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THESIS

**THE PRINCIPAL-AGENT PROBLEM AND
PRO-GOVERNMENT MILITIAS: CASES FROM
COLOMBIA AND PERU**

by

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June 2018

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**THE PRINCIPAL-AGENT PROBLEM AND PRO-GOVERNMENT MILITIAS:
CASES FROM COLOMBIA AND PERU**

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ABSTRACT

States (principals) frequently employ pro-government militias (agents) in low intensity conflicts with mixed results. In some cases, principal and agent interests diverge or the principal loses control over its agent, which devolves into an autonomous terrorist, warlord, or criminal organization. Looking at historical cases of Latin American pro-government militias from Colombia (Self-Defense groups, Convivirs, and Hometown Soldiers) and Peru (Rondas Campesinas), I examined the principal-agent problem in the context of state-sponsored, pro-government militias and answered the following question: How do sponsor states succeed or fail in maintaining positive control and influence over pro-government militias? States fail when they grant too much autonomy and firepower to militias and succeed when they limit militias' autonomy by subjecting them to a tailored combination of control mechanisms: monitoring, screening, sanctions, and rewards. Cases from Colombia and Peru demonstrate that the best way to control militias and employ them in counterinsurgency is by incorporating them as legitimate auxiliaries of the armed forces. Incorporation of a militia into the armed forces greatly reduces the principal-agent problem, the associated risk of diverging interests and objectives, and the future pain of demobilization. Arming militias with restricted use weapons, outsourcing their financing to private benefactors, and granting them too much autonomy is a recipe for disaster.

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LIST OF ACRONYMS AND ABBREVIATIONS

ACCU	Autodefensas Campesinas de Córdoba y Urabá
AUC	Autodefensas Unidas de Colombia
BCG	Base Contraguerrilla
CAD	Comité de Autodefensa y Desarrollo
CDC	Comité de Defensa Civil
CDF	Civil Defense Forces
COIN	Counterinsurgency
DAS	Departamento Administrativo de Seguridad
DECAS	Defensa Civil Antisubversiva
DSP	Democratic Security Policy
ELN	Ejército de Liberación Nacional
FARC	Fuerzas Armadas Revolucionarias de Colombia
IMET	International Military Education and Training
MAS	Muerte a Secuestradores
PGM	Pro-government militia
SL	Sendero Luminoso
SVSP	Superintendencia de Vigilancia y Seguridad Privada
UP	Union Patriótica
VRA	Vale de los Ríos Apurímac

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I. INTRODUCTION

States (principals) frequently employ pro-government militias (agents) in low intensity conflicts with mixed results. In some cases, principal and agent interests diverge or the principal loses control over its agent, which devolves into an autonomous terrorist, rebel, warlord, or criminal organization. For example, the Rondas Campesinas in Peru is considered a relative success for integration, control, and strategic effect, while the Self-Defense groups of 1980s Colombia is a worst-case scenario of pro-government militias growing out of control and even threatening the stability of the sponsor government. Looking at historical cases of Latin American pro-government militias from Colombia (Self-Defense groups, Convivirs, and Hometown Soldiers) and Peru (Rondas Campesinas), I examined the principal-agent problem in the context of state-sponsored, pro-government militias and answered the following question: How do sponsor states succeed or fail in maintaining positive control and influence over pro-government militias? *States fail when they grant too much autonomy and firepower to militias and they succeed when they limit militias' autonomy by subjecting them to a tailored combination of control mechanisms: monitoring, screening, sanctions, and rewards.* Cases from the Colombian and Peruvian civil wars demonstrate that the best way to control militias and employ them in counterinsurgency is by incorporating them as legitimate auxiliaries of the armed forces. Incorporation of a militia into the Armed Forces greatly reduces the principal-agent problem, the associated risk of diverging interests and objectives, and the future pain of demobilization. As the reviewed cases demonstrate, arming militias with restricted use weapons, outsourcing their financing to private benefactors, and granting them too much autonomy is a guaranteed recipe for disaster.

From review of the Colombia and Peru Cases, I determined the following factors have a notable effect on how well a state implements control mechanisms (a detailed explanation of each is available in Chapter VI):

- **State Capacity:** Control mechanisms require personnel and resources. Neither Colombia nor Peru were able to successfully apply control mechanisms until they saw improved state capacity.

- **Opportunities for illicit gain:** In a narco environment, control mechanisms will have less overall effect over militias, especially monetary incentives.
- **Private Benefactors:** A state should avoid privatization of militia sponsorship at all costs or it will lose its leverage over the militia and give power over the militia to another non-state actor.
- **Legislation:** Criminalizing militias without suppressing them first will make them more difficult to rein in. Small sanctions will have little to no effect in an informal/illicit relationship.
- **Offensive vs. Defensive Role:** Because civil-defense forces are meant to be defensive and part of a clear-hold COIN strategy, they should only receive training in, and take part in defensive operations.
- **Weapons:** Civil-defense forces need weapons to defend themselves and prevent guerrillas from returning to cleared areas, but the state should place limitations on the type and quantity of weapons it issues.

Pro-government militias (PGMs), also called pro-government armed groups, paramilitary forces, vigilante groups, or self-defense forces, increasingly play a role in low intensity conflicts. Presently, Syria uses them to fight Rebel-Coalition forces and the Islamic State, Mexico employs village self-defense forces to counteract drug cartels, Nigeria uses them to combat Boko Haram, Ukraine used them to counter pro-Russian unrest, and Iraq uses Shia militias to combat the Islamic State. The use of PGMs by both strong and weak governments is not a new phenomenon and the relationship between government sponsors and these groups is often unsteady due to moral hazard (conflicting actions, goals and interests) and adverse selection (asymmetric information).

There are many reasons why governments use PGMs; some of the most common reasons include plausible deniability, force multipliers, and a counterinsurgency isolation

strategy.¹ However, more often than not, the government may lose control of these groups, which turn against the government or devolve into terrorist or criminal organizations, or even warlord para-states,² interrupting military operations, government reforms, or the peace process. Human rights abuses by these groups can further inflame tensions and push the population away from the government. In one of the most contemporary, ongoing cases, there is evidence that the self-defense militias in Mexico are transforming into criminal organizations in their own right.³ Recent skirmishes with the government indicate that these groups may take the same trajectory as the Colombian paramilitaries, further complicating Mexico's conflict with the cartels.⁴

From the Cold War to the drug wars, nearly every country in Central and South America has employed PGMs in areas where security forces were weak and the U.S. provided billions of dollars in aid and an advisory role in a majority of these low intensity conflicts. In fact, both countries covered in this thesis received USAID and International Military Education and Training (IMET) funds.⁵ PGMs add a level of risk and uncertainty to U.S. assistance as the principal-agent dilemma not only affects the domestic government, but also extends to the United States. PGMs may engage in unwanted behavior, have conflicting goals, or inadvertently sabotage population-centric counterinsurgency operations. For example, during the Salvadoran Civil War, some self-defense patrols

¹ Sabine Carey and Neil Mitchell, "Pro-Government Militias and Armed Conflict," in *Oxford Research Encyclopedia of Politics* (Oxford: Oxford University Press, 2017), 7.

² Moritz Schuberth discusses the tendency of pro-government militias to "turn bad" in "The Challenge of Community-Based Armed Groups: Toward a Conceptualization of Militias, Gangs, and Vigilantes," *Contemporary Security Policy* 36, no. 2 (2015): 312.

³ Christopher Woody, "In Mexico's 'Hot Land,' citizen self-defense forces and criminal groups may be gearing up for more violence," *Business Insider*, December 11, 2016, <http://www.businessinsider.com/autodefensas-causing-violence-in-guerrero-and-michoacan-in-mexico-2016-12>.

⁴ Marguerite Cawley, "Mexico Vigilante Legalization Raises Paramilitary Concerns," *InSight Crime*, January 28, 2014, <http://www.insightcrime.org/news-briefs/mexico-vigilante-legalization-raises-paramilitary-concerns>.

⁵ "U.S. Overseas Loans and Grants (Greenbook)," USAID, November 26, 2013, <https://www.usaid.gov/data/dataset/49c01560-6cd7-4bbc-bfef-7a1991867633>.

dually acted as rightwing death squads and sabotaged U.S. led COIN efforts by assassinating land reform administrators.⁶

The literature on pro-government militias tends to focus on *why* states delegate security and violence to PGMs and the impact of these relationships on human rights. I seek to bring more understanding to an aspect of the principal–agent (PA) relationship least approached in the PGM literature: the *how* factor. Few works focus on *how* states try to control militias and manage the high risks associated with sponsorship. Carey and Mitchell acknowledge this gap in the literature: “we need to know more about the details of the ‘contract’ between these groups and their respective governments...we need to know [their] lines of communication. Is there a functional equivalent of the chain of command found in regular forces? When are militia members most likely to shirk?”⁷ Moreover, the majority of literature deals with cases in the Middle East, Africa, and South Asia. I intend to fill a gap in the literature by analyzing PGMs in Latin America, which is a gold mine for scholars who wish to study how states interact with, and how much they exert control over pro-government militias. PGMs have been a staple of the Latin American political landscape since Spanish colonialism, when territory was divided between caudillo oligarchs, who ran feudal agricultural and ranch estates with the protection of private militias.⁸ Thus, reaching into the wealth of case studies from Latin America, I intend to contribute to the small, but growing body of literature on the principal-agent problem and pro-government militias.

Principal-Agent (PA) Problem. The PA problem applies to a wide range of areas from economics, to legislation, to civil military relations. According to the *Encyclopedia of Power*, the PA problem “represents situations in which [one party] (principal) delegates a task to another [party] (agent), who has specialized knowledge about the task; but, also

⁶ Central Intelligence Agency, “El Salvador: Controlling Right Wing Terrorism,” doc. no. 0000075083 (Intelligence Report, Washington, DC: CIA, 1985), https://www.cia.gov/library/readingroom/docs/DOC_0000075083.pdf.

⁷ Carey and Mitchell, “Pro-Government Militias in Armed Conflict,” 26.

⁸ Natalia Sobrevilla Perea, “19th Century Caudillos,” *Oxford Bibliographies*, September 30, 2013, <http://www.oxfordbibliographies.com/view/document/obo-9780199766581/obo-9780199766581-0141.xml>.

has objectives that are different from those of the principal.”⁹ Underpinning the core challenge of divergent objectives, a root cause of the PA problem is asymmetric information. Some of the most common situations that arise in the PA relationship are as follows: A) Moral Hazard occurs when the principal cannot control or observe the agent’s actions and the agent may take unnecessary risks or act in his own interest, assuming the principal will incur the costs.¹⁰ B) Adverse Selection occurs when the agent has information unknown to the principal prior to entering the relationship or contract.¹¹ C) Agent shirking is when “an agent minimizes the effort it exerts on its principal’s behalf.”¹² D) Agency slack is an “independent, undesired action by an agent.”¹³ All of these issues risk culminating into conflicts of interest and the principal must implement appropriate control mechanisms (“mechanism design”) in order to manage these agency costs. According to the principal-agent theory, in order to reduce moral hazard, adverse selection, agency shirking, and agency slack, principals should practice screening and monitoring agents and should provide incentives to agents for not shirking or slacking.¹⁴

The PA Problem in National Security Studies. Because PA analysis was developed in the purview of economics and management, the main “unit of analysis is the contract.”¹⁵ As legally binding contracts do not often exist in illicit or covert relationships between states and militias, PA analysis runs into a gray area where control mechanisms are harder to implement, the agent’s perceived value of incentives may shift, and thus, agents are more difficult to control than, say, a financial manager. According to Byman

⁹ Valentino Larcinese, “Principal-Agent Relationship,” *Encyclopedia of Power* (Thousand Oaks: SAGE Publications, 2011), 2.

¹⁰ Bengt Holmström, “Moral Hazard and Observability,” *The Bell Journal of Economics* 10, no. 1 (1979): 74.

¹¹ Kathleen Eisenhardt, “Agency Theory: An Assessment and Review,” *The Academy of Management Review* 14, no. 1 (1989): 61.

¹² Darren G. Hawkins et al., *Delegation and Agency in International Organizations* (Cambridge: Cambridge University Press, 2006), 8.

¹³ Darren G. Hawkins et al., 8.

¹⁴ Holmström, “Moral Hazard and Observability,” 74; Sean Gailmard, “Accountability and Principal-Agent Theory,” *The Oxford Handbook of Public Accountability*, ed. Mark Bovens et al. (Oxford: Oxford University Press 2014), 5.

¹⁵ Eisenhardt, “Agency Theory: An Assessment and Review,” 58.

and Kreps, the “motivation that differs most noticeably between licit and illicit forms of delegation is that of plausible deniability,” where principals delegate to agents in order to avoid accountability for an illegal action.¹⁶ Therefore, in the absence of a physical legal contract, I studied interactions between Colombia and its illegal paramilitaries to determine what mechanisms it used to influence and control illicit agents, and I determined that arms and impunity were the mechanisms of choice in a constrained relationship (see chapter II).

Pro-Government Militias (PGMs). Schneckener defines pro-government militias as “irregular combat units that usually act on behalf of, or are at least tolerated by, a given regime.”¹⁷ I will cover several variations of PGMs: paramilitaries, civil-defense forces (CDFs, also known as self-defense patrols), and vigilante groups. Scholars and journalists often use these terms interchangeably and have not yet reached a consensus on typology.¹⁸ PGMs tend to have an amorphous, non-static quality, changing armed group identities for authorized or unauthorized reasons.¹⁹ For example, the *Autodefensas Unidas de Colombia* (AUC) is, by name, a self-defense force conglomerate, but has been labeled a paramilitary, pro-government militia (PGM), right-wing terrorist group, drug cartel, and a death squad at various stages of its existence. Therefore, for the sake of simplicity, I use the acronym PGM to frame this thesis, but when referring to the groups in the Colombian and Peruvian case chapters, I use the terms self-defense groups and paramilitaries, keeping in line with prevailing primary sources and security studies literature on those countries.

Most of the literature focuses on why states delegate to PGMs in low intensity conflicts. Identifying the “why factor” is important to gauging the nature of the relationship and its constraints on control. The most frequently cited reasons are as follows: First, PGMs make a cheap force multiplier, especially when states are weak and do not have reach in

¹⁶ Daniel Byman and Sarah E. Kreps, “Agents of Destruction? Applying Principal-Agent Analysis to State-Sponsored Terrorism,” *International Studies Perspectives* 11, no. 1 (2010): 6.

¹⁷ Ulrich Schneckener, “Fragile Statehood, Armed Non-State Actors and Security Governance,” in *Private Actors and Security Governance*, ed. Alan Bryden and Marina Caparini (Geneva: DCAF, 2006), 25.

¹⁸ Yelena Biberman, “Self-Defense Militias, Death Squads, and State Outsourcing of Violence in India and Turkey,” *Journal of Strategic Studies* (2016): 4.

¹⁹ Paul Staniland, “Militias, Ideology and the State,” *Journal of Conflict Resolution* 59, no. 5 (2015): 772.

the greater part of their territory.²⁰ Second, most scholars assert that states delegate violence to PGMs in order to maintain plausible deniability for human rights abuses and other illegal acts.²¹ Third, states may delegate security to PGMs as part of a counterinsurgency strategy, where PGMs—specifically self-defense forces with specialized local knowledge—are useful for intelligence gathering, and isolating and protecting villages from the insurgency.²² Fourth, PGMs are more flexible forces, as they are less constrained by organizational bureaucracy.²³ Nonetheless, the “why factor” directly impacts the type of relationship between state and militia. For example, a state that delegates human rights abuses to a militia in order to maintain plausible deniability and retain conditional aid from the United States would most likely choose a covert and unofficial relationship.²⁴

The literature also considers how the nature of the relationship influences mechanism design. There are several ways to define a relationship between a state and a pro-government militia: covert, overt, semi-official, or informal (Carey et al. use two types: semi-official and informal).²⁵ The type of relationship between the state and the armed group is important as it denotes the level of public accountability that the state has for the armed group’s actions or the level of deniability it may have if the relationship is illicit and covert. For example, sponsorship of a PGM for intelligence collection and village protection in a counterinsurgency effort would most likely merit an overt relationship, meaning the government has more leeway in how it designs control mechanisms.²⁶ Moreover, states may have more difficulty applying control mechanisms to covert groups

²⁰ Carey and Mitchell, “Pro-Government Militias in Armed Conflict,” 7.

²¹ Bruce B. Campbell and Arthur D. Brenner, *Death Squads in Global Perspective: Murder with Deniability* (New York: Palgrave Macmillan, 2002).

²² Goran Peic, “Civilian Defense Forces, State Capacity, and Government Victory in Counterinsurgency Wars,” *Studies in Conflict & Terrorism* 37, no. 2 (2013): 165.

²³ Carey and Mitchell, “Pro-Government Militias in Armed Conflict,” 8.

²⁴ Ariel I. Ahran, “Pro-Government Militias and the Repertoires of Illicit State Violence,” *Studies in Conflict & Terrorism* 39, no. 3 (2016): 219.

²⁵ Carey et al., “States, the Security Sector, and the Monopoly of Violence: A New Database on Pro-Government Militias,” *Journal of Peace Research* 50, no. 2 (2013): 249.

²⁶ Carey and Mitchell, “Pro-Government Militias,” *Annual Review of Political Science* 20, (2017): 12.

for fear of exposing their involvement in the group's activities, and due to a higher level of group autonomy.²⁷

Literature Review. A small, but growing body of literature exists that analyzes the relationship between states and PGMs using PA analysis. The majority of these works seek to address the question of why, and in what context, states delegate security or violence to PGMs and their functional role in unconventional warfare. Several works also focus on the link between militias and human rights violations as a form of moral hazard. Several authors identify the most common problems that can arise from states delegating to PGMs (moral hazard, adverse selection, conflict of interest, etc.), but do not spend a lot of time exploring the question of how states seek to prevent or manage these problems. Overall, very few works focus on the question of *how* states delegate to and control their agents (mechanism design) or what external factors impede their ability to control their agents. Nonetheless, the literature broadly suggests that states use the main control mechanisms presented by PA theory: monitoring, screening, rewards, and sanctions.²⁸ The literature also maintains that autonomy and control have a negative relationship. In my thesis, I argue that governments must apply a tailored combination of these control mechanisms to reduce the PA problem.

Close monitoring is the first commonly suggested control mechanism in the PGM literature. Placing PGMs (specifically CDFs) under military and police leadership, and thus increasing monitoring, is an effective way to maintain control and reduce shirking or agency slack.²⁹ Semi-official and overt ties to the government also facilitate easier monitoring of agents. Carey et al. draw a *correlation between relationship type and control*; overt and semi-official relationships correlate with higher monitoring and control, while covert and non-official relationships correlate with lower monitoring and control.³⁰ Of note, a state's decision on whether to have a semi-official, overt relationship versus an

²⁷ Byman and Kreps, "Agents of Destruction? Applying Principal-Agent Analysis to State-Sponsored Terrorism," 26.

²⁸ Hawkins et al., *Delegation and Agency in International Organizations*, 26-30.

²⁹ Biberman discusses monitoring State monitoring of secret paramilitary, JITEM, in Turkey. "Self-Defense Militias, Death Squads, and State Outsourcing of Violence in India and Turkey," 20.

³⁰ Carey and Mitchell, "Pro-Government Militias," 14.

unofficial, covert relationship may result from external constraints. Conditional aid from a democratic patron such as the United States, or international pressure from an IGO, could influence states to deny involvement with militias, while still using them to achieve their end game in a counterinsurgency.³¹

A fourth suggested hypothesis asserts that states may implement a robust *sanction-reward system* to control militias, otherwise known as the carrot and stick approach. For example, according to Peic, in the Guatemala Civil War, where 20% of self-defense forces collaborated with the enemy, “infiltration by insurgents and covert defection are ever-present risks of Civil Defense Force deployment.”³² Since CDFs are formed to protect villages from insurgents, they may be composed of civilians who are not necessarily loyal to either side and therefore will entertain both sides in order to play it safe when either the army or the guerrillas arrive at their doorstep. Peic finds that CDFs that are underpaid and undertrained may be more likely to shirk and give information to the insurgents.³³ Moreover, without economic incentives, militias may seek other sources of income by changing sides or engaging in economic opportunism (drugs, arms dealing, etc.).³⁴ Connable and Libicki, on the other hand, play with the notion that unpaid, part time militias may be more dependable than paid, full-time militias: “since the paid militia members are primarily motivated by money, they are also more vulnerable to infiltration, bribery, desertion, and defection.”³⁵

The problem of shirking by Guatemalan CDF’s also suggests that states should more carefully vet militia leadership. *Screening or vetting agents* is a commonly cited way that governments can lower risk of adverse selection. Understanding the agent’s priorities (economic, ideological, etc.) can help states determine which incentives or rewards and which sanctions they should choose to apply to their agents. Information gathering also

³¹ Carey and Mitchell, “Pro-Government Militias,” 14.

³² Peic, “Civilian Defense Forces, State Capacity, and Government Victory in Counterinsurgency Wars,” 178.

³³ Peic, 177.

³⁴ Peic, 177.

³⁵ Ben Connable and Martin C. Libicki, *How Insurgencies End*, MG-965-MCIA (Santa Monica, CA: Rand, 2010), 148.

allows principals to ensure that agents do not have conflicting ideological or strategic interests. In some cases, states may also want to choose agents with a similar demographic (social, ethnic or religious background) depending on the nature of the conflict.³⁶ For example, Stanton observes patterns indicating that militia members are less likely to follow state orders to kill insurgents or noncombatants from their same demographic background.³⁷

The most widely accepted and most basic assumption is that *autonomy and control have a negative relationship*. For example, Peic draws a connection between level of autonomy and frequency in shirking; the more autonomous the PGM, the less control a government has over their actions.³⁸ Similarly, Stanton reveals that data from all civil wars between 1989 and 2010 show that the level of autonomy and control are inversely related.³⁹ Carey and Mitchell also consider the autonomy-control hypothesis as key; “the more loosely connected the group is to the state, the more likely it is that PGM members use violence for their own benefit, for example to loot or to settle private disputes.”⁴⁰ Overall, the literature concurs that more autonomy reduces state control, and, as a result increases the likelihood of a militia’s goals and interests diverging from those of the state.

Next, *state capacity ties in with several hypotheses* as weak states with fewer resources may have a difficult time designing and implementing control mechanisms such as vetting, training, monitoring, and a robust sanction-reward system.⁴¹ However, Staniland suggests that capacity may have a limited impact on a state’s ability to control its agents due to factors outside of the state’s control: “The politics of coercive deployment and restraint may be more important than raw state capacity.”⁴² Böhmelt and Clayton even

³⁶ Sunil Dasgupta, “Paramilitary Groups: Local Alliances in Counterinsurgency Operations,” *Brookings Counterinsurgency and Pakistan Paper Series*, no. 6 (2009).

³⁷ Jessica A. Stanton, “Regulating Militias: Governments, Militias, and Civilian Targeting in Civil War,” *Journal of Conflict Resolution* 59, no. 5 (2015): 904, 914.

³⁸ Peic, “Civilian Defense Forces, State Capacity, and Government Victory in Counterinsurgency Wars,” 177.

³⁹ Stanton, “Regulating Militias: Governments, Militias, and Civilian Targeting in Civil War,” 912.

⁴⁰ Carey and Mitchell, “Pro-Government Militias,” 14.

⁴¹ Stanton, “Regulating Militias: Governments, Militias, and Civilian Targeting in Civil War,” 909.

⁴² Staniland, “Militias, Ideology and the State,” 772.

argue that state capacity is not crucial to sustaining PGMs.⁴³ Nonetheless, I determined in my examination of the Colombia and Peru cases that state capacity has a long-term impact, as at least some resources are necessary to implement “coercive deployment and restraint.”

Lastly, some authors assert that states may use *no control mechanisms at all*. For example, Mitchell, Carey, and Butler identify plausible deniability for accountability avoidance and outsourcing of violence in relationships as the most logical reason for why states would sacrifice part of their monopoly on violence to PGMs. The authors assert that states either “can’t control or won’t control” their agents.⁴⁴ “If challenged by other state or non-state actors, they can claim a simple agency problem and lack of control, passing the costs to the ‘out of control’ or ‘bad apple’ agents.”⁴⁵ In other words, governments may find that the strategic benefits of yielding control outweigh the costs. The possibility that some governments do not have the capacity or resolve to control their agents may indicate that they are willing to absorb serious risk in entering relationships with these groups.

The PA Problem and other non-state actors. Literature on relationships between states and terror groups, or rebel groups in proxy wars, also yield valuable insight on control mechanisms. For example, Byman and Kreps discuss how states attempt to control sponsored terror groups and how the nature (covert or overt) of the relationship affects their ability to maintain positive control.⁴⁶ Similarly, Salehyan examines the relationship between foreign sponsors and rebel groups in proxy wars. The authors list “modifying scope of authority” to the agent, monitoring and reporting behavior, ex-ante information gathering (screening), and a sanction/reward system as the primary mechanisms that states have used to control agents.⁴⁷ Each mechanism has a variation depending on the nature of the relationship between principal and agent. Salehyan notes that “principals walk a fine

⁴³ Tobias Böhmelt and Govinda Clayton, “Auxiliary Force Structure: Paramilitary Forces and Pro-Government Militias,” *Comparative Political Studies* 1, no. 41 (2017).

⁴⁴ Mitchell et al., “Impact of Pro-Government Militias on Human Rights Violations,” *Empirical and Theoretical Research in International Relations* 40, no. 5 (2014): 816.

⁴⁵ Mitchell et al., 819.

⁴⁶ Byman and Kreps, “Agents of Destruction? Applying Principal-Agent Analysis to State-Sponsored Terrorism,” 1-18.

⁴⁷ Idean Salehyan, “The Delegation of War to Rebel Organizations,” *Journal of Conflict Resolution* 54, no. 3 (2010): 505-506; Byman and Kreps, “Agents of Destruction?” 13.

line between empowering rebels enough to ensure that they can impose costs on the target government, but not so much that the rebels do not fear abandonment, nor be able to turn against the patron.”⁴⁸ In sum, relationships between states and terrorist, or rebel organizations, are similar to relationships between states and PGMs due to the challenges of the illicit nature to managing the principal-agent problem.

Hypothesis. For my hypothesis, I tested the classic principal-agent theory control mechanisms: screening, monitoring, sanctions and incentives/rewards.⁴⁹ These mechanisms are not mutually exclusive and states should use them in a tailored combination at varying degrees. Moreover, the incentives should come from the state, not private actors, like landowners or businesses—I learned that when the Colombian military permitted private funding of militias, it soon lost control thereafter. These mechanisms are also very difficult to implement when a country has low state capacity. As soon as a state is able, it should incorporate a militia into its security apparatus and take away the militia’s autonomy.

- **Screening:** If a state uses screening in order to weed out criminals and determine if the PGM has compatible interests and ideology, it may reduce the chance of adverse selection and future conflicts of interest, thereby increasing its ability to influence the PGM leadership.
- **Monitoring:** If a state monitors its agent, it may reduce the chances of moral hazard, shirking, slack, and asymmetric information; and, the state may more quickly and effectively apply sanctions or rewards when necessary. Moreover, monitoring prevents the militia from becoming too autonomous, especially in hard-to-reach geographical areas.
- **Sanctions:** If the state applies sanctions when the PGM engages in shirking and slacking, one of three outcomes may occur: A) the sanctions could backfire and the PGM could seek other means of support or turn

⁴⁸ Salehyan, “The Delegation of War to Rebel Organizations,” 506.

⁴⁹ Hawkins et al., *Delegation and Agency in International Organizations*, 26-30.

against the state. B) The sanctions could have no effect at all. C) The sanctions will coerce the PGM to submit to the state.

- **Rewards:** If the state uses material incentives or rewards, the PGM may be less likely to seek economic opportunities elsewhere. Conversely, material incentives may be ineffective if the militia discovers a better source of support elsewhere, such as the drug trade or another criminal enterprise. Monetary incentives have little effect in a narco environment.
- **State capacity has an exogenous effect on control.** If a state has limited military and government capacity, and is not present in certain geographic areas to monitor militia activities, or is unable to produce incentives for a period of time, the militias could obtain more autonomy, which could also decrease the state's future ability to resume applying control mechanisms such as rewards and sanctions.

In examining the above, I took into consideration the relationship type, which is a policy choice that has important implications for control. PGMs in a semi-official relationship with the state generally have more oversight from military or police than their counterparts in informal relationships, and therefore lower autonomy.⁵⁰ Part of this has to do with public accountability; if the state has announced their semi-official relationship with the PGM, it may be more motivated to enforce control mechanisms.⁵¹ Moreover, it is difficult for a state to apply sanctions to a group with which it denies involvement for risk of exposing the relationship. The unofficial relationship between Colombia and the illegal paramilitaries is illustrative of this point.

Research Design. I compared case studies from protracted counterinsurgency conflicts in Colombia and Peru which have some of the most prolific examples of state sponsorship of pro-government militias in Latin America. Table 1 shows the similarities and differences between militias in both countries. I built on and updated data from Carey,

⁵⁰ Carey and Mitchell, "Pro-Government Militias," 20.

⁵¹ Carey and Mitchell, 20.

Mitchell and Lowe's PGM Database,⁵² and gave each PGM a 'level of control' number on a scale of one to five, with five being the highest level of control relative to the other cases. This number is an abstract estimate based on the sum of my findings. All militias I examined started as civil defense forces in a classic clear-hold counterinsurgency strategy during the Cold War and diverged in different directions at various points during the conflicts (Table 1). Both states saw marked improvement in state capacity toward the end of their conflicts, which enabled them to incorporate self-defense groups as part of their armed forces.

