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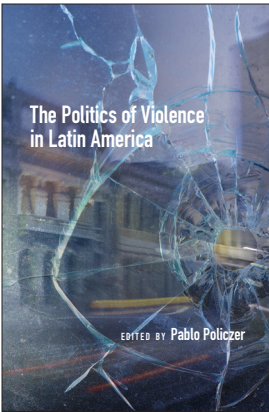
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THE POLITICS OF VIOLENCE IN LATIN AMERICA

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Democracy, Threat, and Repression: Kidnapping and Repressive Dynamics during the Colombian Conflict

Francisco Gutiérrez Sanín

In Colombia, democracy has long coexisted with civil war, criminal violence, brutal repression, and major state fractures. From 1980 onwards, until recently,¹ Colombia simultaneously witnessed a substantial increase in different types of crimes and violence—including kidnapping, the focus of this chapter—along with a substantial degree of institutional opening and democratization (including a remarkably open new constitution in 1991). This presents a puzzle. On the one hand, violent attacks against elites should at some point destabilize democracy. On the other, one of the main promises of democratic institutions is that, within certain time horizons, they are able to tame violence. Why did neither happen in Colombia? Why did violence fail to destabilize democracy or trigger a substantial regime closure? In this chapter, I focus on the specific problem of kidnapping, and ask why elites did not respond to the threat of kidnapping by escalating repression.

Any reader familiar with the Colombian situation might think that repressive escalation did indeed take place, in the context of a sham democracy. Colombia's repressive record is extraordinarily brutal and massive.² But, as we will see, the state's *institutional* response to kidnapping was rather weak, despite the efforts of several actors to strengthen the

design and operation of repressive institutions. One of the outstanding features of the story is the failure of projects oriented in this direction. How can this failure be explained? Noting the very high levels of repression in Colombia does not answer the set of questions posed in the previous paragraph; it only transforms them. If, for example, kidnapping at least partly explains the expansion of paramilitary groups in the country, then the question remains as to why repressors opted for illegal actions. Were they too tightly constrained by liberal checks and balances? In this case, democracy and democratization would be the culprits of a substantial portion of the extreme violence that Colombia has witnessed in recent decades. If the system had allowed for some kind of repressive stiffening against kidnapers, then the outcome might not have been so destructive. Note, however, that this counterfactual would only be true if paramilitary and institutional solutions are perfect substitutes for each other, which they are not. Or was it too little liberalism, because the regime was essentially closed? But then it would have been easy to adopt the radical and open repressive measures that a substantial part of the elite was proposing. Note that both answers are based on the so-called threat theory (TT) of repression,³ which proposes that the degree of repression is proportional to the “intensity” (measured in some abstract way) of the threat.

By evaluating the repertoire of different actors’ responses to kidnapping, along with the outcomes in terms of institutional designs and repressive activity,⁴ I identify some of the effects of kidnapping on Colombia’s political regime and, at the same time, the meaning and limits of TT when applied to this and analogous cases. I find that despite their power, connections, and mobilization capacity, the politicians that strived for a stiffening of kidnapping legislation failed miserably. Other, more general, legal and institutional repressive efforts also came to a standstill. Politicians with repressive leanings enjoyed support but were unable to orient themselves within the democratic maze of checks and balances, which sits rather well with standard democratic theory. What the latter does not capture, however, was the ability of very specific repressive coalitions to “open back doors” that institutionally improved the position of illegal, murderous, and repressive activities. However, legal and illegal modes of repression were *not* perfect substitutes because their costs and benefits

were different,⁵ they were related to different operational logics, and they addressed different sectors and coalitions.⁶

How can all of this be translated in terms of claims about the explanatory power of TT? On one hand, TT's core notion—that there is some kind of link between threats to elites and repression—holds, which is not terribly surprising. However, the kidnapping narrative presented here suggests that TT is poorly specified, and illustrates some of its shortcomings. First, not all elites responded in the same way to kidnapping, nor did they face the same level of threat. Second, those who were clearly in favor of repressive solutions faced severe collective action problems. Third, because of the chronic fracture of the state and the political system, in addition to the collective action problems that elites face, the unitary actor model of the state cannot be applied to this particular problem, as TT routinely assumes. Fourth, the proposition of a direct link from threat to repressive response faces serious aggregation problems. It is difficult to compare across threats—or repressive practices, for that matter—because repertoires of violence are complex and multidimensional. A further analytical insight is related to the way in which rationalistic and structural explanations interact. If threats and the responses to them are structurally determined, then class structures and conflicts should shed light on the incentives and proclivities for coalition formation and violence repertoire adoption. “Rationalism” and “structuralism” are thus not necessarily in competition. Both face an analogous methodological challenge: that of specifying the resolution level at which agency will be defined.

In the first section of this chapter, I provide the basic context regarding both institutional developments and the trajectory of kidnapping in the country. The second section explains why guerrillas would indulge in massive kidnappings and why democratic politicians cared about this. The third section focuses on the efforts of politicians to face kidnapping by toughening up the system. This is basically a history of failure. In the fourth section I examine “success”: the way in which pro-repressive actors were able to create institutional designs favorable to their purposes. I focus on the semilegal status that the paramilitary enjoyed during almost half of their formal existence (eight out of twenty years). The fifth section discusses the possible relationships between lethal repression and kidnapping in Colombia. In the conclusion, I discuss the limits of extant threat theories

and suggest avenues to better specify the relationship between threat and repression. Throughout the discussion I rely, in addition to the relevant literature, on several sources: the press, a database of judicial procedures related to kidnapping, and in-depth interviews.

A Natural History of Kidnapping in Colombia

After the long and traumatic cycle of internal conflict known as *La Violencia* (from approximately the mid-1940s to the early 1960s), the main Colombian political parties signed a consociational agreement—the *Frente Nacional*—that limited political competition in order to stabilize the country (but also to exclude the opposition). By the 1960s, there were already high-profile abductions, along with debates about how to deal with them, and by the 1970s, kidnapping had become a serious problem. In the 1980s, guerrillas—along with imitators and competitors—began to practice kidnapping on a massive scale, in what observers increasingly referred to as “the industrialization of kidnapping.” The main targets of the “classical” rural guerrillas—such as the ELN (*Ejército de Liberación Nacional*) and the FARC (*Fuerzas Armadas Revolucionarias de Colombia*)—were cattle ranchers and large landowners. An essentially urban guerrilla—the M-19 (*Movimiento 19 de Abril*)—used kidnapping as a tool to advance high-profile campaigns against the system.

