collapsed. It is no longer a case of army against army. In Colombia, it is army versus guerrillas, who are intermingled in civilian society. Even the conception that soldiers are men has collapsed in that country. In fact, 30% of the FARC guerrilla group are women (Housten, 2002). This particular aspect of the role of women in guerrilla combat will be scrutinised in more detail in the chapter dealing with the fault lines of the conflict.

At the present in Colombia, the armed forces and the political communities on whose behalf they operate have become intermingled. This is because the armed forces are no longer of the traditional kind, but rather armed civilians who are fighting a structure of social domination that denies the majority of the population access to socio-economic and political power, thus denying their ability to satisfy their most basic necessities. The political expression of these conflicts have a high potential to be violent because the marginalised groups will attempt to achieve positions of power that the current dominant classes will vehemently deny (Oquist:238), which is undeniably what is happening in Colombia. Under these circumstances, the lines between civilian and soldier break down. Van Creveld describes this as the following:

While rooted in a population base of some sort, that population will probably will not be clearly separable either from its immediate neighbours or from those...by whom the fighting is done

(Van Creveld, 1991: 197)

In Colombia's case, neither the guerrillas, nor the paramilitaries are clearly distinguishable from the peasant population or the elites. The fighters are part of the same population as those whom they seek to fight. The *Fuerzas Armadas Revolucionarias de Colombia* (FARC) guerrilla group have a strong peasant support base. Colombian guerrillas are comprised of 60-80 % peasants (Wickham-Crowley: 1993, 53) and the FARC has maintained a majority peasant leadership throughout its existence. On the other hand, the *Ejercito de Liberación Nacional* (ELN) which is in

fact a splinter from the FARC is more connected to the intellectual elite and has stronger links to the urban population and trade unions (Gassman, 2001: 68). Thus one can see that the guerrillas are intermingled in society and are part of the civilian population. No clear distinction could be made between them and normal citizens.

2.3.2. Armies re-privatise and war no longer impersonal

During their war against the narco-landowners, the guerrillas discovered another lucrative source of income to supplement their coca taxes: the kidnapping of narco-landowners and their relatives. In response to this guerrilla tactic, 223 drug traffickers in Cali formed the paramilitary group called 'Death to Kidnappers' (*Muerte a Secuestradores*, MAS) in December 1981 (Leech, 1999). Over the next decade hundreds of paramilitary organizations based on the MAS model were founded. Men were hired and armed in order to perform the “cleansing” with logistical support provided by the military. The new paramilitary force was also named MAS, after the Cali organisation; in fact the acronym MAS was used by so many newly armed groups that it soon became synonymous with “paramilitary organisation” (Leech, 1999). However, their goal went beyond merely protecting the population from guerrilla demands as they wanted to 'cleanse' the region of the guerrillas. In 2001, guerrilla forces were responsible for an estimated 60 per cent of around 3,000 kidnappings. Presently paramilitaries – whose initial aim was to prevent and stop kidnappings – also increasingly resort to hostage-taking and were responsible for an estimated eight per cent of reported kidnappings in that year (Amnesty International, 2002).

In 1968, Law 48 was passed in Colombia which “permitted the military to organize and provide arms to groups of civilians called 'self-defence' units, so that they could fight back against organized delinquents and also against armed groups operating in certain peasant regions.”(Leech, 1999) which made the paramilitaries legal militias. In the 1980s, this law was nullified by Decree 1194 which made it illegal for civilians or members of the military to create aid or participate in “self-defence” groups. However these armies continued, now completely private and illegal. Once again there is a blurred line – are we referring to war or crime?

It is thus evident that armies have been re-privatised, as they were in the pre-Westphalian era. The state still has an army, however, and distinct from that, the paramilitaries and private security companies have emerged.

In traditional war, army against army, war was impersonal. In low intensity conflict, this rule has been broken. Targets are often individuals. For example, by 1989 the narco-landowners were not only using their paramilitary forces against the guerrillas and rural peasants, they were also targeting government officials, especially politicians and judges who supported the extradition of drug traffickers to the United states. In 1989 a group of traffickers led by Medellín cartel chief Pablo Escobar, calling themselves the "*Extraditables*," waged a violent bombing campaign in Colombia's cities in an attempt to pressure the government into ending extradition (Leech, 1999). Paramilitary forces also targeted government officials who attempted to combat paramilitary activities. On 18 January 1989, two judges and ten investigators who had been investigating a number of killings by paramilitary forces, were themselves massacred by paramilitaries. Thus, in low intensity conflict, there are often targets, such as political leaders to be assassinated, or wealthy nationals or tourists to be kidnapped. Here follows a table of the increased political killings in Colombia over the period of a decade.

Table 2.1

	1970s	1980s
Number of political killings	1053	12859

(Leech, 1999)

Conflict has become personal, as one could observe by the number of political killings, targeted murders and rampant kidnappings.

2.3.3. Civilian society becomes a war zone

The blur between war and crime has other implications too. The Clausewitzian conception of war zones has changed - from battlefields to civil society. The rules have changed and civilians are no longer protected by these rules. Since the Battle of Solferino, there have been many conferences and the like, drafting International law and norms that would protect civilians during war, but war has changed. To give an example, in World War One, only 5% of all casualties were civilian, in World War Two, that number increased to 50% and during the course of the 1990s, civilians constituted up to 90% of those killed (Chesterman, 2001: 2).

The Colombian Ministry of Defence published a brochure at the end of 2002, with crime statistics. The following table is an indication of massacres in the country between 1999 and 2002.

Table 2.2 Number of Massacres between 1999 and 2001

	1999	2000	2001	2002
No. Cases	154	217	171	111
No. Victims	857	1301	956	661

Ministry of National Defence, Republic of Colombia 2002 p. 7

In low intensity conflict, the new war zone, as Mackinlay describes, is one of poverty, massive civil displacement, large civilian casualties and a state government, whose writ has gradually shrunk back to the capital city. In 1989, the Colombian President at the time, Virgilio Barco criticised the paramilitary by saying that "In reality, the majority of their victims are not guerrillas. They are men, women and even children, who have not taken up arms against institutions. They are peaceful Colombians" (Leech, 1999). Civilians are now targets and no longer protected by rules of engagement. Under these circumstances, war has become a more direct experience for many civilians, for people of all ages and sexes. In Houston's article "War is brewing in Colombia" he says that in 2002's presidential elections, only 46% of those that registered, voted. During those elections, presidential candidate Mr Uribe conducted his election campaign on television as he feared attacks on him or his supporters had

he campaigned otherwise. Furthermore, on the British Foreign and Commonwealth Office website, tourists are advised not to visit Colombia. The website specifically identifies the capital city, Bogotá as well as a few other business centres, like Cali and Cartagena, as still safe to visit but only via air travel (The Foreign and Commonwealth Office, 2002). Civilian society has indeed become a war zone in Colombia.

In Van Creveld's chapter on future war, he says that any war making entity will have to be in control of a territorial base. He adds that these bases are unlikely to be continuous, impenetrable or very large - frontiers will become blurred (Van Creveld, 1991: 198). This is exactly what has occurred in Colombia. The guerrillas are in control over certain regions of the country, yet these regions of control have not been static. With information gathered, I have been able to draw up a table of change in guerrilla control of Colombian soil.

Table 2.3 Number of municipalities controlled by the FARC guerrilla group, out of a total of 1017 municipalities in the country

	1965-1970	1985	1998
Number of municipalities	Roughly 53	173	622

Sources: Leech, 1999 and Wickham-Crowley, 1992 p. 110

In November 1998, the then President Pastrana withdrew 2,000 soldiers and police from a 41958 square kilometre area in southern Colombia (represented in the table) in preparation for the upcoming peace talks with the FARC. The peace talks collapsed at the beginning of 2002, and this land has been retaken by the government.

Traditional frontiers and who controls them have also become blurred as belligerent groups set up random roadblocks as a source of income. The state is no longer in complete control of the frontiers.

The most salient indicator that civilian society has become a war zone in this country is the fact that the civilians are in danger of being kidnapped. Civilians become potential targets wherever they roam and their society or government cannot keep them safe from the conflict. The next chapter will deal with the occurrence of kidnappings in Colombia, where over 3000 people were kidnapped 2002.

Interestingly enough, Colombia has adopted the Geneva Convention, of which Article 3 prohibits the taking of hostages. When the Constitutional Court of Colombia adopted the Additional Protocol II of the Geneva Convention in 1995, the court also heard arguments on the distinction between civilians and combatants and supported the position that, “persons who contribute ideologically and politically to the cause of the organisations risen up in arms may not be considered objectives of military attacks, because in a strict sense they are not combatants” (Gassman, 2001: 77) which further illustrates the question: are the guerrillas and paramilitaries civilians, conducting war or crime? According to this ruling, if they are not combatants, are they then criminals?

