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Memory, conflict and the drug war in Colombia

an analysis of drugs-related violence in conflict narratives

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# Memory, Conflict and the Drug War in Colombia: an analysis of drugs-related violence in conflict narratives

# **Mary Ryder**

A dissertation submitted to the University of Bristol in accordance with the requirements for award of the degree of Master of Philosophy in the Faculty of Arts, School of Modern Languages.

September 2019

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Declaration:
I declare that the work in this dissertation was carried out in accordance with the requirements of the
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DATE: ......18 September 2019.......

SIGNED: .....Mary Ryder.....

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### **Abstract**

In November 2016, representatives of the Colombian state and the FARC-EP signed the final peace agreement which was designed to end Colombia's protracted conflict. This peace agreement established a transitional justice system to address crimes committed during the conflict. There is broad consensus that the illegal drugs trade has contributed significantly to the Colombian conflict, but it is disputed whether drugs-related violence is a cause of conflict or a symptom of structural problems. This research explores how drugs and drug policy feature in contemporary memory projects produced by victims' organisations and community groups, as well as state-sanctioned memory and truth-seeking interventions, including Colombia's Commission for the Clarification of Truth, Coexistence, and Non-Repetition (CEV). The findings reveal that the global drug war is a critical blind spot in the country's historical memory of contemporary armed conflict. I argue that the dissonance between the impact of the drug war in Colombia's armed conflict, particularly since the mid-1990s, and how it is remembered in the country's historical memory is striking. In crossing the boundaries between 'political' violence and the drugs war, my research breaks away from most scholarship about the causes of conflict in Colombia. In doing so, this research builds upon extensive scholarship concerning debates about causes of conflict in Colombia. I suggest that silence around the drug war in Colombia's historical memory of armed conflict undermines the fundamental goal of the Colombian peace process to guarantee the non-repetition of the conflict and to construct a stable and long-lasting peace.



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### **Abbreviations**

ASAMCAT Asociación Campesina del Catatumbo (Association of farmers from

Catatumbo)

ANZORC Asociación Nacional de Zonas de Reserva Campesina (National Association

of Peasant Reserve Areas)

**AUC** Autodefensas Unidas de Colombia (United Self-Defence Forces of Colombia)

**CEV** Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No

Repetición (Commission for the Clarification of Truth, Coexistence, and Non-

Repetition)

CHCV Comisión Histórica del Conflicto y sus Víctimas (Historical Commission of the

Conflict and its Victims)

CNRR Comisión Nacional de Reparación y Reconciliación (National Commission for

Reparation and Reconciliation)

**CNMH** Centro Nacional de Memória Histórica (National Centre for Historical

Memory)

COCCAM Coordinadora Nacional de Cultivadores de Coca, Amapola y Marihuana

(Organisation of Coca, Poppy and Cannabis Farmers)

FARC Fuerzas Armadas Revolucionarias de Colombia (Revolutionary Armed Forces

of Colombia)

**GMH** Grupo de Memória Histórica (Historical Memory Group)

Grupo de Trabajo de Género (Gender Working Group)

**HRW** Human Rights Watch

JEP Jurisdicción Especial para la Paz (Special Jurisdiction for Peace)

MOVICE Movimiento Nacional de Víctimas de Crímenes de Estado (Movement of

Victims of State Crimes)

OHCHR Office of the United Nations High Commissioner for Human Rights

ONIC Organización Nacional Indígena de Colombia (National Indigenous

Organisation of Colombia)

PNIS Programa Nacional Integral de Sustitución de Cultivos de Uso Ilícito

(National Integrated Program for the Substitution of Illicit Crops)

PCN Proceso de Comunidades Negras (Afro-Colombian organsation)

**RUV** Registro Único de Víctimas (Single Registry of Victims)

SIMCI Sistema Integrado de Monitoreo de Cultivos Ilícitos (Integrated Illicit Crops

Monitoring System)

**SIVJRNR** Sistema Integral de Verdad, Justicia, Reparación y No Repetición

(Comprehensive System of Truth, Justice, Reparation, and Non-Repetition)

TC Truth Commission

TJ Transitional Justice

**UN** United Nations

**UNODC** United Nations Office on Drugs and Crime

**US** United States

### Introduction

"The issues of drugs and armed conflict are inextricably linked. Undoubtedly, drug trafficking was a motor, and one can say that it remains so at this time, which revitalises the armed conflict."

Commissioner Alejandra Miller, interview on 16 November 2018

In November 2016, representatives of the Colombian state and the FARC-EP signed the final peace agreement which was designed to end Colombia's protracted conflict. The Commission for the Clarification of Truth, Coexistence, and Non-Repetition (*La Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición* - CEV in Spanish¹) was established to secure victims' rights and help to lay the foundations for a stable and long-lasting peace. My research began one year later, as Colombia continued on its transition to peace. I had the privilege of doing fieldwork at the CEV at this most critical time, where I conducted interviews with commissioners and researchers about the nature of drug policy in conflict narratives and Colombia's historical memory. In this dissertation, the term 'historical memory' is considered to be plural and inclusive, rather than the embodiment of a single collective memory or 'truth' (Stern, 2000; GMH, 2013a; Jelin, 2017). I propose that historical memory has been a valuable tool for advancing knowledge about the causes of conflict in Colombia, but that the role of drugs and drug policy have largely been left-out and silenced.

The two central questions I intend to answer through this research are:

- How do drugs and drug policy feature in Colombia's historical memory of armed conflict?
- What is the impact of the global drug war on the contemporary Colombian conflict?

To this end, I have critically analysed both grassroots, localised memory projects, and official, state-sanctioned memory and truth-seeking interventions trying to open up Colombia's recent history for references to the drugs war. The overall objective of this research is to provide a nuanced and in-depth explanation of **a**) how people's experiences of contemporary conflict have been shaped by Colombia's counter-drug and security policies, and **b**) how the global drug war has transformed the pre-existing causes of conflict. In doing so, I aim to build upon extensive scholarship concerning debates about causes of conflict in Colombia.

Colombia has become a country synonymous with drugs and drug trafficking. However, the term 'global drug war' refers here to a global prohibition that ostensibly seeks to prevent non-medical use, sale and production of specific drugs, and militarised security policies to enforce it. While most

<sup>&</sup>lt;sup>1</sup> Many of the sources used throughout this thesis have been translated from Spanish to English. This includes both primary source material and secondary sources. All translations are my own and I have tried to convey the original meaning to the reader as accurately as possible.

scholars and observers recognise that the illegal drugs trade has contributed significantly to the Colombian conflict, it is disputed whether drugs-related violence is a cause of conflict, or a symptom of structural problems. In crossing the boundaries between 'political' violence and the drugs war, my research breaks away from most scholarship about the causes of conflict in Colombia.

The findings of this research reveal that contemporary memory and truth-seeking interventions are not engaging with this key issue of the drug war, which has significant implications for transitional justice (henceforth TJ) and peacebuilding in Colombia. I suggest that silence around the drug war in Colombia's historical memory of contemporary armed conflict undermines the fundamental goal of the Colombian peace process to guarantee the non-repetition of the conflict and to construct a stable and long-lasting peace, as established in the 2016 Peace Agreement. A concern is that while the drug war continues, despite efforts made by the Colombian peace process to end violence, the persistence of armed groups seeking to control Colombia's illegal drug trade and challenge the State may not be abated.<sup>2</sup>

### 1.2. Thesis structure

This text is split into eight chapters. This first chapter has introduced some of the key ideas within the thesis and lays out the overarching hypothesis. Together, chapters 2-4 seek to establish the significance of this study. Chapter 2 begins with a literature review of the debates about the causes of conflict in Colombia. I discuss when and how counter-drug and security policies have transformed the pre-existing conflict dynamics and suggest that in recent years, the drug war has become a motor of violence. In chapter 3 I introduce state-sanctioned and grassroots memory projects seeking to open up Colombia's recent history, which are critically analysed for references to the drug war. This study reveals that the drug war has largely been neglected in conflict narratives. Following this, in chapter 4 I provide a brief comparative study of past truth commissions and explore the opportunities and challenges they often face when uncovering past wrongdoing. I situate the Colombian CEV comparatively against other international TCs to demonstrate the huge challenge that lies ahead as it works to achieve its mandate. Chapter 5 explains the methodology used in this study and describes my fieldwork conducted at the CEV. Chapters 6 and 7 present the empirical findings of my research, which bring together the reviews of relevant literature and memory initiatives with the data I collected at the CEV. In chapter 6 I discuss why the drug war is a blind spot in historical memory of armed conflict. Chapter 7 constitutes a reflective exercise based on a critical reading of the CEV's mandate,

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<sup>&</sup>lt;sup>2</sup> Some commentators suggest that this is already happening (see McVeigh (2018) and Hernandez-Mora (2019)).

interviews with CEV staff, and media reporting from the CEV's first nine months of operation, which reveals that although the CEV presents a promising opportunity to investigate the impact of the drug war in Colombia's armed conflict, this line of investigation risks falling through the gaps of the CEV's work, largely because of its broad and ambitious mandate. Finally, in chapter 8 I summarise the significance of these findings and their implications for Colombia's TJ process.

### Chapter 2

### Causes of conflict in Colombia

### 2.1. Introduction

There are profound disagreements in the literature regarding the "abundance" of causes of contemporary conflict in Colombia (Pécaut, 2015, p1). Structural inequalities and cultural dynamics of conflict long predate the drug war-related violence which began to impact particularly heavily on the country as the cocaine trade boomed in the 1980s. This literature review synthesises the main areas of disagreement in debates about the causes of conflict in Colombia. It draws heavily on the contribution of the Historical Commission on the Conflict and its Victims (2015) (Comisión Historica del Conflicto y sus Víctimas - CHCV) which was officially mandated to "elucidate the truth" of the war.<sup>3</sup> While most scholars and observers recognise that drugs-related violence has contributed significantly to the Colombian conflict, it is disputed whether the drug war is, in itself, a cause of conflict, or a symptom of structural problems. The term 'global drug war' refers here to the policies intended to prevent the non-medical use, sale and production of the specific drugs, and the violence used to enforce them i.e. prohibition and militarised security policies.<sup>4</sup> I challenge the conventional notion that illegal drug trafficking is just a means of fuelling violence. I propose that in the 1990s, the drug war became a principal 'motor' of violence in the Colombian conflict, as economic factors began to supersede political motivations for combat. <sup>5</sup> This thesis has significant implications. Firstly, it implies that the Colombian conflict is part of a global security crisis caused by the international drug control system. <sup>6</sup> Secondly, where global drug policies have produced waves of violence and political instability in Colombia, now global solutions - i.e. reform of current drug policies - are required to promote long-

<sup>&</sup>lt;sup>3</sup> The CHCV was a transitional justice tool enacted during peace negotiations in 2014 between the Colombian state and the FARC-EP to study the root causes of the conflict, the factors contributing to its persistence and its impacts on the population. The final report contained twelve 'expert' accounts, and two summary reports that offer diverging views about the conflict and demonstrate an overall lack of consensus about its origins and the main aggravating factors (Herrera et al., 2018, pp.733-734).