In the 1970s, at least three M-19 acts made a big impact on public opinion. The first was the abduction and assassination of trade union leader José Raquel Mercado, under the accusation that he was a traitor to the working class. The M-19 posed a set of demands that would have to be met in order to spare Mercado’s life. It also launched a plebiscite in the streets inviting citizens to express their preferred outcome (the killing or the liberation of the hostage). It declared that, in this way, it expected to create a wedge between the government and the “yellow” trade unions it was denouncing. This at least it partially obtained; the worker confederation headed by Mercado denounced the government’s indifference to the fate of its leader. In the end, the government did not cede, and Mercado was assassinated.

The second significant M-19 act was the takeover of the embassy of the Dominican Republic, from February to April 1980. The hostages included

the ambassadors of fifteen countries, including the United States, along with numerous other diplomats. The M-19's demands were both political and economic: releasing M-19 political prisoners, publishing the movement's communiqué, and paying a large sum of money. The government staunchly refused to yield to the M-19's demands, at least publicly. And third, the M-19 supported a strike in a major agro-industrial enterprise, along with the kidnapping of one of its owners.

Operations like the takeover of the Dominican embassy involved not only prolonged and very detailed preparation, but also a wealth of technical skills, which were a scarce resource, especially for the fairly small groups that were the guerrillas in the 1970s. This explains why it was not the "spectacular mode," which would prove to be more important in the long run, but the more silent although much more massive "rural mode." In 1980, the justice minister stated that there had been 1,722 "crimes against individual liberty" in Colombia, the bulk of which, according to journalist Enrique Santos Calderón, were kidnappings. According to the same source, there had already been 2,924 in 1981.⁷ Kidnapping was acquiring what the press already called "industrial proportions." It became one of the two major sources of funding for Colombia's guerrillas—the other being the drug trade.

In 1982, the M-19 held Marta Nieves Ochoa, the niece of a narcotrafficker, for ransom. The crime syndicates responded swiftly and decisively. They created a death squad, *Muerte a Secuestradores* (Death to Kidnappers—MAS for its acronym in Spanish), which rescued Ms. Nieves quickly after killing, torturing, and maiming several of the guerrillas' alleged civilian supporters. The MAS also went public, arguing that it made no sense to combat kidnappers within the bounds of law: "They shouldn't have expected that in response to their crimes we answered in the style of the Gray Ladies."⁸ Gray Ladies they were not, and their example served as the inspiration for several illegal or semilegal paramilitary rural alliances. Some paramilitary leaders suggested that state agencies or a closed group of entrepreneurs might have coordinated the paramilitary initiatives to some extent.⁹ But the interaction between paramilitaries and intra-systemic actors (state agencies and entrepreneurs) became more widespread because it was easily reproduced and it appealed to actors with a narrow and highly localized worldview.

In 1982, President Belisario Betancur initiated a peace process with the M-19, the EPL (Ejército Popular de Liberación), and the FARC. The next brilliant idea of an ELN dissident was to kidnap the brother of the president as a way of denouncing the collusion between the not-militant-enough guerrillas and the government. Even relatively balanced observers reacted with anger to this act.¹⁰ For its part, the FARC committed itself to ending kidnapping, but apparently did not keep its promise.¹¹ Soon, opponents of the peace process were claiming that it had continued to kidnap through intermediaries. The peace process eventually broke down, and kidnapping reached new heights.

The Virgilio Barco administration (1986–90) faced an armed conflict on two fronts: the drug lords declared a war on the state—opposing the extradition treaty between Colombia and the United States—while the insurgents continued waging theirs. In the meantime, paramilitary groups spread to all regions of the country and started to kidnap. In 1988, Barco issued Decree 180, also known as the Statute for the Defense of Democracy, or the Anti-Terrorist Statute, which over time increased the penalty for kidnapping, from twenty-five to sixty years.

In the midst of a deep institutional crisis, a sector of the political elites adopted the idea of convening a constitutional assembly to reinvent the country's institutional framework. The 1991 Constitution was the result of a broad civil pact, but also of a series of peace accords that achieved the return to civilian life of several insurgent factions (among which were the M-19 and the EPL). But the number of kidnappings *grew* in the 1990s, and quite dramatically at that. There may have been many reasons behind this. The paramilitaries had started as an anti-kidnapping squad, but they eventually discovered the efficacy of the practice and were soon claiming their (minority) share of the abduction “market.” The FARC, the ELN, and the paramilitaries, who kept on fighting, took control of the areas that the demobilized guerrillas abandoned. The remaining guerrillas also chose to target new sectors in the population. In the beginning, the potential victims had been mostly the rural rich, foreigners, large entrepreneurs—especially those involved in some type of scandal—and prominent politicians. But later they substantially broadened their targets. The Colombian state, which was going through a process of decentralization since 1986, had given local governments more fiscal and political autonomy. Mayors and members of municipal councils started to be systematically abducted.

The guerrillas also developed a new technique (the so-called *pescas milagrosas*, or “miraculous catches”), based on the sudden installation of a road checkpoint, followed by a more or less random capture of two or three people. The guerrillas rapidly incorporated the practice as an important part of their repertoire.

Additionally, common criminals entered the fray and started kidnapping. There were three direct links between criminal and political kidnappings. First, criminals could use the political practice of kidnapping as a smoke screen to cover their own abductions—for example by attributing their acts to the guerrillas. In other words, by becoming the main kidnapers, the guerrillas reduced the costs—and thus lowered barriers to entry—for other actors. Second, criminals could sell their victims to the guerrillas, securing a basic income and saving themselves the trouble of building the relatively sophisticated organizational apparatus that having many hostages requires. Lastly, big-time criminals—mainly the Medellín Cartel—also performed political abductions to influence public opinion and to wreak havoc within the system.

In sum, kidnapping began to affect people of all social strata. A similar process had been taking place in the rural areas, where the guerrillas were influential. Because there are only a few very rich, their carrying capacity—even if they are kidnapped several times, which indeed happened—is small. Furthermore, they have resources to flee or fight back. The guerrillas searched for ever-new targets, but this increased the political costs of kidnapping.

It is not surprising, then, that the proverbial straw that broke the back of yet another peace process with the guerrillas—the one launched by the government of César Gaviria (1990–94)—was the kidnapping and assassination of a politician. The following administration (Ernesto Samper, 1994–98) suffered a number of military defeats against the FARC, after which the latter captured a number of military personnel. While the government claimed that this was a massive kidnapping, the guerrillas maintained that the soldiers were “war prisoners” who would be returned only in exchange for the FARC members captured by the state. Andrés Pastrana (1998–2002) was elected with one key program: to achieve a negotiated peace with the FARC. His four years in office were extremely turbulent, and marked by instability. It would not be an exaggeration to say

that kidnapping was a central protagonist of the period. The FARC seemed more interested in exchanging its militants for soldiers than in striking a long-lasting pact. Moreover, the FARC persisted in its kidnapping activity, and may even have increased it. There was substantial evidence that the FARC was using the huge demilitarized area that the president conceded to it to hide its hostages. With every day, the pressure mounted against the peace process. But the FARC was not the only problem. The ELN, believing that it had been marginalized, organized a large-scale operation to demand governmental attention: a collective kidnapping in a church in Cali and the hijacking of a plane in the north of the country. The paramilitaries followed suit, focusing on public figures that they considered too dovish with regard to the FARC.¹² At the end of the Pastrana administration, nobody believed that the process could succeed, and yet another spectacular kidnapping—this time of a prominent Congress member—served as a pretext to terminate it.

