

Paramilitarism

A Criminal Policy of the State Which Devours the Country

To understand paramilitarism and how it functions in Colombia, it is useful to look at the root meanings of the term. Crisostomo Eseverri Hualde, the author of an erudite Dictionary of Etymology of Spanish Helenisms, published in Spain in 1944, notes the significance of the Greek preposition “para,” used as a prefix in numerous Spanish language words. According to him, there are three meanings of this preposition: 1) approximation; 2) transposition; and 3) deviation or irregularity. In effect, this preposition is utilized to make reference to something which is next to, adjoining, which is similar to, but which at the same time is beyond, outside of, leaving from the entity denoted by the principal body of the word.

Some examples illustrate better the meaning: “parabiosis” denotes the union between two twin beings of which only one has its own independent life, while the other, a parabiological, only lives at the cost of the first. “Paracite” (with a “c”) is an abnormal cellular element of an organism; and a “parasite” (with an “s”) is a living organism which feeds upon the juice of the other. The concepts of proximity and deformation are integrated, thus, in the meaning of this preposition.

According to the above, “paramilitarism” denotes activities close to military, but which at the same time deviate from or are irregular from the militia. “Paramilitary groups” are bodies which act together with the military institution but which at the same time exercise irregular action, deviated, deformed, from the military.

If the military institution has a role in society or in a state governed by laws, a State of Law, it is exactly that of exercising, in the name of and by delegation of the social body, the armed or war activity in defense of that same social body, within strict ethical and legal norms which impede it from departing from its dangerous role. If there is a justification for the existence of the institution, it is precisely the danger that someone who is not rigorously formed in the ethical and legal canons of the use of arms might have opportunity to use them, and above all that someone not be held rigorously accountable for his actions in the use of arms.

Both the politization or ideological conversion of men of arms, which leads them to use force in the defense of the interests of one group or sector of the society and not in defense of the interests of the community as a whole, and the practice of linking armed action to civilian persons or groups contradict the legitimizing principle of the armed forces of the state. In this last case, the armed forces lose their reason for being, since this is essentially conceived to be an exercise or action which cannot or ought not to be exercised by civilians. Therefore this tends to destroy the founding principles of the State of Law: equality of all those associated before the law and the illegitimacy of any citizens using force to submit others to their interests.

The denaturing of the military institution occurs when these departures from the norm are added together: the adopting of an ideology by ideolization of the armed forces and the blurring of the frontiers between what is civilian and what is military. But these departures reach the highest level of perversion when they are conditioned to mechanisms of secrecy, as subterfuges to make a mockery of their responsibilities. When one arrives at this level, the "State of Law" has ceased to exist.

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The tendency to erase the borders between the civilian and the military has a long history in Colombia and has even been sought to be legalized by means of spurious processes.

Up to 1989, the legal substantiation for the proliferation of paramilitary civilian armed groups coordinated by the Army was found in paragraph 3 of Article 33 of Decree 3398 of 1965. This was converted into permanent legislation by Law 48 of 1968. This principle authorized the Ministry of National Defense "by conduct of authorized commanders to support, when it considers convenient, as if private property, arms which are considered as being of a private use of the Armed Forces." Besides this, in Article 25 the mentioned Decree authorizes the National Government to utilize the civilian population "in activities and works by which they contribute to the reestablishment of normality."

However, in a sentence of May 25, 1989, the Supreme Court declared unconstitutional Paragraph 3 of Article 33 of said Decree 3398 and explained what Article 25 covered. According to the Supreme Court, Paragraph 3 of Article 33 conflicted with the constitutional principle of a monopoly of arms of war being in the head of the government, "which is responsible for maintaining public order and for reestablishing it when it is disturbed."

This is a legal disposition which has, in addition, the Court observed, an "historical sense for resolving serious conflicts which affect civilian relations among Colombians and which now acquires a renewed significance in the face of problems which have brought about the diverse forms of the present violence."

With respect to Article 25, the Supreme Court explained that it is only "the National Government, working as such, the President and Minister of Defense, which can, by means of Decree, mobilize and utilize all Colombians in the task of reestablishing normality, when a cause of foreign war, commotion or public calamity presents itself."

The Court noted that "the interpretation of these norms has led to confusion in some sectors of public opinion which propose that they can be utilized as a legal authorization to organize civilian armed groups." But the Court itself is emphatic in concluding that "the activity of these groups is located at the margin of the Constitution and of the laws."

Notwithstanding the decision of the Court, high government counselors continued defending the "legality" of paramilitary groups, or groups of self-defense until 1989, with the pretense that their responsible persons not be tried in a judicial process.

The abusive interpretation of these norms was so audacious in the high military ranks that very soon internal resolutions began to appear tending to impel the involvement of the civilian population in armed actions. Resolution 005 of April 9, 1969 in its Article No. 183 is oriented toward "organizing in military form the civilian population, so that it will protect against the action of the guerrillas and will support the carrying out of combat operations."

Further along, the same resolution establishes the setting up of "self defense boards." These are defined as "an organization of military type which is made up of civilian personnel selected from the combat zone, which is trained and equipped to develop actions against groups of guerrillas who appear in the area or to operate in coordination with troops in actions of combat." These "self defense boards" also will be utilized to "prevent the formation of armed groups." The setting up, training and providing of arms to them are also considered in the resolution.

After the mentioned resolution, many others followed which promulgated rules of anti-guerrilla combat, where it was taken as given that the objective of the troops would be setting up of armed civilian groups and providing orientation

to promote them. (See the Counter-Guerrilla Manual of 1979; the Manual of Combat Against Bandits or Guerrillas-Resolution 0014 of June 25, 1982, EJC-3-101/82; the Regulations of Counter-Guerrilla Combat-EJC-3-10/87).

But the linking of the civilian population to armed actions, which supposedly would be exclusively of active members of the public forces, obeys an unconfessable objective which becomes explicit in some of these “secret” manuals, thanks to its character of being clandestine: it hides the identity of agents of the State or allows them to carry out “covered up operations.”

Paramilitarism becomes, then, the keystone of a strategy of “Dirty War,” where the “dirty” actions cannot be attributed to persons on behalf of the State because they have been delegated, passed along or projected upon confused bodies of armed civilians. Those committing the crimes are anonymous and easily definable as common delinquents who act and thereafter disappear into the fog. This covers up responsibility for acts which have no legal justification or legitimacy, not even during times of warlike confrontations. The result is that they confound and complement two types of events: actions of military officers camouflaged as civilians and military action of civilians protected in a clandestine way by military personnel. Both types of procedures have the same objective: to provide impunity through cover ups.

