Institutions, Military Policy, and Human Rights in Colombia

by

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In the past 20 years the people of Colombia have experienced increasing social and political violence. This political violence reached extreme levels during the administration of President Ernesto Samper (1994-1998), as 15,000 Colombians became victims of political killings (Bland, 1998: 10). A central part of this violence has been the counterinsurgency war being waged by the government against well-armed guerrilla armies, with noncombat killings related to this war generally exceeding killings in combat. Throughout this war, the Colombian government has been able to maintain its system of competitive elections and relative control over the armed forces and actually broadened its “democracy” with a new constitution in 1991. How are we to explain this apparent contradiction? How has the civilian leadership maintained its control over the state in the face of increasing social instability and violence? Why has the military been content with the power that it wields within this system?

In order to answer these questions I examine military policy over the past 15 years, arguing that understanding Colombia's power structure and its relationship with the United States are central to understanding that policy. The distribution of power within a political system and the institutions that operate to regularize and maintain this distribution define the opportunities and constraints that guide, limit, and trigger individual or class action (Barrow, 1993: 14).

Scholars who adopt a power-structure approach argue that the capitalist class and/or the corporate community wield a disproportionate influence over policy making through their access to wealth and capital. Thus, they are able to convert these resources into campaign contributions, the hiring of lobbyists, the control of major media, the launching of publicity campaigns, and

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the formation of policy planning groups that develop national policy. Their wealth is converted into these tools of access and policy development, which are complemented by personal and social connections (Domhoff, 1990; 1998; Barrow, 1993; Silva, 1993; Miliband, 1969; Gonzalez, 1998).

The central characteristic of Colombia's power structure lies in the way in which business, landowning elites, and the United States have penetrated the state and restrained the decision-making powers of elected officials. Through coalitions with state policy makers and military officers they are able to guide and sometimes direct policy making. The linkages that the military maintains with regional economic elites and U.S. hegemony over the "drug war" are two examples of coalitions that underlie the decision making of individual policy makers and the outcome of policy.

Politicians operating within this framework have been successful in reducing certain elements of military power within the Colombian political system and implementing some reforms. There has, however, been little progress in areas such as military impunity, the strength of paramilitary death squads, and the reduction of military autonomy (Leal Buitrago, 1994; Pizarro, 1995; Dávila, 1998). Thus, democratic institutions are broadened and grow more inclusive while the coercive apparatus of repression remains largely intact in the form of a "dirty war," with union activists, leftist party militants, human rights workers, and other representatives of oppositional politics bearing the brunt of it.

To establish support for this argument, I begin by describing two analytical approaches to military and security policies, institutional and societal. A brief discussion revealing how the two dominant political parties have been interlinked with economic elites historically and how the doctrine and behavior of the armed forces have reflected these linkages follows this theoretical exposition. I subsequently address how these linkages have impacted the policies of various governments in the 1980s and 1990s. Finally, I examine the role that these relationships played in the policy making of the Samper government (1994-1998). The executive branch is the focus of this analysis, as it is the strongest policy-making branch in Colombia, with most if not all laws having historically originated here (see Kline, 1995: 69-75). This examination of the role that business, landowning elites, and international actors have played in the policy decisions and outcomes of the Colombian state indicates that institutional approaches alone cannot fully explain the continuities and shifts in military and security policy.
INSTITUTIONS, SOCIETY, AND CIVIL-MILITARY RELATIONS IN COLOMBIA

The literature of civil-military relations consists of variants of institutionalism or neo-institutionalism (Pion-Berlin, 1997; Fitch, 1991; Stepan, 1988; Nordlinger, 1977). Institutional analysis insists upon the autonomy of political institutions. The design or history of these institutions is given primacy in any explication of policy making under this theoretical framework. The bureaucracy, a state agency, and the army are considered collections of standing operating procedures and structures that define and protect interests. As March and Olsen (1984: 738) argue, these institutions are “political actors in their own right.” Thus the possibility of a coup or the success of a particular military policy is considered largely a reflection of institutional factors—the professionalism and training, routinization, and indoctrination of the army, insulating it from the dictates of civil society or the interests of its political classes.

Pizarro (1995: 196) categorizes Colombian civil-military relations as an “unequal civil accommodation.”4 Stepan (1988: 122) introduced this typology to categorize the situation in which the military enjoys substantial prerogatives and there is little civilian contestation over these prerogatives. An examination of human rights violations presents one important example of the military’s autonomy. Members of the security forces and their paramilitary allies committed 70 percent of the politically motivated noncombat killings between 1987 and 1997 (Amnesty International, 1996: 1). Military officers are rarely criminally prosecuted for such abuses. In fact, officers have more often been promoted than reprimanded after allegations of human rights violations (Human Rights Watch, 1996: 1). Not only has the military held dominion over human rights but from 1978 to 1991 it had primary responsibility for internal law and order, exercised de facto control over the armed forces, had representation in the executive cabinet, and enjoyed almost complete autonomy in the development of its budget (Pizarro, 1995: 170; Human Rights Watch, 1996: 66).

