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Violence and Modernity

Reflections on the Present Situation in Colombia¹

For this accumulating horror is not the essential. One can list the details interminably. Yet one cannot recount the meaning of a day, starting with waking up at four-thirty in the morning and ending with a curfew. The harassing work, perpetual hunger, the permanent lack of sleep, the bullying of the *Capo*, latrine fatigue, blows by the SS, working in assembly-lines in the munitions factory, smoke from the crematorium, public executions, endless roll-calls in winter snow, exhaustion, and the death of friends can neither touch what is essential, nor reveal the glacial mystery of that experience, its sombre shining truth. The darkness on which we foundered was fated. What one founders on is fated for all eternity. Or rather, for all history.

Jorge Semprun, *Literature or Life*

This study proposes looking at the present Colombian situation both descriptively and normatively. In particular, we want to offer a more precise description of specific characteristics of Colombia's situation. But we will also critically examine the bond that ties Colombia to modernity – and especially the liberal aspect of modernity. The central thesis is: in order to understand the Colombian armed conflict one needs to analyse its role in a society that unceasingly claims membership in the liberal tradition. This happens in the dominant political regime as well as in the aspiration of its elites, even though they have not tried to lay the social foundations for such an aspiration.

More accurately, then, Colombia presents the case of a country that – today more than ever before – makes this claim, while letting armed violence systematically destroy the sociological foundations required to become “modern”. Colombia also basically assumes a social ethic. Now, as European

¹ This text originates in a conference on Nov. 26–27 2009, organized by CRHIA (University of Poitiers) and CIREMIA (University of Tours), on the following topic: “The Role of Art and Artists in the Colombian Peace Process”. The initial title of the conference was: “Representing the body, reflecting on public space. Lessons from Colombia and elsewhere”. This text takes up its principal elements. An introductory section was added, and certain developments in Colombian society were noted during a stay in Colombia, as invited professor between Jan. and June 2010 (Universidad Nacional and Universidad de Los Andes). This text was also used for a lecture at the Universidad del Norte, Barranquilla, on Apr. 26, 2010 on “Democracy and Violence. Reflections based on the Colombian Case”. The author would like to thank Marie Estrépeut-Bourjact and Juan-Manuel Echavarría who allowed him to discover a part of Colombian artistic activity; Leopoldo Munera for his always helpful comments on the specifics of national political life, as well as on political theory in general; Alfredo Gomez-Muller for his invitation to the colloquium in Nov. 2009; and, the students of the Universidad Nacional and the Universidad de Los Andes whose many suggestions provided incentives for reflection.

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history has demonstrated, such an ethic can never be exclusively produced by liberalism. On the contrary, its original impulse is society's critical power, through resistance to State control *as well as* to commodification. Our reflection is dedicated to the absence of such an impulse in Colombia, while it claims to be liberal, a situation to which society pays a very heavy tribute.

In this paper, the conflict will, therefore, be widely interpreted as an ideal-type of those contradictions which are reflected throughout the whole modern Liberal tradition. The contradictions appear when the liberal tradition finally becomes self-referential, i.e., when it calls for the immediate applications of its own principles without building social foundations for the society as such. Karl Polanyi has shown, in an analysis of considerable scope, how the self-referential character of Liberalism opened the way to mass destruction on the European continent during the thirties (cf. 1944). In line with such a perspective, this study seeks to trace how Colombian society itself is full of different kinds of violence due to having failed to dissociate politics from strict parliamentary representation; for not having recognized the crucial role of social movements and popular autonomous groups; and for not having massively redistributed and encapsulated the free-market into steady social regulations.² One question, though, remains open: how can one reconstruct this society's logic?

From a traditional Liberal perspective, the claim to individual autonomy – associated with the spread of institutions that guarantee civil liberties – manages to ignore social connections which organise the practical mechanisms of equality and liberty, that is to say, the means of autonomy. Such a tradition also obliterates its own role in violence and, even more profoundly, in the multiple forms of subjection, that are supposedly “required” by the pursuit of well-being and the formation of a political framework based on property rights. Yet these forms of subjection go far beyond listing lasting social inequalities, essential as that may be. In fact, they are the clue to the problem of what Hannah Arendt calls “the banality of evil.” On behalf of “systemic coherence”, they justify the eradication of the other's experience, as well as the other's fundamental wish for a worthy life. They open up a largely instrumental understanding of political action, and abandon seeking the moral significance of those complex situations in which such issues may appear (cf. Arendt 1963: 169–173). Beyond Arendt, however, we shall consider that the demand for another modality of political action is not enough to terminate it.

On the strength of Marx's early writings, and the work of the sociologist

2 There are many definitions of modernity. We have limited ourselves to two reference works that offer a critical analysis of Liberal Modernity, and help us towards a more complete and complex definition of modernity. In the eyes of these analysts, modernity is characterised by the tension between rationality and subjectivity (Touaine 1995 & 1997); or between a Liberal tradition, socio-economic and cultural structures, and social movements (Hobsbawm 1962, 1975 & 1987).

Zygmunt Bauman (cf. Bauman 1989; Marx 1970, 1998, and 2007), it seems to us that what is at stake basically relates to the “division of labour” throughout society. It prevents society from thinking about itself as a common space that extends beyond the objective functions accomplished by society's individual members. That would reduce human beings to simple abstract entities. The anthropological limit that human life roots in embodied singularity would then be overcome. The search for “equal dignity” originates there.³ Without such a limit, *ignoring then becomes the rule, not in the sense of someone ignoring what happens, but in the sense of a society not having the means to leave the situation behind. Such a situation is considered inevitable, because it is perceived as an essential condition of “progress.”* The complexity of Colombian society, which reflects an increasingly heterogeneous modernity, however, requires considering the notion of “division of labour” within a pluralist perspective: a division of *criminal* labour through the distribution of roles which the war has imposed on all the armed agents; a division of *economic* labour, which increasingly enmeshes the Colombian economy in globalization, dominated by the rules of the market; and a division of *political* labour through the clash between a Liberal-authoritarian State and a fragmented society.

This forms a set of complex processes. These processes give expression to the anthropological dispositions, which – in the desire widely expressed by the Colombian society to become “modern” – also count among the powerful anthropological factors that perpetuate the “state of war.”⁴ As Zygmunt Bauman emphasizes, it is not only “the war” that suspends morality. The suspension of morality is mainly due to multiple divisions of labour that privilege functional specialization, and, therefore, widely forget the issue of human singularity. Such divisions assimilate the other as the simple expedient of the market's self-producing dynamic, or of bureaucracy, which substitute “moral responsibility with technical responsibility.”⁵ Consequently, this type of collective organization promotes effacing a common moral sense, which all of society needs in order to constitute itself as a human society.

This is the paradox of the armed conflict in Colombia, beyond the images

³ For the latter term see Kis 1989. In a life's universal singularity, assuming the vulnerability of the flesh, a double prohibition is settled: the prohibition of murder and the prohibition of objectivity.

⁴ The expression “state of war” is also defined by the authors of the project Planeta Paz in a document that presents the Colombian situation to the European Union: peacekeeping “does not simply mean overcoming the armed conflict by incorporating all combatants into civil life or by the military defeat of armed groups that are considered to be illegal. Rather, it means eradicating the state of war from the Colombian social life, in which the majority of Colombia's inhabitants live: the permanent uncertainty of obtaining the necessary means to guarantee a... dignified life as well as access to the possibilities of self-realization, which the contemporary world offers.” Cf. Corporación Derechos Para la Paz (CDPAZ) – Planeta Paz 2009.

⁵ The expression “substituting a moral rationality with a technical rationality” originates from Zygmunt Bauman (1989).

and stereotypes, which are themselves caught in the play of media polarisation: it is rooted in the desire for modernity – for a partial modernity. The background of a self-referential Liberal tradition provides the means for a growing collective indifference; it also stresses the importance of the connection between military violence and other forms of violence. At the same time, it offers perspectives on transformation.⁶

Beyond analysing the most salient characteristics of Colombian society, this analysis then attempts to account for the internal divisions which the Liberal tradition accepts, without measuring their deadly potential. Following this approach, we will see that the paradoxical relationship between Colombian society and Liberal modernity is not inevitable. We will conclude with some perspectives that allow for *another vision of modernity*. It is an essential condition, if not for a complete cessation of hostilities, at least for Colombian society to be able to establish a reflexive relationship to itself, as a prerequisite for peace – a type of peace based on the search for justice (cf. Suárez 2009).

1. Colombia Today: Complexity, Co-existence, Critics

To understand the intention that underlies this essay, we must specify the nature of our objective. It is not difficult to get a clear impression of the political regime in place and the instruments at hand that reproduce their “bellicose logic,” when we try to avoid propaganda that reduces the armed conflict to a simple “fight against terrorism.”⁷

Evident and huge crimes against humanity are committed by military and paramilitary groups in response to a guerrilla, which has in turn distanced itself from its initial emancipating project and participates in atrocities.

6 This hypothesis is advanced by Projeet Planeta Paz. See especially González Posso, Herbolzheimer and Montaña Mestizo 2010.

7 This expression frequently recurs in the discourse of former President A. Uribe with regard to the guerrillas (primarily the FARC). It belongs to the “axis of evil” rhetoric that former US-President G. W. Bush initiated after the Sept. 11, 2001 attacks, which, in turn, is part of a qualification of groups who use military and violent means, resisting strategies of territorial implantation by governments whose legitimacy is contested. It is, for example, the case with Palestinian Hamas, which likewise is reduced to the level of terrorists by Israel and the United States. Independent of one’s judgement about these actors, one has to note that the qualification implies the *re-qualifying the armed conflict itself*, in order to extricate it from “constraints” imposed by the rules of war and by international humanitarian rules. This departure from the international legal frame allows using every military means at the State’s disposal, in order to assure “security.” The effects on the civil population are that they participate in a strategy that legitimizes an exceptional State on a large scale. At the time of writing this chapter, it seems most likely that this strategy is also pursued by the successor of President Uribe, Manuel Santos, though through different means. For peace initiatives cf. also V. Bouvier (ed. 2009) (note of the editor).

Likewise the most visible elements of the State apparatus (Ministers, members of the armed forces, the President, etc.) constantly justify the reinforcement of their influence on society in the name of a security response for peace. Further examples include the menace that threatens the organisation of victims’ defence; the many limitations to, or obstacles for, the judiciary’s functioning; and the political games that privilege power conquest over immediately exiting the war. They all emphasize that the justification of an authoritarian State which abandons the most vulnerable members of the population cannot find – on ethical or political terrain – any serious argument in their favour. “Colombian reality” is, then, fully explained when one adds to this that Colombia is intricately involved in the international division of labour; that it is characterised by one of the most significant levels of inequality on the continent, which is a structural cause behind the existence and development of drug trafficking; and, that its public sphere is marked by a recurrent menace threatening public goods, such as universities.⁸ In line with such descriptions, the propaganda of those in power could be confronted with an accurate catalogue of oppression and complicity in oppression by the dominant interests, *though without making such a catalogue credible in the eyes of a large part of the population and of what is conventionally called the “international community”*. The reason is that such a catalogue cannot ignore several difficulties. Such difficulties can be accounted for by three notions: complexity, co-existence, and critics. We will consider them in the paragraphs below.

The first difficulty relates to what one can provisionally name *the myth of exceptional political violence*. The Latin-American “case” would be particularly convincing. Only by confronting it directly, can a diagnosis detract from the vision, largely present in Europe and the United States; of Colombia as the (violent) exception to the common rule (of civility). Similarly, in an extraordinary conjunction of factors that support the logic of war, and because of the extent of the violence and how it participates in the country’s ordinary functioning, Colombia would be the worst student of a westernized class, won over to the idea of an objective alliance between Liberalism, peace, and social progress. Yet such a mix of views causes a double problem. On the one hand, it smoothes over the general discredit of a country like Colombia in the eyes of the most modernised nations. It again “naturalises” the western idea that “there is nothing to be done.” In a more sophisticated formulation, it avoids engaging critical reflection on all the causes that globally work to generate the Colombian armed conflict. On the other hand, such an approach risks dismissing the manner in which Colombian society responds to violence, and tries to establish an institutional network dedicated to it. This observation does not imply that Colombian institutions do not encounter huge problems; but rather that it is crucial to take into account a

⁸ For figures on these issues cf. Appendix.

certain level of complexity when looking at the Colombian situation. This complexity refers to being *in* the conflict and coming *from* the conflict at the same time.

Let us look at an example. More than a year ago (on 2 March 2010), the Constitutional Court pronounced against the option of organising a referendum that would allow the former President A. Uribe to stand for a third term. This option was deemed unconstitutional. At first glance, this "institutional resistance" to authoritarianism seemed to attest to a certain democratic maturity. Nevertheless, one could see during the parliamentary elections that followed (14 March 2010), that not only did the large majority support the President's party, but also that the chambers of Parliament were organised in a very asymmetrical way. The democratic Left was very weak there. Furthermore, it included representatives of a "new party", formed explicitly by political elements issued from paramilitary groups (PIN).⁹ This time, the parliamentary institution revealed its vulnerability in the face of a state of war, with a functional imbalance the inevitable result.

The question is, thus, not whether or not Colombia has got institutions, but what type of normative principles, and what modes of concrete organisation, stand behind them. Comprehending Colombian institutional complexity presupposes, moreover, managing to understand the "interpretive systems" on which it relies – indeed the conflicting interpretations throughout – as well as their capacity to produce representations of the conflict which articulate different levels of analysis.¹⁰

The complexity in question characterizes not only the institutional level. It relates to "context" and "conflict" itself. Maria Paula Saffon and Rodrigo Uprimny remind us of this in an important text about transitional justice. Regarding the context, the relevant complexity in their eyes arises from "the profound influence of the international community, especially the United

States, the ambiguous nature of the political regime, and the extreme polarization of Colombian society." Regarding the conflict, they identify four factors: "This is one of the oldest conflicts in the world," along with the Israeli-Palestinian and Indo-Pakistani conflicts. Not two groups, but many groups oppose one another: State, guerrilla groups, and paramilitary groups. The last factor adds to the complexity "to the extent in which pro-system groups, who have never been opposed by the State, but have been illegally aided in the State's battle against the guerrillas" act. Because of its duration, but also its multiplicity, and the heterogeneity of the participants, it is difficult to qualify the conflict. Finally, complexity lies in the number of victims and their dramatic situation. This is especially true, since most victims, except for those who are kidnapped, come from the most powerless social strata (2009: 166–173).

The second difficulty is similar to the first, but it concerns Colombian society as such. A diagnosis, as we gave above, cannot comprehend the coexistence of political-military violence *and* the pursuit of well-being. More precisely, it cannot explain the perpetuation of violence *combined* with the continual rise in aspiring to material prosperity standards, which accompany modernity. One could respond that material well-being is reserved for urban upper and middle classes. Since they constitute an extremely small fraction of the population, the matter could not be significant for a description of Colombian society. This is true, but only partially. Urban centres or regional security zones are actually protected from the most obvious incursions of conflict. They exist alongside with the violence that takes place in the poorer quarters of large urban conglomerations, or just outside the perimeters of Colombia's protected political and economic life. But still, this has a major consequence: it does legitimate the aspiration of a large part of the population to live within the conflict, in spite of everything, and deploy a mode of life exactly like that of their western colleagues.