In the 2002 elections, a presidential candidate, Íngrid Betancourt, tried to proselytize in a FARC region and was kidnapped.¹³ This triggered an international wave of solidarity with her, but also pressure in favor of a “humanitarian exchange” (*intercambio humanitario*) between the FARC and the state. Alvaro Uribe’s government (2002–10) had a much more hawkish stance than its predecessor, and at first it denied such a possibility. It is worth mentioning that Uribe’s father had been abducted, and eventually assassinated, by the FARC.¹⁴ However, a combination of circumstances—for example, the government attempted to rescue the governor of one of the main departments; the operation failed, and the governor was killed—allowed for a gradual opening of a window of opportunity for the exchange of prisoners, with successive new closures and reopenings taking place according to the conjuncture. In the meantime, Uribe was able to claim to have radically reduced kidnapping.

This seemed to close the whole chapter—at least in the view of the government, the bulk of opinion makers, and the increasingly despondent relatives of the victims. But the kidnapping (hi)story was just beginning. A set of national and international circumstances converged to give the issue prominence. First was the coming to power of leftist governments in neighboring countries. The new leaderships in Venezuela, Bolivia, and Ecuador had ideological, national, and strategic reasons to promote a

peaceful solution to the Colombian conflict. Second, Europe was interested in the issue for several reasons, including the fact that Íngrid Betancourt, the most prominent guerrilla hostage at the time, was a French citizen. Third, the actions of the victims' relatives had a highly symbolic impact, which the media covered in very broad and emotional terms. The Uribe administration probably expected that all of this would have a very strong anti-guerrilla effect, and it was partially right. The widespread coverage of the plight of the victims and the mobilizations against kidnapping also put quite a bit of pressure on the government itself. The support for some kind of agreement between the guerrillas and the state grew rapidly, both in Colombia and abroad.

To diffuse the pressure, Uribe not only produced some spectacular unilateral acquittals of FARC prisoners—something totally at odds with his hawkish posture toward the internal conflict—but also proposed that Hugo Chávez, Venezuela's president, act as a mediator to produce a “humanitarian accord” (*acuerdo humanitario*). This proved to be a huge miscalculation. In effect, Uribe discovered too late that the primary actors in the conflict had different priorities. For the government, the objective was to denounce and fight the guerrillas. For the relatives of the victims, the objective was to liberate their loved ones. For potential mediators from the international community, it was to put the government and the guerrillas at the same table and thus take the first step towards a full-fledged peace process. When Chávez began to speak of his strategy with respect to the Colombian conflict—which contradicted Uribe's—in increasingly open terms, and he was not disavowed either by the Europeans or by fellow Latin American governments,¹⁵ he was brusquely dismissed as mediator. This step created serious repercussions for relations between Bogotá and Caracas. In the midst of an increasingly shrill confrontation between Colombia and its neighbors about these and other hot issues, the *acuerdo humanitario* came to a standstill. This was followed by a spectacular governmental success—a military operation in 2008 that liberated Íngrid Betancourt and other FARC hostages—which triggered a wave of national euphoria. Even while Uribe and Pastrana had different approaches to the problem of violence, kidnapping had played a central role in each president's administration.

Complex Rationales

From the point of view of the guerrillas, it is easy to understand why the creation of a “kidnapping industry” would make sense. First, it is an extraordinarily attractive source of income. Families can pay huge ransoms. The typical victim—for example, a cattle rancher—is a fixed target in a broad expanse of land where state and police control are weak or simply nonexistent.¹⁶ Mobile guerrillas have overwhelming operational superiority over such a victim. Second, kidnapping allows the insurgents to coordinate political and economic activities. Indeed, it is not clear how political objectives interact with economic ones in every case. For example, in the 1980s, the M-19 presented the kidnapping of Camila Michelsen, the daughter of a banker, as retribution for the fraudulent bankruptcy of her father, which had hurt thousands of customers’ savings. But the M-19 eventually collected a huge ransom. In this case, the political dimension seems to have been parasitic and opportunistic. But political grievances are not a simple whitewash for economic greed, and this is particularly the case in very confusing and messy contexts. While demanding the initiation of a peace process, the ELN presented its massive kidnapping in Cali as purely “political” (as a way to force the government to pay attention to the ELN), but then it surfaced that the relatives of the hostages owed substantial ransoms. The incident is even more complex, though, because it is hard to doubt that the ELN wanted to achieve the political objectives it claimed to be pursuing. What eventually surfaced was probably the result of the following sequence: a) the political kidnapping took place; b) the demands were forwarded and the negotiations started; c) in the meantime, the relatives contacted the ELN; d) in the process, the ELN discovered that this was a good opportunity to obtain economic dividends. All in all, though, kidnapping is exceptional in that it is an act that captures rents and at the same time hits the class enemy. There are few violent activities that are simultaneously so clearly political and a substantial source of income. Third, kidnapping can wreak havoc among the ranks of the system, as the standard literature about terrorism asserts.¹⁷ By targeting specific sectors and behaviors, insurgents can trigger severe collective action problems among systemic actors.

Last but not least, and related to the previous point, kidnapping can be used as a policing mechanism. In this context, extortion and kidnapping are conceived of as instruments to force a potential defector to be loyal. In the rough hierarchy of punishments that the guerrillas use to establish social control,¹⁸ kidnapping is an intermediate step between warning and killing, which can be used to discipline the economic elites and keep them at bay (the downsides of which will be explored below). Those who abided by the rules of the group were “untouchable” and, at least in theory, enjoyed a kind of insurance. Since the credible threat of kidnapping is so intimately related to extortion, it was a means to force uncooperative actors to accept insurgent territorial control, or at least territorial relevance. Extortive quotas became semi-taxes, as the FARC’s communiqué 002 of 1998 revealed.¹⁹ The paramilitaries were also conscious of the implications of extortion and kidnapping for social/territorial control: “What we really cared about was not the money but to have control over the merchants, because we knew that they would not be able to pay both the guerrilla and us.”²⁰ In highly contested territories, who pays whom has crucial strategic implications.

