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"New" War Theory: Does the Case of Colombia Apply?

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Abstract

This paper explores the evolution of the concept of war and its effects on the nation-state. It begins by looking at how the current conception of war came into being and goes on to argue why this traditional concept is inappropriate for dealing effectively with the "new" kind of war which we see today. The question this paper addresses is whether or not the recent globalisation of the war economy and the changing nature of war itself are weakening the legitimacy of the nation-state. Colombia is used as a case-study to demonstrate that a certain group of "weak" nation-states are no longer adequately equipped to deal with unfamiliar manifestations of warfare. The paper argues that these states must be strengthened in specific ways if a resolution of conflict is to be achieved.

Introduction

Since the seventeenth century, war has been viewed as a relatively orderly phenomenon waged between or among nation-states. This novel conception of war came into being because the newly centralised and territorialised modern state asserted and maintained its identity primarily by means of war. In other words, since the ultimate symbol of the sovereignty of the nation-state was its ability to monopolise the means of violence, war was the most effective way of simultaneously exercising this monopoly and of reaffirming the symbolic nature of its power. In this way the state could retain supreme power both in reality and in the imagination. This was equally true of its subjects and of its rulers. To be sure, this situation was possible only on condition that the state managed to be consistently successful in its wars, but given the, then more or less agreed-upon, practice of limited warfare, such 'limited' success was virtually guaranteed. While there admittedly were occasional

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exceptions to this general rule, notably war waged by partisan and guerrilla forces, the evolution of the international system over the last few centuries has largely been the result of military conflict carried out by state-raised forces on the basis of this theory of exclusively state initiated and supported violence.

However, at the beginning of the nineteenth century, this conception of warfare was substantially altered by the addition of powerful new emotional and intellectual elements, namely large-scale nationalist and ideological movements. Now warfare was becoming less an instrument of national policy and more of a supposed (and at times perhaps also real) expression of the popular national will. Soldiers were no longer merely exercising a profession without allegiance to any particular national state; instead they became, at least in their own self-conception, heroic instruments of a semi-divine national destiny. Despite these changes, however, legal separations between governments, armies, and people continued to be rigid, possibly becoming even stricter than before. States still remained the ultimate repository of armed force, and even succeeded in getting their monopoly codified in international law.

This essentially Clausewitzian¹ conception of the nature and function of war, current since the beginning of the nineteenth century, has undergone a substantial change since the end of the Cold War in 1989; as an act of non-state-supported violence such as occurred on September 11th clearly illustrates. This act only confirms the, by now widely held, suspicion – “realisation” is perhaps not too strong a word – that over the last two decades the nature and conception of war have fundamentally changed. The old definitions of war are of little use in accounting for the extraordinary fact that there are currently approximately fifty wars raging around the globe, wars in which the nation states themselves are often only indirectly

¹ Karl von Clausewitz. *On War*. (first published in 1832) (Pelican Books, London, 1968).

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involved. A different kind of war is being waged by a different kind of institution. Now oppressed populations who view themselves as subjected to ideological, ethnic, and religious threats are much more liable (and able) to assert their opposition by means of organised violence. But the *new wars*², a term coined by Mary Kaldor, are not only different in the sense that they are no longer fought between nation-states, but also fundamentally different in that, although they are fought locally, they have global dimensions and repercussions. She argues that contemporary warfare draws on the reaffirmation of particular political identities, but does so in a globalised economy where weapons and communications freely flow across increasingly permeable boundaries.

The question this paper addresses is whether or not the recent globalisation of the war economy and the changing nature of war itself are weakening the legitimacy of the nation-state. More specifically, did the so-called "weak states" that were already failing become even weaker in the 1980s and 1990s due to progressive changes in the nature of war, as described above? I will look particularly at the case of Colombia, although I will also draw on other relevant examples to provide a larger context for understanding the impact of the current form of violence on historically weak states. My argument is, simply put, that a certain group of nation-states is no longer adequately equipped to deal with a new form of warfare which is much more globalised and interconnected than ever before, and that even traditionally strong states are now being subjected to new strains because of the recent re-conception of the practice of war. The increasing inability to control violence within their own borders is now threatening the legitimacy of various nation-states in the eyes of their

² Mary Kaldor. *New & Old Wars*. (Polity Press, Cambridge, 2001).

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own citizens. The Colombian conflict – although already tracing back four decades – is beginning to evolve into a new war, drawing the State ever closer to collapse.

Is the Nature of War Changing?

Like all analyses of political phenomena, my argument is based on certain assumptions. First of all, I assume that the nature of war is indeed changing.³ Secondly, I assume that the war in Colombia has changed significantly enough in the last two decades to be defined as a new type of war. Finally, I assume that violence and war affect the legitimacy of the nation-state. These assumptions are, let me hasten to add, not in any way unusual in the current trend of political thinking, nor do they lack, as we shall see in what follows, substantial support.

The great majority of incidents involving armed violence during the Cold War⁴ belonged to the category of Low Intensity Conflicts (LICs)⁵. In terms of both casualties suffered and political results achieved, this type of warfare was incomparably more important than any other type during this period. In more traditional terms, during the 1980s the so-called LIC was simply another way of referring to civil warfare⁶ in developing countries, with the main differences being that the LIC had become the predominant form during the Cold War era and that the actors involved in these wars were often much more organised than traditional

³ Mary Kaldor. "The Structure of Conflict" in Pullan, W. and Bhadeshia, H. *Structure in Science and Art*. (Cambridge University Press, Cambridge, 2000):155.

⁴ About three fourths of the approximately 160 conflicts between 1945 and 1990 were considered LICs.

