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ARTICLE

The terror that underpins the ‘peace’: The political economy of Colombia’s paramilitary demobilisation process

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Studies on terrorism have traditionally focused on non-state actors who direct violence against liberal states. Such studies have also tended to focus on political motivations and, therefore, have neglected the economic functions of terrorism. This article challenges the divorce of the political and economic spheres by highlighting how states can use terrorism to realise interconnected political and economic goals. To demonstrate this, we take the case of the paramilitary demobilisation process in Colombia and show how it relates to the US-Colombian free trade agreement (FTA). We argue that the demobilisation process fulfils a dual role. Firstly, the process aims to improve the image of the Colombian government required to pass the controversial FTA through US Congress in order to protect large amounts of US investment in the country. Secondly, the demobilisation process serves to mask clear continuities in paramilitary terror which serve mutually supportive political and economic functions for US investment in Colombia.

Keywords: Colombia; free trade agreement (FTA); paramilitary demobilisation; foreign direct investment; terrorism; neoliberalism

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Introduction

Terrorism is typically discussed in conventional scholarship, policy making circles and the mainstream media as terrorist acts perpetrated by non-state actors against governments and their populations. Studies on terrorism also tend to focus on political rather than economic motives of terror. However, recent theoretical in-roads delineating state terrorism have served as a useful point of departure for further debate and inquiry into the nature of state terrorism (Blakeley 2009, 2010, Jackson, Murphy and Poynting 2010). Throughout this article, state terrorism is understood as the ‘intentional use or threat of violence by state agents or their proxies against individuals or groups who are victimized for the purpose of intimidating or frightening a broader audience’ (Jackson, Murphy, and Poynting, 2010 p. 3) and involves deliberate acts of violence against individuals that the state has a duty to protect (Blakeley 2010, p. 15). The defining feature of state terrorism that distinguishes it from repression and other forms of state violence is the intention to induce a climate of fear amongst a target population in order to change their behaviour in some way (Blakeley 2010, p. 18). In this light, this article highlights how terrorism can be employed by states to advance interconnected political and economic goals and how purported ‘peace processes’, ostensibly aimed at tackling violence perpetrated by the proxy armies of the state, can be used to advance these same political and economic objectives. By incorporating a notion of political economy, which acknowledges that *political* and *economic* spheres can be inextricably linked, a deeper

understanding of state terror can be explained in a way that an exclusive focus on either the political or economic does not provide.

To demonstrate the marriage of the political and economic spheres in the context of state terror, this article highlights the dual role of Colombia's 'peace process', initiated in 2003 to demobilise the United Self-Defence Forces of Colombia (known by its Spanish acronym, AUC), the umbrella organisation under which Colombia's brutal right-wing paramilitary groups operated. Firstly, this article demonstrates how the process, although appearing quintessentially political, has economic motivations at its core. More specifically, the demobilisation process is an attempt by the US and Colombian governments to confer greater legitimacy to the latter, especially with regards to the Government of Colombia (GOC)'s poor human rights record, in the hope of passing a bilateral free trade agreement (FTA) between the two countries through US Congress (henceforth: Congress). For US investors in Colombia, the FTA represents an important step in providing a stable legal framework to protect their current and future investments. However, fears in Congress concerning the continuation of egregious human rights violations by paramilitary groups, and the GOC's well documented links to paramilitarism, are preventing a controversial Congressional vote on the FTA. In this respect, the demobilisation process represents an attempt by the US government and the GOC to enhance the capacity of the latter to plausibly deny paramilitary-state collusion, thus increasing the likelihood of a vote on the FTA in Congress.

Secondly, contrary to postulations that paramilitarism no longer exists in Colombia, the deeply flawed demobilisation process attempts to mask clear continuities in paramilitary-state terror, which has long served to advance important facets of the neoliberal programme in Colombia. The central policies of the neoliberal economic model, described by economist John Williamson as the 'Washington Consensus', include fiscal discipline, trade liberalisation, privatization, liberalisation of inward foreign direct investment and deregulation (Williamson 1990, 2004, pp. 3-4). In this way, the neoliberal programme typically involves 'dismantling the apparatus of mercantilist protection operated at state level, the opening up of previously closed economies to the forces of economic competition . . . [and] globalised rather than national economics' which ensures 'the globalisation of the political economy along specific lines' (Blakeley 2009, p. 5). Indeed, the neoliberal model of deregulation, privatisation and the free market mantra (Harvey 2005, pp. 64-66) has been fervently adopted by the GOC (Hristov 2009b). In this light, as part of the protracted US-supported counterinsurgency campaign, paramilitary-state violence continues to systematically target civil groups, such as trade unions organisations, which are considered a threat to the political and economic 'stability' conducive to the neoliberal development of Colombia. This has made Colombia very attractive to foreign investment as poor working conditions and low wages keep profit margins high. In addition, paramilitary forces continue to advance a process of capital accumulation through the forced displacement of communities in areas of economic importance. Large sections of Colombia's citizenry continue to abandon their lands as they are forcibly displaced from their homes, satisfying the voracious appetite of foreign (mainly US) multinational corporations (MNCs) for Colombian territory as the neoliberal economic programme is further entrenched in Colombian society.

By examining the relationships between the demobilisation process and the FTA, the related benefits for current and future US investments in Colombia, and the interconnected political and economic functions that paramilitarism continues to serve, this article demonstrates how both the political and economic goals of the GOC (and US government) are inextricably linked. Ultimately, in exploring the dual role of Colombia's demobilisation process, this article will have implications for the study of the political economy of state terrorism by exposing how alleged peace processes hide new forms of old terror tactics in the pursuit of mutually constituted political and economic goals.