Scholars such as Leal Buitrago (1994), Pizarro (1995), and Borrero (1990) have argued that the reserved dominion of the armed forces is a consequence of the absence of civilian “capacity” and “interest” in military affairs. In their estimation the key to civil-military relations is the development of greater civilian control over military strategies, increased contact between

The Colombian case presents an interesting puzzle for institutionalism because important institutional changes related to civil-military relations have been implemented over the past ten years with little effect. Scholars such as Nordlinger (1981) and Pion-Berlin (1997) argue that such changes improve the chances of civilian agencies’ implementing military policy in the face of military opposition. During the Gaviria government (1990-1994) the Consejo Superior de Seguridad y Defensa Nacional (Superior Council of Security and Defense), which combined civilian and military representatives, became the main executive agency for national security (Leal Buitrago, 1994: 131-133; Victoria-Botero, 1996: 14-15). The appointment of a civilian defense minister in 1991 (the first civilian in 40 years) was another important step toward reducing distance between military and civilian thinking on security matters. The expansion of human rights offices within the armed forces, to 100 by 1995, to receive complaints against military units and ostensibly reduce the number of human rights violations was still another. This complemented the changes that President Virgilio Barco (1986-1990) had made in appointing a civilian instead of a military officer to supervise the investigation of human rights violations by the military (Woodrow Wilson Center, 1995: 36; Human Rights Watch, 1996: 64). Finally, the democratizing movement that Colombia experienced throughout the 1980s represented another important institutional change. The election of mayors in 1986, the formation of the leftist political party the Unión Patriótica (Patriotic Union—UP), and the more democratic constitution of 1991 all indicated a broadening of democracy that could have a positive effect in reducing military autonomy (see Hunter, 1997). This placing of increased responsibility for military policy in the hands of civilians might be expected to have made it easier for the Gaviria (1990-1994) and Samper (1994-1998) administrations to accomplish goals that had been resisted by the military, such as a negotiated solution to the conflict, the dismantling of paramilitary squads, and the ending of impunity for military officers, but this was not the case.

Not all students of civil-military relations share this institutional bias (see Silva, 1993; Midlarsky and Roberts, 1985; Stanley, 1996; Marini, 1980; McSherry, 1992). Blair Trujillo's (1993) analysis of the Colombian military is an excellent example of complementing institutional factors with societal ones. The comparative analysis of Midlarsky and Roberts (1985) revealed that economic elites' control over the national government was a key factor in understanding the repressive strategies of the state. Ruy Marini (1980) posited that the requirements of domestic and international elites guided the governing policies of a regime facing an insurgency. All of these scholars have
investigated military and security policy through a broad lens that incorporates the mechanisms that powerful external actors utilize to guide, direct, or influence the behavior of the armed forces and the state. In the case of Colombia, a key determinant of military behavior lies not in its isolation from "society" and political leaders but in its lack of isolation from economic elites and international actors.

EXCLUSIONARY POLITICAL REGIME AND ECONOMIC INEQUALITY

Throughout most of the twentieth century the Liberal and Conservative parties employed violent and/or institutional mechanisms to exclude popular opposition and dominate Colombia’s political system. The leadership of the parties has been enmeshed in networks that include the dominant economic elites (agricultural, industrial, and financial capitalists). The political parties have provided favorable access for economic elites through institutionalized linkages and interpersonal connections with top business associations7 and economic conglomerates (Nieto Bernal, 1997; Hartlyn, 1985; Bagley, 1979). One of the most important examples of their influence was the formation of the National Front (1958-1974), which restricted political competition, leaving all political power in the hands of the two parties.8 The traditional bonds between the parties, an extensive clientelistic system, and militarized repression complemented the institutional restrictions of the National Front in excluding the left. The formal end of the National Front in 1974 did little to end the highly biased and restricted nature of Colombia’s political system. Conservative and Liberal political elites would continue to monopolize state power into the 1980s and 1990s.

The powerful economic actors in Colombia have historically been those connected to important exports such as coffee. Economic and social policy making has for several decades included the organized representatives of these actors. Business associations such as the National Federation of Coffee Growers and the National Association of Industrialists have played important roles in the development of national policies. The institutionalized ties they enjoy with the government only complement the various interpersonal connections and networks that exist between top policy makers and economic elites (Kline, 1996; Suárez, 1994).

Within the past 10 to 15 years, capital oriented toward exports and financial interests has attained hegemony within the nation’s economy. Powerful financial, industrial, and multinational conglomerates such as the Santo-domingo, Sindicato Antioqueño, and Ardilla Lülle groups have become "the
owners of the largest businesses in the country" (Osterling, 1989: 36; Misas Arango, 1996; Nieto Bernal, 1997). The head of the Santodomingo Group is Julio Mario Santodomingo, who is related to a former Liberal president and "strongly sponsors the activities, plans, and programs of the Liberal Party" (Osterling, 1989: 36-37). This was especially reflected in the election of Ernesto Samper (1994-1998), as Santodomingo was the largest financial contributor to his presidential campaign and maintained close relations with the president throughout his administration (Nieto Bernal, 1997: 78-79). The acceleration of the neoliberal program under César Gaviria is an important indication of their influence. The economic *apertura* of the late 1980s and early 1990s brought the dramatic reduction of tariffs on imports, privatization of state-owned assets, the elimination of many protectionist measures, and economic integration with Andean neighbors to facilitate free trade. Economic elites were central to the development and success of these neoliberal reforms, as these policies served the interests of financial and export-oriented capital (Suárez, 1994; Misas Arango, 1996; Nieto Bernal, 1997: 63-64).