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The terrorist wave which was set loose in Bogota and in other regions of the country towards the end of 1978, after Decree 1923 became law—that Decree being better known as the Statute of Security—led to the identifying of an audacious form of “Terrorism of the State.” In effect, beginning in September of 1978, phone and written threats were received by people known for their beliefs in democracy, including a high magistrate of the Court who objected to the constitutionality of the Statute of Security. Dynamite was used in attacks carried out against the headquarters of the Communist Party, against an afternoon newspaper of the capital city, and against a magazine. The kidnapping and “disappearance” of several activists of the left and of university leaders, were carried out by the underground “Triple A” (or “American Anti-Communist Action”). Later, the findings of the precarious investigative processes which were initiated and the confession of two deserters to a Bogota daily newspaper, led to the uncovering of agents whose identity was kept secret by the Triple A to military personnel attached to the “Battalion of Intelligence and Counter-Intelligence Charry Solano-BINCI.” The names of the officials who were charged with these deeds would later on be familiar to the majority of

Colombians, since they received all of the promotions and military honors possible and occupied the highest offices and responsibility in the hierarchy of the Colombian Armed Forces.

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On December 3, 1981, a helicopter spread fliers over the City of Cali announcing publicly the establishing of the group MAS: "Death to Kidnappers" (Muerte a Secuestradores). The fliers mentioned that 223 chiefs of the Mafia (the "kidnapables") had joined together and had put up money to create a squadron of 2,230 men, which was to execute without mercy any person linked to any kidnapping. The fliers affirmed that "the kidnappers who were detained by the authorities will be executed in prison." They cited the case of Martha Nieves Ochoa, daughter of an Antioquian drug - trafficking leader, who was freed by MAS after her kidnapping by members of the M-19 guerrilla group.

The logo of MAS began to appear in diverse regions of the country, attributing to itself numerous crimes, disappearances, massacres, assassinations, attempts at assassination, and threats. A youth captured in Medellin in May of 1982 and brutally tortured in the installations of the B-2 one night was taken blindfolded to a private house to avoid having a search commission find him in the military quarters in which he had been tortured. Later, the house would be identified as that of Fabio Ochoa, which provided evidence of the close collaboration between drug traffickers and military officers in this type of covered-up operation.

The year 1982 was full of actions of MAS. Civilian armed groups in rural regions began to identify themselves with this logo, particularly in Cauqueta and in the Middle Magdalena. There was no doubt that a strategy of private and clandestine justice had been mounted with the participation and support of the Armed Forces. The national and international movement in favor of human rights began to pressure the Betancur government to take a position with respect to this phenomenon and Betancur requested that the Attorney General investigate.

From October of 1982 on, eight criminal justices, accompanied by special prosecutors and by investigators of the judicial police, carried out investigations in Medellin, Cali, Barrancabermeja, Puerto Berrio, La Dorada, Puerto Boyaca and Arauca. On February 20, 1983, the Attorney General (Procurador General) made public a report about MAS with the names of 163 persons linked to this

death squad, among them 59 active members of the public forces. In defining the phenomenon, the Attorney General affirmed:

“This deals purely and simply with government personnel who get out of line facing the temptations of multiplying their capacity of action and of taking advantage of private agents, whom they begin to take as “guides” and “informers,” collaborators and helpers in general, and whom they end up using as a hidden arm so that a plan using them as hired killers is made unofficially which officially these personnel could not do.”

The animated reaction of the Armed Forces toward the report led to fear of a coup and that is what the Minister of Defense of that time insinuated in an editorial of the Magazine of the Armed Forces (January, 1983):

“Arguments for a new internal conflict of the nation could be originating, since undoubtedly that honest part of society, which considers itself represented in a dignified manner and defended by the Armed Forces, would tend to stand up at the side of these institutions and the institutions, facing the perspective of the undermining of their dignity, could become of a mind for a struggle of incalculable and unforeseeable proportions which would take our country to a new phase of violence”.

The Attorney General’s office itself would adopt from that time on a favorable attitude toward paramilitarism, by abstaining from gathering evidence and by refusing to implement any sanctioning measure against the members of MAS. The country would tend to accustom itself from then on to the so strange policy of impunity which is covered under the name of an “Attorney General’s Office of Opinion” (Procuraduria de Opinion).

The government did the same and abstained from discharging the accused from military service. Meanwhile, the Congress of the Republic approved promotions and honors for almost all of them. A retrospective reading of this lists shows that the State, by means of all its powers, conferred upon the members of MAS successively the highest responsibilities in the management of “public order” and the highest posts and honors in the military hierarchy. From then on, the paramilitary strategy was clearly shown, with the clearest signs that could be set forth in the mechanisms of social communication, as an uncompromising policy of the state.

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The point of transition of command from President Julio Cesar Turbay to President Belisario Betancur in 1982 also signified a fundamental restructuring of the repressive policy of the state.

A high level evaluation, carried out within the Armed Forces, upon the effects of the repressive model which grew up around the Statute of Security (1978-1982), gave as a result a military failure (since subversion increased in alarming proportions during this period in which all had been designed for its definitive extermination) and a political failure (for the notable deterioration of the governing party as much at a national level as an international level).

Betancur designed, as a way out of this, talk of "peace" and of "negotiation." However the internal communications directed to the military high command by its high officers on June 25, 1992 and on May 1, 1994, provided evidence of the military's lack of agreement with this model and revealed an underground movement within the Public Forces in support of another strategy not made explicit.

But in one part of the country, disagreement with the "politics of peace" of Betancur was proclaimed loudly and a different alternative was pronounced, with pride and noise, as a solution to the conflict: an alliance between the Armed Forces and civilians in a counterinsurgency struggle. At the entrance to Puerto Boyaca a gigantic billboard was erected on which a "welcome" was extended to "the anti-Communist Capital of Colombia."

A coming together of powers and circumstances converted Puerto Boyaca into the "Vatican" of paramilitarism between 1982 and 1989: creation of the XIV Brigade of the Army and its placement in Cimitarra and later in Puerto Berrio (1982-83); assignment to that Brigade of the Barbula Battalion, located in Puerto Boyaca (1983); the mentality of the commanders of these units, infused completely with all of the principles of the Doctrine of National Security, as they explained it numerous times; the unrestricted support which their superior hierarchies gave them at the highest levels; the leadership of military and civilian mayors, who were originators of the project; the economic support of cattlemen of the zone and of other wealthy persons; the support of political leaders of the zone, favored by their liberal chiefs of ministerial rank; and abuses and extor tions by the XI Front of the FARC, guerrillas, which operated in the region.

The paramilitarism of Puerto Boyaca was converted little by little into an undertaking of great strength. Soon it changed its name from MAS to that of autodefensas (self-defenses). It was organized as a network of armed civilian groups, coordinated and trained by the army, in a frenetic action of extermination of “communists.”

The bombardments carried out by military helicopters were accompanied or followed by exterminating incursions of the “Autodefensas,” directed against activists of any social or political organization of leftist ideology. The arms were provided to them by the XIV Brigade, as was publicly announced in the newspaper Puerto Rojo, in its edition of August 1987: “The arms were acquired in the XIV Brigade, undoubtedly by all persons who needed them....” A legally registered organization, ACDEGAM (The Peasant Association of Farmers and Ranchers of the Middle Magdalena), channeled military projects, “legally” — those which were financial, educational, sanitary, of infrastructure and of roads. By means of these the “Autodefensas” sought to win and control the entire population. Later a “legal” political movement would seek to expand the experience as political ideology: MORENA (The Movement of National Renovation).