Now let us consider why it may be worthwhile for a politician to become an anti-kidnapping activist. An initial and obvious reason is that politicians themselves were commonly kidnapped, especially after decentralization, as noted in the previous section.²¹ Politicians follow not only the proverbial Schumpeterian “animal instincts,” in this case getting elected, or ideological concerns; they are also marked by crucial experiences in their lives, and kidnapping is likely to become one. As the practice of kidnapping spreads, it becomes a credible threat even against politicians who have not been victimized. Kidnapping limits, territorially and otherwise, the range of activity on offer to practical politicians, as the case of Ingrid Betancourt dramatically shows: by the threat of abduction, the guerrillas and other actors are able to forbid the entry of unwanted politicians into large swaths of the territory.

Additionally, kidnapping is a hate-sowing crime. It triggers virulent passions, which give strong incentives for politicians to try to use these passions to their advantage. There are several reasons that make kidnapping a hate-sowing offence. First, victims are put in a condition of sheer helplessness in which they suffer the full commoditization of their lives.

But this does not allow us to present kidnapping simply, or wholly, in terms of a “market.” Actually, one of the worst things about kidnapping—at least in the Colombian context—is that it did not constitute a genuine market, with prices and more-or-less clear rules of the game. Victims cannot follow an algorithm of the type, “if I adopt behavior X [for example, not telling the police] and pay above Y [say, 50 percent of what the kidnapper demands], then no blood will be spilled.” Ransoms vary wildly according to haphazard and idiosyncratic factors, such as the malevolence or benevolence of the group’s main negotiators, the military and political conjuncture, etc.

Furthermore, kidnappers frequently break their promises. In the case of Camila Michelsen—the daughter of a financial tycoon—the press revealed that the M-19 had collected the ransom but failed to liberate her. This is not uncommon,²² and it is probably “structural.” The structural nature of cheating comes from two sources. First, the guerrillas have to be unpredictable; otherwise, victims will learn how to react, and the rate of success (the number of ransoms paid) will fall. If they become predictable, this allows the family—and eventually the authorities—to develop a defensive script and/or to prolong talks, with the corresponding sharp increase in the probability of capture of the offender. Second, when the victim’s family comes to an agreement, it is settling the issue *and at the same time* signaling its vulnerability (and its possession of resources). If a family pays a ransom punctually, this may give the perpetrators reasons to abduct additional members of the same family instead of trying their hand with new (and possibly tougher) victims. So the dilemma is to pay easy and fast and expose yourself to a continuous and ruinous milking, or hold tight and risk the life of a close relative (father, mother, brother). Guerrilla negotiators could be brutal and aggressive, and change their demands and conditions abruptly.²³ Cheating, killing hostages whose ransoms had been paid, and demanding ransoms for the bodies of victims who had died while in captivity were all functional for the sake of maintaining unpredictability.

But this “structural” arbitrariness acquired extremely odious idiosyncratic expressions, which inflamed victims, their relatives, and their social networks. As the initial population of well-to-do adult males was depleted, the guerrillas focused on ever-new populations, breaking widely shared

social norms and, at the same time, promoting non-class-based solidarity between the victims.²⁴ Furthermore, the continued practice of kidnapping contributed to the delegitimization of the guerrillas, a process in which a politician could be interested for ideological, instrumental, or “vital” reasons. Such delegitimization can be observed at both the regional and national levels. In the Magdalena Medio region, a string of “good” FARC commanders had coexisted with the cattle ranching elite for years. However, a “bad” commander started to overburden the population with exactions—probably trying to fulfill quotas established by the FARC leadership—and started to kidnap those who did not pay, which created the conditions for a virulent anti-insurgent reaction.²⁵ At the national level, the combination of economic and political objectives further undermined the guerrillas’ claim to moral superiority over the system.²⁶ Since kidnappings, to be effective, had to target influential people—the rural rich and active politicians—it eventually created a critical mass of decision-makers viscerally opposed to the guerrillas.²⁷

In short, guerrillas may have had good reasons to initiate the so-called kidnapping industry. Through kidnapping they could gain rapid access to large-scale rents, promote their political agenda, and control broad sectors of the population both in relatively safe as well as in contested territories. However, the political costs of kidnapping were potentially high for several reasons: kidnapping triggered virulent passions against the guerrillas, creating a critical mass strongly opposed to and delegitimizing them, and giving politicians strong incentives to mobilize anti-kidnapping constituencies. Politicians got interested in kidnapping as actual or potential victims. They could also try to champion the cause of the victims for purely electoral reasons. Given that kidnapping—even after becoming an “industry”—maintained a class bias throughout,²⁸ one would expect that anti-kidnapping leadership would enjoy a high probability of success. But in Colombia things turned out differently.

Repressive Failures

Politicians and state officials (especially from the security sector) attempted three formal institutional responses to kidnapping: disciplining, upgrading, and untying. By “disciplining,” I mean efforts directly oriented

at preventing the “shirking” of the families of the victims and thus solving collective action problems among them. “Upgrading” implies stiffening the punishments against kidnappers and their accomplices. “Untying” is the loosening of the checks and controls on the behavior of authorities in charge of the repression of the insurgents and their purported civilian supporters (see below for details). All of them were inspired by the need to respond to the threat with a collective and long-term solution. All disregarded basic liberal criteria. All had limited effects, because they triggered collective action problems.²⁹ In this section, I sketch their trajectory and review some of the public discussions they elicited.

I start with disciplining. Concerning kidnapping, the need to discipline the victims was more or less conventional wisdom among the Colombian political elites already in the 1970s. As shown above, it is difficult to find an event in which the government yielded (at least publicly and explicitly) to any of the political demands that the guerrillas issued as a condition to free a hostage. But political and other elites soon came to understand that it was not sufficient for the state to behave sternly, as the victims and society faced a social dilemma with respect to their behavior toward the offence. Precisely because of this, some argued, those who paid the ransom that the kidnappers demanded opened the gates of the fortress to the enemy. The solution was for the state to enforce the collectively better—but potentially costly for the individual—nonpayment strategy. In the words of one writer for Bogotá’s *El Tiempo*,

This means that [ours is] a society that acts as if it had completely surrendered to the bandits and that seems ready to pay a ransom in the form and quantity it is demanded. . . . Well: this is the first instinct the government has to defeat. It should not fear that by taking the normal course of action—the more energetic the better—some lives are lost, because what is being lost by the other system is much more serious: you are compromising a whole society when you meekly give it up to terror, and you kindly impede the government from intervening and chasing the delinquents. This is the highest level of moral disorder, and we cannot permit it to continue. Some say that if things are not done

like that [cautiously] the . . . hostages will be assassinated. And—inspired by the very individualist and Hispanic criterion that we Colombians have in front of the law—every . . . person declares that what is really important is his/her particular case, that ransom is paid and lives saved. The government cannot, must not accept, this situation under any circumstance, and should warn the country that from now on it will implacably persecute [kidnappers], and that it will prosecute as well those who engage in commerce with the bandits because technically they are intimidated and, involuntarily, accomplices. This is hard, but it is harder to allow that society dissolves, victim as it is of extortion and blackmail.³⁰

The borderline murderous tone and content of such a declaration—which picks up all three motives: discipline, untie, and upgrade—are in no way exceptional. It took a long time, though, for these kinds of demands to come to fruition. In September 1992, a group of Congress members presented the Proyecto de Ley No. 46 “Por el cual se dictan Medidas para la Erradicación del Secuestro.” The bill empowered the general prosecutor to sequester the assets of the hostages and their relatives and to investigate the movements of their bank accounts above the sum of sixteen minimum salaries. They also wanted to establish an obligation to denounce the abduction, as the majority of families preferred to negotiate directly with the group without informing the authorities.