In the 1980s another important sector of Colombia's capitalist class arose, the agro-export capitalists tied to the marijuana and cocaine trade. These narco-entrepreneurs accumulated their profits and invested in land, construction, and various other industries. In addition, they engaged in intermittent efforts to become part of the establishment. Though the more violent sectors of these narco-elites failed to achieve this acceptance, other sectors were relatively successful. The Cali cartel's extensive financing of campaigns in the 1994 elections is evidence of its continued efforts to gain influence over the Colombian state (Losada, 1996). In addition, the large amount of capital accumulated has been invested throughout the economy and is a central factor in Colombia's rates of foreign exchange, inflation, and employment. Finally, these entrepreneurs have purchased large amounts of the countryside, often using armed groups that have violently displaced thousands in a process that has concentrated land in fewer hands.

The greater concentration of income and economic power in these different agricultural and financial interests profited from a relatively stable and growing economy. During the 1980s, when the rest of Latin America was experiencing its "lost decade," Colombia registered annual growth rates averaging 3.3 percent that continued into the 1990s. It has maintained a relatively stable level of inflation, and in 1997 foreign investment reached US$4 billion, about 4 percent of the gross domestic product. Economists have concluded that an important factor in this continued growth has been the government's "stability," in other words, the continuation of civilian control and electoral democracy (*Miami Herald*, March 13, 1998). Juxtaposed with these positive figures is another set of figures detailing the welfare of the
majority of the population. A solid 52 percent of the population lives in poverty, unemployment remains around 20 percent, and 63 percent of campesinos own less than 5 percent of the land (Betancur, 1996; Justicia y Paz, 1996; U.S. State Department, 2000). Income distribution remains very concentrated, with the poorest 50 percent receiving 17 percent and the wealthiest 20 percent 55 percent of the national income. Also, drug traffickers own more than 5 million hectares, more than half of the country’s most productive land (Justicia y Paz, 1996: 2-5).

The interests of the economic elites are directly connected to the state of political order and stability in the country. The ability to accumulate capital in land without the threat of kidnapping, the image of the nation in terms of foreign investment, and policy pressures from the United States (whose market is vital to Colombian exports) present important incentives for the involvement of economic actors in ostensibly military policies.

Richani (1997) finds that the heads of the major groups representing the rural bourgeoisie (ranching, bananas, coffee) share opinions opposed to negotiated solutions to the conflict that might result in substantial agrarian reform. There is a consensus among representatives of industry, finance, and banking that any agreement that could impact upon neoliberal economic model should be avoided. Thus, as Richani (1997: 64-65) concludes, “the position of the dominant economic groups therefore coincides with that of the military, the drug traffickers, and the hawks within the Liberal party and Conservative party,” key members of the ruling coalition.

The economic elite is not a homogeneous bloc. Economic conglomerates and capital that prioritizes foreign investment, such as the petroleum industry or banking, have been the biggest promoters of negotiated solutions (Tate, 1999: 3; García Durán, 1992). However, a recent poll of Colombian business leaders found 84 percent in support of peace efforts but only 24 percent willing to make any economic sacrifice in the process. Finally, 65 percent said that if the talks failed they would support authoritarian tactics to end the threats from insurgents (Tate, 1999: 4).

THE ARMED FORCES AND NATIONAL SECURITY

Historically, business and landowning elites have found the armed forces receptive to their interests. The Chilean mission, sent to Colombia to help establish the first military school in 1907, organized an army with the aim of creating a modern guardian of the interests of dominant classes (Atehortua Cruz and Vélez Ramírez, 1994: 198).
During the 1940s and early 1950s the military’s role was expanded to encompass a greater public-order mission as the countryside became engulfed in the vicious, partisan civil war known as La Violencia. The Conservative party, which came to power during this period, increasingly used the military to strike out against its Liberal enemies. Factional disagreements within the Conservative Party and the inability of the state to quell the violence led to the Rojas-Pinilla coup of 1953. The military government eventually became a threat to the power of the establishment as Rojas-Pinilla attempted to build a broader popular movement separate from the two main parties. His removal in 1957 and the beginning of the National Front reflected the alliance between the oligarchy and the two parties that formed in opposition to his power (Sánchez, 1992; Fluharty, 1957; Welch, 1987; Hartlyn, 1986).

This negative experience with power produced a visceral reaction on the part of the military to the initiation of another coup and refocused its attention on professionalization (Ruhl, 1980). In addition, the persistence of guerrilla warfare into the 1960s and 1970s preoccupied the establishment and led to the prioritizing of internal order by the armed forces. Those within the military who voiced disagreement with coercive strategies that lacked significant social reforms were generally dismissed from the armed forces. General Ruiz-Novoa in 1965 and General Valencia-Tovar in 1975 were both removed largely because of their support for a more developmentalist line within the military and their critiques of the government’s social policies. The armed forces dutifully maintained a counterinsurgency policy that undermined any effective political challenge to the National Front, defending the interests of the political and economic establishment. Nonviolent oppositional challenges were perceived as subversive and dealt with through repressive mechanisms.11

The national security doctrine of the armed forces has focused on the maintenance of internal order and the defense of the “national interest.” The failure of the first military government in 50 years and the continuing preoccupation with the fight against armed insurgents contributed to the adherence to a counterinsurgency doctrine that was strongly promoted by the United States.12 The original counterinsurgency doctrine of the Colombian armed forces has remained very close to the plans and guidance provided by the United States in the 1960s. According to McClintock, “the framework of doctrine developed by the end of 1963 would provide the foundation of counterinsurgency and unconventional warfare into the 1990s” (1992: 228). This policy was strongly supported by the political and economic elites, and the military was granted substantial autonomy in prosecuting the war against Marxist insurgents.

