

Forces d'autodéfense, seigneurs de guerre, ou bandes criminelles? Vers une nouvelle conceptualisation du paramilitarisme en Colombie

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Résumé

Le développement du paramilitarisme en Colombie a eu un impact crucial sur les processus contemporains d'accumulation du capital et de formation des classes sociales. Ce mouvement a été lourd de conséquences y compris les assauts contre les forces révolutionnaires, la concentration de la propriété des terres, le déplacement massif forcé des populations, la consolidation des entreprises étrangères, et la détérioration des conditions de travail. L'existence du paramilitarisme est l'un des grands défis à surmonter pour la gauche et pour les partisans d'une transformation sociale en Colombie. Le phénomène est pourtant mal compris. Cet article expose à quel point les violations des droits humains perpétrées par les forces paramilitaires actuelles au cours des cinq années qui ont suivi leur démobilisation officielle (l'époque « post-paramilitaire » selon l'État colombien) se perpétuent, et dans certains cas se sont aggravées. L'article adopte une approche dialectique anti-idéologique fondée sur les classes sociales pour déconstruire et remettre en question les conceptualisations existantes du paramilitarisme dans les écrits académiques et dans les médias traditionnels, lesquels dissocient la violence paramilitaire du contexte historique et social dans lequel il est imbriqué. En étudiant les écrits occidentaux et colombiens contemporaine sur le sujet, ainsi que les documents produits par l'état colombien et ses alliés, l'article révèle à quel point les descriptions existantes du mouvement paramilitaire sont fragmentées, limitées et inadéquates, et propose un nouveau cadre d'analyse capable de capter le phénomène dans son ensemble et d'expliquer sa dynamique et son évolution.

Self-Defense Forces, Warlords, or Criminal Gangs? Towards a New Conceptualization of Paramilitarism in Colombia

*“To exist, humanly, is to name the world, to change it”
(Paulo Freire, 1970: 69)*

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Abstract

The development of paramilitarism in Colombia has been crucial to contemporary processes of capital and class formation. It has had far-reaching consequences such as the onslaught on revolutionary forces, concentration of landownership, massive forced displacement of people, consolidation of foreign enterprises, and the deterioration of labour conditions. The existence of paramilitarism is one of the greatest challenges faced by the Left and those who struggle for social transformation in Colombia, yet it has been little understood. This article exposes the continuation and in some cases aggravation of human rights violations that have been carried out by present paramilitary forces, during the five years following the official demobilization of the paramilitary – an era that the Colombian state claims to be “post-paramilitary.” The article takes on a class-based dialectical anti-ideological approach to deconstruct and challenge existing conceptualizations of paramilitarism in academic literature and mainstream media that de-historicize and disconnect paramilitary violence from the existing social relations in which it is embedded. By reviewing the contemporary Western and Colombian literature on this topic, as well as the material produced by the Colombian state and its allies, the article reveals the partial and distorted depictions of the paramilitary and proposes a new analytical framework that captures the phenomenon in its entirety and is capable of accounting for its dynamic and evolution.

Introduction

Colombia has earned an informal reputation of being the most violent country in the Western hemisphere due to the pervasive and persistent nature of its internal war. Statistically, it also ranks as the world’s most dangerous place to be a union leader and is among

the nations with the largest number of internal refugees (Moloney, 2005). Today there are close to five million internally displaced people, half of which have been displaced during the two mandates of former President Alvaro Uribe (Telesur, 2010). The detrimental impact of unceasing violence, combined with intensive market-oriented economic restructuring since 1990, are clearly evident as the precarious existence of millions of people deteriorates, social inequalities widen, and human rights violations carried out by state agents and illegal armed groups continue to rise. In 2008 alone, 380,863 people were forcibly displaced from their homes (Boletín Virtual, 2009) and 49 labour unionists were murdered (ENS, 2010). Paramilitary organizations, with the complicity or direct participation of state forces, have been responsible for the majority of the murders, torture, disappearances, forced displacement, and threats against the civilian population. Even state sources confirm the magnitude of civilian deaths at the hands of paramilitaries—14,476 between 1988 and 2003 (Gutierrez, 2005). During President Alvaro Uribe's first mandate (2002–2006), 8,582 civilians were murdered or disappeared by the paramilitary and/or state forces (Boletín Virtual, 2009). During her speech addressed to the European Union in September 2010, Colombian Senator Piedad Córdoba stated “*Colombia es una fosa comun, es el mayor cementerio de America Latina* – Colombia is a mass grave, it is the largest cemetery of Latin America” (*El Tiempo*, 2010). Her statement alluded to the number of mass graves that have been discovered throughout the country during the past year where state and paramilitary forces have buried corpses.

The Colombian paramilitary consists of armed groups, created and funded by wealthy sectors of society, with military and logistical support provided unofficially by the state, aimed at eliminating or neutralizing individuals or movements that constitute a threat or obstacle to the interests of those with economic and political power. For the last roughly 45 years, murder, torture, and terror have been commonly used by paramilitaries to silence social activists and eradicate support for the guerrillas or socialist-oriented revolutionary armed forces that seek to take over state power (mainly the FARC, *Fuerzas Armadas Revolucionarias de Colombia* – Revolutionary Armed Forces of Colombia), and displace people from areas of strategic economic or military importance. Criminal activities such as trafficking, theft, kidnappings, extortion, and assassinations have frequently been part of their sources of funding.

In 2003, the government initiated a so-called peace process with the country's largest paramilitary organization, the AUC (*Auto-defensas Unidas de Colombia* – United-Self Defense Forces of Colombia). Three years later the process was completed. In reality, however, almost five years after the demobilization, paramilitary forces are still present and various forms of human rights violations, especially forced displacement and attacks on social movements, continue at alarming rates. In fact, close to a million people were displaced during the first three years after the demobilization (CODHES, 2009).

Notwithstanding the well-documented historical relationship between paramilitary forces and major state institutions, in addition to the high incidence of human rights violations, various important North American political figures have expressed their full support for President Uribe's administration. For instance, in January 2009, outgoing U.S. president George W. Bush awarded Uribe the Medal of Freedom, the highest U.S. civilian award, citing his successes against "brutal drug cartels and illegal armed groups" (Human Rights Watch, 2009). On June 10, 2009, after a meeting with the Colombian president in Ottawa, Canadian Prime Minister Steven Harper stated: "President Uribe and his government have made very important progress toward sustained peace, security and protection of human rights in their country" (Canada Prime Minister, 2009).

What are the mechanisms that make it possible for a country to maintain the reputation of a long-standing democracy even though repression, terror, and armed force are regularly employed against civilians? What has been the role of violence in processes of capital accumulation and class formation? Most of the literature on violence in Latin America has focused either on that carried out by state military forces as a tactic of repression or the one employed by revolutionary movements to overthrow the state (Mazzei, 2009). More recently, there has also been an interest in criminal violence, such as the *maras* (criminal gangs in Central America) and the *favela* (slum) gangs in Brazil. This trend can perhaps be explained by the fact that, according to Pearce (2010), some see contemporary violence as being urban and social in nature, in contrast to the rural and political violence of the past. Nonetheless, as she explains, rather than reflecting a rupture with the past, violence in Latin America has merely accelerated its complex reproduction in many forms which has occurred alongside democratic transitions. Indeed, one such

manifestation is paramilitary violence, which has remained for the most part under a veil of mystery. As Mazzei (2009) points out, the paramilitary, as a particular type of violent political actor, has been under-investigated. Yet paramilitary organizations have been a key player in the Colombian conflict since the 1960s. Can paramilitary forces be characterized as criminal organizations, self-defense patrols, private security associations, entrepreneurs of violence, warlords, private armies, state-sponsored death squads, terrorists or an armed political movement?

There have been various attempts in the academic literature to define this kind of violent actor, yet most are inaccurate or at least incomplete. In each case, the limitations are tied to the way in which the wider context (i.e. the armed conflict) is understood, as well as to the artificial conceptual barriers and disconnects that have been created. The way paramilitarism is defined is not solely a matter of academic debate. It can have some very real implications with regards to: a) extending or eliminating the conditions conducive to further human rights violations; and b) bringing violators to justice. According to official state discourses, media, and some human rights agencies, paramilitary groups no longer exist and the term *paramilitary* has been definitively replaced with the label *criminal gangs* to refer to any non-guerrilla armed group. With the invention of the acronym BACRIM (which stands for criminal gangs or *bandas criminales*), the government has managed to virtually erase the presence of the paramilitary from the picture of the armed conflict, consequently consolidating a highly distorted representation of the latter as one where the Colombian state strives to save its people from the savage, irrational, and unpredictable narco-terrorist guerrillas. The Colombian state is not alone in its fabrication of the end of paramilitarism. Academic writings can reinforce this myth through de-historicized fragmented characterizations of the paramilitary.

As Freire (1970) once said, "...changing language is part of the process of changing the world" (p.68). In response to the absence of a comprehensive conceptualization of paramilitary organizations in the academic literature and in the face of considerable misrepresentation in the Colombian and North American mainstream media, I intend to set the foundations for developing a new analytical framework that will allow us to conceptualize the phenomenon of paramilitarism in Colombia, the dynamics and evolution of its relationship with the state, and to situate paramilitary bodies within

the wider politico-economic context. This framework will be grounded in the Colombian case and will hopefully be useful for deconstructing the foundations and structures of twenty-first century paramilitarism in Latin America.