In a detailed analysis of each conflict, I extracted evidence that the state used control mechanisms (screening, monitoring, sanctions, rewards) from declassified state department memos, declassified intelligence reports, subject country government documents, archived interviews, news reports, periodicals, court investigations, truth commission reports, and human rights reports. I also measured state capacity by GDP, military expenditure, tax revenues (as % of GDP) and level of territorial fragmentation. I found archived newspapers and declassified U.S. State Department documents through a search (spanning 1964-present for Colombia and 1989-present for Peru) on ProQuest Historical Newspapers, ProQuest National Security Archive, ProQuest Congressional, George Washington University National Security Archive, and the CIA Electronic Reading room. The majority of the Colombian government and truth commission documents and historical newspapers were obtained through Google search. Lastly, I referred to books and some journal articles for historical background. The non-transparent, and sometimes illicit nature of these relationships has meant that primary sources available can be spotty and even biased, particularly on the military side. As such, I am aware that I do not have a complete picture of all transactions and agreements between principal and agent during the protracted conflicts of Colombia and Peru. To fill in some gaps, I drew from quality secondary sources, such as particularly useful books and articles by Phillippe Dufort, Mario Fumerton, Jacobo Grajales, Maiah Jaskoski, and Julie Mazzei. These authors spent

⁵² Carey and Mitchell, "Pro-Government Militias Database," accessed August 30, 2017, <http://www.sowi.uni-mannheim.de/militias-public>.

valuable time in the field conducting interviews and gathering data from Peruvian and Colombian government archives.

Table 1. A comparison of pro-government militias in Colombia and Peru.⁵³

Country	PGM Name	Relationship Type	Dates Active	Average Military expenditure (LCU)	Membership	Target	Support	Purpose	Level of Control (Scale of 1-5)
Colombia	Self Defense Groups	Semi-Official	1964-1989	50.3 Billion	rural, drug traffickers, ex soldiers, security forces, mercenary	civilians, peasants, insurgents, politicians, journalists	drugs, landowner	intelligence, self-defense and security, protect property and investment	3
	Paramilitaries (The Self-Defense groups after legislation passed banning them)	Informal	1990-2006	5.4 Trillion	rural, drug traffickers, ex soldiers, security forces, mercenary	civilians, peasants, insurgents, politicians, journalists	drugs, landowner	self-defense and security, intelligence, intimidation of civilians, extrajudicial assassinations; plausible deniability, protect property and investment	1
	Convivirs	Semi-Official	1994-1998	3.4 Trillion	ex soldiers, rural, paramilitaries	rebels, insurgents, criminals, delinquents	domestic government, landowner, extortion	intelligence gathering, self-defense and security	2
	Hometown Soldiers	Official	2002-2014	16.2 Trillion	village/rural, peasants	rebels, insurgents, or other armed group, illegal pro-government militias	domestic government	self-defense and security	5
Peru	Civil Defense Committees (CDCs)	Semi-Official	1983-1991	13.5 Million	village/rural, peasants	rebels, insurgents, or other armed group, criminals	domestic government, community donations	intelligence, rural self-defense	3
	Defensas Civil Antisubversivas (DECAS)	Semi-Official	1986-1991	29.7 Million	village/rural, peasants, drug traffickers	rebels, insurgents, or other armed group, criminals	drugs, private donations, sometimes Marines	self-defense and security, protect property and investment	1
	Comites de Autodefensa y Desarrollo (CADs)	Official	1991-Present	4.3 Billion	village/rural, peasants	rebels, insurgents, or other armed group, criminals	domestic government, community donations	intelligence gathering, rural self-defense and security	5

Thesis Overview. My thesis is organized into six chapters. Chapter II covers Colombia’s first Self-Defense Groups and the origin of notorious paramilitaries like MAS and the ACCU, and the eventual unification of the AUC. I thoroughly review the main

⁵³ Partial data obtained from: Carey and Mitchell, “Pro-Government Militias Database;” World Bank, “Military Expenditure (Current LCU),” accessed April 28, 2018, <https://data.worldbank.org/indicator/MS.MIL.XPND.CN?locations=CO>.

factors for why Colombia lost control of the groups and how they evolved into near para-state entities. Chapter III covers the Convivirs, which was Colombia's second failed attempt at organizing and controlling PGMs in counterinsurgency. Chapter IV covers Colombia's success case, the Hometown Soldiers, where I argue that incorporation of militias into the state's military reserve forces is the most optimal way to apply control mechanisms and minimize the principal-agent problem. Chapter V covers the three phases of the Peruvian Rondas Campesinas: the CDCs, DECAS, and CADs. This chapter details the consequences of not implementing control mechanisms over the CDCs and DECAS, and how the Peruvian military regained control of these wayward militias by changing its policies and incorporating them into the armed forces as auxiliaries. For each individual case study, I give a short background on each state's pro-government militia. In Chapter VI, I conclude with a summary and analysis of the findings from each case and offer policy recommendations.

II. COLOMBIA'S FIRST SELF-DEFENSE GROUPS

The history of self-defense groups in Colombia is long and complex but it is necessary to start at Colombia's first counterinsurgency operation in 1964 in order to understand the major factors that molded the self-defense forces into monolithic paramilitaries like the *Autodefensas Campesinas de Córdoba y Urabá* (ACCU) and later, unified them under the *Autodefensas Unidas de Colombia* (AUC). In this chapter, I argue that two causal factors constrained the military's ability to implement control mechanisms and caused the military to lose control of civilian self-defense groups: privatization and criminalization. First, the military's decision to privatize, and contract out, the organization, funding, and operation of self-defense forces to private stake holders (such as cattle ranchers and emerald miners) removed the self-defense groups from the military's direct sphere of influence and into the sphere of private patrons. At the beginning of the war, only the military was authorized to organize, train, supply, and deploy self-defense forces as a means of maintaining control over their actions. After privatizing this role, the relationship dynamics between the military and self-defense forces fundamentally changed; the military continued to delegate security roles to the self-defense groups, but due to the greater autonomy of these groups, the military had to alter its methods of reducing the risk of moral hazard and conflict of interest without having adequate material leverage over the groups. The primary incentive it used to manage this relationship was the granting of impunity, and the secondary incentive was the supply of arms.

Second, I argue that legislation banning self-defense groups (by then also known as paramilitaries) in 1989, without preliminary or subsequent action to suppress them, made these already powerful, entrenched groups more difficult to control by removing them from the scope of government authority. The military thus lost whatever legal influence it had over the self-defense groups through Law 48 (the law that legalized self-defense forces in 1968), and missed an opportunity to reverse the damage done by privatization. Instead, the expulsion of the self-defense groups into Colombia's criminal space only further opened them up to the influence of drug traffickers, which eventually provided them the opportunity to acquire a major stake in Colombia's drug trafficking

revenue. After the government banned the paramilitaries, COIN hardliners in the military maintained an unofficial partnership with the paramilitaries, facilitated by their shared ideology, kinship, and similar objectives concerning the guerrillas. Under the constraint of an illicit relationship, military leaders continued to provide impunity to the paramilitaries in exchange for valuable intelligence and assistance in ‘clear-hold’ COIN operations (mostly involving human rights violations). Short of resources, and preferring paramilitary rule over guerrilla rule, the military resigned itself to allowing the paramilitaries to attrite and occupy territory from the guerrillas. However, in its roundabout effort to deny the guerrillas territory by giving it to the paramilitaries, the military permitted Colombia to become even more fractured. A conflict of interest arose between the government and paramilitaries: both were engaged in a war of attrition against the guerrillas, but the question remained as to who would control the former guerrilla-held territory and eventually lay claim to Colombia’s monopoly on the use of force thereafter.

Clarification on Terminology and Typology. While this thesis uses the term “pro-government militias” in the general framing and analysis of the research question and topic, as it applies in international security studies, I will use the terms “self-defense groups” (*autodefensas*) and “paramilitaries” in this chapter, keeping in line with the large majority of primary and secondary sources on Colombia. Furthermore, even though PGMs in Colombia interchange the labels of self-defense forces and paramilitaries, I will use the term self-defense forces in reference to the groups founded and generally under the auspices of the military as part of a mandated counterinsurgency plan. I will use the term paramilitaries primarily in reference to the self-defense groups that attained total autonomy from the military, or that organized independently from the military.

Background. From its establishment in 1830 after the dissolution of Gran Colombia, Colombia has experienced a number of lengthy and violent civil wars fought between left and right wing political factions, which used private militias to attrite and hold territory throughout Colombia’s geographically fragmented landscape. Self-defense groups and private armies have a long history in Colombia, playing key roles in Colombia’s many internal conflicts. During the period of *La Violencia* (1948-1958), Colombia’s Liberal and Conservative parties waged self-defense forces and private armies against one

another and against communist guerrillas.⁵⁴ After *La Violencia* came to an end, the two parties established the National Front, a 16-year power sharing pact codified in the constitution that was meant to bring about peace, avoid the consolidation of a military dictatorship, and break out of the cycle of interparty conflict.⁵⁵ Yet, by the time the National Front formed, a low intensity conflict that would last sixty years was already underway.

In the absence of pluralism and legal representation, excluded political parties, from moderate to far left, militarized and consolidated into the Marxist guerrillas that would threaten Colombia's stability for decades. According to Clemencia-Ramirez, "Although the National Front had opened a democratic space for the two political parties, it precluded alternative political expression, relied on a state of siege to maintain public order and developed more sophisticated mechanisms of repression and terror...Communist leaders wanted their party to be able to participate in government, but the Liberal and Conservative leadership neither supported nor recognized their repeated appeals."⁵⁶ Cold War geopolitical and U.S. hemispheric pressures also played a large part in the left's exile from the political forum. Consequently, the exclusionary effects of the National Front and Cold War geopolitical pressures collided with the rise of the Cold War era's leftist movements.

In the 1960s, Colombia faced many of the same Cold War challenges as the majority of Latin American countries. Fueled by inspiration from the 1959 Cuban Revolution, political exclusion and oppression, a preponderance of Marxist rural and urban guerrillas organized throughout the continent with the intention of fomenting revolution, often with Cuban or Soviet support. Latin American Marxist guerrillas found strength in purpose from their experiences living in societies that were historically marked by high levels of economic and social inequality. Colombia was no different. Yet, even as these

⁵⁴ William Aviles, "Paramilitarism and Colombia's Low-Intensity Democracy," *Journal of Latin American Studies* 38, no. 2 (May 2006): 385.

⁵⁵ Alejo Vargas Velásquez, "The Profile of Colombian Armed Forces: A Result of the Struggle against Guerrillas, Drug Trafficking and Terrorism," in *Debating Civil Military Relations in Latin America*, ed. David R. Mares and Rafael Martínez (Chicago: Sussex Academic Press, 2014), 133.

⁵⁶ María Clemencia Ramírez, "Maintaining Democracy in Colombia through Political Exclusion, States of Exception, Counterinsurgency, and Dirty War," in *Violent Democracies in Latin America*, ed. Enrique Desmond Arias and Daniel Goldstein (London: Duke University Press, 2010), 88.

conflicts wended down and fizzled out with the end of the Cold War in 1989, the civil war in Colombia only escalated, along with the resolve of the two most prolific guerrillas, the *Fuerzas Armadas Revolucionarias de Colombia* (FARC) and *Ejército de Liberación Nacional* (ELN), to achieve military victory. Explaining the causal factors for why Colombia's conflict lasted long past its expiration date is beyond the scope of this paper, but two contributing factors were as follows: First, Colombia had a perpetually weak state with "the most dispersed population in Latin America and one of the highest indices of geographical fragmentation in the world."⁵⁷ The absence of the Colombian state in the greater part of its territory enabled the guerrillas to establish control in remote mountain and jungle regions, further weakening the Colombian state. Second, guerrillas were able to continue operating in remote jungles without external support through the income produced by drug trafficking. Thus, without a monopoly on its own territory, the weak and corrupt Colombian government was unable to eliminate the guerrillas.

The first Self-Defense Groups under Plan Lazo in the 1960s. From 1962 to 1966, Colombia conducted COIN operations under the US-backed Plan Lazo, which aimed to "eliminate the principal bandits and the guerrillas controlling 'independent republics.'"⁵⁸ Plan Lazo incorporated progressive social justice and economic reforms, civic action programs and the use of civilian self-defense forces in a "clear-hold-build" strategy to defend areas cleared by Colombian special forces and provide intelligence to security forces.⁵⁹ The delegation of rural security to self-defense committees was not a new concept in Colombia, but it was re-articulated in the spirit of Cold War-era National Security Doctrine and COIN strategy inspired by U.S. *Counterinsurgency Field Manual (FM 31-16)* and subsequent Colombian COIN handbooks such as the *Reglamento de Combate de Contra Guerrillas* (EJC-3-10, 1969, 1981, 1987, and 1989). Most importantly, "the intelligence (E-2) section of Plan Lazo "included precise guidelines on how to create,

⁵⁷ Eduardo Possada Carbo, "Colombia's Resilient Democracy," *Current History* 103, no. 670, (2004): 68-73.

⁵⁸ Richard L. Maullin, *Soldiers, Guerrillas and Politics in Colombia*, R-630-ARPA, (Santa Monica, CA: Rand, 1971), 45.

⁵⁹ Dennis M. Rempe, *The Past as Prologue? A History of U.S. Counterinsurgency Policy in Colombia, 1958-66*, U413.A66R25, (Carlisle, PA: US Army War College, Strategic Studies Institute, 2002), 17.

organize and structure civilian self-defense forces for security and territorial control: squads at the company level, platoons at the battalion level, and mixed units at brigade level.”⁶⁰

While initially encompassing a whole-of-government package, Plan Lazo evolved into a military-centric COIN plan. According to Maullin, who wrote an analysis on Plan Lazo in a 1971 RAND publication, “its record of achievement...is ambiguous...on the other hand, many of the most notorious bandit and guerrilla groups were eliminated under Plan Lazo, and the government authority was brought to many areas where it had not been in evidence for many years.”⁶¹ However, while the military played its integrated civic action and kinetic roles well, civilian government elites were either unable or unwilling to execute their part of the civic action plan and enact the prescribed socio-economic reforms.⁶² After the failure of the Colombian government to execute the necessary reforms, the military, stinging from a lack of interagency cooperation by political elites, and waning human and material resources, placed a greater emphasis on more hardline strategies and kinetic aspects of Plan Lazo, particularly the mobilization and expansion of civilian self-defense forces and the civilian informant network.⁶³

In 1965, President Valencia legalized self-defense groups through Decree 3398, which created a “regulatory legal instrument for its national defense” by redefining it as “the organization and tasking of all the residents and resources of the country, from time of peace, to guarantee national independence and institutional stability.”⁶⁴ Decree 3398 was then codified into law in 1968 with the passing of Law 48. Four key articles in Law 48 stand out: Articles 23, 24, 25 and 33. Articles 23, and 24 of the decree stated that “all Colombians are obliged to participate actively in national defense,” and “participation in

⁶⁰ Philippe Dufort, “A typology of military factions in the Colombian officer corps: origins and evolution of Colombian counter-insurgency,” *Canadian Journal of Latin American and Caribbean Studies* 42, no. 3 (2017): 335.

⁶¹ Maullin, *Soldiers, Guerrillas and Politics in Colombia*, 46-47.

⁶² Dufort, “A typology of military factions in the Colombian officer corps,” 334; Maullin, *Soldiers, Guerrillas and Politics in Colombia*, 48-51.

⁶³ Dufort, 334-335.

⁶⁴ *Decreto Legislativo 3398, Por el cual se organiza la defensa nacional* (1965), https://www.minjusticia.gov.co/portals/0/MJD/docs/decreto_3398_1965.htm.

civil defense is permanent and obligatory for all inhabitants of the country.”⁶⁵ Article 25 declared that “all Colombians, men and women, not included in the call to compulsory service, may be used by the Government in activities and work with which they contribute to the restoration of normalcy.”⁶⁶ Article 33 permitted the arming of civilians by stating that “the Ministry of Defense could grant as private property, weapons that are considered for the exclusive use of the armed forces.”⁶⁷ Overall, Decree 3398 and Law 48 established a legal foundation and justification for the formation of self-defense groups (and unfortunately, criminal organizations in the guise of self-defense groups) for the duration of the 60-year conflict.⁶⁸

While Law 48 legalized self-defense forces, the *Reglamento de Combate de Contraguerrillas* (EJC-3-10) constituted the guiding military principles for the organization, management, and employment of self-defense forces for the large part of the Colombian Conflict. Human rights organizations consider this manual as a foundational document and evidence against the military for Colombia’s paramilitary phenomenon. However, the EJC 3–10 is fairly typical of the COIN doctrine of the time and is not particularly extraordinary. Inspired by the U.S. Army COIN field manuals, the manual prescribes the organization of “boards of self-defense,” to be “composed of civilian personnel selected from the combat zone, which is trained and equipped to develop actions against groups of *guerrilleros* who threaten the area or to operate in co-ordination with troops in actions of combat.”⁶⁹ The manual includes a directive that these self-defense committees (*juntas de autodefensa*) should be “controlled by the military command...[and]... dependent on the military at all times.”⁷⁰ Moreover, it requires that military officers select, organize, train, arm and equip the civilians. Of note, the manual

⁶⁵ *Decreto Legislativo 3398*.

⁶⁶ *Decreto Legislativo 3398*.

⁶⁷ *Decreto Legislativo 3398*.

⁶⁸ Winifred Tate, “Paramilitaries in Colombia,” *Brown Journal of World Affairs* VIII, no. 1 (winter/spring 2001): 165.

⁶⁹ Army Command, *Reglamento de Combate de Contraguerrillas, EJC 3-10, 3rd ed.* (Bogota: Army Command, Comando General del Ejército, 1981): 317 and 322, quoted in Dufort, “A typology of military factions in the Colombian officer corps,” 338.

⁷⁰ Army Command, 337.

recommends placing loyal reserve officers in the role of *junta* leaders, and providing them with combat, tactical, and defensive training.⁷¹ Subsequent field manuals, like the 1982 *Manual de Combate Contra Bandoleros o Guerrilleros* (EJC-3-101) provided similar guidance.

In accordance with COIN doctrine, the self-defense groups mostly remained under the auspices of the military in the decades of the 1960s and 1970s. There is very little detailed information available on the activity of the self-defense forces in the 1970s, mechanisms used to control them, and the overall counterinsurgency effort due to the fact that during this decade, “the civil defense in Colombia kept a low profile with the conventional counterinsurgency and national security doctrines espoused by the Colombian military.”⁷² Nonetheless, Colombian intelligence (including Colombia’s FBI equivalent, the DAS, and the BINCI-Charry Solano Battalion) and the military were charged with monitoring and controlling the self-defense groups.⁷³ For example, the military established expansive communications nets (organized under “federations”) to communicate with the groups. “Communications and civil defense early warning networks played an important role in linking these *autodefensa* units to security forces...At the department level, the Colombian government established rural civil defense early warning radio nets with local community support.”⁷⁴ Another method for monitoring involved the use of counterintelligence agents to root out disloyal members. The 1979 COIN Manual, *Instrucciones Generales para operaciones de Contra-Guerrillas* (EJC-3-101), prescribed the use of plain clothes agents disguised as guerrillas sent to test the loyalty of individual self-defense members. Those who failed the test, or whose loyalties were suspect, received

⁷¹ Army Command, *Reglamento de Combate de Contraguerrillas*, EJC 3-10, 2nd ed. (Bogota: Army Command, Comando General del Ejército, 1969) paraphrased in *Colombia’s Killer Networks* (New York: Human Rights Watch, 1996), 14.

⁷² Kees Koonings and Dirk Kruijt, *Armed Actors: Organized Violence and State Failure in Latin America* (London: Zed Books, 2004), 28.

⁷³ Dufort, “A typology of military factions in the Colombian officer corps,” 335.

⁷⁴ Rempe, *The Past as Prologue? A History of U.S. Counterinsurgency Policy in Colombia, 1958-66*, 18.

threats in the form of handwritten notes meant to frighten them into fleeing the area.⁷⁵ Lastly, the military used some material incentives to keep the self-defense groups in line. According to the 1982 *EJC-3-101*, the self-defense groups' "collaboration and efforts are rewarded with ammunition for revolver and shotgun, dynamite, safe conduct, sporadic military patrols or protection in their regions, drugs, better treatment, enthusiasm, and acceptance of their initiatives."⁷⁶ Even after the self-defense groups were banned in 1989, the military would continue to use weapons and ammunition as an incentive when delegating counter guerrilla operations to the more advanced paramilitaries.

In a testimony to the Court of Justice and Peace during an investigation into an alleged paramilitary member, Colombian Army Colonel Carlos Alfonso Velázquez Romero described how a typical self-defense group in the 1960s and 1970s operated:

The farmers were organized into brigades or battalions and were trained to wield rifles, the highest caliber gun they could use was a rifle, because there were no machineguns, or submachine guns...Many times, I remember, those rifles were returned to the public to help in the formation of a first ring of security in case of guerrilla incursions in populations that did not have police or where police were limited to 2 or 3 agents. Then, the army would also send a sergeant, a lieutenant, or a captain, depending on the situation...[to manage] the autodefensas. When it was anticipated that the guerrilla was to arrive, alerted by the sound of a horn or church bell, whichever sign was agreed upon, these people would arrive and would position themselves into key sites to dissuade the entry of the guerrilla or at least shoot at them, after which they would call the nearest army or police unit. The augmenting police force would then [arrive to] support the autodefensa units while they fought off the guerilla. They were created and they functioned that way for a while until the 80's when more autodefensas were created in Magdalena Medio.⁷⁷

⁷⁵ Army Command, *Instrucciones Generales para Operaciones de Contra-Guerrillas, EJC 3-101*, (Bogota: Army Command, General del Comando del Ejército, 1979), 113-121, quoted in "La doctrina contrainsurgente del Estado Colombiano y la población civil," in *Dueda con la Humanidad: 1988-2003* (CINEP, 2004).

⁷⁶ Army Command, *Instrucciones Generales para Operaciones de Contra-Guerrillas, EJC 3-101*, quoted in "En su origen, paras fueron promovidos por el Ejército," *Verdad Abierta*, September 20, 2012, <https://verdadabierta.com/en-su-origen-paras-fueron-promovidos-por-el-ejercito/>.

⁷⁷ *Sentencia de Hébert Veloza García*, Rad. 11-001-60-00 253-2006 810099 Interno, (Tribunal Superior, Bogotá: Sala de Justicia y Paz, 2013), 284-285, <https://www.fiscalia.gov.co/colombia/wp-content/uploads/2014/12/2013-10-30-SENTENCIA-HEBERT-VELOZA-GARCIA-JYP-BOGOTA.pdf>.

Privatization. During the 1970s, the military also started engaging in practices that gradually privatized the management, funding and eventual organization of the self-defense groups, leading to their loss of authority and control over their activities. The civilian government institutions failed to support Plan Lazo and subsequent COIN campaigns in the 1970s, resulting in the military feeling marginalized and isolated as sole executors of the counterinsurgency campaign.⁷⁸ A detailed account of why this occurred is part of a complex civil-military affairs problem and beyond the scope of this paper, but the basic narrative is that the military was losing government support in the counterinsurgency campaign while taking an increasingly hardline approach.⁷⁹ The military operated with increased autonomy from the state as they were adding to the numbers of self-defense groups in the country (not counting the ones that sprung up independent from the military) without constraint or government oversight.⁸⁰ The military lacked the material resources needed to support the growing number of rural self-defense groups. As a result, military leaders shifted and expanded the organization and management of the self-defense forces into the private realm of the landed and business elite.⁸¹ That is, “they opted to mirror insurgent irregular strategic behaviors. To do so, the hardliners developed an alternative war strategy that focused on the development of large-scale, para-institutional militias...[by mobilizing] the private resources of landed regional elites in the war against the insurgency.”⁸² This brings to mind a fundamental Maoist tenet directing guerrillas to derive their resources from the people.⁸³ If the military could divert those resources from the people to their self-defense forces instead of the guerrillas, they could deprive the guerrillas of a major source of income. The results of privatization would come to fruition

⁷⁸ Dufort, “A typology of military factions in the Colombian officer corps,” 334-335.

⁷⁹ Dufort, 334-335.

⁸⁰ “Chapter II: The Violence Phenomenon,” in *Second Report on the Situation of Human Rights in Colombia*, OEA/Ser.L/V/II.84 Doc. 39 rev. (Inter-American Commission on Human Rights, Organization of American States, 1993), <http://www.cidh.org/countryrep/Colombia93eng/chap.2.htm>.

⁸¹ Dufort, “A typology of military factions in the Colombian officer corps,” 335.

⁸² Dufort, 337.

⁸³ Mao Tse-tung, *On Guerrilla Warfare*, trans. Samuel B. Griffith (BN Publishing, 2009), 44.

in the 1980s, when the self-defense groups made a dramatic transformation into autonomous mega-paramilitary organizations.

Privatization of the self-defense groups occurred through the extraction of funding, or informal war taxes, from private landholders (ranchers, farmers, etc.) in exchange for protection, while the military continued to provide arms to the groups.⁸⁴ Landowners were happy to oblige as paying the self-defense forces for protection was far cheaper than paying the guerrillas, which did not even guarantee their safety from future extortion and assault.⁸⁵ “Bands of farmers joined forces to protect their land and their families and began providing the armed civilian groups with resources beyond the arms provided by the military.”⁸⁶ In the context of countering left-wing insurgency and its strategy of extracting resources from the people, this system made sense in that it diverted citizen resources from the guerrillas to the pro-government self-defense groups. Unfortunately, however, it produced the undesirable result of shifting the self-defense forces from the authority of the military to that of private benefactors, essentially handing them private armies, and further degrading the Colombian state’s monopoly on the use of force. Thus, a plan that was intended to cheaply increase the Colombian state’s presence throughout ungoverned spaces only served to further fracture the territory into a feudal system because the military armed these civilians, but gradually ceded control over their operations to private actors. According to Avant, “Non-state financing of security is most likely to occur when the state has failed to provide the desired protection and is thus, in itself an indication of state weakness. Non-State financing could further weaken the state both in terms of its control of consequential incentives and in terms of its coherence and legitimacy.”⁸⁷ Thus, the military delegated its security role to peasant self-defense forces funded by illegitimate war taxes. Ideally, the government should have extracted those taxes itself and used them to provide protection with legitimate military and police forces.

⁸⁴ IACHR, “Chapter II: The Violence Phenomenon.”

⁸⁵ IACHR, “Chapter II: The Violence Phenomenon.”

⁸⁶ Julie Mazzei, *Death Squads or Self-Defense Forces? How Paramilitary Groups Emerge and Challenge Democracy in Latin America* (Chapel Hill: University of North Carolina Press, 2009), 80.

⁸⁷ Deborah D. Avant, *The Market for Force: The Consequences of Privatizing Security* (New York: Cambridge University Press, 2005), 70.

The military's process of privatization in the 1970s set the stage for the explosion in the number of Colombia's self-defense groups in the 1980s and triggered their transformation into autonomous paramilitary organizations. Legally justified by Law 48, private actors increasingly founded and organized self-defense forces on their own accord due to insufficient state security presence and the need to defend private economic interests from the guerrillas and criminal bandits.⁸⁸ The paramilitaries were further buttressed when the "Turbay Ayala government...[in the 1978 security statute] called on the population to arm itself."⁸⁹ Declassified U.S. State Department and CIA sources indicate that the military worked with these privately formed groups much in the same way it worked with the self-defense groups that it organized under Plan Lazo.⁹⁰ The military and intelligence agencies still held responsibility for overseeing all self-defense groups, regardless of origin, but by the late 1980s, their loss of control was readily apparent. For example, a 1987 U.S. Embassy cable discussing the Tolima self-defense groups paints a revealing picture of the self-defense groups' increasing level of autonomy (emphasis added):

POLOFFS emphasized that the boundary between sanctioned self-defense groups and violent para-military groups would become blurred over time, particularly by foreign human rights groups. Santamaria readily agreed, proposed no remedy for the problem, but suggested that local commanders would be responsible for policing the self-defense groups. **Such control is apparently absent in the case of the Tolima groups;** liberal Tolima congressman Alfonso Lopez told POLOFFS August 4 that **Groups active in Tolima were autonomous, subject to no oversight...** While Colombia's political elite concede that the constitution allows for self-defense groups, there is **obvious concern about the size, the range of permissible activity, the source of arms for, and the control of these groups...** **Although Supporters of Self Defense groups argue that the military can and will monitor these groups and prevent their engaging in offensive actions, this reasoning appears faulty.** Self-defense groups have sprouted in areas

⁸⁸ US Embassy Bogota, "Self-Defense Groups Again the Subject of Controversy" (Cable, Colombia: US Department of State, 1987), <https://search.proquest.com/docview/1679067759?accountid=12702>.

⁸⁹ Francisco Gutiérrez Sanín and Mauricio Barón: "Re-stating the State: Paramilitary Control and Political Order in Colombia (1978-2004)" (Working Paper, Universidad Nacional de Colombia, 2005), 3, <http://eprints.lse.ac.uk/28178/1/WP66.pdf>.