By then, the victims of kidnapping had organized, and they had created an NGO, *País Libre*,³¹ which succeeded in using one of the new mechanisms for popular participation from the 1991 Constitution: legislative initiative. Citizens could present a bill to the Congress if more than 1 percent of voters supported it. This gave rise to the Anti-Kidnapping Law or *Ley Antisecuestro* 40 of 1993 (henceforth LAS), the only successful use of this participation mechanism in the Constitution. This is in no way unintentional. In both the 1990s and the 2000s, the state, the media, and political/economic actors promoted massive mobilizations against kidnapping. No other offence triggered such a massive repudiation.

The LAS not only transformed the payment of ransoms into a criminal offence, but also allowed the office of the prosecutor to control the assets of the victim and his or her family to ensure that no large transactions would take place. Despite being inspired by previous Italian legislation, the Colombian Constitutional Court ruled that paying a ransom for a loved one was not only a right, but also a duty (related to solidarity, a basic constitutional tenet since 1991), and that collective needs could not overrule basic individual rights. Only some technical aspects of the LAS (such as the creation of new anti-kidnapping security bodies) were not struck down. The critics of the court's decision protested bitterly: rebuking the LAS would offer incentives to the terrorists ("to multiply the payments is to multiply the kidnappings") and would run counter to the international experience—which showed, they argued, that standing fast against terrorism was the best way to face it. However, contrary to many other situations in the 1990s, there was no serious and sustained opposition to the court when it issued its final decision. Members of Congress had already expressed their concern that the LAS would violate the rights of the victims. Hundreds of people probably breathed a discreet sigh of relief.

Now let us now consider upgrading. Although several crimes have prompted repressive proposals, none have played such a crucial role in stimulating "repressive imagination" as kidnapping. In the 1970s, the basic reflex was to put kidnapping under the jurisdiction of military justice. Stiffening the punishment has also been a typical response to the threat. As mentioned previously, the idea that kidnapping was such a serious offence that it could not be pardoned has appeared at critical junctures, and it became an issue during the peace processes of several administrations. Both Bill 46 of 1992 and the LAS prohibited offering amnesties to kidnapers, but this was also found to be unconstitutional. As also mentioned previously, during Barco's administration, the punishment against kidnapers was severely increased. In 2002, the government pushed through the [anti-terrorist] Law 733, which increased the penalty for kidnapping so much that it became greater than the punishment for homicide. The Supreme Court decided that this was unconstitutional, as it was absurd for the state to protect freedom more than life.³²

Kidnapping has also inspired on a cyclical basis proposals for the reintroduction of the death penalty in Colombia. An early commentator

presented the idea as a way of preserving democracy. He claimed that if the authorities let the situation get out of hand, the country would face the danger of a coup, “like in Chile, Argentina, or Uruguay.”³³ Despite these solemn admonitions, the specter of a coup never became too scary, and subsequent pledges for the reintroduction of the death penalty were based on the rationalist argument that increasing the costs of committing the offence would diminish its occurrence.³⁴ The idea reappeared from time to time whenever an especially notorious incident took place.

But the notion that more severe punishments were a better policy was also contested, and not only by the leftist opposition. For example, Fernando Cepeda—a well-known political scientist and cadre of the Liberal Party—asserted that there were two great anti-terrorist strategies, the German dovish and the American hawkish ones. A paper by the RAND Corporation had presented the following “statistical evidence: in Germany there had been no kidnapping [between 1970 and 1975], and in the United States 21.” How could a lack of dissuasion be successful? Terrorists, said Cepeda, had many objectives, not only collecting a ransom. They wanted to promote armed propaganda, demoralize the elites, and polarize society, and they could fulfill all of these objectives regardless of whether the state agreed to negotiate with them.³⁵ Thus, simpleminded dissuasion crashed against a wall.

However, leaders from the security sector were not convinced by such nuances. For example, the director of the police during the Samper government seemed particularly fond of the idea of punishing kidnappers with death, and he proposed it several times. Samper—who was facing a huge corruption scandal—eventually warmed to the idea. He probably calculated that it would provide him with desperately needed support. Samper’s kidnapping czar was also in favor of it because, he said, it would express neither the incapacity of the state nor the inefficacy of the previous anti-kidnapping policy, but rather “the indignation of the government and the whole country” in front of that crime.³⁶ However, the proposal did not arouse much attention. It was considered, reasonably enough, a smoke-screen. Some observed caustically that the challenge for Colombia was not to reintroduce, but rather to ban, capital punishment.³⁷ Once again, they had a point. Others offered some purely operational reasons that prevented the country from making such a move: international commitments

and legitimacy. The proposal was silently put on the shelf. In recent years, other authors have argued that, Colombian justice being so imperfect, instituting the death penalty would cause irreparable errors.³⁸ But this is not the last word. For example, Senator Jairo Clopatofsky created a web page dedicated to reinstalling the death penalty for “crimes against humanity” such as terrorism, homicide, and especially “that most detestable of offences, kidnapping, that not only acts against the victim but also against its social and familial entourage.”³⁹ He presented two core arguments. First, his own version of the dissuasion theory: “The death penalty creates a reverential fear among the citizens, which pushes them in the direction of complying with the law.” Second, the international environment was then favorable to iron-fisted measures. For example, the Organization of American States’ Resolution 837 of 2003 established that it was necessary to reform traditional penal policies to face terrorism.⁴⁰ The debate remained open, and only the reduction in kidnapping rates deflated it.