The article is organized in the following manner. First, I offer some historical background on the origins and evolution of the paramilitary in Colombia. Second, the article provides some illustrations of the persistent continuous presence of paramilitary units today and demonstrates why these are of paramilitary nature and not merely criminal gangs. This is followed by an overview of some of the key contemporary works on paramilitarism in Colombia. Here I discuss and assess three types of approaches to defining or characterizing the paramilitary as an armed actor, in terms of their explanatory usefulness and limitations. Lastly, I outline and explain the guiding principles of the approach I propose for conceptualizing the phenomenon of paramilitarism in Colombia. The article incorporates excerpts from semi-structured and unstructured interviews I conducted in Colombia between 2005 and 2009 with the following individuals: a former prosecutor, a former military officer, a former criminal investigator from the Technical Investigation Unit of the Public Prosecutor's Office, a member of a present paramilitary group, and an unemployed youth from a low-income neighbourhood. All interviewees have been assigned fictitious names to preserve anonymity.

Origins and Evolution of Paramilitarism in Colombia

Two principal sources of creation can be discerned in the evolution of paramilitarism. The first was the Colombian state, with the help of the U.S. in the 1960s. In the second phase, in the 1980s, a leading role was taken by Colombia's economically dominant classes. In both cases, strong mutual support between the Colombian state and most of the elite has been crucial to the success of the project.

By the early 1960s, the U.S. and Colombian governments launched *Plan Lazo*, which was designed to eliminate the potential for subversion. It was decided that the Colombian state needed additional local assistance and so paramilitary forces entered the scene to perform two main functions: 1) combat the insurgency and 2) monitor and gather intelligence on the rebels, their civilian supporters, and social organizations by establishing networks

throughout the country. While the U.S. took care of the financial and ideological aspects, the Colombian state also played a key role in strengthening its coercive apparatus and launching the paramilitary initiative. Particularly important is Decree 2298, which was passed in 1965, converted into Law 48 in 1968, and remained in effect until 1989.

As part of *Plan Lazo*, the decree essentially laid the legal foundation for the establishment of paramilitarism by authorizing the executive branch to create civil patrols by decree and ordering the Ministry of Defense to supply them with weapons normally restricted to the exclusive use of the armed forces (Stokes, 2005).

Starting in the 1980s, the capitalist class of Colombia played a more direct role in the setting up of paramilitary bodies, at that time referred to as self-defense bands (or *auto-defensas*). (Throughout this article the word *paramilitary* is used to encompass both groups created in the 1960s as well as those created from the 1980s onwards.) Nevertheless, the state promoted these initiatives and at times participated directly. This second wave of creation was enacted by large-scale landowners, cattle ranchers, mining entrepreneurs (particularly those in the emerald business), and narco-lords.

The 1980s were the golden age of paramilitary development, as many new groups formed, expanded, and rapidly acquired financial and military strength. One of the main reasons for this has been the accelerated growth of narco-trafficking. Many drug dealers had begun to invest their capital in millions of hectares of the best agricultural land in the country, in regions such as Magdalena Medio, Ariari, Urabá, Córdoba, Risaralda, Caldas, Quindío, and Valle del Cauca (Human Rights Watch, 1996). Armed force was commonly used not only to protect their lands but often to expropriate peasants from land that was not available for sale. Consequently, the new landowning elite were the founders of paramilitary units and at the same time paramilitary chiefs and commanders were themselves landlords. While paramilitary groups were declared illegal in 1989 with Decree 1194 which demanded imprisonment for those involved with them, connections between military and police officials and paramilitary forces continued (Giraldo, 1996). So did the economic support offered by various business sectors, both formal and illicit, including narco-trafficking.

The deep penetration of the state by the elite through the

intertwining of political and economic power became visible once again in 1994 when the government launched the Integrated Rural Security Plan (*Plan Integral de Seguridad Rural*), which permitted civilians to arm themselves and collaborate with the armed forces. As part of that plan, the governor of the Department of Antioquia at the time, Álvaro Uribe Vélez, through Decree 356 of 1994, created CONVIVIR (*Asociaciones Comunitarias de Vigilancia Rural* – Community Rural Surveillance Associations), which in addition to supplying the military with intelligence, was involved in the killings of suspected rebel sympathizers (Contreras, 2002). In 1997, most of the existing groups were unified under the AUC.

Paramilitary Violence in the “Post-Paramilitary” Era

February 2006 marked the completion of the so-called demobilization of the paramilitary. This has been considered one of the greatest accomplishments of the Uribe administration. Yet, in July 2009, Colombia’s National Police estimated that non-guerrilla illegal armed groups had more than 4,000 members and had a presence in at least 173 municipalities in 24 of Colombia’s 32 departments. Non-governmental estimates of the number of combatants run as high as 10,200 (Human Rights Watch, 2010). They have been described in mainstream media as new illegal armed groups and are more commonly referred to as “BACRIM” (criminal gangs, or *bandas criminales*, at the service of drug-trafficking). According to a statement by the Colombian Ministry of Defense in March 2006, “...these delinquent gangs are in many cases hired by FARC and in other cases are a product of the recruitment carried out by drug-traffickers who seek to form their private security groups” (Restrepo and Franco, 2008: 66). Moreover, in March 2006 the government’s high commissioner for peace, Luis Carlos Restrepo, claimed that these groups “...are not self-defense [i.e., paramilitary]. What we have in various areas of the country are very small emerging criminal organizations which are managing illegal crops ... these organizations are completely dedicated to drug-trafficking and on many occasions also combine this with extortion. We cannot call them self-defense” (*Ibid*). During his presidential speech at the National Police Commanders Summit on January 30, 2007, former President Uribe ordered the police to no longer speak of paramilitarism (*Ibid*). Subsequently, key figures from the Colombian state military, such

as Colonel Ricardo Restrepo Londono (*El Tiempo*, 2009), one of the official experts on BACRIM, as well as members from the National Police, political analysts, and mainstream media, all have declared that existing non-guerrilla armed groups are small in size and concentrated on the administration of illegal businesses and not on an anti-insurgency fight.

Human rights organizations, NGOs, community organizations, social movements, and some research centres and political figures have documented numerous cases of violations against civilians carried out by these illegal groups, after the so-called demobilization in 2006 (see Hristov, 2009b, Ch.5). Contrary to the arguments advanced by the Colombian state and media, what should be a “post-paramilitary” era (2006-2010) has been in fact characterized by a continuation and in some cases strengthening of the military and economic structures of paramilitarism. Combined with the creation and expansion of new organizations, impunity has served as a permissive condition for the consolidation of paramilitary networks.

In fact, since the “demobilization” was completed, the latter have been reorganized, recomposed, and “cleansed,” meaning they have ridden themselves of allied groups and individuals who are no longer useful to the paramilitary system for various reasons, making the restructured networks more efficient. Among them are: *Las Águilas Negras* (in various regions), *Los de Magdalena Medio* (in the region of Magdalena Medio), *Autodefensas Campesinas del Pacífico* (in the Department of Valle del Cauca), *Autodefensas Campesinas Nueva Generación* (in the Department of Narino), *Autodefensas Unidas de Antioquia* (in the Department of Antioquia), *Autodefensas Gaitanistas de Colombia* (in the Departments of Urabá, Córdoba, Medellín, Cauca), *Los Rastrojos* (in the Northern Department of Valle, as well as in the Departments of Quindío, Chocó, Nariño, and Cauca), *Ejército Revolucionario Popular Anti-Subversivo de Colombia*, *ERPAC* (in the Eastern Plains, and in the Departments of Meta, Casanare, Guaviare, Arauca and Vichada), *Los Paisas* (in the Department of Magdalena), *Los Machos* (in the Department of Valle del Cauca), *Renacer* (in the Department of Choco), *Bloque Conquistadores* (in the Department of Valle del Cauca), *Muerte a Sindicalistas* (in the municipality of Barranquilla), and *Mano Negra* (in the municipality of Barrancabermeja).

These organizations are not completely new, since they

include former AUC combatants who have decided to rearm, members of old groups that officially remained active during the peace process and never demobilized, new recruits, criminal gangs, and police and military officers, as well as even mayors and governors. Similar to the AUC, they engage in extortion, drug trafficking, and embezzling government funds, as well as investing in agriculture and other businesses and often spread terror through threatening messages in flyers, e-mail and graffiti. Especially important is the fact that they have been also forcibly displacing communities, carrying out assassinations, conducting social cleansing and attacking, in various ways, social movements, human rights activists, and leftist students and academics (Hristov, 2009a).

What does the media say about all this? It is true that Colombian media (especially those that claim to be politically neutral and analytically-oriented such as *Revista Semana*) have made public some of the confessions of detained and extradited paramilitary commanders that illustrate past connections between the AUC and politicians or the AUC and the state military. However, the key word here is *past*. While the public's attention is consumed by shocking revelations about the past deeds of the para-state partnership which most often become known in the form of scandals (such as *parapolitica*, *para-Uribismo*, *falsos positivos*, *chuzadas*), the ongoing present re-consolidation of paramilitary groups and their terror strategies continues unchallenged and unacknowledged. The word *paramilitary* is used only in the context of events that took place prior to the demobilization.