⁵ This term first appeared in the 1980s and applies to conflicts which have three main characteristics: 1) They tend to take place in the "developing world" 2) They rarely involve regular armies on both sides. 3) They generally do not use high-technology collective weapons, but instead small arms and other less expensive weaponry. For more background, See Edward Rice, *Wars of the third kind: conflict in underdeveloped countries*. (University of California Press, Berkeley, 1988).

⁶ The definition of civil war provided by Small and Singer is an armed conflict with military action (a minimum of 1,000 battle deaths per year) internal to the country, the active participation of the national government and effective resistance by both sides (with the weaker inflicting at least 5% of the fatalities it sustains). See Small, Melvin; Singer, J. *Resort to arms : international and civil wars, 1816-1980*. (Sage Publications, Beverly Hills, 1981).

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guerrilla groups. After 1970, a flurry of revolutions began sweeping the "Third World". Beginning with Vietnam, the wave of change brought the expulsion of corrupt or colonial regimes, which the United States had once supported in at least a dozen countries, including Angola, Mozambique, Ethiopia, Iran, Grenada, and Nicaragua.

Some observers argue that LICs were an initial phase in an evolutionary process that has now brought us to what is fast becoming the dominant form of war in our age. This "new" type of war functions largely outside of the traditional framework of the nation-state and is based on a newly emerging political economy of war. This new war economy has become possible because of the establishment of a novel and complex system of remittances, diaspora fund-raising, external governmental assistance, diversion of international humanitarian aid, and illegal markets, such as those for weapons and drugs. This way of financing "new" wars has one of its main (and perhaps quite deliberate) consequences that its operation serves to damage the economies and not merely the military forces in the zone of warfare, thereby creating large regions of poverty, potentially productive of more future violence. Comparing the concept of civil wars or LICs today to civil wars which occurred fifty or more years ago, it is striking to see how much the concept has changed.⁷

The traditional Clausewitzian conception of war was international or inter-state in scope. Although during Clausewitz's time civil wars did of course exist, they were not by any means the predominant form of war. Based as it was on the then recent experience of the Napoleonic wars—actually the first true world war—Clausewitz's concept of absolute war anticipated the twentieth century's totalisation of violence, though this is something Clausewitz himself was at best only vaguely aware of. That

⁷ Mary Kaldor. *New & Old Wars*. (Polity Press, Cambridge, 2001): 2.

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is why the concept of War in the modern national-international era cannot be accounted for in purely Clausewitzian terms.⁸ During the Cold War, the major form of war was inter-bloc, which, for the reasons just outlined, never materialised. Although a few intra-state wars did break out during this period, these were deliberately limited⁹ and mostly served to confirm the presence at the margins of the "imperial" powers, the United States and the Soviet Union. As such these wars did not threaten the world order.

The 1990s saw a transformation of warfare and of the world order due to the end of the Cold War. As a consequence of the collapse of the old order, the newly independent states tended to be unstable, with elements of the old order seeking to adapt themselves to the new. In this transitional process armed conflict tended to reflect some of the old practices of the state-supported armies, while at the same time new, non-state supported armed forces came into being. On the whole, however, the tendency since 1989 has been for wars to become primarily campaigns of violence against civilians, waged by parties, groups and elements of decomposing state apparatus.

It is evident that our world is more interconnected today in all its aspects than it has ever been before. Globalisation is what distinguishes our era from any other and it is also affecting the nature and definition of war. Not only is this demonstrated by an increase in international intervention by international organisations, non-governmental organisations (NGOs) and other states, but also by the interconnectedness of the arms market, both legal and illegal, and the ability for global criminal activity to fund these wars. This change has increasingly made the border between violent crime and war more obscure. A war economy with strong

⁸ MartunShaw. "War and Globality: The Role and Character of War in the Global Transition." Ho-Won Yeong, ed., *The New Agenda for Peace Research*. (Ashgate, Brookfield, Vt, 1999).

⁹ Witness Truman's refusal to allow MacArthur to widen the scope of the Korean War.

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connections to other states and other markets, as it exists today, is nearly impossible to change. As Kaldor shows, domestic production typically collapses in zones of war, except for the extremely lucrative products that fund war, such as drugs or precious metals which remain protected.

State legitimacy

Since the seventeenth century, the state has been fundamental in our understanding of society. The end of the religious wars in Europe and the conclusion of the Treaty of Westphalia in 1648 marked the beginning of the modern state, a territorial entity in which the governed and the governing form a compact of reciprocal rights and obligations.¹⁰ In return for individual security – basically freedom from fear, from want, and from internal and external conflict, as well as varying degrees of latitude in their daily endeavours – the governed consent to the decrees of the rulers, that is, they agree to support the established state institutions by pledging their personal time, energy, fiscal resources, and – in extremis – even their lives. State initiated and supported warfare in many respects lay at the centre of this social contract, for, originally at least, it was war which had been the cause for creating the state itself. This had happened because the need to wage war had centralised power in the hands of monarchs and thereby expedited the development of bureaucracy, taxation and welfare services. In short, one of the major reasons for the formation of states was the threat or reality of war. It was the possibility of war that gave the state the legitimacy to maintain order and provide security.

The problem of the failed or failing state is not new. But the post-Cold War world has introduced concepts and objective conditions that serve as turning points for how

¹⁰ Clausewitz saw the dominant form of government, present and future, as the state and saw little point in studying the periods in history which antedated the state.