<sup>&</sup>lt;sup>4</sup> The 1961 United Nations Single Convention on Narcotic Drugs frames drugs as "evil" and a "danger to mankind". This convention has established prohibition in domestic law worldwide, closing down some possibilities of alternative drug control systems. The 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs was designed to address and end illegal drug trafficking in the 1970s and 1980s. Global drug policy is thus built on the 'eradication' of the 'evil' drug threat.

<sup>&</sup>lt;sup>5</sup> Transform Drug Policy Foundation's 'Alternative World Drug Report' (2016) describes in detail how across the world, illegal drug markets are created and fuelled by the drug war, as strict prohibitions on products for which there is high demand generate lucrative financial opportunities for organised criminal gangs. Without formal market regulation, cartels and other actors use violence, intimidation and corruption against politicians, police, judiciary and the armed forces, which undermines governance and fuels conflict.

<sup>&</sup>lt;sup>6</sup> Commentators have suggested that the securitisation of drugs – characterised by increasing powers and resources for enforcing prohibition and combatting organised crime – at best displaces the illicit drugs trade to new routes, and at worst increase violence and corruption, which constitutes "one of the greatest threats to international security" (Kushlick, 2009; Crick, 2012).

lasting and stable peace. It also raises the question of whether localised memory work is able to account for and grapple with transnational crimes and policy infrastructure? In crossing the boundaries between 'political' violence and the drugs war, my research breaks away from most scholarship about the causes of conflict in Colombia.

The first section of this literature review looks at the structural factors which have contributed to conflict in Colombia. This is divided into debates about long-standing political exclusion in Colombia and a history of institutional weakness, which paved the way for guerrilla insurgency and created the conditions for such devastating violence. Following this, debates about long-term socio-economic inequality, social exclusion and land tenure as drivers of conflict in Colombia are introduced. The second section examines the relationship between international (particularly United States) influence and violence in Colombia. I explore when and how Colombia's drug control system has exacerbated and transformed each of these pre-existing dynamics of conflict.

### 2.2. Structural causes of conflict

There is broad consensus in the academic literature that the causes of conflict in Colombia are indeed long-standing and cultural, while the illegal drug trade tends to be understood as fuel for the conflict – "the key factor for its mutation" – through virtue of financing combat (Pécaut, 2015, p28). In this vein, most political economy research rejects the application of Paul Collier's (2004) "Greed and Grievance" theory – which assumes that combatants in armed conflicts are incentivised by a desire to better their situation rather than "altruistic" socio-political motivations – to the Colombian situation, for being overly simplistic with regards to the social, political, and cultural factors at play (Gutiérrez, 2004; Estrada, 2015; Pécaut, 2015). This section will provide an overview of the debates around the structural factors which are considered to be the root causes of conflict in Colombia, including political exclusion, institutional weakness and socio-economic inequalities. I explore how these dynamics have been increasingly aggravated by the illegal drugs-trade since the 1980s.

### 2.2.1. Political exclusion and institutional weakness

Violence in Colombia has roots in long-standing political exclusion. There is broad consensus among scholars investigating the causes of conflict in Colombia that the origins of the Revolutionary Armed Forces of Colombia (FARC), a *campesino*-based, revolutionary organisation with Marxist ideology, in 1964, and their subsequent rise, was primarily a political process (Ferro and Uribe 2002). Some scholars writing about causes of conflict in Colombia focus on the repression of diverse social movements that have tried to avoid exploitation since the mid-nineteenth century (Hylton, 2006; Reyes, 2009; Molano, 2015; Wills, 2015). The National Front, Colombia's two-party system of 1958-

1974, epitomises the political exclusion and intolerance that created an environment conducive to violence and revolution (Pizarro, 2015). <sup>7</sup> Violence in Colombia also has origins in a historical trajectory of institutional weakness. The country's regional fragmentation has historically created three distinct, disunited zones which were near-impossible to govern over (Safford and Palacios, 2002). The resulting weak and uneven presence of the Colombian state in certain areas of the country has led to a vacuum in which alternative structures – including drug-traffickers, guerrillas and paramilitaries – have emerged to fill the space (Thoumi, 2002, p106; Gutiérrez, 2015, p18).

Regarding the rise of paramilitary groups, some scholars focus on the inability of the Colombian state to guarantee public security which led to the privatisation of security (Sánchez, 2001, p25; Giraldo, 2015, p23). A similar view sees paramilitarism as an expression of strategic counterinsurgency, which was formally established in 1997 as the United Self-Defenders of Colombia (Autodefensas Unidas de Colombia - AUC) (Basta Ya, 2014; Vega, 2015). In contrast, in his book, 'Los Señores de la Guerra' (2015a), Gustavo Duncan suggests that the main objective of paramilitary groups, rather than to expel the guerrillas and monopolise sources of legal and illegal income, was to concentrate power in the regions by appropriating functions of the State. Duncan goes on to explain that drug trafficking and the organisation of private violence directed against insurgent groups who defied established elites, became a viable alternative to political and economic power for subordinate sectors in the social order. Similar arguments are proposed by Jorge Giraldo (2015) and Torrijos (2015).

Some scholars highlight the relationship and tensions between power, security and the illegal drugstrade in Colombia, which has challenged the State's already weak authority. The criminal opportunity created by the illegal market transformed power structures from the centre to periphery regions, and between the legal and illegal (Peceny and Durnan, 2006, p101; Duncan, 2015b, p3). Drug trafficking networks were able to exercise huge influence on politics through use of threats, corruption and violence, which opened a door to local and national governments (Giraldo, 2015, pp20-22) resulting in narco-funded political campaigns and the so-called "parapolitica" (Gutierrez, 2015; Duncan, 2015b). According to Thoumi, by the late 1970s, the illegal industry contributed significantly to electoral campaigns (Lee and Thoumi, 1999; Thoumi, 2002, p112). By the late 1980s, the Colombian government was waging a war against 'narco-terrorism', as evidenced by the assassinations of Minister for Justice, Rodrigo Lara Bonilla, in 1984, and Luis Carlos Galán, Liberal Party Presidential

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<sup>&</sup>lt;sup>7</sup> Pizarro describes the effectiveness of the National Front as one of the most controversial debates in the *Comisión Histórica del Conflicto y sus Víctimas* (2015, p27)

<sup>&</sup>lt;sup>8</sup> Often referred to as a 'parapolitica', demobilisation of the AUC in 2006 revealed the collusion of political elites and paramilitary leaders.

Candidate, in 1989, at the order of the infamous Pablo Escobar. In 1991, the Colombian government negotiated with cartels and offered those who would provide evidence against their accomplices nonextradition and reduced penalties (HRW, 1992). According to Álvaro Méndez (2017), Colombia became not a failed state, but a state that had become subordinate to the interests of illegal crime groups, empowered by drug prohibition, who are prepared to use violence at any step. For his part, Alfredo Molano, suggests that the participation of *narcos* in electoral campaigns and their increased control over paramilitarism intensified the war against the *guerrilla* which accelerated and justified US intervention (2015, p54).

Since the coca boom in the 1980s, in rural, coca-growing areas, guerrilla and paramilitary groups tax coca and cocaine production which, in part, explains the strengthening and expansion of their numbers (Molano, 2015). Indeed, Jorge Giraldo reminds us that the FARC wasted several opportunities to negotiate with the State because they prioritised self-preservation and growth (for which they relied on drug trafficking) above their political considerations (2015, pp36-37). Gutiérrez claims that the guerrilla group received 219 billion pesos from drug trafficking in 1994, and 685 billion pesos in 1996, which suggest that economic factors changed the nature of the FARC's involvement in the conflict from the mid-1990s (2015, p18). Furthermore, there is some consensus in the literature that the rise of paramilitary groups is a key factor in the prolongation of conflict (Duncan, 2015b; Gutierrez, 2015; Pizarro, 2015). Indeed, the massacre of the Patriotic Union in 1985 and the emergence of paramilitarism pushed many civil political organisations to seek guerrilla protection (Molano, 2004). Furthermore, the AUC is said to have used more "brutal" tactics than previous paramilitary groups (Duncan, 2015b, p30). It could be said that drug policies transformed the conflict in length and intensity from the mid-1990s.

To summarise this section, critical analysis of the political economy literature shows that the longstanding ideological vision of the FARC predates the involvement of the drug war in Colombia's armed conflict. This suggests that its origins were not necessarily 'greed' driven. Nonetheless, this section has described how the illegal drugs trade afforded significant resources and power to both paramilitary and insurgent groups increasingly since the 1990s which has impacted Colombian culture and politics. Despite the dismantling of key actors in the drug-trade – first the Medellin and Cali cartels in the early 1990s, demobilisation of the AUC in 2006 and demobilisation of the FARC in 2017 – illegal

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<sup>&</sup>lt;sup>9</sup> "Narco-terrorism" is the term use to describe how, in an illegal drug-market, advantages are pursued and self-protection is guaranteed using threats of intimidation, violence and clientelism (Thoumi, 2002, p111-112).

drug trafficking continues regardless. <sup>10</sup>This supports my argument that counter-drug and security policies have become a driver of violence in the contemporary Colombian conflict.

### 2.2.2. Socio-economic inequalities

This section introduces debates around long-term socio-economic inequalities as a cause of conflict in Colombia. I first explore long-term economic inequality and social exclusion a driver of conflict in Colombia. I then discuss the link between land tenure and the armed conflict. I argue that the drug war has exacerbated both economic and land inequality, which has in turn transformed the conflict and become a key driver of violence since the 1990s.

Socio-economic inequalities in Colombia have roots dating back to colonialism. Much of the literature on causes of conflict in Colombia pays particular attention to the inability of the Colombian state to meet the basic needs of the population, which has driven public unrest and upheaval (De Zubiría, 2015, p53; Javier Giraldo, 2015, p7). Several studies focus on the economic crisis in marginalised regions of Colombia, specifically, the trajectories of rural coca farmers, which have been characterised by poverty, a lack of state infrastructure and opportunities (Ramírez, 2001; Molano, 2004; Fajardo, 2015, Ciro, 2017). It is important to emphasise that for rural campesinos the cultivation of coca is often considered "a necessity" (Sánchez 2001, p31). Indeed, it has been documented that the coca economy contributed to the peasant economy and revived Colombia's Putumayo department, a marginalised territory in southern Colombia. Per capita bank deposits in Putumayo reportedly grew from 179 pesos in 1995, to 1,049 pesos in 2005 in a decade of coca-led growth (albeit still well below the national average) (Torres, 2011, p63). Therefore, this suggests that eradication of 'illicit' crops – the state's traditional response to coca cultivation – was a counter-productive strategy.

Some scholars suggest that the coca economy created an "illicit peasantry" – who, due to their involvement in an illegal industry, have been unable to negotiate with the state (Gutiérrez, 2015, p17). I agree with Ramírez (1996) that the phrase "illicit peasantry" wrongly scapegoats coca farmers as a threat to the country's national security, rather than recognising illicit crop cultivation as a symptom of both the challenges facing rural parts of Colombia and of the drug war. Nonetheless, some scholars make the case that social exclusion and inequality are neither necessary nor sufficient causes of conflict (Gutiérrez, 2015, p3; Duncan, 2015b). Duncan, for his part, argues that a unique combination

<sup>&</sup>lt;sup>10</sup> This is known as the 'balloon effect' identified by the UNODC (2008, p216) to describe how efforts to eradicate the drug trade through increased enforcement or dismantling a key actor simply displace it to new areas rather than getting rid of it.