The FTA: trade and investment

The FTA is a bilateral free trade agreement between Colombia and the United States which, although signed in November 2006, is yet to be ratified in Congress. If ratified, the FTA will eliminate tariffs and other trade barriers between the two countries. Proponents of the FTA lend their support to the trade agreement based on a platform of the 'economic gains' it will bring for both parties (see White House Office Of Communications [WHOC] 2008). According to the Bush administration, by expanding trade, the FTA will help sustain economic growth and will 'provide US companies and farmers that export to Colombia with duty-free access to this large and growing market' (WHOC 2008). The FTA will also ostensibly bring 'increased economic opportunity to the people of Colombia through sustained economic growth, new employment opportunities, and increased investment' (WHOC 2008).

However, in reality, the FTA is unlikely to stimulate greater levels of trade between the US and Colombia. A 2006 report from the United States International Trade Commission (USITC) analysing the predicted effects of the FTA notes that 'the agreement is not expected to have a large effect on total US exports or production for any given sector because of the small size of the Colombian market relative to total US trade and production' (USITC 2006, p. 3-1). Furthermore, the Congressional Research Service (CRS) argues that the FTA would have a small net economic effect on the US economy (CRS 2008, p. 18). The CRS cites the small size of Colombia's economy (about 1.2% of the US economy) and the small value of US trade with Colombia (about 0.6% to 0.8% of total US trade) as reasons for low levels of expected economic growth, further noting that 'the marginal effects of the FTA on the US economy likely would not be significant' (CRS 2008, p. 11 and p. 19). Moreover, the FTA 'is likely to result in minimal to no effect on output or employment for most sectors of the US economy' (USITC 2006, p. 2-2). The USITC (2006, p. 7-1) further stated that the predicted effects of the FTA found in seven studies it consulted 'are not significantly different from those estimated . . . in the current [USITC] study'. The Labor Advisory Committee for Trade Negotiations and Trade Policy (LAC), in its report advising the government about the FTA, argues that the agreement might even have a negative impact on the USA's trade balance with Colombia and could be deleterious to some agricultural sectors in Colombia (LAC 2006, pp. 5-6).

Similarly, the FTA is unlikely to significantly increase levels of Colombian exports to the US. There are two primary reasons for this: firstly, because Colombia is a small US import supplier (USITC 2006, p. 3-1), and secondly (and most pertinently) because the bulk (approximately 90% in 2005) of Colombian exports already enter the US free of duty, either unconditionally under 'normal trade relations' or 'under ATPA [Andean Trade Preference Act], GSP [the US Generalized System of Preferences programme], or other duty-free provisions' (USICT 2006, p. 3-1. See also CRS 2008, p. 19). Therefore, contrary to what the Bush administration had claimed, the FTA is unlikely to stimulate economic growth in Colombia through the expansion of trade with the US.

The importance of the FTA for US investors

Given that the FTA is unlikely to create greater levels of trade between the US and Colombia, this article posits that a central motivation behind the FTA concerns the establishment of a stable legal framework to protect existing US investments in Colombia and make the country more attractive to US investors in the future. The FTA, in other words, is less concerned with trade and much more concerned with the protection of US investments.

Since 2000, with the implementation of Plan Colombia, a US aid package which has now exceeded \$7 billion and of which the majority has been allocated to Colombia's military, the GOC has been able to create greater stability within certain areas of economic interest in Colombia (Stokes 2005). With US financial support and substantial military training, the GOC has conducted a protracted counterinsurgency campaign as part of Plan Colombia. This counterinsurgency effort,

however, has not only been aimed at destroying Colombia's left-wing guerrilla groups (the FARC and ELN). It has also systematically targeted members of progressive unarmed movements considered subversive to the existing socio-economic arrangements and the implementation of neoliberal structural reforms (see Stokes 2005, Hristov 2009b). Much of this has been carried out by Colombia's paramilitaries, acting as the GOC's proxy-army in a 'dirty war' against progressive civil movements. In this way, this counterinsurgency campaign, underpinned by paramilitary violence, has been instrumental in creating conditions of political and economic stability that are conducive to increased levels foreign direct investment (FDI) to Colombia.

Indeed, FDI to Colombia has risen sharply since 2000. According to data from the United Nations Conference on Trade and Development (UNCTAD), Colombia's total FDI stock increased dramatically from \$11.2 billion in 2000 to \$74.1 billion in 2009, representing an 564% increase during this period (see data from UNCTAD 2010). The two sectors which receive most FDI inflow are the mine and quarry exploitation sector (approximately 38-41% of FDI inflow in 2009) and the petroleum sector (approximately 32-36% of total FDI inflow in 2009) (see data from *Banco de la Republica* 2010, Proexport Colombia 2010). The US is the largest source of FDI in Colombia, especially in coal and petroleum (Kalin 2009, p. 28, US Department of State 2010) and in 2009, 47% of total FDI inflow to Colombia came from the US (Proexport Colombia 2010). There is, therefore, a vast amount of US investment in Colombia which continues to grow.

Protecting US investments in Colombia

Chapter 10 of the FTA specifically covers investment, guaranteeing that US investors will be treated no less favourably than Colombian investors (see Office of the United States Trade Representative [Oustr] 2006, p. 10-2) and provides a strong framework for dispute settlement between investors and the state (Oustr 2006, p. 10-23). Most pertinent for US investors, the FTA provides specific protection against the expropriation or nationalisation of assets by the GOC and, if such a case arises, the FTA provides a legal framework for the 'payment of prompt, adequate, and effective compensation' (Oustr 2006, p. 10-4).

The investment provisions are duly observed by the CRS (2008, p. 5) in its FTA report to Congress, noting that the FTA will create 'a stable legal framework' for US investors, adding that:

All forms of investment would be protected, including enterprises, debt, concessions and similar contracts, and intellectual property . . . US investors in Colombia would have substantive and procedural protections that foreign investors have under the US legal system, including due process protections and the right to receive fair market value for property in the event of an expropriation.