No one would be able to say that the diverse powers of the State did not back the paramilitary plan of Puerto Boyaca. In the archives of the state there are to be found at least four confessions which coincide and are highly reliable:

1. On May 10, 1988, agents of the DAS drafted a comprehensive document based upon the confessions of Diego Viafara Salinas, who was a member of the City Council of Puerto Boyaca between 1988 and 1990, but who had been linked to the “Autodefensas” since 1983. Viafara detailed the participation of the Barbula Battalion in the paramilitary plan and its coordination with the Liberal Party politician Pablo Guarin, who was himself supported by the Minister of Government Jaime Castro, as was also his long work in health plans of ACDEGAM (page 7). Participation is viewed in the activities of ACDEGAM and the “Autodefensas” by recognized leaders of the paramilitaries or of drug trafficking of some other regions, such as Gonzalo Rodriguez Gacha, Fabio Ochoa, Fidel Castano, Victor Carranza and Pablo Escobar (page 8 and page 20). Viafara’s statements also allege that the Barbula Battalion and the Autodefensas carried out patrols together (page 10).

The statement by Viafara also describes in detail circumstances in which the alliance between the “Autodefensas” and the drug traffickers began in 1985 (page 11) and the hiring of Israeli and English mercenaries to train the paramilitaries (page 19). It enumerates the places in the country where the

“Autodefensas” had been established (pages 24-26), and these coincided with the large number of reports which had been presented about the presence of paramilitary groups attached to the Armed Forces. Viafara’s statement amply tells of the development of the relations between paramilitarism and drug-trafficking and the mechanisms used to undermine investigations about crimes which they commit (pages 50 and following).

2. In November 1989, the Dijin of Bogota interrogated Luis Antonio Meneses Baez, who had been captured for other suspicious activities, and drafted another profoundly revealing document which contains his confessions. Meneses reveals there that the commanders of the Brigade and of the Battalion (XIV Brigade and the Barbula Battalion) linked him to the “Autodefensas” of Puerto Boyaca in 1981, at a time when he was an officer of the army. He affirms that “the peasant autodefensas...are a policy of the Government for the counterinsurgency struggle” (page 4). Later, the II Brigade, with headquarters in Barranquilla, gave him the task of creating other “Autodefensas” in the south of Bolivar. The B2 of the Brigade established the link between the “Autodefensas” and the military hierarchies and the arms which were provided by Indumil (the government military provisions office) (pages 5 and 6). When in 1987 the “Autodefensas” saw the necessity of integrating themselves on a national level,
 - *“military intelligence led by the Charry Solano Battalion brought together peasant self-defense movements under their control and to do that they organized a meeting with the regional leaders in the buildings of the Charry, where a National Self-Defense Board arose, composed of leaders of approximately eight regions, whose function was to promote the system of self-defense and to coordinate with army intelligence operations “(page 7).*

Three national meetings are talked about: one in the Charry Solano Battalion in 1986; another in Santander in 1987; and another in September of 1989 in the rural area of Caqueta (pages 10-11). The organization possessed a military chief, who “coordinated the mixed operations of a military type with the Armed Forces” (page 11). There are enumerated 22 fronts of “Autodefensas,” which coincide with the recognized focus points of paramilitarism in the country (pages 15-17); in each front the “Commander or military person in charge” “coordinates with the Self-Defense board and the Armed Forces the operations and activities to be carried out (page 18). With respect to patrolling, Meneses’s statement alleges that

- *“normally it is mixed (Armed Forces-Autodefensas), based upon techniques imparted by the Army...when the Autodefensas is alone, it is informed of the movements of military units or of the Police which can be made aware of its activity”*(page 22).

Meneses Baez establishes in his confession that there is a certain change in emphasis which occurs in the relations between the Armed Forces and the “Autodefensas” in 1989: *“Until the beginning of 1989, the contacts were made with the High Command of the Army and now intermediaries are utilized...”*(page 24).

3. In 1990, the DAS (Administrative Department of Security) drafted another document with the confession of Army Major Oscar de Jesus Echandia Sanchez, who had been the military mayor of Puerto Boyaca between 1981 and 1982 and a co-founder of the MAS. He retired from the army in 1988, when an order of capture calling for the assassination of the Mayor of Sabana de Torres weighed upon him, but he was protected by the command of the VIII Brigade, continuing attached as a retired military officer to paramilitarism until his confession in 1990, when he became an informant of the DAS.

Major Echandia told with chilling casualness of the killing of “communists” and even of “galanistas” (followers of Luis Carlos Galan, a Liberal Party leader) in the Middle Magdalena, referring to about 300 assassinations (pages 6,7, 10). The historical conjuncture in which the alliance between paramilitarism and drug trafficking was produced is pointed out, 1983-84 (page 8). He denounces the close relationship existing between the Commander of the School of Cavalry of the Army, Colonel Plazas Vega, and the “Autodefensas” of drug trafficker Rodriguez Gacha (page 9). Major Echandia’s story uncovers the originating relationship which the paramilitary structure of Puerto Boyaca had with other paramilitary structures which later on were developed scandalously, such as those of San Juan Bosco de La Verde and the Chucurena region and those of Uraba and Cordoba commanded by Fidel Castano (page 11). Major Echandia’s statement tells of the hiring of English and Israeli mercenaries for the training of the paramilitaries in 1989 (page 14 and following) and affirms that *“always when foreign persons visited Puerto Boyaca, especially mercenaries, they arrived accompanied by a convoy of agents of the F-2 or civilian personnel of the army”* (page 20).

4. When in 1989, Colonel Luis Arcenio Bohorquez Montoya, commander of the Barbula Battalion of Puerto Boyaca, was called upon to end his military service after word of the scandal had been released about the presence of foreign mercenaries who trained paramilitary group members, this official made public a letter to the Minister of Defense in

which reference was made to the former directors of the highest military officialdom linked to the creation of the self-defense groups, directorships which extended up to the highest hierarchies. The officer indicated he did not understand why he was punished since he had limited himself to following the orientation of his superiors in the hierarchy. (Cite to the daily newspaper "La Prensa," October 15, 1989, page 5).

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The paramilitary experience of Puerto Boyaca was, thus, profoundly revealing. The diverse confessions which revealed its structures and practices permit the sketching of its fundamental characteristics:

- Financial support on the part of the trade organizations and powerful businesses: large agricultural producers, cattlemen, oil companies, and later drug trafficking led by its most recognized leaders;
- Political support of military and civilian mayors, of leaders of the traditional parties whose line of "cacique-style leadership" penetrated up to the Congress and to the high Executive Power by means of sponsoring ministers;
- Military support in the local battalion which at the same time obtained its support from the respective brigade arriving at the high command of the Army to coordinate at the moment of expansion of the experience, the National Self-Defense Board through the Charry Solano Battalion; (It needs to be added that the international military support through the English and Israeli mercenaries were escorted to Puerto Boyaca by public forces, and also enjoyed immunity within their own countries).
- Highly effective support by the judicial power, which absolved the responsible parties or tabled the poor criminal proceedings which had been opened on the occasion of hundreds of crimes committed by the paramilitary structure. And when the courts sentenced some person involved in these crimes to punishment for them, they refused to investigate and judge the lines of command and the criminal structure itself;
- Extremely effective support by the Executive and Legislative powers, which, in spite of the publicity of the names of those who set up and directed this criminal structure, provided distinction to those responsible with all kinds of promotions in rank and honors which the military hierarchy and tradition provided for;

- Remarkably effective support by the organisms of control of the state, which abdicated voluntarily their powers to punish wrongdoers upon finding themselves face to face with this paramilitary phenomenon.