The co-existence of political-military violence with the pursuit of well-being seems to us to have two consequences. Acknowledging the ties between prosperity and political-military violence firstly allows one to avoid premature representations of Colombian society as consisting of two opposing worlds, that of extreme wealth and extreme poverty. Even if these two elements form part of Colombian sociology, it is important not to reduce the country's socio-economic situation to this dichotomy. In between there is a whole range of intermediate situations, particularly the urban middle classes, which in themselves are quite heterogeneous. This position also allows one to investigate the social and symbolic status of consumer practices. One already knows that these not only offer access to basic necessities, as is the case for a very large part of the population, but they also define a way of self-expression, a way of representing reality that has a commercial origin. This is seen in the elites' attachment to promoting public consumption, particularly where a tangible connection to narcotraffic exists. It is equally seen in how big urban

9 On entering the two chambers of Congress (Senate and Chamber of Representatives), this party obtained eight per cent of the vote. That places them fourth, behind the party of President A. Uribe (the U 25 % of the vote) and the two traditional parties, the Conservative Party (20 %) and the Liberal Party (16 %).

10 One could think, based on the work of N. Luhmann, that the message of the Constitutional Court was addressed to the self-referential logic of Colombia's political system. Its "irritating" function was to push this system towards engaging with a new phase of adaptation within its new juridical context. The strengthening of the President's party in Congress could then be explained by the political system's self-perpetuating dynamic, as well as by its capacity to generate new specialized functions. It could translate the constraints of the Constitutional Court into a mix of action dynamics favouring the system's "flexible" reproduction. Yet this reading could not explain the "interpretive system" that prevailed for the Court to give out a specific judgement. That appears to be, in spite of everything, an important element hemming in authoritarian power. As we shall see, the genesis of diverse interpretive systems is important for understanding how to end violence or, more broadly, to induce institutional transformation. For a functional analysis of institutions see Luhmann 1997. For an analysis that effectively emphasizes interpretive conflicts, indeed "hermeneutic contradiction," as driving force for institutional creation, see Ricoeur 1974 and, more recently, Boltanski 2011.

centres are surrounded by top-scale commercial centres, which are secure and accessible to a large public.

This kind of arrangement materially supports the idea that *consumer normality exists in spite of the absence of any form of other fundamental normality*. It helps keep the spectre of violence and death at bay. George Batalle reminds us that consuming is a way of keeping death at a distance. It privileges the many diversions that the use of inert things offers. It also provides a chance to achieve "free consumption," that is, consumption disengaged from the constraints of immediate utility, without object or limit (cf. 1991). Yet all of this has a cost. It presupposes a captive population. In the absence of massive redistributive measures, it risks deepening socio-economic inequalities more and more. It also presupposes organising urban space geographically with "territorial markers," physical and symbolical boundaries that mark the frontiers between those that have access and the "others."¹¹ Criticising Colombian society's wish for large consumption is not our concern as such. We intend to study scenes which reveal the contradictions in this society, the state in which it is today. While everyone is trying to promote a kind of material normality, these scenes paradoxically remind one that those consumer practices are far from "normal." They occur in a context of harsh socio-economic inequality and are founded on one of the world's oldest conflicts. Although they act as "morally tranquilizing" powers – Bauman speaks of the "paralyzing" character of modernity (cf. 1989) – they cannot entirely mask the reality, which is both more profound and more violent. Their very presence as a boundary mechanism at the heart of Colombian society is therefore significant.

The last difficulty is of a different kind, but no less important. One could summarize it in the following way: if one stayed with a strict ethical-political judgement that explicitly shows the forms of perversity which persist in the Colombian State apparatus, one could not account for the cultural creativity within Colombian society. It would then be impossible to account for the *existence of diverse social movements that contest the restrictive definition of democracy on which the ruling powers draw to justify and maintain a "security orientation."* In various forms, and for a very long time already, such movements have challenged the confusion between the demands of the democratic ideal, these forms of collective action more often try to rely on existing institutions to support claims in matters such as the right to truth and reparations (victims movements), or equality in living conditions (popular movements). They express a mode of broader engagement in the public sphere with a view to reappropriating it for themselves.

It is, however, necessary at this point to remember another constant in Colombian public life: the criminalization of social movements. They are directly confronted with violent death. This dimension is a structural component of Colombian history, especially since the time called *La Violencia* (1948–1958). This aspect is frequently underplayed by official powers, though. Historically, the most serious case probably deals with the systematic elimination of the Patriotic Union (UP) cadres in the eighties and nineties. The UP was a democratic political party formed to lay the foundation for a strong democratic opposition, anchored in the left. It included the Communist Party, non-communist members of the left, and elements from the Armed Revolutionary Forces of Colombia (FARC). The planned disappearance of almost all its members, following a series of homicides carried out by paramilitaries with support from a fraction of the armed forces, is part of the sad memory of Colombia's Left (cf. Wolf 2005). It reminds us of the significant menaces that threaten all social movements, especially those that seek to defend human rights. Let us take another example. On Mar. 6, 2008 a national march against victims of State crimes was organized in response to a government march against guerrillas' victims. It led to the assassination of nine regional leaders.¹³ Apart from the force of, and limits to, their claims, the fact that such movements directly risk death explains why they feel the necessity of investing in the public space primarily as a *place of memory*. It publicly exposes death in order to oppose its denial. It also publicly reveals the collective conditions for overcoming it.

Next, we will emphasize the importance of action by the social movements for the future of Colombian democracy, in spite of their difficulties in redeeming a very fragmented situation (cf. González Posso, Herbolzheimer, and Montana Mestizo: 2010).¹⁴ Such movements are upheld by collective forms of expression, which aim to re-articulate that from which the Liberal tradition more often tends to dissociate. They know the *general principles* that shape public space, and the demands made by a society based on its war *experience*. To that extent they precisely depend on the democratic project, and directly address the killing spiral, produced by the war state. Their real (through the assassination or forced disappearance of their members), or symbolic (through intimidation or their absence in the media) effacement then looks like a symptom of a more radical effacement. What is eradicated is the possibility of a different experience and, more importantly still, the possibility of a political subject formed through the logic of not competing for power. An *autonomous subject* then, as a measure of plurality and effective liberty (cf. Castoriadis 1998), is effaced.¹⁵

¹³ One could multiply the examples, including peasant movements and the experience of the "Peace Community." Compare numbers and sources in the Appendix.

¹⁴ On the problem posed by the fragmentation of social movements, see below.

¹⁵ For this definition of autonomy, see Castoriadis 1998.

¹¹ On the notion of "territorial markers," see Goffman 1956.

¹² The confusion relates to, for example, how some institutions can accommodate the state of war, or more generally, that institutions lack substantial foundations.

Complexity, coexistence, conflict – without pretending to be exhaustive, these are elements that allow us to approach the set of problems attending Colombian society today. We must then propose an exploration of Colombian society, with its connection to armed violence, economy and politics, on the basis of numerous other conflicts. As indicated by Rodrigo Uprimny and Maria Paula Saffron, Colombia has a profoundly “polarised” society. It is necessary to try and understand what this element adds to a Liberal authoritarian State, which subscribes to a bellicose framework. Yet above all these are the dynamics that contribute to producing and reproducing polarisation. Following Zygmunt Bauman, we will consider how the possibility of seeing the other as “enemy” roots in indifference to others. It is not meant in the sense of simple cognitive or affective ignorance, but *in the sense of ignoring the other as he/she is, an embodied subject, with his/her own singularity, a member of a community with universal aims*. Not permitting such a fundamental recognition is caused by different kinds of “division of labour”, which reduce the other to an abstract function, supposedly “required” for the maintenance of the system. This is where the suspension of morality begins. It gives people permission to avoid critical discussion of schemes, or “cultural” stereotypes which are assigned to other members of the community, and lead to racist, xenophobic, and bellicose expressions. Following a diagnostic sketch of Colombian society, we will devote the next sections to this working hypothesis.

2. In the Footsteps of Antigone: Considering Colombian Society

In a very thought-provoking publication on the “Colombian tragedy,” the Swedish historian Roland Anrup describes the displaced populations of Chocó. This is the Atlantic coastal province where many ghosts or worn-out actors haunt the stage of Colombian public life. Naked bodies lie exposed to the ever increasing sovereignty of power (cf. 2008: 13–41). He recounts Antigone’s unforgettable cry. In her persistent demand for a grave for her brother, she opposes her father’s law, that is, the violent affirmation of authority, supposedly upholding political and social order. Anrup writes:

The Greek drama would appear like the drama of truth opposed to unjust political power. Political subjectifying is the capability to produce controversial scenes. They are paradoxical scenes that visualize the contradictions in the logic that postulates existence. It is also not existent or non-existent. Thus, Antigone appears in front of Creon as an equal, not as an inferior, but as a citizen. Yet, they are not equals. This means that she demonstrates the contradictions of an institution of citizens excluding their own kind. She shows that women are necessarily included in the people’s equality, and at the same time radically excluded (ibid.: 46).

The Exceptional in Normality: Colombia as an Ideal-Type

In correspondence with Colombian reality, one could specifically recall Anrup’s critique of the Liberal tradition. The figure of Jean-Jacques Rousseau is evoked with subtlety as one of the founders of democratic sovereignty – sovereignty of the people, and *for* the people. Anrup reminds us that Rousseau presents an “anti-bureaucratic” and “anti-centralising” democratic demand. It is bound to its “original” nature, and not “derived” from a general will. And it is intended to go beyond private interests and “willing what is common” (ibid.: 91 and 93).¹⁶ The author similarly points out that Rousseau does not manage to overcome a certain mysticism, based on the construction of an idealised and homogenised portrayal of people. It is the source of many ambiguities in the Liberal State. Anrup examines the winding way of this foundational ambiguity, and proposes a critical interpretation of the political use of sovereignty, which has justified recourse to a state of emergency from Hobbes to Schmitt. He begins with what Derrida calls the “mystical foundation of right,” which one could also designate as its transcending self-endowment for objectives fixed by the State.¹⁷ In Colombia, the multiple mechanisms of the Liberal State’s authoritarian character are not only a rhetorical matter. They are central to rational justifications of the State’s growing influence on society. The doctrine of “Democratic Security,” forged by former President A. Uribe, is in some measure the result of this long process, even though such an influence goes well beyond the single government party. It encourages most conceptions that shape Colombian politics today.

It would be wrong to limit the authoritarian practice of the Colombian State to a simple “police” attitude. As a collection of authors have shown, it is rather the capacity to introduce and maintain a number of emergency statutes, within a single jurisdiction, which permits the State to keep tight control of society. It also favours, by and large, the reproduction of bellicose schemes which feed the “war as a response to war.” In the introductory article to a collection, Leopoldo Múnera calls to mind, amongst other things, that questioning the relationship between what is normal and what is exceptional allows one to go beyond the stereotypes which associate Liberal democracy with the “normal”, and dictatorship with the “exceptional.” Today, what lies between indicates the porosity between democracy and State violence, but also between politics and rights. Múnera is interested in the work of several critical political theorists as well as in the power of the “multitude” (society’s self-government beyond established political forms) and writes:

¹⁶ On the idea of a general will as willing what is common, see Well 1982.

¹⁷ More broadly, one knows that controversies over legal, but undue influence, on this sovereignty are at the heart of divergent interpretations of a State ruled by law.

However, on the threshold between normal and exceptional, law and politics, democracy and dictatorship are mixed up and delimited. Judicial becomes political, political is transformed into legal. Democracy acquires the form of a dictatorship to save itself, and dictatorship pretends to be the ultimate foundation of democracy. After 11 September 2001, and the tortures at Abu Ghraib and Guantanamo, Giorgio Agamben and Slavoj Žižek state that the world, dazed by the procedural democratic discourse, is living on a threshold that tends to transform the exceptional into the normal, the pure reason of State into global legal forms. Such a situation, limited to national space, has appeared in Colombia since the second half of the twentieth century. From another perspective, Paolo Virno has investigated the contemporary nature of the multitude as a power that, in spite of its ambivalent character, contains the elements necessary to subvert the dominant forms of political normality. Here may be an exceptional but constitutive origin, which contains the germs of new types of democracy (2008a: 14).

In the case of Colombia, the exceptional practise is not new. One of its major examples, paramilitarism, was put in place by legal means at the end of the sixties.¹⁸ The initiative came from the two dominant parties on the Colombian political scene in order to protect armed elements of the population. Far from signalling the alarm, that parties function amongst themselves, and are lastingly cut off from the country's popular base, the initiative has served to provide a constant justification for recourse to violence by the State apparatus (armed forces and police) and its allies (paramilitaries) against the development of guerrilla groups.¹⁹

In 2000, the one clear case of producing an exception within judicial

¹⁸ Law 48 of 1968, adopted following legislative decree 3398 of 1968. For a reminder of the historical conditions for legalising paramilitary groups (first called "self-defence groups"), see Movimiento nacional de Víctimas de Crímenes de Estado (MOVICE) 2009.

¹⁹ Historically anchored in the peasant movement, the FARC (Fuerzas Armadas Revolucionarias de Colombia) was born in 1964, after the Valencia (1962–1966) government's decision to bomb the regions "under communist influence." This guerrilla group, against whom the armed fight is constantly carried out, today counts more than ten thousand members, but there are no reliable sources on the subject. The ELN (Ejército de Liberación Nacional) was formed a little later, in 1965. Camillo Torres belonged to this guerrilla group. He was a national icon, a priest engaged in the armed struggle for "the interests of the poorest", who died in Feb. 1966. Likewise, this group currently numbers some thousand members. The "intellectual" guerrilla group, the M-19 (the Movement of 19 April) was established in 1970. It followed the elections of 19 April 1970. These elections were won by President Pastrana Borrero (1970–1974), but in controversial conditions. They allowed the former President Lleras Restrepo (1966–197) to dismiss the candidate of the opposition, which was supported by ANAPO (Alianza Nacional Popular), knowing that part of the M-19 was made of young ANAPO members. M-19 renounced the armed struggle in 1989 in order to create the Democratic Alliance Party after President Belisario Betancur (1982–1986) started peace negotiations. Those resulted in merciless reprisals against occupiers of the Palace of Justice in 1985. Finally, the EPL (Ejército Popular de Liberación), a Maoist guerrilla group, formed in 1967. They, too, have abandoned the armed struggle. Today they remain a small minority with a few hundred members.

normality was the "Justice and Peace" law, which came into effect in 2005.²⁰ We will not go into detail here, but only recall that it was presented as legislation which would allow the important demobilisation of paramilitary groups. Around thirty thousand people, according to official numbers, were in fact demobilized. However, it entailed reversing victims' rights, so that a number of specialists called it a mechanism for impunity rather than justice.²¹ Rodrigo Uprimny and María Paula Saffon recall a "manipulative use of transitional justice," which is explained by the fact that the ethical and the political base to end the conflict have never been united. In this sense, they speak of a procedure of "transitional justice without transition," which is, of course, a contradiction in terms (2009: 174 and 191).²²

One finally remembers that there are other exceptional mechanisms that especially apply to the situation of displaced people. On this topic, a publication of the Council on Human Rights and Displacement (*Consultaria para los Derechos Humanos y el Desplazamiento* – CODHES) recalls the "unconstitutional state of things." Even when the Constitutional Court – the highest authority in the country – has since 2004 effectively decreed fairly precise obligations on displaced populations' right to protection, the blur surrounding precise State obligations makes their implementation exceedingly difficult. Beyond the problem of government sources which underestimate the numbers, the general mechanism to identify displaced people presupposes their self-declaration. In many cases, these people would really need to present themselves far from their homes, without transportation. Or, they would have to reveal their identity to local authorities who may have ties to those actors who caused the displacement. Moreover, one notices that many adults do not wish to register their children for fear of social stigmatisation.²³ At the same time, the juridical instruments which one would need, could not

²⁰ Law 975 of 2005 called "Justice and Peace Law."