The third type of response to kidnapping was to untie: to weaken checks and balances in order to allow for unobstructed repression. Mainstream journalists spilled liters of ink in the 1980s against the “attorney’s syndrome” (*síndrome de la procuraduría*)—i.e., the negative effects of judicial control of the military. In essence, they supposed that it weakened the army’s combat capacity. The reaction against the syndrome was motivated only partially by kidnapping and was part of a much wider anti-subversive mood. However, when untying was defended as an anti-kidnapping device, the language escalated very rapidly and could take clearly homicidal modulations. Repressing kidnapping was not a political but a medical task—independently of the motivations of the act. “The authorities deserve and need the most absolute backing without apologies when they have to act heavy handedly [*con mano fuerte*],” claimed one editorial in *El Tiempo*, the country’s main newspaper. “It should not be forgotten that delinquents of this type [kidnappers] are fanatics moved by politics or by greed, that they do not respect life, and are exemplars of a pest that must be extirpated. Action must be taken.”⁴¹

The untying drive has bogged down the development of adequate control institutions and has facilitated several murderous outcomes. At the same time, the overall institutional trajectory went (until 2002) in the opposite direction: the strengthening of the institutional controls on the

executive, especially in the 1991 Constitution. Even after 2002, the anti-control instincts of a broad sector of politicians, security leaders, and opinion leaders seemed to have an upper hand. The Uribe administration strongly defended the need to both upgrade and untie.⁴² His vice-president expressed the operation in terms of a tradeoff between liberty and security: the latter was the fundamental good and a precondition for the former. Sacrifices in liberty (and in liberalism) were thus necessary. A sector of the press responded to these reflections with alacrity. Untying the state and tying (controlling) the citizens would solve the security problems. Law 733 of 2002 was quite draconian, but in the process of debate in Congress it was watered down.⁴³

In sum: with respect to all three institutional procedures, the use of kidnapping as a reason to weaken the liberal guarantees of the regime was moot at best. Disciplining basically failed. The LAS received support from a broad swathe of society, but it was an extremely short-lived effort. Collective action problems between the elites, and between elites and the victims of kidnapping, eventually stifled disciplining efforts.⁴⁴ The upgrading of the penalties was partially successful. But (formal) capital punishment has not yet had a real chance of being approved, and during the peace processes several governments managed to propose and pass through amnesties to kidnappers. By and large, the untying strategy has had the best record. For example, the military, which has been accused of committing—or enabling—atrocities, has enjoyed widespread impunity. Yet the opposition to the *síndrome de la procuraduría* in the 1980s did not, in the end, have too many results to show; and the 1991 Constitution strengthened the checks and balances on the regime and the controls on the states of exception.

Repressive Successes: Opening Institutional Back Doors

In the previous section, I showed how the checks and balances on the Colombian political regime limited disciplining, escalation, and untying. A standard argument in favor of repression was that democratic checks and balances were the trigger for the most murderous and destructive dynamics. Had the system allowed a stiffening of repressive designs, the latter would not have been necessary. The proposition corresponds to a very

popular hydraulic mental model, according to which accumulating too much pressure below the surface is likely to cause an explosion.

The model fails on two accounts, however. First, regarding the “big” landscape—e.g., those institutions directly related to the nature of the political regime—it can reasonably be argued that the Colombian regime was not only fairly open but also underwent a serious process of improvement. Yet at the level of “small” institutional arrays things are much fuzzier (and uglier). In particular, paramilitary groups enjoyed a semilegal status during half of their bloody saga. In effect, they appeared in 1982 and started conversations with the government in 2002. They could claim a legal status during eight of these twenty years. Between 1965 and 1968, under the logic of national security, the state legalized the creation and promotion of self-defense.⁴⁵ This legislation was scrapped in 1989, but it was reintroduced in 1994. Through Decree 356 of 1994, the Gaviria administration created private security cooperatives, though during a short period they remained mainly inactive. The Samper administration activated them, through the *Superintendencia de Vigilancia y Seguridad Privada*’s *Resolución No. 368*, passed on 27 April 1995.⁴⁶ The *resolución* also gave them broader attributions, permitting them to carry combat weapons (*armas largas*) and communication devices. Public opinion came to know them by the Orwellian name of *Convivir* (which in Spanish means “to coexist or to tolerate”). On paper, the objective of the *Convivir* was to foster cooperation between civilians and the army in the struggle against illegal groups. In practice, they became an instrument of the paramilitaries, both for their territorial expansion and for cementing alliances with broad social sectors in the territories under their influence. It was not only the patina of legality that the *Convivir* gave the paramilitaries, but also the signal that they enjoyed official support, which made the paramilitaries important.⁴⁷

The *Convivir* experience shows the second problem of the hydraulic model: the actors, coalitions, measures, and responses that played a key role in the semilegalization of the paramilitaries were very specific and are not necessarily present in other scenarios. In other words, different modalities of repression are not necessarily substitutes for one another. For example, the cattle ranchers’ association, along with leaders of the security sector—which were operationally related to the dynamics of kidnapping—strongly promoted the institutional model of the *Convivir*.

During a strongly contested campaign, Samper's defense ministry promised to activate the *Convivir* at the twenty-fourth cattle ranchers' congress. The response was enthusiastic.⁴⁸ Actually, when the government seemed to get cold feet about the *Convivir* project, the cattle ranchers' association strongly expressed its dismay. Since, by then, the president was already under heavy fire from both the public and the US government because of the money that narcotraffickers funneled into his campaign, he was not in a position to open another battle front. As he declared, to remain in power he had to coordinate the demands of the very powerful. Both cattle ranchers and high-ranking officers were extremely active in the defense of the cooperatives, and they were therefore able to simultaneously signal their support to the cooperatives and to suggest that any opposition to the project was likely to have high costs (among them were Jorge Visbal Martelo, cattle ranchers' association president, and high-ranking officials such as Interior Minister Carlos Holmes Trujillo; Defense Minister Gilberto Echeverri Mejía; General Luis Enrique Montenegro, the director of the Presidential Security Agency, or DAS; General Víctor Julio Álvarez Vargas, commander of the army's First Division; Superintendent of Security Germán Arias; and Álvaro Uribe Velez, Antioquia governor and future president of the country). For the cattle ranchers, the *Convivir* was literally a matter of life and death. As one of the group's leaders underscored, delinquency and subversion cost nearly 40 percent of the cattle production.⁴⁹ The same leader argued that the *Convivir* should have sophisticated weaponry, as shotguns were no match for the guerrillas.⁵⁰ He also demanded that membership in the *Convivir* be mandatory, as many multinational firms were funding the guerrillas.⁵¹ The cattle ranchers actually described the *Convivir* as both an expression of the right to self-defense and a way to link the population to the anti-subversive strategy of the army. In this vein, the cattle ranchers' association not only promoted the *Convivir*, but also suggested the creation of national militias supported by "civil society."⁵² The association's leaders and their allies proclaimed that, in the face of the systematic "absence of the state," self-defense was a right. Private violence would also be a bargaining chip in an eventual negotiation with the guerrillas. A ranchers' association leader wrote to the president that "the guerrillas want to dismantle all the controls that the state has to defend society and advance the conflict without security, without paramilitarism,

without the *Convivir*, without public order decrees.”⁵³ This is as eloquent a declaration as one can find of the feeling that privatized violence and the state were part of the same cause.⁵⁴ State spokespersons had a similar view. For example, for General Enrique Montenegro, by then the director of the DAS, “the suppression of the *Convivir* instead of discouraging the phenomenon of self-defenses [the paramilitaries] would promote it, because it would close the door to the legal organization of the population under the vigilance of the state. . . . If the door is closed to the *Convivir*, there is no alternative to a paramilitarism run amok [*incontrolado*].”⁵⁵ In this characteristic endorsement of the hydraulic model, it apparently did not occur to General Montenegro that the state also could, and should, fight against the paramilitaries. The only alternatives were to tolerate them or to offer an acceptable substitute. This view was widely shared within the security sector.