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Then in 1987, the scandalous development of paramilitarism began to be a point of public debate. In September of that year, the debate reached Congress and there many positions were made explicit: The Minister of Defense, General Rafael Samudio, confessed himself in favor of the "Autodefensas"; he was accompanied by generals and former generals, former Ministers and political leaders, predominantly conservatives, as well as leaders of powerful economic trade organizations.

The years 1988 and 1989, marked by an impressive number of massacres which made history, attributed to the paramilitaries, sharpened the debate. It was, however, when dialogue with some guerrilla groups began that the "legal" status of the paramilitaries came to be defined. In effect, some sectors of the M-19, facing the prospect of a transfer to a legal status, found in the government's predominant interpretation of Article 33 of Law 48 of 1968 a possibility of continuing as an armed group but "within the bounds of legality."

M-19 leaders suggested to the governmental negotiators that the Minister of Defense provide them with safe conduct passes for the use of arms designed for private use by the Armed Forces, so as to constitute themselves as "Autodefensas" in the style of those already "legally" existing, supported, promoted, and protected by the public forces.

President Barco was pressured, then, using his powers under the "State of Siege," to issue a decree suspending the provisions of Paragraph 3 of Article 33 of Law 48 of 1968 (Decree 815, of April 19, 1989). Later, the Supreme Court would declare this norm to be "unconstitutional" (after tolerating it for 30 years!), but it would leave clear that the civilian armed groups never had been legal, since with the two controversial articles still existing, nothing authorized their interpretation as legalizing groups of armed civilians.

Barco issued other complementary decrees "against paramilitarism": he created an advisory commission to coordinate the struggle against paramilitarism (Decree 813 of 1989) and a special armed body to combat paramilitary groups (Decree 814 of 1989). Besides this a Barco decree classified promotion or

participation in these groups “wrongly called paramilitary groups” as a crime (Decree 1194 of 1989).

With these measures apparently paramilitarism became illegal. However, it is known that the advisory commission (called “Commission Against Hired Killings”) met only once, only to justify its existence. Its one meeting had no real importance, and the supposed armed body to combat paramilitarism never existed. The judicial power, on its part, never has come to condemn anyone for paramilitarism. The only intent to capture some paramilitary persons, on March 29, 1992 in El Carmen de Chucurí, was impeded by an illegal military threat whose authors were never themselves punished either. We must remember here that Luis Antonio Meneses Baez in his confession had pointed out that *“until 1989 contacts were made with the high command of the army and now intermediaries are utilized”* (page 24).

A change came about, thus, in paramilitarism in the period of time around 1989: the shrill and audacious public cycle of the model of Puerto Boyaca had ended. From then on, paramilitarism would not be recognized explicitly by the government; it would pass to the condition of a clandestine prostitute, but its actions would not be diminished on that account. On the contrary, supported by secrecy it would become even stronger.

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The paramilitary complex of Puerto Boyaca, as it is described in three more extensive confessions, was projected onto various regions of the country where important paramilitary focus areas were created. One of these was the region of Uraba and the south of Cordoba, where Fidel Castano Gil would become the paramilitary’s principal leader (see Viafara, pages 8 and 20; Meneses, pages 15-17; Echandia, page 11).

Echandia states that

- *“In 1988...it became known that Gonzalo and Henry Perez had bought properties in Uraba and that by the order of Pablo Escobar and Gonzalo Rodriguez Gacha they organized a “cleansing” of the part of Uraba that is in Antioquia. The massacres in Uraba began then. Participating as the leaders were N.N. (alias Fercho), a former member of the Ricardo Franco Front of the*

FARC, and Fidel Castano Gil. While Luis Rubio was Mayor of Puerto Boyaca, he coordinated the transportation of the hired killers to Uraba."

On April 4, 1990, another paramilitary group member, this one in the service of Fidel Castano, made a confession before the DAS and told the details of some massacres: that of 42 peasants in Pueblo Bello (Turbo, Antioquia, in January of 1990); that of the small settlement Villavicencio (Valencia, Cordoba, in October of 1988); and that of Pueblo Bujo (Monteria, in November of 1989). He also told of the assassinations of Alfonso Ospina and of Father Sergio Restrepo, S.J., in Tierralta (in June of 1989). According to Rogelio de Jesus Escobar, the hired killers of Castano, at that time around 100 in number, had as the center of their training the hacienda Las Tangas (Valencia, Cordoba), which he owned.

A former soldier testified in 1992 that at that hacienda only simulations of "searches" were carried out, since only commanders entered the hacienda and afterwards they left with boxes of liquor, cigarettes, canned goods and soft drinks to serve a banquet to the soldiers at the entrance to the hacienda. The same soldier affirms that some vehicles which were seen in the hacienda were seen frequently at the XI Brigade in Monteria. This testimony was "disappeared" by the Technical Unit of the Judicial Police. Escobar, in his confession, reveals the close relations between Castano and the Mayor of Monteria and describes how "the Police Station of Valencia had at its disposal a frequency to communicate with the organization of Fidel Castano, advising it in opportune fashion of the presence of suspects or of the carrying out of operations in the farms of the paramilitary group" (page 33).

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Another of the paramilitary structures which originated in the complex in Puerto Boyaca, but which would take its own shape, and, in this case, would be converted into a pet pilot project of the high military command, is the paramilitary project of the Chucurena zone in Santander.

The confession of Echandia relates how

- *"in 1987...Henry Perez asked that 10 peasants be selected from the hamlet of San Juan Bosco de La Verde in the jurisdiction of Santa Helena del Opon (Santander), in order to participate in a course of combat in the jurisdiction of Puerto Boyaca. After the course the peasants returned to San Juan Bosco armed with weapons and equipped with war materiel and radios" (page 11).*

And previously, supported by the Operative Command No. 10 of the Army with headquarters in Cimitarra (precursor of the XIV Brigade later established in Puerto Berrio), the first paramilitary base had been created in San Juan Bosco de La Verde in 1981. Other confessions which we found in the *Annales* of the Congress (Year XXVI, No. 104, October 4, 1983, pages 1508 and following) relate how the commander of the Operative Command No. 10 went in military helicopters to train paramilitaries. Puerto Boyaca later invited the paramilitaries of San Juan Bosco de La Verde to come to receive better training.

From San Juan Bosco de La Verde, this paramilitary structure was expanded to the municipalities of El Carmen and San Vicente de Chucurí (1986-1995) and spread in the later years into nearby municipalities: Betulia, Simacota, Galan, Zapatoca, Barrancabermeja, Sabana de Torres and Puerto Wilches. The characteristics which this experience was acquiring converted it into a pilot project for the Armed Forces.