There is a similar tendency even with human rights organizations. For instance, in a March 2010 report by the UN High Commission on Human Rights, under the section "Violations of International Humanitarian Law," only two headings appear: "Violations by State Forces" and "Violations by the Guerrilla." There is no mention of "paramilitary." Surprisingly, a similar approach has been taken by *Verdad Abierta – Paramilitares y Conflicto Armado en Colombia* (Open Truth – Paramilitaries and the Armed Conflict in Colombia), an independent media and research centre. One cannot overestimate the wealth of material that *Verdad Abierta* has to offer. However, there is one problem: under the heading "History," it lists four stage of paramilitary development, with the last stage being the demobilization period (2003-2006), giving the impression that paramilitarism, as such, no longer exists. Once again, the language

of the Colombian state's ideology, which insinuates a rupture between the past and present, which has erased the paramilitary from the country's present violent landscape, has indeed been so powerful and prevalent, that it has had an effect even on one of the very few media dedicated to denouncing the human right violations by the paramilitary and the state. By calling these armed groups today BACRIM, an illusion is created that there has been a break with history and paramilitarism has been eradicated. What explains to a great extent the flooding of information which the public has been allowed to see, consisting of testimonies and confessions about ruthless massacres carried out by paramilitary forces, (even those planned with the participation of state forces), is one magic word: the *past*. As long as everyone believes that paramilitarism no longer exists today, then it is safe to show its monstrosity and links to the state.

Some may pose the question: Why is the language used so important? As long as human rights organizations recognize that these forces engage in activities that are similar to former paramilitary groups, why the insistence on the term *paramilitary*? Because it carries with it the historical connection between those who rely on violence to facilitate capital accumulation on one hand and the Colombian state on the other. Calling them gangs places them in the realm of the criminal and allows them to blend in among a multitude of other actors in that realm such as youth gangs, petty thieves and so on. The links (that still exist today) to the state apparatus and the capitalist classes are obscured. And gradually, so would be the issues of human rights violations and political violence. After all, there are criminal gangs in Los Angeles, New York and Toronto, but it is rare to speak of human rights violations in relation to them. This obsession with renaming, what is in essence the same phenomenon, even though the human faces that constitute it may change, is performed by the ideological mechanism of the state's coercive apparatus which seeks to create a collective amnesia by cleansing the collective psyche of the monstrous past which continues into the present. This article is partly an act of resistance to this deception, an attempt to keep the struggle for justice alive by revealing the continuities of the engine of dispossession, repression, and dehumanization.

Why are these armed groups of paramilitary nature, and not merely criminal gangs? There are several important reasons.

To begin with, many of their leaders come from former well-known paramilitary organizations. Let's look at the example of the *Aguilas Negras* – an organization that has been terrorizing the civilian population in different parts of the country since the AUC demobilized. The *Aguilas Negras* were founded by Carlos Mario Jiménez, alias Macaco, an AUC commander responsible for numerous massacres, inside the official demilitarized zone of Santa Fe de Ralito during peace talks with the government in 2005 (*Semana*, 2009c). In many other cases, groups that are deemed by the government to be merely criminal gangs, such as *Los Rastrojos*, are led by and composed of former AUC fighters. Leech (2009) quotes one of the leaders of the Afro-Colombian movement on the Pacific Coast (*Proceso de Comunidades Negras*, or PCN), as saying “Only the name is different. They are the same people. The top commanders have gone; the new commanders are those who previously were second and third-level commanders.” According to him, new paramilitaries collude with the army and the local political establishment just as before (p. 31).

Secondly, state involvement through complicity, tolerance, collaboration and direct participation in paramilitary activities has not ceased and it would be naïve to even hope this would happen in the near future, given the profound penetration of major state institutions such as the military, the justice system, the Administrative Security Department (*Departamento Administrativo de Seguridad*, or DAS), the Colombian Institute for Rural Development (*Instituto Colombiano de Desarrollo Rural*, or INCODER), and even Congress. By mid-2008, almost 40 per cent of the members of congress were implicated in maintaining close paramilitary connections, along with former Minister of Defense and current President of Colombia Juan Manuel Santos and former Vice-President Francisco Santos. Numerous investigations are still under way. These are not just past connections. The paramilitary's alliances with politicians have also been a constant feature of the post-demobilization era. In the Departments of Meta, Guaviare, Vichada, and Casanare the presence of paramilitary groups has been growing and so have their connections to local government. For example, Oscar Lopez, who was elected in 2007 as the governor of the Department of Guaviare, had a close relationship with Vicente Castaño and Pedro Oliverio Guerrero Castillo, alias Cuchillo—both paramilitary commanders. Cuchillo (now deceased) was a business partner in López' company

called *Exploración & Explotación Minera del Llano*. The armed bodies under the command of these two paramilitary chiefs have helped López and his relatives obtain thousands of acres of land in the department of Casanare to grow African oil palm as well as to win the 2007 elections, despite evidence of having received paramilitary support. Paramilitary groups led by Cuchillo also played a role in the election of Blas Arvelio Ortiz as the governor of the department of Vichada in 2007 (Semana 2009a).

Another example of a continued presence of paramilitary power inside state institutions can be detected in the practices of INCODER. This institute has served as a mechanism through which land theft has been legalized by giving titles for illegally acquired land to paramilitary chiefs, while taking away the land titles from their victims. To understand how this happens, let me first provide a very brief overview of the issue of forced displacement. (There have been cases of forced displacement of urban residents as well; however I will mostly focus here on those occurring in rural areas.) Since the 1990s, through the use of various terror strategies, the paramilitary has been massively displacing populations from areas of strategic economic or military importance—including fertile land; areas with valuable natural resources such as gold and other minerals, oil, or precious woods; areas used by the guerrillas as transportation routes; and fields of illicit crops—in the departments of Antioquia, Córdoba, Valle del Cauca, Nariño, Caldas, Chocó, and Bolívar, and the Urabá region. At best, peasants were forced to sell their land at ridiculously low prices. However, in most cases people did not receive anything for their land, houses or animals, but were simply forced to flee. These “abandoned” lands were bought extremely cheaply by drug-trafficking paramilitary investors who subsequently, by improving the infrastructure and guaranteeing security, raised the land price. In Codazzi, Department of Cesar, for instance, before the price of one hectare of land was two million pesos, today the price is 60 million (Semana, 2009c). Similarly, between 2005 and 2009, more than 70,000 hectares in Los Montes de Maria, Department of Bolivar, were sold to large investors at prices under 500,000 pesos. Today these same lands cost close to three million pesos (Semana, 2010c).

The result has been a large-scale cross-country, counter-agrarian reform in which the expropriated land has been used for cash crop cultivation (legal and otherwise), cattle ranching, and extractive industries undertaken by foreign companies. As noted earlier, this

process has not only not been reduced in the post-demobilization era, has not only continued, but has actually been exacerbated as paramilitary commanders like Loco Barera (alias), HH (alias), and Cuchillo (alias), just to name a few, have been expanding their properties in the departments of Casanare, Meta, Guaviare, Vichada, and Arauca. By 2008, the figures of forced displacement had reached a remarkably high level, according to CODHES (*Consultora para Los Derechos Humanos y el Desplazamiento* – the Consultancy on Human Rights and Displacement). From 2006 to 2007, during the first year after the demobilization, there was a 38 per cent increase in displacement and from 2007 to 2008 there was a 25 per cent increase. The total number of people displaced between 2006 and 2008 was 908,139 (CODHES, 2009). Unsurprisingly, as a result of the land dispossession offensive carried out by the paramilitary in the last two decades, land ownership has greatly intensified—presently four per cent of landowners control 61 per cent of the best quality land (*Verdad Abierta*, 2010). A study conducted by the University of the Andes has found that the rural Gini coefficient in Colombia is 0.85 (*Semana*, 2010a).

Not only have state institutions failed to provide any viable solutions to the problems of displaced people, but they have often created obstacles even when the victims have taken the initiative in their own hands in order to improve their living conditions. What has been the role of INCODER in this post-demobilization war for land? There are several patterns that can be detected. In the first one, titles for land that has been confiscated from paramilitary members/drug-traffickers under investigation are given to landless families who had been displaced. Yet, the relatives of the paramilitary members/drug-traffickers have forced these families to move out through threats and intimidations and the local police have not intervened. In other words, the prevailing power of the paramilitary has made it impossible to put in practice the use of these titles by the victims of displacement.

A second pattern has developed where families who were forced to flee their home eventually lost their land titles since, according to INCODER, they abandoned the land (were away for more than five years). Thus, their titles were revoked without investigating under what circumstances this land was abandoned. This has been the case for hundreds of those displaced by the paramilitary armies of *Jorge 40* in Medio Magdalena in the 1990s.

The displaced were peasants who were originally landless and had been given parcels of land by INCORA, the state agency for agrarian reform (*Instituto Colombiano de la Reforma Agraria* which eventually became INCODER), for free in the 1980s and with a long-term credit in the early 1990s. In 1996, paramilitary forces headed by Jorge 40 arrived in the municipalities of San Angel, Pivijay, and Chivolo in the Department of Magdalena and began to assassinate peasant leaders, ordered residents to vacate their properties in 15 days and terrorized residents in general, which generated an exodus. The armed groups managed to appropriate a total of 17,000 hectares which INCORA had given to 253 families. After declaring the lands “abandoned,” INCORA transferred them to the names of members of the *Bloque Norte* of the AUC and relatives of Jorge 40 (*Verdad Abierta*, 2009). When some of the victims returned to reclaim their lands in 2006, INCODER claimed to have given their titles to other needy families, but in reality the land appears on names of fictitious persons and dummy companies or real persons who are paid to have a property ascribed to their name (a front man, or in Spanish *testaferro*). The end result is that the properties remain in the hands of the paramilitary owner and/or his family.