Very soon, the *Convivir* became the thinly-veiled, legal version of the paramilitaries in several regions. A development that could have been easily predicted, but that went against the hydraulic model and General Montenegro’s expectations, was that the *Convivir* and paramilitarism were complements, not substitutes. The *Convivir* eventually played a crucial role in a further wave of paramilitary expansion. Typically, a group of notables in a given municipality, with the support of the main local military or police figure, created the *Convivir* and used it as a cover to invite paramilitary henchmen.⁵⁶ The *Convivir* was also used as a tool to funnel funds to the paramilitaries and as a very strong link between major economic agents—multinationals, cattle ranchers, agro-industrialists—and the paramilitary project. They also became the portent of things to come for extremist politicians—notably, but not only, Álvaro Uribe, by then governor of Antioquia and a strong partisan of the *Convivir* cause⁵⁷—and a focal point for the convergence of diverse illegal actors linked directly or indirectly with the paramilitaries. Indeed, the idea of launching the *Convivir*-like private security efforts resurfaced cyclically during the Uribe administrations, sometimes by governmental initiative, sometimes by the initiative of cattle ranchers⁵⁸—among other reasons, to substitute the paramilitaries that had returned to civil life.⁵⁹

Conclusions

What were the effects of massive kidnapping on the Colombian political regime? If guerrilla myopia is assumed, rationalist explanations can account for their indulgence in massive kidnapping over a long period to coordinate key objectives such as funding via ransoms or extortions, social control (policing), and political pressure. However, the political costs were enormous. To be viable, kidnapping had to be hate-sowing. Massive kidnapping activated very radical anti-guerrilla constituencies, both at a general level (public opinion, etc.) and at a specific one (social groups that felt the brunt of the guerrilla attacks and pressure). Here, “rationalism” and “structuralism” seem to be cooperative strands of reflection; we need both to understand why an actor decided to initiate a dynamic and how this created a specific constellation of social forces.

All of this suggests that to understand the consequences of kidnapping for the political regime, it is necessary to consider the concrete coalitions that formed as a response to its “industrialization.” Kidnapping was an offence that had “preferred” victims—people who were particularly vulnerable *and* attackable—and this produced specific forms of mobilization among them. Furthermore, as shown above, collective action problems were endemic when systemic actors tried to divine a response to the challenge of kidnapping. No reasonable model can omit this key aspect of the dynamics considered here, and thus no model can reasonably assume that the state or the system is a unitary actor.

Another problem for TT is to capture the specific role of different threats that fed repressive responses. For example, the paramilitaries expressed a variety of concerns and demands. Can a specific weight be attributed to kidnapping?⁶⁰ And how great was this threat compared to others? This question seems particularly difficult to answer from a comparative perspective. Last but not least, I believe the narrative described above suggests that the study of repression might be enriched by looking both “above” the political regime (state failures) and “below” (small institutional designs that become very central at specific conjunctures).

NOTES

- 1 This chapter considers the problem of kidnapping until the beginning of the first Uribe administration, in 2010, when kidnapping rates began to drop. I do not consider here policies against kidnapping in general; only those that involved a change in the repressive activities of the state. I also do not consider the rich literature that has been published on kidnapping in recent years, which is essentially descriptive, and does not discuss as yet its impact on the political regime. Sometimes I use the present tense, but the peace agreement between the state and the FARC (achieved in 2016) made of kidnapping—which had already been falling during the Uribe years—a very marginal phenomenon.
- 2 Francisco Gutiérrez Sanín, *El orangután con sacoleva. Cien años de democracia y represión en Colombia* (Bogotá: Random House-Mondadori, 2014).
- 3 Or “threat-response theory”; see, for example, Jenifer Earle, Sarah Soule, and John McCarthy, “Policing Under Fire,” *American Sociological Review* 68 (2003): 581–606.
- 4 Elisabeth Wood, “Variation in Sexual Violence during War,” *Politics and Society* 34, no. 3 (2006): 307–42.
- 5 James Ron, *Frontiers and Ghettos: State Violence in Serbia and Israel* (Berkeley: University of California Press, 2003).
- 6 I write in the past tense because my narrative ends in 2010, not because I am so overly optimistic as to assume that the phenomena described here cannot appear again.
- 7 These figures were calculated by contemporaries, and there is no good reason to doubt them. However, there is quite a large mismatch with the ones provided by the two main “official” sources, the National Department of Planning and the NGO against kidnapping, País Libre. In their account, there were forty-four events in 1980, and it was only in the late 1990s that the number exceeded two thousand. Perhaps different counting criteria explain the difference.
- 8 Gutiérrez Sanín, *El orangután con sacoleva*.
- 9 See Mauricio Aranguren, *Mi confesión: Carlos Castaño revela sus secretos* (Bogotá: Oveja Negra, 2001).
- 10 Abdón Espinosa Valderrama, “Contra el terrorismo,” *Espuma de los acontecimientos* (1 December 1983), 5A.
- 11 Centro Nacional de Memoria Histórica, *Una sociedad secuestrada* (Bogotá: Imprenta Nacional, 2013), 170.
- 12 The public figures they kidnapped, the peasants they massacred.
- 13 She was rescued in July 2008.
- 14 Several ministers of his administration were in a similar situation. For example: Francisco Santos, vice-president, was kidnapped; Cecilia María Vélez, education minister, had several relatives abducted and killed.
- 15 And not even by the United States, which was interested in obtaining the liberation of three of its nationals in the hands of the FARC.

