Legacies of Militias in Post-Demobilization Contexts: Tracing "Militia Stakeholders" in Guatemala and Colombia?

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Abstract: In the civil wars in Guatemala and Colombia, the government deployed counterinsurgency militias to fight guerrilla groups. However, after the formal demobilization of these militias, several effects of their operation remain. Empirically, both societies are notably still affected by selective violence directed against human rights advocates that can be attributed to groups formerly associated with militia violence. This article defines militias as paramilitary organizations, characterized by their establishment by "stakeholders". By tracing constant and changing militia stakeholders in two empirical scenarios, this article aims at contributing both to a more nuanced understanding of militias as a specific type of armed non-state actor and to the understanding of the genesis and continuation of militia violence.

Keywords: Militias, counterinsurgency, demobilization, Guatemala, Colombia
Schlagworte: Milizen, Aufstandsbekämpfung, Demobilisierung, Guatemala, Kolumbien

1. Introduction

Academic literature on state- and peacebuilding discusses non-state armed groups as decisively shaping civil war contexts, being responsible for violent action against unarmed civilians and the perpetuation of violence in the aftermath of civil war. Most studies draw attention to rebel groups who are presumed to arise both in settings of weak economies, popular dissatisfaction, and high poverty rates (motivated by "grievances") as well as in informal or war economies (motivated by "greed")[1]. This is in addition to explaining a rebel's upsurge in weak or "fragile" states (see Rotberg 2004; Schneckener 2006). As recent conflicts in Syria and Ukraine show, some non-state actors engage in violence but at first glance do not fight for social or economic opportunities and regime change, or to undermine a state. Militias operate in several violent conflicts: secure governments and markets, protect political or economic elites, safeguard neighborhoods and eventually collaborate with (state-based) armed forces. This article emphasizes that the militia's status-quo-oriented violence is closely linked to particular "militia stakeholders". Academic contributions have primarily focused on mobilization processes and the internal organization of rebel groups (see Weinstein 2007) on the one hand, and demobilization processes and their transformation into political parties (Söderberg Kovacs 2008; Grisham 2014) on the other hand. Development paths and transformation processes of militias are less studied, though the actor's operation and its particular violence result in significantly shaping both the aftermath of demobilization and the end of civil war.

In Bogotá in March 2015, leftist Colombian politicians received death threats by a group calling itself "Águilas Negras"[2] (see El Espectador 2015). As press information and NGO reports indicate, these kinds of threats are not isolated. Ten years after the formal demobilization of the paramilitary *Autodefensas Unidas de Colombia*[3] (AUC), Colombian society is still affected by selective violence and harassment undertaken by paramilitary successor groups. The AUC was headed by drug dealers and operated from 1997 to 2002. Its pretended aim was to fight against guerrilla groups (*counterinsurgency*). However, to a great extent leftist politicians, trade unions, and human rights advocates had become victims of the AUC.

Similarly in Guatemala, several legacies of paramilitary operation remain. During Guatemala's civil war from 1960 to 1996, paramilitaries were initiated in 1981 to fight a guerilla alliance known as the *Unidad Revolucionaria Nacional Guatemalteca*[4]. Up to 900,000 (Fumerton and Remijnse 2004: 55) men served in paramilitary *Patrullas de Autodefensa Civil*[5] (PAC) patrol units, which had been established and highly controlled by the Guatemalan army. The peace agreement in 1996 brought an end to civil war, and included the demobilization of PAC. However, we can still find various postwar security patrols on the local level and right-wing organizations of former army members, who maintained the PAC and continue to reinforce an anti-communist discourse.

After the formal demobilization of the PAC and the AUC in Guatemala and Colombia respectively, the armed actors *per se* have transformed, while different legacies of their deployment persist. The existing violence against human rights advocates and social organizations that is supported by groups who formerly founded paramilitary groups is striking. To what extent, then, is the persisting political violence connected to former militia stakeholders?

2. Approaches to Militias and Their Stakeholders

Following the explanation by Ulrich Schneckener (in this issue), militias are defined as paramilitary combat units. Unlike guerrilla groups, who usually challenge a state, militias are

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1 See the prominent introduction of greed and grievances as motivational factors for rebel groups by Collier and Hoeffler 2004.
2 Engl. Black Eagles.
3 Engl. United Self-Defense Forces of Colombia.
4 Engl. Guatemalan National Revolutionary Unit.
5 Engl. Civil Self-Defense Patrols.