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the meaning and effects of nation-state failure may be viewed. Historically states "fail" because they cannot prevent conquest by a rival state, a situation that may in fact result from the absence of sufficient quantities (or quality) of armaments or of a strong military force. But in the context of the late 20th century, a failed or failing state is one in which the rulers either break the underlying compact by neglecting or ignoring the fundamental freedoms owed to their people or, as illustrated by the case of Colombia in what follows, cannot control their territory due to various factors undermining their legitimacy. In contrast to strong states, weak states can no longer control their borders, nor can they entirely control what is within those borders.

The academic literature which discusses the causes of state failure or the weakening of the nation-state often tends to focus on globalisation. Theorists such as Scholte and Held argue that the nation-state is, to some extent, becoming weaker because of its inability to manage the increasing interconnectedness and interdependence of our world. They discuss this with reference mainly to the economic sphere—that is, in the context of multinational corporations and the like—but they also refer to other manifestations of it, such as cultural and environmental globalisation. Strangely enough, the globalisation of the war economy or even the globalisation of war is rarely, if ever, discussed. David Held's *Global transformations: politics, economics and culture*, one of the leading contemporary texts on globalisation, dedicates only a few pages to what he terms "military globalisation." It almost seems as if the distinct debates on globalisation and war have not impinged substantially on each other. The new world order depends, just as the old world did, on the existence of state institutions, rather than on the negation of institutions as such.

Colombia: Past and Present

For example, the Revolutionary Armed Forces of Colombia (FARC) earns approximately \$500 million per year from the drug trade, including unofficial tax revenue from farmers and traffickers. It also exchanges drugs for weapons. As part of their protracted war against the FARC, Colombia's military seized more than 15,000 small arms along with 2.5 million rounds of ammunition from the group between 1995 and 2001.¹¹ The great majority of the arms and munitions are transported through illegal channels into the country, with twenty-one known routes supplying the armed groups with weapons every day.

The 1990s saw a dramatic rise in homicide, kidnapping, and human rights¹² violations in Colombia that made it by far the most violent nation in the southern hemisphere. This was true even though the decade began on a hopeful note with negotiations between the government and some of the guerrilla groups that led to limited demobilisation and to the important reforms codified in the Constitution of 1991. And it ended with another serious attempt at negotiating peace, a historic agreement between the government and the largest and most powerful of the guerrilla groups, the Fuerzas Armadas Revolucionarias de Colombia (FARC), to put a range of social and economic reforms on the negotiating table. Unfortunately, these efforts have continuously failed and the hopes of 1990 and of 2001 have been all but dashed. What is more, despite escalating efforts by the Colombian and U.S. governments to curb the drug trade, Colombia's role as the leading supplier of cocaine, and

¹¹ ¹¹ Small Arms Working Group Fact Sheet – Small Arms and Natural Resources, <http://www.iansa.org/documents/factsheets/small_arms_and_natural_resources.pdf>

¹² Colombia suffers from an extraordinarily high homicide rate of 63 murders per 100,000 inhabitants each year. *Testimony of Adolfo A. Franco. July 18, 2002.* Between 1997 and 2003 almost 20,000 people were kidnapped, Fundacion Pais Libre.

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increasingly of heroin, to the U.S. market continues to expand.¹³ The guerrilla bands that started out in the 1960s to create a purist, Marxist revolution are now so tightly intertwined with the narcotics trade that it is hard to tell the difference between a high-minded revolutionary and an ordinary drug gangster. But the drug trade, by itself, cannot explain the crisis. It may be possible, however, to provide a fuller and more convincing explanation of what has happened and is still happening in Colombia by putting it in the context of the discussion about the changing nature of war – the “new” war.

Violence is not new to Colombia. The country suffered through nine civil confrontations in the nineteenth century as well as numerous other smaller-scale regional conflicts. Nor did the violence stop there, as from the late 1940s to the early 1960s some 200,000 Colombians died during *la Violencia*¹⁴ when army and police troops fought a brutal war with Liberal and Communist guerrillas. The violence during this period was mostly due to causes relating to deep-rooted political affiliations. As one Colombian analyst noted, the parties were better characterised as “deeply rooted subcultures than [as] distinct programs for the conduct of the state or of economic development.”¹⁵ However, most of the violence during this period was carried out by small groups without central coordination.

In the 1940s and 1950s, the central issue between the political parties concerned control of state institutions in order to secure assistance for their own particular political and social programme. Once that issue was apparently resolved by the National Front agreement to share power equally, the top leadership of the two parties

¹³ Colombia is the world's leading producer of cocaine, with 90% of the world's supply produced, processed, or transported through the country. (State Department Fact Sheet: Country Program: Colombia, August 12, 2002).

¹⁴ For a more in depth look at *la Violencia*, see Gonzalo Sánchez G. *Bandits, peasants, and politics : the case of "La Violencia" in Colombia*. (University of Texas Press, 2001).

¹⁵ Jonathan Hartlyn. “Civil Violence and Conflict Resolution” in Licklider, Roy. *Stopping the Killing: how civil wars end*. (New York University Press, New York, 1993): 39.

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was less divided by their respective agendas. This led to a sixteen-year coalition rule by the elite liberal and conservative parties, which alienated divergent social or political views and caused the formation of the FARC in 1964. The FARC began as a Marxist revolutionary peasant movement, which used violence as a means to assert itself. Thus, a legal political left never had a chance to adequately form since it was always perceived as another arm of the FARC. The struggle between the conservative oriented state and the guerrilla-led left impelled the FARC to declare "that, henceforth, the military strategy would dominate the political strategy of the party, and that efforts would be done to build alliances with other guerrillas or leftist groups to achieve the seizure of power."¹⁶ The Colombian state was never able to adequately recuperate and accomplish all the necessary tasks of economic and social reconstruction in the regions most affected by *la Violencia*, a failure that paved the way for the emergence of the FARC and a revolutionary armed struggle. Today, the FARC taxes coca growers and peasants about 10% in return for protection from attack by the state and paramilitary forces. A common bond is also created between guerrillas and peasants because of the guerrilla opposition to the state's aerial eradication forays which indiscriminately destroy legal and illegal crops and harm the environment.