<sup>&</sup>lt;sup>11</sup>Social exclusion includes racism and gender inequalities. However, drug war policies cannot alone explain why specific groups have been victimised in the Colombian conflict because of their gender, race or ethnic identity, and thus these factors are considered beyond the scope of this research.

of exclusion, drug trafficking and kidnapping aggravated the pre-existing conditions for conflict in Colombia. <sup>12</sup> He suggests that if the duration of the conflict can be pinned to one factor, it is that the economic opportunity generated by illegal drug trafficking became a means of inclusion, particularly for marginalised communities living in areas of most intense confrontation.

It is well documented in the academic literature that the illegal drug trade has transformed and worsened economic inequality in Colombia (Reyes, 2009). Aerial fumigation with glyphosate, intended to eradicate coca, has had a catastrophic impact on the local populations and the environment, while displacing coca cultivation to new regions (O'Shaughnessy and Branford, 2006). Some scholars have suggested that in doing so, fumigations have generated significant opposition to the Colombian government and created a new supporter base for the FARC (Peceny and Durnan, 2006). Today, in marginal drug producing regions of Colombia, many farmers who enter into the National Integrated Program for the Substitution of Illicit Crops (*Programa Nacional Integral de Sustitución de Cultivos Ilícitos — PNIS*) are being threatened or murdered by the cartels. According to statistics from Fundación Ideas para la Paz, In 2018, homicides in municipalities within which the PNIS is being implemented increased by 38% with respect to 2017, and the murder of social leaders increased by 165% (Gárzon et al., 2019, p9). Despite efforts made by the Colombian peace process to put an end to violence, it is plausible that while the drug war continues, the persistence of armed groups seeking to control Colombia's drug trade and thus challenge the State may not be abated.

There is broad consensus in the CHCV about the relevance of the unequal distribution of land as a driver of conflict in Colombia (Fajardo, 2015; Molano, 2015; de Zubiría, 2015; Giraldo, 2015). For over four centuries, agrarian structures did not change, which fostered deep-rooted tensions and generated cycles of violence in the countryside (Thomson, 2011, p17; Fajardo, 2015, pp. 5-7). Scholars have identified a broad tendency whereby capitalist development has long-provoked social conflict and violence across different regions, from coffee, banana and sugar cultivation in the early 20th century, through to the expansion of coca crops since the 1980s, and the recent proliferation of palm oil (Reyes, 2009; Thomson, 2011, p16). "The 'cocalization' of colonization areas" in the 1970s describes the shift from legal crops to illegal drug-crop cultivation, which was facilitated by large numbers of poor people living rural regions of Colombia which had been abandoned by the state

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<sup>&</sup>lt;sup>12</sup> This is akin to Collier's "greed and grievance" theory but considers both economic opportunity and social inclusion as a motivation to participate in violence.

<sup>&</sup>lt;sup>13</sup> Created under Article 4 of the 2016 peace deal, the National Integrated Program for the Substitution of Illicit is a crucial part of point four on the peace agreement, which pledges to be a "Solution to the Illicit Drugs Problem" and to eradicate the illegal production of coca, cannabis, and opium poppy. PNIS offers farmers financial incentives to replace their coca for legal crops.

<sup>&</sup>lt;sup>14</sup> For an in-depth study of the regional dimensions of conflict, see Alejandro Reyes Posada (2009) 'Guerreros y Campesinos, el Despojo de la Tierra en Colombia'.

(Molano, 2015, p46). In this sense, the expansion of illegal crops is "representative of an agrarian problem which has never been solved" (GMH, 2013, p193).

Scholars largely agree that the drug war has reshaped the agrarian problem in Colombia. In his book, 'Guerreros y Campesinos', Alejandro Reyes shows that between 1980 and 1995 drug traffickers bought the best land in 409 municipalities in 28 departments – 42% of the national territory – which, in addition to mass displacement and increasing levels of violence, perpetuated the land problem as overvaluing of land discouraged new entrepreneurs and forced livestock to new areas, resulting in the deforestation of fertile land (2009, p74-77). The profits from drugs were often invested in land acquisition and livestock, which further exacerbated the land problem (Fajardo, 2015, p35-36). The counter-agrarian reform caused by the buying of land through illegitimate means and the displacement of more than 7,500,000 people has undeniably perpetuated the original causes of conflict (RUV, 2019). Furthermore, mass displacement saw an accelerated urbanisation putting increased pressure on food and other resources (Estrada, 2015, p7).

In sum, the studies presented in this section show that the illegal drug markets present a development paradox - they undermine social and economic development while simultaneously offering a lifeline to some of the most vulnerable and marginalised communities in Colombia (Cristian Aid, 2019). Critical review of the academic literature investigating causes of conflict in Colombia reveals that most research tends to focus on the impact of illegal drug trafficking on conflict, rather than the transnational drug war policies that enabled illegal drug trafficking, and thus tends to remain blind to the role of the drug war as a principal motor of violence in the contemporary conflict.

### 2.3. International actors

A final area of debate about the causes of conflict in Colombia focuses on the role of international actors. While the influence of the Cuban Revolution in 1959 and the Cold War should be noted, a detailed examination of these factors is beyond the scope of this literature review. This section will focus on controversy around contemporary US security policies to enforce the prohibition of drugs. In this section, I suggest that most work on drug war underestimates the agency of long-term political and cultural processes in Colombia.

At the beginning of the 21st century, the Colombian state was, according to Méndez, in "existential crisis" (2017, p3). Plan Colombia was a foreign aid package intended to return stability and security to Colombia and eradicate drug trafficking, negotiated between of the governments of Andrés Pastrana and Bill Clinton in the late 1990s. In 2002, under President Álvaro Uribe, Plan Colombia was used to direct military force against FARC strongholds, and also, indiscriminately using fumigation against areas suspected of growing coca. Literature about Plan Colombia tends to be polarised (Méndez, 2017,

p5; Shifter, 2010). On one side, scholars have interpreted the policy as US hegemony seeking to overcome Leftist challenges in Latin America (Aviles, 2008) using the strategy of "state terrorism" to dominate the world in interests of capital (Stokes, 2005). This view is supported by O'Shaughnessy and Branford who argue that resources for Plan Colombia did little to target the paramilitaries and drug trafficking networks (2006, p60). There is some consensus among scholars that the United States is considered to be an "direct actor" in the conflict (Vega, 2015; Fajardo, 2015; Torrijos, 2015). A softer line of argument similarly assumes no Colombian agency, but instead perceives in Plan Colombia US pragmatism rather than malevolence. (Tickner, 2001; Rosen, 2014). After the September 11 terrorist attacks in the US in 2001, the resources of Plan Colombia were used to openly attack the guerrilla groups (O'Shaughnessy and Branford, 2005; GMH, 2013, p196). For his part, Doug Stokes (2003; 2005) argues that the provision of military aid to Colombia has been intended to maintain US economic and political interests in South America, whether under the guise of Cold War politics, the drug war or the war on terror. In contrast, Méndez suggests that Colombia conserved its independence by making concessions with insurgents despite US saying not to (2017, p116). This argument shows that Colombian agency and US imperialism can coexist.

Generally, scholars agree that violence intensified under Plan Colombia. According to Vega, the impact of Plan Colombia was worse than that of previous security programmes, precisely because of US impunity and their colonial attitude towards victims (2015, p46). O'Shaughnessy and Branford (2006) suggest that aerial fumigation – intended to eradicate the source of drug production – transformed the Putumayo department into a "chemical battlefield". Furthermore, blatant Human Rights abuses occurred under Uribe's administration during this period, including the "false positives" scandal (Shifter, 2010, p124) and sexual violence (Vega, 2015 pp48-49). The number of displaced people also increased significantly during this period, from 141,222 in 1996 and peaking at 769.777 in 2002 (RUV, 2019). While the global prohibition of drugs and militarised enforcement policies are supposed to be a tool for achieving intrinsically valuable outcomes such as improvements in human wellbeing through the reduction of violence and drug addiction, the impacts have persistently had the opposite effect, generating new cycles of violence and causing deteriorations in the wellbeing of targeted communities.

### 2.4. Conclusion

Understanding the causes of armed conflict requires an appreciation of Colombia's historical trajectory of institutional weakness, complemented by the violent expression of long-standing socio-economic tensions and the ways in which these dynamics have been aggravated by the global context. This section illustrates how drug policies have produced new cycles of violence in Colombia; the 'coca boom' in the 1980s contributed to the peasant economy while also financing both paramilitary and

guerrilla groups, and thus aggravating the conflict further (Thoumi, 2002, p106; Thomson, 2011, p26; Gutiérrez, 2015, pp.15-18; Jorge Giraldo, 2012, pp.20-22). Critical analysis of the literature investigating causes of conflict in Colombia shows that some political economy research remains blind to the role of the drug war as a principal motor of violence in the contemporary conflict. Nonetheless, despite the dismantling of key actors in the illegal drug trade, drugs-related violence in Colombia continues to threaten peace and security in Colombia. The key question remains: can memory work seeking to open up Colombia's recent history of armed conflict account for and grapple with transnational crimes and policy infrastructure?

### Chapter 3

### **Review of memory initiatives**

"To write just the names of Colombia's 8 million victims would fill 98 books of 300 pages"

Arturo Charria (fieldwork diary notes, 1st November 2017)

### 3.1. Introduction

For over five decades of armed conflict in Colombia, marginalised communities have been silenced and excluded from dominant accounts of historical memory (GMH, 2013, p25). The 2005 Justice and Peace Law to facilitate the demobilisation of paramilitary groups was an official acknowledgement by the Colombian state of the multi-layered and complex nature of violence, which represented a significant turning point for memory in Colombia (Riaño and Uribe, 2016; Lazarra, 2018). In recent years, memory and truth-seeking initiatives which are trying to lay the foundations for peace have made concerted efforts to acknowledge them and to incorporate victims' perspectives into narratives about conflict in Colombia. The aim of this chapter is to introduce both state-sanctioned processes and grassroots, community memory projects seeking to open up Colombia's recent history and to analyse them for references to the drug war. This contributes to answering my main research question: how do drugs and drug policy feature in Colombia's historical memory of contemporary armed conflict? I suggest that, for the most part, memory work practitioners do not to recognise the drug war as responsible for much of the violence experienced in the conflict. Critical analysis of memory work in Colombia shows that to date, most memory and truth-seeking interventions have tended to focus on documenting the events and human rights violations of conflict. This is an invaluable and legitimate focus, especially given the dimensions of the conflict and enduring disregard for victims, but one of the implications of this focus is the neglect of the drugs war in Colombia's historical memory of contemporary armed conflict. This chapter begins with a brief overview of theories behind memory work. It then introduces memory-seeking initiatives produced by victims' organisations and community groups, followed by state-sanctioned memory work.