⁹⁰ US Embassy Bogota, "Self-Defense Groups Again the Subject of Controversy;" US Embassy Bogota, "Paramilitaries in Colombia" (Cable, Bogota: US Department of State, 1996), <https://search.proquest.com/docview/1679084768?accountid=12702>; Central Intelligence Agency, "Colombia: Update on Links Between Military, Paramilitary Forces," doc. no. 0001413795 (Intelligence Report, CIA, 1997), <https://www.cia.gov/library/readingroom/document/0001413795>.

were the military is unable to guarantee security. **Given the commitments of the military in these areas it is unlikely that they can devote sufficient resources of the supervision of these groups.** Absent effective control, the temptation of the self-defense groups to strike against the visible symbol of the FARC i.e., the Union Patriótica may prove irresistible.⁹¹

Another mistake the military made that contributed to its loss of control was involving the self-defense groups in offensive operations. The acquisition of territory was one of the more tangible metrics of power in the conflict, and a “clear and hold” COIN strategy maintained that self-defense groups would guard areas “cleansed” and reclaimed from the guerrillas. However, in the late 1970s and early 1980s, the military started involving the self-defense groups in “fumigating” areas of subversives, a term designated for the offensive “clear” phase of counterinsurgency operations.⁹² By delegating both the offensive and defensive phases of COIN operations to these privatized self-defense groups, the military inadvertently allowed them to seize large portions of land from the guerrillas. The concept of clear and hold took on an entirely new dimension in the zero-sum game of territorial acquisition; even though the territory was taken from the guerrillas, it was not ceded to the state. As the self-defense groups grew extremely adept at offensive operations (they even hired mercenaries from Israel and the UK to instruct them in special operations⁹³), they were able to conduct clear and hold in their own campaigns independent from the military. Through this process, Colombia’s territory became divided up, more or less, into fiefdoms under the control of either the state, guerrillas, cartels, or paramilitaries. In sum, the clear and hold strategy is meant to retake positive control of territory for the *state*. With self-defense groups guarding the reclaimed territory, the military may eventually move on to another area, but only under the condition that the military keeps the self-defense groups defensive and dependent on the government. The involvement of privatized self-defense groups in offensive operations permitted the transfer of contested territory to private actors instead of back to the state.

⁹¹ US Embassy Bogota, “Self-Defense Groups Again the Subject of Controversy.”

⁹² IACHR, “Chapter II: The Violence Phenomenon.”

⁹³ IACHR.

Privatization also set the stage for the attrition of the self-defense groups into the criminal sphere of influence. The proliferation of these independently formed groups was not limited to the military, cattle ranchers and emerald miners. Drug trafficking organizations, like the Medellin Drug Cartel, also saw the utility in self-defense groups to protect their interests from guerrillas demanding war taxes and kidnapping relatives. In 1981, Pablo Escobar and Fidel Castaño, with the help of military officers (in a 1983 investigation, the Procuraduría exposed the involvement of 59 military officers), formed the *Muerte a Secuestradores* (MAS) paramilitary.⁹⁴ “The real expansion of the Colombian paramilitary came at the beginning of the 1980s with the installation, by powerful drug traffickers, of the MAS.”⁹⁵ In other words, the creation of MAS marked the beginning of an era when the self-defense groups became paramilitaries, and the interests of the paramilitaries took on a more enterprising nature that did not resemble the original 1968 mandate from the state.

Soon after, the Castaño brothers also founded a mega-paramilitary, the ACCU, with the support of cattle ranchers in Cordoba and Urabá. “The ACCU organized a sophisticated communication network in the region, linking approximately a thousand cattle ranches and plantations, whose administrators became permanent watchmen, reporting to the police, the army, and Castaño’s headquarters.”⁹⁶ The Castaño brothers, who had a personal vendetta against the guerrillas after killing their father for failing to pay the full ransom payment in time, had originally received training from the military but quickly outgrew state sponsorship through a combination of drug trafficking and territorial acquisition from clear-hold operations.⁹⁷ With privatization, the scope of paramilitary operations grew to encompass protecting the interests of drug cartels from the guerrillas, who were also becoming competitors in drug trafficking. By outsourcing the funding of the self-defense

⁹⁴ Jasmin Hristov, *Blood and Capital: The Paramilitarization of Colombia* (Athens: Ohio University Press, 2009), 63; Tate, *Drugs, Thugs and Diplomats* (Stanford: Stanford University Press, 2015), 89.

⁹⁵ Koonings and Kruijt, *Armed Actors*, 28.

⁹⁶ Mauricio Romero, “Changing identities in Contested Settings: Regional Elites and the Paramilitaries in Colombia,” *International Journal of Politics, Culture, and Society* 14, no. 1 (Fall, 2000): 65-66.

⁹⁷ Central Intelligence Agency, “Colombia: Paramilitaries Gaining Strength,” doc. no. 0001426333 (Intelligence Report, CIA, 1997), https://www.cia.gov/library/readingroom/docs/DOC_0001426333.pdf.

groups to private actors, the military opened the door for future conflicts of interest to arise. The self-defense groups were seemingly beholden to two principals: the military, to which they answered in terms of COIN and arms provision, and their wealthy civilian benefactors and drug traffickers (the “narco bourgeoisie”), who had interests of their own.

Paramilitaries such as MAS and the ACCU muddied the waters between who was principal and who was agent. According to Koonings and Kruijt, the military supported MAS and other private paramilitaries “with logistics, organizational expertise and hardware such as uniforms and small arms. In exchange, military personnel received payments from drug money or money generated by other illicit activities such as emerald smuggling.”⁹⁸ Thus, self-defense groups were no longer subsidiary to the military, but on par, or *para* to the military, hence the use of the term *paramilitary*. Colonel Velázquez Romero roughly sums up this transition:

[The Narco] figureheads in the Magdalena Medio said...these auto-defenses have to protect us because here we can't run the risk of the guerrilla being emboldened enough to kidnap us. Gradually and with the agreement of various military members that controlled the autodefenses, who could not see, or did not want to see what they were getting themselves into...that it was already a corrupt deal, rather a deal that was not in line with why the autodefenses were created. These narcos started to pay off and invest in the autodefensas and now they not only had rifles provided by the army, but also submachine guns, machine guns, revolvers, or 9mm guns bought by the narcos...The autodefenses transformed [into paramilitaries] with the help of various military members who did not want to see or did not see what was coming (or the full weight of the problem).⁹⁹

Several scholars consider the formation of MAS as a catalytic event that marked the complete loss of control and shift of the self-defense forces from the auspices of the military to the auspices of the drug traffickers.¹⁰⁰ However, while the creation of MAS, and the methods described by Colonel Velázquez Romero above marked the beginning of

⁹⁸ Koonings and Kruijt, *Armed Actors*, 28.

⁹⁹ *Sentencia de Hébert Veloza García*, 284-285.

¹⁰⁰ Harvey F. Kline, *Showing Teeth to the Dragons: State-Building and Conflict Resolution in Colombia: 1986-1994* (Tuscaloosa: University of Alabama Press, 1999), 27; Koonings and Kruijt, *Armed Actors*, 28.

a new era in which the paramilitaries moved into the criminal sphere of influence, anti-paramilitary legislation in 1989 finalized this transfer.

Anti-Paramilitary Legislation. As the paramilitaries multiplied in power and number, the level of activities, typically involving human rights abuses, spiked, which gained the attention of the media, human rights NGOs and the international community. The results of an investigation by the *Procuraduría* (Inspector General) commissioned by President Betancur in 1983 also revealed the extent to which the military was connected with criminally linked paramilitary groups like MAS.¹⁰¹ The head of the investigation, Procurador Carlos Jiménez Gómez, described the indicted officers as “officials who go overboard when faced with the temptation to multiply their ability to act and take advantage of private agents, whom they begin to use as ‘guides’ and ‘informants,’ collaborators and assistants in general, and whom they end up using as a hidden weapon so that, with this plan of hired killers, they can do officiously what they cannot do officially.”¹⁰² Yet, the *Procuraduría*’s exposure of the military’s use of paramilitaries as an extrajudicial solution did not result in meaningful reform, and the proliferation of paramilitaries continued under the military’s watch.

Consequently, in 1989, the government issued a number of decrees with the intent of cracking down on the paramilitary problem. Decrees 813, 814, and 815 collectively attempted to rein in the paramilitaries. First, Decree 813 established an “advisory commission and coordinator of actions against death squads, gangs of hitmen, self-defense groups or private justice groups, all mistakenly called paramilitaries.”¹⁰³ However, “the majority of the commission had either voiced support for paramilitary organizations or headed institutions that contained sectors with strong relationships with paramilitaries.”¹⁰⁴

¹⁰¹ Human Rights Watch, *Colombia’s Killer Networks* (New York: Human Rights Watch, 1996), 19-20.

¹⁰² Carlos Jiménez Gómez, *Una Procuraduría de Opinión Informe al Congreso y al País* (Santafé de Bogotá: Editorial Printer Colombiana Ltda., 1986), 118-119, quoted in HRW, *Colombia’s Killer Networks* (New York: Human Rights Watch, 1996), 19.

¹⁰³ *Decreto Legislativo 813*, No. 38785 (Bogotá: 1989), <http://www.suin-juriscol.gov.co/viewDocument.asp?id=1171063>.

¹⁰⁴ Aviles, “Paramilitarism and Colombia’s Low-Intensity Democracy,” 393.

Second, Decree 814 established a thousand-member special police task force to dismantle illegal paramilitary groups.¹⁰⁵ However, according to Aviles, the task force only received assignments that targeted drug labs, without directly taking on the paramilitaries.¹⁰⁶ Third, Decree 815 declared that only the President, with endorsement from the Ministry of Defense, could create and deploy self-defense groups in an “unaggressive,” unarmed manner, and suspended Law 48, Article 33, Paragraph 3, which permitted their use of restricted weapons in self-defense.¹⁰⁷ The introduction of the decree states that “The interpretation of [Law 48] by some sectors of public opinion has caused confusion about [the self-defense groups’] scope and purpose in the sense that they can be taken as a legal authorization to organize armed civil groups that act outside the constitution and laws.”¹⁰⁸ Finally, on May 25, 1989 the state rescinded Law 48 entirely, mandating that all self-defense groups demobilize and return their weapons to the military.¹⁰⁹ The repeal of Law 48 was followed shortly by Decree 1194, which established criminal penalties for any civilian or member of the armed forces or police who promoted, organized, provided training for, recruited for, provided support (arms, money, logistics) for or joined a so-called paramilitary.¹¹⁰

While the legislation was well intended, it was too little and too late. By 1989, the paramilitaries were far too powerful and invested in both the anti-guerrilla conflict and private—and often illegal—enterprise for the repeal of Law 48 to have an impact. Second, the new legislation did not have any teeth. As highlighted above, the groups had allies in defense ministry, law enforcement, and intelligence agencies that made it difficult, if not impossible, to carry out the new decrees to effect. Thus, from the point of view of the paramilitaries, which had become para-state institutions in their own right, criminalization

¹⁰⁵ *Decreto Legislativo 814*, No. 38785 (1989), <http://www.suin-juriscol.gov.co/viewDocument.asp?id=1171182>.

¹⁰⁶ Aviles, “Paramilitarism and Colombia’s Low-Intensity Democracy,” 393.

¹⁰⁷ *Decreto Legislativo 815*, No. 38785 (1989), <http://www.suin-juriscol.gov.co/viewDocument.asp?id=1171406>.

¹⁰⁸ *Decreto Legislativo 815*.

¹⁰⁹ IACHR, “Chapter II: The Violence Phenomenon.”

¹¹⁰ *Decreto Legislativo 1194*, No. 38849 (1989), <http://www.suin-juriscol.gov.co/viewDocument.asp?id=1240878>.

carried little weight. Mazzei puts it best by asserting that “the local groups had survived as...’fiefdoms with armed power’ largely due to the relevance they had and purpose they served for local communities...The networks of support, the mobilizing structures, and the subjective perceptions of self and reality were all in place when the State rescinded their legality.”¹¹¹

In that vein, Criminalization is the second major causal factor for the mutation of the self-defense groups into nearly para-state forces and it narrowed the military’s options for control mechanisms even more than before. The anti-paramilitary/self-defense group legislation removed the paramilitaries from the military’s legal COIN apparatus and sealed their transition into the criminal domain, further reducing the military’s ability to exert organizational controls or even conduct damage control efforts (if it was still possible). The legislation only resulted in the increased proliferation of paramilitary groups, “now outside of any government control.”¹¹² Moreover, Mazzei makes the valuable point that not only was the repeal of Law 48 insufficient to “nullify or invalidate” their collective identifying objective of defeating the guerrillas, “the government did not simultaneously act to fill the security void that had ‘necessitated’ the *autodefensas* in the first place.”¹¹³ Likewise, according to Spencer, “Colombia made the militias that have been operating under army auspices illegal in 1989, and the results have been disastrous, namely the uncontrolled proliferation of the paramilitaries. Essentially, the government cut off supply of a service when it was in high demand.”¹¹⁴ Nonetheless, the military and paramilitaries, now illegal, continued business as usual, and they adapted their relationship according to the restraints of illegality.

With the paramilitaries illegal, the nature of the relationship with the military changed; the paramilitaries were still a force multiplier and tool of rural defense and intelligence reporting, but the military also wielded them as an offensive weapon of

¹¹¹ Mazzei, *Death Squads or Self-Defense Forces?*, 91.

¹¹² Angel Rabasa and Peter Chalk, *Colombian Labyrinth: The Synergy of Drugs and Insurgency and its Implications for Regional Stability*, MR-1339-AF (Santa Monica, CA: RAND Corporation, 2001), 54.

¹¹³ Mazzei, *Death Squads or Self-Defense Forces?*, 91-92.

¹¹⁴ David Spencer, *Colombia’s Paramilitaries: Criminals or Political Force?* (Carlisle, PA: US Army War College, Strategic Studies Institute, 2001), 20.

plausible deniability. During the period of the 1990s and early 2000s, the military delegated operations that violated human rights laws to the paramilitaries.¹¹⁵ The military continued to maintain ties with illegal paramilitaries, which aptly earned the nickname of “the Sixth Division” in HRW publications. The Sixth Division conducted kinetic COIN operations as a shadow branch of the army and performed extra-judicial tasks. According to Aviles, “The increasing violations of human rights by paramilitary groups corresponded with a decrease in the number of *direct* violations of human rights committed by the armed forces”¹¹⁶ (see Figure 1).



Figure 1. The inverse relationship between massacres by paramilitaries vs. the military and police after Decree 1194.¹¹⁷

¹¹⁵ Michael Evans, “Paramilitaries as Proxies: Declassified Evidence on the Colombian Army’s Anti-Guerrilla ‘Allies’” (George Washington University, *National Security Archive Electronic Briefing Book No. 166*, 2005), <https://nsarchive2.gwu.edu//NSAEABB/NSAEABB166/index.htm>.

¹¹⁶ Aviles, “Paramilitarism and Colombia’s Low-Intensity Democracy,” 402.

¹¹⁷ All data from: ¡Basta Ya! Grupo de Memoria Histórica, “Massacres: 1980-2012” (Comisión Nacional de Reparación y Reconciliación, 2012), <http://www.centrodememoriahistorica.gov.co/micrositios/informeGeneral/basesDatos.html>.

A covert, illegitimate relationship required new forms of incentives for delegation. The incentive of arms and logistics provision was lost its relevance as paramilitaries acquired more land and wealth. Furthermore, the destruction of the Medellin Drug Cartel in 1993, and the Cali Cartel in 1995 left a power vacuum that provided paramilitaries and guerrillas an opportunity to become primary actors in the drug trafficking industry by moving into vacated coca-production areas.¹¹⁸ According to Tate, “The fusion of counterinsurgency ideology and illegal narcotics revenue produced one of the most lethal fighting forces in Latin America.”¹¹⁹ As the paramilitaries grew into a force capable of sophisticated counter-guerrilla operations, the military only needed to provide impunity and a clear path to receive the desired results: a higher guerrilla body count, and a reduction in guerrilla-held territory.¹²⁰ Even though the paramilitaries had moved into the criminal sphere of influence, they still shared strong ideological and personal ties with the military (several paramilitaries were retired officers).¹²¹ As long as the paramilitaries continued to enthusiastically prosecute the guerrillas and attrite guerrilla territory, the military, which lacked adequate material and political support from the government, would mostly overlook their illegal activities.¹²²

The paramilitaries’ main incentive for cooperation with Colombian security forces was impunity, which included turning a blind eye to paramilitary counter-guerrilla operations, at the expense of human rights. There are countless examples of impunity recorded by Human rights NGOs, the media, and Colombia’s human rights ombudsman.¹²³ For example, in a typical situation, the military passed intelligence information to a

¹¹⁸ Laura Ávila, “AUC,” *Insightcrime.org*, November 17, 2015, <https://www.insightcrime.org/colombia-organized-crime-news/auc-profile/>; Nazih Richani, “Caudillos and the Crisis of the Colombian State: Fragmented Sovereignty, the War System and the Privatisation of Counterinsurgency in Colombia,” *Third World Quarterly* 28, no. 2 (2007): 409.

¹¹⁹ Tate, *Drug Thugs and Diplomats*, 89.

¹²⁰ US Embassy Bogota, “The Paramilitaries (Part II): Political-Military Strategy,” (Cable, Colombia: US Department of State, 2001) <https://search.proquest.com/docview/1679130467?accountid=12702>.

¹²¹ Spencer, *Colombia’s Paramilitaries: Criminals or Political Force?*, 6.

¹²² US Department of State, “Colombia: A Violent Backdrop” (Intelligence Assessment, Bureau of Intelligence and Research, 1998), <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB166/19980106.pdf>.

¹²³ “El General Rito Alejo Del Rio: baluarte del paramilitarismo bajo el blindaje de la impunidad,” *Derechos.org*, 2005, <http://www.derechos.org/nizkor/colombia/doc/alejo8.html>.

paramilitary group on the location of suspected guerrillas, and then left the area prior to a battle between the paramilitaries and guerrillas, or more often not, before the massacre of civilians suspected of guerrilla sympathies.¹²⁴ The passive act of “looking the other way” was well documented, and acknowledged by members of the military.¹²⁵ One of the most notorious examples was the July 1997 massacre at Mapiripán. According to a declassified CIA report, prior to the massacre, “the paramilitaries arrived by chartered planes at the San Jose del Guaviare airport and apparently were not subjected to identification or cargo checks by airport police...Castaño would not have flown forces and weapons in a civilian airport known to have a large police presence if he had not had received prior assurances that they would be allowed to pass through.”¹²⁶ When he received reports of the paramilitary presence and massacre, the local military base commander did not respond. When asked why, he “offered a variety of excuses.”¹²⁷

By this system of operations, the military not only did not fight the paramilitaries, but became dependent on them to conduct operations that they themselves could not conduct. During the 1990s, the Colombian state was too weak and inadequate to fight a civil war that for all intents and purposes, the guerrillas appeared to be winning. In 1997, the Army estimated “that 431 of the 1,050 or so municipalities in Colombia were controlled by guerrillas.”¹²⁸ Moreover, as is apt to occur in a COIN environment, hardliner COIN practitioners in the highest ranks considered their hands inconveniently tied by the international human rights standards, rules of engagement, and the slow judicial process. While Colombia remained fractured and non-consolidated, the military, with its inadequate resources, would not be able to break free of its dependence on the paramilitaries to fight

¹²⁴ Central Intelligence Agency, “Senior Executive Intelligence Brief,” doc. no. 1122865 (Intelligence Report, CIA, 1999), <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB166/19990916.pdf>.

¹²⁵ US Department of Defense, “Cashiered Colonel Talks Freely About the Army He Left Behind” (Information Report, Colombia: DoD, 1997), <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB166/19971224.pdf>.

¹²⁶ Central Intelligence Agency, “Colombia: Update on Links Between Military, Paramilitary Forces,” doc. no. 0001413795 (Intelligence Report, CIA, 1997), <https://www.cia.gov/library/readingroom/document/0001413795>.

¹²⁷ Central Intelligence Agency, “Colombia: Update on Links Between Military, Paramilitary Forces.”

¹²⁸ Diana Jean Schemo, “Colombia’s Death-Strewn Democracy,” *The New York Times*, July 24, 1997, <https://www.nytimes.com/1997/07/24/world/colombia-s-death-strewn-democracy.html>.

their battle. After nearly 50 years of fighting, the state was still not present in the greater part of its territory and did not have adequate military or police forces to extend its reach. Thus, even if the military felt equally compelled to fight the paramilitaries, it did not have the capacity to do so. A November 1999 State Department cable recorded an officer's reasoning as to why the military did not fight the paramilitaries:

Asked if his troops would fight the paramilitaries [redacted] said no. "Look, I have 100 kilometers of oil pipeline to protect, as well as several bridges and the national police...plus there are guerrillas to fight...if you have so many tasks to do with so few resources, and you're faced with two illegal armed groups, one which (guerrillas) is shooting at you and the other (paramilitaries) is shooting at them, you obviously fight the guerrillas first, then worry about paramilitaries."¹²⁹

The paramilitaries' growing influence was felt most acutely by the Unión Patriótica (UP), a political party established in 1985 by the FARC and the Colombian Communist party as part of the Betancur peace negotiations. As a "visible symbol of the FARC,"¹³⁰ and a key component of the peace talks, the UP was systematically eliminated by the paramilitaries in what many scholars consider a genocide.¹³¹ By 1997, over 4000 leaders were assassinated, including "most of the presidential candidates the party has fielded, seven members of the House of Representatives, two senators and thousands of regional and municipal office holders. [In 1996], one member was murdered on average of every other day."¹³² The paramilitaries assassinated UP members, for the most part, with impunity, as only four individuals were convicted at trial.¹³³ After losing almost all of its members to assassinations, the party was disqualified from the electoral process in 2002 because it no longer met the popular support requirements to legally remain a recognized political party. The press and human rights organizations such as Amnesty International

¹²⁹ US Embassy Bogota, "Visit to Cucuta, On Colombia-Venezuelan Border" (Cable, Bogota: US Department of State, 1999), <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB166/19991115.pdf>.

¹³⁰ US Embassy Bogota, "Self-Defense Groups Again the Subject of Controversy" (Cable, Bogota: US Department of State, 1987).

¹³¹ For more information on the genocide argument, see Andrei Gomez-Suarez, "The Geopolitical Situation of the Genocidal Destruction of the Patriotic Union (1985-2010)," *Estudios Políticos [Medellin]* 43, no. 7 (2013): 180-204.

¹³² Schemo, "Colombia's Death-Strewn Democracy."

¹³³ Schemo.

and IACHR accused certain members of the government and security forces of complicity in the party's elimination.¹³⁴ The paramilitaries succeeded in both eliminating the UP and undermining the peace negotiations, which collapsed when the state neglected to act in response to the killings (though it publically recognized the problem). The case of the UP is an example of moral hazard at the strategic level. It demonstrates how paramilitaries and allied factions of the Colombian state could disrupt and undermine executive decision makers at the strategic political level.¹³⁵

Three important events occurred in the 1990s that would fundamentally alter the relationship between the military and paramilitaries: The temporary re-legalization of self-defense groups through the Convivir program in 1994, the unification of the paramilitaries in 1997, and the launching of Plan Colombia in 1999. First, in 1994, President César Gaviria passed a law permitting, once again, the formation of self-defense groups to provide rural defensive security and pass along intelligence to the military and police. These new government-sponsored self-defense groups, called Convivirs, were a strategic means of drawing the paramilitaries back into the scope of the state security apparatus. Unfortunately, as I will explain in Chapter III, the Convivirs only served to strengthen the paramilitaries as independent actors, in turn, further weakening the state.

Second, the 1997 unification of the paramilitaries under the AUC umbrella group marked the transformation of the paramilitaries from separate regional entities with regionally focused objectives, to a monolithic national entity with national political and strategic objectives and deployable offensive capabilities. In other words, under a unified chain of command, the AUC nationalized its operations and commenced deploying units across regions as part of a unified plan.¹³⁶ Its leader, Carlos Castaño (of the ACCU), also pursued the objective of taking on a greater political role in Colombia and obtaining a seat

¹³⁴ "IACHR Takes Case involving Colombia to the Inter-American Court," IACHR Press Release no. 055/16, April 27, 2016, http://www.oas.org/en/iachr/media_center/preleases/2016/055.asp.

¹³⁵ Mazzei, *Death Squads or Self-Defense Forces?*, 90.

¹³⁶ Joint Forces Intelligence Command, "Colombia: AUC Forces Improving Combat Capability" (Special Report, JFIC, 2000), https://search.proquest.com/dnsa_cd/docview/1679115835/972C27A3B243482EPQ/3?accountid=12702.

at the negotiating table with the government and the FARC.¹³⁷ In addition, he adopted the strategic objective of controlling all of northern Colombia, which is where a large part of the paramilitaries operated (Figure 2).¹³⁸ However, the AUC's focus on wide-range political objectives put it into conflict with the state.

At first, the military worked in tandem with the AUC; some off-duty military officers even donned AUC arm bands while participating in massacres of suspected guerrillas.¹³⁹ However, the relationship became untenable. As a powerful, unified entity, the AUC had the capability of influencing the outcome of the peace process by sabotaging government efforts with deliberate military action. For example, in early 2001, the AUC launched an offensive campaign in Putumayo in reaction to Pastrana's peace negotiations, which included ceding a temporary *dispeje*, or demilitarized zone to the ELN, similar to a much larger one ceded earlier to the FARC in 1998. The AUC reacted to the peace deals by "launching a string of massacres," ramping up its offensive campaign in areas long held by the guerrillas, and targeting mostly municipal politicians that were open to accepting a peace deal.¹⁴⁰ "In open opposition to the Government, in November [2000] the AUC paramilitary group kidnapped seven members of Congress and demanded that the Government grant the AUC a role in the peace negotiations."¹⁴¹

One of the municipalities the AUC took over was the long-held FARC territory of Barrancabermeja. "The decision to move into the city in force was prompted by President Pastrana's declaration that he intended to withdraw security forces from an area 30 miles to the north as a way to begin peace talks with the ELN. Castaño...opposes the idea of giving the ELN a zone of control, saying a similar experiment with the FARC in southern

¹³⁷ Scott Wilson, "Paramilitary Army Seeks Political Role in Colombia," *The Washington Post*, September 19, 2001.

¹³⁸ Central Intelligence Agency, "Colombia: Update on Links Between Military, Paramilitary Forces."

¹³⁹ US Embassy Bogota, "Paramilitaries Massacre as Many as 40 in Norte de Santander" (Cable, Bogota: US Department of State, 1999), <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB166/19990729.pdf>.

¹⁴⁰ US Embassy Bogota, "The Paramilitaries (Part II): Political-Military Strategy."

¹⁴¹ Bureau of Democracy, Human Rights and Labor, *Country Reports on Human Rights Practices 2000 (Colombia)* (Washington DC: US Department of State, 2001), <https://www.state.gov/j/drl/rls/hrrpt/2000/wha/741.htm>.

Colombia has failed.”¹⁴² *The Washington Post* noted that the Colombian police held no sway in the town, choosing instead to relinquish the rule of law to the paramilitaries. The villagers complained that they could not alert the police or military about the paramilitaries for fear of later reprisal. Any complaint filed would be filtered from the police back to the paramilitaries. “We see them walking together, drinking soda in the stores together, sharing their uniforms. There is no way to denounce them.”¹⁴³ The AUC successfully moved into the area designated for the ELN’s *despeje*. “When Pastrana withdrew 3,000 soldiers last month from the northern zone...[the AUC]...sent its men to replace them, driving the ELN back to the foothills...Pastrana must now decide whether to send the Colombian army back to drive out the AUC forces...[testing] the army’s willingness to take on the AUC at a time when senior officers are openly criticizing Pastrana’s ardent if unsuccessful peace efforts.”¹⁴⁴

Whether some members of the military and the government may have morally supported the AUC’s actions or not, this episode was a clear example of when the principal-agent problem goes into crisis mode. Though the military and paramilitaries still shared a common enemy, the military could not support an action that went against the strategic decision making of a democratically elected government. Under the AUC, the paramilitaries were no longer an unofficial division of the military in rural clear-hold operations and unsavory death squad activities against suspected guerrillas. Rather, they were a para-state opponent that had coopted the fight against the guerrillas in a war of attrition.

Like the guerrillas, the AUC was vying for control of Colombia. In 2000, the number of massacres of civilians committed by the AUC had reached an all-time high, more than doubling in the previous two years, while in the same period, the number of paramilitary organizations in Colombia increased by 58% (see Figures 1 and 2). Like the guerrillas, the AUC held the monopoly on power in large swaths of territory, extorting

¹⁴² Wilson, "Colombian Right's 'Cleaning' Campaign," *The Washington Post*, April 17, 2001.

¹⁴³ Wilson, "Colombian Right's 'Cleaning' Campaign."

¹⁴⁴ Wilson, "Rightist Forces Seize Key Area in Colombia," *The Washington Post*, April 19, 2001.