However, the FARC¹⁷ has not been the sole bearer of responsibility for the violence that has ensued in the last few decades. The United Self-Defense Groups of Colombia (AUC), a name adopted by the paramilitaries in the 1960s and applied to locally formed paramilitary units in the 1980s, are continuing to use force in order to protect landowners and, increasingly, drug-lords. In recent years paramilitary groups have increasingly practised the selective killing of rural civic leaders who are

¹⁶ PhilippE Serres. "The FARC and Democracy in Colombia in the 1990s." *Democratization*, 7:4 (Winter 2000): 196.

¹⁷ And the other main guerrilla group, the Ejercito de Liberacion Nacional (ELN).

Firchow, Pamina, Maria, "New' War Theory: Does the Case of Colombia Apply?", *Peace, Conflict and Development: An Interdisciplinary Journal*, Vol. 7, July 2005, available from <http://www.peacestudiesjournal.org.uk>.

perceived as real or potential guerrilla supporters. The 2004 State Department's human rights report noted that the security forces in Colombia have continued to fail to confront paramilitary groups, and members of the security forces sometimes illegally collaborated with paramilitary forces. It also reports that paramilitary forces were involved in human rights abuses. Many Colombians refer to the paramilitary groups as the "Sixth Division," thereby demonstrating the close connections between the Colombian Army (which has only five divisions) and the paramilitaries. Interestingly, both guerrillas and paramilitaries explain their origin in almost identical terms. That is, they ascribe it to the incapacity of the State to fulfil specific economic, social, and cultural obligations in the case of the guerrillas, and, in the case of the Self-Defence groups, to the State's inability to carry out the essential function of the modern nation, namely of ensuring the safety, property and freedom of all citizens. Thus, it seems that the failure of the state to resolve the agrarian question and to adequately rebuild the country after the violence of the 1940s and 1950s has contributed to the problems of the 1980s, 1990s and into the new millennium.

Part of bringing *la Violencia* to an end involved re-articulating state authority over disparate regions of the country, coupling regional party figures to central authority, and separating them from guerrilla and bandit leaders who could then be individually and gradually defeated (although, of course, this was never properly carried out). This became increasingly more difficult with the appearance of the FARC, which was gaining the support of the peasantry due to the absence of state power in many rural areas. In addition to the problems presented by the inability of the Colombian state to resolve the problems presented by *la Violencia*, the situation was aggravated in the 1980s and 1990s by the presence and actions of drug traffickers, which again limited the ability of the Colombian state to negotiate effectively with the guerrilla opposition

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and to proceed with democratising reforms.¹⁸ And as Phillip McLean¹⁹ finds, the deterioration of Colombian institutions correlates closely with the growth of the narcotics trade from the late 1970s onward. He claims that the most affected institution was the crippling of the justice system; the first sign of a weakening state.

Also, shameful socio-economic conditions persist, leaving much of the population in misery while living in a rich country with a concentration of wealth and land-ownership that is high even by Latin American standards. The situation has become worse since the 1990s as a result of the "neoliberal reforms" formalised in the 1991 constitution, which reduced tariffs and customs on imported products against which local producers could not compete. Land ownership changed as well due to an increase in multinational corporations' investments in rural areas and the increasing integration of the national economy with global markets. Large landowners increased their ownership from 32.5 percent of the country's agricultural land in 1984 to 45 percent in 1997.²⁰ This shows that the violence in Colombia is partly due to the failure of the state to resolve social conflicts, particularly in the distribution of wealth and land reform.

A "new" war in Colombia?

It is questionable if the periods of violence during the last two decades can legitimately be defined as periods of war. Academics such as Jonathan Hartlyn²¹ have grappled somewhat inconclusively with this question. But even if it is assumed that

¹⁸ Nazih Richani. "The Political Economy of Violence: The War-System in Colombia." *Journal of Interamerican Studies and World Affairs*. 39:2 (Summer, 1997).

¹⁹ Philip McLean. "Colombia: Failed, Failing, or Just Weak?" *The Washington Quarterly*, 25:3 (Summer 2002).

²⁰ Nazih Richani. *Systems of Violence: The Political Economy of War and Peace in Colombia*. (State University of New York Press, Albany, 2002).

²¹ Jonathan Hartlyn. "Civil Violence and Conflict Resolution" in Licklider, Roy. *Stopping the Killing: how civil wars end*. (New York University Press, New York, 1993).

Firchow, Pamina, Maria, "New' War Theory: Does the Case of Colombia Apply?", *Peace, Conflict and Development: An Interdisciplinary Journal*, Vol. 7, July 2005, available from <http://www.peacestudiesjournal.org.uk>.

the violence in Colombia is indeed a kind of war, can we say with any degree of assurance that the nature of this war changed substantially during this period? If so, how? These questions can be answered by looking more closely at the factors affecting the war in Colombia. It is clear that there are many differences that can be discerned between the current war in Colombia and that of *la Violencia*. The evolution of war in Colombia seems to be in congruence with what Mary Kaldor views as a "new" war. The elements of transnational links and a blurring of the distinctions between war, organised crime and large-scale violations of human rights are all present. All of these factors contribute to an intensification of war, bringing the nation-state continuously closer to collapse as it grows increasingly unable to provide adequate security for its citizens. In what follows I will provide a short overview of the multiple factors which contribute to the "new" war problems of the conflict in Colombia.