This is confirmed by the USITC (2006, p. 6-1), which claims that the FTA 'incorporates important investor protections, particularly the investor-state dispute settlement mechanism, which covers all investment agreements between US investors and the Colombian government including those that were concluded either *before* or *after* the implementation of the [FTA]' (emphasis added). This is also further stated by the US Advisory Committee for Trade Policy and Negotiations (ACTPN 2006, p. 5): the 'agreement enables binding third party arbitration for investor-state disputes not only for investments concluded after the agreement goes into effect, but also for many types of investments that pre-date the agreement'. In terms of future US investments, the Industry Trade Advisory Committee for Services and Finance Industries (ITAC-10 2006, p. 2) argues in its FTA report to Congress that 'the investment chapter in the Colombia Agreement creates significant new opportunities for market access for investment . . . and includes high standard protections for such investment'.

The importance of the FTA for US investors should not be understated. Throughout the last decade, South America has experienced a resurgence of left-wing governments. In countries such as

Venezuela, Bolivia and Ecuador, their respective governments have begun to re-nationalise and expropriate assets which had previously been owned by private (often foreign) companies. The FTA will provide strong legal protections against such developments in Colombia. However, paramilitarism in Colombia and the country's egregious human rights record continue to hinder the FTA ratification process. As such, US investors in Colombia currently lack the strong legal protections which would be afforded to them should the FTA be ratified. This paper will now address how paramilitary demobilisation has been used as part of a wider strategy to enhance the possibility of passing the FTA in Congress. This will highlight how ostensibly separate political and economic processes (in this case, the demobilisation process and the FTA) are in fact inextricably linked.

Paramilitary demobilisation and the FTA

For the GOC and US government, the demobilisation process has become the impetus behind calls for a vote to ratify the FTA in US Congress. This vote, however, has not yet materialised due to concerns regarding the GOC's poor human rights record. In particular, the FTA continues to be compromised by Colombia's paramilitary problem, with critics arguing that the GOC 'remains unresponsive to the violence endured by trade union leaders and seems to condone a culture of impunity' (see Chaskel and Bustamante 2008). These concerns are highlighted in a June 2007 statement on democratic trade policy by the leadership of the House of Representatives. On the specific issue of the FTA, the leadership stated that 'there is widespread concern in Congress about the level of violence in Colombia, the impunity, the lack of investigations and prosecutions, and the role of the paramilitary', and for the FTA to be considered, 'there must first be concrete evidence of sustained results on the ground in Colombia . . . Consequently, we cannot support the Colombia FTA at this time' (Pelosi *et al.* 2007).

The demobilisation process attempts to address this hurdle by distancing the GOC from Colombia's paramilitary groups. In fact, the process has been employed as a tool by the GOC and its supporters to claim that paramilitary groups no longer exist in Colombia. Such claims, as we shall see, construct a grossly distorted picture of the situation in Colombia. Nonetheless, this distorted picture serves an important function: the demobilisation process attempts to bolster the political legitimacy of the GOC in the hope of ratifying the FTA in Congress. Therefore, although appearing to be a political process at its core, paramilitary demobilisation is also underpinned by economic goals.

Paramilitary demobilisation as a public relations tool

Since the demobilisation process officially ended in 2006, the GOC has consistently asserted that paramilitarism no longer exists in Colombia. In his address to the United Nations General Assembly in 2007, the former Colombian President, Álvaro Uribe, spoke proudly of the 'dismantling of paramilitarism' in his country, proclaiming that in today's Colombia, 'There is no paramilitarism' only 'guerrillas and drug traffickers' (Uribe 2007, p. 4). Indeed, Uribe (2009) confidently claims that 'Colombia no longer has paramilitaries'. Similar messages have emanated from other Colombian officials. On his trip to Washington in July 2008, José Obdulio Gaviria, one of Uribe's presidential advisers, boldly claimed that 'paramilitarism does not exist today [in Colombia]' and that 'paramilitarism has ended' (Cambio 2008). This image of a 'paramilitary-free Colombia' is also doggedly employed by Uribe's allies in Washington in their attempts to pass the US-Colombian FTA in Congress.

Uribe's allies on Capitol Hill assert that the GOC has made significant progress under the leadership of President Uribe, arguing that he has effectively solved the paramilitary problem through the demobilisation process. This is highlighted by the comments of US Principal Deputy

Assistant Secretary of State, Charles Shapiro, who, in his testimony on US-Colombia relations before the US House Subcommittee on the Western Hemisphere in April 2007, claimed that in Colombia ‘a massive demobilization of nearly all paramilitary groups has been completed’ and that ‘paramilitary prosecutions and victims reparations programs are underway [sic]... the [Colombian] government has clearly stated that human rights abuses are not tolerated and that there is no shelter and no impunity’ (Shapiro 2007).

In April 2008, the then US President, George Bush, submitted the FTA to Congress in an attempt to force a Congressional vote on the trade agreement (HRW 2008a, Pelosi 2008). A month earlier, the Bush Administration released a ‘fact sheet’ on Colombia in an attempt to bolster Congressional support for the FTA and, in particular, to assuage fears in Congress regarding the continuation of paramilitarism in Colombia. The fact sheet states that ‘President Uribe has responded decisively to concerns over the situation in Colombia that have been raised by some Members of Congress’ (WHOC 2008). More specifically, Uribe has ‘demobilized tens of thousands of members of paramilitary fighters’ and ‘established an independent prosecutors unit and created a special program to protect labor activists, in response to concerns over attacks on trade unionists’ (WHOC 2008).