“war-taxes” or protection money from drug cartels and land owners and exerting extra-judicial rule of law (see Figure 3).¹⁴⁵ Moreover, the AUC was gaining public support in Colombia, polling at 15% of the population—a much higher rate than the FARC.¹⁴⁶ According to Richani, “Castaño and Mancuso claimed, correctly, that more than 35% of the elected congress were supporters of the AUC.”¹⁴⁷ The AUC’s sabotage of President Andres Pastrana’s peace efforts, countless death threats, assassinations, and massacres of politicians, journalists, and human rights workers, labor union leaders, and anyone suspected of sympathizing with the left was enough to consider the AUC a terrorist group, at least within the borders of Colombia, and the U.S. declared the AUC as a foreign terrorist organization on 10 September, 2001.¹⁴⁸

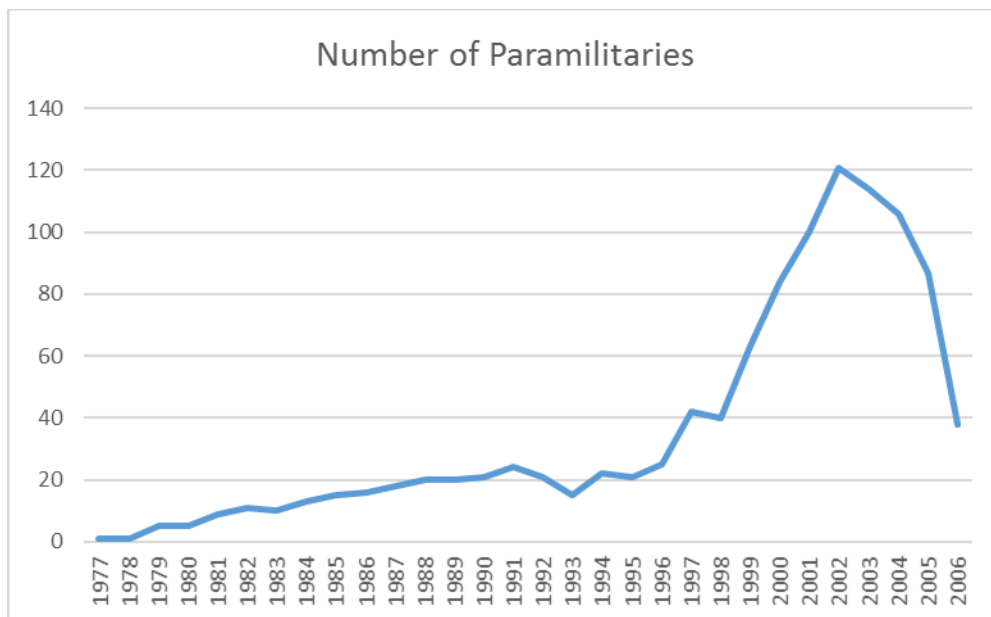


Figure 2. Spike in the number of paramilitaries starting in 1998.¹⁴⁹

¹⁴⁵ Wilson, "Colombian Right's 'Cleaning' Campaign."

¹⁴⁶ Wilson, "Colombia's other Army," *The Washington Post Foreign Service*, March 12, 2001.

¹⁴⁷ Richani, "Caudillos and the Crisis of the Colombian State," 411.

¹⁴⁸ Bureau of Democracy, Human Rights and Labor, *Country Reports on Human Rights Practices 2000 (Colombia)*, Feb 23, 2001; US Embassy Bogota, "The Paramilitaries (Part II): Political-Military Strategy."

¹⁴⁹ Data from Rutas Del Conflicto, "Geografía del Paramilitarismo en Colombia (1977-2006)," accessed April 19, 2018, http://rutasdelconflicto.com/proyecto/index_eng.php.



Figure 3. Approximation of territories held by illegal armed groups (2000).¹⁵⁰

Plan Colombia was the third major development that fundamentally changed the relationship dynamic between the military and the paramilitaries. Proposed by Presidents Andres Pastrana and Bill Clinton and approved by Congress in 2000, Plan Colombia was the most ambitious and expensive military aid package for its time and made Colombia the third largest recipient of U.S. Aid in the year 2000.¹⁵¹ Over 75% of the \$1.3 billion in aid was allocated to improving Colombia’s military and police capabilities with the provision of military helicopters and a U.S. advisory team to assist in training two new anti-drug battalions.¹⁵² Even though the primary objective of Plan Colombia was to halt coca production and drug trafficking, the plan had a greater impact on the counterinsurgency effort than the counter drug effort. According to Porch, “Plan Colombia...provided the critical margin and the incentive that allowed Bogota to rein in the human rights abuses of

¹⁵⁰ Image from Jeremy McDermott, “Colombia’s Peace Laboratory,” *BBC News*, November 16, 2000, <http://news.bbc.co.uk/2/hi/americas/1026286.stm>.

¹⁵¹ USAID, “Foreign Aid Explorer,” accessed May 29, 2018, <https://explorer.usaid.gov/aid-trends.html>.

¹⁵² Ingrid Vacius and Adam Isacson, “The ‘War on Drugs’ meets the ‘War on Terror,’” *International Policy Report* (Washington DC: Center for International Policy, 2003), <https://www.ciponline.org/images/uploads/publications/0302ipr.pdf>.

its intelligence services and military, coordinate and modernize their command structures and procedures, upgrade the training weaponry, and mobility of the Colombian forces, and go on the offensive against a collection of insurgencies, right-wing paramilitary groups, and criminal cartels that threatened to bring Colombia to its knees.”¹⁵³

A major concern raised during the U.S. congressional approval process of Plan Colombia was the military-paramilitary partnership.¹⁵⁴ Now under the watchful eye of Uncle Sam, and with an influx of military aid, the Colombian military could, and would, no longer work with the paramilitaries as it had in the past. Moreover, improved capabilities and professionalization, and the arrests of high ranking officers that had a history of colluding with the paramilitaries, allowed the military to take on the guerrillas as a more formidable force, and without the help of the AUC. In time, the military demonstrated that it was willing to crack down on the AUC; according to Richani, “in 2003, the paramilitaries suffered 1.54 fatalities per 100 men, up from 1.21 in 2002, in skirmishes with the army.”¹⁵⁵ Spencer notes as well that “in 1998, approximately 450 paramilitaries were captured and 60 killed in various operations...[and] in 2000–1, much more significant actions were taken against the paramilitaries” including a direct confrontation in the Cauca Valley and an office raid in Cordoba.¹⁵⁶

Effectiveness of the Paramilitaries. Analyzing the principal-agent relationship involves determining whether the agent delivered the desired results in its assigned role, even if it is part of a flawed or unethical tactic, operation or strategy. On the tactical and operational levels, the self-defense groups and paramilitaries delivered on their assigned role. The military was unable to achieve desired results on its own due to domestic legal (captured guerrillas often were released by the judicial system due to lack of evidence) and international restraints (ROE and human rights conventions). Moreover, security forces could not be everywhere at once. Therefore, the military delegated the “dirty work” of

¹⁵³ Douglas Porch, *Counterinsurgency: Exposing the Myths of the New Way of War* (Cambridge: Cambridge University Press, 2013), 240.

¹⁵⁴ *Congressional Record Hearings*, 106th Cong. 2 (2000): 3967, <https://congressional.proquest.com/congressional/docview/t19.d20.cr-2000-0329?accountid=12702>.

¹⁵⁵ Richani, “Caudillos and the Crisis of the Colombian State,” 412.

¹⁵⁶ Spencer, *Colombia’s Paramilitaries: Criminals or Political Force?*, 16.

cleansing suspected guerrillas to the paramilitaries. According to a 2001 U.S. State Department report, “although human rights violations attributed to the military declined, the military’s frustration with its inability to defeat the guerrillas contributed to a jump in paramilitary violations”¹⁵⁷ (Figure 1).

The paramilitaries were also effective at weakening the guerrillas by capturing guerrilla held territory and its associated income sources (such as cocaine production and war taxes). According to Spencer, the paramilitaries can take credit for “forcing the guerrillas of the EPL to sue for peace and demobilize...[and]...eradicating guerrilla groups from much of the Gulf of Urabá area in Antioquia and...in Cordoba and other parts of the country.”¹⁵⁸ Moreover, he notes that unlike the guerrillas, the paramilitaries restored a sense of law and order and even a degree of economic prosperity in their occupied territories. However, all of the paramilitaries’ achievements were at the expense of the state. The military and paramilitaries’ shared objective of defeating the guerrillas ended at the ‘clear’ phase of a COIN operation and the conflict of interest began at the ‘hold’ phase.

On the strategic level, the relationship was a disaster for the military in that it greatly eroded and undermined the legitimacy of the Colombian state. While the military’s choice of incentives fit into the context of the political, legal, and economic restraints for each phase of the war, the incentives, at times, were too generous. For example, giving the paramilitaries impunity and free reign of re-captured territory permitted them to grow exponentially in wealth and power. The military exchanged its monopoly on the use of force for bodies to meet a body count quota, a high price to pay for a relatively small job that played into a very flawed COIN strategy.¹⁵⁹

Conclusion. The military relinquished control of its agents, the self-defense groups, through a process of privatization. Legislation criminalizing the groups made it nearly impossible for the military to regain control. The military’s relationship with the self-defense groups, and later the paramilitaries, went through several evolutions, and each

¹⁵⁷ US Department of State, “Colombia: A Violent Backdrop.”

¹⁵⁸ Spencer, *Colombia’s Paramilitaries: Criminals or Political Force?*, 8.

¹⁵⁹ US Department of Defense, “Cashiered Colonel Talks Freely About the Army He Left Behind.”

iteration required different incentives for delegation. During the 1960s and 70s, the self-defense groups operated almost entirely under military authority, in accordance with Law 48, in exchange for weapons and protection from the guerrillas. During the 1980s, through a process of private sponsorship permitted by the military, the self-defense groups shifted into the purview of the landed elite and drug traffickers. The military continued to provide arms and logistical support, but the self-defense groups became the powerful agents of private patrons, and their interests were split between COIN and economic opportunism. The paramilitaries amassed wealth and territory by executing “clear and hold” operations independently of the military and funded their operations through organized crime and drug trafficking. Once these paramilitaries accomplished the “hold” phase of the operation, they remained in place as de facto para-states, easily rivaling the FARC in dominating large swaths of territory and becoming warlord rulers in their own right. During the 1990s, the government briefly outlawed self-defense groups, and the paramilitaries completed their shift to the criminal domain, leaving the military unable to control them using legal means. Their shared right-wing ideology, and professional and kinship ties preserved the relationship regardless of legal status. Continuing this relationship in an unofficial and illegal capacity, the military delegated offensive operations to the paramilitaries in exchange for impunity and the ability to have free reign in newly conquered territories. The destruction of the Medellin and Cali Cartels, as well as the Convivir program (see Chapter III) turbocharged the growth and ensured the autonomy of the paramilitaries. Once united under the AUC, they became a formidable force with national objectives and deployable offensive capabilities. In 2001, Plan Colombia and associated pressure from the United States forced the military to finally end the relationship. The paramilitaries demobilized in 2006 under a very forgiving accord, but their institutional frameworks remained relatively intact, and some groups, re-christened *Bandas Criminales* (BACRIMs), continue to operate under different names.¹⁶⁰

¹⁶⁰ McDermott, “The BACRIM and their Position in Colombia’s Underworld,” *Insightcrime.org*, May 2, 2014, <https://www.insightcrime.org/investigations/bacrim-and-their-position-in-colombia-underworld/>.

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III. THE CONVIVIRS

In 1994, the Colombian Congress approved a new self-defense program: the *Cooperativas de Vigilancia y Seguridad Rural* (Rural Vigilance and Security Cooperatives or “Convivir”). The name “Convivir” comes from a Spanish word meaning “to coexist,” as Convivir members were ordinary citizens that would “coexist” with their communities, standing a vigilant watch and reporting any suspicious activity to the military or police in case of guerrilla incursion. As with the self-defense groups of Plan Lazo, the Convivirs would consist of armed civilians charged with basic village defense and equipped with a light weapon, special radio and call sign to report suspicious activity to the police once the military cleared the area of guerrillas and moved on. This was the government’s official description of the program in the early stages when the Defense Minister was still trying to sell it to the government and the public.¹⁶¹ The program lasted from 1994–1997, ending prematurely due to a string of human rights abuses by Convivir members and a loss of control and situational awareness by the government over the groups’ activities.

In theory, three decades of trial and error and lessons learned from working with pro-government militias should have increased the probability of success for the Convivirs, but the program failed for the following reasons: First, the state neglected to provide adequate resources to the Superintendency of Private Security and Surveillance (SVSP), the organization specially created to regulate private security organizations and later charged with overseeing the Convivirs.¹⁶² Second, as with the self-defense groups of the 1960s-1980s, the state outsourced the groups’ funding to private parties, losing most of its leverage over the groups’ decision making. Third, the level of monitoring and screening was so low that after the first year of the program, the government could not say how many Convivirs were licensed to operate, nor could it account for members who were former

¹⁶¹ US Embassy Bogota, “Rural Security Cooperative Proposal Modified” (Cable, Colombia: US Department of State, 1994), <https://search.proquest.com/docview/1679084675?accountid=12702>.

¹⁶² IACHR, “Chapter IV: Violence and Violations of International Human Rights and Humanitarian Law,” in *Third Report on the Situation of Human Rights in Colombia*, OEA/Ser.L/V/II.102 Doc. 9 rev.1 (Inter-American Commission on Human Rights, Organization of American States, 1999), <http://www.cidh.oas.org/countryrep/colom99en/chapter.4f.htm>.

paramilitaries, military rejects or had criminal records. By the time the government attempted to restructure and later demobilize the Convivirs, the illegal paramilitaries had already coopted the groups and their assets, with most members neglecting to return their weapons to the state. In this chapter, I will first give a background on the economic and political situation in 1990s Colombia. Second, I will discuss the conceptual and legal background of the Convivirs. Third, I will review the government's performance in monitoring the groups, vetting group members, and applying sanctions or rewards/incentives during the program's short lifespan. Finally, I will offer an analysis on why the government either neglected to or failed to apply control mechanisms.

The Economic and Political Situation in 1990s Colombia. During the 1990s, Colombia was an extremely weak state and near collapse, absent in 56% of its own territory.¹⁶³ During the 1960s-1980s, the guerrillas had made little progress in the war, and the conflict ebbed significantly during the Betancur peace talks and ceasefire agreement (at which point a demilitarized zone was established) between 1982 and 1987. However, the failure of the peace talks and the extermination of the FARC's political party, the Union Patriótica by the cartels and paramilitaries contributed to the end of the cease fire in 1987.¹⁶⁴ In 1989, the FARC lost external support after the fall of the Soviet Union, but was able to find alternative revenue sources by intensifying kidnapping efforts and increasing its involvement in the drug trafficking enterprise.¹⁶⁵ "Nevertheless, the [low] intensity of the conflict remained roughly constant until 1994 when it began to accelerate continually up through to [the early 2000's]."¹⁶⁶

Meanwhile, after the takedown of the Medellin and Cali drug cartels in the mid 1990s, the paramilitaries took advantage of the resulting power vacuum, also becoming more deeply involved in drug trafficking. According to the CIA, the paramilitaries were quickly "outgrowing" the military, most likely due to "frustration over widespread

¹⁶³ June S. Beittel, *Peace Talks in Colombia*, CRS Report No. R42982 (Washington, DC: Congressional Research Service, 2015), <https://fas.org/sgp/crs/row/R42982.pdf>.

¹⁶⁴ Beittel.

¹⁶⁵ Jorge Restrepo, Michael Spagat, and Juan F. Vargas, "The Dynamics of Colombian Civil Conflict: A New Data Set," *Homo Oeconomicus* 21, no. 2 (2004): 401.

¹⁶⁶ Restrepo et al., "The Dynamics of Colombian Civil Conflict," 402.

insecurity caused by the military's inability to curtail the activities of the guerrilla groups,"¹⁶⁷ and due to a greater involvement in drug trafficking in the absence of kingpins like Pablo Escobar. Most importantly, "1994 represented a turning point for the paramilitaries because that was when they first began localized operations against guerrilla groups."¹⁶⁸ However, the paramilitaries' expansion in the 1990s did not just reflect public frustration over the security situation, it was a direct consequence of a strategic counterinsurgency decision made by the state: the re-legalization and encouragement of self-defense groups through the Convivir program.

Legal Background of the Convivirs. In 1994, the Government of Colombia passed Decree 356, authorizing and establishing regulations for "special services of surveillance and private security."¹⁶⁹ Decree 356 laid out a much-needed regulatory framework for the operation of Colombia's approximately 700 existing private security firms, while also setting the legal groundwork for, once again, permitting the formation of new self-defense groups.¹⁷⁰ Decree 356 established the Superintendency of Private Security and Surveillance (SVSP), an organization responsible for licensing and tracking the Convivirs and other private security firms. Decree 356 forbade private security organizations from engaging in offensive operations but permitted the use of heavy arms in accordance with Decree 2535 (Article 9o), passed the previous year, which outlined regulations for citizens' and private security companies' use of restricted use weapons in self-defense.¹⁷¹ "The creation of Convivir did not involve a new law of decree but was merely an SVSP administrative decision that extended the scope of the special security services."¹⁷² Subsequently, Decree 356 (Articles 39, 40, and 41) acted as the legal basis for

¹⁶⁷ Central Intelligence Agency, "Colombia: Paramilitaries Gaining Strength."

¹⁶⁸ Restrepo et al., "The Dynamics of Colombian Civil Conflict," 400.

¹⁶⁹ *Decreto Legislativo 356, Estatuto de Vigilancia y Seguridad Privada* (1994), <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=1341>.

¹⁷⁰ Jacobo Grajales, "Private Security and Paramilitarism in Colombia," *Journal of Politics in Latin America* 9, no. 3 (2017): 32.

¹⁷¹ *Decreto 2535, Por el cual se expiden normas sobre armas, municiones y explosivos* (1993), <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=1540>.

¹⁷² Grajales, "Private Security and Paramilitarism in Colombia," 34.

Resolution 368 of April 1995, which officially launched the government sponsored Convivir program for use in the military's counterinsurgency effort.¹⁷³

The proposal for the Convivirs received enthusiastic backing from the cattle rancher and agricultural associations, but drew criticism from Colombian Minister of Interior Horatio Serpa, the press, and human rights NGOs due to its close resemblance to the self-defense group initiative under Law 48 and concerns that the Convivirs would degenerate into paramilitaries and criminal bands resembling the MAS self-defense group.¹⁷⁴ After much debate, the National Security Council met in December of 1994, and approved the Convivir program as part of the so-called "Integrated Rural Security Plan," which had the objective of "restoring public order to those rural regions of country afflicted with guerrilla violence and suffering from minimal state security presence."¹⁷⁵ In a press release, the government promised that the Convivirs would serve as "defensive intelligence collaborators with the police and military," that the Convivirs would not degenerate into paramilitaries or vigilante groups, and that they would only operate under strict government supervision.¹⁷⁶

Thus, Congress passed Resolution 368 on the stipulation that the SVSP and other intelligence agencies would closely monitor and control the cooperatives. The proposed plan and control mechanisms were as follows: First, the Convivirs' official mandate—as disseminated to the public—was to defend rural areas cleared by the Army from guerrilla incursion and "inform GOC authorities of unusual activities in affected communities."¹⁷⁷ Second, the Convivirs were required to obtain a license from the SVSP and renew it every two years. The SVSP could revoke or renew the licenses (which expired every two years)

¹⁷³ The text of *Resolución 368 de abril de 1995* is contained in *Resolución 7164, Por la cual se modifica un acto administrativo* (1997), http://legal.legis.com.co/document?obra=legcol&document=legcol_7599204174b4f034e0430a010151f034.

¹⁷⁴ For a detailed account of the internal debate surrounding the Convivir program's approval and *Resolución 368*, see: US Embassy Bogota, "Rural Security Cooperative Proposal Modified" (Cable, Colombia: US Department of State, 1994), <https://search.proquest.com/docview/1679084675?accountid=12702>.

¹⁷⁵ US Embassy Bogota, "Rural Security Cooperative Proposal Modified."

¹⁷⁶ US Embassy Bogota.

¹⁷⁷ US Embassy Bogota, "GOC Reforms CONVIVIRs" (Cable, Bogota: US Department of State, 1997), <https://search.proquest.com/docview/1679088870?accountid=12702>.

at its discretion. Third, each Convivir group was to consist of around 30 individuals, “including a leader...selected by the local Army commander.”¹⁷⁸ Fourth, as a selling point, Defense Minister Fernando Botero promised that surveillance and accountability would extend to the civil authorities and even the Catholic Church and community civic bodies to help facilitate citizen oversight of the groups.¹⁷⁹ This implied that Convivir members’ identities would be known to the community and municipal authorities. Fifth, before the Convivirs could be organized nationwide, the concept was to be tested in a controlled pilot program in just five municipalities closely monitored by the government, which would “analyze each aspect in detail and correct any errors that may arise.”¹⁸⁰ Unfortunately, there is no open source record indicating whether or not the trial period occurred. Lastly, according to the U.S. Embassy, “unlike Botero’s original proposal, these groups [were to be] unarmed—except in exceptional cases and with the explicit approval of the armed forces’ joint staff, and [would] depend primary on communications assets to alert the police and military to possible subversive activity.”¹⁸¹ The consensus on whether or not to arm the Convivirs changed through the planning process, and sources conflict on what the official line was when the program was approved. However, by 1995, at the request of Antioquia Governor Alvaro Uribe, the Convivirs received restricted weapons from the military,¹⁸² which was technically permitted to arm the groups at its discretion in accordance with Decree 356 and Decree 2535 (Article Nine).¹⁸³ Overall, the proposed plan and promised control mechanisms helped convince Congress and naysayers to pass Resolution 368.

¹⁷⁸ Central Intelligence Agency, “Colombia: Paramilitaries Gaining Strength.”

¹⁷⁹ “Amplio Apoyo a Plan de Seguridad,” *El Tiempo*, November 29, 1994, <http://www.eltiempo.com/archivo/documento/MAM-256454>

¹⁸⁰ “Amplio Apoyo a Plan de Seguridad.”

¹⁸¹ US Embassy Bogota, “Rural Security Cooperative Proposal Modified.”

¹⁸² “Mano Dura,” *Semana*, November 11, 1995, <https://www.semana.com/nacion/articulo/mano-dura/30719-3>.

¹⁸³ For more details on the legal justification for arming the Convivirs, see: Comisión Colombiana de Juristas, *Llamado al Congreso colombiano a propósito de la semana de acción global contra la violencia armada* (Bogota: Comisión Colombiana de Juristas, 2008), http://www.coljuristas.org/documentos/comunicados_de_prensa/com_2008-06-05.pdf.

Conceptual Background. The program was the brain child of Defense Minister Botero, who had the backing of the cattle rancher and agricultural associations and Antioquia governor, Álvaro Uribe Vélez, who would later become the political champion of the Convivirs.¹⁸⁴ Botero drew inspiration from Peruvian President Alberto Fujimori's relatively successful CAD program, Peru's civil-defense forces in the counterinsurgency against the Sendero Luminoso, and he brought in a Peruvian military advisor group to consult with the Colombian military on how to implement a similar program. He firmly believed that the paramilitaries were an inevitable feature in a weak state with a protracted civil war, and that the state could best control paramilitaries inside the law rather than outside the law.¹⁸⁵ According to Grajales, the big-picture strategy behind the Convivirs was to "bring the paramilitaries back into the scope of the state, subjecting them to public regulation."¹⁸⁶ *El Equipo Nizkor* also corroborates his hypothesis, calling the Convivir a "legal space of articulation" between the Public Force and the paramilitaries.¹⁸⁷ In other words, the Convivir program would act as a nucleus to draw the paramilitaries back into the general scope of the government's security apparatus, which would facilitate a process of legalization and gradual incorporation. In a sense, the government was trying to reverse the damage from the 1989 repeal of Law 48 and subsequent criminalization of the original self-defense groups.

Besides its strategic role as a nucleus for the paramilitaries, the Convivirs served the following purposes: First, on the operational level, the military used the Convivirs as a legal interface to ease intelligence sharing and offensive operations between public security forces and the paramilitaries.¹⁸⁸ According to Grajales, the Convivir groups acted as "screens" e.g. "statutory institutions that transmit information from one side of the legal

¹⁸⁴ US Embassy Bogota, "Background on the 'CONVIVIR' Self-Defense Groups," (Cable, Bogota: US Department of State, 2007), <https://search.proquest.com/docview/1679129350?accountid=12702>.

¹⁸⁵ Grajales, "Private Security and Paramilitarism in Colombia," 6.

¹⁸⁶ Grajales, 6.

¹⁸⁷ *Resolución fiscal calificando el concierto para delinquir agravado para la financiación de grupos paramilitares como delito de lesa humanidad*, (Human Rights Report, Medellín: DDH H, 2016), <http://www.derechos.org/nizkor/colombia/doc/accu1.html>

¹⁸⁸ Grajales, "Private Security and Paramilitarism in Colombia," 41.

gap to the other.”¹⁸⁹ For example, the military fed intel provided by the Convivirs to the paramilitaries when delegating offensive operations.¹⁹⁰ Second, and as described in the officially disseminated mandate, the Convivirs defended cleared areas from guerrillas and notified the security forces about subversive activity. Because the Convivir program was highly publicized and meant to be transparent, the relationship between the government and the groups was entirely overt, meaning that control measures could be applied publically and without the constraints of a covert relationship, unlike with the illegal paramilitaries. However, as we will see, this did not occur.

Overall Execution of Program Oversight. Defense Minister Botero’s promises of closely controlled rural security cooperatives did not come to fruition and the Convivirs quickly got out of hand. By 1996, the government did not know how many Convivirs were in operation, the press estimating the number anywhere between 200–600 groups, a majority of which were not licensed.¹⁹¹ “According to the SVSP, the problem was due to the fact that many groups started to work with the application for the permit, before the SVSP had actually granted it. The SVSP recognized at that time that it did not know how many people were part of the ‘Convivir’ even though it was their function to issue cards.”¹⁹² Statistics on the number of members was just as uncertain; for example, the IACHR estimated the number of volunteers at 120,000 men¹⁹³ and an *Associated Press* Article estimated the number at approximately 300,000 men, mostly concentrated in Antioquia.¹⁹⁴

¹⁸⁹ Grajales, “Private Security and Paramilitarism in Colombia,” 41.

¹⁹⁰ *Version Libre Rendida por el postulado Raul Hasbún de Agosto de 2008* (Archivos Judiciales, Bogota: Fiscalía General de la Nación, 2008), cited in Grajales, *Gouverner dans la Violence, Le Paramilitarisme en Colombie* (Paris: Karthala, 2016), 56.

¹⁹¹ Human Rights Watch, *War Without Quarter: Colombia and International Humanitarian Law* (New York: Human Rights Watch, 1998), 90.

¹⁹² Comisión Colombiana de Juristas, *Llamado al Congreso colombiano a propósito de la semana de acción global contra la violencia armada* (Bogota: Comisión Colombiana de Juristas, 2008), http://www.coljuristas.org/documentos/comunicados_de_prensa/com_2008-06-05.pdf.

¹⁹³ IACHR, “Chapter IV: Violence and Violations of International Human Rights and Humanitarian Law.”

¹⁹⁴ Frank Bajak, “Colombia Ruling Due on Armed Citizenry,” *Associated Press*, November 6, 1997. <https://search.proquest.com/docview/424927158?accountid=12702>.

The issue of control was no better than that of tracking numbers. In a July 1997 off-the-record conversation, an unnamed Colombian Army officer expressed concern to a U.S. Embassy official that the Convivirs were “very difficult to control,” contrary to claims from previous government contacts that the Convivirs were fulfilling their legally mandated function under strict military supervision.¹⁹⁵ The officer indicated that the Ministry of Defense was aware of “the potential for Convivirs to devolve into full-fledged paramilitaries, though the MOD was reluctant to admit it publically.”¹⁹⁶ In 1997, when the government was reviewing the constitutionality of the Convivir program, the Director of the SVSP, Francisco Bernal Castillo, acknowledged that his agency did not manage the Convivirs well or did not manage them at all.¹⁹⁷ “POL and DAO officers have on two occasions met with individuals who claim that the CONVIVIR (Rural Security and Vigilance Cooperatives) are in many cases heavily armed and subject to virtually no government control, contrary to GOC propaganda on the groups... [redacted] claim that many of these groups are in fact paramilitary groups financed by narcotraffickers.”¹⁹⁸ Because of the controversy surrounding the program from its inception, particularly from this apparent lack of oversight, both the press and human rights NGOs tracked the Convivirs and were able to disseminate some valuable observations from the field that indicated how the government attempted (or did not attempt) to exert control over the groups.

Monitoring. The robust oversight program touted by Botero never materialized and the U.S. State Department, CIA and Human Rights NGOs reported that little to no monitoring occurred, mainly because the organization charged with monitoring the groups, e.g., the SVSP, did not receive enough staff and funding to adequately apply control

¹⁹⁵ US Defense Intelligence Agency, “IIR [Excised] Senior Colombian Army Officer Biding His time during Remainder of Samper Regime” (Cable, Washington, DC: DIA, 1997), <https://search.proquest.com/docview/1679069565/35886F8BD716493APQ/19?accountid=12702>.

¹⁹⁶ US Defense Intelligence Agency, “IIR [Excised] Senior Colombian Army Officer Biding His time during Remainder of Samper Regime.”

¹⁹⁷ US Embassy Bogota, “GOC Reforms CONVIVIRs” (Cable, Bogota: US Department of State, 1997), <https://search.proquest.com/docview/1679088870?accountid=12702>.

¹⁹⁸ US Embassy Bogota, “MOD alleged to have authorized Illegal Arms Sales to Convivirs and Narcotraffickers” (Cable, Bogota: US Department of State, 1997), <https://search.proquest.com/docview/1679084473/5A1F81FF88B46B0PQ/1?accountid=12702>.

mechanisms over the Convivirs. Human Rights Watch (HRW) reported that “although by law CONVIVIR licenses should be reviewed every two years, by mid-1997, the SVSP had suspended all visits to the field for lack of personnel. At that time, the superintendent automatically renewed all licenses for an additional two years, without having even visited most associations.”¹⁹⁹ According to a 1997 *Los Angeles Times* Article, the SVSP was responsible for monitoring 1,943 private security organizations (including the Convivirs) with a workforce of just 18 inspectors. According to the head of the agency, Francisco Bernal, “We have the legal instruments [to regulate the Convivir], but we do not have the human resources.”²⁰⁰ Bernal went on to say that he stopped issuing licenses due to the office’s lack of resources, but Convivirs continued to spring up either independently or with blessing from the military and without licenses. Other than low state capacity, it is unclear as to why the government provided such inadequate resources to the SVSP, and this question warrants further investigation.