²¹ According to a recent publication, the main characteristics of the "Justice and Peace" Law are the following: it addresses all armed agents, but was really intended for paramilitaries, since the FARC and other guerrilla groups rejected it. In exchange for laying down weapons, the law proposed the reduction of prison penalties, independent of the seriousness of crimes, and without victims gaining access to facts. It was conceived on a negotiation model between armed groups, protected by political power, but outside the control of any judiciary authority. Victims' complaints were not examined, thus opposing universal principles of justice, truth, not repeating extortion, and complete material and symbolic reparation. The "Justice and Peace" law really did not succeed in its anticipated aim. Reintegrating paramilitaries in civil life took place in an uncontrolled way. They were concentrated in urban or rural zones, where they substituted the police force. They preserved what they gained through violence and political opposition was irregularly muzzled." Cf. Nanteuil 2009: 198–199.

²² For a juridical and political evaluation a little after its coming into law, see *Revisia Pensamiento Jurídico* 2006. For a more recent evaluation, offered by one of the main victims' organisations, see *Movimiento nacional de Víctimas de Crímenes de Estado* (MOVICE) 2009.

²³ On these elements, notably the problem of underestimating the numbers involved in forced displacements, see Romero 2007. Likewise, see different documents that offer analyses by CODHES at www.codhes.org.

deal with the numbers of current displaced populations, covering a large part of Colombian territory. With more than four million people already estimated to be displaced, it becomes one of the most important cases of forced displacement worldwide. It signals the scope of the Colombian humanitarian tragedy. One could add all the victims, detained and disappeared, imprisoned, victims of homicide, "false-positives," and so on (cf. Appendix).

One understands, then, that the mechanisms for different kinds of exception are embedded in the juridical and institutional systems of Colombia. They constitute one of the problematical elements of Colombian politics. We referred to Leopoldo Múnera above, who points out that Colombia is not exceptional at all. The grafts of normality and exception have become the norm in a large part of the western world, especially since Sept. 11, 2001. Yet, Colombia is an exemplary case that gives birth to the structural foundations for exceptional politics and their most tragic effects. Furthermore, what is important is not only factually stating a situation. Also important is the manner in which this situation, in turn, stands in the tradition in which Hobbes forms a corner-stone. It defends the confusion between normal and exceptional as being *justified by the protection of people and the defence of their private interests*.²⁴

Bare Life: Instrument and Mirror of Power

To grasp this phenomenon, one can recapitulate Giorgio Agamben's proposal, cited by Roland Anrup:

When the *body* happens to be the central metaphor of the political community, like in Leviathan or in the Social Contract, it always maintains a close link with bare life. ... The bodies of the inferiors, completely exposed to receive death, form the new political body of the West (2008c: 15).

In the name of defending the individual, basically understood in terms of ownership, the construction of State authority presupposes the existence of superfluous masses. They are mere reflections of the State's constitutive power. Múnera comments on Agamben's accurate analysis:

The life of the *homo sacer* who can be killed by anyone but who cannot be sacrificed at the same time: its death is neither subject to any ritual nor to any legal matter. Bare life is not the simple natural life, but a politically unprotected life, permanently exposed to death or humiliated with total impunity for the sovereign power and for

24 The author, thereby, recalls Benjamin Constant's phrase, which is like a negative echo of the need for security: "The aim of the Ancients was to divide social power between the citizens of a single country. They called that liberty. The aim of the Modernists is the security of private possession" (Constant, cited in Anrup 2008: 81). For an analysis of the effects a "Hobbesian politics" has on Colombia, see Múnera Ruiz 2008c.

those who, as citizens, create it. ... In contrast to Foucault, in this case it is not simply about letting live and killing, but about creating life through death, bare life. Consequently, sovereign power would contain, as a constituent element, a fundamental and unlimited capacity to dispose of the life of its inferiors, simply because of its sovereignty. Consequently, sovereign power would be bio-political from its origins, the power of death over the bare life that it is creating (2008a: 26–27).

This would be, according to Agamben, the practise of an exceptional State: exposing the subjective life, returning it to a biological state without social or institutional membership. Briefly, in depending on the sovereign, it is both instrument and mirror. One must, however, at this point suggest a somewhat different interpretation from that of Agamben. If one proposes, as he does, that the exercise of power happens well within the specific connection to the public status of the body, one should also consider the characterisation of an exceptional State.²⁵ Can this radical exposure of human life, reduced to the level of a biological given, entirely depend on power practises? Agamben defends this thesis also in *Means without End*, with his reminder that human life differs from biological life, in that it uses life forms, that is to say, all possibilities of existence, mediated by institutions. This permits human subjects to escape from a repetitive cycle (cf. Agamben 2000). Yet, it is necessary to return along the road that Agamben seems to have gone, to arrive at, and then investigate, the process that underlies this radical exposure. Can one not consider Antigone's cry as, not only an expression of asymmetrical confrontation between political power and bare life, but also as the result of a progressive exclusion from a sphere of integrated, socialized speech? For it is essential that her request finds no echo in the social organisation, that some members of society have more to do than concern themselves with the foundational law of communal life. Therefore, the problem is maybe not only Creon... but also the society of which he is the legitimate political expression.

What is at stake here functions on two levels. On one side, Antigone incarnates the reverse side of power. Her language is not the language of Creon. It is a language that refuses to extract itself from the reality of the human community but also to subscribe to the unworldly law of authority. Antigone's body thus rings with an insupportable challenge. Just with her presence on the visible stage of the political theatre, the complicity between *death and power* is

25 Corporality reveals itself here, against a chain of evidence, as the surface on which unlimited power is exercised. One can add that the Liberal tradition is endowed with a specific definition of body, through the notions of "sentiment" and "sensitivity," especially in Hutcheson, Hume and Rousseau. Yet utilitarianism, through the following enterprise, has ended the debate that took shape, by subjecting human experience to a principle of the general equality of pleasure and pain. What Agamben reveals, and before him Foucault, is that the body re-appears in the same margins of thought which wanted definitively to fix it to the "objective" task in a place and with an equivalency. On the question of the Liberal tradition's relationship to the body, see Audard 2009: 29–96.

criticized, and the *gender rule* is overturned (cf. Butler 1990). Pointing to a social life that cannot be simply "represented", she shows another relationship to the world than the one to which the master aspires. Something essential happens in the *crack of vision*, in the clear appearance of an intrinsic limit to the exercise of usual political domination. Finally, the presentation of the body in the power scene is the exposure of relationships, which unify them beyond power itself. The non-static, lively foundations of solidarity are presented.

Another side, however, is that Antigone's body also expresses her solitude. She suffers rejection and finds herself again dependent on the ruler. This sudden extraction from society thus has a history. It really needs to be preceded by an ordinary mode of organisation that, at no point, could assimilate the claim of a woman carrying a dead body. In her very isolation, Antigone is *placed* in a situation that takes away her subjectivity.²⁶ What does this show? As we indicated in the introduction, the hypothesis that underlies this work is that such an isolation process is not "natural." It is the result of multiple forms of division of labour throughout Colombian society, which prevent it from inventing a concrete solidarity, through which the other would not be reduced to an abstract function but considered as an individual, thus avoiding to be treated negatively by racist, xenophobic or bellicose expressions. From there, the "war" and the "war state" are reproduced – the collective characteristic that associates the other with an abstract individual and the idea of an "objective enemy."

In the next section, we will give an account of the registers in which different forms of division of labour are put to work. We can distinguish three: division of *criminal* labour, division of *economic* labour, and division of *political* labour.

3. Division of Criminal Labour: Diluting Responsibility and Promoting "Rational" Justifications of Extortion

In an article that exposes the "Hobbesian" roots of Colombian politics, notably through the "Democratic Security" doctrine's diffusion, Leopoldo Múnera recalls the way in which war agents themselves engage in carrying out violent acts. Contrary to many stereotypes on the subject, a *functional rationality* is at work. This author notes that

...the responsibility for human rights violations and violations of International Humanitarian Law is not homogeneous. So, for example, most kidnappings are

26 It is there, in that progressive disembodiment between subjective and social life, in a much older and more profound process of dehumanising, that the practical logic of Sophocles's tragedy, its true political significance for our times can undoubtedly be discovered.

caused by the guerrilla, forced disappearances by the armed forces and police, with paramilitary support, and most political homicides and forced displacements by paramilitaries (2008c: 3).

To this list, one could add other forms of extortion committed by different protagonists, but making a detailed list is not very interesting. What is important is how the protagonists develop their more or less "specialised" violent practices.

Such a specialisation does not mean that the practices do not overlap. They often do, be it as criminal practices, or factors at play in the genesis of some type of violation, like forced displacement. Yet, the concept of specialisation helps us to analyse the development of the conflict's main actors, what strategies they pursue in occupying territory, placing populations under supervision, and accumulating financial resources, as well as their "rational" quest for legitimacy, even in the brutality of war. Following the pioneer work of Orlando Fals Borda,²⁷ such an analysis allows for "demystifying" the violence above all, that is to say, for revealing its internal coherence. Moreover, refusing to use such an approach too often falls back on describing the conflict as a kind of constitutive irrationality – or as a "natural and unavoidable order." Our reflection leads to at least two sets of consequences.

The first is that, when violence forms part of a strategic global alliance and serves the dominant political-military system, it clears itself of its guilt.²⁸ In effect – and this has largely been the result of the demobilizing that accompanied the creation of the Justice and Peace Law or, more recently, the so-called parapolitical affairs – there is a division of criminal labour between State agents and paramilitary groups. It allows the State to preserve its legitimacy along with its apparatus for maintaining order in the service of the liberal-authoritarian tradition. Likewise, the "Justice and Peace" Law, besides the criticism mentioned above, has focused attention on the paramilitaries alone, completely ignoring the direct or indirect responsibility of State agents for the practical organisation of violence, especially the armed forces or the Police. Similarly, "para-politics" is the tip of a larger iceberg. It pertains to the condemnation of the most visible people, accused of the most blatant corruption, so that they cannot escape some minimal punishment. At the same time, they are involved in preserving a large part of the dominant political apparatus, that is, they leave their capacity for survival more or less intact, and protect this kind of practice for the future.²⁹ More profoundly, the symbolic

27 Fals Borda was the founder of sociology in his country. See Fals Borda et al. 1962. Re-published by Taurus in 2007, this book marks a turn in the analysis of violence in Colombia. For the first time it offers a precise evaluation of the situation and an examination of its internal logic.

28 On the topic of pro-systemic agents, see especially Múnera Ruiz 2006.

29 "Parapolitics" designates how a large part of political decision makers (near the President, members of the government, Parliamentarians, etc.) clearly appear to have been directly supported by paramilitary groups during the second mandate of President A. Uribe. This scandal broke after one of the AUC leaders, Salvador Mancuso, declared in June 2005 that more than one

and ethical roots that justify State authoritarianism in the name of a Liberal tradition, centred on the defence of private interests, seem hardly shakeable at all.³⁰

Secondly, by offering functional support for the implementing criminal practices, this division of labour opens up every "rational" justification for extortion. At the same time, it prohibits the analysis of the internal logic, possible gradations, and specific qualifications by International Law of those criminal practices. Under the cover of an indefinite conflict, "everything is allowed," to cite Hannah Arendt's famous phrase. All protagonists dismiss their own responsibility for the worse deeds and, at the same time, affirm their commitment to those very deeds. It would be wrong, however, to see in enacted violence a kind of passionate outburst, an "upside-down potlatch,"³¹ in which one would need to give "more" unceasingly, and be engaged in a flight from violence to affirm one's power. Behind this hasty vision, a certain kind of rationality is at work. Every actor has "good reasons"³² for practicing this or that type of extortion.

layer of Congress members are "his friends." In 2007, the Supreme Court decreed the arrest of more than thirty members of Congress, more than half of those who were suspect. In spite of international criticism, notably from US Democrats, paramilitarism has far from disappeared off the official political scene. The arrival of the PIN in the two chambers of Congress in the Mar. 2010 election tends to show, moreover, that they are settled at the centre of the country's political institutions. On this subject, see especially *Latin reporters*, Apr. 23, 2008. Due to the re-arrangement of paramilitary groups' political position in a new institutional context they now receive recognition.

30 Under a striking title the political campaign of President A. Uribe was interspersed with many insults to lawyers, intellectuals, or journalists engaged in defending human rights. Power could at the same time give different personalities the means of "official" protection. Yet the public disqualification which they regularly received transformed them into potential prey of paramilitary groups, or of the failure of common rights, preventing them from getting work. In such a situation, the legitimacy of the State apparatus stayed more or less intact, even if these people increasingly lived with the constant threat and/or fear of being killed.

31 "Potlatch" refers to the logic of exchange in "archaic societies," according to Marcel Mauss. It is based, beyond any utilitarian relationship, on the triangle "give-receive-return." Under this name it points to kinds of dependence and reciprocity which precede the contract form, and bind the different protagonists to a social exchange and obliges them to give at least as much as they receive. In Mauss's eyes such a structure is endowed with a more compelling force than a contract. It also works within a non-monetary form of solidarity (cf. 2007).

32 This expression comes from Raymond Boudon. It is present in all of his thinking, from *Effet pervers et ordre social* (Paris: PUF, 1977) to *Essais sur la théorie générale de la rationalité* (Paris: PUF, 2007). Very broadly, it sets out from calling theoreticians of rational choice to order. In this precise instance, one can still discover its intrinsic weakness which can rigorously justify everything as well as its opposite. It emphasizes that explaining actions in this way cannot be a normative referent for reflecting on violence. Without another referential, it only provides a "rational" basis for the perpetuation of violence.

The Guerrillas: Between Kidnapping and Crimes against the Civilian Population

Kidnapping, mostly done by guerrillas, is neither new nor limited to Colombia. It has become commonplace in contemporary history. In Colombia its roots are in the end of the Cold War, but also in the transformation of the guerrilla groups and the development of an armed struggle, more and more disconnected from its own goals. After the disappearance of the EPL and the M-19, the FARC continued to reinforce their ultra-authoritarian practices with regard to their members. They formed themselves in an almost exclusively military way, and they disconnected more and more from objectives other than the perpetuation of the armed struggle.³³

One must understand the practice of political kidnapping within this context. They are the only means – a violent option that includes assassinating prisoners when the military attacks – of entering the Colombian political game, of public existence, and of affirming oneself as influential in Colombia's internal politics. Paradoxically, the so-called "Democratic Security" doctrine, put in place by former President A. Uribe, partially justifies them. It seems like a functional product growing directly out of such military radicalization. The guerrilla effectively turns into a kind of "meta-reference" in national and international geopolitics. It also serves the hegemonic strategies of the Liberal-authoritarian State. As for economic kidnapping, they belong to a quest for new financing, which characterises the end of the Cold War. Kidnapping is not only employed by the FARC, and is widely used by ordinary delinquents. Thus, its rationality can be explained by the end of support from the former USSR but also by the relentless struggle to control drug trafficking and the regions where narcotics are produced. This struggle pits the guerrillas against paramilitary groups. Thus, they participate in a political conflict economy (cf. Romero 2007), which is also central to forced displacement practices.

A further consideration may be described as *spoils of war* – the kidnapping of police and military personnel. The goal, particularly for the FARC, is to claim its alternative military power over the State's military agents. They thus develop a logic of action which is that of war itself. In all of this, *political-military coherence* is part of this kind of action. It does not exclude any violation of International Humanitarian Law or committing crimes against civilians in the form of "*crímenes de lesa humanidad*" (crimes against humanity).³⁴ The violent claim of a political-military existence, associated

33 On the origins of this guerrilla group, see above. In 2012 the FARC proclaimed the end of the Kidnapping (note of the editor).