The compulsory involvement of all of the population in armed conflict has been sought, so as to render any position of neutrality impossible within the controlled territory. At the same time, the leaders of this project have sought to make it highly self-financing, by collecting extortionate taxes from the population. There are only three alternatives which are left to the peasant: collaborate with paramilitarism and submit himself to its impositions; abandon the zone; or die. Since 1987, more than 300 residents of El Carmen, who did not wish to submit themselves nor to emigrate, have been assassinated and close to 4,000 have preferred to abandon the zone.

Those who remain must build paramilitary bases; they must deliver up their young children to paramilitary training and patrols by turns; they must pay taxes for the sustaining of the group; and they are required to attend every meeting. The coordination between the military and the paramilitaries here is revealing: the paramilitary bases are built close to military bases. Meetings are called by the military and are presided over by paramilitary leaders or vice versa. Census data collected by the military appear in the hands of the paramilitary, or vice versa. Persons captured by the military are delivered over to the paramilitaries. And military and paramilitary commanders go about together to stores and houses collecting the "taxes."

Such a collapsing of all legality only would be conceivable with a thick cover of secrecy, but in this case there are more than 10 years of intense and documented reports. This is perhaps the clearest test made of the justice system, providing evidence of its complicity with paramilitarism. When one Regional Judge ordered the capture of 26 paramilitary personnel of the zone, military officers

impeded the capture by means of an illegal threat. The Attorney General (Fiscal General) then brought the case to his office, put at liberty those few paramilitary personnel who had been detained and controlled closely the report on the incident to manage it with the evident goals of coverup and impunity.

The pilot experiment of paramilitarism in the Santander Zone of Chucurí has another ingredient which assures its success: management of the mass media. After the frustrated attempt at making effective the 26 orders of capture issued by one Regional Attorney General—a really outrageous case within the type of behavior of the judicial apparatus facing paramilitarism—the military officers went to the mass media to fabricate a false image of what had really happened. They had two purposes in mind which could not be disguised: to hide the crimes committed there by the state/parastate and to stigmatize before public opinion those who denounced what was happening there. The newspapers “El Tiempo” and “La Prensa” and radio station “R.C.N.” fulfilled these goals by means of the most anti-ethical fabrications and manipulations. The target of these very dirty procedures were the parish priest of El Carmen de Chucurí, one of the leaders of the Base Communities of El Carmen, and the Commission of Justicia y Paz.

The strategy of stigmatizing those who provided information concerning the activities of paramilitary from then on patently involved the mechanisms of personal ties of the paramilitary. The Attorney General’s office, by all accounts pressured by military officers, by paramilitary leaders and by journalists who are in league with them, issued an Order of Capture against the parish priest of El Carmen and against “the sacristan,” thanks to gratuitous “accusations” which in no other country would have any validity (persons linked to paramilitarism brought to Cucuta in military helicopters to tell before a “Faceless Judge” that the Father “did” or “said” something, without any reference to dates, places or circumstances which could be checked, without any witness and with numerous contradictions). But these accusations did serve their purpose in getting the mass “information” media to make profuse use of them to convince the country that the parish priest was a “guerrilla” and that, for that reason, his denunciation of paramilitarism was a “lie.”

The confession of the Commander of the Police of El Carmen de Chucurí before the Office of the Procurador in November of 1992 revealed the mechanisms of coordination which operated between the army and the paramilitaries: they had planned to assassinate the parish priest, the city clerk and several members of the Communal Action Board on the night of October 4, 1992, but the Commander of the police failed them at the last moment, disobeying the order to keep all of his men in the barracks, opting rather to defend the victims. The

failure of this attempt led to the persecution by other means of the parish priest, as has already been shown.

The confession of Gonzalo Ortega Parada in August of 1987 before the office of the Procurador has uncovered also the connections which existed between the Ricaurte Battalion of the V Brigade and the paramilitary organizations of San Juan Bosco de La Verde. Hired to assassinate the Mayor of Sabana de Torres in August of 1987, Ortega refused to do it and deserted from his job as an informant and as a civilian hitman of the army. He revealed the participation of the paramilitary group of San Juan Bosco de La Verde in the crime, coordinated by the Ricaurte Battalion. Defining his work as a paramilitary person, Ortega stated:

- *“Other civilians worked on special missions, almost always reservists, because we have a military mentality, but we are not in active service. And thus if something goes awry, nothing can be proven as far as active military personnel are concerned”.* (Report in the magazine Cromos, September, 1987)

* * *

Another of the paramilitary structures which appear as mentioned in the three key confessions about Puerto Boyaca is the structure of Victor Carranza, whose paramilitary empire has extended through the Departments of Meta, Vichada, Guainia, Casanare and Boyaca. Some of his men participated in the training given by foreign mercenaries and in some instances coordinated activities. (See Viafara, pages 8/20; Meneses, pages 15/17; Echandia, page 11.)

The confession of Camilo Zamora Guzman, given before the Fourth Court of Public Order of Villavicencio on April 10 and 11, 1989, is a chilling document which reflects the psychology of the hired killer, whose profitable business is death, a business which fills with a lethal coldness the extensive narrative of a genocide, seemingly without so many and such horrible crimes even disturbing his sleep.

Throughout these 20 pages, the curtain is drawn back which covers numerous crimes in the eastern part of the country and allows us to see, as if through a surprise hole, the machinery—still running—which allows us to realize the genocide of the Patriotic Union.

Another confession given in the jail of Villavicencio at the beginning of 1995 by a person in the paramilitary organization of Carranza, reveals in full action the machinery of death which Zamora paints in 1989. In one of its passages, it describes in this way the routine procedures:

- “The “autodefensas” and their commanders inform the Police and the Army about the class of “work” which they are going to carry out, in great detail, then on the day and at the hour decided upon the uniformed persons come together; when they are going to carry out a job in a locality...then a police officer comes and goes ahead of the vehicles of the “autodefensas.” And he has the numbers of the license plates of these cars, so at the police checkpoints there is no problem for the cars to go through. In the cars of the “autodefensas,” it is understood, go the arms” (page 2).

* * *

The XIV Brigade of the army, with its headquarters in Puerto Berrio, Antioquia was, from its beginnings, a focus of paramilitarism. It could be inferred that its very foundation was due to these hidden purposes. The Barbula Battalion of Puerto Boyaca belonged to its command; and it participated in the founding, coordination, and maintaining of the most audacious and public paramilitary project, already described.

The confession of Martin Emiliol Sanchez Rodriguez, given before delegates of the Archbishop of Medellin on May 3, 1990 and later before the Office of Special Investigations of the Procuraduria General of the Nation on June 21, 1990, permits one to glimpse another chilling chain of crimes sponsored from the XIV Brigade and to penetrate into the structures of the GRUPO HURE (Hure Group), an authentic paramilitary structure linked to the XIV Brigade, to which the witness belonged. There, the assassinations of Father Jaime Restrepo (in Providencia, San Roque, in January of 1988) and of a nun of the Company of Maria, Teresita Ramirez (Cristales, in February of 1989), are revealed, as are other numerous crimes of this region.