Several guerrilla organizations are the target of the counterinsurgency policy of the Colombian state. The two main guerrilla movements are the Fuerzas
Armadas Revolucionarios de Colombia (Revolutionary Armed Forces of Colombia—FARC), with approximately 15,000 fighters, and the Ejército de Liberación Nacional (National Liberation Army—ELN), with approximately 5,000 fighters (Hoskin and Murillo, 1999: 46). Their operations have been divided into numerous fronts throughout the country, and mechanisms have been developed to ensure their financial independence and growth. Their financing strategies have included kidnapping for ransom and the taxing of coca farmers and the drug traffickers who operate the laboratories essential to the drug trade. During the Samper administration they have increased in size and military strength, dealing serious blows to the armed forces.

The recent efforts at negotiations with the guerrillas have been conducted separately with the ELN and the FARC, given the ideological and tactical differences of the two groups. Despite these differences, the ELN and the FARC have both argued that the state places the welfare of foreign investors and the dominant classes over the interests of the people and called for a complete reorientation of the economic reforms. Among the FARC’s basic ten-point political platform are demands for greater social spending, an end to the neoliberal economic model, and greater scope for unions to take part in economic and social decision making. Also, for more than ten years both guerrilla groups have been calling for greater efforts by the national government to dismantle the paramilitary organizations (Bajak, 1996; Penhaul, 1999; García Durán, 1992: 239).

INTERNATIONAL INFLUENCES: THE UNITED STATES AND TRANSTATIONAL CAPITAL

The United States and transnational capital play another restrictive role with regard to the policies available to political leaders. The persistent pressure by the United States to militarize Colombia’s “war on drugs” is an important source of support for the military’s autonomy and a militarist solution to the conflict. The support for the militarization of the drug war is reflected in the fact that since 1989 Colombia has become the third-largest recipient of U.S. military aid in the world.

DeMarest contends that “the United States-Colombian military relationship has influenced the ideological makeup of the Colombian military force, contributing, if not to a future military takeover, at least to greater military institutional influence in Colombian politics” (1989: 8). Many Colombian officers have been trained under the U.S. International Military Education and Training Program. Between 1984 and 1994 Colombians have had more than double the largest number of officers from other Latin American nations
trained under this program (Statistical Abstract of Latin America, vol. 32, 346). The United States has pressed the Colombian government to improve its human rights record, even linking some military aid to the improvement of human rights in the military. However, recent evidence shows that the United States has been involved in the development of certain paramilitary networks through plans to improve Colombia's military intelligence (Human Rights Watch, 1996). The recent military aid package of over US$1 billion, mostly to the Colombian army to support its battle with insurgents, places in question the true commitment of the United States to human rights concerns.

Transnational corporations, especially those tied to mineral and oil resources, have also been accused of direct ties to paramilitary squads. For example, rural inhabitants of southern Bolívar have accused transnational gold-mining interests of funding the paramilitary squads that have forced them from their homes. Human rights groups have accused oil interests of supporting army brigades that are notorious for working with paramilitary squads and engaging in massacres. Finally, the chiefs of security for 65 of the biggest multinational corporations in Colombia are retired military officers who maintain daily contact with the Colombian military (Colombian Labor Monitor, August 21, 1998; Colombia Bulletin, 1999: 11-13; Medina Gallego, 1990; Dudley and Murillo, 1998: 42-44). In short, international actors such as the United States and transnational interests have helped to strengthen the repressive actors within civil society and the state.

The relationships between the political class and economic elites, the role of violent and influential drug traffickers, the historical position of the armed forces, and the persistent pressures by the United States upon the Colombian state all underlie the choices and policy direction of state agents. An examination of different policies indicates that the agency of policy makers has been tempered by these continuing structural and instrumental impediments to their autonomy.

CONFLICT RESOLUTION, PARAMILITARIES, AND HUMAN RIGHTS

CONFLICT RESOLUTION

Economic elites and their representatives, especially those with properties in the countryside where guerrillas have historically harassed, kidnapped, and extorted them, are interested in the outcome of military and security policy. Documents of meetings of major business associations reveal a preoccupation with the social cost that "peace" would inflict upon them and their
lack of security against the guerrillas (Duque-Gómez, 1991: 174-175). At
times the armed forces have used business association meetings to express a
point of view highly critical of the politicians in power (Americas Watch,

Economic elites have historically been instrumental lobbyists in opposi-
tion to peaceful reconciliation of the conflict. For example, leading economic
groups published full-page ads in the nation’s major newspapers expressing
full support for the coercive and repressive tactics against the left during the
This sentiment was also expressed publicly during the Belisario Betancur
administration (1982-1986). Economic elites publicly lobbied in defense of a
militarist position against government-guerrilla negotiations. Betancur’s
peace efforts were to end in failure, largely because of opposition by the
armed forces and economic elites. It was not until the end of the Barco admin-
istration (1986-1990) that success was reached with a major insurgent group
(M-19), and this had required constant placating of the military (see Pearce,
1990: 211-212). In addition, the concessions granted to the M-19 in exchange
for their surrender avoided any serious challenge to the economic or social
power in the country.