Due to a lack of a cohesive command and control organization, the Convivirs defaulted to unofficial chains of command split between the police, military and paramilitaries. The military and police did not forward reports of the Convivirs’ status beyond their own organizations, and the SVSP seemingly was not involved.²⁰¹ HRW and DDHH (*El Equipo Nizkor*) detail how the military independently founded several Convivir groups without going through the proper channel of obtaining a license from the SVSP and that local governments had no situational awareness over how many groups existed or who were members of groups in their municipalities.²⁰² “Indeed, elected officials, like mayors, are often unaware of who belongs to a CONVIVIR, how and where they operate, if they have obtained the proper license, or even if one exists within their jurisdiction.”²⁰³

¹⁹⁹ HRW, *War Without Quarter*, 90.

²⁰⁰ Juanita Darling “Armed Civilian Groups Add Fuel to Ongoing Colombian Firefights,” *Los Angeles Times*, September 28, 1997, <https://search.proquest.com/docview/421310308/490758D3A6BE474FPQ/6?accountid=12702>.

²⁰¹ HRW, *War Without Quarter*, 89.

²⁰² *Resolución fiscal calificando el concierto para delinquir agravado para la financiación de grupos paramilitares como delito de lesa humanidad*, (Human Rights Report, Medellin: DDHH, 2016), <http://www.derechos.org/nizkor/colombia/doc/accu1.html>.

²⁰³ HRW, *War Without Quarter*, 88.

Screening. Defense Minister Botero promised that no individual with a criminal record would be permitted to join the Convivirs.²⁰⁴ However, the SVSP did not vet members according to that standard. Human rights publications point out that known paramilitaries joined and even held leadership positions in the Convivirs, often with blessing from the military and even the SVSP. According to HRW, “The Superintendency has proved unable and even uninterested in preventing known paramilitaries from joining CONVIVIRs... Repeatedly, Human Rights Watch was told that only “decent people” – *gente de bien* – would be allowed to join CONVIVIRs. As is clear, however, the definition of ‘decent people’ is entirely subjective and is often used in Colombia as a euphemism for civilians who support paramilitaries as a way of ‘cleansing’ the country of guerrillas.”²⁰⁵ An anonymous judge told *The Associated Press* that one Convivir was found to have twelve members who “had been kicked out of the police for disciplinary reasons.”²⁰⁶

The true screening process most likely occurred informally and drew from a network of connections. If Grajales’s hypothesis is true, and the Convivirs were a strategic nucleus to draw the paramilitaries back into the scope of the state, then the inclusion of known paramilitaries in the Convivirs makes sense. More likely than not, an informal selection process occurred between the military and paramilitaries, who had their own screening criteria. In a more benign example, a former Convivir member and retired soldier told HRW that the Army Fourth Brigade recommended himself and other retired soldiers for service in a Convivir.²⁰⁷ In a more serious example, the military and SVSP licensed known paramilitary members (some of which were also former military officers, cattle ranchers, and banana entrepreneurs) like Luis Carlos Mercado Gutiérrez, Raul Hasbún Mendoza, and Salvatore Mancuso to organize Convivirs, which I will detail further below.²⁰⁸

²⁰⁴ HRW, *War Without Quarter*, 87.

²⁰⁵ HRW, 91-92.

²⁰⁶ Bajak, “Colombia Ruling Due on Armed Citizenry.”

²⁰⁷ HRW, *War Without Quarter*, 87.

²⁰⁸ For detail on Convivirs with paramilitary leaders, see *Sentencia de Hébert Veloza García*.

Rewards/Incentives. Weapons constituted the main form of tangible compensation from the Colombian military to the Convivirs. The government did not directly fund the groups, but provided supplemental arms, including restricted use weapons such as machine guns, rocket launchers, and grenades. An *Associated Press* article noted that members mostly carried handguns, but some carried military grade automatic weapons, issued by the Colombian Army.²⁰⁹ An *Alternativa* article accused the military of selling restricted-use offensive weapons (“submachine guns, 9mm pistols, mini-uzis, rifles, munitions and other restricted use items”) to Convivirs with known links to paramilitaries and narcotraffickers (the U.S. was able to confirm the article’s claims through accounts from credible individuals).²¹⁰ As previously noted, Decree 356 and Decree 2535 permitted the military, which controlled most of the arms production and sale in the country, to arm the Convivirs with restricted use weapons, giving it a degree of leverage over the paramilitaries as the most direct source of arms.²¹¹

As with the self-defense groups of the 1970s and 1980s, the government outsourced monetary compensation to local business elites. Officially, Convivir members received a salary of approximately \$300 per month.²¹² “Upon obtaining a government license, CONVIVIR members contributed a monthly fee, which covered the salaries of CONVIVIR employees, equipment, vehicles, and expenditures for office space. Each member bought a radio for his or her ranch, which allowed communication with the central office staffed twenty-four hours a day by young men hired by the CONVIVIR to monitor radio frequencies and patrol the area.”²¹³ However, even though the monthly operating fee was meant to provide a minimum wage salary to group members, the local elites (banana entrepreneurs, cattle ranchers, etc.) provided the bulk of funding for the Convivirs.²¹⁴

²⁰⁹ Bajak, “Colombia Ruling Due on Armed Citizenry.”

²¹⁰ US Embassy Bogota, “MOD alleged to have authorized Illegal Arms Sales to Convivirs and Narcotraffickers.”

²¹¹ Grajales, “Private security and Paramilitarism in Colombia,” 32; “DAS Y Convivir Haran Inteligencia Conjunta,” *El Tiempo*, November 11, 1997, <http://www.eltiempo.com/archivo/documento/MAM-676047>.

²¹² Bajak, “Colombia Ruling Due on Armed Citizenry.”

²¹³ HRW, *War Without Quarter*, 86.

²¹⁴ Aviles, “Paramilitaries and Low Intensity Democracy,” 398.

Convivirs also garnished their income by taking a cut of extortion money from large international companies like Chiquita Banadex as well as local businesses. The act of extortion was part of a larger illegal operation in which paramilitaries established Convivir groups as “legal” fronts, or middle men, to extort banana companies for protection money, typically three cents per crate.²¹⁵ In a lengthy report on the Convivirs, the Magistrate of Justice and Peace described how several Convivirs in Antioquia simultaneously received various types of support from the military, paramilitaries and private elites, seemingly answering to three bosses. “Hasbún indicated that the resources obtained from Convivirs in Urabá were financed not only by the self-defense groups but also the military forces and...the banana industry.”²¹⁶

Sanctions. By 1997, dozens of reports came out detailing human rights abuses (torture, murder of alleged guerrilla sympathizers), extortion, vigilantism, social cleansing (executing addicts, prostitutes, and petty thieves), and other crimes.²¹⁷ Convivirs executed social delinquents at the request of “third party financiers that demanded an end to common crime.”²¹⁸ Organized crime syndicates obtained Convivir licences while they “in parallel carried out hired killings, boleteo, drug trafficking, extortion, surveillance of drug trafficking networks from laboratories to speedboat exits...”²¹⁹ By years end, “Convivirs had been linked to at least 35 criminal investigations,” but, only two Convivirs were shut down for alleged human rights abuses.²²⁰ While there are a few scattered reports of

²¹⁵ Chiquita Brands International Inc., “Colombian Security” (Memorandum, Chiquita, 2000), <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB340/20000900.pdf>.

²¹⁶ *Sentencia de Hébert Veloza García*, 300.

²¹⁷ IACHR, “Chapter IV: Violence and Violations of International Human Rights and Humanitarian Law.”

²¹⁸ *Sentencia- Indalecio Jose Sanchez Jaramillo*, Rad. 11-001-60-00 253-2006 80536 Rad. Interno 1177 (Tribunal Superior, Bogotá: Sala de Justicia y Paz, 2017), 77, <http://www.pensamientopenal.com.ar/system/files/2017/07/fallos45490.pdf>.

²¹⁹ *Resolución fiscal calificando el concierto para delinquir agravado para la financiación de grupos paramilitares como delito de lesa humanidad* (Human Rights Report, Medellín: DDHH, 2016), <http://www.derechos.org/nizkor/colombia/doc/accu1.html>.

²²⁰ “Informe De La Situación De Violencia,” *Derechos Humanos y Derecho Internacional Humanitario* (Human Rights Report, Medellín: DDHH, 1997), <http://www.derechos.org/nizkor/colombia/doc/informe.html#Paramilitarismo>; US Embassy Bogota, “Background on the ‘CONVIVIR’ Self-Defense Groups.”

Convivir members being arrested for murder of civilians, “like other perpetrators of political violence in Colombia, CONVIVIR members implicated in abuses have largely gone uninvestigated and unpunished.”²²¹ Moreover, the SVSP did not have the available staff or resources to review records of Convivir members accused of human rights abuses.²²² For the most part, the Convivirs enjoyed the same impunity as the paramilitaries, from which they were virtually indistinguishable.

Due to the string of abuses and crimes allegedly committed by the Convivirs, in October 1997, the Colombian Constitutional Court reviewed the controversial and basically non-transparent program and decided in a 5–4 vote that the groups were still constitutional but over-armed. The court mandated that the groups would have 48 hours to return restricted-use weapons to the military, retaining only pistols and radios.²²³ It also passed Resolution 7164, which amended Resolution 368. In Resolution 7164, the Court determined that local magistrates should be made aware of the identities of Convivir members in their jurisdiction. The groups could no longer operate under the name “Convivir,” or collect intelligence, and they were resigned to a purely defensive and benign ‘neighborhood watch’ role.²²⁴ According to a State Department analysis, part of the logic in keeping the Convivirs constitutional, despite the bad reputation and lack of management over the program, was to prevent the groups from going “underground to join the illegal paramilitaries.”²²⁵ Moreover, the Convivirs enjoyed the unwavering support of the landed and business elite, including that of Antioquia’s governor, future president Alvaro Uribe.

Disarmament did not go as planned. Out of the thousands of restricted use weapons issued to the Convivirs, only 237 weapons were reported returned after the issuance of

²²¹ HRW, *War Without Quarter*, 88.

²²² HRW, *War Without Quarter*, 93.

²²³ Maria Teresa Ronderos, *Guerras Recicladas* (Aguilar, 2014), loc. 5909 of 10277, Kindle.

²²⁴ *Sentencia 572-*, *Servicio Especial de Vigilancia y Seguridad Privada/ Servicios Comunitarios de Vigilancia y Seguridad Privada/ Resolución Administrativa- Corrección* (1997), <http://www.corteconstitucional.gov.co/relatoria/1997/C-572-97.htm>.

²²⁵ US Embassy Bogota, “Official Informal [Assistant Secretary Daily Activity Reports for November 14, 1997]” (Cable, Washington D.C.: US Department of State, 1997), [url=https://search.proquest.com/docview/1679083621?accountid=12702](http://search.proquest.com/docview/1679083621?accountid=12702).

Resolution 7164.²²⁶ In 1998, the SVSP began revoking licenses of groups that failed to return their restricted-use weapons. The paramilitaries subsequently absorbed the de-licensed groups.²²⁷ Unfortunately, the government did not enforce Resolution 7164, and the Convivirs continued to work with the paramilitaries until the program was shut down in 1998, after which the remaining Convivirs went underground and were absorbed into the paramilitaries.

Intelligence Collection and Reporting: An Assessment of Performance. The Convivirs were officially mandated to report suspicious activity to the military and police who eventually came to depend on them as their “eyes and ears” in the rural areas.²²⁸ For all intents and purposes, the Convivirs delivered in their intelligence reporting role, forming a network of around 30,000 members. This aspect of the Convivirs was perhaps the most successful, and the reason that President Uribe created his own version of the program (the “Hometown Soldiers”) in 2002. According to the IACHR, “the CONVIVIR clearly identif[ied] their mission with the counter-insurgency objectives of the Military forces,” and they delivered intelligence accordingly.²²⁹ According to a *Semana* article, during just one week in November of 1995, intelligence provided by Convivirs resulted in the delivery of 75 EPL and FARC guerrillas, the death of brutal ELN Commander ‘Juan Pablo,’ and the death of four other subversives. “Close coordination between the Public Force, the government and citizens has resulted in the capture of more than 300 people and a new environment has begun to breathe.”²³⁰

A leaked tasking memo from the Army Fourth Brigade to a Convivir in Antioquia demonstrated that some Military commanders’ expectations for the Convivirs’ capacity to collect intelligence went well beyond that of a group of civilians observing and reporting signs of guerrilla activity via radio. The memo instructed the Convivir members to

²²⁶ HRW, *War Without Quarter*, 96.

²²⁷ HRW, 96.

²²⁸ CIA, “Paramilitaries gaining strength.”

²²⁹ IACHR, “Chapter IV: Violence and Violations of International Human Rights and Humanitarian Law.”

²³⁰ “Mano Dura.”

send the army lists of local candidates, including their political affiliations, degree of acceptance among the people, their sympathies toward democratic institutions, government and military forces, and what degree of local influence they wield. The memorandum indicated that ‘narcoterrorists’ of the FARC and ELN are carrying out a campaign of intimidation...to impede the October 26 electoral process. ‘For that reason,’ said the Memo, ‘it is required that the Convivir associations give maximum effort to finding information in order to neutralize and/or impede the efforts of the subversive cartels.’ The circular also asked the Convivirs for information on the capacity of local guerrilla groups to damage elections, analysis of the most vulnerable points in public forces protection of the elections, and suggestions to guarantee a normal election process.²³¹

In other words, the Fourth Brigade not only expected the Convivirs to spy on local politicians and look for undue influence by subversive elements, it also expected the rural cooperatives to conduct a detailed intelligence analysis and course of action recommendation based off of what they found. This story is indicative of the expectations that the military projected onto the Convivirs, which became a relatively sophisticated intelligence network that provided useful information to both the military and paramilitaries for planning offensive operations against the guerrillas and suspected sympathizers.

The Military-Convivir-Paramilitary Nexus. Though the government advertised the Convivirs as totally separate entities from the paramilitaries, they quickly became enmeshed with the paramilitaries, with several members belonging simultaneously to both groups. An analysis by the Magistrates of Justice and Peace, declares that the creation of the Convivirs “was carried out with the objective of supporting paramilitary groups, although with legal overtones only on paper.”²³² While that statement may be true, the Convivirs also fulfilled two functions; the official COIN function of community self-defense and intelligence reporting and an unofficial function of providing a conduit between the military and illegal paramilitaries, as hypothesized by Grajales. Like the self-defense groups of the 1960s-1980s, not all Convivirs were the same; some groups were

²³¹ US Embassy Bogota, “Scandal over Army Request to Convivir in Antioquia” (Cable, Bogota: US Department of State, 1997), <https://search.proquest.com/docview/1679085831?accountid=12702>.

²³² *Sentencia de Hébert Veloza García*, 302-303.

founded by the military or landed elites, others were directly founded and, or supported by paramilitaries. In Urabá, the paramilitaries and associated Convivirs operated in a unified command and control organization, seemingly without apparent attempts by the state agencies charged with oversight agencies to disrupt the relationship.²³³ The Magistrates of Justice and Peace in Bogota found in an examination of registration records that several of the Convivirs were organized and led by notorious paramilitary leaders such as Salvatore Moncuso and Ignacio Roldan Perez “Monocleche.”²³⁴ A list of eleven legally licensed Antioquia Convivirs commanded by known criminals and paramilitaries is especially revealing.²³⁵ In April 1997, the U.S. State Department cited a *Revista Alternativa* article—evaluated as credible—arguing that the Convivirs had evolved into a mere legal cover for the existing paramilitaries.²³⁶ The slew of human rights violations by Convivirs with known paramilitary connections fueled media speculation that the Convivir program was nothing more than a legal front for paramilitaries to conduct business as usual with continued (and more blatant) support from the military and police.

Botero’s strategy to use the Convivirs to draw the paramilitaries back into the fold of the state backfired. Instead, the Convivirs were drawn into the orbit of the paramilitaries. A lack of support for the SVSP and a lack of effort in enforcing control mechanisms ensured that government resigned control of the Convivirs to the paramilitaries barely before the program was off the ground. Moreover, the government also failed to regain control of, and reintegrate the paramilitaries (even the ones that took on the façade of Convivirs) into the Colombian security apparatus. As a result, the still illegal paramilitaries grew in strength and numbers. According to Ronderos, “Castaño took advantage of the government’s weakness and the special autonomy of high-ranking military officers in order to expand [the paramilitaries’] territorial power.”²³⁷ During an investigation into

²³³ Ronderos, *Guerras Recicladas*, 5909 and 5950 of 10277, Kindle; *Sentencia de Hébert Veloza García*, 288-289.

²³⁴ Ronderos, *Guerras Recicladas*, 5883 of 10277, Kindle.

²³⁵ *Sentencia de Hébert Veloza García*, 289.

²³⁶ US Embassy Bogota, “MOD alleged to have authorized Illegal Arms Sales to Convivirs and Narcotraffickers.”

²³⁷ Ronderos, *Guerras Recicladas*, 5909 of 10277, Kindle.

paramilitary activities for the trial of a notorious paramilitary leader, the Court for the Magistrates of Justice and Peace questioned why the state did not implement control and surveillance mechanisms over the Convivirs in the 1990s. “According to the Court, this lack of regulation allowed the Convivirs to strengthen paramilitary groups under the Castaño Gil brothers for three years in aspects of provision and logistics, financing, field operations coordinated with Public Forces, access to national, state, regional and local agencies, even supplanting the State in some regions of the country.”²³⁸ The Court found that areas where Convivirs operated in Antioquia coincided with areas historically occupied by the paramilitaries (particularly in the “banana axis”).²³⁹

By way of their relation to the paramilitaries and local elites, some Convivirs grew into sophisticated income generating organizations. Urabá ACCU leader and banana entrepreneur Raul Hasbún described the income of the Convivirs through the Banana industry extortions and local contributions as “enormous,” allowing the Convivirs to provide logistical support to the security forces, rather than the other way around. The Urabá Convivirs became so sophisticated that they were able to launch major infrastructure projects like roads and aircraft landing strips to facilitate the logistical needs of the military and paramilitaries.²⁴⁰ “The Convivir solicited money from farm owners...the city government...and even the Army [while taking care of] machinery and materials for road construction.”²⁴¹

Hasbún’s paramilitary group worked with a network of twelve highly sophisticated Urabá Convivirs that fed him intelligence information along with the military and police.²⁴² The twelve groups were administratively subordinate to a parent Convivir called Papagayo,

²³⁸ “Las Convivir, Motor de la Guerra Paramilitar,” *Verdadabierta*, October 31, 2013, <https://verdadabierta.com/las-convivir-motor-de-la-guerra-paramilitar/>.

²³⁹ *Sentencia de Hébert Veloza García*, 224, 281, 296; “Las Convivir, Motor de la Guerra Paramilitar,” *Verdadabierta*, October 31, 2013, <https://verdadabierta.com/las-convivir-motor-de-la-guerra-paramilitar/>.

²⁴⁰ “Confessions from a businessman turned paramilitary commander,” *Semana*, October 9, 2008, <https://www.semana.com/nacion/articulo/profesor-de-la-universidad-nacional-es-acusado-de-acoso/565140>.

²⁴¹ “Confessions from a businessman turned paramilitary commander.”

²⁴² “Las Confesiones de Raul Hasbun,” *Verdad Abierta*, October 6, 2008, <https://verdadabierta.com/las-confesiones-de-raul-hasbun/>.

which acted as an administrative and logistical command node.²⁴³ According to Hasbún, “It was the paramilitaries who generally undertook security operations because they had better resources. ‘On one occasion the Convivir gave the precise location of some guerrillas. When the army went to take action, the two trucks that they had were out of gas and one was without a battery. When they were finally going out, it turns out they did not have radios. Finally, they decided against the operation.’ Hasbún says that the Convivir provided gasoline to the Army, Police and the DAS...lending them cars and even radios.”²⁴⁴ Moreover, Hasbún testified that in cases where the intelligence agencies did not have the legal grounds to arrest a suspected guerrilla, they passed the Convivirs’ intelligence on to the paramilitaries, who would then assassinate the individual.²⁴⁵ In sum, the Convivirs acted as an interface to facilitate smoother operations between the military and paramilitaries, but the military did not develop adequate incentives to control the Convivirs or draw the paramilitaries back into the state’s security apparatus.

A Question of State Capacity. During the mid-1990s, Colombia did not have the capacity to effectively organize, employ, and control civil-defense forces, which requires significant resources. In reality, the Convivir program was an ambitious and complex civil-military operations plan that the state executed at one of its weakest moments in a knee-jerk reaction to its inability to protect citizens from guerrilla incursion. Without resources, the overarching strategy to use the Convivirs to re-incorporate the paramilitaries into the State’s security framework was dead on arrival. Cárdenas, Eslava, and Ramírez define state capacity as “associated to military capacity, representing the state’s ability to overcome rebellious actions with force, or to bureaucratic and administrative capacity, representing the ability of the state to conduct its business effectively and efficiently.”²⁴⁶ A large part of state capacity is also the government’s ability to collect taxes from all eligible citizens

²⁴³ *Resolución fiscal calificando el concierto para delinquir agravado para la financiación de grupos paramilitares como delito de lesa humanidad* (Human Rights Report, Medellín: DDHH, 2016), <http://www.derechos.org/nizkor/colombia/doc/accu1.html>.

²⁴⁴ *Sentencia de Hébert Veloza García*, 301.

²⁴⁵ “Las Confesiones de Raul Hasbun.”

²⁴⁶ Mauricio Cárdenas, Marcela Eslava, and Santiago Ramírez, “External Wars, Internal Conflict and State Capacity: Panel Data Evidence” (Latin America Initiative at Brookings, 2010), 2.

(Figure 4). However, as demonstrated here and in Chapter II, Colombia's business class and elites were paying war taxes to the self-defense groups instead of the state. A detailed socio-economic analysis of 1990s Colombia is out of the scope of this paper, but the Soldados de Mi Pueblo Case in Chapter IV and Peruvian Rondas Campesinas Case in Chapter V demonstrates how an improvement in state capacity, and by default, the military, translates into more comprehensive controls over self-defense forces.

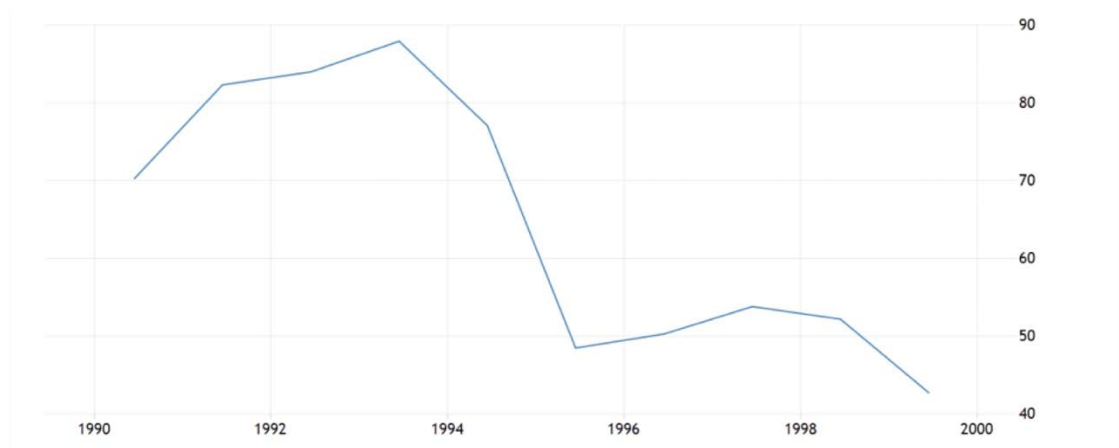


Figure 4. Colombian tax revenue (% of GDP).²⁴⁷

Conclusion. Attempts to reform the Convivirs through Resolution 7164 in 1997 failed and human rights violations became too numerous for the Convivirs to remain tolerated in the public eye. As a gesture to the FARC on the outset of a new peace negotiations in 1998, President Samper announced that the Convivirs would be dismantled.²⁴⁸ However, the dismantlement process did not go as planned and the remaining groups were absorbed into the illegal paramilitary apparatus, taking with them many of the military grade weapons initially provided by the government. A U.S. Embassy Cable states that “[In 1999, Vice President] Bell said...this decision may prove to have ambiguous human rights implications. The Convivir had often served as the nuclei for

²⁴⁷ Image of graph from: “Colombia – Tax Revenue (% of GDP),” accessed April 28, 2018, <https://tradingeconomics.com/colombia/tax-revenue-percent-of-gdp-wb-data.html>.

²⁴⁸ US Embassy Bogota, “Background on the ‘CONVIVIR’ Self-Defense Groups.”

nascent paramilitary groups, but he said the GOC could monitor their activities much more easily when they were legal. Many of the dismantled Convivirs had since gone underground.”²⁴⁹ During the early 2000s, some Convivirs that were not absorbed by the paramilitaries simply converted into private security and surveillance companies.²⁵⁰

Overall, Botero’s grand strategy of drawing the paramilitaries back into the state’s COIN framework failed. The program ended prematurely due to the failure of the government to control not only the Convivirs, but to regain control of the paramilitaries it wished to rein in and re-incorporate. Furthermore, this case demonstrates that the government had no control over the actions of the military with respect to the Convivirs. “The controls that were created for the functioning of the Convivirs remained a dead letter in the legislation for their creation and regulation.”²⁵¹ In operating under its own agenda without adequate resources to set up and fund a meaningful incentive structure, the military was largely responsible for the expansion of the Convivirs into paramilitary groups. The Convivirs may have helped smooth out operations by providing a legal conduit between the military and paramilitaries but it did not permit the integration of the paramilitaries into the state’s legal security apparatus, instead making the paramilitaries even stronger and more autonomous. In permitting the Convivirs to also answer to the paramilitaries and elites, the military exposed itself to high levels of asymmetric information, which made applying control measures nearly impossible. Moreover, the state lacked adequate resources to apply control mechanisms over the Convivirs and eventually take charge of the paramilitaries via the Convivirs. In the end, the state was left further weakened by the Convivirs while the paramilitaries were greatly strengthened. The year 1997 would mark the beginning of the paramilitaries’ peak era, when the groups unified under the AUC and finished their transition into offensive operations.

²⁴⁹ US Embassy Bogota, “VP Bell Receives Ambassador, Discusses Human Rights” (Cable, Bogota: US Department of State, 1999), <https://search.proquest.com/docview/1679070411?accountid=12702>.

²⁵⁰ *Sentencia de Hébert Veloza García*, 290; James Bargent, “The Legacy of Colombia’s Vigilante Security: The Convivir,” *InSight Crime*, May 25, 2015, <https://www.insightcrime.org/news/analysis/the-legacy-of-colombia-vigilante-security-the-convivir/>.

²⁵¹ *Sentencia de Hébert Veloza García*, 302.

IV. THE HOMETOWN SOLDIERS

The *Soldados de mi Pueblo* (Hometown Soldiers) Program was Colombia's third attempt at implementing a civil-defense force program as part of a clear-hold-build counterinsurgency strategy. The program was established by President Álvaro Uribe Vélez in 2002 and, to the best of my knowledge, ended in 2014, around the same time that President Juan Manuel Santos commenced the FARC peace talks. Compared to its predecessors, it was a resounding success due to the following three factors: improved state capacity, incorporation of the Hometown Soldiers into the military command and control (C2) organization, and strict screening and monitoring control mechanisms. First, Colombia's state capacity improved as a result of Plan Colombia and reforms under Uribe's Democratic Security Strategy, bringing improved military capabilities and strength. Second, Colombia greatly limited the autonomy of the Hometown Soldiers by incorporating them as uniformed auxiliary forces under the organizational umbrella of the military. Third, the military implemented robust control mechanisms. Screening, monitoring, and training had the greatest impact, while monetary incentives played a smaller role. Oversight by professional army officers for each Hometown Soldiers Platoon was an adequate mechanism to prevent the soldiers—who were indoctrinated through military training and subject to the uniformed code of military justice—from engaging in moral hazard, shirking, or slack, despite the fact that they were only on duty part-time, and were permitted to live at home. Overall, the stark contrast between the first self-defense groups and Convivirs and the strictly monitored Hometown Soldiers, which were basically auxiliary units of the army, demonstrates that a state cannot implement a civil-defense program in a counterinsurgency just by handing over arms to civilians in exchange for intelligence without strict control mechanisms and a short tether.