When in 1992 the Commission of Justice and Peace (Justicia y Paz) presented before the Attorney General (Fiscal) of the nation and before the Minister of National Defense new well-founded evidence that the assassins had come from the XIV Brigade, members of which had carried out numerous attempts against

the Peasant Refuge of Barrancabermeja—a humanitarian service for peasant victims of state-sponsored violence in the Middle Magdalena region—the Attorney General abdicated his investigative faculties and limited himself to carrying out the role of “good offices” before the minister. And the minister himself refused absolutely to take note of the evidence, in spite of the fact that much of it was based on investigations carried out on diverse occasions in different places and at different times. Later, the Procurador’s office decided to “table” the investigation about the attempts against the Refuge without investigating them, and it limited itself to seeking to find out the author of the murder of an informant of the paramilitaries (who had been sought in a derivative form) avoiding investigation of the chain of attempts against the Refuge.

* * *

The confession of Meneses Baez identified Cesar as another focus of paramilitarism (page 15). Since 1989, the National Directorate of Criminal Instruction there had received chilling testimonies about what had occurred on the hacienda Riverandia, of San Alberto in Cesar, property of the family of a member of parliament (Rivera). There on November 4, 1988, two youths were introduced violently into the hacienda by a group of armed civilians, discovering in the interior a camp of the army, and they were victims of torture and an attempt at crucifixion (one of the youths was assassinated when attempting to escape). The owners of the hacienda, the military officers and the group of hired civilian killers acted in unison, using civilian vehicles and civilian dress to perpetrate their crimes.

Various small towns of Cesar have suffered the permanent flagellation of paramilitarism, which has produced in this region numerous victims since 1988. San Alberto, San Martin and Aguachica have been its principal centers of operations. In January of 1995, investigations initiated by the massacre of Puerto Patino (Aguachica) were placed into evidence, thanks to a confession of another member of the public forces, the paramilitary structure which operates there, directed by the very commander of the military base of Aguachica himself, Major Jorge A. Lazaro.

* * *

Though since 1984/85 paramilitarism has made multiple alliances with important sectors of drug trafficking, in the Department of Valle del Cauca these two phenomena have marched along together.

The massacres of Trujillo, (1988/1994), and Riofrio (1993) in the center of Valle, as well as that which occurred in Cali in April of 1992, uncovered paramilitary structures linked to drug trafficking which operated there and their coordination with military units and police units. One of the units which stand out is the Palace Battalion with its headquarters in Buga.

The Commission of Investigation of the Violent Events of Trujillo, which acted within the structure of the gestures carried forward by the Inter - American Commission of Human Rights, uncovered the responsibility of members of the Palace Battalion in carrying out the Trujillo massacre and in its coordination with a wide network of hired killers who worked in the service of two powerful drug traffickers of the region.

It also uncovered the procedures of secrecy tending to cover up the responsibility of the agents of the state. Among these were the use of private haciendas and vehicles for detentions and tortures, of civilian dress, and of bogus or hidden license plates. Other procedures used were a non-registration of those detained; verbal orders for operations absolutely illegal and criminal; hiding and mutilation of the cadavers; and the intimidation of witnesses and family members. The police Commands of Trujillo, Tulua, Riofrio and Buga linked all of these mechanisms together, in close coordination with the army and with the drug traffickers and their hitmen, to assure the "success" of the crimes.

All this leads us to believe that the genocide which has been practiced in Cali for the last several years against the juvenile population of the marginal neighborhoods follows the same parameters of paramilitarism.

The money of the Cartel of Cali, which has permeated and corrupted the police structures of the city— which is public knowledge—has served, in this way, to pay death squadrons infiltrated into these very same neighborhoods, who assassinate youths under justification of "social cleansing." Paramilitary groups, which are identified from the underground as "Cali Linda" (Beautiful Cali) or "Cali Limpia" (Clean Cali), enjoy the most absolute impunity and act with the overlooking and tolerance which are provided to them by the immense network of police checkpoints which crisscross the marginalized communities of the city.

* * *

Another recognized focal point of paramilitarism has been the Putumayo and its development in that region has been linked also to drug trafficking. In the zone of the great laboratories of cocaine, the drug traffickers have made an alliance, paradoxically, with the Anti-Narcotics Police, which control and protect the powerful paramilitary structure in the region.

During the years 1989 and 1990, the Lower Putumayo lived a blood bath. The army, the Anti-Narcotics Police and "Los Masetos" (a paramilitary group) acted in a coordinated manner and jointly in a demented and continuous massacre, especially of peasant youths, who just because of their age were accused of being "guerrillas," causing their death with no consequences for the killers.

The cadavers, tossed into rivers with those few rescued buried clandestinely, impeded the initiation even of an "investigation." When during Holy Week of 1991 the population of Puerto Asis exploded and went out into the streets to protest about the genocide, the police escorted "Pablo" to the airport, he being one of the principal local leaders of paramilitarism, before the protesters could lynch him.

The enormous lists of the dead who had been buried "canonically" through the Church (a very small percentage of the real victims), moved the Procurador General to present the case to the Director General of the Police in order to request of him emergency measures. The high official decided, as a contribution to the solution of the problem, to reassign to other areas immediately all of the personnel of the paramilitary institution there quartered. (Would they not go to "continue their work" in other latitudes?) Notwithstanding the testimony provided, among which was that of a miraculous survivor of one of the routine nocturnal massacres, no "investigation" ended up with a conviction. The perceptible recession in the criminal action of paramilitarism in the Putumayo during 1992 and 1993 appears to have arrived at its end. From the end of 1994 on, reactivation is evident.

* * *

But the essence of paramilitarism is not found only in groups of armed civilians. The action of the public forces "under civilian cover" (sub specie

civili) also becomes the essence of paramilitarism insofar as it erases the visible frontiers between that which is civilian and that which is military, denaturalizing in that fashion the very legitimation of the military institution and perverting its very objectives, eluding responsibility for its acts before the community by hiding its identity. This perversion of object is especially clear where acts are done to perpetrate or cover up crimes which the military should by reason of their office rather have impeded.

The confession of First Vice Sergeant Alfonso Garzon Garzon, who for 20 years was linked to the Intelligence and Counter-Intelligence Battalion Charry Solano, later converted into the XX Brigade of Intelligence and Counter-Intelligence, given before the Office of Special Investigations of the Procurador General of the Nation on January 22 and 23, 1991, constitutes an impressive window which provides a view of systematic practices of the highest criminality in that institution. This confession was so overwhelming that it permitted the discovery of the mortal remains of some of the victims which confirmed those details of their revelations. As early as 1978, some deserters of the Binci had reported the foundation of the "Triple A" by high officials of the Binci Battalion, as well as some of the crimes which were perpetrated under that acronym. The total connivance of all of the powers of State has been the most effective support so that from that institution crimes continued to be perpetrated endlessly "sub specie civili," until the most recent of them was consummated in Bogota on March 28, 1995, with the assassination of Carlos Reyes Nino and Edgar Grimaldo in the shopping center Plaza de Las Americas, abandoning in that place a motorcycle registered to the XX Brigade.