2.4. Conclusion

The modern conception of the state, the trinitarian state where government, civilian and soldier are distinct categories with differing rules, is on its way out. A traditional demonstration of this trinitarian relationship is made manifest in war: the state is the war making mechanism and owns the monopoly of war. The soldiers are the fighters, who engage in war against other soldiers. The civilians are unarmed and should be protected as far as possible from direct involvement in the war. However, these traditional lines and rules of war are changing and becoming blurred. One merely has to refer to the conflict in Colombia to see how traditional Westphalian conceptions of war are becoming obsolete, as are the trinitarian state structures. As traditional structures change, lines become blurred. To some groups, who still adhere to these traditional formats, the low intensity conflict in Colombia is seen as committed by criminals. However, for those who no longer have faith in the state, the low intensity conflict is war. Where the legal monopoly of armed force is removed from the state, distinctions between crime and war break down. As a result, the soldier-civilian line

has also collapsed and with this disintegration, civilian society has become the war zone, armies have re-privatised and war has become a direct experience for the population. This creates a situation in which other societal lines are also blurred, making resolution especially difficult.

Chapter 3.

The Fault Lines of the Conflict

3.1. Introduction

This chapter will take a look at the ‘fault lines’ of the Colombian conflict. It will look at who some of the contributors to the conflict are, how they came about, and more importantly, why they are still there, some of them fifty years later. The first part of the chapter will look at the non-state actors in the conflict with a background to their existence. The second part will deal with why these actors have chosen their respective group affiliations, is it a choice of crime or a choice of war, or neither? Some of the actors’ reasons for taking on their various roles differ, some are in the conflict because the cause of fighting gives them meaning. For others, war or crime in itself is an end, and these people feel that they have no other choice than join the guerrilla or the drug industry as the case may be. In dealing with these actors, a section on the role of women within the rebel organisations will be examined, as well as a look at the new social class that has emerged from the drug trade.

3.2. The non-state Actors

3.2.1 The actors

Fuerzas Armadas Revolucionarias de Colombia (FARC): The Revolutionary Armed Forces of Colombia (FARC) movement emerged from the civil war between the Liberals and the Conservatives in the 1950s, known as *La Violencia* (*'The Violence'*). The FARC, now the largest of the guerrilla groups, was originally formed as a farmers’ defence coalition which formed spontaneously in resistance to the state’s oppression of a minority conservative group (Suarez, 2000: 577). They were an armed band of peasants, who were remnants of the groups that had rebelled against the government in the previous decade and subsequently gathered into the FARC. They built up a presence in the coca growing regions of Colombia where they charged fees for protection (Pardo, 2000: 70).

In 1966 this group established ties with the Colombian Communist Party, which gave them their Marxist ideology (Randall, 1992: 249, Economist 1995, March 25: 48; Suarez, 2000: 577). In the 1980s the FARC moved somewhat away from their armed struggle and participated in the political system through the Patriotic Union Party. However the party became a target of the paramilitaries and 200 of the party members were assassinated, causing them to return to violence.

Since then, the FARC has grown from strength to strength and is now one of the most economically successful guerrilla groups in the world. From 900 fighters at the start of the 1980s they grew to 12000-15000 strong by the end of the 1990s (Suarez, 2000, 577).

In 2001, members of the Irish Republican Army (IRA) were arrested in Colombia who allegedly were helping the FARC on urban bombing techniques, urban tactics which the FARC are not familiar with. Furthermore, the FARC has dealt with the Russian Mafia, trading cash for weapons and have established links with Middle-Eastern terrorists and Islamic militants (Dettmer, 2001: 13). The image of the FARC has been gradually evolving as a result of these activities from the image of modern day Robin Hoods, bandits, narco-guerrillas to a well funded criminal outfit that has little interest in relinquishing its weapons and joining the democratic process (Dettmer, 2001: 13) and who are now on US President George W Bush's terrorist group hit list.

Ejercito de Liberación Nacional (ELN): The National Liberation Army, the second largest guerrilla group in Colombia, was inspired by the Cuban revolution and formed in 1964, consisting mainly of intellectuals and students (Randall, 1992: 249). This is a Christian Marxist group that was led by a Catholic priest until 1998. Their means of financial support is mainly through the extortion of money from oil companies in return for not blowing up pipelines, which are a regular tactic of the ELN (Pardo, 2000: 69). The ELN has grown from 70 fighters at the beginning of the 1980s to 3500 at the end of the 1990s (Suarez, 2000: 577).

The *Fuerzas Armadas Revolucionarias de Colombia* (FARC) and the *Ejercito de Liberación Nacional* (ELN) guerrilla groups both have strong peasant support ranging

from 60-80% (Wickham-Crowley:1993, 53). Both groups refused to disarm at the end of the 1980s when the government negotiated a peace settlement with another group of guerrillas, the M-19, who have been successfully re-integrated into the legitimate political and economic systems. They both had independent financing that allowed them to stay in the field and grow stronger over time (Pardo, 2000: 69). These two groups rarely fight one another, and mostly the conflict occurs between them and the right-wing paramilitary groups.

Autodefensas Unidas de Colombia (AUC): The United Self-Defence Forces of Colombia is the main paramilitary group, which has its origins in the disparate vigilante militias that have been set up over decades, firstly by the army, then by rural landowners in order to combat the guerrillas (Economist 2000, April 8: 35). These groups were unified into the AUC in 1997 under the command of Carlos Castaño, who has a personal vengeance against the guerrillas after having lost 8 of his siblings and his father at their hands. The AUC is believed to be responsible for massacres against suspected FARC supporters. Over 700 peasants lost their lives in these massacres at the hands of the AUC in 1999 (Cala, 2000: 58-59). They operate in 25% of Colombia, mainly in the north, although recently they have made some advances in the south of the country and are estimated to be some 8000 – 10 000 strong (Economist, 2002 December 7: 38). The AUC is basically pro-government, but operating outside normal channels (McGirk & Morris, 2000: 62). Castaño and his brother helped authorities hunt down Pablo Escobar in 1993 and often aid the military when they are outnumbered by the guerrillas. The guerrillas accuse the AUC of being a wing of the military, but they deny any formal link, although they do admit to having contact with lower level police and army officials, ties forged by a common enemy (McGirk & Morris, 2000: 62). The AUC is pro-Plan Colombia and Castaño has given orders not to shoot at the crop spraying aircraft, even though much of their income comes from taxing drug activities in the regions in which they control.

The Paramilitaries seek to ‘cleanse’ regions of the guerrillas and their sympathisers. In 2000, 28 people were murdered in the Bolivar province by being tortured in the community’s basketball court and then beheaded (Economist, 2000 April 8: 35). Fear of the AUC vengeance has caused the displacement of 1 million peasants over the last decade, and as Castaño rationalises: “This is an irregular war, and the enemy is a

military target, whether in uniform or in civilian clothes” (McGirk & Morris, 2000: 62).

At the end of 2002 the AUC offered a unilateral cease-fire wanting dialogue, coca crop substitution and even offered to hand over child combatants to the UN after secret meetings with President Uribe, mediated by Catholic bishops (Economist, 2002 December 7: 38). Some authors believe that Castaño is seeking amnesty for the AUC leaders, especially amidst calls for his extradition by the USA (Economist, 2002 December 7: 38). The problem lies in the fact that whatever is offered to the paramilitaries by way of amnesty, would also have to be applicable to the guerrillas, and how would the combatants be incorporated into society? They could certainly not join the military as the population and the guerrillas would have grave issues with this. Nevertheless the Colombian population, according to a poll, are happy with the way in which the government is negotiating with the AUC (Economist, 2003 February 1: 33).

Women: It is estimated that up to 30% of the FARC guerrillas are female (McDermott, 2002). These women fight alongside the men and endure the same hardships that they do and their role is not restricted to the front lines or work in the kitchens, but also for intelligence gathering. The guerrilla-girls often pose as maids to gather information about potential targets (McDermott, 2002). The women are treated respectfully within the guerrilla groups and hold high positions. Although the FARC secretariat consists of 7 members who are all male, women are making their way up the ranks and several hold the title of *comandante*. Women wear the same uniforms as the men and carry AK-47s and are neither treated differently in training nor in operations (McDermott, 2002; Hodgson, 2000: 6). However, a BBC journalist’s visit to the FARC zones showed that it was mainly the girls in the kitchen preparing meals and cleaning up afterwards. Furthermore, many of the guerrilla girls wore make-up and had colourful hair accessories just like other girls their age, even though they were in the depths of the jungle. As far as relationships go, the women are allowed to have them once permission is granted, but lasting attachments are discouraged, and pregnancy is forbidden – contraception is compulsory, no matter what age the girl is (McDermott, 2002). The women are protected from abuse, and if for example the council finds a man guilty of rape, he is executed.

New Drug Social Class: The drug trades of the 70s and 80s created a new social class, a new elite that gained wealth through drug trafficking. For poor Colombians, drug trafficking seemed to hold more promising rewards than armed revolution (Cala, 2000: 58) This social class run a profitable business and will, as they have demonstrated in the past, use terrorism and violence to keep their business alive (Pardo, 2000: 68). They have financed the guerrillas and the paramilitaries and have spread corruption money within the government and even financed the campaign of controversial former President Samper. Today, Colombia produces 80% of the world's cocaine and is the second largest supplier of heroine to the United States of America (Pardo, 2000:64)

One may pose the question of how this rampant drug growing phenomenon occurred, and Colombia has quite an entrepreneurial history as to how this came about.