### 3.2. Theories of Memory Work

Memory and truth-seeking can help societies to understand the causes of past wrongdoing and end it, and can inform other TJ measures (Hayner, 2011). For some historians, including Gonzalo Sánchez (2003), memory research is a methodological tool for knowledge production, as memories can shed light on historical truths and increase the visibility of silenced or marginalised narratives. In contrast, some anthropologists and sociologists, including Elizabeth Jelin (2002), are interested in how memory can help to construct individual and collective identities. In memory studies, the relationship between

memory and social and historical context is considered to be "reciprocal" (Halbwachs, 1992; Keightley, 2010, p85). This can be illustrated through the work of Kimberley Theidon (2003) and Ponciano Del Pino (2017), whose investigations into the memories of communities in Ayacucho, Peru, demonstrate that community dynamics can pressure people not to tell local truths. Indeed, memories are generally understood as a battlefield of actively produced representations of the past, which are composed of truths, silences and confusions and are open to struggle and dispute. According to Lazzara (2018), the 'Memory Turn' in Latin America has enabled scholars and memory practitioners to combat hegemonic or 'official' narratives following political violence and state repression, and to allow for plural memories which, at the individual and social level, are the result of a dialectical relationship between remembering and silencing. To illustrate, Elizabeth Jelin's, 'Los trabajos de la memoria' (2002) and Steve Stern's, 'Remembering Pinochet's Chile' (2004), position memory struggles as an active political struggle "against oblivion".

Memory work can be transformative at an individual and societal level. A practical review of the lessons learned from memory work in societies in transition from conflict to peace reveals that reconstructing historical memory can recover the dignity of victims, which, in turn, encourages healing from past trauma (CNMH, 2013). Cynthia Milton's work on art, memory and truth in Peru (2017), and Brenda Werth's work on theatre and memory in Argentina (2010) demonstrate the transformative potential of creative memory and truth-seeking initiatives, which are able to create new spaces for telling silenced and marginalised narratives that might otherwise be excluded from mainstream media and communication. In this sense, by virtue of remembering, memories can constitute "grounds for resistance" and occupy the "liminal space between forgetting and transformation" (Radstone, 2000, p13).

Memories of the drug war are at the interfaces of economic structures that sustain conflict and the violence that appears as its 'symptoms'. My research considers how memories and narratives of violence in Colombia can contribute to the reconstruction of Colombian historical memory – which I understand to be plural and inclusive, rather than the embodiment of a single collective memory or 'truth' – specifically around how the drug war has shaped the contemporary Colombian conflict. This approach privileges the lived experiences and memories of individuals, who are considered to be producers of authentic plural narratives, histories and interpretations of Colombia's armed conflict.

### 3.3. Localised, community and grassroots memory initiatives

This section introduces memory processes produced by localised, grassroots and victims' organisations seeking to amplify the voices of traditionally marginalised groups, often through creative methodological process. Here, I consider memory work to be a means of empowerment. I

first explore memory projects which do not recognise the drugs war as a driver of conflict in Colombia. Following that, I focus on memory work produced in drug-growing regions of Colombia, where there is some visibility of drugs-related violence.

Critical analysis of creative grassroots and community memory initiatives reveals that memory practitioners often seek to denounce long-standing structural violence and shed light on the disproportionate impact of armed conflict on marginalised groups, as a consequence of the violence exercised against them because of gender, race or ethnicity. La Ruta Pacífica de las Mujeres (hereafter La Ruta), a national, peaceful, feminist movement, seeks to make women's experiences of conflict and gender-based violence more visible. La Ruta have used theatre in La Verdad de las Mujeres en Escena [Women's Truth on Stage] to transform women's most intimate and personal testimonies of violence into a shared experience, disrupting the silencing about the gendered impact of conflict (Ospina Vélez, 2017, 65). There is not a single, explicit mention of the drug war, or drug trafficking in the script. All perpetrators of violence, irrespective of which armed group they belong to, are referred to as "attackers" which speaks to a deliberate strategy to equate all forms of violence, including political, economic and gendered, as part of La Ruta's ideological pacifism and feminism. La Ruta have also produced the 'Colombian Women's Truth and Memory Commission' (2013) to document patterns of violence against women and incorporate women's voices into Colombia's historical memory. The report does not explicitly name or recognise violence that occurred in the conflict as being drugs related. Across Colombia, survivors of violent crimes have composed songs about their experiences of conflict, which is a particularly common practice among some ethnic groups for whom music is a strong cultural practice (GMH, 2009a). For example, Las Tamboreras de Cauca<sup>15</sup>, a group of 43 women who are victims of sexual violence, communicate their experiences of violence and resistance through traditional drumming (see also the Cantadoras film<sup>16</sup> and El Proceso de Comunidades Negras—PCN). Art has also been used by indigenous communities to communicate their struggles and resistance to conflict (Organización Nacional Indígena de Colombia - ONIC, 2017), while Las Tejedoras de Mampuján have produced large tapestries which narrate women's memories of armed conflict, as well as the violence which afro-Colombian communities have experienced since colonialism (ASVIDAS de Maria la Baja, 2015). This sheds light on the cyclical nature of conflict in Colombia. While the aforementioned projects remember drugs-related violence – murder, displacement, torture and so on – they do not

<sup>&</sup>lt;sup>15</sup> For more, see: *Tamboreras contra la violencia sexual* (Colombia2020, 2017).

<sup>&</sup>lt;sup>16</sup> Cantadoras: Memorias de vida y muerte en Colombia (Carrillo, 2013) documents Afro-Colombian women singing about the life and death of their community through traditional music and funeral songs of the Pacific and the Caribbean.

usually recognise and name it as such. Rather, they seek to shed light on and condemn all violence, regardless of its cause.

Grassroots organisation have organised marches to draw attention to crimes that have been neglected by the state - including crimes for which state actors were accomplices – and to dignify the victims. This can enable communities to give new meaning to spaces that have been marked by violence. El PCN have organised marches around the Pacific regions of Colombia, to draw attention to the impact of conflict on Afro-Colombian people and to facilitate a broader discussion around long-term oppression and neglect by the Colombian state (see also *La Comunidad de Paz de San José de Apartadó*). Marches are also a way to commemorate victims and participants are often accompanied by photographs of victims/loved ones. The intention here is to humanise the violence and foster empathy (see *Hijos e Hijas por la memoria y contra la impunidad* and the *Movimiento de Víctimas de Crímenes de Estado - MOVICE*). Again, drugs policy is not visible in these memory initiatives, which instead tend to focus on making marginalised experiences of armed conflict visible.

There is a growing number of localised memory-seeking initiatives seeking to capitalising on "narco" culture, which Naef coins "narco-heritage" – that is, "objects, sites, and practices embodying and representing the illegal production, as well as consumption, of narcotics" (2018, p2). To illustrate, Pablo Escobar's mansion is open to the public for paintballing tours, where participants are divided into cartels and DEA agents and invited to fire shots at one another.<sup>17</sup> However, this simplified and stereotyped image of drug trafficking glamourises the narcos and overlooks the longstanding political and economic factors which have caused and sustained conflict in Colombia. I believe that the overriding focus on "narco" culture in Colombia's historical memory unhelpfully conflates drug trafficking and drug policy.

Nonetheless, investigations carried out by women's and rural farmers' organisations, as well as national and international NGOs, have focused explicitly on the harms caused by the drug war in drug producing regions of Colombia (Poveda, 2004). A report by Dejusticia seeks to amplify the voices of female coca farmers in Putumayo, Cauca and Nariño to shed light on the challenges that rural life, gender structures and criminalisation impose on women (Bautista et al., 2018). Similarly, *Fundación Ideas Para la Paz* in collaboration with UN Women Colombia have utilised the memories of female coca growers from Putumayo to advance understanding about the dynamics of their participation in the coca economy (Cuesta et al., 2017). These reports include policy recommendations to guarantee the rights of women in the coca economy, which speaks to the gender agenda of the 2016 Peace Agreement to address the gendered impacts of armed conflict in Colombia. These initiatives go some

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<sup>&</sup>lt;sup>17</sup> Escobar Paintball Tour: <a href="http://www.escobarpaintball.com/">http://www.escobarpaintball.com/</a> (Accessed 06 July 2019)

way towards connecting drugs-related violence and 'political' violence in the south-western drugproducing region of Colombia.

Oral testimonies digitally recorded by the Corporación Humanas NGO and the Alianza de Mujeres Tejedoras de Vida del Putumayo during the first Encuentro de Mujeres Cocaleras del Sur de Colombia reveal how the drug war has affected female coca growers, explaining that many of the women's partners were disappeared by armed actors and/or forcibly recruited, leaving the women to take charge of the children, the housework and the coca. They describe how coca is often "all we have", a necessity for which they have then been imprisoned and treated as drug traffickers, which highlights the stigma experienced by people living in drug-producing regions. <sup>18</sup> The memories include an explicit mention of US-backed Plan Colombia, which the women describe as being "devised from above and implemented by operators who did not know the region" (Corporación Humanas, 2017, 2). Similarly, a video produced by the Colombian drug policy think-tank, DeJusticia, for the global 'Support don't Punish' campaign tells a similar narrative (DeJusticia, 2017). 19 These testimonies are invaluable insights into the impact of the drug war on poor and vulnerable rural communities. It is important to note that both of these memory projects are advocacy tools which use memories of conflict not just to raise awareness of a marginalised experience but to critique the status quo with regards to current drug policy.<sup>20</sup> It can be said that in grassroots, localised memory interventions there is some visibility of violence against coca growers, particularly women and the gendered dimensions of violence.

'La guerra que no hemos visto' (Echevarría, 2009) features explicit memories of drugs-related violence and drugs policy. This project, funded by the Fundación Puntos de Encuentro, is an exhibition of 90 paintings produced by demobilised rank and file combatants, belonging to paramilitary and guerrilla organisations, or to the *Ejército Nacional*, including youths and female combatants, and seeks to communicate memories from the frontline of the armed conflict in Colombia. Much of what is revealed in these memories may not have been possible without artistic intervention, which facilitates the retelling of painful memories. The prevalence of drug war references - coca cultivation, violence for control over the coca harvest and aerial fumigation (for example #B016-0149) - illustrate the destructive impact of drug policies on the frontline of conflict zones and drug producing regions.

<sup>&</sup>lt;sup>18</sup> This meeting brought together more than eighty women, who discussed their current situation in relation to points 1 and 4 of the Final Peace Agreement, particularly in relation to rural development, crop substitution and differentiated criminal treatment for growing coca. A statement was produced to reflect their support of the peace agreement, as well as their demands from the Government.

<sup>&</sup>lt;sup>19</sup> 'Support. Don't Punish' is a global advocacy campaign organised by the International Drug Policy Consortium (IDPC) to raise awareness of the harms caused by the prohibition of drugs.

<sup>&</sup>lt;sup>20</sup> A number of peasant farmer organisations have been created, including the Association of farmers from Catatumbo (ASAMCAT), National Association of Peasant Reserve Areas (ANZORC) and the National Organisation of Coca, Poppy and Cannabis Farmers (COCCAM), to demand that the state recognise them as citizens, provide basic services, and supports the transition from coca growing to legal crops. For a more in-depth discussion of this, see Ramírez (2011).

In sum, critical analysis of memory work produced by community groups and victims' organisations reveals some visibility of violence against coca growers and some exploration of drugs related violence in drug-producing regions, particularly from within Colombia's Putumayo department. However, there is not a strong sense of drugs-related violence as political violence or of the drug war as a driver of armed conflict. This raises some important questions: Why is there more visibility of the impact of drugs-related violence on women and the gendered dimensions of violence? Why is the drug war largely neglected in dominant accounts? What does this reveal about how people's experience of conflict in drug-producing regions have been shaped by drug policies? Moreover, given that these memories have been produced by marginalised communities, should we assume that by virtue of having been produced and shared, they have been incorporated in Colombia's historical memory?