Criminalisation of the war system

One of the fundamental differences in the history of violence in Colombia compared to the last two decades is the criminalisation of war. The conflict in Colombia has changed in the past decade from an ideological war to a mixture of international drug trafficking, weapons, money-laundering, criminality and terrorism. The surge in Colombia's illicit narcotics industry since the 1980s, combined with the ideological dislocations of the end of the Cold War, have made the FARC and ELN far different from earlier Latin American guerrilla groups. The rebels' sworn enemies, the right-wing paramilitaries, who appear to be gaining support in at least some rural areas threatened by the guerrillas, also have close and profitable links with the drug industry. Many of their leaders have become "military entrepreneurs" who feel little

Firchow, Pamina, Maria, "New' War Theory: Does the Case of Colombia Apply?", *Peace, Conflict and Development: An Interdisciplinary Journal*, Vol. 7, July 2005, available from <http://www.peacestudiesjournal.org.uk>.

need to cooperate and communicate with Colombian society and even less with the international community. The state is no longer able to govern effectively because of the privatisation of the war system. It cannot extend even basic social services or—perhaps most damaging—guarantee the rule of law in much of rural Colombia. These shortcomings, combined with an unstable military force, and a deeply compromised judicial system, have been a near-fatal handicap in the state's efforts to govern, much less to defeat the guerrillas and suppress the narcotics traffickers. This failure is due, however, not merely to the vast increase in the drug trade, but also to the widespread and easy availability of small arms.

When citizens and groups in a country have unauthorised access to instruments of war on a large scale and can promote private or political interests by threatening or exercising violence, then the government in question is deprived of one of its essential features: the monopoly on the legitimate use of force. Many of the sales of small arms are primarily to countries already in conflict—for example, it is estimated that 20 percent of UK export licences for small arms, light weapons, and ammunition go to countries in conflict, including Sri Lanka, Zimbabwe, and Colombia.²² Unfortunately, this is only an estimate since, unlike owning a dog or a television, a license is not needed to export arms from the UK. The legal and illegal availability of arms—often inextricably intertwined—is a principal reason for the continuation of the conflict in Colombia. Although, many small arms are imported through legal channels, they are often diverted to criminal purchasers, with the result that the sale of these weapons can no longer be controlled. As UN Secretary General Kofi Annan stated in 2000:

²² *The Guardian*, 4 November, 1999.

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"An estimated 50 to 60 per cent of the world's trade in small arms is legal—but legally exported weapons often find their way into the illicit market. The task of effective proliferation control is made far harder than it needs to be because of irresponsible behaviour on the part of some states and lack of capacity by others together with the shroud of secrecy that veils much of the arms trade."²³

It is clear that in Colombia the small arms trade and the drug trade are very closely intertwined. As Michael Klare²⁴ has observed, Colombian insurgents and drug traffickers appear to have several methods for acquiring arms on the black market. One entails the shipment by sea of Soviet-bloc weapons obtained in Nicaragua and El Salvador, where large numbers of such arms remain in circulation following the conclusion of the armed conflicts there. Another method involves the shipment by air (usually in small planes used for the surreptitious delivery of cocaine) of firearms bought from commercial gun dealers in the United States. It seems that the clandestine networks originally developed for the drug trade are now being used for weapons as well. The huge income obtained by drug traffickers, paramilitaries, and guerrillas from the international drug trade in turn funds the arms trade which continues to fuel the war. The oversupply of small arms heightens the civil conflict, putting the nation-state system itself under attack. Although the Colombian state has tried to prevent this process, studies show that trafficking in arms and other military equipment to Colombia is rising.²⁵ This is mostly due to the fact that the channels of transmission are interconnected, both regionally and internationally. The globalisation of trade, communications and finance has enabled arms brokers and gunrunners to take advantage of the gaps within and between national legal systems.

²³ Kofi Annan. *We the Peoples: The Role of the United Nations in the 21st Century*. (UN, New York, 2000): 52.

²⁴ , Michael Klare. *A Scourge of Guns*, (Federation of American Scientists, Washington, DC, 1996).

²⁵ Cragin, Kim & Hoffman, Bruce. "Arms Trafficking and Colombia." RAND: National Defense Research Institute, 2003.

Firchow, Pamina, Maria, "New' War Theory: Does the Case of Colombia Apply?", *Peace, Conflict and Development: An Interdisciplinary Journal*, Vol. 7, July 2005, available from <http://www.peacestudiesjournal.org.uk>.