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often identified by a close relationship with governments and the state's security apparatus. Academic contributions focusing on militia groups have already hinted at the central role of "collective and private interests" (Alden et al. 2011: 4) or "stakeholders" (see Francis 2005: 2), who establish militias to protect their political, economic or social interests. The militia formation itself is not only linked to governments but to groups that have certain interests, hereinafter called "stakeholders".

The relationship of stakeholders to a militia is reminiscent of principal-agent settings. In the context of the growing private military and security industry since the 1990s, principals such as governments, multinational companies or humanitarian organizations have increasingly outsourced security tasks to private military and security companies (see Jäger and Kümmel 2007). Mandating militias entails similar problems as discussed within principal-agent theory, e.g. the principal's incomplete information about militia activity and losing control over a militia. But relationships of stakeholders to militias appear to be much more complex than typical principal-agent-rationale entails, as both sides are perceived as rational actors who act according to their self-interest (see Stöber 2007: 122). As the Guatemalan case will show, militiamen are not hired by contract but by means of force, are left unpaid and militarily untrained. Additionally, the precise security tasks of militias are missing, and circles of stakeholders are diffuse or change a great deal, as the Colombian case will show.

Applying the notion of "militia stakeholders" is an attempt to identify the diverse array of actors, who have an interest in militia activity, and specifically who instruct, support and shape militias and the militia violence that outlives demobilization processes and civil wars.

3. Tracing Militia Stakeholders in Guatemala and Colombia

On the Latin American subcontinent, militias mostly came into operation during the civil wars of the 1970s and 1980s, tasked with supporting counterinsurgency efforts. In Central America and Peru, paramilitary formations of armed civilians were launched by military governments, trained by security forces, and established to fight guerrilla groups and their civilian supporters. In Argentina and Brazil, members of the army organized themselves in paramilitary death squads to fight presumed regime opponents (Kurtenbach 2006b). With the end of civil wars and military rule and the onset of democratization processes in Latin America, militia formations have been formally demobilized.

3.1 The PAC militia and its demobilization in Guatemala

In the last 60 years of Guatemalan history, two central pillars of power, the army and traditional entrepreneurs, had both appeared to be central stakeholders of status-quo oriented violence and employers of diverse militia groups. In view of reform policies initiated by President Jacobo Árbenz in 1954, conservative parts of the army corresponding to the traditional Guatemalan economic landowning elite had already organized counterrevolutionary militias to resist the Árbenz policies (see Schirmer 2001: 39). When guerilla groups of the 1960s began to attack feudal landowners, several businessmen financed death squads to fight trade unions, intellectuals, journalists and insurgents (see Rodríguez Pellecer 2013). Four former small guerilla groups joined forces under the label of *Unidad Revolucionaria Nacional de Guatemala*[6] (UNRG) in 1982, because the then ruling autocratic military regime started to incorporate civilians into a rural civil defense militia.

With the ideological help of the US-led counterinsurgency strategy in Latin America, the Guatemalan army forcibly recruited up to 900,000 mostly indigenous men into the *Patrullas de Autodefensa Civil* (PAC), a rural militia instructed to patrol its own villages, serving as "ojos y oídos del ejército" (Schirmer 2001: 148), the eyes and ears of the army, denouncing possible insurgent fellow citizens. Patrollers received little training and were light-armed, equipped with only machetes or cudgels. By assisting the army in battles against the guerrilla, PAC got involved in massacres against the indigenous population (see Rothenberg 2012). The PAC's mission not only led to military coups against the guerrillas, but resulted in an extensive militarization and terrorization of the indigenous population. The massacres that were committed by the army during Dictator Efraín Ríos Montt's presidency (1982-1983) reached the dimension of a genocide (see Kurtenbach 2006a).

Thanks to the engagement of the national churches and criticism by the international community, in 1985 the military government agreed to a democratic opening. The international criticism had also led to a decrease in PAC-patrols. In the years before the formal dissolution of all PAC units on paper, the militia had been renamed several times, to emphasize its voluntary character and to improve its negative image. The new Guatemalan Constitution of 1985 had already classified the PAC units as "voluntary civilian militias," but only a few PAC members left; the army continued to press for patrols (Kobrak 2013: 225). President Ramiro de León Carpio (1993-1996) then announced the demobilization of PAC militias for the first time and renamed them into *Comités de Paz y Desarrollo*.[7] In January of 1994, the Procurator for Human Rights José García Laguardia called for the revocation of Decree 19-86, which declared the PAC to be part of the military reserve. On November 28, 1996, the decree was invalidated, implying the PAC's official termination in Guatemala (see Sáenz de Tejada 2004: 65).