Economic elites also played a role in the Gaviria administration in special
peace commissions and advisory boards that were devised to counsel the
national government on topics related to negotiations with the guerrillas. One
such commission, composed solely of businessmen, was charged with find-
ing ways to integrate the guerrillas into society, a central item in the negotia-
tions (García Durán, 1992: 230). In April 1992 an alliance of business associ-
ations representing primarily domestic industries and agribusinesses began
to put pressure on the Gaviria government not to begin negotiations with the
guerrillas because of their perceived lack of sincerity (García Durán, 1992:
239). These efforts complemented earlier examples of support by a much
wider alliance of predominantly domestic-oriented businesses for Gaviria’s
strategy of increasing the financing and modernization of the armed forces in
their struggle with the insurgency (García Durán, 1992: 218-219).

These policy linkages have been complemented by economic elites’ con-
trol over various media resources. The Santodomingo Group controls the
newspaper El Espectador and the major television and radio network
CARACOL. The conglomerate Organización Ardila Lülle controls the major
television and radio station RCN. The establishment family of former Liberal
president Eduardo Santos owns the biggest daily, El Tiempo. This paper has
historically taken a more conservative line on negotiations with the guerrillas
and on the prosecution of the armed forces for human rights violations
(Osterling, 1989: 167; Defensa Nacional, 1996). El Tiempo exerted constant
pressure upon the Gaviria administration, repeatedly questioning the effectiveness of negotiated solutions (García Durán, 1992: 218, 225).

In addition to this policy planning and public lobbying by business interests was a general colonization of key offices related to the peace process. For example, Presidents Betancur (1982-1986), Samper (1994-1998), and Barco (1986-1990) had all been presidents of key business associations before taking office. Carlos Ossa Escobar, president of the influential Society of Colombian Agriculturists (Sociedad de Agricultores de Colombia—SAC), a business group representing landowning interests, became presidential adviser for reconciliation and rehabilitation under Barco. He had also been a member of Betancur’s peace commission. Jesus Antonio Bejarano, Gaviria’s leading peace negotiator, went on to head SAC, continuing the presence of representation for landed interests directly in the negotiating process.

This colonization of key offices and positions within the state has also been present in the administration of the armed forces, which from 1991 to the present has been conducted by civilian defense ministers. There were four defense ministers under Samper, most of them with important ties to the establishment. Ministers such as Fernando Botero, Guillermo Alberto González Mosquera, and Gilberto Echeverri originated from elite families and/or were business elites. Samper’s first defense minister, Fernando Botero, was the son of the famous and wealthy artist Fernando Botero and a landowner (Semana, September 13, 1994, 44-45). Guillermo Alberto González Mosquera was a descendent of one of Colombia’s most famous political families (Semana, January 14, 1997, 64).

Samper’s last defense minister, Gilberto Echeverri, was an established businessman in Antioquia who had been the former governor of that state. In his business relations he maintained close ties with the economic conglomerate Sindicato Antioqueño. This pattern of defense ministers was continued under Andrés Pastrana (1998-2002) with his first minister, Rodrigo Lloreda. Lloreda was born into an important political family in Cali, Colombia. His father, Alvaro Lloreda, was the owner of El País, an important conservative newspaper in the southwestern part of the country that Rodrigo Lloreda would later take over (Miami Herald, May 27, 1999). In the spring of 1999 Luis Fernando Ramírez, who worked for several years as an adviser to Luis Carlos Sarmiento of the economic conglomerate the Aval Group, would replace Lloreda as defense minister (Semana, May 31, 1999, 27).

Obviously, there are multiple factors involved in the various conflict resolution strategies of these different governments. The point that I want to emphasize is that through various access points the economic establishment has maintained a role in the negotiating strategies and the direction of the armed forces.
PARAMILITARY SQUADS AND HUMAN RIGHTS

Important sectors of economic elites have also played an important role in the maintenance of a militarist counterinsurgency policy by directly subsidizing and training paramilitary and death squads. The paramilitary squads are similar to the civilian defense groups that have been part of Colombian reality for many decades but are distinguished from them by their more aggressive activities. These paramilitaries have become a central part of the counterinsurgency campaign of the armed forces and have been directly involved in the elimination of whole sectors of the political left in the past two decades. Their persistence into the 1990s has undermined the negotiating efforts of various governments, as their activities have long been a sore point for the guerrillas. Their project is to supplement and support the activities of the armed forces through massacres, torture, and disappearances of perceived supporters of the guerrillas (Medina Gallego and Tellez Ardilla, 1994: 50).

Large landowners, drug traffickers, ranchers, and commercial interests have financed the training and the purchase of weaponry and maintained the contacts between the military and paramilitary organizations. A central faction of these rural capitalists has derived its capital not from legitimate enterprises but from the cocaine trade, which only accelerated their expansion and military resources. Paramilitaries increased in number during the 1980s and 1990s, with the government claiming that over 100 were operating throughout the country during this period (Kline, 1999: 151). In response to years of assassinations and massacres, including the virtual elimination of the leftist Unión Patriótica, the government responded with concrete action.