### 3.4. State-sanctioned memory initiatives

The 2005 Peace and Justice Law created the National Commission for Reparation and Reconciliation (*Comisión Nacional de Reparación y Reconciliación* - CNRR) and the Historical Memory Group<sup>21</sup> (*Grupo de Memoria Histórica* - GMH), whose mandate was to produce a historical account of the armed conflict in which victims' voices were at the centre. This section introduces state-sanctioned memory work seeking to open up Colombia's recent history of armed conflict and incorporate the memories of traditionally marginalised groups and previously ignored topics.

The GMH have produced numerous reports to reconstruct Colombia's historical memory of emblematic cases of conflict – massacres – and key themes including land dispossession, sexual and gender-based violence, forced displacement and kidnappings.<sup>22</sup> The general report, '¡Basta Ya! Colombia: Memorias de guerra y dignidad' (2013), synthesises the GMH's investigations of the conflict, documenting and constructing plural memories and narrative threads. The principle focus of the report is to uncover guerrilla, state and paramilitary crimes and their impact on victims. The drug war is present in the analysis of conflict but is framed as an act of US imposition which removes Colombian agency (p262). According to Riaño and Uribe, the GMH struggled to include people who do not belong to victims' movements and civil society organisations, which means that some voices are missing (Ibid, p20).

The following reports by the GMH do address the violence caused by territorial wars to control the drugs trade in specific regions. Both 'La masacre de Bahía Portete. Mujeres Wayuu en la mira' (2010)

<sup>21</sup> Albeit a state-sanctioned institution, the GMH has been largely funded by international development agencies, guaranteeing the GMH's financial autonomy.

<sup>&</sup>lt;sup>22</sup> The following massacres have been investigated by the GMH and compared for their gravity, magnitude and impact: Bojayá in the Chocó department, El Tigre in Putumayo, Trujillo in Valle del Cauca, El Salado in the Montes de María region in Bolívar, Segovia in Antioquia, La Rochela in Santander and Bahía Portete in La Guajira.

and 'Crímenes que no prescriben: La violencia sexual del Bloque Vencedores de Arauca' (2015) explore sexual and gender violence in territories through which drugs were smuggled. The report, 'El Placer. Mujeres, coca y guerra en el bajo Putumayo' (2012), explains that the production of coca crops in Putumayo attracted organised crime groups and armed actors to the region, and the State's militarised response under Plan Colombia turned the region into a warzone. The GMH suggest that the criminalisation of coca farmers by the State has legitimised the violence to which the population has been subjected, in the eyes of armed groups (p30). More recently, the report 'Catatumbo: memorias de vida y dignidad' (2018) deals with the violence related to the coca trade in Catatumbo, paying attention to the impact of stigmatisation on the population. These reports mark a considerable effort to uncover the impact of drugs-related violence in specific regions of Colombia, within the framework of the armed conflict. They tend to overlook the role of counter-drug policies as having created the conditions conducive to conflict, choosing instead to focus on the impact of illegal drug trafficking.

A review of official memory spaces, covering; museums, monuments, places of conflict, and public libraries, reveals that drugs policy is not present in public institutions. For example, *La Red Colombiana de Lugares de Memoria* is a participatory memory project made up of 30 meaningful spaces across Colombia, many of which are reclaimed areas that once bore witness to violent events in the conflict or are symbolic of such events and offer physical spaces to remember and educate. Another key example is public libraries like the *Biblioteca Pública Luis Carlos Galán Sarmiento*, La Hormiga, Putumayo. These spaces offer a physical space to honour and remember those who have been impacted by conflict, while also strengthening local identities through reading about local history, communicating the reflections of local people, local literature and art, and with this, consolidating local historical memory. Again, these memorial sites rarely recognise and name violence in the armed conflict as having been driven by and connected to drugs policy.

### 3.5. Conclusion

Critical analysis of contemporary memory and truth-seeking initiatives shows that to date, most memory and truth-seeking interventions have focused on documenting the events and human rights violations of conflict. The drug war is a blind spot in Colombia's historical memory of contemporary armed conflict and remains on the margins of the country's TJ processes. Those on the frontline of the war seem to remember the drug war in their narratives of conflict more than others. Their memories show some visibility of violence against coca farmers, especially women and the gendered dimensions of violence. There is also some exploration of the impact of drugs-related violence in particular regions, but in general, there is not a strong sense of drugs-related violence as political violence or as

a driver of armed conflict. I believe that the dissonance between the pivotal role played by the drug war in the conflict and how it is remembered is striking. The next step is to explore why the drug war is neglected in the country's historical memory of armed conflict, which will be discussed in chapter 6.

### Chapter 4

### **Transitional Justice and Truth Commissions**

### 4.1. Introduction

Transitional Justice (TJ) occupies an increasingly important space on the international peacebuilding agenda (Brahm, 2007, p16; Wiebelhaus-Brahm, 2018, p599). A fundamental aim of TJ processes is to prevent past abuse from happening again. Truth commissions (TC) have become a key TJ mechanism to address massive or systematic human rights violations and to promote peacebuilding in societies in transition from conflict to peace. However, they face significant challenges to include plural voices and silenced pasts in the reconstruction of historical memory. This chapter provides a synthesis of some of the key challenges and opportunities TCs face in their truth-seeking endeavours. I suggest that by formally acknowledging memories of wrongdoing on a national stage, TCs have great potential to contribute to peacebuilding. Nonetheless, I argue that international experience reveals that TCs tend to overlook the long-standing economic and structural factors – including illegal drug economics and transnational crimes – that cause and sustain conflict.

This chapter is structured as follows: first, I provide a brief overview of the key functions and characteristics of TCs. I then introduce Colombia's TC: The Commission for the Clarification of Truth, Coexistence, and Non-Repetition (CEV), and describe its key characteristics and functions. I situate it comparatively against other international TCs to demonstrate the huge challenge that lies ahead to achieve its mandate. Note that I discuss this in greater depth in chapter 7, when I present the findings of my fieldwork at the CEV where I was carrying out interviews about the nature of drug policy in conflict narratives and Colombia's historical memory. Following this, I explore the practical restrictions that can limit a TC's potential to achieve its mandate. Finally, I discuss the opportunities and challenges TCs face related to institutionality and 'top-down' truth-seeking.

### 4.2. Truth Commissions: key functions and characteristics

TCs are a top-down, TJ mechanism that use testimony as a key tool to uncover and acknowledge past wrongdoing. The South African Truth and Reconciliation Commission brought international attention to the TC model in the late 1990s. To date, there have been about 40 TCs across the world (Hayner, 2011; Wiebelhaus-Brahm, 2018) and they have been endorsed by the United Nations (UN) in recent peace operations (OHCHR, 2006). <sup>23</sup> In her comprehensive study of TCs, 'Unspeakable Truths: Facing the Challenge of Truth Commission's' (2011), Priscilla Hayner defines TCs as follows: they focus on

<sup>&</sup>lt;sup>23</sup> According to Hayner's study of TCs (2011), to date there there have been 40 TCs across the world. A TC was also established in Colombia in 2018.

uncovering past wrongdoing; they investigate a pattern of events that took place (rather than individual crimes or events); they engage directly and broadly with the affected population (they interview victims, perpetrators and witnesses); they are a temporary body; and, they are officially authorised by the State (created by official law or decree with wide powers of investigation) (pp11-12). As an official acknowledgement of past abuse TCs can aspire to dignify victims and promote individual and societal healing (Minow, 2000), particularly when victims have been neglected by the state or systematically silenced (Jelin, 2016, p770).

TCs have a mandate which establishes the scope of investigation, including time-period and the types of abuses to be covered. This often includes to advance or promote reconciliation. As Hayner notes, it is debatable as to whether a TC has ever achieved reconciliation (2011, p182). She gives the examples of continued support for Pinochet in Chile versus in South Africa, where very few would opening admit to supporting apartheid, which can be considered a mark of success in South Africa's reconciliation (p187). However, an in-depth analysis of a TC's potential to achieve reconciliation is beyond the scope of this research. TCs must also produce a final report to summarise the key findings which often includes recommendations for policy changes. Beyond policy makers, the reports can be useful for historians, education practitioners, artists, and others to contribute to peace (Minow, 2008, p180). Past TCs have published abbreviated summaries and online versions of their final reports, books and children's' versions. Jelin describes how the Argentine National Commission on the Disappeared, published a book version of its report, "Never Again", which subsequently became a best-selling book and was introduced into schools and inspired further artistic and literary initiatives (2016, p767).

There is significant variation in how much 'truth' past TCs have managed to uncover (Wiebelhaus-Brahm, 2018, p606). Bakiner questions the historiographical function of TCs and their claims to 'truth'. He maintains that they are "firmly embedded in the social struggles over memory and history" which means that the reception of their findings depends on social and political dynamics (2015, p346). The challenges of political constraints will be discussed below. Some scholars have suggested that TCs do not so much uncover new truths as formally recognise and acknowledge what has before been denied, silenced or ignored (Minow, 2000; Hayner, 2011, p21). The 'truths' produced by TCs can therefore be considered as building blocks for society to understand the context and causes of past abuse.

### 4.3. Colombia's Truth Commission

Colombia's armed conflict has produced enduring internal ruptures and divisions throughout society, meaning that the voices of marginalised groups who have been victims of the conflict are often silenced (Sánchez, 2003). In September 2016, representatives of the Colombian state and the FARC-EP signed the final peace agreement, establishing innovative frameworks and processes intended to

settle one of the world's longest and most protracted conflicts. This included the Comprehensive System of Truth, Justice, Reparation, and Non-Repetition (SIVJRNR), which created mechanisms to uncover truth and to secure victims' rights. These mechanisms include The Commission for the Clarification of Truth, Coexistence, and Non-Repetition (CEV), the Special Jurisdiction for Peace (JEP), the Search Unit to locate disappeared people, as well as comprehensive reparation measures and guarantees of non-repetition (Decree 588 of 2017). The establishment of the CEV is a meaningful step towards truth, accountability and securing victims' rights.

Colombia's CEV has four fundamental objectives:

- To clarify what happened in the armed conflict and offer a wide-ranging explanation of its complexity;
- To promote recognition of victims of armed conflict; for perpetrators to recognise their responsibility; and recognition by society of the harms the abuse;
- To promote coexistence in areas affected by conflict;
- To lay the groundwork for non-repetition.

The CEV is an extrajudicial body, both independent and impartial from the state. The time period it will cover is from 1958 to 2016. Not only is this somewhat controversial in Colombia, it is also a much longer time frame than most TCs have had to grapple with (Hayner 2015). The 11 commissioners, led by President of the CEV, Francisco de Roux, are broadly representative of society; they embody regional, ethnic and professional diversity, and there is a roughly even gender balance. The CEV has an ambitious 13-point mandate which includes investigating the "relationship between the conflict and illegal crops, the production and supply of illegal drugs, and the laundering of assets derived from drug trafficking" (Decree 588/2017). The CEV has a number of special characteristics to facilitate intersectional work which seeks to uncover how different groups, (including women and LGBTI people, ethnic communities, children and disabled people, among others) experienced the armed conflict. The CEV also has a regional focus, to uncover the local and regional dynamics of conflict. It has just three years to operate which produces a monumental challenge to achieve its objectives.