In sum, the disarmament, demobilization, and reintegration (DDR) of armed actors in the aftermath of Guatemala's civil war focused on the reintegration of guerrilla members, while for the PAC, these processes were widely neglected, reduced to officially renaming them several times and eventually dissolving them on paper. While 3,000 *guerrilleros* who entered the demobilization program were supported legally and medically and received a monthly payment (Greiff 2008: 325 f.), the PAC members, outnumbering the insurgents about twenty times, were not part of a comprehensive DDR program.

6 Engl. Guatemalan National Revolutionary Unit.
7 Engl. Peace and Development Committees.

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3.2 The AUC and its demobilization in Colombia

The expression "paramilitaries," as militia groups are commonly termed in Colombia, suggests that they are closely linked to the armed forces and maintained or controlled by the state apparatus. Indeed, regular and paramilitary forces throughout the years have cooperated with the state and have stabilized state sovereignty (see Jenss in this issue). However, the ascendency of a nationally operating paramilitarism was in particular nourished by a *conglomerate of stakeholders*, consisting of three main actors: first, regional elites who were willing to support the paramilitary apparatus politically and financially; second, the army militarily supported the paramilitaries; and thirdly, the paramilitary's command was occupied by people in close connection to the drug business (Romero 2003: 196).

Scholars have frequently referred to battles between the Liberal and the Conservative Party of the 1940s and 1950s as an important period for the initial development of militia groups in Colombia. During the bloodshed simply called "La Violencia," self-defense forces and death squads were established on both sides to eliminate their political rivals (see Rivas Nieto and Rey García 2008). When guerrilla groups of the 1960s emerged, the Colombian government legalized civil defense organizations to assist the army in the battle against the guerrillas (see Zinecker 2002). Against the background of the American National Security Doctrine, the United States and the NATO strongly supported the strategy of countering insurgent movements in Latin America (see Zelik 2006: 90). But these first militias in Colombia had often already been backed by economic elites. Hristov calls this phase of paramilitarism "The State Creates, The Elite Supports" (2009: 60 ff.). In the 1980s, it was the country's economic elite – landowners, cattle breeders, and drug lords – who strongly shaped a second phase in which the "The Elite Creates, [and] The State Supports" paramilitary groups (ibid: 63). In 1981, the *Muerte a Secuestradores*[8] death squad was one of the first militias to be set up by drug lords to fight the guerrillas' practice of kidnapping (see Zelik 2010). Subsequently, until the mid-1990s, some 250 paramilitary groupings arose both in the context of the drug business and as a reaction to landowners fearing to lose privileges, as policies of decentralization had been initiated (see Kurtenbach 2008). In 1994, several regional paramilitary blocs united to form the *Autodefensas Unidas de Colombia* (AUC). This paramilitary confederation was headed by Carlos Castaño. Castaño, who came from a traditional stock farmer family with close connections to the Medellín drug cartel. According to government information, the AUC numbered 13,500 combatants in 2004 (Jäger 2007: 23). AUC recruits were primarily constituted by mercenaries, including soldiers and guerrilla members, who were expecting higher pay serving the paramilitaries (ibid.). Castaños narrative of counterinsurgency had always served as pretext to acquire important regions and resources by violent means. The AUC particularly applied selective violence to target the country's social opposition, trade unions and leftist movements, who allegedly were connected to guerrilla groups (Oldenburg and Lengert 2006: 10ff.). In contrast to the nearby (and comparatively successful) counterinsurgency operations of the Guatemalan army and PAC patrollers, the Colombian state was not able to regulate paramilitary groups, but had to cooperate with the (criminal) economic elite.