In April 1989 the Colombian government rescinded the legal support that these groups had received from the 1968 law; the armed forces could no longer arm civilian groups for the purpose of defense. The Barco government formed a commission to study the paramilitary problem and a special police force dedicated to eliminating these organizations (Kline, 1999: 77). A coordinating committee was organized including the ministers of defense, government, and justice to monitor the government’s paramilitary policy. In the Gaviria administration paramilitary members were treated solely as armed wings of the drug traffickers and fell under Gaviria’s plea-bargaining plan. This plan offered lower sentences to individuals who turned themselves in and provided information about additional crimes. However, some of these organizations developed their own level of autonomy from the Medellín cartel, especially during the period in which the state was engaged in massive manhunts for such leaders as Rodriguez Gacha and Pablo Escobar. Divisions within the Medellín cartel, information that Escobar had begun to work with elements from the ELN and the FARC, and the killing of individuals with
close ties to paramilitary organizations led major paramilitary groups to break away from Escobar. These paramilitary groups formed an anti-Escobar group, Los Pepes, that worked with the Colombian government in their search for Escobar (Semana, May 31, 1994, 42; Kline, 1999: 146-149; Semana, April 16, 1991, 16-17). It seems that the Gaviria government had no qualms about working with groups responsible for widespread massacres of the civilian population as long they supported the war with the Medellín cartel.

Colombia’s campaign against the Medellín cartel was heavily sponsored by the United States, which viewed Gaviria’s plea-bargaining policy with disfavor and supported a “tougher” approach against the cartel. The United States even threatened economic and political punishments through decertification of Colombia because of its perceived lack of effort in its struggle with the drug traffickers. The violence of the traffickers in no way matched the massacres and killings at the hands of the paramilitaries during the late 1980s and 1990s. However, the government’s priorities lay not in the protection of rural civilians terrorized by massacres but in the prosecution of the drug war led by the United States. The last year of the administration saw no decrease in the dirty war against the left (Kline, 1999: 143-153).

The shift in the institutional balance of power in the 1990s ostensibly placed greater control in the hands of civilians, but an examination of the record of the Samper administration will establish that little changed in terms of civil-military relations, human rights abuses, or the viability of a political resolution to the conflict.


Ernesto Samper came to office with the expressed intention of improving human rights and reducing political violence. His administration was the first to follow Gaviria’s important institutional reforms, and therefore a movement toward the erosion of military power might have been expected. Instead, Samper’s relations with guerrillas and paramilitary squads and his human rights policy continued to be constrained by the interests of the economic establishment, the military, and the United States.

NEGOTIATIONS WITH THE GUERRILLAS

The FARC considered the demilitarization of La Uribe, a region in the department of Meta, just east of Bogotá, that had once been its headquarters,
essential to guarantee its security in any negotiations (*Foreign Broadcast Information Service* [hereafter FBIS], February 14, 1995). This demilitarization was opposed by the armed forces and important sectors of economic elites. The major dailies, *El Tiempo* and *El Espectador*, and many business leaders expressed support for the military’s position (*FBIS*, July 18, 1995, 46). Faced with this resistance, the government shifted its position from one that was close to the arrangement that the FARC proposed to one that was consistent with the requirements of the armed forces. In response to this shift, the guerrillas’ enthusiasm for the negotiations cooled. Shortly thereafter, the peace commissioner resigned and talks were suspended (Chernick, 1996: 80). In the eyes of the guerrillas, the La Uribe situation and the drug scandal of 1994 reduced whatever credibility Samper had had with regard to serious negotiations. Throughout the rest of his administration Samper’s negotiators focused upon laying the groundwork for future peace negotiations (legal reforms, involving the international community, humanizing the conflict), and even this process involved the business community (Nieto Bernal, 1997: 53-54; interview with Samper’s former peace commisioner, May 6, 1999).

**PARAMILITARIES AND HUMAN RIGHTS**

The Samper administration began with hopeful promises of aggressive efforts to suppress paramilitary networks, but these organizations were responsible for almost half of the political killings in 1995, and their percentage of political killings has only increased since that year. In fact, they actually convened three national summit meetings detailing their plans for the public, with over 100 paramilitary massacres in 1997 alone (Bland, 1998: 10).

The special military force that Samper proposed to seek out and destroy paramilitary groups never materialized, as the government was unable to procure enough resources for the project (interview, June 28, 1999, Bogotá). By late 1997 there had been few instances of combat between paramilitary groups and the armed forces (*Colombia Bulletin*, 1997-1998: 21). In fact, Samper introduced measures that contributed to legitimizing some of these groups; he authorized civilians to set up “rural security cooperatives” with the stated intention of providing troops with intelligence in their regions.

These organizations, or Special Services of Vigilance and Private Security, labeled CONVIVIR, were supported by regional economic and political elites who viewed them as essential to the struggle against subversion (*El Tiempo*, May 10, 1997; Cubides, 1999: 195). A key organization in the initiation and implementation of the CONVIVIR was the National Federation of
Cattle Ranchers. This organization, through public displays of support for private self-defense as well as personal lobbying of the defense minister and the president himself, was important in the implementation and continuation of the policy (Semana, December 6, 1994; Cubides, 1999). The leading proponent within Samper’s administration, defense minister Fernando Botero, a landowner himself, had experience in organizing similar security organizations. In addition, the first superintendent of these associations, Herman Arias Gaviria, was the former head of the business association for banana growers, infamous for its support of paramilitaries.