The third pattern has been where displaced people who still have titles to their lands return after some time to re-claim their lands. Most of these attempts, however, have been not only unsuccessful but have had high costs, as community leaders have been threatened and some have lost their lives. Let’s look at the example of the Afro-Colombian communities in the area of Curvarado and around the river Rio Sucio, Department of Choco. Beginning in 1997, due to combat between the state army and guerrilla, and subsequently the arrival of paramilitary forces, at least 15,000 residents from the area left their homes and their land where they planted corn, yucca and plantains. Ten years later, some of these people took the brave decision to return. The surprise awaiting them was that all their land, including where their homes and community cemetery used to be, was cultivated with African oil palm. Moreover, the present plantation workers live in nearby shacks of wood and plastic, without any basic sanitation, and use the cemetery as an outdoor toilet. In the Department of Choco, 29,000 hectares of land to which Afro-Colombian communities hold collective titles are now occupied by agri-businesses, 7,000 hectares of it with African oil palm. Most of the people who had returned, gave up and left. But a few of them

built small wooden shacks nearby and currently are waiting for the government to intervene so they can recover the land that legally belongs to them and which is part of their history and culture. Yet, neither the Inter-American Human Rights Court, nor state forces, nor INCODER, have been able to undo the harm done. On the contrary, leaders of the displaced Afro-Colombian communities, such as Orlando Valencia and Walberto Hoyos, have been assassinated. As Ramon Salinas, a 65 year-old man who has been through this whole ordeal expressed: “I have already endured everything – they killed my brother . . . took away my land, destroyed my town, threatened me, displaced me, and today I am suffering from starvation” (*Semana*, 2009d).

According to a government study, of all the usurped or abandoned land in paramilitary operations, less than 0.5 per cent has been returned to the Victim Reparation Fund established by the government (*Semana*, 2010a). Many more examples such as the ones above illustrate that thousands of people in Colombia today are facing a second or third wave of displacement. These are people in a permanent state of “temporary,” without a certain tomorrow, on the move, with few belongings and often no access to basic sanitation, clean water, health care and schools. They face a significant deterioration in their diet, climatic changes (as they relocate from one geographic region to another), sexual and other forms of violence, and social exclusion. Those who have been able to find land and start over are facing serious hardships due to the fact that they must have official land titles in order to receive subsidies and credit for their agricultural activities. The sad reality, however, is that as a result of this counter-agrarian reform, today 70 per cent of peasants do not have such titles (*Semana* 21, 2010a). Their experiences demonstrate that the lack of justice and reparations for the victims, combined with the continuous displacement operations of paramilitary forces, have been largely made possible through the profound paramilitary penetration of state institutions such as INCODER, the police and the military, as well as politicians at the service of paramilitary commanders. The end result is that paramilitary land grabs are legalized and the victims are punished as state forces suppress any form of mobilization on their part. As Colombian Minister of Agriculture Juan Camilo Restrepo put it, “INCODER is damaged and needs a total re-engineering” (*Semana*, 2010a). The statement was made after Congressman Ivan Cepeda denounced the fact that

five directors of INCODER are under investigation and gave various examples of titles to land that had been expropriated from peasants and given to paramilitary members (*Verdad Abierta*, 2010).

Let's return to the question posed earlier: why are current illegal armed groups paramilitary and not just mere criminal gangs? In the last few pages, I have answered this question by pointing to their leaders and members, and examining their continuous presence inside major state institutions. Now I will discuss the activities carried out by current paramilitary groups. Two of the principal ones prior to the demobilization of the AUC in 2006 were forced displacement (as discussed earlier) and the persecution of social movements – both of these accomplished through the use of terror-based strategies resulting in murder, torture, rape, and disappearances. The paramilitary used to be identified repeatedly by official sources and human rights agencies as the principal agent in forced displacement and the systematic killings of unionists. If paramilitarism has indeed been dismantled, as Colombian politicians, the state's coercive apparatus, and the media would like us to believe, then one would logically expect that the cases of forced displacement and unionist assassinations would have decreased significantly. As I have shown already, the situation has been quite the opposite. A February 2010 Human Rights Watch report refers to these current illegal armed units as the “paramilitaries heirs.” According to this report: “The successor groups are committing widespread and serious abuses, including massacres, killings, forced disappearances, rape, threats, extortion, kidnappings, and recruitment of children as combatants. The most common abuses are killings of and threats against civilians, including trade unionists, journalists, human rights defenders, and victims of the AUC seeking restitution of land and justice as part of the Justice and Peace Process” (Human Rights Watch, 2010: 39).

In the preceding analysis of the role of INCODER in facilitating paramilitary elite-led dispossession, I provided an overview on the economic aspects and consequences of pre- and post-demobilization displacement. Now I will offer some more illustrations of the violent strategies of these groups and their consequences on civilians from mid-2006 to the present, in the case of displaced communities seeking to reclaim their land, as well as in cases of violence against other sectors of society. With regards to the first case, 45 leaders of various social organizations made up of victims of paramilitary displacement, have been assassinated

(*Semana*, 2010b) and the headquarters of these organizations have been burned down and robbed. The following are some examples. Yolanda Izquierdo was assassinated on January 31, 2007 when she confronted one of the *testaferros* of the Castano family. Similarly, Julio Cesar Molina was murdered on May 13, 2008 while he was seeking to receive back the land which was in the hands of *testaferros*. In the region of Uraba, four of the leaders who were seeking to recover land stolen by paramilitaries which is currently in the hands of *testaferros*, have been murdered. In the Department of Valle del Cauca, threats and killings by the *Águilas Negras* have forced the exodus of families who had been relocated by the government on farms confiscated from paramilitary drug-traffickers under investigation (*Semana*, 2009c).

As mentioned earlier, forced displacement is sometimes carried out in urban areas, as this example from Medellín shows. In the first 10 months of 2009, according to the Medellín Personería's Human Rights Unit, 2,103 persons were displaced within the city of Medellín, nearly tripling the number of reports the Personería had received the previous year. According to the victims' statements, in 32 per cent of the cases the perpetrators were the paramilitary, 29 per cent gang members, 24 per cent unidentified armed groups, 10 per cent demobilized persons, 4 per cent common crime, 1 per cent guerrillas, and 1 per cent army personnel (Human Rights Watch, 2010).

Apart from the attacks against the displaced population and the engagement in more displacement, current paramilitary activities affect numerous other sectors of society. In fact, between 2007 and 2008, the number of yearly massacres in Colombia jumped by 42 per cent (Human Rights Watch, 2010). In Buenaventura, Department of Valle del Cauca, the *Águilas Negras*, together with the *Autodefensas Campesinas del Pacífico* (Peasant Self-Defense Forces of the Pacific) and the *Bloque Conquistadores* (Conquerors' Block), have assassinated people, impeded the free movement of residents, subjected residents to forced searches, limited the transport of food, and imposed higher prices on food in the city's main markets (*Semana*, 2009b).

Civilians active in social organizing who challenge market-oriented policies and projects promoted by the state and private companies continue to face risks to their lives and safety as they did during the AUC reign. In August 2010, in the municipality of San

Franciso, Department of Antioquia, after an academic forum on land and water was held where various social organizations debated the impacts of the proposed construction of a hydroelectric plant, *Aguilas Negras* sent out flyers to the community stating that their actions "... will focus on the municipalities in Eastern Antioquia where there are still criminals and insurgents." Moreover, the flyer warned "addicts, drug-vendors and gossipers" to "correct their behaviour, otherwise they would be declared a military target" (*Semana*, 2010b).

Labour union leaders and members also continue to be targeted by the paramilitary as the following examples illustrate. On May 5, 2010, several members of the executive of the Valle del Cauca branch of SINTRAUNICOL (*Sindicato de Trabajadores y Empleados Universitarios de Colombia* – Union of Colombian University Employees), and members of the local branch of the trade union CUT (*Central Unitaria de Trabajadores* – Confederation of Colombian Workers) received threatening phone calls and email death threats signed by paramilitary groups. On May 20, 2010, all members of the executive committee of the farm workers' union FENSUAGRO (Federación Nacional Sindical Unitaria Agropecuaria) received threatening phone calls from the paramilitary. On July 18, 2010, Martha Cecilia Diaz, president of ASTDEMP (*Asociacion Santandereana de Servidores Publicos* – the Santander Association of Public Servants), received threatening phone calls and e-mail death threats signed by paramilitary groups (ICTUR, 2010). Attacks on the labour movement by the paramilitary are not limited to death threats nor are death threats the only form of human rights violations unionists face today. From 2006 to 2009, 197 unionists were murdered. In most registered cases of anti-union violence, the perpetrator remains unknown due to widespread impunity. However, if we consider the quantity of death threats, a large part of which are issued and signed by the paramilitary, as well as the testimonies of families and witnesses, in most cases, establishing the connection between the murder of unionists and the paramilitary is quite straightforward.

Not only has Colombia failed to eliminate paramilitarism, but it is even exporting it abroad. In the August of 2009, two months after the military coup in Honduras, around 40 former AUC fighters in Colombia attended a meeting in the *hacienda* El Japon, which belonged to the Colombian drug-trafficker Jairo Correa Alzate and which had been supposedly confiscated by the state. They were

being recruited, with the help of security men working for the paramilitary chief Luis Eduardo Cifuentes, alias El Aguila, to work for Honduran businessmen and landowners. The monthly salary offered in Honduras was the equivalent of one-and-a-half million Colombian pesos, plus food and accommodation (*El Tiempo*, 2009). Sectors of the Honduran elite have imported and contracted Colombian paramilitary to provide security on *haciendas*, sugarcane and African oil palm plantations, to combat urban criminal gangs known as *maras*, and to back the military coup that removed President Zelaya from office by attacking Zelaya's supporters (*El Heraldo*, 2009). In fact, Honduran labour unions and various social movements have suffered an extreme escalation in repression since the 2009 coup (Lydersen, 2010).