34 H. Valencia Villa defines the notion of "*crímenes de lesa humanidad*" as "serious crimes" against the human condition and, consequently, against International Law, which are under the jurisdiction of the International Criminal Court. According to Article Seven of the Rome Statute, the following eleven types of conduct are "*crímenes de lesa humanidad*" (crimes against hu-

with a new financing economy, justifies the many criminal practices of which the civilian population is the primary victim: assassination of civilians allegedly serving the "enemy"; extrajudicial assassinations; participating in massacres; laying land-mines; as well as the brutal control of networks for providing drugs; forced recruitment of youths; sexual violence, etc.

However, one must add that kidnapping is not necessarily a dead-end practise. The freeing of two of the oldest hostages, Daniel Calvo and Emilio Moncayo, held for twelve years, shows that it is possible to reverse the course of things. The hard work of Senator Piedad Córdoba, with the support of a group of Colombian politicians and academics (Colombianos y Colombianas por la Paz) brought it about. Moreover, the operation "Jaque" of July 2008 (mostly seen as the freeing of Ingrid Betancourt), the escape of long held politicians (Alan Jara, Luiz Eladio Perez), but also the desertion of some of their members reveal the faults in the FARC's organisation. These elements indicate, too, that *room for choice* exists for those who prefer a non-violent way of liberation – which happened in the case of freeing Clara Rojas – over a military attack. Today, however, uncertainty on this matter remains.

Let us now linger over a perfectly "modern" paradox: the media echo surrounding these freeings. The general media coverage of the freeing of some prisoners tells us essentially two things. The first, regards the illusion of a radical reversibility of choice. For the media, the freeings suggest that the conflict is not inevitable and that exits exist. Yet this runs the risk of limiting the whole of Colombian history to those moments when media constructs and emotions fuse. As though it were possible to wipe out, in a few moments and

manity): murder, extermination, enslavement, deportation or forced population transfer, arbitrary deprivation of freedom, torture, sexual violence, persecution, forced disappearance, apartheid, or institutionalised racial discrimination, and inhuman acts, when they are committed as part of a widespread or systematic attack on the civilian population" (2003: 98–99). Homicides, arbitrary deprivation of freedom, sexual violence, or persecution also form part of crimes against humanity. We also need to consider the kind of debate which surrounds the FARC's case. First of all, it concerns an armed force whose subjective legitimacy depends on a structure of social and political inequalities. Therefore, FARC see their crimes simply as war crimes. That means that, from their point of view, they are crimes justified in the context of armed conflict, but also according to the code which applies to them as an armed actor. This justification is excessively problematic, since it is equally used by other adversary agents (armed forces, police, and paramilitary groups) to justify their oppression. In the second place, one must emphasise the differences between different kinds of imprisonment. If imprisonment of the civilian population (with a political and economic target) mocks International Humanitarian Law, founded on the principle of distinguishing between armed agents and civilian populations, the imprisonment of police and militaries are "governed" by the rules of war. That does not prevent its being a violation of fundamental rights, especially the right to liberty. Finally, the constant mingling of the guerrillas with the civilian population, added to forced recruitment, constitutes the systematic violation of International Humanitarian Law. Yet these don't go by the name of "crímenes de lesa humanidad". One notes elsewhere that this last aspect is a general characteristic of armed conflict. It also concerns adversary elements (paramilitary groups, armed forces, and police). See the figures in the Appendix.

on a planetary scale, the conflict's complexity – the complexity of its actors and its roots (political, economic, social, and cultural). Perhaps the media's role regarding these liberations has been to play with the idea of public engagement, without daring to account for the massive repression committed by other actors than the guerrillas. The media dare not attack the dominant ideology which deems it necessary to broadcast those events and not others, such as disappearances, or forced displacements, or collective massacres. Thus, the most problematic aspect is what one might well call *one-sided media coverage*. It is not the fact that the media reports events, which are highly significant for the families as well as the country, but that silence reigns concerning other aspects of the armed conflict. More serious issues in terms of escalating repression or horror are cleverly hidden behind the remains of a kind of post-Cold War guilt, which regards the FARC as the mere remains from a time driven by totalitarian passions. It sets them up as the obvious target of a Western consciousness in search of a "good conscience". Therefore, it is necessary to account for the extortions committed by other actors of conflict, starting with paramilitary groups.

The Paramilitary Groups: Multiform Terror beyond Forced Displacement

Here again, we touch upon a complexity inherent in the conflict, and, upon a particularly functional rationality. Even if it is extremely perilous in some ranks to make a pretence of restitution for paramilitarism's history in Colombia – and for its multiple ties with the big drug cartels, economic elites, local authorities, or the armed forces – it is still possible to briefly describe the dominant modalities of paramilitarism's role in what we have called the division of criminal labour. As Leopoldo Múnera pointed out, but also as numerous documents of the Council of Human Rights and Displacement (CODHES) indicate, paramilitarism directly participates in forced displacement (cf. Appendix).

This happens in different ways: (i) by surrendering completely to the logic of a war that, due to its territorial anchoring, forces civilians (especially peasants) to leave their land and flee from combat zones, (ii) by taking control of some regions or villages, pursuing those who oppose being violently resettled, trying to repopulate those new areas to the benefit of a local elite which the paramilitaries control, or guaranteeing work on the infrastructure, which earns them a public recognition usually due to the State; (iii) by investing in the control of significant agricultural or energy resources, which allows them to launder a large part of the funds produced by drug trafficking and to enrich themselves more and more legitimately, by establishing "mega projects", and exporting their "own" products on a grand scale.³⁵

35 "Mega agro-industrial projects" are large-scale operations, located in rural areas, and aimed at

It is important to note that the implication of paramilitary groups in forced displacement does not go in one direction only. Forced displacement also results from the war between armed agents, legal or illegal, who force populations to flee and leave their places of residence. Above all, forced displacement reveals the conflict's political economy. The furious war with guerrillas on one side, State agents and paramilitaries on the other, creates a situation that takes the civilian population hostage, forcing it to "take sides", and to submit to the intensity of the bellicose logic. In a country where local and regional differences are considerable, and decide the parameters of war, *this mortal affront takes place in the silence of regional diversity*, in remote areas of the countryside (Caqueta, Putumayo, Nariño, Cauca), the mountainous regions (Antioquia, Boyca), or the coast (Choco, Córdoba, Sucre, Guajira), exactly where it is most difficult for international observers to keep track, where the most enlightened urban elites cannot go.

But that is not all. As forced displacement makes the Colombian theatre a tragedy of which the resolution seems to retreat further and further, it often also leads to a juridical dead-end. A new generation of rights arise in the face of assertions of massive displacements, without generating a political practice of going to the roots of those displacements at all. The functional rationality that guides paramilitary groups in their criminal practice is not halted (cf. *Consultaria para los Derechos Humanos y el Desplazamiento* 2009). Beyond their major implication in drug trafficking and corruption,³⁶ one cannot dissociate their mode of action from strategies aimed to terrorize regions or villages as they choose. More than their direct responsibility for political homicides, assassinations, forced disappearances in support of the armed forces – implying torture and assassination – the paramilitaries' terror strategies are based on crimes that are generally committed on a grand scale: massacres of villages and groups, using common graves, and accompanying sexual violence.³⁷ The category "crímenes de lesa humanidad" clearly applies to these crimes. Nevertheless, three elements "distinguish" them from those committed by guerrilla groups: the extent of criminal practices under such a category, their more systematically collective character, which often turns these practices into mass violence, as the common graves demonstrate, and finally, the number of crimes committed during decades of conflict.

specialising agro-industry in the intensive cultivation of export products. These operations can launder significant sums coming from drug-trafficking. They are generally accompanied by forced displacement, as far as they include brutal territorial re-arrangements imposed on local populations, mostly peasants. Their apparent economic legitimacy entails degrading the means of subsistence for the concerned populations.

³⁶ This includes partial control of Congress. See below, on the problem of "parapolitics."

³⁷ Rape is not only a characteristic of crimes committed by the paramilitaries. It is war itself, which often transforms women into "war spoils," as the work of the *Fédération Internationale des Droits de l'Homme* (FIDH) especially recalls in its *Résolution du Bureau International de la FIDH*

For the period of 2007–2008, the recent publications of the Colombian Commission of Jurists (CCJ, *Comisión Colombiana de Juristas*) point out a larger participation of paramilitary groups, and/or State agents, in collective massacres, although guerrilla groups were also carried out such operations.³⁸ In a preface to Maribel Wolf's book, *Regresan siempre en primavera*, Maurice Lemoine points out that, in his view, "seventy per cent of crimes committed in Colombia were committed by paramilitary groups" (2006: 17). The figure is both a good indicator of the asymmetry of violence characteristic of the Colombian armed conflict, and an ambiguous indicator. The asymmetry in carrying out criminal practices amongst guerrilla groups, paramilitary groups, and State agents, is evident when one looks at the numbers in the Appendix. Nevertheless, one must guard against over-hasty conclusions. All depends on what the qualifier "crime" means. If it is limited to the question of homicides "outside combat", it refers to the asymmetry between assassinations committed by the FARC, reprisals or forced disappearances committed by the armed forces and police, and homicides committed by paramilitaries, including their support for forced disappearances. The figures agree with those published by the Colombian Commission of Jurists. The Commission reminds one that the primary forces responsible for violations of human rights and International Humanitarian Law continue to be the paramilitary groups, "who originally, between July 1996 and June 2006, caused 71.06 % of out-of-combat deaths from socio-political motives" (Colombian Commission of Jurists 2006: 2). But if "crime" extends to population displacement, as it does in the definition of "crímenes de lesa humanidad," the numbers show the asymmetry in the global production of criminal acts. It also recognises that forced displacements are essentially tied to the acts of paramilitary groups, but that they equally depend on the "logic of war" in which the FARC directly participates.

That is why the reflection on the asymmetry of violence needs to be tied to reflection that move beyond mere accounting. Otherwise one risks obeying a strict utilitarian rule of crimes and victims, and displaces the analytical plan with a "rationalist" structure of conflict, justifying its indefinite reproduction. Therefore, one of the most interesting projects on the subject seems to be one which aims to qualify crime by social movements, particularly by victims' movements, as for example the reflection offered by the National Movement of Victims of State Crimes (*Movimiento Nacional de Víctimas de Crímenes del Estado*, MOVICE) demonstrates. It goes beyond the basic qualification of

³⁸ On the subject, see for example, Colombian Commission of Jurists Dec. 2009. On the topic of mass violence, see the reflections of Jacques Semelin, particularly his definition of the term in an article in the *Encyclopédie en lignes de violence de masse*, as "phenomena, for which the causes are principally political, social, cultural or religious, which destroy humans collectively." This idea refers not to recovering armed battles inherent in war, but rather to the totality of violence which directly affects civilian populations in times of peace as well as in times of war." The document is available at www.orenv.org.

crimes set out by International Penal Law. This movement is formed around the idea that the extent and the gravity of extortions cannot be the only criterion of differentiation. Their specificity has more to do with what one could call *their moral structure*. What distinguishes the guerrillas' crimes from that of "pro-systemic" groups (paramilitaries and State agents) is not the degree of horror, but the fact that the latter act in the name of the State. They act in the name of the very institution which, in modern democracies, is supposed to correspond publicly to the general interest. At the same time, there can be no question of "justifying" the crimes committed by the FARC, for any reason whatsoever.³⁹

One of the clearest consequences of the terror strategies which paramilitary groups have developed lies in bringing entire geographical areas under their control. In this way, they create an adequate base for managing economic resources and for the armed struggle against the guerrilla. Controlling the whole country would be an impossible project, because of its political-institutional organisations is so complex, but also because of entire segments of the population's resistance to such a project. Without being able to secure control over the whole country, the paramilitaries never stop maintaining, or redeploying their presence through less and less visible acts. They are capable of anything, simply in order to affirm themselves as a "local army." From this angle, one can say that paramilitarism perpetuates itself in the sense which Michel Foucault called an anonymous practice of discipline and suppression. As for some famous leaders – they affirm their presence through a heterogeneous network of threats and actions. They avoid coherence but they never stop inserting themselves in those local societies where they reign with secret and menacing power.⁴⁰

Without a doubt, one other element of differentiating between the paramilitaries and their principal guerrilla enemy is organisational. The FARC is formed on dispersed fronts, even though it has put in place a centralised and ultra-authoritarian organisation. The paramilitaries more often exist as small groups with patchwork organisation. They keep up an acute presence near political elites, or regional economic interests. This difference also applies to their power. It has allowed the paramilitaries to reconstitute after their demobilising in 2005. It has provided them with

important adaptive capacity under new war conditions, notably Colombia's increasing integration in the economic division of labour. They have also continued to evolve in the clandestine margins of power. Above all – and this is the most important aspect of their evolution, especially with regard to the older group of the Autodefensas Unidas de Colombia (AUC) – they could avoid being identified as a central and homogeneous actor in the conflict. It is a great benefit to them today, engaged in the hidden threads of Colombian reality, that they are less condemned internationally than the guerrilla groups, even though their criminal acts are more extensive. With some exceptions,⁴¹ there is only a weak international conscience of the importance of this criminal division of labour, which permits the State to pillory certain historic figures, without attacking the roots of paramilitarism. It allows the latter to reconstitute in the very diversity of its regional embeddedness and of its ties to local authorities. Therefore, it is necessary to think, at last, about the specific role of State agents.

State Agents: The Symbolic and Institutional Construction of "Forced Disappearances"

Here again, it is not possible to accurately measure the entire historical significance of how Colombian political elites are structured, or the role the State apparatus plays in preserving their interests, as well as the structure of a "public sphere" in reaction to these practices (cf. Múnera Ruiz and Rodríguez Sánchez ed. 2009). For now, extending our reflections to the criminal division

39 In particular, the regular reports from Amnesty International, the FIDH, Human Rights Watch, or the UN High-Commissioner for human rights, taking the place of the Colombian Commission of Jurists. It is difficult to list all the publications on this topic. Here one can only mention some reports, amongst the most recent ones, which mention the criminal acts of paramilitary groups and which integrate them in a global analysis of acts violating Human Rights and International Humanitarian Law, war crimes and crimes against humanity committed by all armed agents, comprising the guerrilla and State agents. The Amnesty International report, *The struggle for survival and dignity. Abuses of human rights for indigenous peoples* (February 2010, available at <http://www.amnesty.org/es>). The 2008 report produced by the International Federation for Human Rights (FIDH) especially emphasises sexual violence by all the armed agents (Resolution *Human Rights (FIDH) especially emphasises sexual violence by all the armed agents* (Resolution by the International Office of the FIDH on Colombia, May 2008, available at <http://www.fidh.org>). The FIDH report, *La demobilisation paramilitar, en los caminos de la Cort Penal Inter-nacional*, points out the impunity paramilitaries enjoy and the limits of the demobilisation process (See: document nr 481/3, October 2007). Human Rights Watch ("Paramilitaries" heirs. The New Face of Violence in Colombia") reveals the specific implication of paramilitary groups in the armed conflict (Feb. 2010, available at www.hrw.org/en/reports). The "Annual Report of the High Commissioner on Human Rights on the Situation of Human Rights in Colombia," presents a general view of human rights violations in Colombia, committed by all the armed agents (A/HRC/10/032, February 19, 2009). The feeble international awareness, especially tied to too little media exposure, contrasts the importance of national output on the subject.

of labour, we would like to make a relatively simple statement. As Leopoldo Múnera emphasises, State agents' involvement (mostly among the armed forces and police) in perpetuating the war does not happen only in the war itself, but also in their specific contribution to violently controlling the civilian population. Beside bloody repression, or planning massive reprisals and diverse acts of arbitrary detention, the practice of forced disappearance is one of the central elements of criminal labour.