The CONVIVIR was opposed by the human rights community and its sympathizers within the executive branch, but this coalition was no match for the strength of the militarist coalition of the defense ministry and regional landowners (interview with Samper’s former peace commissioner, May 6, 1999). After a flood of reports of abuses by these organizations, the administration suspended the creation of new associations, and these groups were barred by the Constitutional Court from receiving military-issued weapons (Human Rights Watch, 1999: 3). However, the CONVIVIR was still granted legal status to operate—and thus the state once again sanctioned the arming of civilians in its war against the guerrillas.

A special commission for the reform of the military penal code and a special Human Rights Bureau in the Ministry of Defense were established to improve the human rights situation in the armed forces and reduce their impunity. Special offices were formed within the armed forces and military posts all over the country to hear complaints against the military and to train members of the armed forces in the particulars of human rights (interview, June 6, 1999). To complement these changes Samper removed the commander of the armed forces, Gen. Harold Bedoya, for human rights concerns and dismantled the 20th Brigade, which was infamous for its various assassinations and human rights violations (Human Rights Watch, 1998). These organizational changes were largely a response to pressures by elements in the U.S. government who were concerned about the human rights situation in Colombia and attempted to tie U.S. military assistance to respect for human rights. These changes ultimately led to no substantial improvement in the situation.

The ability of the human rights offices within the armed forces and the executive branch to perform their duties was restricted by the lack of budgetary support from the national government. As Carlos Vicente de Roux, an adviser to President Samper on human rights, stated, “We don’t have enough personnel or resources to process or to carry out investigations and to ensure investigation of cases and to provide protection of persons at risk. . . . There are still
not enough resources to provide protection for political leaders, human rights activists, and trade union leaders who are threatened” (Woodrow Wilson Center, 1995: 48). Thus, four years after the establishment of human rights institutions and frightening levels of human rights violations, the Colombian leadership was still unable to fund these agencies.

On the surface it seemed that these policies did produce some results, as the percentage of human rights violations committed directly by members of the security forces declined considerably (interview with a military officer in the Human Rights Branch, June 6, 1999). This was more than made up for, however, by the increased activity and violations committed by paramilitary squads, as 70 percent of all political violence could be attributed to them (with the assistance of military personnel). In addition, the efforts by U.S. senators such as Patrick Leahy to tie human rights concerns to military aid were constantly undermined, as oversight was generally limited and the various programs providing this assistance were often not subject to any human rights restrictions. Furthermore, U.S. policy maintained close ties with Colombia’s army and national police while distancing itself from the civilian government, only strengthening the role of these coercive institutions within Colombia’s political environment. In 1996, Amnesty International reported that almost all of the military units it had cited for committing human rights violations had received some military assistance from the United States (Schulz, 1996: 13-15). Thus, even U.S. policy on human rights was undermined by its lack of serious oversight and the maintenance of close institutional ties with the Colombian military (Priest, 1998). At the end of Samper’s administration few officers had been criminally prosecuted for their linkages with these organizations (Human Rights Watch, 1999). Ten years after the end of official government support, the paramilitaries had more influence than ever. Rhetorically and symbolically the Colombian government was making the right decisions, but the de facto policy of subordinating human rights to other goals remained the same.

CONCLUSION

On a regional level through paramilitary networks and on a national level through public lobbying and direct representation in key state positions, domestic economic elites have been a source of support for militarist solutions and political repression. Internationally, the United States and transnational capital, through the financial support of the armed forces and the promotion of the drug war, have effectively strengthened coercive sectors and strategies
within Colombia. Administration after administration in the 1980s and 1990s talked about the protection of human rights and the dismantling of the paramilitaries, but the largely symbolic nature of this rhetoric is evident in the fact that state political violence and human rights violations were a constant throughout all of these administrations. What did change was institutions—institutions that structured the electoral process and civil-military relations. However, these changes did little to reform the structural conditions in which governments are embedded.

Civilian administrations operate within a set of policy restrictions explicitly and implicitly formulated by actors who are integrated with the state. These constraints have allowed a degree of political reform and openness (as demonstrated by the 1991 constitution) but not full civilian control over the armed forces or significant social and economic reform. The armed forces can count on civilian support for their continued autonomy, increased budgets, and links to paramilitary squads.

The regime is similar to others that have come to power in the wave of transitions to democracy in Latin America. Petras and Morley (1992: 193) point to a change from military to civilian regimes that retains the underlying state structures intact. Electoral democracy or “civilian control” over the armed forces will mean little for democratic policy making as long as substantial social and international inequalities persist. Regional and national economic elites and the United States have stepped in with financing and ideological support and provided the underpinning for the maintenance of repression and violations of human rights throughout the 1980s and 1990s.

Efforts at negotiations with the insurgency seem to be making progress at the time of this writing. However, there have already been signs of resistance to the negotiating process by the armed forces, and little serious negotiation has been devoted to major social or economic issues. In addition, Pastrana’s central team of negotiators with the FARC includes a retired general, the president of the Senate, with strong links to landowning interests, and a wealthy businessman (El Nuevo Herald, October 26, 1999). Human rights activists, labor representatives, and other members of the other part of civil society are not represented in these direct talks. These sectors have a decidedly minority presence on an advisory committee to this negotiating team. Thus, the state continues to remain easily accessible to certain sectors of civil society but maintains a degree of autonomy toward others. Finally, the continuation and deepening of Colombia’s neoliberal project should further exacerbate the societal problems that underlie the conflict and move the government farther from any agreement (García Durán, 1999: 7). There have
been recent "clashes" with paramilitary squads, but the extent to which these represent a serious shift in strategy remains to be determined. What is clear is that little has changed in the state-society relations that make up Pastrana's political environment, and this bodes ill for the resolution of the conflict and the consolidation of a social and political democracy.