The confession which Ricardo Gamez Mazuera provided on August 1, 1989 to the Office of the Procurador General of the Nation in his capacity as a former agent of the police and of the DIJIN (1974-77) and a former intelligence agent of the army command (1978-1989), constitutes another chilling testimony of the systematic criminal practices carried out "sub specie civili" by the intelligence organizations of the Public Forces. Throughout 17 pages of this confession, numerous curtains are opened to reveal the authorship and circumstances of crimes which left profound footprints on the national history: the deeds of the Palace of Justice and what became of some of those who disappeared there and the assassination of the Belgian Assumptionist priest Daniel Gillard in Cali.

Uncovered before the reader are death squads which made history in Tulua; unidentified graves which are the resting place for numerous victims of military and paramilitary action in Cucuta, Monteria, Bogota and the Eastern Plains; and "secret" negotiations between drug traffickers and military officers. The arsenal of concrete data and the very specific and sometimes graphic description of zones and places are impressive, but what is even more

impressive is the overwhelming impunity with which all of the powers of state protect the numerous persons responsible for crimes.

One receives the same impression upon reading the text of the confession made by Lt. Nestor Eduardo Porras, of the National Police, before the Second Judge of Criminal Instruction in Facatativa on November 22, 1990. What is most impressive is the multitude of crimes narrated rapidly in these 6 pages, perpetrated by the DIJIN of Medellin in association with the Elite Force, of the army, corresponding just to the period January through May of 1990. It is like an instantaneous photograph which provides access to an orgy of blood which takes place in a den of iniquity.

Other revealing texts are the confessions of Saul Segura Palacios and of Carlos David Lopez, members of the 7th Network of Intelligence of the National Navy, given before the national attorney general's office, and later before other governmental offices in 1994. All these elements of military action "sub specie civili" for corrupt purposes are here brought together: civilian offices which are a facade (a store and an office of engineers); a network of hitmen or paid assassins to whom the crimes are entrusted; pseudonyms which identify all the way from the commanding colonel down to each one of the hitmen; payments to informants and to hitmen by means of "reserve funds" of the navy. This monstrous machinery of death underlay more than half a hundred crimes which caused consternation throughout the Middle Magdalena and the whole country.

* * *

At the initiation of the government of President Samper in August of 1994, paramilitarism had been fully consolidated, not only through its prolonged stages of development (beginning in 1968), but also because it had overcome all the obstacles to establish itself as a policy of the state.

Paramilitarism had undergone a great crisis in 1989, when the climax of the questioning of its legal status was reached, consigning it to a formally "illegal" existence. However, at that time the amazing practical intelligence of its initiators and promoters gave it different characteristics and it found a new status which permitted it to survive without losing strength. On the contrary, it demonstrated renewed dynamism which allowed it to overcome the obstacles which appeared "serious."

One asks oneself how a policy formally “illegal” can subsist with so much dynamism in a state which is said to be “of law.” The reply need not be sought in legal texts, but rather in concrete and routine practices of the diverse powers, offices and institutions which make up the state.

- The military establishment, whose irregular projection is precisely paramilitarism, beginning in 1989 stopped defending publicly the legitimacy or “legality” of paramilitarism. But at the same time it consolidated throughout all of the country its relations, now clandestine or “intermediated” (according to the confession of Meneses Baez), with the networks of armed civilians already established from prior periods and created many other new ones. When some of those structures suffered excessive publicity or denunciation, they were considered to involve “isolated conduct” of an “insubordinate” official.
- For its part, the Executive Power ritualized its “condemnation” of paramilitarism in its speeches, especially in those directed toward international organizations, meanwhile calling to the highest command posts those strongest promoters of paramilitarism and providing promotions and honors to all of those who supported the paramilitaries. An integral part of their discourse was the routine public request to judicial and disciplinary powers to carry out “exhaustive investigations” about the paramilitaries, while at the same time abdicating ad hoc their authority to freely nominate and remove government officials for the purpose of guaranteeing a clean public administration.
- The Legislative Power, for its part, approved all of the promotions and honors for those who supported paramilitarism and passed laws and decrees of disguised amnesty and of judicial privilege applicable to whatever paramilitary group member might “by error” be submitted to investigation or trial (see Law 104 of 1993, Article 9; Code of Criminal Procedure, Article 369 A, B).
- But the wall of protection for paramilitarism built by all of the powers of the state has a central column, which is the Judicial Power.

According to the Administrative Department of National Planning, only 3% of the crimes reported in Colombia result in a conviction. Within this 3%, there has never been an investigation referring to a paramilitary structure. Thanks to this, presidents in their speech can confidently “legitimate” their position before the national and international community, seeking “exhaustive investigations” about paramilitarism, since their position is buttressed by the solid conviction that the opening of an investigation will certainly be formalized, but also the certainty that this will sink and disappear sooner or later, in the “black hole” of impunity.

Forgetting for the moment about military privilege and the structures of penal military "justice" already sufficiently diagnosed within and outside the country as a most effective mechanism of impunity, and leaving aside also for the moment the innumerable mechanism of impunity of the ordinary and regional jurisdictions focused upon in other studies, paramilitarism has enjoyed in the judicial realm extraordinary privileges because of its impunity.

The principal of these is the secrecy which characterizes the crimes of paramilitarism, which from the beginning impedes identification of those who carry out the crimes. But we are not talking here about just any secrecy, such as that which could protect a common criminal. What we are talking about is a secrecy which is protected or "escorted" by agents and/or institutions of the state. It is secrecy which occurs when civilians in the service of soldiers "or soldiers in the service of civilians" perpetrate crimes, often submitting their victims to the force of the "authority of the state" (always difficult or impossible to prove), but using private means (haciendas, vehicles, dress) to consummate the crime. It is secrecy which one realizes the perpetrators of the crimes enjoy, according to the particular case military or police control of the scene of the crime, a control which immobilizes resistance or the intent to report the crimes, or of a total clearing of the scene, when those who carry out the crime control it by themselves and can flee slowly and without any resistance. That secrecy creates the basic conditions of impunity, so that the Judicial Power can play its role.

The Judicial Power is asked not to take into account those specific mechanisms of secrecy officially "escorted," and to investigate deeds within legal and normal parameters: to look for written orders of search or capture (which do not exist); registries of those detained and of the control of vehicles in the minute books (which do not exist either); to interrogate witnesses who did not see or hear anything; to listen to "free and spontaneous declarations" by the very persons who carried out the crimes; to make relatives, neighbors and friends responsible for "not giving information."

These rituals having been practiced, there is inexorably declared a "lack of evidence," legitimating the finding of innocence or the tabling of the case. If by some accident a heroic witness turns up, then there are multiple methods foreseen for destroying that evidence: the threat of death (many times carried out); questioning the moral probity of the person, whether by looking for help from the Institute of Legal Medicine to declare him "mentally perturbed" (a resource which turned out to be key in the massacre of Trujillo and which still maintains absolute impunity of all of its authors), or be it accusing him of being a sympathizer with or collaborator of the guerrillas, and even opening up a

criminal proceeding for that “crime” by means of declarations of “faceless witnesses” or of unconditional ones of paramilitarism, arriving at the extreme of issuing an order to capture for that reason (which was the case of the parish priest of El Carmen de Chucurí); or simply disqualifying the witnesses because they would be “interested in the case” (as occurred with the 24 witnesses of the assassination of the Swiss missionary Hildegard Feldmann).