Background: The Democratic Security Strategy and Plan Colombia. The potent combination of the US-backed Plan Colombia and Uribe's Democratic Security Policy (DSP) improved the capacity of Colombia's armed forces and gave the state the resources and focus it needed to consolidate its state presence and finally turn the tide of the war against the guerrillas. Under Uribe, military spending increased by 137% and troop

levels by 68% between 2002 and 2010 (see Figures 5 and 6). Uribe also instituted a new tax on Colombia's most wealthy to fund the expansion, professionalization, and strengthening of the military and police forces.²⁵² The DSP's objective was to "strengthen the rule of law throughout Colombia, through the reinforcement of democratic authority. That is, through the free exercise of authority by democratic institutions, the effective application of the law and the active participation of the citizen in matters of common interest."²⁵³ Uribe's overarching goal was to extend the state's authority over the whole of its territory, which he determined was his strategic center of gravity in the conflict.²⁵⁴ Unlike his predecessors, and as a reflection of U.S. influence during the onset of the Bush administration's Global War on Terror, Uribe did not favor pursuing peace negotiations with the guerrillas, but rather chose to pursue a military objective of total defeat through a combination of military action, sustained by whole-of-government institutional and neoliberal economic reforms. "The security forces will initiate the process of consolidating State control of territory, establishing their permanent and definitive presence in all municipalities with the help of mobile brigades and other units of the Armed Forces and National Police. Units composed of professional soldiers, *campesino* soldiers, and National Police *carabineros* will guarantee that territorial control is maintained."²⁵⁵ Despite its 'whole-of-government' and interagency approach, the DSP had a mostly military focus, rooted in the individual policies of Uribe, Plan Colombia and the Global War on Terror. As detailed in Chapter II, Plan Colombia was one of the U.S.'s largest and most ambitious military aid projects in its time and was instrumental in transforming Colombia's military into a more robust, capable, and professional force.

²⁵² Mazzei, *Death Squads or Self-Defense Forces?*, 121.

²⁵³ Presidency of the Republic, Ministry of Defense, *Democratic Security and Defence Policy* (official policy memorandum, Bogota: MoD, 2003), https://www.mindefensa.gov.co/irj/go/km/docs/Mindefensa/Documentos/descargas/Documentos_Home/Seguridad%20Democratica.pdf.

²⁵⁴ "Los Soldados Campesinos," *El Tiempo*, August 30, 2003, <http://www.eltiempo.com/archivo/documento/MAM-1381932>.

²⁵⁵ Presidency of the Republic, Ministry of Defense, *Democratic Security and Defence Policy*.

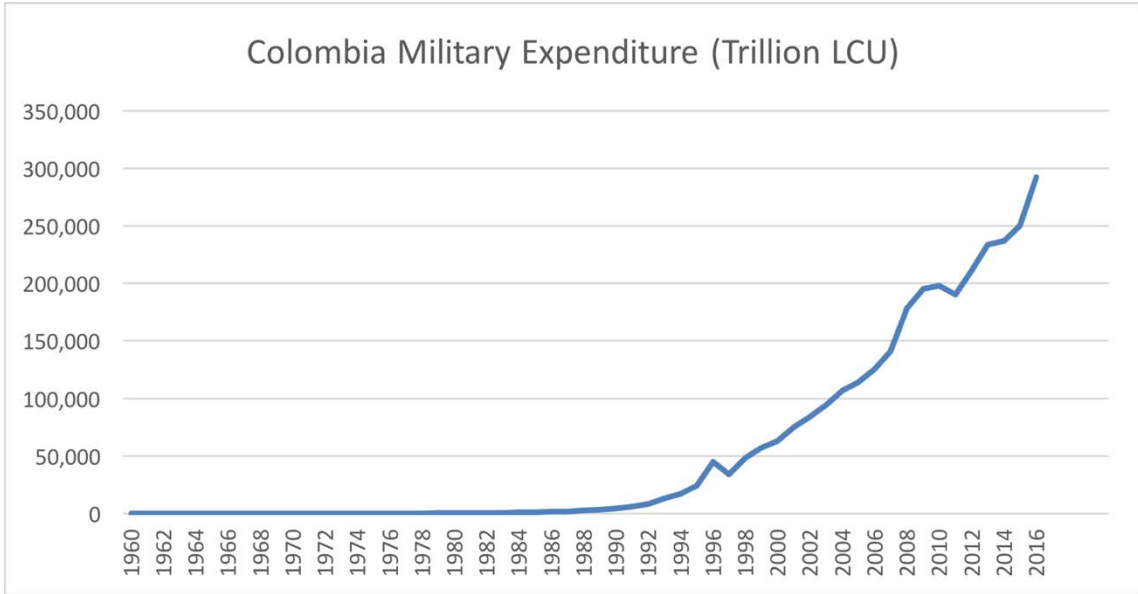


Figure 5. Military spending increased with Plan Colombia and the DSP.²⁵⁶

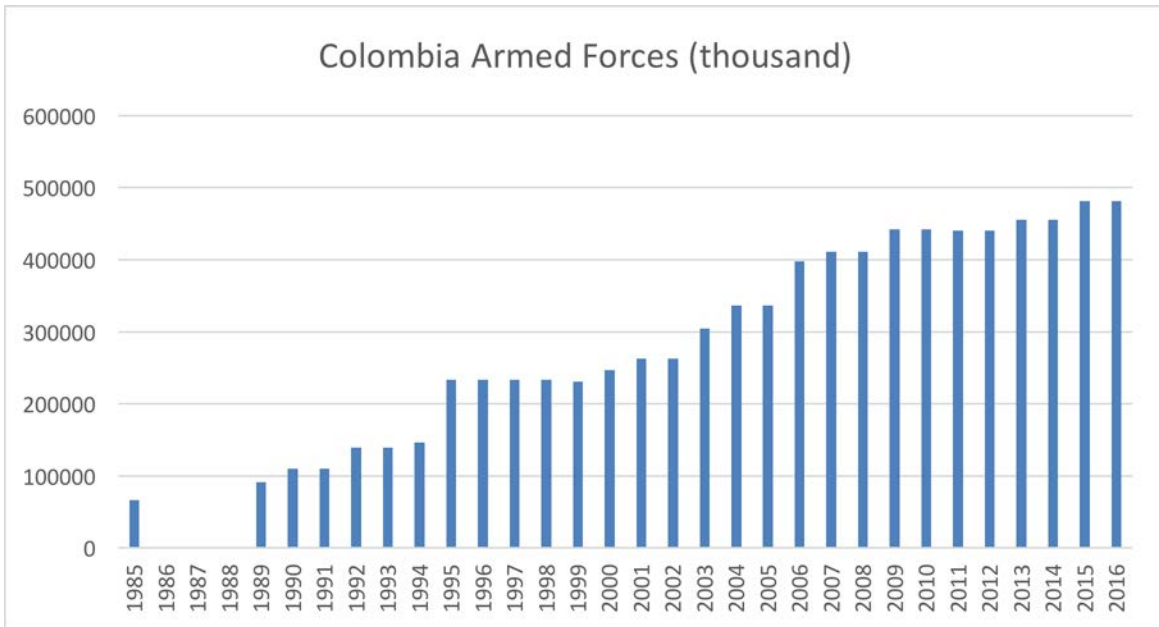


Figure 6. Troop levels increased by almost 70% during Uribe's Administration.²⁵⁷

²⁵⁶ Data obtained from World Bank, "Military Expenditure (Current LCU)," accessed April 28, 2018, <https://data.worldbank.org/indicator/MS.MIL.XPND.CN?locations=CO>.

²⁵⁷ Data obtained from World Bank, "Armed Forces Personnel, Total," accessed April 28, 2018, <https://data.worldbank.org/indicator/MS.MIL.TOTL.P1?locations=CO>.

Soldados de mi Pueblo. In 2002, as part of the DSP's strategy, Uribe activated Article 13 of Law 48 (not the same as Law 48 of 1968), a 1993 conscription law allowing the organization of peasant soldiers for the defense of rural areas.²⁵⁸ The Colombian government launched the "Soldados Campesinos" (Peasant Soldiers), a civil-defense program that consisted of 21,000 militia soldiers linked to a network of 4 million unarmed neighborhood watch informants.²⁵⁹ The program, later renamed more respectfully to "Soldados de mi Pueblo" (Hometown Soldiers or Home guard), initially received criticism from the Human Rights Ombudsman, the UN, and other human rights organizations due to its resemblance to prior attempts at creating civil-defense forces.²⁶⁰ Fortunately, their (legitimate) concerns would remain unrealized due to reasons I will describe below. Uribe had been the most ardently vocal supporter of the Convivirs (which were most active in Antioquia where he governed) and a large proponent of the concept of implementing civilian self-defense forces in a COIN environment. Like the Convivirs, the Soldados de mi Pueblo served as cheap force multipliers in rural areas with insufficient police presence in over 450 areas.²⁶¹ Their mandate was the same as the Convivirs; they would act as rural defense units and report on suspicious activities. Responsibilities were divided between two branches: the armed militias were to serve in a light, defensive security role (as stay-behind forces in a 'Clear and Hold' strategy), while the unarmed civilian informants were charged with collecting and passing on valuable intelligence to the military or police with regard to suspicious activities in their community.²⁶² The troops' main tasks were to patrol the town center, search cars at village entry checkpoints, interact with the local population,

²⁵⁸ *Ley 48, Por la cual se reglamenta el servicio de Reclutamiento y Movilización* (1993), <http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=8633>.

²⁵⁹ US Embassy Bogota, "MOD Defends Colombian Demobilization and Reinsertion Strategy" (Cable, Bogota: US Department of State, 2004), <https://search.proquest.com/docview/1679118113?accountid=12702>.

²⁶⁰ The Latin America Working Group Education Fund, "The Wrong Road, Colombia's National Security Policy" (Report, Washington DC: LAWG, 2003), <http://www.lawg.org/storage/documents/the%20wrong%20road.pdf><http://www.lawg.org/storage/document/s/the%20wrong%20road.pdf>.

²⁶¹ US Southern Command, Directorate of Intelligence, Joint Intelligence Center, "Colombia: Campesino 'Hometown' Soldiers" (Intelligence Brief, Miami: Joint Intelligence Center, 2004), <https://search.proquest.com/docview/1679129540?accountid=12702>.

²⁶² Mazzei, *Death Squads or Self Defense Forces?*, 121.

and aid in civic action projects.²⁶³ As with the Convivirs, the Military provided the Hometown Soldiers with restricted use weapons.

As Colombia's third attempt at implementing a civil defense program, the Hometown Soldiers were different than their predecessors in the following ways: First, even though the Hometown soldiers were cheap force multipliers, the government invested considerably more funds into their recruitment, training and support (about half of the investment for a regular soldier) than the Convivirs, which were funded by private elites, extortion, and paramilitaries. Second, while the Convivirs were mostly anonymous, plain-clothed agents (even to their local members of government), the Hometown Soldiers wore military uniforms (except for undercover informants). Third, rather than the previous 'give peasants weapons and hope for the best' tactic, the government incorporated the Hometown Soldiers into the military as a reserve component (organized in platoons) that gave men the option of remaining in their local villages on a part-time basis (under a service contract of 18 months) instead of completing the obligatory 18–24 month full-time military service away from home required for males between ages 18–49.²⁶⁴ Fourth, the government had more robust oversight and control mechanisms for the Hometown Soldiers than for the Convivirs.

Vetting. The military used thorough vetting procedures for selecting members of Hometown Soldier platoons. "Army investigators, Administrative Department of Security (DAS) and Office of the Prosecutor General (FISCALIA) conduct[ed] background checks to weed out youths with criminal records and potential infiltrators from illegal Armed Groups (IAG)."²⁶⁵ A U.S. Embassy cable described the vetting process in detail:

First, a medical doctor "conducted a brief physical examination of each potential recruit ... [The Commander] then conducted one-on-one interviews with the remaining...candidates in each town, after which each candidate underwent a second, more thorough medical examination. Army investigators interviewed the parents and neighbors of each potential

²⁶³ Rachel van Dongen, "Colombia's newest troops don't have to leave home," *The Christian Science Monitor*, April 9, 2003, <https://search.proquest.com/docview/1802776284?accountid=12702>.

²⁶⁴ US Southern Command, Directorate of Intelligence, Joint Intelligence Center, "Colombia: Campesino 'Hometown' Soldiers."

²⁶⁵ US Southern Command, Directorate of Intelligence, Joint Intelligence Center.

recruit, while the...DAS—Colombia’s FBI equivalent—and ... FISCALIA weeded out youths with criminal records. Military intelligence personnel then ran the names of the remaining potential recruits through security databases to determine if any were potential infiltrators from illegal armed groups. Colonel Pinto told POLOFFs that these security checks had exposed four FARC informants...²⁶⁶

Upon selection, each soldier received 10–12 weeks of training, 4–6 weeks less than for regular soldiers due to the fact that the peasant soldiers did not receive instruction in offensive tactics.²⁶⁷ The training was divided into four phases consisting of a “regimen of physical, tactical and technical training,” including, but not limited to, basic military indoctrination, human rights training, an overview of the rules of engagement, basic intelligence operations, explosives (mines) identification, how to interact with civilians, and understanding the nature of the enemy.²⁶⁸ Upon completion, “the platoons are deployed to their hometowns, where they work closely with local police and a platoon of professional soldiers stationed nearby.”²⁶⁹

Monitoring. Because the Hometown Soldiers were incorporated into the Military under the “Conscription Reform Law,” the Government, by default, kept these new militia platoons on a short leash. The platoons fell under the command and control organization of their local military brigade, which was responsible for recruiting, vetting, training, and arming the 50–250 Hometown Soldiers for each municipality.²⁷⁰ A professional military officer and a company of professional soldiers were charged with assisting in leading the platoons. “These professional soldiers—who were relatively well-paid volunteers, rather than draftees—serve as mentors and are available to assist peasant soldiers in times of crisis.”²⁷¹ While off duty, peasant soldiers were required to store their rifles in the

²⁶⁶ US Embassy Bogota, “Uribe’s Peasant Soldiers: Key to Extending Security through Colombia” (Cable, Bogota: US Department of State, 2003), <https://search.proquest.com/docview/1679118075?accountid=12702>.

²⁶⁷ US Embassy Bogota.

²⁶⁸ US Embassy Bogota.

²⁶⁹ US Embassy Bogota.

²⁷⁰ US Southern Command, Directorate of Intelligence, Joint Intelligence Center, “Colombia: Campesino ‘Hometown’ Soldiers.”

²⁷¹ US Embassy Bogota, “Uribe’s Peasant Soldiers: Key to Extending Security through Colombia.”

armory.²⁷² Moreover, the soldiers wore Army uniforms, making them easily identifiable and therefore, accountable to the local community and municipal government.

Sanctions/Rewards/Incentives. Because the Hometown soldiers were incorporated into the military organization, they were subject to the Military Code of Justice and would be punished by those standards according to the regulations violated.²⁷³ Hometown Soldiers earned a meager monthly salary of just 50,000 Pesos or 20 USD (not adjusted for inflation).²⁷⁴ They received healthcare, food, clothing, and extra leave in case of a domestic emergency. Soldiers with prior military service received additional bonuses in their retirement pension, farming grants, and education benefits.²⁷⁵ One of the non-monetary incentives for joining was that they were permitted to serve a shorter commitment than their regular army counterparts and they were allowed to live in their own homes and continue their civilian occupation part-time. Undercover informants, on the other hand, did not receive a monthly salary, but were paid per item of intelligence handed over to the military and police. “Thirty billion pesos (roughly USD 11 million) have been allocated to pay informants who provide intelligence that leads directly to a successful operation against an illegal armed group.”²⁷⁶ Once Hometown Soldiers completed their service obligation, they had the option of joining the regular Colombian armed forces or separating, at which point the Colombian government provided vocational training in trades such as fish raising, agriculture, or livestock husbandry.²⁷⁷ The vocational training program not

²⁷² US Southern Command, Directorate of Intelligence, Joint Intelligence Center, “Colombia: Hometown Marines” (Intelligence Report, Miami: Joint Intelligence Center, 2003), <https://search.proquest.com/docview/1679116623?accountid=12702>.

²⁷³ US Southern Command, Directorate of Intelligence, Joint Intelligence Center, “Colombia: Campesino ‘Hometown’ Soldiers.”

²⁷⁴ US Embassy Bogota, “Colombia’s Hometown Soldiers Program” (Cable, Bogota: US Department of State, 2004), <https://search.proquest.com/docview/1679117330?accountid=12702>.

²⁷⁵ Ministry of Defense, *Soldados de Mi Pueblo* (Online Brochure, Bogota: MoD, 2005), https://www.mindefensa.gov.co/irj/go/km/docs/Mindefensa/Documentos/descargas/Documentos_Descargas/espanol/Soldados%20de%20mi%20Pueblo.pdf.

²⁷⁶ US Embassy Bogota, “STAFFDEL Meeting with Minister of Defense” (Cable, Bogota: US Department of State, 2004), <https://search.proquest.com/docview/1679130478?accountid=12702>.

²⁷⁷ Ejercito Nacional de Colombia, “1.200 ‘soldados de mi pueblo’ se graduaron de cursos del Sena,” September 15, 2006, <https://www.ejercito.mil.co/?idcategoria=111791>.

only aimed to help the soldiers transition back to normal life, but also contributed to the economic and social development of their respective villages.

Effectiveness. Unlike their predecessors, no reports indicate that the Hometown Soldiers engaged in moral hazard, particularly by committing human rights abuses.²⁷⁸ A potential vulnerability in the program was that in villages previously held by the guerrillas, individual Hometown Soldiers had kinship ties to members of the FARC and ELN, increasing the risk for agency slack. However, there are no reports indicating that any soldiers had questionable loyalty. If anything, their local ties were a benefit because they had instant credibility and trust with the population. The Soldiers were effective in fulfilling their role as experts in the local environment. According to a 2004 U.S. State Department memo, “The soldier’s familiarity with the hinterland has proven to be an effective tool in finding and neutralizing members of illegal armed groups...[they] have become instrumental in executing the military’s ‘clear and hold’ strategy, serving as local stay-behind forces in conflictive areas...In addition, hometown soldiers’ confidence with local residence has increased citizen participation in the Government’s informants network.”²⁷⁹

Once an area was cleared and given over to the Hometown Soldiers, the Army was able to confidently leave the area and conduct offensive operations elsewhere. The presence of uniformed soldiers with familiar faces provided a sense of security and also a deterrent to guerrillas and criminals. For example, in Sale de San Francisco, a Hometown Soldier Platoon NCO claimed that petty crime had decreased by 80% and that the mayor, safe from kidnapping, was finally able to return to the town and govern from his home.²⁸⁰ The Hometown Soldiers provided valuable guard duties to local government officials that previously were forced to govern from outside their municipalities due to threats from the guerrillas and paramilitaries.²⁸¹ The establishment of state presence in areas that had not

²⁷⁸ US Southern Command, Directorate of Intelligence, Joint Intelligence Center, “Colombia: Campesino ‘Hometown’ Soldiers.”

²⁷⁹ US Embassy Bogota, “Colombia’s Hometown Soldiers Program.”

²⁸⁰ Rachel van Dongen, “Colombia’s newest troops don’t have to leave home.”

²⁸¹ US Embassy Bogota, “STAFFDEL Meeting with Minister of Defense.”

known security for decades via the Hometown Soldiers not only helped pave the way for mayors to govern from home, but also for the state to establish police presence in all of Colombia's municipalities by February 2004.²⁸²

Conclusion. In comparison, the cases of the Hometown Soldiers, Self-Defense Groups and Convivirs demonstrates that a weak state with a corrupt socio-economic environment (and a myriad of alternative actors that could provide better incentives than the military) such as Colombia's should never organize self-defense forces without resources or without implementing a robust training program, strict control measures, and a very short tether. The only way Colombia was able to finally and successfully implement the civil-defense force concept in a clear-hold COIN strategy was by incorporating the forces into the military as auxiliary reserves. Had the state just armed civilians without oversight again, it would have likely had the same results that it had with the first Self-Defense Groups and the Convivirs. The Hometown Soldiers program owed its success to the following factors: the program received adequate funding which made possible the application of robust control mechanisms. The recruits were vetted at several levels, they received 10–12 weeks of indoctrination and training, they wore uniforms which made them both identifiable and accountable, they could only carry their weapons while on duty, they had strict oversight from professional officers, and they were only permitted to conduct defensive operations. Even though they were payed little, the Hometown Soldiers had the benefits of staying in their hometown, receiving a waiver from the draft, and receiving vocational training upon the completion of their obligation. There are no reports of rogue units, paramilitarization, moral hazard, conflict of interest, agency slack, or shirking of duties. The program also was a success in that it helped establish state presence throughout its territory. Thus, the Hometown Soldiers can be considered Colombia's success story for the use a pro-government militia in counterinsurgency.

²⁸² US Embassy Bogota, "STAFFDEL Meeting with Minister of Defense."

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V. PERU'S RONDAS CAMPESINAS

The case of the Rondas Campesinas civil defense forces is an excellent example of how a government can adjust its policy to regain control of wayward pro-government militias. This case also makes for a constructive comparison to Colombia due to the following similarities: Like Colombia, Peru faced socio-economic and geopolitical challenges typical of Latin America during the Cold War. Both countries have a fractured geographic landscape of deserts, mountains, and jungles, making state consolidation and counterinsurgency operations difficult. Both countries faced a rapid proliferation of the illegal drug trade and related crime during the 1980s and are the world's top two cocaine producing countries.²⁸³ Peru's communist insurgency also lasted beyond its expiration date, as it did in Colombia. Lastly, both countries experimented with civil-defense forces. Like Colombia, after several attempts at organizing and employing CDFs, Peru also eventually found success through the incorporation of its militias into the military as auxiliary or reserve forces. However, unlike Colombia, which formed brand new civil-defense groups under new policies after each failure, Peru mostly dealt with the same groups for the duration of the conflict, but adjusted its policies as time went on. In the case of the Rondas Campesinas, the state, after some trial and error, lost and later regained control over the same groups by improving state capacity and implementing an effective combination of all four control mechanisms: monitoring, screening, sanctions, and incentives.

Each Ronda Campesina was different, varying by region, capability and involvement in the conflict until they were reorganized more uniformly as the standardized Self-Defense Committees (CADs) and incorporated as an official branch of the Peruvian Armed Forces by the Alberto Fujimori administration in 1991. I will primarily cover 1980–2000, which was the most intense period of the insurgency. In these two decades, the relationship between the military and the Rondas evolved over three phases: In the first phase, the military organized Civil Defense Committees (CDCs) from existing Rondas and

²⁸³ "Peru Profile," *InSight Crime*, last modified April 6, 2018, <https://www.insightcrime.org/peru-organized-crime-news/peru/>.

created new groups in villages that did not already have Rondas. The unarmed CDCs were mostly left to fend for themselves, with little interaction, training, or support from the military, and as a result, shirked their duties in order to avoid targeting by the guerrillas. In some cases, they used their status as CDCs to settle old scores with neighboring villages. In the second phase, between 1985–1988, the Army retreated to the barracks in protest over government attempts to reform and rein in the military. With the absence of the Army from the COIN effort, CDCs in the Apurimac River Valley (VRA)—Peru’s primary Coca growing region—began a process of paramilitarization akin to the Colombian self-defense groups in the 1970s and 1980s (although not as extreme). These offensively capable and more sophisticated CDCs, which identified as *Defensa Civil Antisubversivas* (DECAS) were successful at eliminating the guerrillas from the VRA, but they funded their expansion and efforts with income obtained through drug trafficking connections. The DECAS became warlords and effectively turned the VRA into a para-state. The third phase is widely considered a success story for a state principal regaining control of a rogue militia agent. In 1991, President Alberto Fujimori recalibrated Peru’s COIN strategy to standardize all CDCs and DECAS as *Comités de Autodefensa y Desarrollo* (CADs), and passed legislation to incorporate them into the armed forces. The military came up with a set of control mechanisms that successfully reigned in the DECAS and resulted in the CADs performing assigned tasks with minimal instances of principal-agent conflict.

Background. From independence on, Peru’s experience with democracy has been sporadic, the government oscillating between elected civilian governments and military juntas. For the greater part of Peru’s history, the military was highly politicized and played a tutelary role to the state, pushing political reforms and at times, exerting direct rule. During the first half of the period of military rule from 1968–1980, the junta initiated an ambitious package of pre-emptive progressive reforms, such as land redistribution and agricultural cooperative programs meant to alleviate the conditions it recognized as conducive to Marxist revolution.²⁸⁴ While land reform measures in the 1970s dissolved much of what remained of the already declining *latifundia* and *haciendas*, the state failed

²⁸⁴ Dirk Kruijt, “Ethnic Civil War in Peru,” in *Indigenous Revolts in Chiapas and the Andean Highlands*, ed. Kevin Gosner and Arij Ouweneel (Amsterdam: CEDLA, 1996), 243-246.

to evenly apply developmental reforms throughout the country and largely neglected hard-to-reach rural areas such as Ayacucho, which would later become the epicenter of the conflict.²⁸⁵ According to McClintock, “Highlands peasants had pinned their hopes first on land reform, only to find that the reform barely benefited them materially; then, they had hoped the Marxist parties and the New Democratic government would improve their lot, only to see the situation worsen.”²⁸⁶

During the junta years, GDP per capita was stagnant and inflation high. The junta’s reforms could not overcome back-to-back economic crises in the 1970s and 80s and other systemic internal issues. The economy continued to decline and poverty persisted particularly in the rural areas. General Juan Velasco, Peru’s Military President in the early 1970s, chose left-leaning economic policies that would have long term detrimental effects. First, he converted private companies to State Owned Enterprises (SOEs), confiscating private land from local and multinational firms for nationalization.²⁸⁷ For example, the government seized two oil fields owned by American petroleum company, Exxon.²⁸⁸ Second, he banned private capital from the public utilities, fishing, and agricultural sectors.²⁸⁹ Third, he implemented price controls on basic commodities and foodstuffs. Lastly, he attempted to manipulate the currency market and Peru’s foreign trade, catalyzing a process of hyperinflation that would continue into the late 1980s, at which point President Alan Garcia largely continued the same policies.²⁹⁰ “Whatever the promises and the costs of the many kinds of reform attempted by the Velasco government, the ship sank because of the inadequate attention to balances between spending and productive capacity, and

²⁸⁵ Cynthia McClintock, “Why Peasants Rebel, the Case of Peru’s Sendero Luminoso,” *World Politics* 37, no. 1 (1984): 64-66.

²⁸⁶ McClintock, “Why Peasants Rebel, the Case of Peru’s Sendero Luminoso,” 80.

²⁸⁷ Federal Research Division, *Area Handbook Series, Peru: A Country Study*, ed. Rex A. Hudson (Washington D.C.: Library of Congress, 1992), 186.

²⁸⁸ “Juan Velasco Alvarado,” *Encyclopaedia Britannica Online*, accessed Mar 21, 2018, <https://www.britannica.com/biography/Juan-Velasco-Alvarado>.

²⁸⁹ Eliana Carranza, Jorge Fernández-Baca, and Eduardo Morón, “Peru: Markets, Government and the Sources of Growth,” (Research Project: Universidad del Pacifico, 2003), 6.

²⁹⁰ Carranza et al., 6.

between export incentives and import demand.”²⁹¹ The effects of these policies were amplified in poverty-stricken rural areas like the Ayacucho, where Sendero Luminoso (SL), a radicalized off-split of the Peruvian Communist Party quietly planned to mobilize for a major guerrilla offensive.

The Sendero Luminoso launched the first phase of its insurgency by burning ballot boxes in Ayacucho on 17 May 1980, the night before Peru’s first democratic elections since 1963. Founded by Ayacucho college professor Abimael Guzman, the SL was organized into anonymous cells and operated in so-called “guerrilla columns” that used attack-and-retreat tactics.²⁹² The SL mostly used terrorism and infrastructure sabotage to spread fear and degrade confidence in the government. Overtime, the organization became highly centralized around Guzman’s cult of personality, which proved to be a critical vulnerability when he was captured in 1992, along with a treasure trove of SL documents containing the identities of thousands of operatives.²⁹³ In the first two years of the conflict, the government largely ignored the SL, considering it a nuisance in the countryside that only required minor police response—“Government officials usually referred to members of Sendero as ‘common delinquents’ or ‘cattle thieves.’”²⁹⁴ When the insurgency reached the urban areas on the coast, the government authorized military action, and placed most of Ayacucho under a state of emergency and military authority in March of 1982. The main front of the war eventually spread to include the Ayacucho, Huancavelica, and Apurimac Regions.²⁹⁵ Because military leaders took steps to ensure that the new civilian run government would not interfere in internal military affairs, the counterinsurgency campaign fell solely under the prerogative of the military, and there was little to no

²⁹¹ Federal Research Division, *Area Handbook Series, Peru: A Country Study*, 188.

²⁹² Central Intelligence Agency, “Shining Path Guerrilla Movement in Peru,” doc. no. RDP88-01070R000301650003-2 (Intelligence Report, CIA, 1985), <https://www.cia.gov/library/readingroom/docs/CIA-RDP88-01070R000301650003-2.pdf>.

²⁹³ Seth G. Jones, *Waging Insurgent Warfare: Lessons from the Vietcong to the Islamic State* (New York: Oxford University Press, 2017), 97.

²⁹⁴ Philip Mauceri, “Military Politics and Counter-Insurgency in Peru,” *Journal of Interamerican Studies and World Affairs* 33, no. 4 (1991): 90.