These arguments are echoed in US Congressional debates concerning the anticipated vote for the FTA in Congress. For example, David Dreier, a staunch supporter of the FTA, asserts that Colombia has changed. The GOC has completed ‘an amazing demobilisation effort’ (Congressional Debate 2009, p. H12129) and the government has ‘aggressively pursued’ the murderous paramilitary groups, which ‘have been systematically dismantled and their leadership imprisoned’ (Congressional Debate 2008, p. H2335). Such has been the extent of the GOC’s efforts that within a five-year period, Colombia has ‘gone through a more positive transformation than any country in modern history’ (Congressional Debate 2009, p. H12129).

Clearly, the demobilisation process is being used by both the Colombian and US governments to construct a favourable image of the former in an effort to convince Members of Congress that the human rights situation in Colombia has dramatically improved. State-paramilitary collusion is therefore being ‘plausibly denied’ by the GOC and US government, bolstering the political legitimacy of the former. Ultimately, these arguments have been vivaciously utilised in discussions regarding a Congressional vote on the FTA.

The ‘farcical’ demobilisation process

As we have seen, supporters of the GOC pronounce the demobilisation process as a complete success which has transmogrified Colombia. In reality, however, the process has been an ignominious failure. According to critics such as Hristov (2009a, p. 14), the process is ‘not merely a failure, but pure farce’. Despite the concerns of the UN, EU and other international organisations, which had expressed concern over the process’ lack of transparency, the nature of GOC-paramilitary negotiations and the paramilitaries ‘evident violation’ of the respective ceasefire (ICG 2004, p. 6, p. 9 n90, Springer 2006, p. 38), the demobilisation process was initiated in 2003. By its completion in 2006, the GOC claimed that 31,671 members of paramilitary groups had demobilised (Office of the High Commissioner for Peace [OHCP] 2006, p. 99). Given that the AUC was estimated to have between 15,000 and 20,000 fighters (see Arson 2005, p. 1), the demobilisation process has been heralded by the GOC and its supporters as being a complete success. However, such a high number of supposedly demobilised paramilitaries is very questionable. For example, it has been documented that paramilitary groups paid unemployed peasant farmers to pose as paramilitary soldiers and participate in the demobilisation process (Rafael 2010, p. 174). In Medellín, during the demobilisation of the *Cacique Nutibara* Block in 2003, the paramilitaries allegedly recruited common criminals from poor neighbourhoods and presented them as paramilitary soldiers during the official demobilisation ceremony (Hristov 2009b, p. 154, HRW

2010, p. 19). Indeed, based on surveys in Medellín, officials from the Permanent Human Rights Unit of Medellín *Personería* estimate that 75% of so-called demobilised paramilitaries from the *Cacique Nutibara* and *Heroes de Granada* Blocks were not really combatants at all (HRW 2010, p. 19). Such fraudulent activity has served to artificially inflate the number of demobilised paramilitaries. Moreover, the Organisation of American States' Mission to Support the Peace Process in Colombia (known by its Spanish Acronym, MAPP/OEA) have pointed out that 7,000 demobilised AUC members pulled-out of the demobilisation process, further noting that there has not been a 'true disarmament' of demobilised groups which continue to operate in various regions (MAPP/OEA 2009, p. 3, p. 6).

Demobilisation: engineered by the GOC to fail

A fundamental flaw of the demobilisation process is that it did not seek to uncover or dismantle the paramilitaries' political and economic infrastructures and networks. This allowed the easy formation of successor paramilitary groups which continue to operate throughout Colombia (to read more, see ICG 2004, p. 13, HRW 2005, 2008b, 2010, Goffman 2005, p. 50, Gill 2009, p. 21, Hristov 2009a, p. 17, 2009b, pp. 128-178). This flaw, however, should not be attributed to prosaic problems such as careless planning, a lack of funds or simple bad luck. Instead, the GOC created numerous obstacles which have impeded the process from dismantling paramilitary organisational structures. As HRW (2010, p. 24) stated, 'The government *actively resisted* efforts to dismantle paramilitaries' networks and to investigate their accomplices' (Emphasis added). In the first instance, the GOC took 'a remarkably weak position' throughout the government-paramilitary negotiations and the paramilitaries were not subjected to any form of punishment for violating the cease-fire, which was declared a fundamental part of the demobilisation process (HRW 2005, p. 22). Instead, the GOC has 'bent over backwards to accede to paramilitary commanders' demands' (HRW 2005, p. 22).

The original draft of the so-called Justice and Peace Law (LAW 975), the legal framework of the demobilisation process which was approved by the Colombian Congress in 2005, 'Gives paramilitaries almost everything they want' (HRW 2005, p. 2) and is indicative of the GOC's stance towards demobilisation. The original version of the Law greatly restricted Colombian investigators to fully investigate paramilitary crimes and their criminal networks. For instance, once a paramilitary member confessed to their crimes, the Law proposed a woefully inadequate 36 hours in which to launch an investigation and, should charges be brought against a paramilitary member, prosecutors were given only 60 days to complete their investigations (HRW 2005, p. 27, p. 52). Such a parsimonious time-frame made it 'unlikely that even the most cursory of investigations of their crimes' would be conducted (HRW 2005, p. 52).

The Law has since been modified by Colombia's Constitutional Court, which has addressed some of the Law's most serious problems (e.g. see HRW 2008b, p. 6, 2010, p. 18 n12). Nonetheless, even in its modified state, the Law offers paramilitaries, some of whom may have been involved in serious human rights violations, reduced prison sentences (a maximum of eight years), readjustment training and financial benefits (such as government stipends) (Hristov 2009b, p. 148). The Law, according to Hristov (2009b, p. 148), is 'one of the principle mechanisms of impunity by which the military and economic power of the paramilitary remain intact'.