Though the civil war in Colombia was still unsettled and guerrilla groups remained active (and still are), between 2002 and 2006 state efforts had been made to demobilize the AUC. During Álvaro Uribe's presidency (2002-2010) a so-called "peace process" with the AUC was initiated, including the enacting of the *Ley de Justicia y Paz*[9] legal framework in 2005. According to government information, more than 30,000[10] paramilitary combatants participated in "demobilization ceremonies," entailing the relinquishing of arms and entering the reintegration program (Human Rights Watch 2010: 18). The demobilization process officially ended on August 5th, 2006 and AUC leaders were transferred to a high-security prison (Massé 2011: 43). However, in general, demobilization efforts of the AUC in Colombia have been ineffective and incomplete, because demobilization's political conditions were dictated by the paramilitaries themselves and many individuals were granted amnesties (see Jäger 2007).

4. The Perpetuation of Militia Violence? – The Aftermath of Official Demobilization

The training of counterinsurgency militias in Guatemala and Colombia has clearly left its mark. After formal dissolution of all paramilitaries, the legacies of these actors are rather different in degree and kind.

4.1 Patrolling in post-conflict Guatemala and the role of former militia stakeholders

In the aftermath of civil war, political violence in Guatemala has dramatically decreased while violence in general has strongly increased. Between 1995 and 2011, according to the United Nations Development Program (span. PNUD 2012: 4), homicides nearly doubled. The majority of former PAC recruits in Guatemala have been demobilized, though efforts which have been centered on *guerrilleros*. However, the effects of the militias are still noticeable. First, patrolling continues in Guatemala to this day. Several "postwar security patrols" (see Bateson 2012) guard neighborhoods to prevent crime. Academic contributions have discussed lynching as a type of violence originating from these patrol structures, and linking it to militarization during the civil war (see Godoy 2006; Burrell and Weston 2007). Indigenous families who for years have experienced uncertainty and violence originating from their own neighbors, today continue to self-mobilize in order to safeguard themselves from today's (rather criminal) threats. Though the point of organizing in self-defense groups is different from the PAC's mission, personal habits and similar methods of punishing within these groups have persisted (Argueta 2013: 123). In addition, the Guatemalan state reinforces the existence of local patrolling

8 Engl. Death to Kidnappers.

9 Engl. the Justice and Peace Law.

10 This number exceeds the actual estimated members of the AUC, because guerilla members and several other armed actors took advantage of the demobilization process.

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structures. Three years after signing the peace agreement, the Vice Ministry for Communal Affairs and the National Police launched the *Juntas Locales de Seguridad* (JLS), which tasked local security councils with community security functions. This primarily meant fighting petty crime (ibid). However, the effects of the perpetuation of self-defense organizations in those areas that experienced patrolling during the civil war have been cases of lynching and the reinforcement of a general culture of fear and violence, including increasing stereotyping against alleged security risks (Jiménez Felipe 2012: 61 ff.). The system of social control established by the army and exerted by the PAC has therefore been reinforced by the state in the aftermath of civil war and further contributes to the high levels of perceived uncertainty.

Second, in Guatemala's post-conflict context, the networks of former PAC stakeholders have emerged as perpetrators of political violence (Zinecker 2006: 6). Hardliner military organizations from civil war times have not been dissolved[11] but have allied with criminal structures and today operate as a "hidden power structure" (Peacock and Beltrán 2003). These hardliners have adopted violent strategies from times of conflict and benefit from them while avoiding prosecution (Restrepo and García 2011: 25). NGO personnel name right-wing movements to hold paramilitary characteristics today (see D. Reynoso and J. Santos, personal communication, March 5, 2014; March 12, 2014). The *Fundación contra el Terrorismo*[12], an association made up of former army members and headed by Ricardo Mendez Ruíz Jr., son of Colonel and former Minister of the Interior Ricardo Mendez Ruíz during Ríos Montt's administration, is one example. This foundation pretends to fight terrorism in the country, while backing an anti-communist discourse. Actors like these conduct verbal attacks against human rights advocates and social organizations (see Gamazo 2013). In 2013 alone, 657 cases of aggression against human rights advocates were documented by the Observatory for the Protection of Human Rights Defenders (2015), particularly pointing to smear campaigns against human rights advocates. Figueroa Ibarra (2013) discusses the risk that military organizations go beyond psychological blackmail and move on to the physical elimination of social organizations.

In summary, the PAC has been completely demobilized. However, the patrolling structures exerting vigilante-type violence can be seen as the legacy to the militia's foundation. The military, who during civil war had been a central stakeholder of the PAC, today is certainly far from (organizing) a militia, but military hardliners remain. This prevents the consolidation of the rule of law in Guatemala and runs the risk of organizing politically-motivated violence against those parts of the population that criticizes the military.