Here, we touch on an extremely delicate point. Since acts take place that are directly carried out by the State apparatus, their origin and extent are difficult to evaluate. This is nothing new. It characterizes dictatorial practices that have often prevailed in Latin America, especially in the dictatorships in the South (Chile and Argentina, specifically). Nonetheless, it poses two difficulties. The first is that "forced disappearance" means, above all, brutally effacing human life. It is not surprising that this practice depends on institutional agents. It permits them to implement the power of their social position, for it clears them of their responsibility for crimes and permits them to keep the image of their institution, the institutional power base, safe and sound. The other difficulty is in some way its mirror-image on an international scale. It pertains to the media's near-silence surrounding such practices, in Colombia as well as abroad. In the Cold War context, disappeared Chileans or Argentinians benefited from marked international support.

How can this be explained? Besides relating to techniques for controlling public information, especially with the support of a well-controlled press, different elements can explain the process. First of all, there is the power that the Colombian Army enjoys, being close to the political and economic elites. In a country that is by definition "at war" and also a country where the rates of unemployment and poverty are particularly high (cf. Appendix), the Army figures as a beacon and protector of the population's interests. It also figures as an employer guaranteeing a future and some stability for a large number of young people, which none of them could dream of having otherwise (Arangure Romero 2010). This power, which blends explicit influence with a surface of symbolical legitimacy (among part of the population), is all the more striking since its reverse side, the involvement of sectors of the military in State violence (assassination of opposition leaders, acts of mass crimes) is not to be shown.⁴²

One of the keys to the whole construct of the armed conflict and its indefinite perpetuation is the absence of an explicitly totalitarian State, a situation that one cannot qualify as "dictatorial." This emerges from the work of a number of historians. The notable exception is the last part of *La Violencia*, which saw five years of military dictatorship under General Pinilla

(1953–1958).⁴³ Parallel to the exercise of violence, one can trace the continuation of a State under the rule of law in Colombia, most particularly in recent times, in spite of its limits and contradictions. In other words, the institutional game never stopped forming and reforming, articulating corruption and institutional violence, but also constructing and preserving some of the major institutions of democratic life, like public universities, or the Constitutional Court. As we indicated above, it is not possible to ignore the complexity of Colombian society and the relationships and benefits its institutions offer.

A whole struggle organises itself around those institutions. Some look like ambiguous occasions for practical politics. They allow impunity to intrude into large parts of the Colombian judicial system, but they also allow complaints, condemnation, and their own transformation into public objects. They allow corruption to infect the whole body of national life, but they also allow some local and national responsible people to consistently oppose corruption. They allow political action to be confronted with constant problems of legitimization and application, but they also enable shaping "more inclusive" social politics, although those are held back by hindrance and limitation strategies. That is why it is less effective to suppress these institutions than to control them. It is not a struggle for, or against institutions, which characterises the hidden side of Colombian public life, but a struggle within the institutions, in order to make them profit some secret interests or, to the contrary, to use their more honest elements to develop the primacy of public interest (material in the struggle against corruption, for health, victims' rights, etc.). Thus, one can better understand the interpretation of forced disappearance as State violence. Violence must preserve the institutional dynamic of the country, as well as guarantee Colombia's international legitimacy with the United States and the European Union.

Therefore, ties between State agents and paramilitaries, in their alliances but also their internal conflicts, are of crucial importance. The legitimization for an institutional power base, and for the idea that the State functions in spite of everything as a "State under the rule of law" is hidden. The epithet of "State under the rule of law" is as surprising as it is powerful in view of the lawless areas throughout Colombian society. Emphasising this paradox is essential for a more accurate idea of the State violence's internal logic. For the criminal division of labour, which concerns the highest levels of political life, allows the military and police institutions, if not to subcontract the "dirty job" (they already practice forced disappearances), at least to dilute responsibilities, to distribute roles and functions, to plunge State violence into a mire of complex and intellectual rationality ... and so to preserve the idea that the State is not itself directly responsible for violence.⁴⁴

43 On the "recovery" from this period by the Frente Nacional, see below.

44 In a parallel way this element explains how the criminal labour division, which we have pre-

42 On the participation of the Armed Forces and Police in massive repressions against the civilian population, see *Movimiento Nacional de Víctimas de Crímenes del Estado* (MOVICRE) 2009.

Behind the functional rationality of crime and the interplay of pro-systemic actors, who together, yet in different ways, serve the interests of the dominant political system (cf. Minera Ruiz 2006), is the central figure of the State under the rule of law. It guarantees the protection of the "people's" interests. This is what is at stake in the social organisation of violence. Exceptional regimes seek their reflection in social action which allows them to uphold the pretense of the rule of law. They preserve the belief that the civil basis for society remains independent of war. Once again, we must differentiate among criminal practices. By uncovering violent strategies one can analyse the effective responsibilities, the causalities that link them, as well as their relative coherence and the justifications that uphold them. Such an approach returns to naming what is really at stake. It implies thinking critically about the conflict's contemporary sociology. At the moment, the problem is perpetuated, but in-depth analysis could open ways to end it. For the main objective of such an analysis leads to no other result than denaturalising war on the symbolic level of deconstructing the justifications offered by some actors in support of their choice. On the juridical level it assumes the need to analyse responsibilities, which is a necessary condition for a politics of justice, truth, and comprehensive reparation.

In the meantime, there is really a logic of horror, not in the sense of a series of macabre and relentless events, but as Foucault and Bauman most carefully said, in the sense of a kind of rationality inherent in modernity. This logic measures the degree of shocks, accompanied with a strategic intelligence that divides responsibilities, that separates shade from light in the visible regime in order to extend legitimate power. Therefore, it concerns an *explicitly modern violence*, which demands, well beyond the simplistic alliance of official propaganda and simplistic protestations. It unmasks the appeal to a modern liberal vision as the single escape from the way things are. For it is precisely the hard promotion of such a vision which, when added to the divisions produced by war, leads to the development of "false-positive" practices. They seem literally aberrant but practically relatively logical.⁴⁵ Properly speaking, there is no limit to violent practices, and their rationalisation, in the war game in a country where terror practices have never stopped at all, a country where the bell-curve logic does not interrupt the rhythm of daily life on the other side of an invisible frontier which separates large urban centres from regions defeated by great poverty. The role of A. Uribe's government, under which such practices arose, was to make people believe that these were just signs of

exceptional pathology. Yet, in fact, they were profoundly coherent with the very doctrine of "Democratic Security" which aimed to establish war as a legitimate strategy for defending the interests of the "people." For if war was the sole response to war, how could one prevent such practices? One observes that this only fulfilled what the President himself asked for, namely acknowledging the utilitarian value of war booty, and installing a politics of monetary incentives for denouncing or assassinating "enemies" of power.⁴⁶ Civilisation is at stake today in Colombia. This situation calls for thinking and being *modern in another way*, for overtaking the division of labour, which has made not distinguishing between normal and exceptional and mass violence the "new legitimate system." It calls for reflection on how to exit the conflict with a different reading of Colombian society's possible destiny. This is true on a criminal level but also on an economic level.

4. Division of Economic Labour: Poverty, Inequality and International "Success Story"

It is fitting to spend some time over what one could call the "political economy" of Colombian society. The intention here is to restore, though in a necessarily restricted and fragmented manner, the way in which the economy – in the general sense of the term – in turn has brought about an anthropological "forming," that is to say, a modification of society's relationship to itself, but also of relationships between people. It would be less effective to describe the "economy" as such through a series of signposts, than to understand the socio-anthropological transformations induced by society's material base. The reflections by Marcel Mauss or Karl Polanyi, for example, cast some light on the matter. As in the case of analysing the criminal or political division of labour, the general idea is to emphasize the effects of the separations underlying society's organisation, which claims to achieve some degree of economic development, particularly, through its ever more successful anchoring in the international division of labour. Likewise, it can be shown how division and integration hide an analysis of material conditions of existence from a large part of Colombia's population (the labour-force or peasantry, but also more exclusive sectors). Our interest is clearly not only to determine profound social inequalities in the country's recent development. It is also to emphasize how, by assimilating the "social question" to a simple appendix of economic development, the organisation of the economic field *hides the moral problem. It is the concrete experience of indignity for many*

sentenced here, must not be considered too rigidly. We are, above all, dealing with a complex intermingling of responsibilities, which does not allow assigning criminal practices exclusively to any specific agent of conflict, most particularly to paramilitaries and State agents.

45 The practice of false-positives appeared, it seems, in 2008 when armed elements chillingly assassinated marginal civilians, before clothing them like members of the guerrilla to initiate the statistics in the "struggle against terrorism." This act was officially condemned by the UN in

46 The most famous case was the paramilitary who, on television, brandished the hand of a guerrilla member, whom he had assassinated, in order to claim his reward in the shortest possible time.

Colombians for the sake of "successfully" integrating the national economy in the global economy. We will reflect on some historical particularities of the evolution of the Colombian economy. An increased interconnection – practical more than conceptual – has developed between the market and armed violence. Whereas the magnitude of the national social question is drowned out by the country's increasing economic integration in the international division of labour.

Some Historical Particularities ...

For those few who are interested in the country's recent economic history, let us say during the last twenty or thirty years, one must first state that Colombia has not complied with a succession of modernisations, crises and restarts that seem to have characterised the cycle of its Latin-American neighbours. So, for example, the Colombian historian Ricardo Arias Trujillo notices that Colombia has not, on an economic plane, participated in what many call the "lost decade" (the decade of the Eighties), which applies to most countries on the subcontinent, with the exception of Chile. The parallel with Chile is striking to the extent that the economic development, there as here, continues on the basis of systematic political violence, although it implies a different kind of state force. How should one understand this?

According to the aforementioned historian, it is above all necessary to point out that the beginning of the Sixties – the period in which the *Frente Nacional* was formed – was accompanied by a phase of economic take-off in which one particularly held on to the birth or consolidation of Colombian industry:

Colombia's economy also experienced significant changes and, as we have mentioned already, those explain the increasing importance of the cities with regard to its demography and economy. Generally, economists point out to an unprecedented accelerated and sustained growth. This development is not only due to coffee, which continues generating a good part of the State resources, but also to industrial development. Whereas the country depended on agricultural activity almost exclusively until then, other economic activities gained more importance from the mid-century on: transport, public services, communications, finance, and, especially, industry. The height of this last mentioned activity did not bring about conflicts with the coffee union (Trujillo 2006: 351–352).

Yet this typical phase of modernisation, the progress made by a country leaving a decade of violence, was nourished by immense poverty. It served as pretext for a principle of intrinsic limits to state intervention. It was the birth of a market for industrial goods that did not exist earlier. In other words, the recent evolution of Colombian industry happened at the same time that the political elites, reconstituted and stabilised by the *Frente Nacional*, agreed to the principle of free-exchange as a condition for tameable, even though very

limited, economic progress. Consequently, Colombia's first post-war economic expansion corresponded to the discovery of the market's "virtues." At the same time Western Europe experienced the diametrical opposite. The Sixties were the most important moment of growing State influence, which depended on Keynesian growth policies. The State's "retreat" from the nervous centre of an emerging industrial market had a double effect on the Colombian political crisis, born at the beginning of the Seventies: on the one hand, an unheard of increase in violence; on the other, a terrain more and more favourable to implementing an economy in tune with war. Armed conflict discovered a novel occasion for recycling, or reorganising, its own financing in an emerging and weakly regulated economy.

A War Economy? Competitive Market and Army Violence

Therefore, Colombia at this time looks like Chile under Pinochet: political violence accompanies progressive economic growth. Different from Chile, however, where masking inequality presupposes eradicating political opposition and dismissing thousands of Chileans who clamour for decent working conditions, the Colombian State has maintained itself by discarding the market and instilling itself as an agent of war. That is to say, it has allowed the war to select the "good" and the "bad" players of a competitive economy, physically by eliminating "adversaries," or symbolically by refusing, in the name of a permanent conflict, to invest more in settling the social question. For, in fact, at the end of the twentieth century, the Colombian economy truly has developed on the basis of permanent confrontation between armed actors, *as well as between labour representatives and capital, represented by the war logic.* So, the Guerrilla presents a feeble but legitimate reason for the elites' incapacity to take charge of the "small people," while paramilitarism excels in opposing the left: trade union leaders and peasants who claim their rights are the preferred target of paramilitarism's murderous logic.

Even today one cannot avoid mentioning the extent to which this violence is embedded in the market economy, and is more relevant than ever. Colombia has, for several years, held the sad record for the highest number of assassinations of trade union representatives in the world.⁴⁷ One then understands that when neoliberal ideology permeates international institutions, it finds in Colombia a political-economic system willing to accept its terms. Any contesting forces have been decimated through the armed conflict.

⁴⁷ See the important report drafted by the Escuela Sindical Nacional (ENS), with support from the European Union, the Colombia-Europe-United States Co-ordination, and the United Labour Confederation (CUT): G. Correa Montoya, "2515 o esa sinistra facilidad para olvidar. Veinticinco años de asesinatos sistemáticos y selectivos contra sindicalistas en Colombia (1986–2006)", in: *Cuaderno de derechos humanos*, Nr. 18, Medellín (June 2007).

The capital-labour asymmetry is one of the most prominent on the sub-continent. This ideology has been accepted widely enough by successive governments, specifically that of President A. Uribe. Nevertheless, one sees a different strategy on Uribe's, at once subtler and more rational, with regard to trade unions.⁴⁸

It is really under these successive principles that the global growth of Colombian economy was broadly increased. This provides a practically incontestable argument for legitimacy. Even beyond giving the job market greater flexibility, however unprotected, and increasingly opening the market for export, *the scope of capital's mobility* (technical development, energy, and "people") *retrospectively seems to be one of the key principles of the political economy that supports the war*. Logically enough, it is accompanied, not only by the "para-political" scandal, but generally by securing important routes, by developing "mega-projects," by intensifying forced displacements, and by worsening poverty in rural settings. It intends, within its own construct, to free capital from the fetters of a society, which refuses war. It uses capital's increased mobility to the detriment of labour. Here, we are brought to the heart of the economic division of labour: eloquent macro-economic indicators, at least on the level of recent history, based on achieving inequality of unprecedented proportions.

The National "Social Question" and the International Division of Labour: A Political Economy of Denial

The "social question" is not limited to seeing Colombia as a uniformly poor country. During these last years the country has known – we will return to this point later – a sustained economic development, unknown in its recent history. That has been due, in particular, to significant growth in some sectors, prompted by international demand. Most importantly, Colombia's economy could reconstitute, organise, and modernise itself – while exhibiting one of the most significant poverty rates in the sub-continent and a continuing increase of its inequalities. This "modernisation" unfolds in the following context:⁴⁹ In spite of a decrease in the urban population below the poverty threshold,⁵⁰ the rural population below the poverty threshold has remained at a very high

level⁵¹. The evolution of destitution in villages⁵² is equally important. It has experienced a new increase in the country, after an initial decline⁵³. For the whole period it shows stagnation. In other words, *in recent years the social divide has been coupled with an intensifying geographical composition*. A third of the rural population experiences poverty and hunger. Poverty, added to destitution, names a situation marked by the inaccessibility of elementary public benefits (health, school, etc.). Today it even affects nearly two thirds of the rural population. Victims of armed conflict are the first to be affected (cf. Appendix).