3.2.2. History of Colombia's Drug Problems

In the 1970s, Colombian producers and traffickers of marijuana who at that time produced 75% of the world's marijuana, saw better prospects in cocaine and later, heroine. In the 1970s cocaine was very expensive and hard to find, until the Colombian drug entrepreneurs discovered a formula using coca leaves, gasoline, cement and ether to produce coca paste, which was dried in the jungle with conventional microwaves (Pardo, 2000: 66). The formula was simple and the ingredients were readily available, giving rise to drug cartels who also then created the less expensive version of cocaine, namely crack, to gain access to poorer communities. Between 1978 and 1985, the drug revenue grew by one billion dollars, making it a three billion dollar business (Pardo, 2000: 66). This new wealth provided by drugs also skewed the moral fabric of Colombian society as wealth became the goal of many, regardless how ill-gotten. This has had, and still has, serious implications on issues such as civil rights, education and respect for each other.

One may ask why the Colombian government allowed such an industry to grow to this extent in the first place. The reason was that at the time, the government was

simply too weak. The government sought help from the US, and a treaty was signed which allowed Colombian nationals to be extradited and tried in the USA. This however, exacerbated the issue as the likely targets, the drug lords, declared war on the state and organised a terrorist campaign, calling themselves the *Extraditables*, and going on the slogan “we prefer a tomb in Colombia to a jail cell in the United States” (Pardo, 2000: 67). The infamous Pablo Escobar was one of the members of the *Extraditables*. Their campaign targeted Supreme Court judges, politicians, journalists and even civil society - A plane bomb killed 109 passengers. Eventually the Colombian Congress passed an amendment preventing extradition in 1991, although this ban was turned over again in 1997 (Shifter, 2000: 52).

3.3. Why the non-state actors have chosen their respective group affiliations

The second part of this chapter will describe why the non-state actors discussed above have chosen their specific group affiliations. Surprisingly, the reasons are a lot less political and a lot more psychological or out of necessity for positive evaluation in a society where there is rampant poverty with little government attention in the rural areas, where the poverty is at its worst; or out of necessity for positive evaluation of gender competences in a *macho* society where women are treated badly and have a very low image in the eye of society with little or no protection, nor many available options to escape this vicious cycle.

3.3.1. Causes give meaning

The FARC claim that they are fighting, “for peace with social justice ... and political will on the part of the government to invest resources in the solution of the principal needs affecting the dispossessed population” (FARC website) which effectively gives the peasants with nothing - something. The guerrilla struggle gives them meaning.

Smyth points out that individuals identify with beliefs on which they come to depend, in part for their self definition (Smyth 2002: 155). This is the case with the FARC. The peasants who fight for the guerrilla group identify with the Marxist ideals and this has become part of their self-definition; it is part of who they are and how they live their life. Smyth also points out that a crucial point is reached when ‘fairness-creating’ or ‘conflict managing’ institutions, such as education or the judiciary, become carriers for the agenda of a particular social group (Smyth, 2002: 156). In Colombia, the state institutions, such as education and the judiciary, are run by the government. The government is seen as the economic elite who perpetuates its fortunate position through the maintenance of the current system. This is indeed a crucial point, because the guerrilla groups are now very reluctant to use these institutions to create peace.

Furthermore, the need to feel worthy is a fundamental human requirement, which is satisfied by belonging to groups that are regarded as worthy. This is especially true in developing countries, according to Horowitz, where the sphere of politics is unusually broad and the impact is powerful because collective social *recognition* is conferred by political affirmation (Horowitz, 1985: 185). In Colombia, this holds true as the marginalised groups seek this recognition. They fight for political affirmation, in order to receive social recognition, albeit violent. This cause gives them meaning. Also, along with political affirmation, comes power. Now power is an instrument to secure other goods and benefits, but power may also *be* the benefit in itself (Horowitz, 1985:187). The people fighting for the guerrillas, struggle for a position where they are able to (are powerful enough) to secure benefits for their group. On the other hand, the fact that they fight and gain power thereby, is also a benefit as they now have power and recognition that they never had before. For example, the guerrillas have opted for struggling for power at a local level where they have the power position in order to obtain benefits for their group, as they can pressure local governments into adopting certain policies¹. These underlying human requirements are made manifest by the reasons for which the peasants, the farmers and the women affiliate themselves to particular groups.

¹ Information gathered from an interview with Professor Carlo Nasi of the *Universidad de los Andes* in Bogotá, Colombia on Sunday 1 June 2003

3.3.2. The choice: war or crime, means and ends

For many of Colombia's poor and marginalised, they felt as though they had no other choice than join the guerrillas, the paramilitaries or the drug trade. Otherwise they would become either internally displaced or economic migrants.

The first case in point is the Patriotic Union (UP), a political party affiliated with the FARC, which was formed in 1985 following a cease-fire agreement between the rebel group and President Belisario Betancur under the La Uribe Accords. According to sociologist, Ricardo Vargas Meza:

“By incorporating some of the FARC's socio-economic demands and extending the cease-fire, the accords opened the possibility of a political resolution to the conflict. Betancur's position was a radical departure from that of his predecessors, for he recognized that guerrilla violence was the product of real social conditions and he understood the relationship between those conditions and the demands of the insurgents” (Leech, 1999)

However, certain groups were opposed to Betancur's peace initiatives and, during 1988 alone, close to 200 leaders of the Patriotic Union were assassinated by the paramilitaries (Leech, 1999). In total, more than 1,000 members were killed, including two Presidential Candidates, during the UP's first five years.

On the rare occasion that a case against a member of MAS or the paramilitary forces did make it to court, the judge, out of fear for his or her life, would usually turn the case over to a military court and the charges would inevitably be dismissed. This impunity allowed military and paramilitary forces to wage war against the guerrillas without fear of retribution. Furthermore, Colombia had spent most of the previous two decades under an official "state of siege," during which the military had been given virtual autonomy in its handling of the civil conflict while the government focused, almost exclusively, on bureaucratic and administrative issues (Leech, 1999). In essence, this dual system of government allowed the military and its paramilitary allies to function with little accountability.

For these reasons, war has become an end in itself for the guerrillas. Van Creveld refers to communities that go to war as an end in itself - for no other reason than they absolutely have to (Van Creveld, 1991: 217).

Firstly, the peasants of the guerrilla groups felt that they had no other outlet than war. The 1958 formation of the National Front brought an end to *La Violencia* which was a conflict between Liberals and Conservatives that had gone on since 1946. This conflict took 200 000 lives (Oquist, 1980: xi). Even though *La Violencia* had ended; the new government still had many social issues to contend with. Many peasants, mostly Liberals and Communists, survived the military offensives during the 1950s by moving to the mostly uninhabited eastern departments (districts) of the country. The peasants cleared and worked new lands in areas which they declared "independent republics" in order to free themselves from a national government they distrusted because of "personal experience with social and economic partisanship and their discovery of the double value system upheld by the ruling classes."(Leech, 1999)

However, they soon discovered that they had not found the autonomy they so desperately sought as the large landowners begun laying claim to the newly cleared lands. The government did not recognise these republics and the army reclaimed the land (Leech, 1999). After this, the peasants, who were forced deeper into the jungle, felt that their only chance of achieving social justice lay in their ability to wage war against the government on a national level, which was in effect the beginnings of the guerrilla groups. As a result, the armed self-defence movements dispersed units to various regions of the country in order to fight the army on several fronts simultaneously under a central command structure. On 20 July 1964, the various fronts of the armed self-defence movements issued their agrarian reform programme. Two years later they officially became the FARC.

Secondly, for many of the peasants going to war, joining the groups is an end in itself. They have nothing to lose, but all to gain. The guerrillas offer food and protection, something that these peasants would not have had otherwise. Some of them join the groups as part of a survival strategy and join whichever group is strongest, hence being offered better protection².

² Interview conducted with Professor Carlo Nasi of the *Universidad de los Andes* in Bogotá, Colombia

The second case in point and related to this, are the peasants who join the drug cartels or grow coca for these clandestine organisations. Firstly, many of the cartels build infrastructure and aid the poor in communities where the government never did. They improve the quality of life for these poor people and in so doing become heroes in the eyes of those that are both economically and politically marginalised. In 1993 in Medellín, when drug lord Pablo Escobar was assassinated, the poor of the city reacted quite differently from the media and the government. They remembered Escobar,

Not as the fiendish mastermind of the many bombs that had ended many people's lives, nor as the author of an all-out war against the Colombian state, but as one of themselves who had made good, a hero who even when he achieved unheard-of material success never forgot his humble beginnings or the people who accompanied him on his scale to the top. To many of the inhabitants of the *comunas* (the slums on the outskirts of the city) Pablo Escobar would be remembered as the man who distributed cash and groceries when people lost their jobs, the man who built soccer fields in poor neighbourhoods and gave tennis shoes to adolescents, the individual who founded and led community organisations such as *Medellín Sin Tugurios* (Medellín without slums).