Paramilitarism, Ideology, and the Academic Literature

As stated at the onset, the objective of this article is not only to expose the continuation of paramilitary violations almost five years after the demobilization. The goal is to offer a more comprehensive analytical framework that enables us to account for this new post-demobilization phase of paramilitarism as part of a longer historical and structural process of evolution of the systemic use of violence by the state and dominant classes to advance their interests. In order to lay out this new approach, it is necessary first to demonstrate how existing literature on paramilitarism provides the intellectual backing for the ideology produced today by the Colombian state and its allies. The absence of a comprehensive conceptualization of paramilitary organizations in the academic literature is mirrored in the considerable misrepresentation across Colombian and North American mainstream media. What follows is not an exhaustive review of all works on Colombian paramilitarism but rather a) an overview of the main approaches and characterizations of the paramilitary that have been constructed in the literature; and b) an assessment of their explanatory capacities and limitations for understanding paramilitary activity from the 1960s until now. Each of the characterizations that I describe below contains some valid points, but as a whole is incomplete. These fragments need to be integrated in order to illuminate the entirety of this complex multi-dimensional phenomenon. The primary consideration that should guide this process of connecting and re-interpreting disconnected pieces of knowledge is real lived human experiences.

There is a number of accounts by Colombian and Latin American scholars (for example Rangel 2005, Pizarro 2004, Kalyvas and Arjona 2005, Tobon 2005, and Romero 2003) on the existence of paramilitarism in Colombia that have in common their reliance on the notion of “the weak state threatened by insurgency.” Such scholars see the consequences of the weak state as being either the outsourcing of violence (i.e. creation of paramilitary units by the state) or the creation of self-defense bodies by civilians, or both.

Rangel (2005) argues that the phenomenon of paramilitarism must be understood within the process of state formation, particularly with regards to the availability of state resources and the level of threat. This author sees the expansion of the paramilitary as a consequence of the expansion of the guerrillas in the mid-1990s. According to him, it was the predatory practices of the guerrilla combined with state impotence that served as the impulse for the formation of these forces. Similarly, Kalyvas and Arjona (2005) claim that the formation of paramilitary bodies is directly related to the construction of the state. Strong states do not need to privatize or outsource violence since they can control or repress threats in an effective way using their police apparatus. Weak states on the other hand, cannot do the same. In Kalyvas and Arjona’s (2005) view, states today must dissolve the monopoly on violence in order to preserve it. They take Rangel’s (2005) analysis one step further and offer a typology to classify the formation of paramilitary organizations based on an intersection of state resources (high/low) and the kind of threat (big/small). Under circumstances of high threat and high state resources, paramilitary armies are formed outside the formal structures of the state’s apparatus because the latter is incapable of facing the irregular nature of the threat from the guerrilla and thus has to resort to outsourcing. Thus, Kalyvas and Arjona (2005) see paramilitary groups as either created directly by the state or created by civilians but tolerated by the state.

Another argument based on the notion of the weak state is advanced by Tobon (2005) who perceives the paramilitary as self-defense associations created by a particular social sector as the only way to ensure its survival and is a clear indicator of serious faults in the relationship between state and society. Based on this logic, Romero (2003) describes the formation of paramilitary groups in the 1980s and 1990s as a reaction to the political decentralization that favoured the guerrilla, their allies and sympathizers through a

sequence of events: the peace talks with the guerrillas initiated in 1982 by President Betancur; the first popular election of mayors in 1988; the new Constitution of 1991; and the peace talks with the FARC initiated in 1998 by President Pastrana. In his view, the consolidation of paramilitary forces debilitated the authority of the central government in areas where they exercised dominance and exacerbated the decline of the Colombian state. Cubides (2001) also insists the existence of the paramilitary can be explained as a response to the threat from the guerrilla.

Rangel (2005) is in agreement with Romero's (2003) position and argues that this political and administrative decentralization which was meant to democratize the country, has been used both by the paramilitary and guerrilla to reinforce territorial control and establish local power with funding from drug-trafficking. In a similar fashion, Tobon (2005) sees more commonalities between the FARC and the AUC than differences, and points to the fact that in 2001 the AUC had passed from a military stage to a more political and territorial phase. Rangel (2005) criticizes those willing to recognize the political character of the guerrilla but not that of those who struggle against it.

There are a number of serious problems with the arguments reviewed so far. To begin with, I consider it inappropriate to refer to the Colombian state as "weak." It may be considered weak in the sense that it lacks independence from the elite – in fact, Colombia's history demonstrates that it is an instrument to serve the interests of the privileged few. However, it should not be described as weak with regards to its coercive apparatus, which is what I believe the authors above seem to be hinting at. Colombia has been for a long time the second largest recipient of U.S. military aid and has been receiving consistent support for training, new military technology, and bases. This has enabled the Colombian state to expand and enhance the functioning of its security apparatus in a variety of ways. The Defense and Democratic Security program,² which former President Uribe put into effect in August 2002, is an excellent illustration of this (see Hristov, 2009b). Thanks to new monitoring and radar interception technology provided by the U.S., the Colombian state was able to detect the precise location of the FARC camp in Ecuador, and subsequently violate the territorial and political sovereignty of that country by invading it on March 1, 2008. Colombian forces launched an aerial attack with bombs and rockets

followed by an assault by ground troops in which FARC deputy commander Luis Edgar Devia Silva (alias Raúl Reyes) was killed along with other guerrilla members and four Mexican students. A similar more recent example of the iron fist of the Colombian state is the operation known as Sodoma, where 20 planes and 37 helicopters were employed to discharge 50 bombs on a FARC camp near La Macarena, Department of Meta on September 23, 2010, killing the FARC commander Jorge Briceño Suárez, alias Mono Jojoy (Mena, 2010). As we can see, the direct creation of paramilitary forces by the state in the 1960s, and the subsequent outsourcing of violence in 1994, through the creation of CONVIVIR, and again in 2003 as part of the Defense and Democratic Security Program in the form of peasant soldiers and civilian informants, are all manifestations not of the weakness of the state but of the restructuring of the state's coercive apparatus to make itself more efficient and its adaptation to new challenges such as the growing mobilization and coordination capacity of social movements. As Pearce (2010) put it,

While violence in Latin America is often treated as 'state failure', we may in fact be seeing something more dangerous, the emergence of particular forms of the state, dedicated to the preservation of elite rule, at times combating and at times conceding space to aggressive new elites emerging from illegal accumulation, in which permanent violent engagement with violent 'others' plays into the broad project (p.288).

My next point of critique is directed at the characterization of the paramilitary as self-defense forces that were the outcome of the response of certain sectors of civil society in the 1980s to the failure of the state to ensure security and protection for its citizens (a position common to Rangel 2005, Romero 2003, Pizzaro 2004, and Tobon 2005). This explanation appears to be completely oblivious to the creation of paramilitary units by the state in the 1960s, which played the important role of laying down the legal and military foundation for the existence of paramilitarism. For this reason, the dichotomy of state/civil society in the above explanation is quite useless. Civil society itself is divided by class, racial, and gender inequalities. The state is allied with certain sectors of civil society (i.e. the economically dominant classes who eventually obtain access to political power). Once the state has outsourced

violence by arming civilians for the interest of certain sectors of society, the division between state/non-state becomes quite blurred. Another shortcoming of these works is the failure to recognize the appropriation by capitalist classes of the phrase *self-defense* which was originally used by poor peasants in the 1950s and 1960 as they organized to protect their lands against the incursions of *hacienda* owners. Instead, very much like Carlos Castano, the notorious AUC leader, these authors explain the creation of paramilitary units in the 1980s (the *auto-defensas*) as armed groups whose sole purpose was to protect their creators. If this was the case, we would be looking at private security companies. However, in reality, far from offering mere protection, their objective was to actively seek out and exterminate any potential guerrilla sympathizers (whether real or imagined), including labour union leaders, peasant leaders, progressive students, educators and politicians, as well as to destroy their organizations. As Lair (2003) explains, terror is used "...not only to debilitate the enemy but also to break, prevent and impede the links between the population and the enemy (repressive or dissuasive terror)...it is a matter of showing the rival that it is costly to continue fighting and unthinkable to win the war (intimidating and demoralizing terror)" (p.96).

A third problem can be found with Kalyva and Arjona's (2005) typology. While useful in the sense that it enables one to see the potential of diversity among paramilitary forces, in terms of their size and activities, it entails a contradiction. According to the authors, weak states outsource violence and create paramilitary groups when there is a combination of high state resources and high threats to the state. It is not quite clear, however, why a state would be classified as weak if it has access to significant resources. Moreover, they describe the paramilitary as being outside the formal structures of the state without realizing the degree to which state institutions in Colombia today have been penetrated by paramilitary power. Romero (2003) commits the same fault when he claims that the consolidation of paramilitary forces has led to the decline of the Colombian state by debilitating its authority. In these depictions, the mutually beneficial relationship between the Colombian state's coercive apparatus and the paramilitary, as well as the presence of paramilitary power inside the state, are rendered invisible.