4.2 State-criminal-paramilitary collaborations in Colombia

Though paramilitary violence decreased significantly according to the AUC's demobilization (2003-2006)[13], to this day Colombia witnesses armed actors besides the existing guerilla groups. Paramilitary-criminal successor groups are the outcome of a less than optimal demobilization process. The Colombian Government emphasizes the criminal character of these armed groups, denominating them *bandas criminales*[14] (BACRIM), as civil society actors speak of the next generation of paramilitarism. BACRIM carry names such as *Águilas Negras, Los Urabeños* or *Los Rastrojos*. They are headed by former AUC commanders, form successor groups of AUC blocs and cartels and also act as umbrella organizations for different local gangs (Human Rights Watch 2010: 33 ff.).

BACRIM, mainly pursuing criminal interests, are still involved in counterinsurgency operations and forced displacement. Colombian newspapers and various civil society organizations have reported the ongoing harassment of human rights advocates and social organizations by BACRIM, who denunciate the former to be collaborators of FARC[15] guerillas (Semana 2014; Amnesty International March 19, 2014). According to the *Coordinación Colombia-Europa-Estados Unidos* (see CCEEU 2014: 7), an umbrella organization of Colombian human rights groups, from 2010 to 2013 attacks against human rights advocates increased over 400% (108 acts of aggression in 2010 in contrast to 481 in 2013) in the Department of Antioquia alone. As CCEEU further points out, the leading suspected perpetrators of these attacks were the army (164 registered attacks), the National Police (356), and still paramilitaries (385).

This violence is discussed to be the result of increasing citizen protest regarding land and property rights distribution (ibid: 11). The Colombian state has become involved in the issue of land use, as it wishes to undertake so-called "megaproyectos," including huge water power plants or palm oil plantations, to exploit the natural resources of the country. Social organizations in recent years have become increasingly visible through their protests and consequently were outlawed by state actors. Paramilitary-criminal groups have their own interests in this setting which is the protection of territory for drug cultivation. And even though the Colombian state applies special police forces to combat BACRIM, they nevertheless seem unlikely to disappear anytime soon. As Hochmüller (2013: 66) notes, the continuation of paramilitary-criminal organizations is nourished by alliances of the local political authorities and the armed forces. According to a report by a Colombian think tank (Pérez and Montoya 2013), future state efforts to fight the criminal networks are hampered by the deep infiltration of judges, federal prosecutors, and local policemen by BACRIM.

After the AUC's formal dissolution, paramilitary successor groups bear more elements of criminals than of militias. However, the ongoing selected violence by these armed groups against civil society actors hints at the perpetuation of the practices of militia violence. The numbers of attacks and the interwoven state-paramilitary-criminal structures presented above give reason for alarm and ask for deeper actor analysis in the future.

11 The military's status has not changed much during the transition process, as it had been initiated and controlled by authoritarian enclaves (see Restrepo and García 2011: 42).
12 Engl. Foundation against Terrorism.
13 For a detailed report, including graphical representation, see Grupo de Memoria Histórica 2013: 48).
14 Engl. Criminal gangs
15 *Fuerzas Armadas Revolucionarias de Colombia.*

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5. Prospects for "Militia Violence" in Guatemala and Colombia

While the contexts of the establishment of militias in Guatemala and Colombia (as counterinsurgency measures) are similar, the consequences differ substantially. It is also striking that when speaking to civil society actors and local academics in both countries today,[16] current violence directed against social organizations, human rights advocates and land activists is hardly perceived differently compared to militia violence during war times. To a certain extent, the violence is still delegated, but at least tolerated by an occasionally nontransparent group of actors, including the former particular militia stakeholders.

To conclude, a focus on militia stakeholders is not meant to detract from looking at the militia itself, when examining different mobilization processes, the social backgrounds of recruits, and various conflict stages. However, taking a closer look at (both newer and long-term) stakeholders of two almost nationwide operating counterinsurgency militias helps to trace the origin and perpetuation of this particular type of actor and the legacies of militia violence in the aftermath of demobilization processes.

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16 Information according to own interviews carried out during three phases of field research in March-May 2013, November 2013 and February 2014.

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