(Roldán, 1999: 175)

Secondly, there are those farmers who grow coca and sell it to the drug cartels. Much of the coca and poppies are grown by subsistence farmers on pieces of land of only a hectare or two big (Fratepeitro, 2001: 18). Farmers rather grow coca, as opposed to legal crops which are not profitable, as the road infrastructure is poor and products cannot be easily transported to markets. On the other hand, coca leaves can be made into coca paste, which is easily transported by foot or on horseback. Even though these farmers pay hefty taxes to the insurgent groups, they still end up with a minimum monthly wage, an income more than they would have received otherwise. Taking part in the illegal economy is the only viable option for these people, because there is neither infrastructure nor support for them to do otherwise. Also, economic

restraints of the government which follows a neo-liberalist agenda, restricts the possibilities of these peasants being incorporated into the formal economy³.

The third case in point is the women. Colombia is very much a *macho* society where women are treated badly and have few rights, especially in the rural areas. Women in the rural areas often marry as young as 12 years old and bear children. These women also need to feel worthy, as one of their fundamental human requirements. Women here have no alternatives as their families have no money for their education, and with a high unemployment rate there are no jobs either (Hodgson, 2000: 6). In much of rural Colombia, the state has been mostly absent and has not invested in any infrastructure nor in any kind of formal economy. So for these girls, their only job opportunities lie within the drug trade, or with the armed forces (Hodgson, 2000: 6). “It’s tough, but at least you don’t have to worry where you’ll get food or clothes from” said a 20 year old FARC girl-guerrilla. Within the guerrilla groups, these women and girls are regarded as worthy and receive recognition and meaning through a political affirmation, “The first time you pick up a weapon you feel proud, you feel more important ... When you’re a civilian, you don’t belong anywhere, but when you’re a guerrilla, people treat you better” said a 16 year old guerrilla girl (Hodgson, 2000: 6). Furthermore, women are given rights within the guerrilla organisations and men and women are equal. “What you say about machismo doesn’t exist here in the guerrilla, men and women have the same rights and treat each other like brothers and sisters in arms... If you get married then you have to stay home, the man runs the house... here no. Here we all work for everyone” said Sonia, one of the FARC guerrillas (Alape, 2003; McDermott, 2002).

³ Carlo Nasi 1 June 2003



Female guerrilla

“What you say about machismo doesn’t exist here in the guerrilla, men and women have the same rights and treat each other like brothers and sisters in arms... If you get married then you have to stay home, the man runs the house... here no. Here we all work for everyone”

(Colombia Report “Photo Gallery” <<http://www.colombiareport.org>>)

3.4. Conclusion

Thus it is evident that those who join the civil war or the crime industry, do so not so much for political reasons, but for reasons of a more fundamental nature, namely basic necessity. The peasants do not choose war nor crime, but rather survival. Some need to grow coca leaves or join the guerrilla in order to survive, as there are few other alternatives. There are hardly any jobs in the rural areas as the government has invested little into these areas, also resulting in poor infrastructure thus making legitimate subsistence or commercial farming almost impossible. Others, such as the women, join the guerrillas in order to gain self-worth and recognition by affiliation. They do not join because they have an overwhelming allegiance to the Marxist ideology, or because they wish to become part of drug cartels. In fact, the guerrillas have long given up hope for a Marxist State.

On the one hand, this is positive because this can be changed and these people could be reintegrated into the legitimate society if the right developmental goals could be achieved. On the other hand, an obstacle lies with the leaders of these organisations who are not there for the same reasons as their followers. They have strong political motivations and run profitable businesses and would be very reluctant to relinquish power or their struggle for something that they firmly believe needs to be changed.

Chapter 4

Abductions in Colombia: Hostage-taking versus Kidnapping

4.1. Introduction

Colombia has earned itself the title of ‘kidnap capital of the world.’ 1998 saw an average of 5 kidnappings a day (Hodgson, 1999) and by 2000, it was up to 8 kidnappings per day – one every three hours (Paxchristi, 2001: 27). In this insurgency in Colombia, which may be one of the longest running insurgencies in the world, the lines between revolution and mere crime in this almost 50 year old armed struggle that claims to be about social change, certainly seem to be blurred. Sometimes the kidnappings are for political ends by insurgents aiming at political change and thus they claim to be taking hostages in a civil war. Other times the kidnappings are to fund armed groups and even children become the victims of the greed of crime. Today, nearly half of the world’s kidnapping occurs in Colombia (Suarez, 2000). In 1994, the total of the ransom money collected in Colombia was estimated to be \$200 million (Economist March 25 1995).

This chapter will take a look at the manifestation of the personalisation of the conflict. In traditional war, army against army, war was impersonal. In low intensity conflict, this rule has been broken and individuals become the targets, the means towards achieving political or economic ends. In this type of conflict, political leaders are taken hostage for political purposes, or wealthy nationals or tourists are kidnapped for economic purposes, but the lines dividing hostage taking in war and kidnapping in crime are far from clear. This chapter will investigate the background to the kidnapping phenomenon that is occurring in Colombia, in order to set the scene, followed by a closer look at hostage taking for political ends and kidnapping for economic ends. Although these two rationales behind the kidnappings are almost inextricable as the agents who orchestrate them are the same, the section on kidnapping for political ends will focus on who is being kidnapped and why, whilst

the section on kidnappings for economic ends will focus more on the monetary aspect of the kidnap ‘industry’.

4.2. Background

Kidnapping is an age old weapon that has been used to obtain money or bring about political change. In Colombia the line between these two, hostage taking or kidnap for ransom, is muddled. However, in society, kidnapping is generally regarded as a criminal act even though the perpetrators have political, cultural or economic reasons not to qualify kidnapping as such (Paxchristi, 2001: 11). The verb, "to kidnap," is defined by the Oxford South African dictionary as to, “carry off (someone) illegally” (Oxford, 1987 ‘kidnap’) which describes a crime. Nevertheless in the context of a civil war or armed conflict, ‘hostage-taking’ is the term often used. These two terms are used interchangeably in the Colombian context where the line between the two, war and crime, are almost indistinguishable.

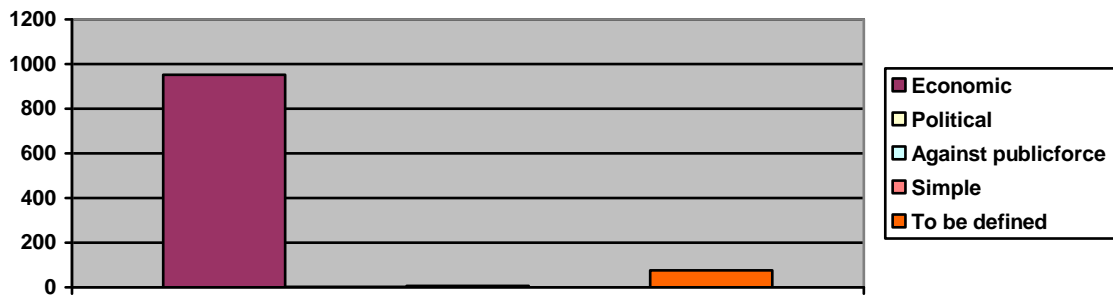
A Colombian Senator at the time, Mr Ospina said, “In the history of war, kidnapping has never had such importance as it does in Colombia, as an economic instrument and as a weapon of terror” (Hodgson, 1999). The Colombian authorities generally distinguish three types of kidnappings: simple, where no clear demands are made, political kidnappings, where clear political demands are made, and finally economic motive kidnappings, where a ransom is demanded.

Table 4.1 Evolution of kidnapping in Colombia 1996-2001

	1996	1997	1998	1999	2000	2001	2002
Total	1039	1675	3014	3334	3706	3041	2492
Economic	953	1004	1612	2166	1703	863	1393
Political	2	456	381	422	253	103	130
Against public force	8	35	412	161	92	83	66
Simple	0	49	204	198	450	684	811
To be defined	76	131	405	387	1208	1308	92

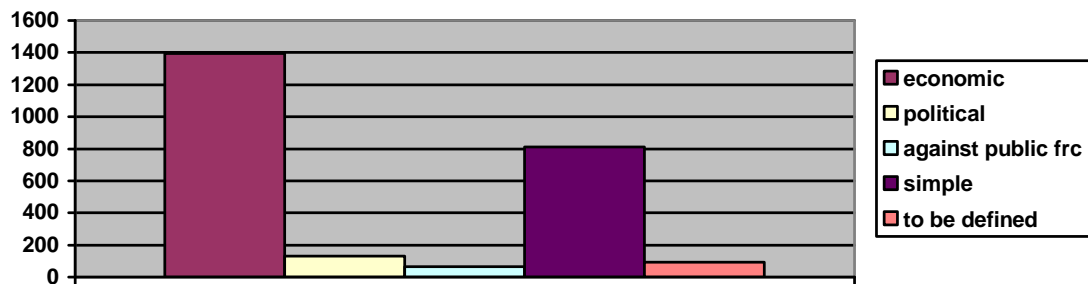
Sources: Fondelibertad (2002) and Semana, 2002: 107

Graph 4.1 Bar graph illustrating breakdown of types of kidnappings in 1996



Sources: Fondelibertad (2002)

Graph 4.2 Bar graph illustrating breakdown of types of kidnappings in 2002



Sources: Fondelibertad (2002) and Semana, 2002: 107

4.3. The Perpetrators of the kidnappings

1996 to 2002 have shown a variation in the kidnapping rankings in Colombia. In 1996, common criminals perpetrated 40% of kidnappings, guerrilla groups were accountable for 35%, 8% by self- defence groups and the rest had no criminal author. Recent years data shows that common criminals have been reduced to 8% and extreme left guerrillas absorb 60% of the number of kidnappings in the entire territory

(Fondelibertad, 2002)⁴. El Tiempo estimates that in 2002, 80% of the kidnappings were conducted by the guerrillas, mainly the FARC (Briggs, 2002).