Other GOC actions have stymied the demobilisation process. The Uribe administration has 'opposed and effectively blocked meaningful efforts to reform the [Colombian] congress to eliminate paramilitary influence', meaning that 'many of the congressmen who are under investigation have simply been replaced by other persons from the same tainted political parties' (HRW 2008b, p. 5, p. 16). Moreover, in 2008, the GOC took the decision to extradite 30 top AUC commanders to the US to face drug trafficking charges. The limited access afforded to Colombian prosecutors and judges to speak with the extradited commanders and the absence of a written agreement between the GOC and US government to coordinate judicial cooperation have severely

inhibited a thorough investigation of the commanders' crimes and paramilitary networks and structures (IHRLC 2010, p. 3). The incentives which had persuaded the commanders to give more complete confessions in the first place, namely reduced prison sentences in Colombia (the carrot) and the *threat* of extradition to the US (the stick), are now defunct (IHRLC 2010, p. 6). Predictably, since their extraditions, the paramilitary leaders' cooperation with Colombia investigators has effectively ceased (IHRLC 2010, p. 3. See also HRW 2010, p. 25).

The extraditions have therefore delivered a severe blow to paramilitary investigations just as they were beginning to make progress in uncovering paramilitary networks and their deep penetration of Colombian economic and political arenas (HRW 2008b, p. 4, IHRLC 2010, pp. 2-5). Despite this progress, the GOC cited the commanders' failure to comply with the Peace and Justice Law as the reason for their extradition (Colombia Reports 2008), which is inconsistent with events at the time. The decision to extradite has therefore been accused of being a 'smokescreen' to curtail the further escalation of the *parapolítica* scandal which implicated numerous politicians for their links to paramilitary groups, the majority of whom were members of Álvaro Uribe's governing coalition (Colombia Reports 2008, IHRLC 2010, p. 5). In this light, the extradition process has been a necessary step of damage limitation for both the US and Colombian governments to maintain their PR campaign to promote Uribe and the GOC on Capitol Hill.

The fundamentally flawed demobilisation process, engineered by the GOC to fail, has ensured that paramilitarism continues in Colombia and the process has enabled the real paramilitary soldiers to continue to commit human rights abuses and massacres whilst simultaneously appearing to be laying down their arms (Rafael 2010, p. 174). However, the demobilisation process is being used to enhance the legitimacy of the GOC in the hope of ratifying the FTA in Congress, most notably to protect large amounts of US investments in Colombia. This article will proceed to argue that the Colombian government wanted the process to fail not simply because of the GOC's fears that the guerrillas could fill the vacuum left by the paramilitaries (Chernick 2007, p. 59, p. 76) or because of concerns that a proper investigation into paramilitary structures would uncover the links between the Uribe coalition and the AUC, but because the paramilitary groups continue to serve a functional purpose. Primarily, paramilitary terror continues to be instrumental in the creation and maintenance of conditions, such as low labour costs and access to land, which are conducive to the expansion of the neoliberal programme in Colombia, to which the GOC is a fervent advocate.

The continuation of paramilitary terror in Colombia

Paramilitary groups have for some time systematically targeted key sections of Colombian civil society with the intention of maintaining and cultivating a climate of fear amongst a specific audience. This intentional demonstration of force constitutes a clear form of state terrorism, which is instrumental to realising a set of interrelated and mutually supportive political and economic goals. As Stokes (2005, p. 123) has argued, paramilitary terror has for a long time played a fundamental role in Colombia's US-supported counterinsurgency campaign in 'the maintenance of a stability geared towards the preservation of capitalist socio-economic relations and the continued and unhindered access to Latin American markets by US transnationals'. According to Stokes, this counterinsurgency initiative has simultaneously led to the suppression of progressive social forces considered to be 'subversive' and inimical to capital interests, as well as concerted efforts to protect and control areas of economic importance threatened by guerrilla or insurgent attack (principally oil rich areas), with the paramilitaries as the primary perpetrators of extra-judicial killings and forced displacement towards these ends. Paramilitary forces, as a 'paraextension of the state's coercive apparatus' (Hristov 2009b, p. 58), have long served to 'protect the interests, privileges and power of the oligarchy and foreign enterprises by attacking any social forces that might block or challenge them' (Hristov 2009b, p. 77). Hristov further argues that forced displacement by the paramilitaries benefits a number of groups, including members of the paramilitary forces themselves, the landed

elite, and large MNCs. Similarly, Raphael (2010) emphasises the communicative objectives behind paramilitary terror in the defence of the political and economic *status quo*. He demonstrates that with well established links between paramilitary groups and the Colombian ruling elite and armed forces, the perpetration of paramilitary violence against specific sections of society is ‘designed as a form of communication to those watching, and therefore can be understood as a clear form of state terror’ (p. 178).

A direct consequence of the failed demobilisation process has been the emergence of successor paramilitary groups and the clear continuation of paramilitary-state terrorism. Indeed, throughout the demobilisation process, successor paramilitary groups, often composed of former AUC members, began to appear across Colombia, filling the vacuum left by the AUC (HRW 2010, p. 4). In 2007, Amnesty International (AI) reported that ‘more than 3,000 killings and enforced disappearances of civilians were attributed to paramilitary groups since they declared a “ceasefire” in 2002’ and these violations are increasingly prevalent (AI 2009, CCJ 2009). Successor paramilitary groups, with an estimated 4,000 to 10,200 members (Colombian NGO Platform 2008, p. 4, Semana 2008, HRW 2010, p. 3), reportedly have ‘the same size and reach as the AUC before the formal demobilisation [process]’ (IDMC 2009, pp. 6-7). On his mission to Colombia in June 2009, Professor Philip Alston, UN special rapporteur on extrajudicial, summary or arbitrary executions, stated that ‘the economic and command and control structures of paramilitaries do not appear to have been fully and effectively dismantled’, and that ‘killings by groups that include formerly demobilized paramilitaries continue at a disturbingly high rate across the country’ (UN 2009). This clear continuation of paramilitary violence in Colombia is also documented by various NGOs and scholarly sources (HRW 2005, 2010, Hristov 2009a, 2009b, Brittain 2010, pp. 134-137).