- 16 And since labor relations in certain rural contexts can be strongly “personal” and adversarial, it is relatively easy to gather information about the rural rich; see Barrington Moore, *Social Origins of Dictatorship and Democracy: Lord and Peasant in the Making of the Modern World* (Boston: Beacon Press, 1966).
- 17 See for example Albert J. Bergesen and Omar Lizardo, “International Terrorism and the World-System,” *Sociological Theory* 22, no. 1, Theories of Terrorism: A Symposium (March 2004): 38–52.
- 18 For details, see Mario Aguilera, “Justicia guerrillera y población civil 1964–1999,” in *El caleidoscopio de las justicias en Colombia*, ed. Boaventura de Sousa Santos and Mauricio García, 389–422 (Bogotá: CES-Universidad de los Andes—Ican—Siglo 21, 2001).
- 19 Centro Nacional de Memoria Histórica, *Una sociedad secuestrada*.
- 20 Proceso 1589, Delito: Concierto para Delinquir Cuaderno Copia No. 6, Folios 86–172 (Bogotá: Secreto—Departamento Administrativo de Seguridad, 16 March 1989).
- 21 Centro Nacional de Memoria Histórica, *Una sociedad secuestrada*.
- 22 For an early event, see “La historia de un secuestro bien denunciado,” *Editorial* (8 August 1984), 4A.
- 23 For a good example of unpredictability, see Herbert Braun, *Our Guerrillas, Our Sidewalks: A Journey into the Violence of Colombia* (Lanham, MD: Rowman and Littlefield, 2003).
- 24 Mejía, Hernán Vallejo, “Oración por la paz y contra la extorsión y el secuestro,” *El Tiempo*, 21 February 1985, 5A.
- 25 Francisco Gutiérrez, “Clausewitz Vindicated? Economics and Politics in the Colombian War,” in *Order, Conflict and Violence*, ed. Stathis Kalyvas, Ian Shapiro, and Tarek Masoud (Cambridge: Cambridge University Press, 2008), 219–41.
- 26 And since the guerrillas lowered the barriers to entry for other purely economic actors, they were acting on a deeply criminalized landscape with which they interacted very actively (for example, common criminals sold hostages to the guerrilla according to the press).
- 27 For example, between 2002 and 2010, the president’s father was killed after a kidnapping, and at least four ministers had been abducted or had suffered an abduction of a close relative.
- 28 The rich are more likely to be victimized than the poor. This is probabilistic, not deterministic. Hundreds, perhaps thousands, of poor civilians were being abducted by the guerrillas—for example, during the *pescas milagrosas*. Furthermore, by scaring away investment, kidnapping might have hit the poor in indirect ways. However, by the very logic of the crime, it became the only conflict-related offence that directly hit the well-to-do harder.
- 29 Recall Eckstein’s conceptualization of the political consequences of certain forms of violence: when they work, they are able to produce severe problems of collective action within the incumbent coalition.
- 30 “Negocios y delitos,” *El Tiempo*, 29 January 1973, 4A.

- 31 See Fundación País Libre's website at <http://www.paislibre.org/site/>.
- 32 Centro Nacional de Memoria Histórica, *Una sociedad secuestrada*.
- 33 Alejandro González, "Una dolorosa lección," *El Tiempo*, 3 March 1980, 5A.
- 34 See, for example, José Ignacio Vives's argument for the necessity of the Proyecto de Acto Legislativo No. 1 de 1985, "Por medio del cual se autoriza la implantación de la pena de muerte para los delitos de secuestro."
- 35 Fernando Cepeda Ulloa, "La meta de los terroristas," *El Tiempo*, 2 March 1980, 4A.
- 36 "Samper propone la pena de muerte," *El Tiempo*, 22 February 1996, 8A.
- 37 Javier Giraldo S.J., "Samper y la pena de muerte," 1996, <http://www.javiergiraldo.org/spip.php?article11> (accessed 19 April 2015).
- 38 "Pena de muerte: ¿serviría?" *Revista Semana*, 9 November 1992, <http://www.semana.com/especiales/articulo/pena-de-muerte-serviria/18576-3> (accessed 19 April 2015).
- 39 Jairo Clopatofsky, "La Pena de Muerte en Colombia: Una Reflexión posible para la consecución de la seguridad Democrática," Proyecto de Acto Legislativo por medio del cual se Reforma o Modifica el Artículo 11 de la Constitución Política de Colombia (2003).
- 40 Clopatofsky, "La Pena de Muerte."
- 41 "¿Secuestro político?," *Cosas del día*, 21 August 1977, 4A.
- 42 The debates surrounding Law 733 of 2002, an anti-terrorist bill, had clearly anti-liberal overtones.
- 43 Despite the government enjoying overwhelming majorities.
- 44 These reappeared cyclically but always created a serious divide between the victims and the government. The basic agenda of the victims (if one includes in this category the host and his immediate family) was to pressure the government to obtain fast and risk-free releases. But this went directly against the disciplining agenda, which consisted of putting the long-term interests of the state above any personal consideration.
- 45 Gutiérrez, *El orangután con sacoleva*.
- 46 The *superintendencia* is the governmental entity that was supposed to regulate the provision of private security in the country.
- 47 Gutiérrez, *El orangután con sacoleva*.
- 48 *Carta Fedegan*, no. 32 (Bogotá: Federación Colombiana de Ganaderos, January–February 1995), 15–16.
- 49 Jorge Visbal Martelo, "Convivir o no convivir," *El Tiempo*, 27 August 1997. Visbal is presently being judged under the accusation of having links with paramilitary group.
- 50 Visbal Martelo, "Convivir o no convivir."
- 51 In this context, he also demanded the death penalty for kidnappers; see "Instaurar la pena de muerte pide FEDEGÁN," *El Tiempo*, 26 October 1996, <http://www.eltiempo.com/archivo/documento/MAM-558957> (accessed 19 April 2015).

- 52 *Carta Fedegan*, no. 32.
- 53 Gutiérrez, *El orangután con sacoleva*.
- 54 But it went only a little bit further from the official point of view expressed by the leader of the cattle ranchers' association, Visbal, who predicted that dismantling the *Convivir* would produce an expansion of paramilitary groups; see "Aquí hay legislar para frenar la guerra," *El Tiempo*, 11 August 1997, 2B.
- 55 Visbal Martelo, "Convivir o no convivir."
- 56 Francisco Gutiérrez Sanín and Mauricio Barón, "Restating the State: Paramilitary Territorial Control and Political Order in Colombia (1978–2004)," *Crisis States Research Centre Working Papers Series 1* (London: London School of Economics and Political Science, 2005), 66.
- 57 "Uribe inicia debate internacional de convivir," *El Tiempo*, 24 July 1997.
- 58 "¿Farc avanza hacia zonas 'paras'?", *El Tiempo*, 14 February 2006, 1–4.
- 59 "¿Volver a las Convivir?," *El Espectador*, 12 March 2005, 4A.
- 60 In certain contexts, the answer is "yes." For example, I found recently that both large-scale cattle ranching and kidnapping were associated with massacres during the 1990s. By the way, this highlights the importance of identifying coalitions behind repressive responses. However, this is an exception. In general, I believe that the problems of aggregation are too severe for TT to cope with.