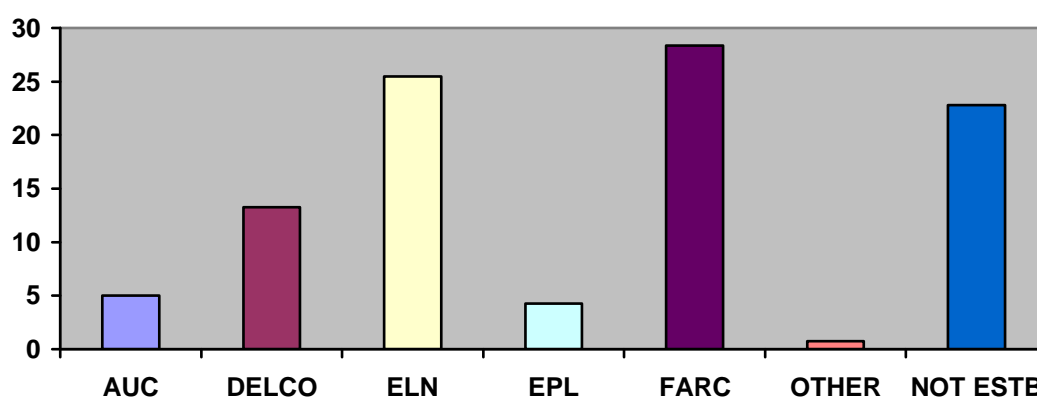
Table 4.2

Kidnapping Agents 1996 – 2001

	1996	1997	1998	1999	2000	2001	TOTAL
AUC		18	65	159	280	262	784
DELCO	444	277	325	357	371	292	2066
ELN	196	426	692	783	961	917	3975
EPL	28	49	145	204	197	42	665
FARC	211	442	1101	935	894	840	4423
OTHER	5	24	53	18	6	12	118
NOT ESTB	156	439	633	825	945	564	3562
							15593

Source: Fondelibertad (2002)

Graph 4.3 Bar graph illustrating the % of perpetrators of kidnappings 1996-2001



Source: Fondelibertad (2002)

⁴ Fondelibertad – The National Fund for the Defence of Personal Liberty, is an initiative of the Colombian Government, more specifically the Ministry of Defence to document infringements on personal liberties and deals largely with information regarding the kidnappings in Colombia.

Also in 2001, at least 70 people were kidnapped by the AUC paramilitaries and forced to work in coca production (Paxchristi, 2001: 33).

4.4. Kidnappings for political ends

Kidnappings serve as an instrument for the insurgents to have bargaining chips to obtain political objectives, for example in negotiations with the government, or to put pressure on various groups to achieve political ends. In 1998, the guerrillas kidnapped nine television journalists who were told that they would be released when they reported the ‘truth’ about atrocities committed against local farmers by the paramilitaries (Editor and Publisher 1998; CPJ, 1999). Francisco Santos, the editor of El Tiempo, was kidnapped for 8 months in 1991 by the iniquitous Pablo Escobar and since then has campaigned against kidnappings and became a prominent leader of ‘*No Más*’ (‘no more’), a civic movement that will be discussed later in the chapter. Another campaigner speaking out against the guerrillas and the paramilitaries, Fernando Gonzalez Pacheco, who was a popular radio and television entertainer, had to leave Colombia in 2000 as a result of kidnapping threats for his outspokenness against the armed groups (Economist 2000, March 18: p. 35). The FARC are hostile towards the Colombian media, which are accused of being a mouthpiece of the closed political oligarchy (Economist 2000, March 18: p. 35). Thus, by kidnapping or threatening to kidnap their opponents, certain of their political objectives can be met. However, the media is also used by the insurgents, because the hostages sometimes serve as publicity stunts where they are set free on TV, and a message is thus related (Hodgson, 1999: 6).

But not only are the media a target, quite the contrary, political and government figures are at great risk too. In 1999, the guerrillas held 450 policemen hostage as bargaining chips in its negotiations with the government (Hodgson, 1999: 6) in order to have a more powerful position during the negotiations. During the peace negotiations that have subsequently broken down, political kidnappings increased and even the paramilitaries kidnapped a Senator for several days in their demand to be included in the negotiations (Hodgson, 1999: 6). Often police or government officials are kidnapped and are offered freedom in exchange for fellow guerrillas that have

been incarcerated by the authorities. At the beginning of 2002, one of the Colombian Senators renowned for being a crusader against corruption, Ingrid Betancourt, was kidnapped by the FARC guerrillas, who wanted to 'swap' her for some of the imprisoned guerrilla commanders (Economist, May 18 2002). These commanders were not handed over and she was still being held by the guerrilla forces at the time of writing.

4.5. Kidnappings for economic ends

Besides the political ends that are sought through kidnapping, kidnapping also forms a very important economic function. Today the majority of kidnappings are for economic ends, with the government estimating that 64% of the kidnappings in 1999 were economically motivated (Paxchristi, 2001: 26).

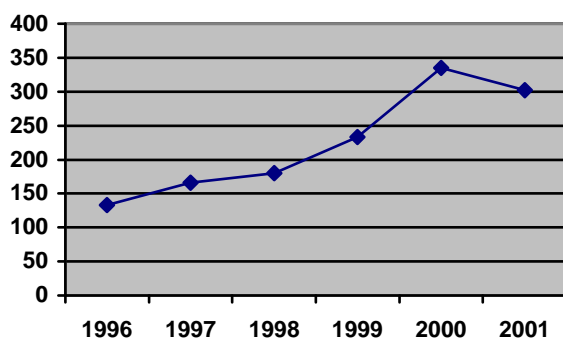
The economic prosperity of Colombia's guerrilla groups places them as outstanding examples of the most self-sufficient insurgent groups in the world. Their economic ascent has allowed them to sustain growth and territorial expansion and a rise in their military power, allowing them to acquire and utilise roughly \$1,5 million per day (Suarez, 2000: 577).

In 1996, it was estimated that Colombia's kidnapping industry was worth \$150 million, but considering that the majority of kidnappings go unreported, Semana, the Colombian weekly newspaper, estimated that the industry's worth in that year was closer to \$530 million (Lawrence, 1996: 5). The Colombian government estimates that between 1991 and 1998, ransom revenues generated for the guerrillas were at a staggering \$1,2 billion (Paxchristi, 2001: 33). The editor of El Tiempo, the country's largest newspaper, said that kidnappings were a sure business, profitable and low risk as the kidnappings were organised in such a way that the abductors may not actually know who the eventual captors or negotiators will be (Lawrence, 1996: 5). Estimates of how much the guerrillas receive from the kidnapping industry range from \$150-\$500 million per year. The US Senate Foreign Relations Committee estimates that 40% of the FARC's budget comes from kidnapping (Briggs, 2002: 28). Kidnapping is the third largest source of income for the FARC after drug-related activities and extortion, and amounting to some 25% of the combined total income of the FARC and ELN (Paxchristi, 2001: 33; Suarez, 2000: 577).

One may pose the question as to how so much money is generated through kidnapping. To begin with, the average ransom demanded is \$250 000, but international executives may fetch up to \$4 million (Lawrence, 1996: 5; Economist 1996, October 19). Previously, the wealthy elite were the targets of the kidnappings, but now this has changed and the urban middle classes are targeted in a phenomenon known as '*pescas milagrosas*' or 'miracle catches' which are mass kidnappings and account for the rapid increase in the number of kidnappings in the last few years. In 1998, 70 people were kidnapped at guerrilla road blocks, as well as 46 people on board an aeroplane (Hodgson, 1999: 7). During these *pescas milagrosas*, armed forces force people out of their cars and are asked for identification and they are forced to speak. Foreigners are immediate candidates and it is estimated that one in five victims are foreigners (Suarez, 2000: 577). The halted people's identities are run through a preliminary screening on laptop computers where their wealth could be investigated or it could be seen whether they have kidnap insurance or not. Likely candidates are taken to the jungle where further surveys are done of their financial well-being and those that are in unstable economic situations are often released after a few days (Paxchristi, 2001: 30-31). Colombian security forces say that they have evidence that databases of the Colombian financial system, public records and records of large supermarket chains that use credit cards, are being infiltrated by hackers who acquire the information and then sell it to the guerrilla groups (Suarez, 2000: 577). The negotiation phase is the most difficult and the guerrillas have specialists in negotiation techniques to ensure that the greatest financial gain from each kidnapping is obtained (Suarez, 2000: 577).