Crucially, contrary to the GOC’s depiction of successor paramilitary groups as exclusively drug trafficking (i.e. criminal) gangs, there is considerable continuity in the way paramilitary forces operate. In addition to their relationship with narcotrafficking, successor paramilitary groups ‘practice the same “modus operandi” of traditional paramilitarism’ (CODHES 2009, p. 7), with well documented links to the GOC and armed forces (MAPP/OEA 2007, p. 6, UNHCHR 2008, CODHES 2009, p. 7, HRW 2010, pp. 99-107). This paramilitary violence continues to be directed at specific civil groups in order to maintain a climate of fear amongst their members. In this way, paramilitary-state terrorism continues to advance interconnected political and economic goals by suppressing progressive social forces that may challenge capital interests. For the paramilitaries, it is ‘the defense of the political and economic *status quo* that is most important’ and they continually attack those populations that ‘adopt—or belong to a collectivity deemed to hold—a rebellious stance toward existing socioeconomic arrangements’ (Jones 2004, p.129).

Paramilitary forces, as the main perpetrators of state terrorism in Colombia, continue to use extra-judicial killings, forced displacement, disappearances, intimidation and threats to influence the activities of various movements jockeying for social reform such as labour unions, workers organisations, and others. By helping to insulate the state from these forces, paramilitary groups continue to play a prominent role in maintaining the political and economic ‘stability’ attractive to foreign investment in Colombia, as unarmed civil movements which oppose the existing socio-economic arrangements are violently challenged and silenced. In addition, successor paramilitary groups also contribute to the crisis of displacement in Colombia, through selective assassinations, coercion, and intimidation in expanding territorial control vis-à-vis the guerrillas and gaining control of areas of economic interest. This adds a critical dimension to the political economy of paramilitary demobilisation: whilst promotion of a ‘paramilitary free’ Colombia is instrumental in garnering the political support for the FTA with long-term economic benefits for US investors, the demobilisation process also functions to mask existing links between the GOC and paramilitary terror.

The terrorisation of Colombia's trade unions

Paramilitary violence directed at Colombia's trade union movement is paradigmatic of how such violence constitutes state terror. Colombia has long been recognised as the most dangerous place in the world for trade unionists. Since 1986, estimates put the total number of murdered trade unionists in Colombia at 2,534 (Colombian Trade Union Federations [CTUF] 2007, p. 22, table 2) to well over 4,000 (see Kovalik 2007, p. 159). According to the CTUF (2007, p. 19), from 1986 to 2007, an average of one Colombian trade unionist was killed every three days. As part of the GOC's counterinsurgency strategy, paramilitary forces have typically been the main perpetrators of state terror against trade unionists in Colombia (Stokes 2005, Hristov 2009b).

After the so-called 'demobilisation' of the AUC, and in light of proclamations that Uribe's administration has increased funding for prosecuting the killings of trade unionists and has created various programmes to protect worker organisations, one would expect the terrorisation of trade unions to attenuate. Indeed, sections of the US mainstream media report an improvement in trade union conditions in Colombia. For example, the Wall Street Journal (WSJ 2008) reports that by the end of 2007, Colombia experienced an 87% decline in trade union murders. Such claims, as discussed above, have been enthusiastically utilised in attempts to pass the FTA.

However, the available data strongly suggest that trade unionists continue to be targeted. According to the International Confederation of Free Trade Unions (ICFTU, 2009), 49 Colombian trade unionists were assassinated in 2008, a 25% increase from 2007 and 16 (33%) of these victims were union leaders. In 2009, a further 48 trade unionists were murdered, of which 22 (46%) were union leaders (ICFTU 2010). During the first five years of the Uribe administration, 2,402 violations against trade unions were recorded, including threats, homicide, arbitrary detention, harassment, and forced displacement, with more unionists assassinated in Colombia than anywhere else in the world combined (CTUF 2007, p. 20, table 2, p. 22, table 4, USLEAP 2008, p. 1).

Other supporters of the GOC argue that the murder rate of trade unionists is lower than that of an ordinary citizen in Colombia (e.g., see Will 2008). This has become a strong argument in the armamentarium of US politicians who are trying to push Congress for a vote on the FTA. However, this use of the murder rate of trade union members is entirely misleading and obfuscates the real situation in Colombia. As HRW (2009b) point out, this argument

compares apples and oranges: the supposedly "ordinary" citizen includes many people at unusually high risk of being killed, including drug traffickers, criminals, and people living in combat zones, which skew statistical results. The national homicide rate (33 per 100,000 in 2008) is exactly the same for all these people as it is for civilians in the safest neighborhood in the capital, Bogota.

Moreover, Claudia López notes the risk of assassination is substantially higher for labour union leaders (as opposed to all union members): in 2008, the homicide rate for union leaders was 48 per 100,000 but for the so-called 'average citizen' it was 33 per 100,000 (López 2009).