When labour market figures are collected, they are primarily preoccupied with this principal reality. There again, one must account for the complexity of Colombia's situation. The change in unemployment rates saw a regular decrease between 2002 (15.5 %) and 2009 (12 %). Yet we know that the way this rate was measured changed and tended to emphasise the decrease.⁵⁴ The rate of under-employment⁵⁵ applies to more than one third of the active population (from 34.8 % in 2002, 31 % in 2005, to 29.7 % in 2009). It maintains a particularly high level in the informal sector (60.5 % in 2001, and 60 % in 2009). Despite the statistical reduction of the rate of unemployment, the reality is marred by a real economy which essentially remains on the periphery of legality. There again, rising assets are coupled with hiding what is not listed among the working population at the risk of worsening the inequality between the two "worlds." This duality is not merely a matter of intangible data. With regard to mounting social vulnerability and increasing uncertainty in France, Robert Castel already wrote a few years ago: "Unemployment is not a growing blister in labour relations which can be cured. It is becoming clear that employment insecurity and unemployment are part of the current dynamics of modernisation. ... It is the structure of salaried relationships itself which risks being put in question" (1995: 400–402).

The social base of the Colombian economy is really characterised by a long "uninterrupted" chain, a collection of various structural weaknesses.⁵⁶ They go from a particularly low minimum wage,⁵⁷ to the near-absence of social coverage for the great majority of workers, through the existence of more and

51 69.3 % in 2002, 67 % in 2005, and 66.2 % in 2008.

52 9.4 % in 2002, 7.4 % in 2005, and 6.8 % in 2008.

53 32.5 % in 2002, 27.4 % in 2005, and 32.6 % in 2008.

54 The unemployment rate is measured in proportion to the active population. See figures in the Appendix.

55 "Under-employed" is defined by the GEIH 2009 study as a professional situation characterised by one or more of the following criteria: insufficient income, too few working hours, a kind of disqualification (someone with a medical degree becomes a taxi driver, for instance). The rate of under-employment is measured in proportion to the employed population.

56 To use the famous expression Robert Castel "populated" in this book.

57 In 2010 it was \$315 Colombian dollars a month (minus \$ 200) for a bread-winner at the head of an average family (a couple with two children). The last GEIH 2009 inquiry shows that this allows people to leave the threshold of need, but not poverty.

48 Homicides and the percentage – compared to the world-wide situation – diminished in 2000 and 2005, in spite of a drastic rise in 2001. This relative decrease is accompanied by a drastic drop in the number of union agreements in the period (cf. Table 2, Appendix). At the same time, the proportion of trade unionism went from 6 % in 1996 to 4.93 % in 2002 and 4.6 % in 2005.

49 According to the figures from the last major research carried out on the subject, the Gran Encuesta Integrada de Hogares (GEIH), of the Departamento Administrativo Nacional de Estadísticas (DANE). This research was carried out by the Misión para el Empleo de la Serie de Empleo, Pobreza y Desigualdad (MESEP) in Nov. 2009.

50 40.3 % in 2002, 37.4 % in 2005, and 30.7 % in 2008.

more weakened labour union agreements. In addition, union representatives or politicians who try to oppose the disastrous social practices of some firms are subject to repeated threats ... or also banishment and expropriation. All of this describes a series of violent elements aimed at weakening labour as well as consolidating the country's capitalistic structure. It reinforces the capital-labour asymmetry in an undefined way and completely dilutes it in a new macro-economic growth. These inequalities take many forms. Poverty corresponds to serious statistics regarding infant mortality, illiteracy, the absence of social coverage, or exclusion from the education system.⁵⁸

Nonetheless, as we said before, one cannot explain the perpetuation of this whole problem without alluding to the country's macro-economic strategy. Far from having chosen the "low" road of corrupted power, incapable of guiding the country rationally, the governments that have followed one another since the *Frente Nacional* have, on the contrary, shown a remarkable ability to choose international economic integration. This has been put in place progressively by opening the market, by international specialisation, and by reconstructing a global economic legitimacy. This is shown, for example, by the high level of education in economy and administration throughout the country's universities. As Ricardo Arias Trujillo recently points out, the fact that Colombia has avoided sinking in the "lost decade" is not only tied to the importance of the illicit economy and recycling money from drug trafficking. It also refers "to the responsible and prudent behaviour of the ruling class, who has avoided excessive debt and supported exporting non-traditional goods, which has given a decisive impulse to economic growth during the Eighties" (2006: 335). This new economic reality has likewise integrated the international dimension. Colombia has participated in the great economic changes of the Neoliberal era, "going to look for its principle clients outside and breaking its too great dependence on an internal market, by definition of little power (ibid.: 351). Above all, it lacks the smallest wish for Keynesian revival.

The existence of an extremely rich sub-soil, which is also one of the reasons for forced displacements, has done the rest. From supporting figures one discovers a *real strategy of international specialisation* around carbon, petroleum products, bananas, and other agricultural products of prime necessity. They make Colombia an indispensable economic partner of the big international donors, the United States and the European Union. In spite of an ever more pronounced dependence on the first, the recovery of the country's international legitimacy is about to reach a decisive stage when the Free Trade Agreement between Colombia and the European Union is signed.⁵⁹ In view of

the EU's international image, a medium range economic agent with a relatively strong image of respecting human rights, the economic "coup" seems clear. It allows the problem of the social question to disappear behind the mirage of a prosperous economy, capable of signing and respecting international agreements on a high level. Thus one sees the appearance of what one could call a *political economy of denial* in Colombia on the very basis of economic growth, and the skilful steering of the national economy.

Overlaying the reflections of Marx on the structure of inequality in Capitalism with those of Lévinas on economy (cf. Marx 1992; Lévinas 1971: 109–200), one can consider how the whole contradictory change succeeds, *no less violent*, by negating the practical experience of the majority of Colombian people. The majority is given no face, or subjectivity, considered only a lifeless cog in the work output and accumulation of capital. Even more radically, Colombian economic power reveals its specificity around denying the other, where he/she is most vulnerable. What is especially serious in this seemingly implacable logic is not only those who are "excluded from progress." The moral conscience, which from the nineteenth century surged to the centre of the European industrial society to see in poverty and inequality a universal attack on human dignity, is about to disappear behind the national economy's tangible progress.

Yet, what is a national economy, which ignores the majority of its members, other than, a fetishized construct? For it quite works on that level. In a country that experiences an increasing gap between town and country, it becomes more and more difficult to make the intrinsic violence of a lastingly unfair capital-labour structure visible. This applies especially to the deliberately isolated or decimated social movements and opposition parties. The subjectivity of the other – worker, peasant, various faces of those "excluded" and swallowed by the spiral of conflict – is neutralised by the symptoms of "successful" internationalisation. Yet this seems to be more and more ignored by objective economic thinking. If the life of another person constitutes a responsibility, as Lévinas always maintains, and if this responsibility cannot be considered separate from its material base, which remains one of the most important legacies of Marxist thought, why should this damage to Colombian society not be seen as a damage to its proper moral identity?

One recognises, therefore, that for reflection to take place, it must be liberated from rationalising human labour under market constraints and not

⁵⁸ In 2008, the GNI index, which indicates the rate of concentration or distribution of wealth, rose to 0.587, the highest on the Latin-American sub-continent. 0 indicates a completely equal distribution, 1 a situation in which a single person owns the whole wealth of a nation.

⁵⁹ The global volume of North American investments rose to 11,847.8 million US dollars from

Jan. 2002 to Sept. 2009. It is 42 % of all foreign investments, against 6, 349.4 million US dollars for Europe, 23 %. That being so, the economic ties with the European Union continued to strengthen during the last years, going from an exchange volume (import/export) of 4,046 million US dollars in 2003 to 9,802 million US dollars in 2009. While imports mostly relate to machines, equipment goods, chemical products, metallurgy and the automobile industry, exports essentially concern carbon (53.7 %), bananas (11.7 %), coffee (9.2 %), petrol and derivative products (5.9 %). (Source: Ministerio de Comercio, Industria y Turismo. Dirección de las relaciones internacionales, Feb. 2010. See figures in the Appendix.)

counting the costs in terms of human life. This prejudice constantly amplifies the industrial division of labour on a national and international level. As we will have occasion to repeat later on, this process works as a mechanism to ensure the weakening of the moral conscience for the sake of a largely idealised "global" growth, which economic Liberalism considers the surest sign of well-being. What Colombian society is called to imagine, then, is not a scarcity economy, but one, which bases its development on an unbreakable respect for social rights. It has to invent solidarity mechanisms – especially with regard to health, education, agrarian reform and income distribution – and implement a growing non-market sector (to express public intervention and a Third Sector). This will allow for the *legitimation of a "domestic economy" in which the other would not interminably be returned to basic invisibility*.⁶⁰ It remains to be seen if the political field, caught in its own difficulties, can achieve this.

5. Division of Political Labour: Popular Classes, Territoriality and Social Fragmentation

Doubtlessly, one of the most profound but also most difficult and controversial aspects of Colombian society still needs to be addressed: its relationship to "power" in general. Here, Michel Foucault guides us once more. He emphasizes the continuous relationships, which express how a political system crystallises in the figure of the "State" with multiform extensions into society. This foundational position allows Michel Foucault to show modernity's new power economy, which takes place in the silent shape of exclusion

60 The notion of "domesticity" has various sources. One finds the term in the book by BOLTANSKI, LUC, and THÉVENOT, Laurent (1991). *De la justification. Les économies de la grandeur*. Paris: Gallimard. It points out one of the forms of justifying economic action when it refers to tradition, to the continuity of ties, and to reciprocity. This term also echoes K. Polanyi's reflections on the principles of a "non-monetary" economy. It is set in a socio-political network from where it draws its meaning, capable of responding to the population's needs by freeing itself from the market's self-referential logic. This "domesticity" interrupts the utopia of the "self-regulating market." And it can re-establish itself in the form of a "pluralistic economy," expressing redistribution (mediating State intervention) and solidarity (based on the existence of a commons). On the subject see especially Polanyi, *The Great Transformation*. Yet, this term also has roots in the economic thinking of Emmanuel Lévinas, especially his reflections on residence, tools and work. In his eyes, economy (the rule of the house) has its phenomenological roots in the specifics of living. On the ethical plane, economy defines itself not as the effacement of the other person, but as the recognition of that presence in the world, fraught with ambiguity and separation: ambiguity, because the embodied subject takes possession of the world and participates in its reality through work, separation, for economy gives a specific place and thereby introduces a particularity, a distance from others. On the subject, see Emmanuel Lévinas, *Totality and Infinity*. These different orientations urge us to think about the economy in another shape than industry (rationalisation) or capitalism (accumulation), and to establish the rights of a subjective life in the cycle of material production.

(lunacy), of disciplining (detention), and more widely, surveillance (generalised), as well as different schemes for new "governmentality." Beyond that, a central discourse juxtaposes the Liberal cause's emancipating power and underhand violence at work in those disciplinary institutions, which uphold the practice of Liberalism. It is necessary to prevent many recoveries between power, State, and society. In Foucault's posthumous texts one discipline is a figure announcing the network which links power in society. The State is only one instance in which it takes shape, although it acts as an essential authority (cf. 1977).

Within the frame of our analysis and traceably under the influence of Marx's early writings, one can nevertheless state that ties between state and society do not only concern those silent and anonymous extensions. To use a term from the *Criticism of Hegel's Philosophy of Law* (cf. 1970), it also plays out in the political division of labour, that is to say, in how the State feeds its hegemonic power in society, and is bound to defending its particular interests. In this division of labour the State appears to be the only trustee of general interest, and is thus seen to be invested with an imaginary power. It is appointed umpire, the exclusive guarantor of what it considers relevant for the will of all. Maybe one can describe the political division of labour as a double process that, on the one hand, accentuates society's many divisions and, on the other, shows how to divide the roles between State and society, to construe the former to the detriment of the latter.

It goes without saying, that it would not be simply a question of "overtaking" the division of labour and dreaming of a kind of communal fusion in the political field. In history this dream has often been expressed by installing some kind of totalitarian power. What matters, beyond official institutions, is that the role distribution, which draws its practical logic from a society struggling with incessant divisions, cannot be thoroughly examined and criticized. For there again, as in the case of a limitless extension of market logic, the "other" is reduced to a pure abstraction and placed under the control of a hegemonic power strategy. Its function makes it just one cog in a kind of communal life. In the Colombian case, this double movement of the divisions in society and their instrumental use by the State is highly questionable. What forms do these elements take in present-day Colombia? It seems important to us to mention three aspects.

Political Parties, Social Movements and Common People: The Question of Representation

The first aspect pertains to what one could call the relationship between political parties, social movements, and the common people, transcending traditional bipartisanship. It is commonly known in Colombia that the period

of the *Frente Nacional*⁶¹ was essentially ambiguous: on the one hand, it ended a violent decade (the period called *La Violencia*, "inaugurated" with the murder of the Liberal Jorge Gaitán in 1948), rehabilitating traditional party politics, and returning a "decent" appearance to Colombian politics. Yet, on the other hand, this reorganisation of the political field was accompanied by the formation of a political oligarchy. It was viewed as a stabilising power against division, yet it fully controlled the national political agenda. It led to a more and more marked separation from the Colombian population, especially the general public. Consequently, members of the general public saw themselves as deprived of representation mechanisms that could give them hope for social transformation through the political game. Thus, the paradox (and its complexity) is particularly characteristic of Colombian society.

At the same time, a political class regrouped in Colombia, lending some moral legitimacy by its ability to end civil war. However, this recovered stability appeared to the large majority of Colombians as a disguised form of domination. It permanently discredited – until this day – any possibility of expressing ethics and politics. More broadly, this situation denied the Colombian political game any chance to endow oneself with legitimacy other than on purely instrumental grounds, tied to the conquest and preservation of power. It is, then, not astonishing that this period should also be the one that saw the formation of guerrilla groups, especially the FARC and the ELN. Their common aim was, in spite of many sociological and political differences, to denounce the exclusionary concept of politics, and to install an alternative power with arms.

One can nevertheless add that, in Colombia's case, the inherent paradox of the *Frente Nacional* is nothing new. Ricardo Arias Trujillo comments on the years in between and points out that this situation forms the background for a first peace process, but also for the legality given to paramilitary groups, as in the 1991 Constitution. The 1991 Constitution could not stop the violence, "even if it opened political spaces like never before in the country's history" (ibid.: 2006: 337 and 341 [on the Betancourt presidency] and 315 [on the 1991 Constitution]).⁶² In Europe, the alternation between violence and autonomy

presents classical political behaviour. Max Weber undoubtedly saw it more clearly than others.

One of the most problematic, not to say dramatic, consequences of the lasting breach between Colombia's political elite and its social base, still is the *systematic eradication of any form of democratic opposition*. The assassination of Union Patriótica (UP) leaders has caused a kind of paroxysm, which calls one to conclude that the national political space has made the formation and recognition of a stable opposition practically impossible. A stable opposition could be a legitimate counterpoint to dominant political actors who have evolved from the Centre to the Conservative Right. Now, the need for such an opposition is not required only to enable alternative political action and, on occasion, in terms of the more and more urgent need for a politics of redistribution, agrarian reform, and restoring public welfare. It also pertains to the possible modification of the general power equilibrium. In the tension between opposing political parties, the space for representation gets larger and opens a way to civil society as a full political subject, no longer prisoner of the capture and division strategies implicit in political charges. From this perspective, the collapse of the Left opposition in Congress in March 2010 disquietingly continues the past. Whatever face the elected President has, this situation raises the problem of the country's democratic future, which supposes that society is given the chance to exist in, and by the game of, political-ideological differences, and to look at and regulate its own internal divisions differently (cf. Lefort 1986).