²⁹⁵ Jaime Antesana and Jemima Garcia-Godos, “El Estado y la Autodefensa Campesina,” April 1999, http://www.verdadyreconciliacionperu.com/admin/files/articulos/2038_digitalizacion.pdf.

interagency or government institutional involvement.²⁹⁶ Moreover, the government did not attempt reforms in the affected areas of Ayacucho, and the military took an entirely kinetic conventional warfare approach to combatting the SL, which was ineffective against a Maoist organization that operated in anonymous cell organizations. The Peruvian state could only win by improving living conditions in the Ayacucho with a unified inter-agency approach and emphasizing robust intelligence collection. Conventional military tactics only damaged the legitimacy of the government by producing significant and indiscriminate civilian casualties. The military, which was conducting COIN efforts autonomously and without government oversight, committed serious human rights abuses and massacres against peasants, which the civilian administration supposedly was not aware of until the discovery of mass graves in 1985, to which the Garcia Administration reacted by firing three of the army's highest ranking general officers and attempting to impose human rights regulations and reforms on the armed forces.²⁹⁷ However, little would improve in the state's COIN strategy for the remainder of the 1980s. The Army withdrew from the fight in protest to the reforms, and the government, strapped with a failing economy, failed to take on a greater role in COIN decision making or inter-agency involvement. Moreover, the failing economy and the use of secret death squads to target left-leaning labor leaders also aggravated the insurgency situation and fueled the narrative of state repression. Meanwhile, as Peru's socioeconomic conditions deteriorated and drug trafficking proliferated, the SL rapidly expanded its influence from Peru's rural to urban areas, and by the late 1980s, there was hardly a populated area in Peru that did not feel the presence of the Sendero Luminoso (see Figure 7).

²⁹⁶ Mauceri, "Military Politics and Counter-Insurgency in Peru," 91.

²⁹⁷ Maiah Jaskoski, *Military Politics and Democracy in the Andes* (Baltimore: John Hopkins University Press, 2013), 51.



Figure 7. Geographic representation of Sendero presence between 1981–2006.²⁹⁸

The Sendero Luminoso ultimately worked against itself by oppressing and terrorizing the demographic it depended on most for logistic and popular support: the indigenous peasants. This was an odd tactic for a Maoist-Leninist guerrilla whose principal support base was supposedly the peasantry. In previously ungoverned and neglected spaces like Ayacucho, the peasants initially welcomed SL’s imposition of some form of law and order and promises of better quality of living, accompanied by gifts of stolen goods and livestock.²⁹⁹ The SL’s actions against the highly unpopular and repressive police also initially gained the approval of village elders.³⁰⁰ However, the SL imposed strict, puritanical rules on the indigenous communities with terror and brutality, and the peasants quickly grew disenchanted. Indigenous life was deeply imbued with Andean tradition and religion, sometimes combined with Catholicism or other forms of Christianity, and a fondness for perennial rituals and fiestas, all of which the SL forbade.³⁰¹ Moreover, the

²⁹⁸ Image obtained from: “Shining Path,” *Counterterrorism OSINT* (Blog), accessed May 2, 2018, <https://ccccounterterrorismcenter.wordpress.com/2015/01/08/osint-shining-path/>.

²⁹⁹ Jeremy M. Weinstein, *Inside Rebellion: The Politics of Insurgent Violence* (New York: Cambridge University Press, 2007), 249.

³⁰⁰ Carlos Ivan Degregori, “Harvesting Storms: Peasant Rondas and the Defeat of Sendero Luminoso in Ayacucho,” in *Shining and other Paths*, ed. Steve J. Stern (Durham: Duke University Press, 1998), 131 of 534, Kindle.

³⁰¹ Degregori, 151 of 534, Kindle.

SL's "actions included the killing of communal authorities and government supporters through popular trials. More often, the Shining Path killed civilians who refused to live in accordance with the movement's rules."³⁰² According to Degregori, indigenous village elders attained rank by virtue of age and through a traditional civic and religious accession process. Killing and replacing them with young, inexperienced and often non-indigenous SL leaders was the SL's most fatal error.³⁰³ "Above all, it was when shining path refused to recognize community authorities that the first overt rebellions occurred."³⁰⁴ Even though the SL promised to deliver an egalitarian society to the peasants, it delivered the opposite by subjugating and patronizing them in a manner similar to that of the old hacienda system. The SL replicated the hacienda system by replacing the indigenous leadership with its own "proletarian vanguard" leadership, in accordance with Guzman's Leninist view that "the peasantry [is] the main force in...society while the proletariat [is] the leading class..."³⁰⁵ In other words, Guzman's embrace of vanguardism translated into totalitarian subjugation of the peasantry through the use of terror in a manner worse than that of their former patrons.

Another way the Sendero Luminoso alienated its indigenous audience was by disrupting the communities' economic livelihood. For example, the SL prohibited indigenous communities from trading their wares and crops at local and urban markets, punishing or murdering those that resisted.³⁰⁶ This tactic was part of Guzman's plan to cut off villages from the capitalist system and make them self-sufficient communist societies, as well as to cut the cities off from agricultural products. As a result, the peasants not only could not produce an income from their labor, they also could not obtain basic commodities like matches or salt from the city.³⁰⁷ To defy the SL and go to market to trade could cost

³⁰² Weinstein, *Inside Rebellion*, 240.

³⁰³ Degregori, "Harvesting Storms," 133-134 of 534, Kindle.

³⁰⁴ Degregori, 134 of 534, Kindle.

³⁰⁵ Mario Fumerton, *From Victims to Heroes: Peasant Counter-Rebellion and Civil War in Ayacucho, Peru, 1980-2000* (Amsterdam: Thela Publishers, 2002), 46.

³⁰⁶ Kimberly Theidon, "Justice in Transition: The Micropolitics of Reconciliation in Postwar Peru," *Journal of Conflict Resolution* 50, no. 3 (2006): 440.

³⁰⁷ Fumerton, *From Victims to Heroes*, 78.

a peasant his or her life. Alienated by these actions, the peasants under SL rule could not find recourse from the largely absent Peruvian government, and when the military passed through, it often indiscriminately slaughtered villages where SL was known to have made contact, regardless of whether the association was positive or negative. In response to the above grievances, the peasants independently mobilized self-defense committees to protect themselves.³⁰⁸

On 21 January, 1983, peasants in the village of Huaychao, Huanta Province, attacked a column of seven SL guerrillas with sharpened sticks and rocks. This unprecedented action shocked the nation, “which was of the general though erroneous opinion that Shining Path enjoyed near-unanimous acceptance among the Ayacuchano peasantry.”³⁰⁹ Unfortunately, five days later, another peasant patrol ambushed and killed a group of eight nationally respected journalists on their way to Huaychao after mistaking them for guerillas.³¹⁰ The second attack temporarily overshadowed the peasants’ initial achievement, but both stories brought national awareness to these Peasant Patrols or “Rondas Campesinas.” Even though both events brought the Rondas into the spotlight for the first time, the concept of peasant vigilantism was not entirely new; peasants had already organized Rondas Campesinas in Cajamarca in the mid 1970s to defend their villages against petty thieves and cattle rustlers, but never before against a guerrilla column.³¹¹

Phase 1: The CDCs. In 1983, the Peruvian armed forces had a mostly conventional, military-centric COIN strategy of repression that employed “drain the sea” and population transfer tactic similar to the “strategic hamleting” in Vietnam, which resulted in major population displacement in the rural areas. Moreover, after the military purged an area of guerrillas, it did not leave any security forces behind to prevent the SL from returning. Consequently, guerrillas would later return and punish the village

³⁰⁸ Theidon, “Justice in Transition,” 439.

³⁰⁹ Fumerton, *From Victims to Heroes*, 80.

³¹⁰ Witold Mucha, *Why do some Civil Wars Not Happen? Peru and Bolivia Compared* (Berlin: UniPress Ltd, 2017), 48.

³¹¹ German Nunez Palomino, “The Rise of the Rondas Campesinas in Peru,” *The Journal of Legal Pluralism and Unofficial Law* 28, no. 36 (1996): 113.

inhabitants for collaborating with security forces.³¹² This changed in late 1983, when the military started organizing more Rondas, officially dubbed Civil Defense Committees (CDCs). Because neutrality was not an option, the military coerced villages to form CDCs but neither provided nor permitted firearms, leaving the Ronderos to defend themselves with sharpened sticks and rocks, an inadequate defense against heavily armed guerrilla columns.³¹³ Consequently, CDCs, at times, would shirk their duties and purposely avoid confrontation with guerrillas, allowing them to pass through their village unobstructed. Most of the time, the SL massacred the poorly-armed CDCs, which made for an easy target.³¹⁴

The military mostly took a hands-off approach to the CDCs, but did exert some control mechanisms. First, Marines often conducted patrols with the CDCs, permitting them to carry shotguns under supervision, providing them with ammunition for their homemade firearms, and providing some training in the use of hand grenades.³¹⁵ However, the military would not arm the Rondas wholesale until 1991 and until then, most depended on homemade wooden guns, sling shots and machetes, or weapons acquired from dead Senderistas or drug traffickers.³¹⁶ During the 1980s, it was illegal for militias to carry firearms, and both the Army and the politicians in Lima were not yet convinced that arming civilians was worth the risk.³¹⁷ Second, as a measure against infiltration, the military registered community members to keep track of which Ronderos belonged to which village. Third, one of the incentives for villages that formed their own CDCs, which indicated their loyalty to the state, was that they could elect their committee members and leaders, which would then require approval by an officer. Otherwise, the military

³¹² Fumerton, *From Victims to Heroes*, 92.

³¹³ Kees Koonings and Dirk Kruijt, *Armed Actors: Organized Violence and State Failure in Latin America* (London: Zed Books, 2004), 54.

³¹⁴ Patricio Asfura-Heim, *Risky Business: The Future of Civil Defense Forces and Counterterrorism in an Era of Persistent Conflict*, CRM-2014-U-008881 (Arlington, VA: CNA Analysis & Solutions, 2014), 21.

³¹⁵ Fumerton, *From Victims to Heroes*, 121.

³¹⁶ Miguel La Serna, *The Corner of the Living: Ayacucho on the Eve of the Shining Path Insurgency* (Chapel Hill: University of North Carolina Press, 2012), 200.

³¹⁷ Thomas A. Marks, *Maoist Insurgency since Vietnam* (Portland: Frank Cass, 1996), 278.

commander would hand pick the individuals himself.³¹⁸ More often than not, the strongest incentive for villages to form CDCs was to avoid repression from the military, despite the fact that this action also made them a target for the guerrillas.³¹⁹ Nonetheless, the army applied few control mechanisms over the CDCs during the early years of the counterinsurgency effort. According to Koonings and Kruijt, “Although the army compelled rural communities to organize CDCs, and presumed to subordinate and control them, in actuality they made little attempt to train, provision, mobilize or utilize the CDCs in any systematic way...the Army did not see it worth their time and effort to develop the capabilities of the CDCs, nor to create more sophisticated mechanisms of control over them.”³²⁰

Left to their own devices, CDCs outside of the scope of military supervision began to shirk their patrol duties in order to settle old scores with neighboring villages. For example, in December 1984, two fights broke out between CDCs in Ayacucho and the Apurimac River Valley leaving 32 Ronderos dead.³²¹ Meanwhile, in the Cajamarca Province, Rondas in three municipalities used their popularity among the peasantry to defy the administration and rulings of the Lieutenant Governor and local sub-prefects.³²² Municipal authorities and local police complained that the Rondas were displacing them and coopting their official duties to govern and enforce the law. It was also around this time, particularly in 1984, that the Rondas attracted negative attention for using their status as CDCs to pursue old land disputes and vendettas with neighboring communities (see Figure 8).³²³

³¹⁸ Fumerton, *From Victims to Heroes*, 117.

³¹⁹ Weinstein, *Inside Rebellion*, 250.

³²⁰ Koonings and Kruijt, *Armed Actors*, 57.

³²¹ Fumerton, *From Victims to Heroes*, 120.

³²² Palomino, “The Rise of the Rondas Campesinas in Peru,” 119.

³²³ Comision de la Verdad, “Tomo II: Primera Parte: El Proceso, Los Hechos, Las Victimas,” in *Informe de la Comision de la Verdad y Reconciliacion*, accessed March 26, 2018, <http://www.derechos.org/nizkor/peru/libros/cv/ii/15.html>.

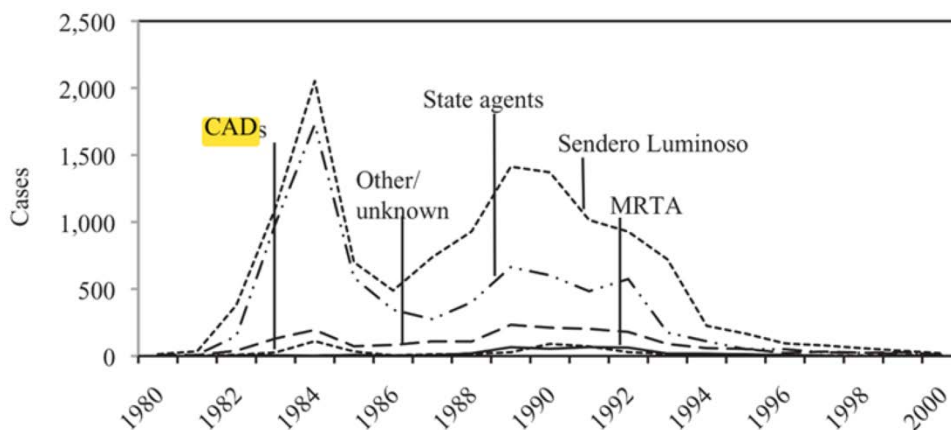


Figure 8. “Reported deaths and disappearances in Peru’s internal conflict by responsible actor, 1980–2000.”³²⁴ Note that casualties attributed to the Rondas Campesinas (CADs) spiked in 1984.

Between 1985 and 1988, the Army placed an indefinite pause on the counterinsurgency campaign, retreating to the barracks in protest against President Garcia’s attempt to reorganize the defense ministry under civilian leadership and hold the military to human rights standards. “The armed forces resented the García government not only for its new human rights policy but also...for decreasing military spending. Defense budget cuts translated into drastic reductions in officers’ salaries, low morale, early retirements by officers, and desertions. Army units in insurgency zones lacked helicopters and were short on gasoline to operate the ones they did have, and they were in need of food, ammunition, and other equipment.”³²⁵ After the Army abandoned the CDCs, the marines continued to accompany them on occasional patrols. However, in the Army’s absence, the SL recovered from three years of brutal military repression, flooding back into areas that had been cleared, and seizing the opportunity to ruthlessly slaughter or infiltrate the now vulnerable Rondas.³²⁶ Those CDCs that were not butchered by the SL elected to

³²⁴ Data from the Comisión de la Verdad y Reconciliación (2003), cited and graphed in Maiah Jaskoski, *Military Politics and Democracy in the Andes* (Baltimore: Johns Hopkins University Press, 2013), 53.

³²⁵ Maiah Jaskoski, *Military Politics and Democracy in the Andes*, 52.

³²⁶ Jaskoski, 50; Fumerton, *From Victims to Heroes*, 122.

dissolve, while others tried to stand their ground with mostly negative results.³²⁷ Meanwhile, CDCs in the VRA found alternative means of support to withstand, and eventually expel the guerrilla presence from their valley.

Phase 2: The DECAS. Until 1986, the CDCs of the Apurimac River Valley were stand-alone units organized at the village level with no coordinating unified command and regional control authority over them. That changed when two Ronderos, Antonio Cardenas and Pompeyo Javier Rivera Terres (“Commandante Huyahuaco”) reorganized and consolidated the CDCs in the VRA into 22 regional (zonal) commands with guidance from the Peruvian Marines. The zonal commands coordinated with the central militia headquarters (*Sede Central*) at Pichihuillca, which also acted as a fortified armory for distributing stolen guerrilla weapons to the Ronderos.³²⁸ Under this new organizational framework, the CDCs of the VRA adopted the name of *Defensa Civil Antisubversivas* (DECAS). The formation of the DECAS marked the transition of these particular Rondas Campesinas from defensive to offensive operations.³²⁹ “Huychuaco’s early operations employed hundreds [to thousands] of *ronderos*, mobilized from dozens of communities and deployed en masse to comb the valley in search of guerrillas, infiltrators in collaborators.”³³⁰ Finding this method inefficient, Huychuaco modified his strategy by training smaller units of Ronderos in the image of special forces. These better trained and more disciplined units utilized ambush tactics instead of combing the area to eradicate Sendero columns. Due to their lack of long range, automatic weapons, they relied on close-quarters combat and would wait for the SL militants to run out of ammo before engaging.³³¹ Like the CDCs, the early DECAS were initially poorly armed, and poorly supplied.

Daily patrolling also diverted farmers from their labor, making it difficult to produce a living. As a result, the DECAS relied on donations from villages for their supplies, with no apparent stipend from the state for their contribution to the

³²⁷ Fumerton, *From Victims to Heroes*, 122.

³²⁸ Fumerton, 126.

³²⁹ Asfura-Heim, *Risky Business*, 21.

³³⁰ Fumerton, *From Victims to Heroes*, 127.

³³¹ Fumerton, 129.

counterinsurgency campaign.³³² The reliance on private funding in the absence of state support brings to mind the self-defense groups of 1970s Colombia. Huayhuaco petitioned the state for military grade rifles with the caveat that the marines would exert strict oversight over armed ronderos and keep an inventory of issued weapons. Regardless of the need to acquire weapons through legal channels, both the Army and the government were reluctant to arm the DECAS—as they had been with the CDCs of Ayacucho—and, with the exception of a symbolic gesture of 200 shotguns from Garcia himself, and a short one-article Decree declaring the Rondas’ legitimacy,³³³ Huayhuaco’s entreaties were rejected.³³⁴ As a result, the DECAS sought arms from illegal sources.

As the DECAS became more sophisticated in their scope, they grew adept at rooting out SL guerrillas in the Apurimac River Valley. Eventually the DECAS formed their own *Comandos Especiales* (special forces) units that deployed throughout the emergency zones. By late 1989, the VRA was largely guerrilla free, and the DECAS zones were under strict control of DECAS commandos.³³⁵ No person was permitted to move about the zones without identification papers and prior approval from the DECAS. Moreover, no adult male or female was exempt from standing guard or contributing to the resistance. According to Rondas expert, Mario Fumerton, some zones came under such strict control of the DECAS that the Army did not pass through without coordinating with DECAS commandos first.³³⁶ These were obvious red flags that the DECAS were on the path to larger scale paramilitarism. The Marines, in expecting the DECAS to defend the Apurimac villages against subversives, but without providing competitive material incentives, were running out of leverage with the DECAS as they grew more powerful and autonomous. When moral support and fire protection initially were adequate incentives for

³³² Fumerton, *From Victims to Heroes*, 129.

³³³ *Ley 24571 Reconocen a Las Rondas Campesinas, Pacificas, Democraticas y Autonomas* (1986), <https://peru.justia.com/federales/leyes/24571-nov-6-1986/gdoc/>.

³³⁴ Witold Mucha, “Securitization and Militias during Civil War in Peru,” *Security & Development* 16, no. 4 (2016): 332.

³³⁵ Asfura-Heim, *Risky Business*, 21.

³³⁶ Fumerton, *From Victims to Heroes*, 143.

the inexperienced, untrained, and unarmed CDCs, the more hardened DECAS, some of which obtained training in special operations, would require different control mechanisms.

Not all DECAS groups were the same and varied in their character by province. Some groups fell under the patronage of Marines, while others fell under the patronage of drug traffickers, and some continued to rely on donations from their villages. Meanwhile, some Rondas outside of the VRA remained unimposing cadres armed with sticks and rocks. The autonomy of the DECAS depended on their proximity to military bases as well as their contact with drug traffickers. Inter-service rivalry also influenced the dynamics between the military and the DECAS. While the army was decisively absent from the conflict in the latter part of the 1980s due to political disagreements with the Garcia administration, the Marines continued to engage in the fight and worked with the DECAS sporadically, and in some cases provided arms to the groups.³³⁷ “Through a combination of shrewd leadership and clever alliances made with local marine infantry commanders (in opposition to army detachments) and with local Colombian-linked drug traffickers, the DECAS were able to secure modern firearms and weaponry, and thereby push the Shining Path out of the Apurimac River Valley completely.”³³⁸ Other than marine garrisons, the state was not present in the VRA, or more broadly, the VRAEM (Apurimac, Ene and Mantaro River Valley), where some of the largest coca crops in South America were produced. Thus, the VRAEM was an environment rife for alternative economic opportunity.³³⁹

As stated above, with the exception of those groups sponsored by the Marines, the DECAS were mostly autonomous, and became even more so after some DECAS commandos, such as Huayhuaco allied with drug traffickers in late 1989, transforming their Rondas into mini warlord fiefs.³⁴⁰ “Some of the zonal militia commanders were regularly

³³⁷ Joe Quinn and Mario Fumerton, “Counterinsurgency from Below: The Afghan Local Police in Theoretical and Comparative Perspective” (Discussion Paper, ISAF-Afghanistan, 2010), <https://www.scribd.com/document/61006128/Counterinsurgency-From-Below>.

³³⁸ Koonings and Kruijt, *Armed Actors*, 58.

³³⁹ Mucha, “Securitization and Militias during Civil War in Peru,” 333.

³⁴⁰ Orin Starn, “To Revolt against Revolution: War and Resistance in Peru’s Andes,” *Cultural Anthropology* 10, no. 4 (Nov. 1995): 564.

seen driving around in new 4x4 pickups. They also began to buy tractors and constructing various clandestine airstrips in the jungle... [which they charged] the *narcotraficantes* a tax of between 5 and 10 million dollars [to use] on every flight out.”³⁴¹ The DECAS used this money to fund administrative and operational expenses, community works, firearms, and other essential supplies. DECAS peasants also became more engaged in coca growing, in part because coca crops were easier to tend with a busy patrol schedule and because they were more lucrative.³⁴² These actions were not without legal consequence: Huayhuaco was arrested for drug trafficking in 1989 (effectively ending his career as DECAS commander), and the alliance of the DECAS with drug traffickers brought negative attention to the peasant counter-resistance. Thus, the inconsistent and patchwork control mechanisms implemented by the Marines were insufficient particularly given the alternative opportunities provided by the thriving drug trade in the VRAE area.

Phase 3: The CADs. In 1990, Peru was reeling from an economic crisis of mammoth proportions. President Garcia’s economic policies and absence of a cohesive counterinsurgency plan led the country to ruin. Reversing attempts toward free market reforms made by his predecessor, Garcia sought to nationalize industry through the creation of State Owned Enterprises and depleted government reserves to stimulate the economy. Soon after Garcia capped foreign debt service payments to 10% of GDP, the global market ostracized Peru, and the economy went into a tailspin. Towards the end of Garcia’s administration, inflation peaked into the 7000th percentile, GDP growth was at -12.3%, and with a reserves balance falling to as low as -\$3.9 billion (current), Peru was neither able to pay, nor was it eligible to borrow foreign debt.³⁴³ Meanwhile, because of the Army’s four year hiatus and a dependable income from drug trafficking, the Sendero Luminoso was gaining territory through a campaign of extreme violence and bloodshed, the tactics of

³⁴¹ Fumerton, *From Victims to Heroes*, 146.

³⁴² Fumerton, 145.

³⁴³ “World Bank Open Data,” The World Bank, accessed March 26, 2018, <https://data.worldbank.org>.

which could be compared to those of the Khmer Rouge and even the Islamic State.³⁴⁴ By 1990, the SL had done enormous damage to Peru's infrastructure. For example, its attacks on power plants nearly doubled in 1988, costing a cumulative \$15 billion (1990 USD) in damages in the span of nine years.³⁴⁵

In 1991, Peruvians elected dark horse candidate, Alberto Fujimori, who would dramatically change Peru's economic, political, and security landscapes, for better or worse. Despite Fujimori's corruption and degradation of Peru's democracy—he dissolved Congress in a self-coup, rewrote the constitution to stay in power, and has been indicted for corruption—he did make key economic and military decisions that would turn the tide of the war in the state's favor. First, he implemented reforms that “did away with practically all the obstacles to private investment that had been introduced by the Velasco and Garcia administrations. A vast privatization program was implemented along with a redefinition of the intervention of the public sector in the Peruvian economy.”³⁴⁶ During Fujimori's administration, Peru's GDP grew at an annual rate of 3.9%, inflation declined to below 10%, and reserves grew to \$2.1 billion in 1997, ending at around -\$130 million in 2000.³⁴⁷

Second, Fujimori revitalized the counterinsurgency campaign, raising military spending from \$45 million to \$1 billion (converted from LCU to current USD) by 1996.³⁴⁸ Before launching a new counterinsurgency campaign, he purged the senior military ranks of disloyal and corrupt officers and reasserted executive control over the military, which had been largely autonomous from the civilian government during the prior three administrations.³⁴⁹ “Improved intelligence and an end to internal divisions within the

³⁴⁴ For more info on this comparison, see: William Rosenau, “Is the Shining Path the new Khmer Rouge?” *Studies in Conflict and Terrorism* 17, no. 4 (Oct-Dec 1994): 305-322; Scott Englund and Michael Stohl, “Comparing the Shining Path to the Islamic State,” *Perspectives on Terrorism* 10, no. 4 (2016): 21-31.

³⁴⁵ James Brooke, “Lima Journal; On the Front Line in Guerrilla War: Power Pylons,” *The New York Times* (Foreign Desk), March 10, 1990.

³⁴⁶ Carranza et al. “Peru: Markets, Government and the Sources of Growth,” 6.

³⁴⁷ “World Bank Open Data,” The World Bank, accessed March 26, 2018, <https://data.worldbank.org>.

³⁴⁸ “World Bank Open Data.”

³⁴⁹ Russel W. Switzer, “Sendero Luminoso and Peruvian Counterinsurgency” (Masters Thesis, LSU, 2007), 59.

military allowed effective engagement of insurgent forces and effective (and rapid) support to threatened Rondas.”³⁵⁰ Fujimori adopted an intelligence-focused strategy that included the Rondas Campesinas as a major component. One of his landmark decisions was to integrate the Rondas Campesinas more professionally into the state’s counterinsurgency strategy. His first action was to legally recognize and arm the Rondas through Legislative Decrees 740 and 741 of November 1991, which rechristened the Rondas as Comites de Autodefensa y Desarrollo (CADs) and the “fourth branch of the armed forces.”³⁵¹ The stated function of the CADs was “the self-defense of the community, to prevent the infiltration of terrorism and drug trafficking, to defend against their attacks and to support the Armed Forces and the National Police in the tasks of peacemaking and national development.”³⁵² A year later, the government passed Supreme Decree (DS) 077–92-DE, which defined the economic development portion the CADs’ obligations and detailed a more comprehensive outline of their organization, functions, and eventual demobilization.³⁵³ According to Article 3 of Decree 741, the CADs were subordinate to the military chain of command assigned to their respective geographic area.³⁵⁴ The joint command was responsible for deciding on the amount of ammunition to be distributed as well as for “formulating the directive of the organization, obligations, duties, rights and prohibitions of the members of the Autodefensa Committees.”³⁵⁵ Subsequently, the military came up with a set of control mechanisms that successfully reigned in the DECAS and resulted in the Rondas performing assigned tasks with minimal instances of principal-agent conflict.

³⁵⁰ Christopher Paul, Colin P. Clarke, and Beth Brill, *Victory Has a Thousand Fathers: Detailed Counterinsurgency Case Studies*, MG-964/1-OSD (Santa Monica, CA: Rand, 2010), 61.

³⁵¹ Comicion de la Verdad, “Informe de la Comision de la Verdad y Reconciliacion,” accessed March 26, 2018, <http://www.derechos.org/nizkor/peru/libros/cv/ii/15.html>.

³⁵² *Decreto Legislativo 741, Reconocen a Comités de Autodefensa, como organizaciones de la poblacion para desarrollar actividades de auto defensa de su comunidad* (1991), <http://www.leyes.congreso.gob.pe/Documentos/DecretosLegislativos/00741.pdf>.

³⁵³ *Decreto Supremo 077-92-DE, Organizacion y Funciones de los Comites de Autodefensa* (1992), <http://munivillakintiarina.gob.pe/wp-content/uploads/2016/06/Reglamento-de-organizacion-y-funciones-de-los-comités-de-autodefensa.pdf>.

³⁵⁴ *Decreto Legislativo 741*.

³⁵⁵ *Decreto Legislativo 741*.

Monitoring/Screening. In 1991, the Military screened and monitored the CADs through several mechanisms. In each zone, the CADs were connected to a *Base Contraguerrilla* (BCG), which would respond to the Rondas' calls for assistance.³⁵⁶ As with the CDCs, the committees were permitted to elect their leadership, which would be approved by the local military commander.³⁵⁷ Second, The CAD commanders delivered weekly intelligence and activity reports to their regional commanding officer. Uninterrupted participation in the Sunday meeting was rewarded with more “weapons training and instruction, and on occasion, material donations from the state.”³⁵⁸ Third, the military maintained a strict inventory of issued firearms and ammunition. Fourth, CADs were subjected to surprise military inspections.³⁵⁹ Fifth, in accordance with DS 077, all CAD members were required to register their identifying information and a digital photograph, which could be cross referenced with mandatory photo ID cards.³⁶⁰ According to Fumerton, the IDs were to “help prevent rebel infiltration” of the CADs and to have records from which to later “make indemnity payments to the families of those killed in the line of duty.”³⁶¹ Sixth, CAD leadership was required to sign a periodic declaration stating that their members did not commit crimes or human rights abuses.³⁶² Lastly, in 1994, the military established posts in sub-zones to better coordinate oversight over the CADs.³⁶³

Rewards/Incentives. After the Rondas were nearly abandoned by the Army to fend for themselves during the Garcia administration, DLs 740 and 741 and DS 077 provided effective moral incentives to the Rondas by granting them legitimacy and acknowledging them as significant players in the state's COIN strategy, by permitting them to carry actual

³⁵⁶ Marks, *Maoist Insurgency Since Vietnam*, 278.

³⁵⁷ *Decreto Supremo 077-92-DE*.

³⁵⁸ Fumerton, *From Victims to Heroes*, 200.