Lastly, the implications of the comparison between the guerrilla and the paramilitary, in addition to erasing some fundamental

structural and historical features of Colombian society, also serves to conveniently situate the state as a neutral third actor combating equally both the paramilitary and guerrilla forces. In fact, Sanchez (2001) explicitly expresses this belief that “Here we have in a nutshell the nature of the Colombian crisis: two opposing rivals, against an absent enemy, the State” (p.25). What seems to be forgotten here is: a) the control of the paramilitary elite over the best land in Colombia, drug-trafficking, many criminal organizations and numerous legal businesses; and b) the continuous historical relationship between the paramilitary and the state – both of these being nowhere near the guerrilla’s relationship to the state and economic resources. For instance, if the state was an enemy of the paramilitary, then why has there not been a single unit in the police or military formally and specifically dedicated to persecuting the paramilitary as there has been for the guerrilla?

The next category of academic literature where we can find characterizations of the Colombian paramilitary consists of a number of progressive works, mostly published in the English-speaking world such as Dudley (2004), Stokes (2005), Toledo, Gutierrez, Flounder, and McInerney (eds) (2004), Murillo and Avirama (2003) and Livingstone (2004). The majority of such books do an excellent job of revealing the seriousness of human rights violations carried out by the paramilitary and the state. Nonetheless, they do not offer sufficient analysis of paramilitarism as a phenomenon on its own but rather mention the paramilitary as one of the actors in the armed conflict. Of course, this is not a weakness of those works since their goal is to throw light on the armed conflict as a whole and especially the role of U.S. in it, but not on the paramilitary specifically or in any depth. The other issue here is that while they offer excellent insights on human rights violations by the paramilitary, what remains uncovered is the extent to which the paramilitary currently exercises domination over state institutions by offering state employees lucrative opportunities in exchange for their collaboration. As a formal criminal investigator from the Public Prosecutor’s Office (*Fiscalia*), whom I interviewed in 2005, said: “I used to sell myself to the one who made the best offer. When you are in this kind of job you either have to accept the money or you get killed. You can’t go against the system. It’s too powerful, it would crush you.” Portraying the paramilitary mainly as an instrument at the disposal of the state and dismissing the fact that today right-wing armed groups provide

extra jobs for state employees can obscure the paramilitarization of the Colombian state and make it difficult to fully grasp the ways in which the state's coercive apparatus and the paramilitary complement each other.

The last kind of approach to studying the paramilitary that I will review here is the one that labels them as criminal organizations, mafia, or warlords. This approach is not in disagreement with the notion of the weak state and in fact, some of the authors believe that the state's weakness and subsequent need to outsource, has enabled the formation of criminal networks. Duncan (2005) sees the paramilitary or *auto-defensas* as warlords or criminals who seek to impose a mafia regime over the state. He refers to this as a neo-medieval state project. Let's take a moment to look at the meaning of warlords. Elwert (1999) views warlords as operating within a context that he refers to as "markets of violence." According to Elwert (1999), warlords are actors who differ from normal entrepreneurs in that they use violence for the generation of revenue. Markets of violence are economic areas dominated by civil wars where the state has lost its protective capacity, no longer has monopoly over the means of violence, and the military and police convert into warlordism. While the concepts of warlords and markets of violence are very useful in that they draw attention to the economic motives behind the activities of the paramilitary, in the case of Colombia, as discussed earlier, there has not been a disintegration of the state's coercive apparatus. Perhaps the Colombian experience teaches us a new lesson: markets of violence can co-exist with a strong state's coercive apparatus. The other limitation of the concepts of warlords and markets of violence is that they create an impression that violence for the generation of revenue is used within the realm of illegal activities only. In fact, Duncan (2005) refers to paramilitary organizations as criminal or mafia networks. Yet, paramilitary violence has been unofficially employed by many legal enterprises including foreign-based companies operating in Colombia such as Coca-Cola (Borchert, 2005), Drummond, and Chiquita (Bajak, 2007).

This last characterization of the paramilitary as criminal organizations has been revived today by the Colombian state's ideological (I am tempted here to even call it theatrical) production on BACRIM. One of the key arguments on which BACRIM is constructed is that current illegal armed groups do not have an anti-insurgency ideology nor engage in activities of this nature.

How can threats and attacks with political undertones be explained then? Let's take a look at the following examples. Following the massive march in support of the victims of paramilitary and state violence that took place on March 11, 2008, a number of people and organizations involved in the march received threatening messages from the Bogotá Block of the *Aguilas Negras*, calling for "death to the leaders of the march, guerrillas, and collaborators" and declaring various individuals and organizations military targets. The following day, *Aguilas Negras* sent another threat in writing to *Semana* magazine, CUT, Peace Brigades International, indigenous movements, and human rights organizations declaring a total rearmament of paramilitary forces. Four trade unionists were killed during the following week (Human Rights Watch, 2010). Further, in May 2010, the Bogotá Block of the *Aguilas Negras* circulated flyers that stated: "We are not emerging gangs. We are the Black Eagles and we are present as an army for the restoration of society" (*Semana*, 2009a).

Towards a New Anti-Ideological and Dialectical Analytical Framework

As Freire (1970) once said, "To speak a true word is to change the world" (p.69). If we silently accept and repeat the language used by the Colombian state, we would be perpetuating impunity, forgetfulness, and injustice. If we want to be the intellectual counterpart of those who struggle for social justice and to be part of a process of transformation and humanization, we must name without fear. Throughout this article, my goal has been to properly identify and analyze a persistent phenomenon implicated in processes of capital accumulation, the creation of inequality, the fusion of the state and the elite, the use of irregular armed force, and the perpetration of human rights violations in an officially democratic country. To be able to adequately capture the emergence and development of paramilitarism in Colombia, I propose an anti-ideological dialectical analytical approach based on the following guiding principles.

First Principle

Paramilitarism must be viewed as a persistent structural multi-dimensional phenomenon that evolves and thus may change some of its expressions or have some of its dimensions at times appear more pronounced than others. This principle can help us overcome

the limiting ideological construct (in the Marxist sense) that paramilitary units used to have the political objective of defeating the insurgency, while illegal armed groups today are interested only in illicit enrichment throughout drug-trafficking, extortion, and other illegal activities. Let me explain first what an ideological construct is and how an understanding of the processes of ideology production can assist us in transcending existing artificially placed conceptual barriers that create ruptures, fragmentations, and disconnects.

The relationship between power and knowledge is best captured by one of Marx and Engels' (1859/1968) well-known phrases: "The ideas of the ruling class are in every epoch the ruling ideas" (p.61). The essence in the production of ideology is divorcing the ruling ideas from the class that produced them by representing them as natural and in the common interest. This process has three steps to it, which Marx and Engels (1859/1968) call the "three tricks." First, the ideas of those ruling are separated from their origin – the actual rulers. Once presented as entities on their own, a mystical connection or an order among these ideas is established. However, we are prevented from attributing the connection among them to their common origin and are made to perceive it as a sight of credibility of the false explanation that has just been created. Finally, the ideas are then attributed to persons who are portrayed as representing the concepts.

In the Colombian case, these three steps can be traced in the following. In the first step, the claim that there are no longer paramilitary forces is presented as an objective fact (independent from its creators and their interests – the state and the para-elite) and is grounded in the "evidence" that the paramilitary used to carry out political counter-insurgency operations while BACRIM are engaged in criminal activities. Precisely at this point, a conjuring act takes place and obscures two very important realities. Even though paramilitarism is a multi-dimensional phenomenon, it is being viewed in terms of one dimension at a time. Prior to the demobilization, paramilitary forces had a criminal dimension to them. They worked with and in many cases owned (the way one can own a franchise store) criminal organizations that engaged in the smuggling of gas and weapons, extortion, assault of vehicles that transport money, condominiums and house robberies, and the operation of casinos, brothels, and entertainment establishments offering live sex shows. *La Banda de los Calbos* in Cali and *La*

Banda de la Terraza in Medellin are two examples of criminal organizations that worked for the paramilitary. As a former military officer I interviewed in 2007 explained, “The paras are provided with stolen cars by this [criminal organization] and use them in their operations when they have to disappear people or drive corpses to throw them into the mass graves.” Yet, this criminal facet of the pre-demobilization paramilitary reality has remained mostly unspoken of, not without a reason of course. The AUC used to present itself to the national and international community as “a political-military movement which uses the same irregular methods as the guerrillas. Its members are not terrorists, nor common criminals...” (Pizarro, 2004: 120). In order for demobilized paramilitary commanders to receive reduced prison sentences and other benefits under the Justice and Peace Law of 2005 (such as a maximum of 5-8 years in jail for participating in massacres), the paramilitary had to be perceived as an armed organization with a political agenda. Emphasizing their criminal characteristics would only have damaged this image.

The situation is exactly the opposite today, again based on the underlying interests at stake. Since too much has already been revealed about the state’s connections to the paramilitary, it is undoubtedly more convenient to create the impression that all those connections, no matter how numerous and profound, belong to the past. In addition, the government no longer has the same degree of responsibility to provide support to the victims of forced displacement or other forms of human rights violations carried out by present armed groups since these are (according to the state’s definition of BACRIM) no longer related to the country’s armed conflict. Actually, it would not be surprising if victims of current (although officially unrecognized) paramilitary forces begin to name the guerrilla as the perpetrator instead of the paramilitary, if this ends up being the only way the state would recognize them as victims of the armed conflict and thus provide them with access to some form of assistance. Moreover, if deaths and disappearances are attributed to criminals, there is a better chance for Colombia to change its reputation of a country with outrageous levels of human rights violations. As we can see, erased from the current paramilitary reality are their pronouncements and acts that have political nuances (such as those by the *Aguilas Negras* described earlier).