It is also important, apart from problems posed by bipartisanship, to question what one could call the *culture of Colombian political elites with regard to society – and particularly its common urban and rural layers*. Lacking institutional support oriented towards rebalancing the whole political game, this culture consists of permanently disqualifying the "people" – even when it pretends, at least in the words of many elites, to serve specific interests. Certainly, this contradiction would not exist, if one could ignore modernity's way of legitimizing political action. Its power is drawn from an idea, which reduces civil society to a collection of egoistic individuals, for which the market or the State provides the only legitimate means of collective organisation. One must say, however, that in Colombia's case the situation is exacerbated by the structural mixture of poverty, and the armed violence extolled by guerrilla groups. Enough schemes help spread disparaging judgments and credit the idea that only an elite group, which could survive society's jolts, is able to lead the country in any way. Afterwards, the appearance of paramilitaries, their implication in violent outbursts, and the development of drug trafficking lead to a systematic depiction of the general public. This happens at the moment when the State's permissiveness regarding paramilitary actors reinforces the "need" for vigorous power, like a game of communicating vessels.

The problem of the relationship between elites and society is two-fold. On

61 The *Frente Nacional* refers to the period from 1958–1974 when Conservative and Liberal Presidents alternated and Congress was divided to the almost exclusive benefit of these two parties.

62 In an unpublished UCL document, Leopoldo Múnera Ruiz states that, needing or wanting to give status to belligerent agents, the 1991 Constitution was internally constructed around a hypostasised concept of positive rights, as well as on a partial sociological basis. This situation provoked the retreat of the Guerrilla, the FARC especially, when they precisely should have been integrated into the new political process in order to exit violence. On the same day as the election for the Constituent Assembly, the Government bombarded the Casa Verde, one of the FARC's general seats and the symbol of peace negotiations. It revealed the ambiguity of this project and the failure of a political process disconnected from society. (cf. Múnera Ruiz, 2008b: 34).

the whole, it exposes a characteristic trait of Liberal modernity. The relationship aims to devalue society's political autonomy, at least its attempts to constitute itself as *full political subject*, which works to produce universal elements capable of surmounting divisions, but which also disputes the state's legitimate monopoly on the issue. This problem also applies to the split which exists in Colombian civil society today between its most integrated elements (middle and upper classes, NGOs, political and associative movements, etc.) and its most disrespected elements (the large majority of peasants and working classes, but also victims of violence, particularly displaced populations). These disrespected elements are denied a minimum of institutional support (schools, hospitals, etc.). Since they do not own any symbolic capital, through which they could claim their rights, they are found at the periphery of society even when they make up its huge majority.

One can add that the deliberate break between the working classes and the political elite forms one of modernity's sociological plots, especially in the West. Yet, when this problem was taken on by the trade union movement in Europe, the middle class structure grew as did "Social Democracy," even if in very different forms. These elements do not have a tangible existence in Colombia, particularly because the trade union movement has been criminalised. Ever since, constructing a lasting connection between political elites and civil society remains a major problem. And that, in a country that claims to belong to the Liberal tradition. It is remarkable as far as organising free elections and growing legitimisation for the principle of representation are concerned. Yet, it does not completely discard the political analysis of society, which allows it to face deficiencies, which have always characterised the Liberal tradition in different areas. *Apart from corruption, Colombia's case appears very different from a simple exception: it reminds us that such massive problems are always possible in a country that refers to a limited vision of modernity, without giving itself the proper means to tackle the human cost that, inevitably, accompanies such a vision.*

This does not at all mean that civil society is not dynamic or that its popular segments are incapable of engaging in the social struggle to claim their rights and to propose alternative political programmes. As has already been noted elsewhere, social movements in Colombia offer a particularly dynamic tradition, heterogeneous, organised, and creative. Doubtlessly one sees a "response" there, which society always looks for, answering its own violence. The problem is, however, much more profound. Organic ties between political parties and society's self-organising dynamics have never really existed. Therefore the social movements have always been suspected of causing polarisation and war, even when they have sought to eliminate such constant perversion.

This situation does not only reflect the conservative Right's arrogance towards the working classes. A party like the *Polo Democrático* often discovers the real difficulty in thinking that its discourse and its practice could be

supported on a "communitarian" tradition, scattered afar amongst peasant and indigenous backgrounds, but also amongst a few *barrios* (large urban neighbourhoods). They think that by referring to them, popular movements or victims' movements could in some way serve as recommendation. A part of Polo's own membership shares the vision of Colombia's political life as a jungle of knocks and opportunities. The last years have shown how difficult it is for this party to abandon such an imagination and to shore up its power conquest with popular deeds. One knows nevertheless – and we have said it in the introduction – they bring "practical knowledge" to light in the test of war (cf. Bourdieu 1998; Certeau 1990; Dejours 1993: 47–70). Far from being merely local, this knowledge contributes to the design of justice and peace practices which are *in phase* with problems communities encounter in their real relationship to violence.

Inversely, it is not at all surprising that populism should have developed under the two mandates of former President A. Uribe. The Ultra-Right has always established a party for its political legitimacy, using those disappointed by the traditional Left. So it is endowed with "popular" energy. This was the case in Europe during the Thirties, when, in Germany and Italy, for instance, the imminence of war and recourse to nationalistic arguments propelled a part of the working classes into the arms of Fascism, furthered by divisions in the social Democratic party. Yet this has also been the case much more recently in France (especially with the extreme Right's entrance for a second vote in the presidential election on April 21, 2002). The divisions of the French Left, associated with ambiguous socio-economic measures, helped a good number of workers and employees switch to the radical Right, disappointed by the absence of credible perspectives on social transformation.

Finally, we discover a form of congruence between various levels of social disqualification, specifically regarding society's most vulnerable members. Not only are they trapped by armed conflict, they really are the principal victims of a war which constantly mocks the principle that civilian populations (all the intimidation, territorial conquests or terror by armed actors) is behaviour targeted against the civilian population, underlining society's complete "nakedness" in the face of war, to repeat an expression used by Roland Anrup above) should be protected. They are further disqualified by the dominant political system, which is invested in emphasising its growing connection to the Liberal tradition. Such a situation, which one could call a "double penalty," at the same time lays out a future road to renewal. The link between political parties and the working classes needs new consideration, with special reflection on the key role of social movements. This will nonetheless not preclude limitations or contradictions.

Multiculturalism, Forms of Violence, and Territoriality: Geography and Fragmentation

We must now approach a second aspect linked to the organisation of Colombia's political life. One might call it *the logic of its internal divisions*. One could offer a critique of the political oligarchy. Likewise one could criticise the absence of permanent mechanisms to free civil society from its dependence on political games and return the working class to political life, through a specific media group. It would, furthermore, be appropriate to look at how society is organised, and how it defines itself politically. In this regard, three characteristics merit attention.

The first concerns Colombia's multi-cultural tradition in which the 1991 Constitution presents a key moment. In this regard, Ricardo Arias Trujillo writes:

Beyond measures to strengthen democracy and extend rights and liberties, which already represent a significant change of the state's orientation, the new constitution recognized and gave value to the Colombian nation's plurality. It emphasized and defended its social, ethnic, religious, political, and sexual diversity. If, on the one hand, equality was rated very important, the National Constituent Assembly (ANC), on the other hand, considered the right of differentiation as fundamental, because respect for the "other," that is to say, tolerance, was deemed a basic principle for harmonious coexistence (2006: 355).

This is not the place for a long and extensive discussion of the relationships between multi-culturalism, redistribution, and Liberalism. One knows that with supporters of a *communitarian criticism of Liberalism* (Taylor, Walzer, MacIntyre), the multi-cultural affirmation goes along with deconstructing the liberal project, at least its pretension to a unique model, which equalises existential conditions, and/or denies the autonomy of cultural qualifiers. However, the significance of the relationship between multi-culturalism and redistribution remains quite indeterminate. Left Liberalism (the "universal basic income", supported by Van Parijs, and Vanderborght) demands a radical modification of those conceptions underlying the redistributive project. Nancy Fraser goes even further. She heavily underlines the risks in hiding the social question. She connects them to people asserting their cultural membership more and more pronouncedly, knowing that a large-scale redistributive strategy forbids one to stop at any one sense of identity since this would *de facto* limit the impact of the assertion (cf. Fraser 1997).

However, this discussion is not our main aim. We are more interested in the political significance of suddenly formulating a multi-cultural norm in a country characterised by the co-existence of modernity and war, but also by a diversity of violent practices and identities. So, claiming to recognise

the other's otherness in a general way is in itself not enough. The claim cannot hide the social conditions that produce otherness, that is, the whole material and symbolic process by which "the other" has already been constructed in society. Thus, it seems very perilous to evoke the other in a historic terms. It is, for that matter, largely idealised to ignore the other as in some way pre-fabricated by existing organisational structures such as the armed conflict, but also the perpetuation of a class society, the rural and urban segmentation, and difficulties in promoting public benefit. Recognising an ethnic difference for example, in the sense of identical components that together mark the singularity of a social group, cannot disconnect the accompanying modes of recognition or of low esteem, which already exist at a larger scale. In more conceptual terms, the statement's context is a component of the statement's performativity (cf. De Munck 1999).

Problems in Colombia are caused not by the question of otherness in general. It is rather the lack of a central process of social integration to articulate the particular and the general, even if that articulation were to be questioned in the course of generations or struggles. For, "the other" has existed in Colombia before the 1991 Constitution ... as it does today. Yet, it has remained (and still remains) subject to the power of society's internal divisions, the result of decades of juxtaposed violence which contribute to making "the other" an abstract member of the system, indeed the "objective enemy." *Multiculturalism offers only a limited response to this question*. If it gives cultural communities the means of a stronger affirmation in the public space, and if, from this angle, it contributes to the autonomy of political subjects, it merits high praise. Yet, it does not really address the problem, which we pose. Otherness, when it does not rely on the strength of connection, or membership, can actually be an apology for difference, which, in turn, expresses rejection or separation. Its critical power is much rather linked to its capacity for creating obstacles to standardizing social means of integration, notably generated by the market (as a key-dimension of the United States' regulation model), or by State bureaucracy (which serves the ideology of Republican homogeneity in France). Modes of shaping difference are radicalised by war. Superimposing the multi-cultural claim on such modes really contributes to playing the general game of allowing no differences, since a *communal referential that allows affirming the other as neighbour, identical to oneself, no longer exists*. Here one falls into the trap of subjectivism, disconnected from the universal ambition which inspires otherness (cf. Nanteuil 2009). One finds this aspect in social movements as well.

We cannot here relate the tragic epic of Colombian social movements, or of their creative power. We would only like to pause at one point which is like the crossroads of their power and their difficulties: their relationship to armed conflict. We have already indicated, since the introduction, how their

proximity to violent death forms one of their characteristics. It must, of course, also be seen along with their amazing determination. Above all, the strength of the social movements is that they have never abandoned the idea of a society constructed from "below." They always hold onto the option of political proposals coming from society itself, especially from its most vulnerable segments. One might add that the social movement's problem is not its existence as such, but its disconnection from political rationality, or Colombian party politics. In other words, it has immense difficulty keeping a hold on public space through a mix of organised and durable intermediaries. How the movement is marked by war and by a class society is certainly a structural component of its history and development. We could not leave at that, however, for such a vision presupposes that the vast majority of these movements would only be simple social actors trapped by structural determiners which they cannot change. Such a vision quite contradicts their wish to overturn a given state of the world, especially as far as war is concerned, as well as their perseverance. One could rather see their own logic and underline the fact that they are confronted by a double centrifugal movement: the first is the *polarisation of violence* (especially for victims' movements), the second is the *increasing territorial organisation of the conflict and of society* (especially for the popular movements).

It is quite pointless to return to the violent behaviour enacted on Colombian territory, since we have mostly listed it above. The problem which we wish to expose here is the following: due to their obvious and complete participation in denouncing human rights violations which have characterised Colombian society for decades, the movements defending victims give voice to those crushed by war, but also build their principal identity on this basis. Such mediation remains an essential universalizing element. Yet, they are just as much shaped by claiming the dignity due to victims, as by constructing an identity linked to that humiliated identity. One can understand it. The nature of the atrocities, but also their public denial, must sometimes be overcome with moral grandeur, which cannot successfully rise above a single identity. One can also never emphasize the political function of such movements enough. It helps victims to leave their state of victimhood, and become social actors as full political subjects. Yet, from that very perspective, the problem continues.

Within the scope of our reflections one could qualify it in the following manner: in spite of themselves, these movements belong to the division of labour which characterises the Colombian political field. They in turn participate in defending a specific category of interests and values. In other words, they see themselves trapped in some kind of relationship to society and the political system. The idea is basically that they have every reason for particularity, but not for generality. Once again, this is not a problem of the intrinsic value of their actions, but of their mode of organisation and how it structures identity. For the facts reveal, not only does it allow the State to throw

oil on the fire by playing off tensions amongst victims' organisations,⁶³ but it also reinforces the idea that the inclination for general interest would only come from State structures, and not from the social movements. Raising consciousness for this situation has started several years ago, with the development of many networks of smaller organisations on collective platforms, regional and national, networks of networks, etc. This movement is undeniably one of the most adequate responses to the difficulties in Colombian civil society with regard to the criminalization of its most active members. Yet, we are still only at the beginning of a long process. The underlying socio-affective and symbolic dynamics will necessarily take a long time to change.⁶⁴

The conflict's territorial dimension adds to this first statement. It has a direct effect on the organisation of popular movements (unions, peasant movements, indigenous movements, etc.). State agents, or paramilitary groups, criminalize trade unionism and strike the social movement at its heart. It is all the more troubling, since Colombia clearly belongs to the current dynamic of economic globalisation, mostly of the market, through which it achieves new international legitimacy. Opposing such a situation, popular movements tend towards deep territorial anchoring. This element is an essential condition for making the claims linked to a territorial logic of conflict, but also to the territorial distribution of resources. We have indicated above that it is the case, and, how the absence of agrarian reform keeps a large part of the country in the hands of local power, large landowners and multinationals, run on a neoliberal model, as well as drug trafficking networks and political-economic clientele. In this context, the territorialisation of popular movements is also their weakness. In a country where the relationship of demographic forces between countryside and town reversed two decades ago, where rural areas are places where problems overlap (front line war, poverty, resource control, violence, etc.), insisting on such territorial dimensions gain a double implication: ignoring it is part of a firm denial of Colombian reality, but it does not in itself provide means to achieve the causes for which such movements struggle.⁶⁵

The idea of society's self-government, inherited from the Enlightenment, in Colombia clashes with a number of complex structural factors. The problem

⁶³ Most particularly by construing the figure of the "good victim," those kidnapped illegally, whose families benefit from special juristic (and media) treatment.

⁶⁴ It is not possible to cite all the networks here. One can note that today there is no longer any communal platform for all victims together, which would really allow "uniting" victims of guerrilla groups with those of paramilitaries or State agents. That being so, one should not ignore the fact that many people engaged in these movements are starting up local initiatives in this direction.