It is also important to recognise that using lower homicide rates of trade unionists as an indicator of improving labour conditions is problematic: the terror tactics may simply be shifting. So entrenched and consolidated is the paramilitary campaign of terror against unionists and other worker organisations that paramilitary terror does not merely need to be exercised through direct violence, but rather is perpetuated through the maintenance of a climate of fear. In this way, much of the 'ground work' of paramilitary-state terror has been completed, paramilitaries increasingly only need to rely on threats and intimidation to complete their objectives. For example, in the period 1986-2007, from a total of 8,601 cases, homicide was the greatest violation committed against trade unionists, constituting 29.4% of total violations (CTUF 2007, p. 20, table 2). However, during the first five years of the Uribe administration (2002-2007), threats to trade unionists constituted the greatest type of violation, representing 57.2% of total violations, followed by homicide, representing 16.5% (CTUF 2007, p. 22, table 4). NGOs operating in Colombia have also reported

the high volume of threats issued by paramilitaries. For example, in the first half of 2008, HRW (2010, p. 40) notes a ‘wave of threats against human rights groups, trade unionists, and others, usually signed by Black Eagles or other successor groups’ and points out that ‘trade unionists, who were frequently targeted by the AUC . . . have faced continued threats and violence from successor groups’ (p. 44). Indeed, this continued terrorisation of Colombia’s trade unions is largely attributable to paramilitary successor groups (HRW 2009b, 2010, p. 44).

The effects of such threats are highlighted in a HRW interview with a representative of ASINORT, a teachers union for the state of Norte de Santander, who said that ‘the violence has transformed itself . . . [T]hey kill a few and threaten the rest. The threat is effective and people are afraid of speaking out . . . Among the unionists, fear prevails, [and union activity] is almost underground. We keep the lowest profile we can’ (HRW 2010, p. 45). Therefore, as USLEAP (2008, p. 1) explains, ‘A decline in the number of murders hardly creates the political conditions under which workers can freely exercise their basic rights. Even if all trade union killings stopped tomorrow, it would be a long time before workers in Colombia would feel free to organize without fear of violent reprisal’.

Unlike common crime, the communicative power of such targeted threats ‘have a profound chilling effect on workers’ ability to exercise their rights’ (HRW 2009a, 2009b). In this respect, the systematic violent and threatening treatment of trade unionists by paramilitary agents of the GOC represent part of the machinery of state terrorism. It is these communicative acts of paramilitary-state coercion that deter this particular form of collective action. The paramilitary terrorisation of these groups is also the principle mechanism by which the GOC can quell political opposition to the existing political and economic *status quo*. Furthermore, as the UN’s professor Alston notes, there continues to be an ‘alarming level of impunity’ for paramilitaries in Colombia (UN 2009), with the impunity rate for violations against trade unionists at a staggering 96% (USLEAP 2009). In line with the definition of state terrorism outlined above, the impunity which the GOC grants to its proxy army of paramilitary fighters demonstrates how the state is integral to deliberate acts of violence directed against individuals the GOC has a duty to protect.

As the ICFTU (2010) argue, ‘The historical and structural violence against the Colombian trade union movement remains firmly in place, manifesting itself in the form of systematic human and trade union rights violations’. In this way, paramilitary terror has been and continues to be instrumental in maintaining the labour conditions beneficial to national and international capital interests and the overall neoliberal agenda. By terrorising unions and workers organisations, paramilitary groups have facilitated lower labour costs and secured privileged bargaining power for corporations vis-à-vis labour and workers movements. The results of the terrorisation of Colombia’s workers are palpable. The minimum wage in Colombia remains below \$2 per hour and in 2003 the average hourly wage was \$1.34 per hour (See USITC 2006, p. 6-21, Box 6-4). Over half of the working population (52%) earn less than the national minimum wage and 85% of the working population receive incomes less than double the minimum wage (Vasquez 2005). Only 4.8% of Colombia’s working population is unionised (CTUF 2007, 104, table 15. Figures refer to 2006) and this rate of unionisation is approximately 50% lower when compared to 1984 (USLEAP 2008, p. 3). Such developments have made Colombia especially attractive to foreign investment, as labour costs remain low keeping profit margins high. Colombia’s rapid growth of inward FDI, an important facet of the neoliberal programme, attests to this. Moreover, paramilitary terror and the suppression of social forces considered detrimental to capital interests have been linked to national and international businesses. The court cases against Coca-Cola, Chiquita and Drummond that have been filed for their support for paramilitary groups in the terrorisation of unionists are indicative of the links between paramilitary terror in support of the interests of national and multinational business interests (for example, see Hristov 2009b).

Paramilitary terror and forced displacement: the political economy of a war strategy

The symbiotic links between political and economic motives behind paramilitary terror are further exemplified by the paramilitaries' involvement in forced displacement. While forced displacement through terror tactics is a strategy employed by all of Colombia's armed groups for territorial control, there are clear economic objectives underpinning paramilitary land grabs which function to secure land for capital expansion and valuable natural resource extraction in various regions throughout Colombia. The Internal Displacement Monitoring Centre (IDMC) notes that forced displacement, along with other human rights violations carried out by paramilitaries, are not only an 'explicit strategy to separate the guerrillas from their perceived popular support base' but are terror tactics which are employed to 'gain control over land, natural resources and strategic roads' (IDMC 2009, p. 14).

The problem of internal displacement in Colombia should not be understated. An estimated 3.3 to 4.9 million people have been displaced, representing 7 to 11% of Colombia's total population (see IDMC 2010). Consequently, around 5-10 million hectares of land have been abandoned (see IDMC 2009, pp. 28-29), contributing directly to the extremely unequal levels of land distribution, where 1.4% of landowners possess 65% of Colombia's agricultural land (Hristov 2009b p. 76, see also PBI 2010). Interestingly, levels of displacement have actually increased after demobilisation, with paramilitary forces responsible for a sizeable portion (Acción Social 2009, CODHES 2009, Comisión de Seguimiento 2009, table 7, p. 17, HRW 2010, p. 7-9).