The guerrillas, especially the FARC, and other common criminals have also taken to kidnapping children who are a fairly sure way to increase their profits (Paxchristi, 2001: 32) as parents are less reluctant to negotiate and more willing to pay.

Graph 4.4 Number of minors kidnapped between 1996 and 2001



Source: Fondelibertad (2002)

During the analysed period, a total number of 1,350 minors were kidnapped, who constitute 8.5% of the national cases of kidnapping during the same period. According to Fondelibertad, common criminals are the main agents of these underage kidnappings and are responsible for 48% of the kidnapping of minors. The FARC and ELN have perpetrated 180 and 103 of these kidnappings respectively.

4.6. Colombian public resistance

One could imagine that such a large kidnapping rate, where so many people are at risk, has taken a huge toll on society. Some Colombians hire bodyguards or military-trained drivers and armoured vehicles are a common site on the country's roads. However, Colombians have had enough and stage regular demonstrations against violence in their society, especially kidnappings. Green ribbons have come to represent anti-kidnapping and anti-violence symbols (Fraser, 2001). The *No Más* (No More) civil movement staged a national demonstration, where 12 million people supported, banners and badges that read '¡no más!' were on display (Hodgson, 1999: 7; Paxchristi, 2001: 46). However, some of the leaders of the "No Más" civil movement had to flee the country after the protests in fear of their lives when they received death threats, one of whom was Francisco Santos, the editor of Colombia's largest newspaper, *El Tiempo* (Economist 2000, March 18: p. 35).

A toll free number has even been set up where rewards are offered for information regarding kidnappings (Economist 1996, October 19). In an attempt to curb economically motivated kidnappings, the Non-Payment Movement had 5000 people sign an Internet petition stating that should they be kidnapped, their families would not pay any ransom (Hodgson, 1999: 7; Paxchristi, 2001: 45).

4.7. Conclusion

Thus it is evident that it is unclear what exactly is occurring in Colombia. The lines between war and crime are blurred and one of the manifestations of conflict in the country, kidnapping, has become a tool used by groups, yet it is rather ambiguous to what purpose it serves. Sometimes it is for political gain and at other times for economic profit. However, too often the kidnappings lean towards crime, as a form of intimidation, and extracting vast sums of money. The fact that the paramilitaries, whose acronym is MAS (death to the kidnappers) are also following the guerrillas' lead and kidnapping as a source of income, cannot be justified as anything other than crime. Neither could the guerrilla tactics who intimidate government officials and the media, and kidnap children, be justified in terms of a war. Admittedly, in war time hostages are taken for political benefit, but the scale and organised manner in which kidnapping is occurring in Colombia is nothing short of a horrid crime.

The hundreds of victims caught in the middle become the statistics and there are few references, if any, made to them after the fact, if they survive. The financial consequences of the victims that have been kidnapped for ransom and their families bear great scars psychologically. Furthermore, many families are left in huge debt as a result of the loans they borrowed to pay off the ransom; it is often a case of paying the guerrilla once and the bank twice.

One may argue that finding a way to combat these kidnappings would be through attention to socio-economic problems (Bird, 2001: 64). However, as this chapter has attempted to show, the grand scale and monetary value of the kidnappings would far outweigh any social initiative. If the guerrillas, the paramilitaries and common criminals could receive hundreds of thousands of dollars per individual,

improvements in health, education or job creation are unlikely to deter these groups from kidnapping activity. On the other hand, these socio-economic improvements would improve the lives of the marginalised poor and would make them less likely to join the guerrilla, or grow coca leaves for a living. This in turn would weaken the strength of the armed groups, making a solution to the troubles in Colombia seem a little less distant.

Chapter 5.

Blurred lines – blurred solutions

5.1. Introduction

War and crime in Colombia have become inextricably linked. This creates serious implications for the types of solutions that can be sought. So far, the vehicle chosen to create stability, has been a military one used by the Colombian government with the aid and assistance of the United States. However, the reasoning behind this type of action has been contradictory and changing. This chapter will focus on the United States counter-narcotics involvement in Colombia since 1961 and on how the US foreign policy towards Colombia has been incongruous and blurred between counter-narcotic and counter-terrorist, whilst the Americans constantly maintained that a distinction between the two was possible. In the end, the US foreign policy has evolved as the two issues of drug-trafficking and insurgency have become inextricably linked, especially amidst changing global conditions. Finally, some conclusions will be made with a brief look at alternatives that have been available, but have largely remained in the wings.

5.2. The US involvement 1961-2001

The US and Colombian anti-drug relations have been ongoing since 1961, when the two countries signed bilateral agreements related to counter-narcotics initiatives (Randall, 1992: 247). Since then, the US has aided the Colombian government by way of loans and arms to fight crime in the country. The US Congress has insisted that security assistance to the country be limited to combating the drug trade, rather than fighting the insurgents. However, there has been a recent evolution in this stance and the Bush Administration tried to lift these restrictions to allow the aid to be used in anti-guerrilla operations (Evans, 2002: 69).

This constant to and fro between using military forces against insurgents, but stating that these efforts are solely counter-narcotics, has been the order of the decade. US involvement in Colombia has a history of being unclear and complicated. The previous Bush Administration developed the Andean Strategy, which was the first major initiative to help Andean governments fight the drug trade. The package was extended to assist Colombia, Peru and Bolivia who received military, intelligence, law enforcement and economic assistance, with 100 US troops being sent to Colombia to advise its security forces on counter-narcotics techniques (Evans, 2002: 69).

The emphasis on Colombia was because the US recognised illicit drugs as a security issue in the mid 1980s and quite rightly so, as Colombia produces 80% of the world's cocaine. Consequently, the drug issue has been the central concern of Colombian-American relations. However, since the commencement of American guided efforts to combat illegal drugs, the results have been far from successful, and in some cases have produced negative effects on the situation in Colombia. These include an aggravation of the armed conflict and subsequently negatively impacting on democracy, poverty alleviation and the like (Tickner, 2003: 77). Thus the US' aims of counter-narcotics have also been entangled with counterinsurgency over the last decade. In fact, since the end of the Cold War, the US definition of low intensity conflict has been expanded to include countries where drug trafficking weakens the state and the strategies that were enforced in the 1980s were adjusted to deal with drugs as the new regional threat (Tickner, 2003: 79). This is where the situation becomes complicated, as the illegal armed forces, such as the FARC and the AUC, have unclear and complex linkages with the drug trade. The war on drugs is nearly inseparable from the war against the guerrillas on both conceptual and practical levels (Tickner, 2003: 79 and Pardo, 2000: 71).

In 1994, the US government started aerial sprayings of coca crops. They supplied the aircraft, advisors, instructor pilots and funding. Yet, by 1996, they had not successfully transferred responsibility for this campaign to the Colombian government. Furthermore, last year, FARC guerrillas forced down a US government helicopter that was on an anti-drug mission and subsequently killed five of the Colombian policemen who were guarding the wreckage. In the same year, US civilian contractors on a search and rescue mission, looking for a Colombian police helicopter

that was shot down during an anti-drug mission, traded fire with the FARC guerrillas (Evans, 2002: 69). The US anti-drug missions became increasingly involved in the insurgency. In order to address this, the US government tried to clarify its position vis-à-vis the drug trade by diverting assistance from the military to the police, thereby making a distinction between war and crime, albeit a distinction made with much difficulty.

During President Samper's term in the mid 1990s, Colombia became a pariah state following scandals of his campaign being funded by drug money. In 1995, Samper was accused of having accepted some \$6 million the previous year from the Cali drug cartel to fund his presidential campaign (Shifter, 2000: 52). Following this, in 1997, the US 'decertified' Colombia's cooperation with the US on drug matters because, it claimed that the government was corrupt and claimed that the Samper administration had received money from drug cartels. During this scandal, Samper's visa to the US was revoked and Colombia was decertified under US law, subjecting the country to aid related sanctions (Shifter, 2000: 52). During the period of decertification in 1996 and 1997 (because of Colombia's failure to cooperate in the fight against drugs), the reduction in aid further weakened the government and consequently strengthened the forces opposed to the state – in other words the guerrillas, the paramilitaries and the drug organisations. Furthermore, the US circumvented Samper and directly worked with the Colombian police and armed forces which also weakened the country's institutions (Maxwell, 2003: 156). The Colombian government then embarked on ambitious anti-drug campaigns, but suffered demoralising defeats. Guerrilla action had been the most devastating in years, where in one instance, 54 soldiers were killed. Also at this time, there were massive peasant mobilisations against the Samper government's intensified anti-drug initiatives.

Years later, with a more pro-active, pro-US President Pastrana, the Clinton Administration in 2000 backed Pastrana's "Plan Colombia", a \$ 1,3 billion aid package, with certain human rights conditions as well as conditions that the military break ties with the paramilitaries and bring them to justice (Evans, 2002: 69). With the line between counternarcotics and counter-insurgency becoming indistinguishable, it is evident that the US's response and solution has also become blurred. Since the breakdown of peace talks with the rebels in February 2002, Colombia has become the

primary scene of US counter-terrorist operations in the Western Hemisphere (Tickner, 2003: 77).