In the second step or trick in the act of ideological production, we have these ideas that only partially correspond to a

reality, arranged together to form a false explanation, which in turn serves as a filter through which reality is read. And finally, selections from reality are taken to serve as the evidence of these ideas. An example of this last step is where government officials and media give examples of particular drug-trafficking and extortion activities carried out by members of BACRIM.

Second Principle

We must overcome the compartmentalization of the economic and political in order to recognize paramilitarism as a multi-faceted entity that is simultaneously economic, political, and military. This would change the categories of “drug-trafficker versus paramilitary” or “criminal versus anti-subversive” as being necessarily mutually exclusive. Throughout history paramilitary operations have been characterized by the persecution and combat of guerrilla forces, attacks against civilians perceived as left-wing and/or guerrilla sympathizers, and operation of illegal businesses. The paramilitary own criminal enterprises and they also have political representatives at all levels of government. Thus, paramilitary activities exist within the political realm of right-wing ideology associated with maintaining the status quo, the military realm constituted by the use of armed force to murder civilians and combat guerrilla forces, and at the same time the realm of organized crime. In somewhat similar fashion, Garzon’s (2005) work also recognizes the multi-faceted character the paramilitary has developed.

What is crucial to understand is that the accumulation of wealth through drug-trafficking, extortion, collection agencies, and the appropriation of land all require the use of violence, just as the elimination of the guerrilla does. The activities from all three types of realms, all of which rely on violence, have inherently economic objectives. Those who accumulate capital, whether through legal or illegal means, see peasant movements, labour unions, and left-wing educators, for instance, as obstacles to the advancement of their interests as much as they see the guerrilla as an enemy and consequently resort to violence whenever necessary and possible to neutralize the threat. Hence, what appears to be a dichotomy between a political movement (as Romero 2003 saw the paramilitary versus an organization that uses violence for capital accumulation, as Duncan 2005 saw it) is false, since the question of whether the paramilitary is after political gain or material assets has to do with

its strategy at a particular point in history but not its underpinning motivations, i.e. enrichment.

Another illustration of the need to overcome the division between the economic and the political is the relationship between paramilitarism and neoliberalism. The former has served an important function in the neoliberal restructuring of the country. It has helped to implement neoliberal policies or has facilitated activities promoted by neoliberal politicians. Such examples include: resource extraction by foreign companies where the paramilitary has been involved in displacing residents and providing security to companies; export-oriented agriculture such as African oil palm plantations, where the paramilitary has been responsible for displacing rural communities; and attacks on labour unions and other movements that rise up against neoliberal policies such as privatization and labour deregulation. Ironically, the relationship between paramilitarism and neoliberalism represents a vicious cycle since the increasing poverty and insecurity that are the outcomes of neoliberalism mean that more human resources are available to be channeled or recruited into paramilitary networks which can in turn displace more people and facilitate more capital-friendly development and so on. This is why I argue that the paramilitary is the embodiment of the use of violence for purposes of capital accumulation through its two basic functions: to dispossess and to suppress.

Third Principle

The relationship between the paramilitary and the state has always been and continues to be dialectical in nature, meaning that it is a dynamic two-way relationship where each side shapes and affects the other's evolution. It is characterized by flows of weapons, intelligence and money, and commodities of high monetary value such as illegal drugs, land, and businesses. All of these sustain a wide spectrum of mutually beneficial activities, the success of which depends on the collaboration between members from each entity. The paramilitary's predatory violent activities generate the revenue while the state provides the stamp of legitimacy, transforming the illegal into legal. The paramilitary's terror strategies repress and attack popular organizing to neutralize those who challenge capital and the status quo and who, according to the state, represent a threat to security, while state forces provide security back-up and reinforcement for paramilitary operations. The paramilitary ensures

the disappearance of state enemies against whom the state has no concrete proof, while state employees ensure the disappearance of documents and witnesses that serve as evidence of the paramilitary's human rights violations. As one of my interviewees, a former prosecutor, said in 2009: "Justice only happens when someone among the powerful allows it to happen." This dialectical relationship between the state and the paramilitary is circular in nature. It began as the state laid the legal and military foundation for the existence of paramilitarism in the 1960s when it recruited and armed civilians to operate as paramilitary forces. This outward expansion from the centre (the state) towards sectors of civil society, reached a new stage in the 1980s as the economically and politically dominant sectors of civil society initiated the creation of paramilitary bodies themselves. The latter were outside the official state structure but developed in a continuous relation to it. The state tolerated them and provided military assistance in the form of weapons, training, bases, uniforms, transportation and so on. In the late 1990s, by the time of the unification of these groups under the name AUC, the paramilitary had reached such a high degree of financial and military power and territorial control, that it was able to establish mutually beneficial relationships with institutions beyond the state's coercive apparatus, such as the criminal justice system and the political system at all levels. This last development can be depicted as an inward movement where forces from outside the official boundaries of the state (AUC and other paramilitary groups) penetrated state institutions.

Two processes can be identified as part of this circular dialectical relationship. The first has been the decentralization and outsourcing of violence where the state no longer holds monopoly over the means of violence. However, it is absolutely crucial here not to equate this with the privatization or commodification of violence that leads to a condition of warlordism or markets of violence. In Colombia, the situation cannot be described as a commodification of violence because the means of violence are not available for sale to just any actor willing to buy them, such as the guerrilla for example. Therefore, this is not a case of warlordism where the state's coercive apparatus disintegrates and the means of violence are taken over by various armed actors, each in a war against everyone else. In fact, as Mazzei (2009) points out, the complicity of the state is an essential condition in the emergence and maintenance of paramilitary groups.

So, the decentralization and outsourcing of violence represents what I would like to call a socialization of the state's networks of terror, where the state's coercive apparatus expands outwards and incorporates civilians into its networks. Manifestations of this were the initial creation of paramilitary groups under *Plan Lazo* in 1965, the creation of CONVIVIR in 1994, and the civilian informants and peasant soldiers of the Defense and Democratic Security Program of 2002. The outcome of the socialization of the networks of terror has been units that have a civilian face but nonetheless engage in activities that serve the state's mission of security and the preservation of the status quo. Thus, while the means of violence are no longer solely in the hands of those officially employed in state institutions, they are used in accordance with the state's agenda to neutralize and control the Internal Enemy (i.e. guerrilla and social movements that seek to change the politico-economic model currently in place).

The process I have described here as an outward expansion of the state's coercive apparatus and the incorporation of civilians into its networks is accompanied by another kind of process (which can occur simultaneously) – the inward penetration of state institutions by paramilitary organizations. The significance of this second process is that it enables paramilitary power to exercise influence and control over the functioning of these institutions and the outcomes of their actions. It is then no longer only a question of controlling the means of violence but rather all spaces inside the state. This, however, presents no danger to the state itself or the status quo since paramilitary power is in essence the power of the capitalist class(es) who use violence to advance their interests. Even the rest of the economically dominant classes who do not directly employ violence to dispossess or to suppress dissent and enrich themselves, still benefit from the violence that suppresses the working majority, given the inherent and inevitable conflict between the bourgeoisie and the labouring classes. Therefore, the penetration of the state by paramilitary power is in reality the present-day expression of a long historical pattern in Latin American history – the state's lack of autonomy from the elite. Moreover, it is a direct living evidence of Marx and Engels' (1848/1987) statement in the *Communist Manifesto*: “The executive of the modern state is but a committee for managing the common affairs of the whole bourgeoisie” (p. 23).

This dialectical relationship between the state and the paramilitary blurs the division between state and civil society as

well as the distinction between legal and illegal. The founding principle of the state of law – the equality of all before the law and the illegitimacy of any citizens using force to submit others to their interests – is destroyed. Mazzei (2009) is also in agreement that the phenomenon of paramilitarism problematizes the scholarly treatment of civil society and the state as two distinct areas of analysis. Equally relevant here is Payne's (2000) work on uncivil movements, particularly their position *vis-à-vis* the state. According to the author, an uncivil movement (one that employs violence, to eliminate, or silence political adversaries) exercises power within the state and can influence government policy.

Conclusion

Even though paramilitarism is an increasingly frequent and global phenomenon (Mazzei, 2009), so far there has been little analytical work on it. This article has traced the evolution and dynamics of paramilitarism in Colombia and has explored the meaning of the term *paramilitary*. The latter has been studied here not merely in terms of particular armed groups at a particular point in history, but rather as an entity capable of reproducing itself over time.

I revealed the sharp contrast between state discourses, insinuating the end of paramilitarism versus the reality on the ground, by exposing the characteristics of paramilitary leaders and members, the different forms of human rights violations carried out by illegal armed groups today, and the latter's mutually advantageous relationship with members of key state institutions. In order for one to argue that these forces are not of paramilitary nature, one must turn a blind eye to the following: the present-day forced displacement in which they engage; the brutality against labour unions and other social movements; the attacks against those victims of past paramilitary violations and their families who have stood up to demand justice and reparations; the violence against formerly displaced peasants who have attempted to recover their lands; the right-wing tone of the warnings and threats against leaders of popular mobilizations, against those who in the past have been targets of social cleansing, and the insurgency; and the continuous collaboration between state officials and members of these groups.

After this empirical focus of the present-day situation in Colombia, the article turned to a more theoretically-oriented

analysis of the academic literature on paramilitarism in Colombia. The following three types of approaches were reviewed and the first two were critiqued: 1) the paramilitary as an outsourcing strategy or a private defense mechanism in response to the weakness of the state and the threat from the guerrilla; 2) the paramilitary as a criminal network or a mafia operating within a context of warlordism/markets of violence; and 3) the paramilitary as a human rights violator and an unofficial force carrying out the state's "dirty work."