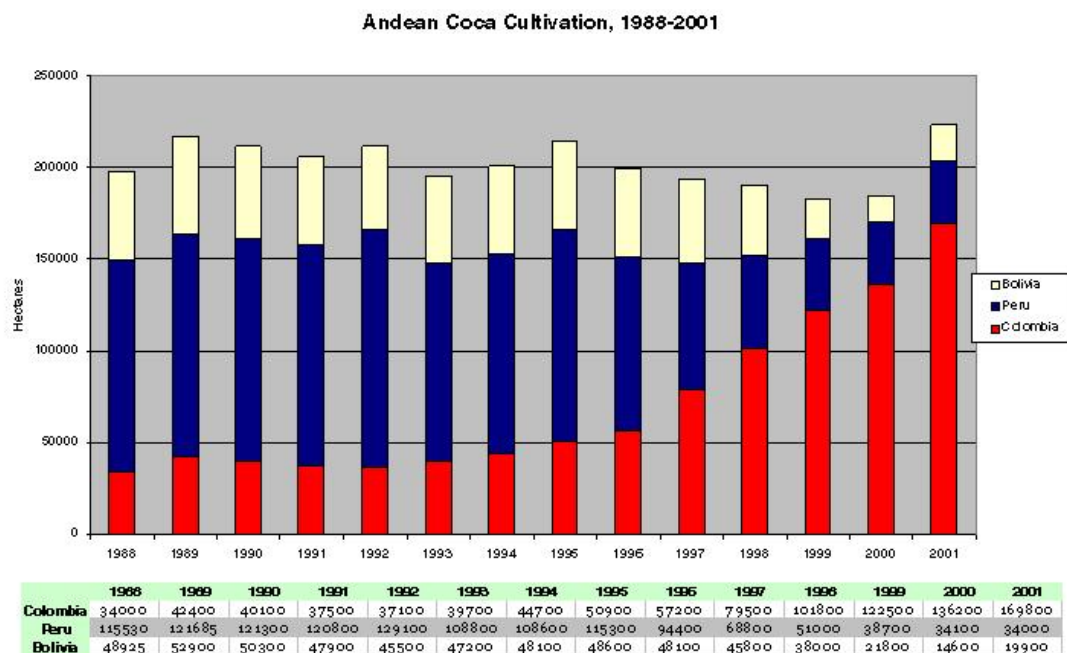
Ultimately, crime funds the war in Colombia, but it is also a part of the war-system. The distinction between crime and war has become blurred.²⁶ Unlike former times, kidnappings and killings are rarely committed for strictly political reasons; rather, in present day Colombia, they are generally committed for mixed political and economic reasons, with at least one of the aims being support the war system. This blurring of motives results in what Mary Kaldor calls a "globalised war economy," where domestic production has declined dramatically because of global competition and interruption of normal trade and the fighting units finance themselves through plunder and the black market or through external assistance. This complex and confusing enterprise politics and criminality can, however, only be sustained through continued violence, with the more or less inevitable result that a war logic is built into the functioning of the entire economy.²⁷ Ultimately, therefore, civilians are affected not only by this interconnected war economy, but also become victims of the specific warring political and gang factions²⁸. In the process the legitimate institutions of the nation-state itself also tend to fall victim to this violent and chaotic activity.

²⁶ See Table 1.1. Source: Nazih Richani. *Systems of Violence: The Political Economy of War and Peace in Colombia*. (State University of New York Press, Albany, 2002): 64.

²⁷ Mary Kaldor. *New & Old Wars*. (Polity Press, Cambridge, 2001): 9.

²⁸ According to the Center for International Policy, a leading think-tank on Colombia, for every military death in Colombia there are six civilian deaths.

Table 1.1



Source: State Department, *International Narcotics Control Strategy Reports*, 1999-2002

International Involvement

The changing competence of the nation-state, especially the emergence of non-state centres of authority, is an important feature of post-modern conflict. In Colombia, supranational, international and local actors have placed limits upon this competence. Such limitation is evident in the fact that the war in Colombia is, in large part, primarily interesting to the international community not because of its unstable social and political condition but because of the externally unstabilising consequences of its principal export: cocaine. This is particularly true for the United States, which has been and continues to be willing to give large amounts of military aid in order to fight the “war on drugs.” In fact, Colombia is the third largest recipient of U.S. military aid after Israel and Egypt. Nevertheless, the Colombian army's 158,000 combat troops are not able to defeat or even push back the FARC's 17,000 fighters,

Firchow, Pamina, Maria, "New' War Theory: Does the Case of Colombia Apply?", *Peace, Conflict and Development: An Interdisciplinary Journal*, Vol. 7, July 2005, available from <http://www.peacestudiesjournal.org.uk>.
the ELN's 5,000 and the 20,000 paramilitaries.²⁹ The United States government seems unable to recognise the implications of the 'new war' for the stability of the Colombian nation-state, though there are a few voices which do show awareness of the problem. As the "war on terror" progresses in the U.S., the Colombian insurgency groups have been put on the terrorist list, automatically connecting the Colombian conflict with others in the world. Leading U.S. officials such as George Tenet and Colin Powell have made statements connecting the threat to the United States by organisations such as Al Qaeda to that of the FARC and ELN.

With the active collaboration of the Clinton administration, former President Pastrana of Colombia formulated a plan in 2000 which became known as "Plan Colombia." According to this Plan, the initial objective was for the state to gain control of the entire country, with the help of about \$4 billion in international aid to supplement \$4 billion of its own funding. The plan hoped to implement this objective by launching a major military offensive against the FARC in southern Colombia, while at the same time eradicating the coca crops being grown in that region. Following the military phase, peasant farmers whose coca crops had been eradicated would then be offered funding for alternative crops and aid would also be made available to those campesinos who had been forced to flee their homes and their land. Five years later, Plan Colombia is beginning to phase out, but the results are not quite those which were originally anticipated. On the contrary, the plan has displaced people, ruined the environment and crops, and fueled a war which most impartial observers are beginning to realise cannot be solved by force. Nevertheless, the Bush administration actively continues to support initiatives similar to those of Plan Colombia, although it is clear that the plan has been largely ineffective. This is

²⁹ The Center for International Policy: Colombia Project. www.ciponline.org/colombia/

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demonstrated by reports such as the recent findings from the US National Drug Intelligence Center which states, "According to the NDTS 2003, 81.7 percent of state and local law enforcement agencies nationwide reported the availability of powder cocaine as high or moderate, an increase from 76.2 percent in 2002."³⁰ It seems that narcotics cultivation and processing have increased in Colombia during the very years of the plan's operation.