## 4.3. Institutionality

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<sup>&</sup>lt;sup>24</sup> For example, there was disagreement in the CHCV about when the conflict began. Darío Fajardo, Alfredo Molano, Sergio de Zubiría and Javier Giraldo explained that the origins of conflict date back to the 1920s, while Pécaut proposed that it began with "La Violencia," in the 1940s. Other scholars see the contemporary armed conflict as disconnected from previous violence (Francisco Gutiérrez, Gustavo Duncan, Jorge Giraldo and Vicente Torrijos).

As an official, truth-seeking body, TCs offer affected communities the chance for their stories to be formally heard and acknowledged on a national stage. Indeed, Milton describes how the emergence of the Peruvian CRV signalled new opportunities to speak out about the past, "giving important legitimacy to previously shunned or muted experiences" (2014, p16). In agreement with Jelin, TCs can empower affected communities as they constitute an important forum whereby victims are officially listened to and acknowledged by legitimate authorities (2016, p770). However, experience shows TCs have also further marginalise victims. This section will briefly set out some of the challenges that come with official truth-seeking.

A review of the literature on TCs reveals that political constraints can pose significant challenges for truth-seeking. Weak political support can limit funding and block access to official documents. To illustrate, the South African TRC had strong powers of subpoena but did not utilise them so as to avoid upsetting various political parties, while the Chilean and Argentine TCs had limited powers of investigation and no subpoena, and thus received little cooperation from the armed forces (Hayner, 2011; Sandoval, 2011, p8-9). Time constraints, limited resources, insufficient or unreliable information and political pressure have also been found to limit the potential of a TC to achieve its mandate (Hayner, 2011). Indeed, in Bolivia and the Philippines commissioners resigned because of a lack of funds and co-operation, and the TCs were disbanded before completion (Wiebelhaus-Brahm, 2018, p610). In Colombia, in response to the CEV's requests for information, the armed forces have reportedly employed a coordinated strategy through which to promote an "institutional counternarrative" via "the clarification of emblematic cases and the visibility of military victims" (Oquendo, 2019). Commentators have suggested that this strategy seeks to tell a story that is more convenient for the armed forces which emphasises the blame of their adversaries (Semana, 2019).

Top-down truth-seeking initiatives have been said to marginalise victims by investigating memories that are considered to compromise the dignity or safety of the individual speaking out. In many cultures, sexual violence carries stigma and shame for the victim, and thus women may be uncomfortable to provide testimony about such abuse (Brounéus, 2008; Hayner, 2011, p86). As such, sexual violence may be underreported on and remain silenced and stigmatised. Alternatively, it has been suggested that in both Peru and South Africa, a gendered perspective unintentionally reduced women's experiences of conflict to the sexual harm they experienced by neglecting other narratives of the past (Ross, 2003; Theidon, 2007). Scholars have recognised that in these contexts, silence was used as a protective mechanism to prevent further victimisation (Ross, 2003, 2010; Theidon, 2003;

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<sup>&</sup>lt;sup>25</sup>The El País newspaper was leaked a 15-page document named Plan 002811, signed on 13 March 2019 by the National Army commander, Nicasio Martinez, which sets out the armed forces' strategy for cooperating with the CEV and the JEP (Oquendo, 2019).

Coxshall, 2005, p212). Furthermore, sometimes, speaking to a TC exposes individuals to threats and harassment, which offers an additional example of how top-down truth-seeking initiatives can marginalise victims (Brounéus, 2008). This can be particularly problematic if a TC decides to hold public hearings. Unstable political and security situations and deep polarisation can all render staying silent preferable to speaking out, meaning that truth can be compromised. For this reason, TCs ought also to recognise silence as a form of participation.

# 4.5. Practical challenges and feasibility

#### 4.5.1. Truth Commissions' Mandates

As mentioned above, the extent to which a TC is able to uncover truth about past wrongdoing depends, in part, on the scope of its mandate. This section discusses the challenges that arise from a TC's mandate and methodology. A review of scholarship investigating TCs reveals that it is always difficult to uncover the full plurality of memories and narratives, and consequently, TCs frequently fall short of achieving the results initially hoped for.

Scholars have suggested that TCs' overriding focus on emblematic acts and redressing direct injustices against individuals, risks leaving the underlying structural causes of conflict untouched (Lundy and McGovern, 2008, p271; Hayner, 2011, p80). Paying attention to specific crimes has restricted the proportion of truth uncovered in Uruguay, for example, where two TCs were directed to focus primarily on disappearances and consequently, illegal detention and torture, which constituted a large proportion of the abuses, were left out (Hayner, 2011, p75). Related to this, a TC's timeline can strengthen or limit its investigative reach and define the truth that will be documented (Hayner, 2011, p75). TCs in Chad, Sri Lanka and elsewhere were unable to analyse the complete range of abuse because their mandates imposed strict restrictions on the start date of their investigations (Bakiner, 2015, p354). Furthermore, Wiebelhaus-Brahm describes the challenge of investigating human rights violations in hard to reach and remote areas, which can be expensive and time consuming due to poor infrastructure and security considerations (2018, p610). The examples illustrated here represent some of the difficulties that the CEV, with its ambitious mandate and restricted period of operation, faces in its work to clarify the complexity of the conflict.

Hayner asks whether corruption and economic crimes should be investigated by a TC (2011, p77). Some TCs – namely the Peruvian and Kenyan – have addressed economic crimes through recommendations for reparations programmes. In contrast, TCs in Argentina, Chile and Uruguay have not addressed the role of social and economic factors, despite the Southern Cone dictatorships

<sup>&</sup>lt;sup>26</sup> For more on silence as performance see del Pino (2017) and Bakiner (2015).

committing human rights violations in the context of ambitious economic liberalisation projects that led to poverty and unemployment (Hayner, 2011; Bakiner, 2015, p355). Similarly, Arriaza and Roht-Arriaza argue that Guatemala's TJ processes did not address social and economic justice, and consequently, the economy remains dominated by organised crime, including drug trafficking (2010, p206). Related to this is the issue of engagement with transnational crimes. Hayner cites the TCs in Chad, Guatemala, Libera, Sierra Leone and Timor-Leste as having addressed the role of international actors in some depth and sophistication (2011, p78). However, in contrast, Bakiner suggests that global political factors are rarely considered by TCs (2015, p355). To support this claim, Wiebelhaus-Brahm cites the Salvadoran and Guatemalan TCs which did not receive much cooperation from the US despite its crucial role in their conflicts (2018, p609). The key question here for this research, is how Colombia's CEV is going to investigate transnational crimes and the extent to which the US has been an actor in the conflict.

# 4.5.2. Truth Commissions' Methodologies

A TC's methodologies and operations can shape the truth told. A principle research method of TCs is collecting testimonies. However, Wendy Coxshall (2005) argues that ethnography and long-term participant observation are required to help contextualise people's experiences of conflict and to gain intimate knowledge of relationships and local animosities. She suggests that not using ethnography as a methodology limited the Peruvian Truth and Reconciliation Commission from recognising alternative forms of information, including silence (p204-205). This implies that the principle research method of TCs may be relatively ineffective. There is also broad consensus in the literature on TCs about the Importance of collaboration with NGOs and victims' organisations. Scholars have noted that the potential of TCs to make a significant contribution to the TJ process is "destabilized by its local applications" (Shaw and Waldorf, 2010, p4). In this vein, Lundy and McGovern suggest that "bottomup, participatory truth-telling" is needed to get to the "nitty-gritty" of intra-community conflict and work through "taboo subjects" (2008, p291). To illustrate, the authors describe the Ardoyne Commemoration Project – a community initiative which tells the stories of the people from Northern Belfast who lost their lives as a result of the political violence between 1969 and 1998, collated through interviews with relatives, neighbours and friends. According to the authors, this project allowed for a deeper understanding of local dynamics. These examples suggest that TCs must be flexible to the needs and realities of local communities and should collaborate with local partners. Some scholars have suggested that an overriding focus on victims may limit the of potential TCs to uncover the truth of past abuses. For example, Theidon notes that in polarised contexts, such as former Sendero Luminoso strongholds in Peru, TCs tend to "overlook the grey zone in which categories of perpetrator and victim blur" (2010, p13). This could have significant implications for the Colombian context. Although the CEV is mandated to emphasise the impact of the conflict on ex-combatants and their families, for instance, which means that analysis is likely to favour more complex notions of victims and perpetrators, some groups may still fall into this "grey zone" (Decree 588/2017). For example, coca farmers in Colombia have been subjected to persecution by the military and armed groups seeking to control the drug trade, however, they have also been criminalised by the state for growing an illegal crop and labelled as insurgents for residing in territory occupied by the guerrilla (GMH, 2012, p30; Ramírez, 2017). A concern raised by Theidon is that TCs may create "resentful silences" which could alienate some groups and obscure the truth about conflict.

A final point to highlight here is that TCs can marginalise rather than empower victims if they are unable to provide adequate support to vulnerable people who have experienced trauma (Brounéus, 2008). TCs might offer individuals just one chance to be interviewed, which, as Hayner recognises, could be painful and upsetting for the interviewee (Hayner, 2011, p157). This stresses the importance of long-term engagement for memory work (Castillejo Cuéllar, 2005, p173). TCs ought to practice the highest ethical standards to mitigate potential risks to participants, and as such, those involved should be trained to deal with trauma and offer psychological support (Minow, 2000). As I mentioned in chapter 3 La Ruta (2013) published the Women's Truth Commission to disrupt the silencing around women's experiences of conflict and gendered violence. La Ruta considered it necessary that all interviewers were trained with the basic skills to deal with grief and trauma so that the interviews had a positive effect of catharsis and solidarity for the interviewee, in contrast to the generally hostile environment and isolation in which many victims live in Colombia. This will be another challenge for the CEV to overcome if it is to gain the trust of society.

# 4.6. Conclusion

Official truth-seeking has great potential to uncover past wrongdoing and prevent it from happening again. However, TCs face significant challenges related to institutionality and practical restrictions, and consequently, their findings often include silences. This chapter has demonstrated that past TC experience from international contexts reveals that the underlying economic and structural factors and transnational crimes that cause and sustain conflict are often overlooked. This raises important questions: can memory work account for and grapple with transnational crimes and policy infrastructure, such as the drug war? If it can't, what does this mean for these crimes in transitional justice landscapes? How the CEV is dealing with these challenges will be discussed in greater deal, in chapter 7, where I present the findings of my time spent there.

# Chapter 5

#### **Research Methods**

## 5.1. Research questions

As stated in the introduction, this research seeks to answer two central questions:

- How do drugs and drug policy feature in Colombia's historical memory?
- What is the impact of the global drug war on the contemporary Colombian conflict?

The overall objective of this research is to provide a nuanced and in-depth explanation of **a)** how people's experiences of contemporary conflict have been shaped by Colombia's counter-drug and security policies, and **b)** how the drug war has transformed the pre-existing causes of conflict. In doing so, it seeks to contribute to the advancement of knowledge about causes of armed conflict.

The objective of this section is to synthesise and reflect upon a series of decisions that were made during the fieldwork with regards to data sources and methods, as well as the challenges encountered along the way. So as to be as reflexive and transparent as possible, I also mention my positionality and the ethical considerations taken (Mason and Dale, 2010, p20).