The way the paramilitary is defined is critical since it can determine whether the continuation of paramilitarism today is acknowledged or hidden. It can also have other practical implications. For instance, the separation of the economic dimension from the political and military ones is behind the fact that the 14 top paramilitary chiefs who were extradited to U.S. in May 2008 are facing charges for drug-trafficking and not for crimes against humanity and war crimes which collectively have resulted in 200 massacres, the disappearance of at least 49,000 people, and numerous cases of torture, beating, mutilation, rape and recruitment and abuse of children (Boletin Virtual, 2009). The first two conceptual approaches mentioned above can potentially contribute to a distorted picture that has a confusing, disempowering, and demobilizing capacity intended to prevent people from conceiving of any productive changes. The impact of such kind of knowledge production is damaging at best and complicit with the Colombian state and human rights violators at worst.

This article has added to some of the insights from scholars such as Jenny Pearce (1990, 2010), Javier Giraldo (1996), Nazi Richani (2002), Leigh Payne (2000), Eric Lair (2003), and Juan Carlos Garzon (2005). I laid out three guiding principles as the basis for a new analytical framework for understanding paramilitarism:

1. Paramilitarism is a structural, multi-dimensional phenomenon that evolves.
2. Paramilitarism is simultaneously an economic, political, and military entity.
3. The relationship between paramilitarism and the state is dialectical in nature.

The first principle helps us uncover the ideological production underway that has served to create what is claimed to

be a contrast between paramilitary organizations of the past which presumably had the political objective of fighting the insurgency and present illegal armed groups whose goal is said to be the enrichment through criminal activities. I applied Marx and Engels' (1859/1968) concept of ideology and the "three tricks" to reveal the process through which the disconnect between past and present is created as dominant discourses focus on one dimension of paramilitarism at a particular point in time and compare it to another dimension at a different point in time, leading to the illusion that what was in the past is entirely different from what is in the present.

The second principle I proposed helps to understand the interplay and inseparability of economic, political, and military considerations that shape paramilitary strategies. It shows why terms such as *mafia* or *corruption* are inadequate in capturing the reality of paramilitarism and why it is fundamental to link it to the concepts of class, class conflict, and capital accumulation. Most existing academic approaches to the study of paramilitarism erase either its capitalist character or its political fingerprints or both (which is what the Colombian state's ideological production does). This second principle encourages us to reflect on the role of violence under capitalism and leads to the question – Is it possible to have capitalism without human rights violations? Most of the violence by the state and paramilitary has been directed at the Internal Enemy who in official discourses has been defined as narco-terrorists or narco-guerrillas. However, judging from the victims (those arrested, tortured, imprisoned, killed, etc.) it becomes clear that in reality three types of people who are most likely unrelated to the guerrilla or narco-businesses, are nevertheless identified as the Enemy: 1) members of social movements and organizations; 2) members of the low-income population, especially in rural areas, who reside in areas of strategic economic importance and/or territories under the control of or in proximity to rebel groups; and 3) sectors of the urban poor such as the homeless, beggars, petty thieves, informal street vendors, street prostitutes, drug-addicts, and mentally ill. Therefore, the Internal Enemy is not really an enemy to security *per se*, but an enemy to capital (or at least sectors of capital). The working classes, including urban as well as agricultural wage labourers, small-scale peasants, and communities with collective land titles, are all inherently the Internal Enemy. Does capital inevitably violate human rights in order to exist? While in some countries, due to a

combination of demographic, political, economic, and historical circumstances, the negative impact of capitalism on human well-being have been mediated, restricted, or diluted, what we see in Colombia is clearly the naked, unrestricted, and savage version of capitalism. The Colombian experience challenges the Weberian understanding of capitalism as a non-violent enterprise.

The third principle questions the categories of state versus civil society and legal versus illegal. It enables us to see the socialization of the networks of terror (through the decentralization of violence) and the penetration of state institutions by paramilitary power as two simultaneous processes that reflect a restructuring of the state's coercive apparatus and a corresponding evolution of the capitalist class configuration. The more the paramilitary and the state fuse into one whole, the more it appears that paramilitarism, as such, has ceased to exist.

The anti-ideological dialectical class-based approach I have proposed in this article allows us to discern the constant features that have always characterized paramilitary groups throughout history: a) affiliation with the wealthy sectors of society; b) repression of the struggles of those impoverished by the politico-economic model in place; c) involvement in illegal activities; d) positive relationship with the state; and e) use violence for purposes of capital accumulation.

This approach stands in contrast to analyses that deny or occlude the inevitable historical interrelatedness between paramilitary forces and processes of capital accumulation and class struggle. One category of such scholars is those who see the paramilitary as strictly a symptom of the weakness of the state (i.e. the relationship between state resources and the level of security threat). Such analyses (examples of which were offered earlier) are not concerned with/are unable to account for the capitalist motives behind the expansion and consolidation of paramilitarism from the mid-1960s until the present. This limitation is a product of their view of the state as an entity autonomous from class relations, a notion which is in turn grounded in the artificial separation of the political from the economic. The second category of works that erase issues of class formation and struggle from the terrain of paramilitarism are those that rely on terms such as "criminal," "illegal", as well as "mafia" and "corruption" (such as Duncan, 2005 mentioned earlier). Here, the engagement of paramilitary groups in activities that lead to capital accumulation is neither labeled nor recognized as capitalist,

since drug-trafficking and forced displacement, for instance, are seen as outside the sphere of the legal economy. The underlying logic of such thinking is an echo of Max Weber's *Protestant Ethic and the Spirit of Capitalism* where only the peaceful and rational acquisition of wealth is characterized as being capitalist in nature.

The argument I present in this article with regards to the centrality of paramilitary violence to processes of capital accumulation also stands apart from publications such as those by Sanchez (2001) and Guerrero Baron (2001) that call for peace and reveal human rights violations carried out by the paramilitary and/or state forces, without any class-based analysis. Relying solely on a human rights framework does not provide us with the means of identifying the ways in which the profoundly uneven class structure fuels violence. Thus, although these kinds of works condemn the abuses against civilians, they do nothing to expose the systemic and structural causes of paramilitary and/or state-sanctioned violence which is in essence aimed at reproducing capitalist social relations. The truth is that class analysis has been avoided by many English-speaking as well as Latin American academics alike, all the way from the Right to the Centre-Left. The term "class" has been only used sometimes when referring to the objectives of the guerrilla. The notions of capital accumulation and class struggle are regarded as remnants of old-fashioned Marxism that have no place in today's world. Paramilitarism, especially, has been detached from the capitalist social relations, which it serves to sustain. However, even though the composition and dynamics of the different social classes in Colombia have changed throughout time, the reality of class inequality and class struggle remain and hence the need to examine paramilitary and state violence in this context.

One unemployed, male Colombian youth from a very poor neighbourhood in Cali expressed to me (in 2007) his view about the future of paramilitarism in the following way: "The guerrilla has not been defeated, the drug-trafficking business continues – the paramilitary will continue as long as these two things persist." Even more illuminating is what a member of one of the present paramilitary groups had to say (in a 2009 interview) in response to my inquiry about the discrepancy between the state's claim that there are no more paramilitary groups and the current reality:

"What you have to understand my dear is that business needs security. We do business and we work with

businessmen too. All those Leftists are not good for business. They are trouble makers. That's all they do. We try to establish order, do business which also benefits the community and the poor because we improve the roads, the schools, etc. But the problem is that while we work to bring progress to our country, all they do is put stupid ideas into people's heads. While we construct, they destroy. We don't want communists or socialists or terrorists. You see, we work with the state, we don't work for the state, but with the state. The state doesn't have to give us orders and tell us what to do. It's the reality and our interests that dictate us what to do. Those people don't realize that it's the wealthy who give jobs to the poor. And, well, even when our profits come from activities that are seen as all bad, at the end we spend them here, we invest here, you know we benefit our economy, there is nothing wrong with that.”

The least that we intellectuals can do is to defy ideological constructs about the end of paramilitarism. As Freire (1970) has said, “Changing language is part of the process of changing the world” (p.68). Paramilitarism, as perhaps the most creative and intelligent effort by the state-elite enterprise to counteract revolutionary processes and at the same time allow the use of brutal violence for the acquisition of wealth, has not been eradicated with the so-called demobilization in 2006. This deception was a necessary step in its evolution – in order for paramilitarism to continue, it had to pretend it had died. For as long as the central feature of the current politico-economic model is the existence of dominant classes whose aim is to maintain their power and privileges and enrich themselves further by progressively dispossessing the working class and destroying all forces of resistance, paramilitarism will continue to flourish.

Endnotes

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2. The Defense and Democratic Security Program was put into effect in 2002 by former President Uribe. The government officially described the program as a measure to protect the civilian population, founded on three pillars: protecting the rights of all citizens; protecting pluralism

and democratic institutions; and solidarity and cooperation among all citizens in the defense of democratic values. The accomplishment of these goals has been the pretext to provide more funding for a number of activities: strengthening the military through more and improved training programs; boosting the mobile capacity of troops on the ground by creating more battalions; increasing the number of troops; improving the collection, analysis, and diffusion of intelligence information; and supplying newer military equipment. Another focus of the program has been the strengthening of the national police by creating new mobile squads to patrol rural areas, enhancing the technical capacity of the judicial police, and expanding police recruitment (Hristov, 2009).

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