Hitherto U.S. military assistance has been criticised primarily for two reasons: 1) the Colombian military's dismal human rights record and its notorious ties with the paramilitaries; and 2) The suspicion that U.S. motives behind the aid are not what they claim to be. Human Rights Watch and other NGOs involved in monitoring the conflict in Colombia have reported continuous interaction between the paramilitaries and the Colombian army. These links are particularly disturbing because, according to the Colombian Commission of Jurists, between December 1, 2002 and September 10, 2004, paramilitaries were responsible for killing or kidnapping at least 1,895 civilians "in actions not directly related to the armed conflict."³¹ On the other hand, criticism of the real motives behind U.S. support of military action in Colombia has centred around whether or not it is economically beneficial for the U.S. defence industry to aid Colombia. In other words, there is a growing suspicion that American military assistance is not so much a function of the need of the Colombian state as of the need of U.S. arm manufacturers to show a favourable balance sheet. It is a war, so it would appear, that is being fought at least as much by lobbyists in Washington as it is by the Colombian army in the rainforests of rural Colombia.

In making this argument, I seem to have become involved in an apparent contradiction, namely that, given the presuppositions outlined at the beginning of this

³⁰ National Drug Intelligence Center. *National Drug Threat Assessment 2004*, April 2004.

³¹ For a list of each of the 1,895 cases, see: <http://www.coljuristas.org/>

Firchow, Pamina, Maria, "New' War Theory: Does the Case of Colombia Apply?", *Peace, Conflict and Development: An Interdisciplinary Journal*, Vol. 7, July 2005, available from <http://www.peacestudiesjournal.org.uk>.

paper, it would seem logical to conclude that U.S. support of the Colombian military would serve to reinforce the institutions of the nation-state rather than weaken them. For, if indeed the authority of the nation-state rests on its monopoly of armed force, then it would appear to follow that U.S. military aid must function to re-establish that monopoly. While I acknowledge the force of this argument in the abstract, I do not, however, recognise its applicability to this particular case, if only because U.S. military aid is so obviously not helping to establish either the state's monopoly of armed force nor is it strengthening its legitimacy. In my view, the main reason why U.S. military aid is not achieving this goal is because the authority of the Colombian state cannot be re-established in the absence of a prior and appropriate reconstruction of the failing state apparatus. The real problem with U.S. assistance is that it is focused on a single policy goal, that is, to stop the flow of drugs from Colombia to the United States. By supplying only weapons and little aid for alternative development and state reform, the U.S. has done little to help the Colombian government regain its popular legitimacy. This remains as true today as it did when the so-called war on drugs began, despite the fact that since the end of the Cold War, the U.S. has begun advocating for more human rights awareness in Colombia (as well as globally). Unfortunately, the words of the United States have not been matched by its actions. Ultimately, the only feasible and enduring way for the Colombian government to regain control of its territory and to strengthen its democratic institutions is through meaningful economic and social reform, not by force—or empty words. The United States and the Colombian army have sought in vain to win a “new” war by means of fighting an “old” one. By now it should be clear that, in places like Colombia but also in such areas as Iraq, “new wars” cannot be ended by employing old conventional means.

Firchow, Pamina, Maria, "New' War Theory: Does the Case of Colombia Apply?", *Peace, Conflict and Development: An Interdisciplinary Journal*, Vol. 7, July 2005, available from <http://www.peacestudiesjournal.org.uk>.

In this context, it is an interesting, though not particularly hopeful, sign that international involvement has not focused exclusively on strengthening the Colombian state's military establishment. Three Irish citizens were accused by Colombia's Attorney General, Luis Camilo Osorio, of being IRA activists involved in training FARC guerrillas in jungle camps. According to Osorio, "The techniques that the FARC has developed in recent years show that it has had technical assistance and used technology similar to that used by the IRA."³² This striking international nexus of anti-state violence demonstrates how globally interconnected the war in Colombia really is. Not only is the violence being encouraged by inter-state relations, such as U.S. military aid for the war on drugs, but ties are also being made between non-state actors across the globe. The State in Colombia appears to have lost control not only of its territory, but also of the actors controlling that territory. The U.S. and the guerrillas, with international help, are both involved in fighting a war which does little to strengthen the State and its institutions.

The conflict also remains of immense regional concern. The resumption of hostilities between the government forces and the FARC entails the distinct danger of the violence spilling over to the border to Brazil, Ecuador, Panama, Peru and Venezuela and it appears that the FARC is using some of these neighbouring countries as bases and transit points for their operations. These events underline the fragility of regional political structures. Panama, Brazil, Peru, Ecuador and Venezuela also find themselves being used as conduits for drugs, arms and cash as Colombia's ills spread into their political and economic systems. The frailty of one nation-state is affecting surrounding nation-states. That is why a system to control the regional repercussions of the war in Colombia must be devised. Here too the "new" war will

³² "State of emergency declared in Colombia," *The Guardian*. Monday August 12, 2002

Firchow, Pamina, Maria, "New' War Theory: Does the Case of Colombia Apply?", *Peace, Conflict and Development: An Interdisciplinary Journal*, Vol. 7, July 2005, available from <http://www.peacestudiesjournal.org.uk>.

have to be confronted imaginatively by devising and implementing "new" modes of conflict resolution.