NOTES

1. I use the terms "civilian leadership" or "civilians" to refer to the elected or appointed non-military members of the government.

2. "Military policy" will be used here to refer to policy that governs the behavior of the armed forces and the structure of their prerogatives within the political system.

3. Paramilitary squads are semiautonomous groups of armed civilians that have carried out a war against the insurgents and their perceived supporters in society. They are often allied with the military.

4. Pizarro uses this phrase to describe the state of civil-military relations in Colombia before the implementation of the 1991 constitution, which reduced some of the military's prerogatives but failed to challenge its impunity or the overall direction of the counterinsurgency war.

5. The increase in the responsibility of civilians for military policy was mainly a feature of the Gaviria administration (1990-1994).

6. These changes included the establishment of a Defensor de Pueblo (Defender of the People), a special ombudsman charged with reporting on the status of human rights; the establishment of the right of tutela, which allows citizens to accuse others of violating their human rights and request a hearing before a court to attain redress; and the establishment of elections for governors and senators (previously appointed by the majority party), plebiscites, and referendum procedures.

7. The best-known example of this type of institutionalized linkage is the relationship between the coffee growers and the state, with the growers collecting taxes on the coffee and supervising the nation's participation in the international market. Growers' representatives sit on government planning boards and engage in development programs in the coffee-growing regions. Some observers have argued that at one time the general manager of FEDECAFE was the second-most-important man in Colombia (see Osterling, 1989: 212-213).

8. The parties implemented this agreement in order to resolve the bitter and violent conflict of La Violencia. Lasting from 1948 to 1966, La Violencia was a violent combination of party antagonisms, class struggle, and personal feuds between villages. Over 200,000 Colombians died in this violence (see Sánchez, 1992). Under the National Front the presidency alternated every four years between the two parties; all legislative bodies were equally divided between the Liberal and the Conservative party, and no party other than the Liberal and the Conservative could take part in elections (Kline, 1995: 47-78).

9. The profits of the top three conglomerates expanded rapidly during the Samper government (1994-1998), while there was a drop in the funds dedicated to social welfare programs (Peralta and Vasco, 1998: 82). The three top conglomerates enjoyed an income that was 18 percent higher than that of the Colombian national government in 1997 and enjoyed the continuing protection and support of the national government (1998: 83).
10. Since 1998 the Colombian economy has suffered some traumas, but this does not alter the fact that in a time of great violence and social strife it has done very well.

11. The violent repression of the 1977 nationwide strike and the National Security Statute implemented by President Julio Turbay-Ayala (1978-1982) that granted extensive powers of control and repression to the military are important examples of this position.

12. The central emphasis of counterinsurgency doctrine is the application of military solutions to political struggles and an assault on "subversion." Subversion is generally conceived broadly, as it not only encompasses armed insurgents but includes many unarmed sectors of the left (labor organizers, religious activists, campesino leaders, and human rights workers).

13. A front consists of about 100 to 200 troops. The Fuerzas Armadas Revolucionarias de Colombia (Revolutionary Armed Forces of Colombia—FARC) has approximately 66 fronts and the Ejército de Liberación Nacional (National Liberation Army—ELN) about 35.

14. In 1998 the guerrillas continued the string of successes that they had begun in 1996, launching major attacks in March and August and achieving substantial victories against the military. At the time of this writing, the guerrillas hold over 300 soldiers as prisoners of war, and the new administration has agreed to demilitarize a wide region of the country in order to begin negotiations for peace.

15. The passage of the Leahy amendment, which prohibited U.S. counterdrug aid to foreign military units implicated in human rights violations, was signed into law in November 1997 (Colombia Bulletin, 1997-1998).

16. Kidnapping represents about 30 percent of the income of the guerrillas and is largely focused upon landowners and foreigners tied to multinational capital.

17. The use of armed civilians in the counterinsurgency campaign was legally established by Law 48 of 1968, which authorized the "executive to create civil patrols by decree and for the Defense Ministry to provide them with weapons restricted to the exclusive use of the armed forces" (Human Rights Watch, 1996: 13).

18. The government's antiparamilitary efforts were largely a response to an upsurge in attacks against state officials, especially the brutal massacre of judicial officials investigating a paramilitary massacre in La Rochela in 1989.

19. In 1989 about 200 people were killed and 800 injured in terrorist attacks carried out by Escobar's organization. This year was also a high point of political killings in the 1980s, with more than 5,700 presumed political killings during the same period, some 70 percent of which were attributed by human rights groups to security forces utilizing monies ostensibly dedicated to the "war on drugs" (see Varas, 1996).

20. The Samper administration was greatly weakened by a drug scandal involving his campaign by the beginning of 1996. However, this scandal did not prevent Samper from making certain decisions that antagonized the armed forces, such as the removal of the head of the armed forces in 1997 and the demilitarization of a sizable region of the country in the same year as a concession to the guerrillas. Thus, despite the scandal, the Samper administration was still able to implement politically dangerous policies.

21. In addition to these institutional changes, the Samper administration also conceded its responsibility for the massacre of Trujillo in 1988, a significant act given the precedent of past administrations' questioning such responsibility. A special commission had been formed to investigate this massacre (which occurred in 1989-1990) and found evidence of state involvement.
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