³⁵⁹ Fumerton, “Rondas Campesinas in the Peruvian Civil War: Peasant Self-Defence Organizations in Ayacucho” (White Paper prepared for Meeting of the Latin American Studies Association, Miami, FL: 2000), 18, <http://lasa.international.pitt.edu/Lasa2000/Fumerton.pdf>.

³⁶⁰ *Decreto Supremo 077-92-DE*.

³⁶¹ Fumerton, “Rondas Campesinas in the Peruvian Civil War,” 18.

³⁶² Koonings and Kruijt, *Armed Actors*, 58.

³⁶³ Fumerton, *From Victims to Heroes*, 200.

fire arms, and by providing them better protection from security forces. As with the Colombian Hometown Soldiers of 2002, the CADs were considered a part-time reserve branch of the Armed Forces and CAD soldiers were given the incentive of serving in their home village for one year in exchange for a waiver from mandatory military service in the regular armed forces.³⁶⁴ Considering the substandard quality of life associated with conscription, performing patrol duties with a CAD at home while being able to protect oneself with an actual firearm provided a valuable incentive for Ronderos to comply with the state's new regulations on their operations.

The CADs depended on the military for all logistic support including arms and ammunition. The military mostly provided 12-gauge shotguns to the CADs (according to Article 4 of Decree 741), and according to military sources cited by author Carlos Tapia, by 1995, the state delivered 16,000 shotguns to approximately 4,200 self-defense committees composed of 240,000 members.³⁶⁵ The CADs were also permitted to purchase antique bolt-action high-caliber Mauser rifles from the military. According to Fumerton, "by virtue of its obsolescence, the Mauser uses an outdated cartridge that is not in common circulation in Peru and can only be obtained through the military...a fact that also diminished the threat of a future armed peasant uprising..."³⁶⁶

It should be noted that a dominant theme in this case has been the question of arming the Rondas. From the beginning, the state was mostly reluctant to arm the Rondas, and even after Decrees 740 and 741 were passed, the quantity and capability of the weapons issued to the CADs was greatly limited. It is worth considering the possibility that the reluctance of the military to arm the Rondas for most of the war prevented the paramilitarized DECAS from proliferating too far beyond the VRA. One could also argue that supplying the CADs obsolete rifles and limiting their inventory of shotguns and ammo relative to the numbers of CAD members was a practical strategy to keep the Ronderos in check. Had the military supplied mass-produced, modern high caliber automatic weapons

³⁶⁴ *Decreto Legislativo 741*.

³⁶⁵ Carlos Tapia, *La Autodefensa Armada del Campesinado* (Lima: Cedep, 1995), 12.

³⁶⁶ Fumerton, "Rondas Campesinas in the Peruvian Civil War," 18.

to the Rondas without restraint, as the Colombians did with the Convivirs, the security landscape of Peru may have turned out differently.

While a few CADs sought out more powerful, long range weapons on the black market, most of the CADs stayed within the limits of Decrees 740 and 741 by only using authorized weapons.³⁶⁷ Their compliance was not without reservation, however; “Many peasants complain[ed] about the inadequacy of the allotment of four or five guns per village. They also want automatic weapons, to match the shining path.”³⁶⁸ Consequently, a minority of CADs did not necessarily settle for the military issued shotguns; according to Fumerton, “they have been able to obtain sophisticated, modern weaponry either illicitly or with the unofficial consent of local military commanders.”³⁶⁹

As with the CDCs, monetary incentives for CAD members were limited to community donations and the occasional cash donation from the state, or according to Starn, a reward from the military in the form of trucks, tractors, and other supplies.³⁷⁰ I have been unable to find evidence of a government sourced regular wage for CAD members, despite their membership in the so-called “fourth branch of the armed forces.” This comes to little surprise as, according to Kruijt, even high-ranking officers had to work side jobs to make an adequate wage and retired general officers were living on \$300 per month as a pension.³⁷¹ While *Capítulo VI* of DS 077 outlines how CADs should manage their donations, there is no indication of a wage system for the CAD members. However, Article 10 of DS 077 promises pensions and indemnities to injured Ronderos or family members of Ronderos killed in action. As of 2015, the Peruvian government has not delivered on those promises despite the fact that CADs continue to operate as de facto law enforcement in some remote areas of Peru.³⁷²

³⁶⁷ Fumerton, “Rondas Campesinas in the Peruvian Civil War,” 18.

³⁶⁸ Orin Starn, “Villagers at Arms: War and Counterrevolution in the Central-South Andes,” in *Shining and other Paths*, ed. Steve J. Stern (Durham: Duke University Press, 1998), 232 of 534, Kindle.

³⁶⁹ Fumerton, “Rondas Campesinas in the Peruvian Civil War,” 18.

³⁷⁰ Starn, “Villagers at Arms,” 238 of 534, Kindle.

³⁷¹ Kruijt, “Ethnic Civil War in Peru,” 246.

³⁷² “Estado Tiene Abandonado a los Comites de Autodefensa,” *Jornada*, November 13, 2015, <http://www.jornada.com.pe/tema-del-dia/5506-estado-tiene-abandonado-a-los-comites-de-autodefensa>.

Sanctions. Just like in the regular armed forces, Military commanders punished CADs for failing to conduct patrols or for shirking or slacking on official duties, to include their role in community development projects as defined in DS 077. “The most common form of sanction is to confiscate all firearms of a community for a period of time, which leaves the inhabitants feeling virtually defenseless.”³⁷³ Other punishments included assigning CAD members a week of “menial chores” at the local military base.³⁷⁴ Moreover, the military and police “did not hesitate to indict civil defense patrollers accused of committing violent crimes or engaging in other illegal activities, such as drug trafficking.”³⁷⁵ The military started with purging paramilitarized DECAS in Apurimac of drug traffickers and corrupt leadership like Huychuaco, who had morphed into a sort of Peruvian Carlos Castaño.

Effectiveness of the CADs. Security studies scholars widely consider the CADs a success story in terms of their performance as civil defense groups and their fulfillment of the associated responsibilities accorded to them by Decree 741. As standardized rural civil-defense forces, and incorporated auxiliaries of the armed forces, the CADs complimented the revitalized Peruvian Armed Forces well in a clear-hold COIN Strategy. Marks dubbed the Rondas as Fujimori’s lynchpin in the broad scheme of his hearts and minds counterinsurgency campaign due to their success in assisting the BCGs in securing rural areas and displacing the insurgents. “They were, in effect, an anvil. The hammer was provided by the ‘special companies’ and ‘special forces.’”³⁷⁶ Another successful mark of the CADs was their contribution to the “resurrection of civil society” in Peru’s neglected rural areas,³⁷⁷ which thereby enabled territorial consolidation under the Peruvian government. Subsequently, in a war for the people, volunteering in a Ronda gave the peasants an alternative to joining the guerrillas by providing them both a means to defend themselves and a framework from which to rebuild rural society. The Rondas, as legal arms

³⁷³ Fumerton, “Rondas Campesinas in the Peruvian Civil War,” 19.

³⁷⁴ Fumerton, “Rondas Campesinas in the Peruvian Civil War,” 19.

³⁷⁵ Koonings and Kruijt, *Armed Actors*, 58.

³⁷⁶ Marks, *Maoist Insurgency Since Vietnam*, 278-279.

³⁷⁷ Starn, “Villagers at Arms,” 245 of 534, Kindle.

of the state in rural society, denied Sendero access to both the land and the people it sought to exploit for its strength and purpose, while simultaneously extending the state's reach throughout the greater part of its territory. Palomino put it best in stating, "Given the absence of the state apparatus in the Rondero areas, it was not only necessary to recognize the legitimacy of such grass roots organizations, but it was also important to clarify the validity and scope of their various activities in order to avoid doubt and abuses, and also to establish adequate control over them."³⁷⁸

Conclusion. The case of the Rondas Campesinas contains valuable lessons learned on how to regain control of wayward and even paramilitarized militias that had previously experienced little to no oversight. It also lends to my thesis that incorporation is the optimal approach to civil defense forces and that only after the military has the capacity and legal tools to apply a tailored combination of the principal-agent control mechanisms of monitoring, screening, sanctions, and rewards, is it able to effectively implement civil-defense forces in a clear-hold strategy. After the military co-opted and organized the Rondas Campesinas as CDCs, it had insufficient involvement in their administration and defensive operations, often leaving them vulnerable to guerrilla infiltration or attack. As a result, some CDCs (the DECAS of the VRA), with access to income from the drug trade, paramilitarized and developed sophisticated offensive capabilities, and a warlord para-state. Fortunately, the DECAS were not allowed to fester too long and spread their influence too far before the Fujimori administration suppressed them, legally incorporated all Rondas Campesinas (CADs) into the armed forces, and took measures to improve military capacity, which permitted more robust control mechanisms.

³⁷⁸ Palomino, "The Rise of the Rondas Campesinas in Peru," 122.

VI. CONCLUSION

In counterinsurgency, states often use pro-government militias to isolate a population from insurgents, provide intelligence, and hold an area after it is secured by the military, but without proper oversight, these groups are at risk of going rogue. *So how do sponsor states succeed or fail at maintaining positive control and influence over pro-government militias? States fail when they grant too much autonomy and firepower to militias and they succeed when they limit militias' autonomy by subjecting them to a tailored combination of the control mechanisms of monitoring, screening, sanctions, and rewards. Cases from the Colombian and Peruvian civil wars demonstrate that the best way to control militias and employ them in counterinsurgency is by incorporating them as legitimate auxiliaries of the armed forces. Incorporation of a militia into the armed forces greatly reduces the risk of diverging interests and objectives and the future pain of demobilization.*

Analysis and Lessons Learned. The Colombia and Peru cases share many similarities, chief among them the challenges of low state capacity and the rapid proliferation of drug trafficking. However, a key difference between the Peru and Colombia cases is as follows: The Colombian armed forces gradually lost control of militias in the 1960s through the 1980s, and formed brand new groups under new policies after each failure. Conversely, the Peruvian armed forces dealt with the same militias for the duration of the conflict, but adjusted their oversight policies as time went on. According to Koonings and Kruijt, “the degree and extent of military control progressively intensified, rather than decreased, in the course of two decades of civil war in Peru, culminating in the ultimate embodiment of political subordination and control—the Comites de Autodefensa y Desarrollo (CAD) Legislation.”³⁷⁹ A decade after Peru passed the CAD legislation, Colombia echoed Peru with a similar, and equally successful program called the Hometown Soldiers.

³⁷⁹ Koonings and Kruijt, *Armed Actors*, 61.

Both Colombia and Peru made multiple attempts to employ pro-government militias (civil-defense forces) as force multipliers in a counterinsurgency clear-hold strategy against guerrilla insurgents. In each attempt, they faced different constraining factors, such as low state capacity, insufficient resources, and the illegal drug trade that limited their options for control mechanisms, such as monitoring, screening, sanctions, or incentives. In the case of Colombia, an illicit relationship shaped how the military delegated operations to the illegal paramilitaries. Some of the constraints were also self-induced, like the Colombian military's decision to privatize the funding of the militias, or the government's decision to make the militias illegal only after they were too powerful and plugged into the illegal drug trade to effectively enforce demobilization.

In 1970s-1980s Colombia, the military privatized the funding of the self-defense groups, while continuing to provide them arms and direct them in COIN operations, but by privatizing their funding to the landed elites and narco-bourgeoisie, the military lost the option to use competitive monetary incentives, and gradually relinquished their control over the groups to private benefactors. After the groups became too powerful and independent through the funding of drug-traffickers, ranchers, and other elites, the state passed legislation to ban them, but by then, the groups had already paramilitarized and would take enormous effort to suppress. The military was unable and unwilling to prioritize suppression of the paramilitaries over fighting the guerrillas, and the paramilitaries still shared the same ideology and objectives concerning the guerrillas. Illegalization only finalized the transition of the paramilitaries into Colombia's burgeoning criminal space. Under the constraints of an illicit relationship, the military had a weaker position relative to its paramilitary agents, but continued to delegate operations to the paramilitaries and provided arms and impunity as incentives, which also removed the option of applying effective sanctions, selecting leadership, or effectively monitoring activities.

When the security situation worsened in the mid-1990s, Colombia, in all its fragility, and fractured geopolitical landscape, took a second stab at organizing self-defense forces (the Convivirs), but repeated the same mistakes by outsourcing the organizations' funding to local elites. Armed to the teeth by the military, the Convivirs operated under little to no government supervision. Strategically, the Convivirs were likely meant to act

as a legitimate means to draw the paramilitaries back into the scope of state authority by offering the paramilitaries an open door to reconstitute under the state security apparatus.³⁸⁰ However, the opposite occurred when the powerful illegal paramilitaries absorbed the Convivirs instead. The military also ended up using the Convivirs as a middle man or “legal screen”³⁸¹ to more effectively coordinate with the paramilitaries, instead of controlling the Convivirs and using them to rein in the paramilitaries. The Convivir program, which lasted just four years, inadvertently caused a spike in the strength and number of illegal paramilitaries, which unified under the AUC in 1997. As a monolithic organization of Colombia’s paramilitary groups, the AUC independently waged war against the guerrillas, and adopted national objectives that competed with those of the state in terms of policy toward the guerrillas and the monopoly on territory and use of force.

In 2002, President Uribe’s Democratic Security Plan and the US-Backed Plan Colombia led to an increase in state capacity that permitted the larger, and more capable military to displace the AUC in the war against the guerrillas and even make a third attempt at creating self-defense forces: the Hometown Soldiers. The state greatly limited the autonomy of these new militias by essentially making them a rearguard auxiliary force, and a reserve component of the Army and Marines. The part time soldiers were subject to robust control mechanisms. Recruits were screened through several processes, they worked under strict supervision, and kept their weapons in an armory while off duty. Like soldiers in the regular armed forces, they fell under the uniform code of military justice, were subject to 10–12 weeks of indoctrination and training, and wore uniforms which made them identifiable and accountable to the public. Lastly, they had the incentive of serving just part-time in their hometown, receiving a waiver from military conscription and receiving education benefits at the end of their service. Even though they received almost no pay, the militias had high morale, and they performed their duties with no notable signs of the agency dilemma. The Hometown soldiers helped Colombia to establish a security presence in previously neglected areas, contributing to state consolidation.

³⁸⁰ Grajales, “Private Security and Paramilitarism in Colombia,” 6.

³⁸¹ Grajales, “Private Security and Paramilitarism in Colombia,” 41.

Meanwhile, in early 1980s Peru, peasants mobilized grassroots self-defense groups to protect themselves against the assault of both the guerrillas and, to a lesser extent, the unscrupulous military. The state took notice of the Rondas Campesinas after they attacked and slaughtered a guerrilla column in 1983 with nothing more than sticks and rocks, and established a semi-official relationship with the groups. Even though the military forced all villages in the emergency zones to mobilize Rondas, officially called Civil Defense Committees (CDCs), it did not establish robust oversight and control mechanisms over the groups, and mostly left them to fend for themselves. As a result, some unsupervised CDCs in remote regions of Peru used their status as semi-official militias to pursue private interests, and defy local authorities. Moreover, because most CDCs did not have firearms, they would shirk their duties and purposely avoid confrontation with guerrillas, allowing them to pass through their village unobstructed.

The Military's lack of oversight over the CDCs had greater repercussions in the drug trafficking region of the Apurimac River Valley in the latter part of the 1980s, where the groups (renamed Defensa Civil Antisubversivas, or DECAS) unified under a central paramilitary command and expelled the guerrillas from the valley. However, the DECAS grew more independent and sophisticated through involvement with the illegal drug trade and eventually established autonomous warlord fiefdoms. Fortunately, the DECAS were not permitted to fester too long. In 1991, President Alberto Fujimori recalibrated Peru's COIN strategy to standardize all CDCs and DECAS as lightly armed Comites de Autodefensa y Desarrollo (CADs), and passed legislation to incorporate them as a "fourth branch of the armed forces." The military came up with a combination of control mechanisms that successfully reined in the DECAS and resulted in the CADs performing assigned tasks with minimal instances of principal-agent conflict.

Like the Colombian Hometown Soldiers, the CADs were on a short tether, received training, and answered directly to the Peruvian security forces stationed nearby. The military carefully limited and tracked their issued weapons, and required members to register in a database and acquire a photo ID. An officer in charge (OIC) vetted and approved of elected CAD leadership. The CADs were also required to submit weekly reports, attend weekly meetings with the OIC, and require proof that they had not

committed human rights abuses. Lastly, military commanders punished CADs for failing to conduct patrols or for shirking or slacking on official duties by temporarily confiscating firearms or assigning individual CAD members a week of undesirable chores at the military base. Most importantly, the military and police arrested and prosecuted Ronderos accused of engaging in illegal activities.

As the reviewed cases demonstrate, arming militias with restricted use weapons and granting them too much autonomy is a guaranteed recipe for disaster. The risk of paramilitarization and warlordism is not worth the reward of a higher guerrilla body count or reduction in guerrilla territory. In reviewing the cases, I drew the following conclusions:

A) State capacity is a deciding exogenous factor in the control of PGMs. A successful whole-of-government counterinsurgency plan requires significant resources to execute, as do civil-defense forces (CDFs), which themselves require manning, training, and equipping. Overstretched security forces with low capacity will have a difficult time sacrificing personnel and resources to apply adequate control mechanisms. Ironically, low state capacity is often the very reason weak states employ PGMs or why civilians spontaneously form PGMs³⁸² (the citizens need security and the military has an immediate need for cheap force multipliers), but the state does not have the resources to maintain positive control over militias after distributing arms and permitting them to use lethal force. The optimal way to break out of this vicious cycle is to improve state capacity. Colombia and Peru were able to successfully control and implement PGMs in re-invigorated COIN campaigns only after seeing significant economic improvements; Colombia received a large injection of military aid through Plan Colombia and refocused its COIN strategy through President Uribe's Democratic Security Plan (DSP), while Peru saw economic reforms and stabilization, a more capable and unified military, and a renewed intelligence-focused COIN strategy under President Fujimori (despite his other shortcomings as a democratically elected leader). Böhmelt and Clayton, on the other hand, argue that state capacity is not crucial to sustaining relationships with semi-official PGMs.³⁸³ While this

³⁸² Ahram, "Pro-Government Militias and the Repertoires of Illicit State Violence."

³⁸³ Böhmelt and Clayton, "Auxiliary Force Structure: Paramilitary Forces and Pro-Government Militias."

may be true in the short term—if the state only uses the PGM for plausible deniability (in which case impunity is a sufficient incentive)—resources will eventually be necessary for alternative incentives as the war progresses and the relationship evolves. Moreover, as seen in both the Colombia and Peru cases, the militias grew out of control during the times that the governments were at their weakest. As I assert in my thesis, eventually the state *must* incorporate the PGMs as auxiliaries, and this requires improved capacity.

B) In a narco environment, control mechanisms will have less overall effect over militias, especially monetary incentives. Once a militia becomes enmeshed in the narco ecosystem, it has access to more competitive sources of income through the illicit drug trade, which constrains a military’s options for control mechanisms. Monetary incentives from the military cannot compete with those of drug traffickers, which is why militias must be incorporated directly into the armed forces, as Peru did with the Rondas Campesinas.

Subsequently, are monetary incentives necessary at all? In both success cases, the Peruvian CADs were not paid, and the Hometown Soldiers were very poorly paid. RAND authors Connable and Libicki play with the notion that unpaid, part time militias may be more dependable than paid, full-time militias: “since the paid [fulltime] militia members are primarily motivated by money, they are also more vulnerable to infiltration, bribery, desertion, and defection.”³⁸⁴ However, militia members, like all citizens, need salaries to provide for their families. Paid or not, screening should filter out recruits that are *singularly* motivated by money and not protecting their village. Thus, in a narco environment, a short tether and a combination of monitoring, screening, sanctions, material and logistical support, and well-designed non-monetary incentives should be sufficient to mitigate the principal-agent problem.

C) States should avoid privatization of militia sponsorship at all costs. Preventing the privatization of sponsorship should prevent another principal from assuming control over a militia, and prevent the military from losing its leverage. One could argue that the privatization argument is flawed because the Peruvian CADs received private funds, but did not paramilitarize like the Colombian self-defense groups. Even though the CADs did

³⁸⁴ Connable and Libicki, *How Insurgencies End*, 148.

in fact receive funding from village donations, the military, with its improved capacity, had strong enough control mechanisms (monitoring, screening, and sanctions) in place to provide a counterbalance and ensure that the CADs were not coopted by local elites or drug cartels. Moreover, the eradication of the *latifundia* in the 1960s may have prevented an elite oligarchy from funding the CADs to protect their private interests. Legislation under Fujimori also created regulations for how the CADs should manage these donations. The Colombians, on the other hand, privatized funding of their self-defense groups to the highest bidder (and with no apparent selectivity) while in a weakened state of capacity, and without applying strong mechanisms to counterbalance the effects of privatization. Nonetheless, I do not recommend privatization regardless of how strong the military is or how good the control mechanisms are; giving private citizens financial control over an armed group is never a good idea.

D) Criminalizing militias without suppressing them first will make them more difficult to control. As demonstrated by the Colombian case, the anti-paramilitary/self-defense group legislation removed the paramilitaries, and later the Convivirs, from the military's legal COIN apparatus and sealed their transition into the criminal domain, further reducing the military's ability to exert organizational controls or even conduct damage control efforts. The military thus lost whatever legal influence it had over the groups and missed an opportunity to reverse the damage done by privatization. As illegal armed groups, the paramilitaries then became the military's instruments of plausible deniability, and both the military and paramilitaries evaded the accountability that would be afforded to an state-recognized self-defense force. Small sanctions also had little to no effect in an informal/illicit relationship as larger sanctions could impact high ranking personnel involved in collusion. Peru, on the other hand, continuously recognized the Rondas Campesinas as semi-official CDFs through the duration of the conflict, even during the DECAS years, and eventually cracked down when it need to purge the Rondas of narco elements.

E) Because civil-defense forces are meant to be defensive and part of a clear-hold COIN strategy, they should only receive training in, and take part in defensive operations. In both cases, once militias shifted to conducting offensive operations, they amassed

territory from the guerillas. As offensive forces, the Colombian paramilitaries and Peruvian DECAS were able to extract war taxes and establish para-states in the territory they gained, which further eroded the state's monopoly on its own territory and the use of force. The clear and hold COIN strategy is meant to retake positive control of territory and its associated tax revenues for the *state*. Once the military moves on, self-defense groups may only guard the reclaimed territory under the condition that the military keeps them defensive and dependent on the government.

F) Civil Defense Forces need weapons to defend themselves and prevent guerrillas from returning to cleared areas, but the state should place limitations on the type and quantity of weapons it issues. In the case of Peru, the state was mostly reluctant to arm the Rondas until 1991, after which the quantity and capability of the weapons issued to the CADs was greatly limited. The reluctance of the military to arm the Rondas for most of the war may have prevented the paramilitarized DECAS from proliferating too far beyond the VRA. One could also argue that supplying the CADs obsolete rifles and limiting their inventory of shotguns and ammo relative to the numbers of CAD members was a practical tactic to keep the militias in check. Had the Peruvian military repeated the mistakes of Colombia with the Convivirs and supplied restricted-use weapons to the Rondas without restraint, especially before it could gain positive control over the groups, the security landscape of Peru may have turned out differently. I would like to note that quantitative data on weapons transfers to PGMs in Colombia (if it exists) would provide a clearer picture than the qualitative data (historical accounts) I used in this analysis.

Reflection on Sources and Questions to Consider for Future Research. I drew my conclusions from a macro view of the conflict from open-source material available in the United States. The non-transparent, and sometimes illicit nature of these relationships has meant that primary sources available can be spotty and even biased, particularly on the military side. Declassified U.S. Embassy and intelligence documents were particularly informative concerning the military's role as principal in the relationship, but because the Colombian military largely denied its delegation to illegal paramilitaries, and not all officers or units associated with the paramilitaries, I have had to rely on these U.S. documents, the court testimonies of paramilitary members, and interviews with

paramilitary members conducted by Human Rights NGOs or the press. Consequently, I have little detailed information on the specifics of Colombian military's delegation to paramilitaries other than what I could obtain from the above sources. For example, almost all available sources unanimously agree that the military turned a blind eye to massacres and assassinations, so I was able to confidently infer that impunity was a primary incentive. However, while it is verified that the Colombian military supplied weapons and some logistic support to the militias, I did not have information on the exact results this incentive achieved in each situation. Detailed accounts of shirking and slack by paramilitaries may someday be obtained from a candid retired officer or declassified documents. A more complete picture would benefit from archival in-country research, first-hand interviews, and the results of the post-war Truth and Reconciliation Commission, which was launched in December 2017.

Another challenge I met was that there were far less declassified U.S. State Department and intelligence agency documents on the Peru case, particularly concerning the Rondas Campesinas. As a result, I relied largely on Peru's Truth and Reconciliation Commission report, human rights reports, news articles, and a proportionately larger number of secondary sources than with Colombia in order to obtain the necessary information to gauge the details of the relationship between the Peruvian military and the militias at each stage of the war. For example, Mario Fumerton's book, *From Victims to Heroes: Peasant Counter-Rebellion and Civil War in Ayacucho, Peru, 1980–2000* had very granular information from his field work with the Rondas Campesinas detailing how they were organized, how they evolved, their tactics, and how they perceived the military and the enemy. However, the book, as the title suggests, is mostly from the point of view of the Rondas, and lacked a fleshed out Peruvian military perspective on the militias. On this matter, a visit to the Peruvian archives and interviews with officers that oversaw Ronda militias would produce enlightening information.

In my research, the following questions arose that were out of the scope of this thesis, but warrant future research: First, how do civil-military affairs impact the military's relationship with PGMs? The civil-military affairs situation in Colombia and Peru certainly impacted how the military dealt with the militias. For example, the Peruvian Army's retreat

to the barracks in protest against the democratically elected government in the mid-1980s significantly reduced the military's involvement with the CDCs. Political disunity and corruption in the Colombian bureaucracy allowed high ranking military officers to get away with delegating human rights abuses and extrajudicial operations to the paramilitaries for years. A detailed study on the impact of the principal-agent relationship between the civilian government and the military³⁸⁵ on the control of PGMs would add significant value to the body of PGM literature. Second, what level of state capacity is required to apply adequate control mechanisms e.g., what is the price tag on a PGM? A detailed calculation or estimate of the cost of incorporating PGMs like the CADs or the Hometown Soldiers into the state security apparatus, and the cost of applying control mechanisms would aid interagency COIN planners down the road.

Concluding Remarks. When the United States plays a COIN advisory role or foreign internal defense role for a host nation, it should consider the above conclusions when determining how aid is allocated, and how much funding and resources the host nation requires to control PGMs. More often than not, PGMs play either supporting or center stage roles in civil conflicts, and should be suppressed and, or incorporated before they grow too powerful and autonomous. Governments should also consider the long-term repercussions of using illegal PGMs for plausible deniability. This type of cooperation damages the government narrative and civil society, and may present barriers to war termination should a powerful militia fail or refuse to demobilize properly (the AUC's post-demobilization transformation into BACRIMs illustrates this point). Coopting or absorbing a militia is a better alternative to a painful demobilization process down the road.

The government should also act as early as possible before militias become too out of hand. The example of Ukraine illustrates this point as well as my point about incorporation: after 2014, Ukraine grappled with some 30 out-of-control PGMs that had proliferated in response to the Crimea Crisis. "The government drew a line: all independent pro-Ukrainian paramilitary groups would either join the official armed forces or face demobilization by any means necessary. The Ukrainian government acted at the right

³⁸⁵ Peter Feaver wrote a comprehensive book on how civilians control the military: *Armed Servants: Agency, Oversight, and Civil-Military Relations* (Cambridge: Harvard University Press, 2003).

time—that is, when its army was strong and public opinion was on its side.”³⁸⁶ During the integration process, the government screened members to root out Neo-Nazis and criminals. Men that did not pass background checks were given the alternative of joining a “civilian volunteer corps to help the war effort; these corps assisted police, cleared snow...and even worked on a public radio.”³⁸⁷ The government took creative approaches to groups that refused incorporation by exploiting internal rifts, and offering fighters military service with full benefits in exchange for deserting their militias, or otherwise face prison.³⁸⁸ While Ukraine still struggles to suppress splinter groups and other rising far-right vigilante groups (like the “National Militia”), it avoided certain disaster by incorporating most of the militias when it did.

In conclusion, pro-government militias or civil-defense forces are a useful way to extend the state’s security presence into ungoverned spaces, access valuable intelligence, and hold areas cleared by the military in counterinsurgency operations, but they need to be under the close supervision of the military in order to prevent paramilitarization on the scale of the Colombian AUC. The cases of Peru and Colombia demonstrate that a state cannot implement a civil-defense program in a counterinsurgency just by handing over arms to civilians without strict control mechanisms (monitoring, screening, sanctions and rewards) and a short tether. A weak state with a corrupt socio-economic environment, and a myriad of alternative actors that could provide better incentives than the military such as Colombia’s should never organize PGMs, or give weapons to an independently organized PGM without resources to apply strict control measures, and a very short tether.

³⁸⁶ Vera Miranova and Ekaterina Sergatskova, “How Ukraine Reined in its Militias: Lessons for Other States,” *Foreign Affairs* (Snapshot), August 1, 2017, <https://www.foreignaffairs.com/articles/ukraine/2017-08-01/how-ukraine-reined-its-militias>.

³⁸⁷ Miranova and Sergatskova.

³⁸⁸ Miranova and Sergatskova.

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