The Crisis of the Colombian Nation-State

The criminalisation of war is a sign of the breakdown of the state.³³ In Colombia, the judicial system has annually increased in inefficiency. Between 1990 and 2000, almost half of the total number of judicial processes have ended in impunity; that is, they have been thrown out of court on the basis of a simple technical ruling.³⁴ Given this lamentable situation, it seems fair to conclude that in the last few decades there has been a complete collapse of the judicial system. This collapse means that the state is now neither a social regulator, nor a guardian of order. The war has entered into an accelerated process of privatisation with a consequent delegitimisation of the state and of state-operated public institutions. As discussed before, criminal violence and the blurring between criminality and war is an indicator of state failure. A 2003 UNDP National Human Development Report³⁵, finds that progress has been normative and formal, rather than real. It goes on to indicate that governability is faced with six obstacles:

- i) little institutional capacity, legitimacy or transparency
- ii) restricted local autonomy
- iii) little support, and a lack of coordination between different government levels
- iv) little sense of public interests and excessive opportunism
- v) sporadic and ineffective citizen participation

³³ Martin Van Creveld. *The Transformation of War*. (The Free Press, New York, 1991): 204.

³⁴ Gonzalo Sanchez. "Problems of Violence, Prospects for Peace" IN Bergquist, C., Penaranda, R., and Sanchez, G. *Violence in Colombia: 1990-2000*. (Scholarly Resources, Wilmington, 2001): 12.

³⁵ 2003 National Human Development Report. "Solutions to Escape the Conflict's Impasse." United Nations Development Program.

Firchow, Pamina, Maria, "New' War Theory: Does the Case of Colombia Apply?", *Peace, Conflict and Development: An Interdisciplinary Journal*, Vol. 7, July 2005, available from <http://www.peacestudiesjournal.org.uk>.

vi) almost no accountability.

As state authority weakens and fails, and as the state becomes criminal itself by systematically oppressing its citizens, so general lawlessness also becomes more the expected and even accepted norm.

That is why it is so important for the international community to pressure Colombia into upholding human rights and help the country to re-invigorate and, where necessary, build new legitimate institutions. Otherwise, citizens will continue to look for protection from guerrilla groups and paramilitaries. Results from a 2003 Rand Report on Colombia³⁶, show that there is a strong correlation between an increase in arms trafficking and U.S. military assistance to the Colombian government, which, in turn, has stimulated an escalation in violence as guerilla and paramilitary groups have fought for control of trafficking routes. This demonstrates that even with U.S. military assistance, a lack in State authority in Colombia is a significant cause for concern. Until radical reform is undertaken by courageous leaders, sovereignty in Colombia will no longer remain a privilege of the State, but will have to be shared with guerrillas and paramilitaries. Along with the judiciary, other institutions will eventually collapse and possibly disappear altogether.

As we have seen, the conflict in Colombia has changed in the past two decades from an ideological war to a murky mixture of international drug trafficking, weapons, money-laundering, and criminality. It appears, as Mary Kaldor argues, that the "new" wars, like the war in Colombia, are part of a process which is more or less a reversal of the processes through which modern states evolved. The State in Colombia, although not entirely failed, has lost its power through a lack of control of criminal activity within its boundaries and a crisis in the rule of law. This has

³⁶ Cragin, Kim & Hoffman, Bruce. "Arms Trafficking and Colombia." RAND: National Defense Research Institute, 2003.

Firchow, Pamina, Maria, "New' War Theory: Does the Case of Colombia Apply?", *Peace, Conflict and Development: An Interdisciplinary Journal*, Vol. 7, July 2005, available from <http://www.peacestudiesjournal.org.uk>.

changed significantly from the ideological origins of the conflict and fits in line with the "new" war theory.

Conclusion

The concept of sovereignty that grew out of the *Treaty of Westphalia* and that is now enshrined in the *Charter of the United Nations* must be modified if there is to be any hope for weak or failing states. Until the world community decides that it can and must intervene before states fail, it will forever be forced into ever more costly reactions to events. Global leadership remains embedded in the national politics of small horizons, however. Current global leadership limits itself merely to responding to emergencies. The global system, in other words, is no system at all, but a series of improvised responses to an unforeseen chaos of events. Academics such as Kaldor, Van Creveld, and Shaw recognise that the world must move away from this Clausewitzian world-picture if we are to learn how to deal with these "new" wars.

With the spread of globalisation and with the consequent internationalisation of the war in Colombia and elsewhere, the further weakening of already failing states becomes increasingly apparent. Without the means to control what happens within their own territory, these weak or failing states are not able to control armed conflict from spreading outwards and becoming more intense. Criminal life in Colombia, and other states like it, has become normalised and is by now an integral and accepted part of the war system. The international community should intervene if these new kinds of conflict are to be resolved and peace is ever to come to these war-torn countries. If not all, then at least a significant part of the massive spending by major states on arms and soldiers must be diverted towards new forms of global policing, law-enforcement, and war-management. However, the most important first step is to recognise the

Firchow, Pamina, Maria, "New' War Theory: Does the Case of Colombia Apply?", *Peace, Conflict and Development: An Interdisciplinary Journal*, Vol. 7, July 2005, available from <http://www.peacestudiesjournal.org.uk>.

different character of these wars and to prepare appropriate and effective responses. This means mostly political and social reform and aid, but also some military and police aid. A careful consideration and observance of the military and police forces will be necessary to strengthen and combat the criminal war system, while at the same time upholding human rights and strengthening the legitimacy of the state. Rather than fortifying and defending borders, a successful quest for peace must entail strategies for easing and erasing the rifts in society, by eliminating the causes of dissension. A revised definition of state sovereignty must be established and accepted by the international community to accommodate the multiplicity of political, economic and social dynamics beyond national controls, a form of "global governance" rooted in a notion of international community and framed through the development of a human infrastructure. The future for Colombia, along with other weak nation-states like it, lies in a stronger, more responsible re-conception of the nation-state as an entity able not only to deal effectively and accountably with conflicts within its own territory, but also to work harmoniously with other states to combat the negative effects of globalisation.