September 11th has added another dimension to be considered in the Colombian context, which is counter-terrorism. The FARC was recognised by the US Congress as the, “Most dangerous terrorist group based in [their] hemisphere” and following from this, the term narco-terrorism was coined, describing an organisation believed to be involved in terrorist activities funded by drug trade activities (Tickner, 2003: 80-81). In the 1980s, the term narco-guerrillas was used. There has been a shift in terminology since then; the latter term was no longer accurate, as the paramilitary organisations, MAS, discussed earlier, were also funded by drug-related activities (Tickner, 2003: 79). However, this shift in term from narco-guerrilla to narco-terrorism has had other consequences; it has led to the,

“complete erasure of differences between counter-narcotics, counterinsurgency and counterterrorist activities that formerly constituted the backbone of United States policy in Colombia. For many years, Washington stressed the idea that its ‘war’ in Colombia was against drug trafficking and not against the armed insurgents”

(Tickner, 2003: 81)⁵

It is clear that this is no longer the case as 80% of the Colombian aid package received from the US was military aid.

In 1999, the USA provided Colombia with \$289 million for counter-narcotic assistance, which went to the Colombian military and national police force, along with the hundreds of American military advisors (Shifter, 2000: 51). Colombia produces 80% of the world’s cocaine as well as roughly 70% of heroine consumed by the American market on the East Coast of the country.

However, even after years of anti-drug efforts and the successful dismantling of 2 drug cartels, one of whom was headed by the notorious Pablo Escobar, Colombia

⁵ Arlene Tickner is the general coordinator of the Centre for International Studies at the Universidad de los Andes in Bogotá

remains the world's largest producer and exporter of cocaine and second largest supplier of heroine to the United States (Pardo, 2000: 64). By 2000, Colombia jumped from being the third largest producer of cocaine in the world, to the first largest producer (Charles, 2000: 10).

5.3. Plan Colombia

In 1999, the Colombian government made public 'Plan Colombia', a plan which was to address a wide range of Colombia's problems from illegal drug trafficking to social development. It was intended to create peace and reform with the support of the USA and Europe (Deas, 2001: 24, 25, Shifter, 2000: 54). Strangely enough, Plan Colombia was first designed and published for the first time in English, and not in Spanish, even though it was a Colombian government initiative (Godoy, 2002: 121).

Pastrana, the then President, estimated that the Plan would cost \$7,5 billion over three years, and hoped that of the above amount \$3,5 billion would come from the international community (Shifter, 2000: 54). In 2000, the Clinton Administration backed Pastrana's "Plan Colombia," granting the Colombian government a \$ 1,3 billion aid package, with certain conditions. \$642 million was intended for Blackhawk and Huey attack helicopters (Fratepietro, 2001: 18).

Even though many observers and officials who created Plan Colombia have recognised that there are blurred lines between the guerrillas and the drug traffickers, the Plan is essentially placed within a counter-narcotics framework (Deas, 2001: 24, 25). Furthermore, it has evolved and become predominantly US backed and military focused, resulting in the FARC denouncing the Plan as US imperialism.



An anti Plan Colombia billboard put up by the FARC

The US stance towards Colombia has neither been clear nor coherent and post September 11th, this already blurred policy seems to be moving more and more towards counter-insurgency, justified by drugs and President Bush's 'War on Terrorism'. This invariably raises the question: Is fighting against the crime of drug trafficking now a war on terrorism, or a war on insurgency?

5.4. US Policy contradictions and evolution

The traditional American response to deteriorating conditions, as we have seen in the 2003 War in Iraq, is to get tough and call in the military to provide solutions. This has always been the case towards Colombia, in other words increased military assistance. However, in the American Congress, there have been heated debates on how to deal with the drug issues, perhaps accounting for the final unclear output towards Colombia, the country which produces so much of the cocaine and heroine consumed in the US.

Some argue that the solution lies in increased military assistance to Colombia to curb supply, whilst others argue greater resources towards US domestic efforts to reduce consumption, and thus curbing the demand. In the USA, there are an estimated 14

million drug users, 5 million addicts and more than 15 000 deaths a year related to overdoses (Charles, 2000: 10 and FARC, “Exporters of War”). Governments in drug producing nations have long argued that drug trafficking is demand driven. Following basic economic principles, consumption and demand in the industrialised world needs to be curbed if supply is going to reduce. Conversely, if demand remains constant and supply is curtailed, the price of the product will increase (Binney, 2002). However, US anti-drug policy has sought to destroy the root of the problem, which it states lies outside of the US borders. This accounts for the reason why the 67% of US anti-drug budget is invested outside of its territory (FARC, “Exporters of War”). An anti-drug campaigner in the Clinton Administration is quoted as saying, “It is easier to go to the hive than to catch the bees as they fly over the US” (FARC, “Exporters of War”). This is why the US relationship with Colombia has been dominated by narcotic-related issues.

In 1999, the then Secretary of State, Madeleine Albright, placed a column in the New York Times entitled “Colombia’s struggles and how we can help” which was interpreted as a move towards constructing a more well-rounded bilateral relationship with Colombia (Shifter, 2000: 54). However, politics are politics and the combating of drug trafficking was the issue of greatest significance to the US electorate. Opinion surveys in the US (pre 11 September) have indicated that the American people considered narcotics as one of the single most important factors facing their country (IRELA, 1990: 26) and probably why the US has continually maintained that counter-narcotics and counter-insurgency are separable, especially for the benefit of critics who believed that Colombia had potential to be another Vietnam. If the US openly administered a counter-insurgency policy in Colombia, this would strike a particularly disharmonious chord within the American electorate. This is why the fiction of a line between the two has been maintained, when in practice the two are inseparable (Shifter, 2000: 54).

In 2002, two events changed the relationship between the US and Colombia, namely September 11th in the USA and the end of the peace negotiations with the guerrillas in Colombia in February of 2002. With the former event, 11/09, the narco-trafficking issues became subordinate to international terrorism and considering that Colombia has three of the 28 listed international terrorist organisations, (the FARC, the ELN

and the AUC) it is not surprising that their former counter-narcotics stance is due to change. Formerly, the US was criticised for its ‘ambiguous war’ in Colombia where it made a firm distinction between fighting against illicit crops and insurgents. The differentiation was made explicit in Plan Colombia, so that the Colombian government would only use US help against drug trafficking, and not against the insurgents, and similarly, US military assistance was supposed to be purely for humanitarian reasons. However, progressively, these conditions muddled into a system where any differentiation between counter-narco and counterinsurgency are no longer visible (Godoy, 2002: 120). The second event – the end of negotiations between the Colombian government and the FARC – also led to a change in view and terminology. Former President Pastrana tried to negotiate with the FARC, calling them armed groups, but as the negotiations failed and were eventually called off, the FARC became labelled as terrorists, reinforcing US positions.

An example of the merging and thus blurring lines between drug-related crime and insurgent war is, when in March of 2001, the Colombian government extradited to the US three FARC leaders on drug trafficking charges, the first time that the US government has formally accused the guerrilla group of narco-trafficking (Godoy, 2002: 121). Similarly, one of the AUC paramilitary leaders was also extradited just a few months later on drug trafficking charges. This may be seen as a success for the US and Colombian efforts to resolve the issue, but the problem lies in the fact that this US intervention and extradition of the leaders of these armed groups has closed the door on whatever type of negotiation that may have been possible. The FARC maintain that US intervention through Plan Colombia will, “Cut off the path to any possible future outside of war” (FARC, “Exporters of War”).

5.5. Conclusion

Because of the inextricable nature of war and crime, of drugs and insurgency, the only possible hope of a solution would be a plan that could prevent violence in the civil war, limit the role of drugs in the political and economic spheres and the decrease in the demand for drugs overseas. The complicatedness of the situation, as well as from

lessons from the past, have shown that the foreign assistance received so far has not helped, and in cases has made the situation worse. Foreign involvement can only make a difference if it comes in the right form, and currently military assistance does not seem to be that.

By the US aiding Colombia in anti-drug efforts, it is effectively supporting both sides in the civil war as the official aid goes to the government, whilst money paid by US drug consumers go to the guerrillas and paramilitaries (Barro, 2002: 78-79). The US anti-drug policy has focused mainly on curtailing the supply rather than on demand, and probably a fundamental reason for the unsuccessful missions that are mixed up with the counter-insurgency efforts. Perhaps a stronger focus on drug consumption domestically may prove to provide better results.

The US seems to insist on three major issues in dealing with narcotics issues: eradication, interdiction and extradition, whereas perhaps attention to broader development aims might prove to be more fruitful.

5.6. Counter narcotics through development?

There have been two major fora concerning drugs and development, both in 1990. Firstly was the Cartagena Summit in Colombia on drugs. The Latin American Presidents in this forum urged the United States to promote domestic and foreign markets for products that would be cultivated as substitutes for coca, as well as better commercial incentives from their northern neighbour. Bush Senior pledged to promote private investment and funds for social development, made promises for the revival of the International Coffee Agreement and to review the regulations on Colombian flower exports (IRELA, 1990: 27). However, Washington a few months later increased anti-dumping duties on Colombian flower exports.