## 5.2. Data sources & methods

This research was qualitative in approach, employing a flexible and iterative design process that combined both critical analysis of contemporary memory projects and semi-structured interviews to investigate the relationship between memory, armed conflict and the drug war in Colombia. The research considered the contributions of both community, grassroots projects and state-sanctioned truth-seeking and memory efforts which are trying to open up Colombia's recent history. This approach privileges the lived experiences and memories of individuals, who are considered to be producers of authentic plural narratives, histories and interpretations of Colombia's armed conflict.

# 5.3. Review of Memory initiatives

To begin, a literature review of contemporary memory initiatives was carried out to investigate how the drug war is remembered in Colombian's narratives of conflict. Studies of memory projects employing a variety of methodological practices were observed, including artistic interventions (theatre, dance, painting, quilting, weaving, street art and fictional writing), digital interventions, memory and memorial spaces and reports. Each were critically analysed for references to the drug war. I chose to focus on efforts seeking to uncover the memories of marginalised groups – including women, indigenous groups and peasant farmers – which have traditionally been distrusted, dehumanised and silenced in Colombia's historical memory. I wanted to understand how the drug war

is being remembered: what is being remembered and by whom? How do drugs, drug trafficking, violence caused by the illegal drug trade and state interventions to fight drug trafficking feature? How are these narratives framed and in which contexts did they appear? As Keightley suggests, it is in the process of "selection and omission" that we begin to unpick how memories have been shaped by diverse cultural frameworks and social powers (2010, p11). I therefore paid close attention to the institutional and ideological origins behind each project. Despite the abundance of diverse memory production in Colombia, one major drawback of this approach was that all the sources I was able to access had a web presence, and the majority were national and urban. Consequently, but unavoidably given the nature of the data collection at that stage of the project, the voices and memories of many groups were not included, and the data collected was fragmentary.

# 5.4. Qualitative research at Colombia's Truth Commission

To complement the review of memory production, I wanted to explore how memories of the drug war feature in Colombia's TJ process in greater depth. This was aided by the timely nature of my research with the establishment of the CEV. A fundamental objective of the CEV is to shed light on the conflict and offer a comprehensive explanation of its complexity. I had the privilege of carrying out fieldwork at the CEV's headquarters in Bogotá over four weeks in November 2018 and two weeks in March 2019. I spent time as an embedded researcher with the gender working group (GTG), a team established to investigate the gendered nature of conflict the CEV's analysis, where I supported investigations into the impact of illegal drug trafficking on the lives of women in Colombia. The second stage of this research consisted in qualitative interviews with expert memory practitioners working at the CEV. I collected data in the form of extensive and rigorous field notes and carried out eight semi-structured interviews with commissioners and researchers. At this time, the University of Bristol was working with the CEV through the UK and Colombia-funded MEMPAZ project (Bringing Memories in from the Margins: Inclusive Transitional Justice and Creative Processes for Reconciliation in Colombia). My status as a researcher at the University of Bristol put me in a position of privilege which opened doors and facilitated access to interviewees. I consequently found very few obstacles to securing interviews even with the commissioners themselves, who are extremely busy people, frequently travelling and giving media interviews. On a whole, this was very positive, but at times this status did make me feel slightly uncomfortable.

The interviews sought to gain the reflections of leaders in memory work, expert practitioners and commentators about how drugs and drug policy feature in conflict narratives and Colombia's historical memory. To this end, the interview guide covered topics around the work trajectory of each participant, memory work in Colombia, and the specifics of the CEV's methodology for investigating

the drug war and drug trafficking within the framework of the conflict. The questions were openended, and the interviews lasted between 30 minutes and one hour. The data was critically analysed for references to drug policy. All of the participants involved in the research work professionally in the field of memory work and therefore faced no risks by being involved in this project. For this reason, I asked all participants to waive their right to anonymity and confidentiality and agree to be identified by name and expertise. The participants were interviewed about the construction of memory in Colombia, rather than individual memories, so it was deemed that there would be no risks of trauma by taking part. The study was approved by the Faculty of Arts Research Ethics Committee, University of Bristol, on 30 October 2018.<sup>27</sup>

A key decision was when to go to Colombia and for how long. Being present during the preliminary stages of the CEV's period of operation gave me valuable insight into some of the decision-making processes. For example, I was present during conversations about who would be invited to speak at the CEV's official launch and subsequent public events, and I was privy to working documents about the specific research questions that would be investigated, and conversations about the CEV's methodology to collect data and promote coexistence and non-repetition. These opportunities provided invaluable insights of how drug policy features in the CEV's work and how important the topic was perceived to be by staff. However, due to the practical constraints of doing a masters programme, my time spent in Colombia with the CEV was limited. In most of the interviews I conducted during November 2018, when I enquired about how drug policy would be dealt with by the CEV I was advised that there would be a team charged with investigating drug trafficking but that it did not exist yet. Nonetheless, when I returned in March, once the CEV was due to have begun receiving testimonies, I heard very similar answers to this same question.

I had also been hoping that there would be opportunity to travel with the CEV to one of the regional territories in Colombia, which had been hit hard by drug trafficking violence, to understand how the commission operates in these areas: who was presenting to give testimonies and who was receiving them? How were drugs and drug policy remembered?<sup>28</sup> Were the CEV's regional partners and analysts in these regions more inclined to focus on drug-related issues? and so on. However, when I returned in 2019 the CEV was very much still in the development stages and not yet actively receiving testimonies. For this reason, I remained in Bogotá. These practical restrictions (time and location)

<sup>&</sup>lt;sup>27</sup> See Appendix 1. All research participants were given a hard copy of the participant information sheet (Appendix 2) and the written consent form (Appendix 3). These forms included information about the purpose of my research, my academic identity, the implications of participating in the project, an explicit clause asking participants to waive anonymity and confidentiality.

<sup>&</sup>lt;sup>28</sup>The Commission operates from 21 'Truth Houses' in ten regions within Colombia, plus abroad, from which mobile, local teams are receiving testimonies.

framed the scope of my research and prevented me from exploring any dynamics of regional variation in the analysis.

Nonetheless, being present at the CEV for a prolonged time period strengthened this research as it provided me with intimate, in-depth knowledge of how the CEV is working to investigate the conflict and promote reconciliation. I was fortunate to attend the official launch of the CEV in November 2018. This was the CEV's first opportunity to present itself to the wider Colombian public and international community, an invaluable moment for me to see how the drug war was discussed on a national stage. I also attended three workshops with victim organisations, two focused on the documentation of testimonies of female victims of sexual abuse and one on the documentation of testimonies of LGBTI people. Although these workshops were not explicitly focused on the drugs war, I was interested to see if/how the topic would appear. I took thorough field notes which documented my own observations and reflections, as well as comments and conversations with CEV staff, partners and individuals who identify as victims. These served to supplement the interviews by validating my respondents' answers and simultaneously deepening my understanding of the intricacies of Colombia's TJ processes. I observed the challenges facing the CEV in an increasingly hostile political environment and the implications for opening up Colombia's recent history and promoting peace.<sup>29</sup>

Although my research has not been conducted from a gender perspective, working with the GTG impressed upon me a greater awareness of the intersectional complexities of the conflict and it developed my understanding of embedded structural violence in Colombia in terms of longstanding patriarchy. I was able to carry out research for the GTG into the ways into the ways in which women in Colombia have been impacted by drug policy within the framework of the armed conflict. Having the opportunity to speak to my colleagues about why women and LGBTI people had been victimised during the conflict strengthened the nuance of my analysis. The GTG acted as my gatekeepers, and I developed a close relationship with the team. I became good friends with some individuals, and we are still in touch today. However, I became increasingly aware of internal tensions between the different teams within the CEV, and perhaps, had I been there for much longer, my position with the GTG may have compromised my neutrality (fieldwork diary notes March 2019).

A further challenge lied in carrying out 'elite' interviews. The commissioners and researchers at the CEV are public figures. They are each used to being interviewed and are concerned about maintaining public image. Given that the drug war is a highly polarising topic, one which generates suspicion and

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<sup>&</sup>lt;sup>29</sup> On 10 March 2019, President Duque officially objected to a law governing the operation of the JEP that investigates members of the FARC and the armed forces for war crimes showing public disapproval for the peace agreement's transitional justice processes (El Espectador, 2019).

even fear, I encountered some aversion to talking about this topic honestly and personally. At times I sensed a frustration at my insistence to ask about the drug war in place of other topics, and I was challenged on my topic and its importance. With time I learnt to manage these situations and negotiate the emotive responses the drug war produces and the reluctance to 'let slip' contentious or confidential information. As time went on, I was able to build relationships with members of the CEV who introduced me to key people to interview. However, this does not mean that situations of distrust did not occur. During one interview I felt the power gap between myself and the respondent particularly challenging. I was asked repeatedly what my hypothesis was and what it was for (I had initially explained it to him), my background and research philosophy and it felt like it was me who was being interviewed. I remained calm and was completely transparent, demonstrating my readiness to listen and learn.

In sum, this section has provided an overview of the methodologies and data sources used in this research to investigate the drug war and the Colombian conflict. I have tried to demonstrate the strengths and weaknesses of the approaches used, and the careful considerations made throughout. I have reflected on my own personal learnings and the trajectory of the research as it developed with me.

## Chapter 6

# Narratives of the drug war in memory projects

## 6.1. Introduction

I argue that the global drug war is a principal motor of devastating levels of violence in Colombia's contemporary armed conflict. Critical analysis of both grassroots and state-sanctioned memory processes (see chapter 3) shows that to date, memory and truth-seeking projects produced by both victims' organisations and community groups, as well as state-sanctioned memory interventions, have largely focused on documenting the events and human rights violations of contemporary armed conflict. This is an invaluable and legitimate focus, especially given the dimensions of the conflict and disregard for victims, however, one of the implications of this focus is the neglect of the role of the drug war in Colombia's historical memory of contemporary armed conflict. I have suggested that the dissonance between the critical role of the drug war as a driver of violence of contemporary armed conflict in Colombia, and how it is remembered, is striking.

This research privileges the lived experience and memories of individuals, who are considered to be producers of authentic plural narratives, histories and interpretations of Colombia's armed conflict, for the potential to advance our understanding of the atrocities of war. The main objective of this chapter is to analyse this blind spot in Colombia's historical memory of contemporary armed conflict. Why is the drug war hardly present in memories of conflict? Why is it sometimes visible in the memories of conflict of individuals living in drug producing regions? What does this say about how people's experiences of contemporary armed conflict have been shaped by the drug war? In this chapter, I return to the purported binary between drugs-related violence, and, what is considered to be 'political' violence, as highlighted in the literature review on debates about causes of conflict. I argue that bridging this gap is rarely considered to be a priority for memory practitioners. I suggest that silence around the drug war in Colombia's historical memory of armed conflict undermines the fundamental goal of the Colombian peace process to guarantee the non-repetition of conflict and to construct a stable and long-lasting peace, as established in the 2016 Peace Agreement.