It is important to highlight that displacement should not be simplistically viewed as a by-product of combat. Rather, forced displacement is aimed at 'impeding collective action, damaging social networks, and intimidating and controlling [the] civilian population' (Ibáñez and Vélez 2008, p. 662 See also Springer 2006, p. 21). Consequently, it is generally accepted by NGOs and bureaucrats working with Colombian IDPs that forced displacement constitutes a deliberate strategy of war (Muggah 2000, p. 204). It is, however, also consistent with patterns of state terrorism. In the Colombian case, displacement by paramilitary groups is a deliberate strategy directed at civilians in areas where the GOC and paramilitaries believe the population may be sympathetic to insurgent guerrilla groups. One political goal, then, is to instil fear amongst people living in areas perceived to be supportive to the guerrillas. Indeed, the long-standing trend of displacement in Colombia has been the forced displacement of individuals or single households, although cases of massive displacement (defined as more than 50 individuals fleeing at once) are rising sharply (Lari 2007, p. 6). Displacement of the latter kind can also be a political strategy of denying the guerrillas territorial control. These political functions, however, are also mutually supportive of and intrinsically linked to economic motives: forced displacement by paramilitary groups has direct links to capital interests and, in particular, forms part of a process of capital accumulation.

In this light, the IDMC observe a 'strong co-relation between internal displacement and the presence of multinational companies in Colombia. The regions richest in natural resources are also the ones most prone to internal displacement' (IDMC 2009, pp. 14-15). Similarly, Gary Leech (2009a) contended that 'much of the displacement is being perpetrated by the military and newly-formed paramilitary groups in regions that contain valuable resources or economically-valuable land' adding that 'significant displacement has also occurred in mining regions where multinational corporations are seeking to exploit Colombia's extensive mineral reserves'. Lari and Kurtzer (2008) highlight that since the beginning of 2008, over 4,000 people were displaced in the department of Arauca, an area with significant oil deposits, as illegal armed groups in the area 'have been escalating conflict in order to control areas of future [resource] exploration'. Lari and Kurtzer also note that the continued exploration for oil in the area, mostly by MNCs such as US-based Occidental and Spanish Repsol, has 'ignited fighting among illegal armed groups and between them and the national army', adding that

the violence has been concentrated around areas of natural resource extraction and has caused many Colombians to flee their homes and take residence in urban centers. Community members reported to Refugees International instances of selective assassinations, intimidations and death threats as major causes of displacement.

Similar processes continue to occur in areas engaged in the African palm oil cultivation, an industry which is enjoying strong growth. The GOC aims to further expand the palm oil industry as part of development programs designed to attract investment, with areas under palm oil cultivation projected by the GOC to increase rapidly (*Vision Colombia: Colombia Segundo Centenario* cited in Oslender 2007, p. 760, Carroll 2008). Numerous NGO, academic, and media sources have documented how paramilitary groups have been instrumental in acquiring the land needed for palm oil cultivation by forcibly displacing local communities and then subsequently protecting the assets and interests of companies that operate on the land (Mingorance 2006, Balch and Carroll 2007, Oslender 2007, Leech 2009b, PBI 2010). Paramilitary terror within the palm oil industry is extensive. Human Rights Everywhere (HREV) highlight a ‘Colombian “model” of agro-industrial development which is legally transgressive, socially harmful, and relies on the violence of paramilitary groups to expand and exert territorial control’ (Mingorance 2006, p. 48). This model of palm oil agro-industrial development is characterised by four basic elements: (1) paramilitary ‘armed incursion’, leading to the (2) ‘illegal and violent expropriation of land’ and (3) ‘forced displacement’ and then subsequently (4) ‘the planting of palm on the “conquered” land’ (Mingorance 2006, p. 24). A *Guardian* news article reports that in 2008, 23 palm oil plantations in the Urabá region alone were being officially investigated by prosecutors for their links to paramilitary forces (Carroll 2008). Moreover, for the US, the importance of palm oil as an alternative biodiesel fuel is projected to increase in the future (Palm Oil Truth Foundation 2006).

Conclusion

Colombia’s paramilitary demobilisation process has failed to solve the country’s paramilitary problem. Yet, despite the ‘farcical nature’ of demobilisation, one could argue that for the GOC it has been a success: the implementation of the process has better equipped the GOC to plausibly deny links to paramilitary groups. In fact, the GOC now denies the very existence of such groups, with supporters on Capitol Hill in enthusiastic agreement. Moreover, by distancing the GOC from paramilitarism, the demobilisation process forms an essential part of the US-GOC initiative to ratify the FTA in Congress to protect vast amounts of US investments in Colombia and to safeguard similar investments in the future. As such, this paper has shown that, in the context of studies on state terrorism, it is useful to analyse both the political and economic motivations of purported ‘peace processes’ which, rather than atrophy state terror, can simply mask it. Indeed, Colombia’s paramilitaries continue their widespread operations in Colombia. These terror tactics serve an important function for foreign (mainly US) investments as part of a larger process of the increasing neoliberalisation of Colombia. Firstly, by terrorising progressive civil groups which seek political and economic reform, such as Colombia’s trade union movement, paramilitary groups create conditions which attract foreign investment to Colombia. Most notably, wages remain low, working conditions remain poor, and the profits margins of MNCs remain high. In Colombia, the rapid increase of FDI, an important facet of the neoliberal programme, attests to the attractiveness of the country to foreign investment. Secondly, paramilitarism continues to enable companies to access areas of economic interest by displacing scores of people who had previously lived in these territories. A contemporary and emblematic example of this is Colombia’s African palm oil industry, where large numbers of Colombians are being forcibly displaced from their homes, these areas are subsequently occupied by paramilitary forces and eventually used for lucrative palm oil cultivation. Therefore, in addition to keeping labour costs low, paramilitaries also enable foreign investors to

acquire or operate on land which, without coercion, would be challenged by the people previously living on the 'conquered' land. In addition, as outlined above, the legal provisions of the FTA will protect US investments from the expropriation of assets by the GOC, including land. In this way, passing the FTA will largely consolidate the land attained through paramilitary forced dispossession, by officialising and protecting the property rights of those MNCs that operate on land taken illegally through paramilitary terror.

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