The second forum was the London International Conference on Narcotics in the same year. The main issue that emerged was the need to control the demand for the drugs in the developed world. In this meeting, the Colombian delegation emphasised the need

for external assistance in the development of alternatives to narcotics production, involving coca substitution and not just eradication (IRELA, 1999: 33). This would involve the reduction of barriers to non-traditional products, such as cut-flowers and coffee, and the reduction of external debt. Colombia's external debt has been increasing over the last decade. In fact, it has risen from \$23 000 million in 1995 to \$33 263 million in 2002, accounting for 33% of its GNP (World Bank and Latin Focus).

The Colombians argued at the London Conference that a state with greater revenues would face decreased popular discontent and be more likely to address the socio-economic conditions which push people towards the insurgency groups, and the drug production industry (IRELA:1990: 33).

The Andean Trade Preferences Act (ATPA) of 1991 was signed, which was to benefit exporters from Bolivia, Colombia, Ecuador and Peru in order to support the drug control effort (Andean Community General Secretariat). The agreement expired in 2001, but was renewed in 2002 for 4 years and became ATPDEA, the Andean Community Promotion and Drug Eradication Act. The countries enjoy the same benefits as under the old agreement, but the new Act extends to 700 new products, once the impact of these reviews have been studied by the US State Department (US State Department, 2002). The Act is supposed to impact positively on non-traditional crops of the Andean Community, such as flowers, textiles, leather and clothing. This Act is moulded so as to promote incentives for non-narcotics production. It is estimated that this Act could generate 100 000 new jobs in the Andean Community, a welcome alleviation especially for countries like Colombia where unemployment is high (Godoy, 2002: 122). Roughly 6300 Andean products will enjoy duty-free access to the US market under this programme (US Department of State). However, the Act does not come without conditions. Special conditions were placed on Colombia regarding intellectual property rights, for example on the sensitive issue of patents of medicines produced by the MNCs and those generic medicines produced by the Colombian State. Furthermore, apparel assembled in the Andean region may enter the US market duty-free with a cap of 2% of total US apparel imports, which will increase up to 5% (US State Department 2002).

However, amidst the talk, the military and the deals, there are thousands of Colombians living in poverty, many of whom were pushed towards growing coca leaves to bring in an income to survive. Roughly 75% of coca and poppies are grown by subsistence farmers on pieces of land less than a hectare (Fratepeitro, 2001: 18). Legal crops bring these farmers little or no return and there are few or no roads for them on which to transport these products. On the other hand, a farmer can produce 2 kilograms of coca paste on a few hectares of land, which is easily transported on foot or by horse and they receive \$1000 per kilo. However, they have to pay farming expenses and taxes to the guerrillas or paramilitaries and end up a minimum wage of \$150 per month (Fratepeitro, 2001: 18). Crop sprayings and US military aid or the extradition of guerrillas and paramilitaries will not benefit these people, but economic and social development may. If conditions could improve, where these people could be incorporated into the legitimate Colombian economy and have food on their table, they will be less likely to grow coca leaves. Furthermore, if demand for coca decreases, prices will decrease, meaning that growing a small patch of coca will no longer meet the needs of these poor farmers trying to make a day to day living, and they will find something else to grow. But currently, international and national efforts do not create the conditions in which these people are likely to look for alternative livelihoods. For them at the moment, it is a choice of growing a small coca leaf crop to put food on the table, or join the guerrillas. In these circumstances, how can a new consignment of helicopters help?

Chapter 6

Conclusion

It is clear that the political problem in Colombia refers to a blur in the lines between war and crime. The conflict there is neither one nor the other, but a complicated mixture of the two. Actors claim to be fighting for social justice, whilst inextricably linked to crime, such as drug trading and kidnapping. Others do not claim anything other than to being involved in illegal drug trafficking activities, yet they contribute to the upliftment of poor communities. The government tends to view the activities of these armed groups as crime. The problem lies in the fact that the current manner of looking at the conflict is from one or the other viewpoint and solutions are sought accordingly. The fact that the turmoil in Colombia is neither solely crime committed by clandestine groups, nor a civil war engaged in by armed forces seeking to deliver social justice to the dispossessed, requires an entirely new framework for looking at the actors, the conflicts and interests involved in Colombia. Evidently previous attempts to solve the problems have been largely unsuccessful.

The following is a proposal that is just that, something entirely different, encompassing all the elements of crime and war in a (albeit radical) proposed solution.

The fact that the guerrilla groups, the paramilitaries and the drug cartels are all financially independent organisations with successful money making schemes, who are reluctant to stop their activities because of its monetary value, means that there is little that would entice them to come to the negotiating table. Promises of being incorporated into the democratic system has no appeal, and understandably so. What is proposed in this paper, is a scheme where these groups could still retain monetary gain, whilst being incorporated into society and a gradual transition within these groups and society over a period of a decade where all the issues could be weeded out.

The proposal is the legalisation of coca leaf production in Colombia. Although this may sound rather radical, there is a strong rationale behind it that will be developed in the course of this section.

The first step would be to negotiate the legalisation by the Colombian government of coca leaf production with the guerrillas and the paramilitary groups. These groups would have to disarm and declare a ceasefire, and in return, many could receive amnesty for their previous wrong doings. Then, these groups could either form political parties and join the political system, or form companies that farm and produce the coca leaves that have an obligatory registration with the government. In this way, the government can control the coca and the groups, yet they would be incorporated into the economy and the political system. Also, and perhaps more importantly, drugs would be de-politicised.

These companies would then pay taxes, which would be used directly to the development of infrastructure, education and human rights development in the rural areas. Each employee would be a registered worker and would receive a fair salary from the proprietors of these coca producing companies, thus giving them a proper living and a means to improve their lives, in peace, as well as provisions for their old age. In this way, the combatants could re-join society, but would gain what they originally sought by joining the armed groups – protection, a job and status. Also, the enormous amounts of money that the government spends on arms and the military would now be able to be used for development. If the government were serious about development of, and assistance to the poor and their upliftment, the armed groups would have to concede a cease-fire as the government would effectively be meeting their demands too. The happier the people, the less likelihood of violence or a return to the cleaved society that is currently Colombia.

Next, there would be set targets and strict rules on the gradual replacement of these coca crops with others, such as coffee or flowers or transforming the land for textile production etc, per year. Each hectare that is replaced, entitles the companies to certain tax cuts or incentives, and in this way, coca could be gradually worked out of importance in Colombia. In the meantime, the government could negotiate preferential, or even just fairer trade agreements for its products, such as coffee,

flowers, leather, emeralds, oil and textiles, which could be just as profitable as cocaine, especially if the price of cocaine were to decrease as a result of its decriminalisation. Although it is of extreme likelihood that the USA would be very unhappy with this tactic, and would be unlikely to concede such trade agreements as a result, Colombia could look to its region instead, such as Brazil and Venezuela to form trade alliances.

In this way, the huge drug production could be slowly reduced and replaced with other crops that would be just as profitable, and at the same time, the people would benefit, employment would rise and rural infrastructure would be built and women's place in society could become more highly regarded as a result of the increased levels of education that would be possible with such a system.

Another important factor to consider would be to get the help of the Catholic Church. A vast majority of Colombians are very religious and superstitious. With the help of the Church, the message could be spread to large numbers of people right across the land, to create tolerance, peace, education of rights and the upliftment of women.

Perhaps this proposal could be likened to Prohibition in the United States from 1920-1933. Under the Volstead Act of 1919, intoxicating alcohol (drinks with alcohol levels higher than 5%) was banned. The banning of the substance catapulted underworld figures into the world scene, such as Al Capone, whilst the Mafia gained a foothold in the US and organised crime and gangsterism became institutionalised (Behr, 1996: 91). In both situations, the United States' and Colombia's attempts to control substances that were/are illegal, were/are not successful. Further similarities could be drawn between Colombia's situation and the USA during the 1920s: Al Capone and Pablo Escobar and their peers could be likened in many respects - the untouchables and the extraditables. Capone, like Escobar, although hunted by the law and viewed by the world as a criminal, was seen by the locals as someone who contributed to society, created jobs and helped those that had been forsaken by the state (Schoenberg, 1992: 287-291).

During Prohibition, the fact that the state could not enforce law and order came to weaken the state institutions and corruption spread, which is also the case in

Colombia. The organisation Transparency International, has a Corruption Perceptions Index. The score a country receives relates to perceptions of the degree of corruption as seen by business people and risk analysts, and ranges between 10 (highly clean) and 0 (highly corrupt). Colombia is ranked 57th out of 102 countries and has a score of 3,6 (Transparency International, 2002).

The US government realised after a decade that the illegalisation of alcohol had created these *hors-loi* groups and had diminished, rather than increased, their ability to control the substance, the people and violence, which is what is currently occurring in Colombia. However, once Prohibition was repealed, the major bootleggers quickly converted their operations to legitimate liquor businesses and the state could more effectively control alcohol use and distribution and tax it.

Perhaps Colombia could use the example of its northern neighbour to help sort out the issues that it faces. Perhaps the drug cartels, guerrillas and paramilitaries, who all have some or other stake in the drug production or trafficking industry, could also be incorporated legitimately into the economy and polity. Instead of sending in the military, an economic solution could be sought, which would benefit all.

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