Thus the Judicial Power has been the spinal column of the wall of protection of paramilitarism, and it is the Judicial Power which creates the most basic conditions permitting the military structure to continue projecting itself through this corrupted body, which enjoys the vital substance of the state sucked out by channels astutely hidden, and which at the same time makes possible the speech of the Executive formally “condemning” paramilitarism, remitting it to “exhaustive investigations” and processes of “justice,” at the same time as he raises to the highest posts those who are authors and promoters of paramilitarism, at the same time “absolved” by “justice” or benefited by the routine filing of the evidence without acting on it.

The Office of the Attorney General, for its part, has adopted the same “investigative” and “proof gathering” mechanisms as the Judicial Power, providing a monstrous impunity also in the disciplinary field. Since Attorney General Jimenez Gomez in 1983 made public a list of the members of MAS at the same time as he exonerated them from disciplinary proceedings and punishment, defining his role as the “Procuraduria of Opinion,” his successors have become accustomed to not investigating, processing or punishing, abdicating the disciplinary power which the constitution assigns them. Internal and external pressures have led them, in sum, to adopt the strategy of finding scapegoats (which can be counted on the fingers of one hand and are of the lowest rank), abstaining from investigating structures and chains of command.

The Samper government acts on top of this pedestal or with this backdrop. Its support for paramilitarism made things as easy as could be for it: it only had to leave things as they were, adopting the condemnatory speech of its predecessors and continuing to request “exhaustive investigations” of the judicial and disciplinary powers. But the Samper government did not choose this way. Near the end of the first year of its administration it can be proven that its position toward paramilitarism has not been limited to passive support, which could consist of reaping the benefits from the path built up during more than a decade with the collaboration of all of the offices of the state apparatus.

A few days after he had taken possession as Chief of State, President Samper made public, on September 9, 1994, a document which set forth his policy on human rights. Point No. 5 referred to paramilitarism and defined it as a

phenomenon "linked, to a great degree, to the "territorialization" of a certain portion of drug trafficking funds which debilitate the legitimate monopoly of force which the state ought to maintain," and also as "a phenomenon, very much circumscribed, of formation of peasant "self-defense groups" (autodefensas) as a reaction to the attacks of "subversives."

No mention of the preponderant role which the State played (and specifically the Executive Power through the highest offices of the Public Forces) in the creation and organization of the paramilitary group. Nor has mention been made of the role as rector which they continue to carry out, with relative secrecy in the most varied places of the country, nor of the protection, support, weight, tolerance and collaboration which the different powers of the state have provided to paramilitarism by means of effective de facto mechanisms when not by formally "condemnatory" speeches which cover up practices contrary to law.

What does this "diagnostic" of paramilitarism seek to do? Certainly not to attempt to combat it, because one cannot combat something which is not accepted as something which really exists.

Once the true phenomenon is denied, or more correctly, it is defined in such a way that its essential characteristics are unknown, the most characteristic profiles and the most serious problematic which it reveals, the broadest spaces are opened to give it weight.

In effect, the changes in the military high command which were carried out last November constituted the most explicit official support behind paramilitarism, and, along the way, an energetic backing for impunity. To prove this, it is only necessary to look rapidly at the lists of the MAS, promulgated by Procurador Jimenez Gomez, to those of the "Triple A," to the numerous confessions referred to above of outstanding figures who have been shamed by paramilitarism and numerous measures left half done by the judicial and disciplinary powers, thanks to the effective mechanisms of impunity already described.

But the Samper government has wished to go even further: it has rapidly provided "legal" status to paramilitarism, reformulated as "Communitary Associations of Rural Vigilance."

The communique issued by the office of the president on December 13, 1994, "legalized" the elements which constitute paramilitarism, not just permitting it or tolerating it by means of implicit mechanisms, groups of armed civilians, but rather creating and giving them "legal life," sustaining them in a supposed

“defensive” legitimization (like the “Autodefensas” originated in Puerto Boyaca and expanded throughout the entire national territory) (see Communique No. 7 sub-paragraph b); coordinated by the Public Forces (Communique No. 7, sub-paragraph c); provided with arms by the Public Forces (Communique No. 7, subparagraph e) and financed jointly by the public sector and the private sector (Communique, No. 6). All of the parameters of paramilitarism were reedited there and would acquire, now truly, “legal” status.

The foundation for a reactivation of paramilitarism, having been laid down, and paramilitarism not now being secret, the euphoria was not long in coming. The first half of 1995 has seen the overflowing euphoria of the paramilitary groups (and it is now known that their euphoria is bloody).

The document of the First Summit of Autodefensas of Colombia, which took place at the beginning of 1995 in some part of the country, stated that “fortunately the autodefensas have been revived in the national territory, with a common identity, without leaving the “antissubversive” line” (page 49).

This same document affirms that “no self-defense group allied with the

- *“autodefensas of Colombia, will return to demobilize its men and it will not fall into the same error as Fidel Castano, who having been convinced that he had eradicated the guerrillas from the zone where he operated, and that the Armed Forces could control it and he demobilized his organization for a while. During this space of time the Armed Forces could not maintain control of the region....And for this reason Fidel Castano found himself obliged to reactivate his self-defense forces”* (page 55).

Effectively that part of Uraba in Antioquia and in Cordoba returned in 1995 to be a prisoner of paramilitarism. Disappearances, massacres, assassinations, torture and forced displacement of entire communities were recorded in the report of national and international NGOs which visited the region in April of 1995.

Putumayo, Cesar, Catatumbo and the Province of Ocana, Meta, the Middle Magdalena, the South of Bolivar, Valle and Cauca, Boyaca, Casanare and Arauca, Caqueta and the coffee-growing axis, the Northeast and Southeast of Antioquia, several zones of Santander and the popular communes of Bogota, Medellin and Cali, have experienced in the last several months an impressive increase in paramilitarism.

In Villavicencio, a convention was called together in the meeting place of the Departmental Assembly in the month of March and it reiterated in diverse

tones the former goal of “extermination of the Patriotic Union.” Since February, the threats against the Civic Committee of Human Rights of Meta have been multiplied, obliging it to close its offices and move them to Bogota last May.

The cited document of the Summit says that “it was agreed to group together all of the existing self-defense organizations (Autodefensas) in the country which possess a transparent place in the counterinsurgency struggle based around the organization of Autodefensas of Colombia, with the principal mission of combating subversion in the national territory....” It is reported that they were organized in structures such as GRAU (the Urban Self-Defense Group), GRIN (Intelligence Groups) and GRAP (Political Support Groups) and that “it was approved to continue considering those political and union personalities (cuadros) of the extreme left as military targets....”

Whoever reads the mentioned document, above all the chapter on the Armed Forces (pages 18-38), will have little doubt left about its military authorship.

Nor is there any doubt about the reactivation of paramilitarism which has been registered under the Samper government, and upon reading it with the backdrop of its historical development, illuminated by the coincident and overwhelming confessions of its authorized exponents, no one will doubt that what exists is an unyielding Policy of State which is devouring our martyred country.

Javier Giraldo, S. J. June 1995