⁶⁵ For an extensive portrayal of Colombia's social movements, see Archilia Neira, M. (2005). *Idas y venidas. Violencias y revueltas. Protestas sociales en Colombia, 1958-1990*. Bogotá: ICANH/CINEP. See also M. Palacion, M., and Safford, E. (2006). *Colombia. País fragmentado, sociedad dividida*. Bogotá: Norma.

of criminalising the social movements, stigmatising them, but also their fragmentation belong to this situation. This clearly illustrates the transfer as well as the perpetuation of what we have called the political division of labour in a country where the political game has throughout the past decades remained attached to the idea of the indisputable superiority of political decisions or the State apparatus over every other practice for social change. It cannot be said that Colombian political practice has never known change. On the contrary, the multi-cultural affirmation of the 1991 Constitution, but also a push towards decentralisation, which has handed many powers to governors and mayors, attest to important transitions central to Colombia's political model. Yet, such an evolution does not succeed in changing the structure of the political field and the logic of its internal divisions. In particular, it can never – willingly or unwillingly – allow social movements to pierce the armour of the dominant logic and recognise that human subjectivity fully participates in political action. Now, this generally poses *the problem of society's anthropological status in forming public space*. That status remains remote from the initiative for change and, at the same time, its identity as a political subject is quite under-estimated, indeed denied. Yet, without this basic recognition, without this possibility of acceding to a political identity disentangled from the logic of the State apparatus or political competition, one does not precisely see how an alternative tendency could establish itself. It is done in the name of “progress,” which is considered indisputable, and in the name of a Liberal modernity, which saturates the “rational” outlook.

Another relationship to the other ...

During a European conference, Leopoldo Minera presented a brief synthesis of the situation in which Colombia's social movements find themselves. He emphasized how the organisational problems in the political field were reflected in the field of official historiography. He wrote:

A good part of Liberal and Conservative historiography is constructed on the voluntary or involuntary forgetfulness of popular sectors and movements. This selective amnesia is not only characteristic of historians, but also of Colombian governors, for whom *the popular other* only appears when it reaffirms the *institutional self*, but never as a real other that is so absolutely heterogeneous that it cannot be reduced to official history (2007: 2).

This author very accurately “places” the problem. *It is in regard to the idea of a relationship to the other or a model of otherness that Colombia's future is at risk*. Recognising the other presupposes that one recognises the other's real existence, with its socio-historical and socio-cultural singularity, in the singularity of its own body-shaped subjectivity. The problem is, then, not only the existence of institutions, but the relationship between institution and

society, between the objective forms of the dominant political logic and the structures of the living world (*Lebenswelt*). The social movements vividly recall the existence of those structures, in spite of their own temporal contingency. Similarly, the question is not whether modernity exists in Colombia – it is doubtless more present than ever – but whether it can think about its relationship with human subjects, which daily establish their otherness. For this is what Liberal modernity stands for: its incapacity to recognise the process which threatens society down to its foundations in society's divisions, and which undermines the very promise on which liberalism uncasingly backs up its justifications; the promise of an individual *in* the world, rational and autonomous, protected from abuses of central power, capable of deciding freely on her, or his, fate, and that of their fellows, by means of parliamentary representation. Ignoring foundations for such a promise leads Liberal modernity to consider the rest of the world as a “thing” – Bauman says a “garden” (cf. Bauman 1989) – that has to be rationally maintained. It promotes civil rights and liberties without questioning social and historical conditions to achieve them. It frames a social anthropology based on the apology for a lonesome and calculating individual – but an individual disconnected from real power, tied to an existential solitude only overcome by an everlasting growth in material gains. Therefore, it allows violence to spread throughout the country, to offer supposedly “rational” justifications and to transgress basic anthropological barriers, such as human life and human dignity *at no cost*.

Conclusion

This text has not primarily tried to open “practical” ways about the question of what must be done to leave the current situation behind. In some way, the choices are only too clear. From the humanitarian agreement to the (re-) construction of a political opposition, articulated by the social movements through the affirmation of victims' right to justice, truth, and complete reparation, the struggle against poverty, the endless drug trafficking, white-washing and corruption, but also the consolidation of public goods, combined with reinforced solidarity: it is not difficult to offer perspectives which could allow Colombian society to rearticulate and realize justice and peace, and so to define itself *beyond* conflict.

This text has another ambition. Above all it wants to investigate *the reasons why such choices did not and still cannot take place*. Said differently, it wants to reflect on the matter of sociological mechanisms, which underlie the project of Liberal modernity. In Colombia, a large majority, not only its elites, aspires to such a modernity, though the country has never developed the proper mechanisms of self-regulation which always oppose Liberalism but form

strong social ethics and give society a certain consistency, at least in the Western tradition where this ideology is wide-spread, excepting Europe of the Thirties.⁶⁶

In the coming decades, Colombia needs to free itself from restrictive definitions of economics and politics in order to constitute society as a mix of rights and collective rules, with the social gains of a welfare State and cultural counter-forces. Similarly, one must insist that nothing is more illusory than affirming, in a kind of post-Cold War historical rationalisation, that the Western tradition is essentially *the model of Liberal democracy*. This view is a caricature that rests on a particular trick: to deny the intrinsic contradictions of a single model, and to ignore the weight of history which determines precisely that reality is never shaped according to only one single point of reference. Certainly, regarding these different questions, we stand at the dawn of a new phase, particularly in Europe and in the United States.

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Appendix

Human Rights

One can evaluate human rights in two ways:

- diachronically, listing all human rights violations during a specific period;
- synchronically, presenting the various types of violation at a given time.

Diachronic evaluation

We can henceforth say that within thirty years, from 1975 to 2001, the actions of the Guerrilla, the paramilitaries, the armed forces, and the Police caused more than 100000 political homicides, two and a half million displaced people, or more exactly "exiles," sixteen thousand prisoners, and five thousand disappeared persons. Sources: Colombian Jurists' Commission (CCJ), Asfades, CODHES, País Libre, listed in Luis Múnera, "Colombia: El grado cero de la política" (Communication in the GRIAL, Catholic University of Louvain, Mar. 2008, unpublished). The differences from recent figures (see below) are related to the fact that forced disappearances end in homicide. Both categories tend to be grouped together when bodies are found. The same applies to detentions: people can be freed or murdered. They then enter another category (see below).

Synchronic Evaluation

These numbers need to be updated with recent changes to present a synchronic reading.

- Between July 2002 and June 2006, 11 292 non-combatant *détainees-disappeared persons* were murdered. Source: Colombian Jurists' Commission, "Colombie 2002-2006: situation des droits humains et du droit humanitaire" (2006 : 2). In this document the Commission adds that the data for 2006 contain only the figures of the first semester, because listings were unavailable when the synthesis was made. The data thus under-represents reality. Altogether, we have to notice that the main responsibility for these kinds of violations continue to lie with paramilitary groups. Originally, between July 1996 and June 2006, they accounted for 71.06 % of deaths for socio-political, non-combatant motives. Source: Colombian Jurists' Commission (ibid.: 9).

- More recently, between July 2007 and June 2008, 1,470 *persons lost their lives "out of combat"*. 1,344 were homicide victims, fifty bodies of forcibly disappeared people were found (likened to homicides), of 126 forced disappearances no bodies were found. Amongst these were 105 women and 61 children. The Colombian Commission of Jurists attributes these deaths, according to the figures they report, as follows: 32.4 % of homicides (913 people) by known authors were committed by the State agents, 50.4 % by paramilitaries, 17.2 % by guerrillas. As for forced disappearances, the bodies of 126 people were never found, 40.7 % could be directly attributed to state agents, 53.1 % were carried out by paramilitaries, 6.2 % by guerrillas. Source: Colombian Commission of Jurists, "Situación de derechos humanos y derecho humanitario, 2007-2008" (3-4).

- All in all, the figures which prompt a global evaluation of the number of *forced disappearances* vary between 30,000 (FIDH 2008) and 50,000 (MOVICE 2009). In an aforementioned document the Colombian Commission of Jurists estimates the number of persons reported missing between 1996 and 2002 at 20,000 (CJ, on 2006). We note, however, that there is always uncertainty as to the exact evaluation of forced disappearance cases. The actors are not always known and when they are known and bodies are found, as already mentioned, the forced disappearances fall under the category of homicides. Sources: Movimiento Nacional de Víctimas de Crímenes del Estado (MOVICE), *Sin Justicia y Sin La Paz. Verdad Fragmentada, Reparación Ausente*, (Bogotá: 2009); International Federation for Human Rights (FIDH), *Resolución du Bureau international de la FIDH sur la Colombie*, (May 2008); Colombian Jurists' Commission, "Colombie 2002-2006: situation des droits humains et du droit humanitaire" (2006).

- As far as *massacres* are concerned, the Colombian Commission of Jurists raises the figures from the last listed period (between July 2006 - June 2007 and July 2007 - June 2008). During the first time-period, 17 massacres claimed 82 victims. During the second period, 126 persons were killed in 25 massacres. 22 % were committed by State agents, 66.2 % by paramilitaries, and 11.7 % by guerrillas. Source: Colombian Commission of Jurists (ibid.: 4). The same document analyses recent changes in *extra-judicial executions* carried out by the armed forces and police. The number of extra-judicial executions has risen constantly, from 127 (July 2002 - June 2003), to 197 (July 2004 - June 2005), till 274 (July 2007 - June 2008). Source: Colombian Jurists' Commission (ibid.: 7).

- For the victims of forced displacement or "banishment", the most reliable results are supplied by *Consultoría para los Derechos Humanos y el Desplazamiento* (CODHES), the non-governmental organization which carries out a systematic follow-up for this population sector. According to this organization, the annual average of displaced people between the first half of 1999 and the first half of 2002 was 328,880, whereas the average reached between the second half of 2002, and the second half of 2005 was 289,813, a 22 % decrease. In absolute terms, we observe the following changes: 412,553 persons were moved in 2002; 207,607 in 2003; 287,581 in 2004; 310,387 in 2005; 221,638 in 2006; 305,966 in 2007. It is, furthermore, necessary to specify that there are numerous regional variations of such figures. So, in 2007, the departments in which forced displacement was most significant were the following: Bogotá, Nariño, Antioquia, Valle del Cauca, and Santander. Generally, one can assume that around four million displacements were reached by the end of 2007. This places Colombia at the head world-wide. Source: Codhes (http://www.codhes.org/index.php?option=com_docman&task=cat_view&gid=55&Itemid=51).

- On the other hand, *kidnapping*, which constitutes a violation of human rights and International Humanitarian Law, showed a slight decrease, even if it did not disappear. The statistical data of the *Fundación País Libre*, a pro-government organisation, registered the following changes: 3,138 detention victims between 1998 and 2001; but 1,810 between 2002 and 2005; and 604 between 2006 and 2007 (the yearly average). This decrease can be explained by the military and political turn to which the Guerrilla was forced under the pressure from the armed forces and paramilitaries. Between 1996 and 2007, 28.9 % of detentions were committed by the FARC; 22.8 % by the ELN, 16.5 % by criminal bands, and 4.97 % by paramilitaries. In twenty-two per cent of cases, those responsible could not be identified. Source: Múnera Ruiz 2008c; Fundación País Libre (http://www.paislibre.org/images/PDF/Informe%20secuestro1996_m1_2007_m12_20_2_.pdf). In its May 2010 newsletter this organisation considered it impossible to give a precise assessment of detention figures in Colombia. (<http://www.paislibre.org/>)

alfa/index.php?option=com_content&view=article&id=1060&Itemid=31&lang=es).

Trade Union Situation

Tab. 1 – Rate of Unionising

Year	1947	1965	1974	1984	1996	2002	2005
Rate of Unionising	4.7	13.4	12.5	9.3	6	4.9	4.6

Source: Escuela Nacional Sindical (ENS)

Tab. 2 – Homicides of Union Members: World-wide and in Colombia

Year	Number of Homicides World-wide	Number of Homicides in Colombia	%
1999	140	80	57
2000	209	137	66
2001	223	197	88
2002	213	186	85
2003	129	94	73
2004	145	96	66
2005	115	70	61

Source: Escuela Nacional Sindical (ENS) – Cuaderno de Derechos Humanos No.16.

Tab. 3 – Violations of the Rights to Life, Liberty, and Integrity for Colombian Trade Unionists

Kind of Violation	Year	2000	2001	2002	2003	2004	2006	2007
Homicide		137	197	186	94	96	72	39
Death Threat		180	234	190	296	445	244	224
Attack with or without injury		13	24	17	20	6	5	11
Forced Disappearance		17	12	9	6	7	5	2
Violation of Domicile		1	1	–	12	3	2	4
Arbitrary Detention		37	8	11	49	77	16	19
Harassment		2	13	19	54	17	22	16
Confinement		24	41	27	7	5	5	0
Forced Displacement		155	70	2	91	33	7	101

(Continued)

Kind of Violation	Year	2000	2001	2002	2003	2004	2006	2007
Torture		2	1	1	–	1	4	2

Source – Escuela Nacional Sindical (ENS)

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NB – The notable increase in numbers of forced displacement is tied to the ENS' concentrated focus on this matter. One knows, that previously they were seldom declared, for different reasons, among which, fear of reprisal. Between 1991 and 2006, 496 trade union leaders were assassinated, between 12 and 65 per year. In this case, 285 can be attributed to paramilitary groups, 147 to guerrilla groups, and 21 to State agents, the rest to common delinquency.

Tab. 4 – Number of Collective Agreements

Year	2000	2001	2002	2003	2004	2005	2006
Number of collective agreements	648	483	700	284	628	360	141

Source – Escuela Nacional Sindical (ENS) Socio-Economic Numbers

Tab. 5 – Direct Foreign Investment (Jan. 2002 – Sept. 2009)

Region	Jan. 2002 – Sept. 2009
North America	11847.6
Europe	6349.4
Antilles	4635.4
Central America	3999.8
South America	1390.1
Asia	157.4
Rest of the World	146.3

In million US\$; Source – Ministerio de Comercio, Industria y Turismo, Dirección de relaciones comerciales (Ministry of Trade, Industry and Tourism, Directive on Commercial Relations), Feb. 2010.

Tab. 6.1 & 6.2 – Exchange Volume with the EU and international specialisation

Year	2003	2004	2005	2006	2007	2008
Commercial Exchange Volume (import-export)	4046	4648	5706	6887	8446	10090

In million US\$, Source: Ministerio de Comercio, Industria y Turismo, Dirección de relaciones comerciales (Ministry of Trade, Industry and Tourism, Directive on Commercial Relations), Feb. 2010.

Tab. 6 (continued)

Principal Exports	2009 (%)	Principal Imports	2009 (%)
Coal	53.7	Machines and equipment goods	52.5
Bananas	11.5	Chemical Products	24.4
Coffee	9.2	Metallurgy	5
Petrol and Petroleum derivatives	5.9	Automobile Industry	4.1
Ferronickel	5.4	Paper	2.4
Flowers	2		

NB – In 2009 the EU was both the second largest foreign investor and the second largest source for Colombia's imports.

Tab. 7 – Employment, Under-Employment and Informal Sector Figures

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009
Indicators									
Employment Figures	14.9	15.5	14.1	13.6	11.8	12	11.2	11.3	12
Under-employment Figures	31.7	34.8	32.3	31.8	31.9	33.9	35	29.1	29.7
Figures for the informal Sector	60.5	61.3	60.6	58.6	58.7	58.5	56.6	55.9	60

Source – Misión para el Empalme de la Series de Empleo, Pobreza y Desigualdad 2009 (MESEP)

NB – Under-employment is characterised as: insufficient income, insufficient working hours and/or being over-qualified (for example, a qualified doctor working as a taxi driver).

Tab. 8 – Figures of destitution and poverty (urban/rural areas)

Year	2002	2005	2008
Indicators			
Figures of poverty			
Urban	40.3	37.4	30.7
Rural	69.3	67	66.2
Figures of indigence			
Urban	9.4	7.4	6.8
Rural	32.5	27.4	32.6

Source – Misión para el Empalme de la Series de Empleo, Pobreza y Desigualdad 2009 (MESEP)