In his discussion of memory and conflict, Gonzalo Sánchez (2003) draws a distinction between 'active' and 'passive' silencing. I adopt this distinction to navigate and unpick both conscious and subconscious silencing of the drug war in memory work in Colombia. This chapter is structured as follows: part 1 discusses 'passive' reasons for the silencing of counter-drug and security policies in memory work. That is, when the impact of counter-drug and security policies on people's experiences of contemporary armed conflict is subconsciously left out or forgotten in memory and truth-seeking interventions. Part 2 focusses on 'active' reasons for the silencing of counter-drug and security policies

in memory work. Here, I explore deliberate and purposeful silencing of the drug war in memories of contemporary armed conflict. Finally, part 3 examines the findings of memory and truth-seeking initiatives produced in regions of Colombia where illegal drugs are grown and cultivated, where there is some visibility of the impact of counter drug and security policies, albeit on the margins. I suggest that the drug war has made people living in these regions more vulnerable within the framework of the contemporary armed conflict.

## 6.2. Part 1: Passive silencing

Using Sánchez's distinction, this section explores reasons for the 'passive' silencing of counter-drug and security policies produced in memory encounters. To being, I explore the boom in the narco-culture industry that surrounds drug trafficking. While these narratives certainly reflect part of Colombia's historical memory, I suggest that the romanticisation of 'narcos' contributes to the trivialisation of violence, and consequently, communicates only a fragmentary and partial truth about the historical and political context of drugs-related violence in Colombia. Following this, I look at how contemporary memory work in Colombia is often driven by the needs and realities of marginalised groups. When memory practitioners pursue these valuable agendas, often, the drug war is not considered a priority and is overlooked. As a result, the impact of counter-drug and security policies on people's experiences of conflict is neglected or forgotten in conflict narratives.

# 6.2.1. 'Narco'-culture: blurring the boundaries between the illegal drugs trade and the global drug war

Colombia has become a country synonymous with drugs and drugs-trafficking. This is complemented by a boom in a popular culture industry – and frequently, internationally produced narratives – that surrounds drug trafficking, ranging from popular television series including 'Escobar: El patron del mal' (2012), to award-winning 'narco-novels', see 'La virgen de los sicarios' (1994) and 'El Cartel de los Sapos' (2009), and the recent Netflix production, 'Narcos' (2015). A growing tourism industry also seeks to promote this image through 'narco' tours, whereby visitors to Colombia are encouraged to visit abandoned buildings belonging to the infamous Pablo Escobar (Naef, 2018). Today, Escobar is considered to be one of the most popular Colombian figures among school children (Sánchez Mertens, 2016, p36). My findings sit somewhat at odds with this reality. Why is the impact of the drug war a blind spot in narratives of contemporary armed conflict, while drugs-trafficking has simultaneously become normalised in Colombian culture, and the drugs-trafficking narrative promoted through international popular culture?

Marta Cabrera (2005) suggests that Colombia suffers from an "excess" and a "deficiency" of memories of conflict, describing violence as both visible and invisible, present and absent. Cabrera uses this paradox to convincingly argue that memory work in Colombia is lacking in narrative complexity and therefore does not articulate comprehensive and plural narratives about violence. Drugs-related violence and drug trafficking may be remembered everywhere in popular culture, but is little critique or analysis present in memory work about the impact of counter-drug and security policies on the contemporary armed conflict. As Taussig (2004) identifies, the cocaine trade is a blind spot in Colombia's public institutions, despite being an "unavoidable" part of Colombia's history. While the 'narco' culture industry speaks to a desire to engage with drugs-related violence, it does so in an incomplete and unsatisfactory way. This simplified and stereotyped image of drug trafficking contributes to the glamourisation of the narcos and the trivialisation of violence, which communicates only a fragmentary, partial truth about the greater historical and political context of drugs-related violence in Colombia, and the economic, social and transnational factors at play.

There is also a wider tendency, as evidenced by this romanticisation of Robin Hood tendencies of drug traffickers in popular culture, to blur the boundaries between 'political' and 'narco' violence.<sup>30</sup> Guerrilla groups blur these boundaries when seeking to brand their involvement in drug trafficking as political, precisely because it financed aspects of their political struggle.<sup>31</sup> This interpretation has been promoted by the state when seeking to brand the FARC as narco-terrorists. According to a researcher at the CEV, this serves state interests in defaming the FARC:

"Before demobilisation, there was little interest in how [the FARC] were financed. The State's only interest was to defeat the FARC. Since the peace process began, there has been a deliberate political campaign seeking to frame the FARC as drugs-traffickers, rather than a political group, to reduce their electoral support and political power. In the media there is a lot of talk about their relationship with drugs so that people do not vote for them." (interview on 14 March 2019)

Indeed, following the announcement from FARC leaders on 28 August 2019, that some members of the guerrilla group were once again taking up arms, President Duque said, "Colombia doesn't accept threats of any nature, least of all from drug-traffickers. Colombians should be clear that we are not facing another guerrilla war, but rather combating a group of narcoterrorists" thus denying any political motivations for their return to conflict (El Tiempo, 2019). It is important to note that by

<sup>30</sup> Hobsbawn (1969) developed the notion of 'social bandits' to explore how criminals and outcasts transcend these categories by championing social justice and become celebrated and mythicised figures.

<sup>&</sup>lt;sup>31</sup>The FARC have always denied drugs-trafficking, instead claiming only to have gained taxes from coca cultivation (CHCV, 2015).

focussing on drugs-trafficking rather than drugs policy, this interpretation continues to silence the relationship between counter-drug and security policies and the conflict.

It appears that most memory projects avoid this binary and focus on the 'political' violence, rather than violence related to drugs-trafficking at the other end of the supposed binary. One researcher in the CEV's 'clarification' team, suggested that memory practitioners and analysts might avoid drug policy because it is a "taboo". Consequently, he says that they deliberately choose alternative categories through which to frame their analysis (interview 20 March 2019). That the GMH chose to focus on the reconstruction of emblematic events and key themes including dispossession of land, and sexual and gender-based violence, supports this view. Perhaps this uncomfortable association with the 'narco' stereotype and glamourised violence explains, in part, why the drug war is silenced in Colombia's historical memory of contemporary armed conflict.

Related to the above, a key trend in memories of contemporary conflict in Colombia is narratives of undifferentiated violence. Plausibly, as the conflict has become more international and more complex, it has become harder to distinguish between the different actors and events involved, and to understand the longstanding factors that cause and sustain conflict (GMH, 2013, p145). Indeed, scholars have acknowledged the limitations of Colombian history education to reconstruct a comprehensive and plural historical memory necessary to alter the cognitive, moral and emotional structures of the population (de Zubiría, 2016; Mertens Sánchez, 2016; Gómez Suarez, 2017). School curriculums do not include historical facts about drugs-related violence, and it are rarely present in public museums, however, as Naef identifies, narco-tourism and popular culture is partially filling this gap (2018, p488). As illustrated in the literature review, memory and truth-seeking interventions seeking to open up Colombia's recent history of conflict rarely recognise and name drugs-related violence as such. Commenting on this phenomenon, a researcher at the CEV told me, "victims do not necessarily know about drug policy" (interview on November 2018). This speaks to the limitations of memory work, generally, to grapple with policy, and with drug policy specifically. Plausibly, misinformation and miscommunication about drugs-related violence in Colombia may contribute to narratives of undifferentiated violence, which silence the impact of counter-drug and security policies on people's experiences of contemporary armed conflict within Colombia's historical memory.

# 6.2.2. Memory work as empowerment

As illustrated in the review of memory projects, the empowerment of marginalised groups is often the primary purpose for memory work in Colombia. Memory interventions help to make the experiences of marginalised groups more visible and contribute to reconstructing the social fabric following protracted conflict (Ospina Vélez, 2017). In this section, I suggest that the drug war may be missing in

dominant narratives of contemporary conflict because it is not considered to be a priority for memory work. I consider this to be 'passive' silencing produced by memory processes that pursue alternative agendas. Below, I suggest that the empowerment generated by memory work is undermined by decisions to focus on certain types of violence.

Scholars have identified that memories are shaped by social and cultural factors (Jelin, 2002; Sánchez, 2003; Keightley, 2010). Silences in memories may be caused when social and cultural factors encourage members of a community to maintain said silences (del Pino, 2017, 22). As demonstrated in the review of memory projects (see chapter 3), many grassroots and community groups seek to denounce all forms of violence, including 'political' violence, drugs-related violence, gender-based violence and racism. To illustrate, *La Ruta* deliberately equate all forms of violence, political, economic and gendered, as part of their ideological pacifism and feminism. Rather than documenting guerrilla, paramilitary and state crimes – including drug policy – their primary focus is to uncover patterns of violence against women.

Critical analysis of memory interventions in Colombia shows that the primary purpose of memory work tends to be particular to the needs and realities of a specific group. To illustrate, through memory and truth-seeking interventions, women's groups have exposed the systemic, deliberate use of violence against women (see Ruta, 2013; Corporación Humanas, 2018; and Asvidas María la Baja, among others). Amplifying the memories of women as a source of knowledge has helped to develop a strong, feminine identity and political conscience among women that is fundamental to female empowerment (Ruta, 2013, p93). Similarly, El PCN use memory work to disrupt the silencing around the experiences of afro-Colombian groups in the conflict. For *El PCN*, the desire to break away from the "past-present continuum of oppression" — which afro-Colombian groups have been experiencing since colonialism — to create their own future and dialogue, is the primary purpose of memory work (Cortés Severino, 2007, p166). Scholars have thus argued that memory work is an "intervention in democracy" (Jelin, 1994; 2002; Nora, 1989, Márquez, 2016). Memories can be become a form of resistance for traditionally marginalised groups by creating new spaces whereby their own dialogues and narratives are able to disrupt silencing around their experience of conflict. In this sense, participants can become politically empowered through memory-seeking interventions.

Memory work can also help victims and societies to heal and recover from trauma (Werth, 2010; Hayner, 2011; Milton, 2017). As shown in chapter 3, in Colombia, creative methodologies are often used to facilitate the process of transforming pain into something positive. Indeed, scholarship investigating memory work has identified this to be a critical goal of memory and truth-seeking interventions in Colombia (GMH, 2013a). In amplifying the voices of marginalised groups, memory

work empowers by dignifying victims (GMH, 2009). Memory work can also empower when testimonies of contemporary armed conflict are transformed into "healing narratives" (Ospina Vélez, 2017, p65). In this vein, Las Tejedoras de Mampuján and Las Tamboreras de Cauca credit memory processes as being a central part to the rebuilding of their lives and willingness to forgive. Thus, very plausibly, community groups might be disengaged from drugs policy because it is not considered to be a priority compared to more pressing goals of survival, reconciliation and coexistence. Although beyond the scope of this research, this speaks to the underlying question which was raised earlier, of whether memory work is able to grapple with transnational policies like the drug war?

Scholars have shown that emphasis on certain types of violence and victimisation can create new silences (Castillejo Cuéllar, 2007; Stern, 2004 and del Pino, 2017). While memory and truth-seeking interventions are reconstructing Colombia's historical memory around serious human rights violations of marginalised groups, doing so often contributes to the silencing around the role of the drug war in the contemporary armed conflict. For example, *MOVICE* barely touch on drugs policy, despite it being directly linked to state crimes, instead they focus on shedding light on the 'political' violence committed by paramilitary groups. For this reason, I suggest that silence around the impact of drug policies on the contemporary armed conflict in Colombia's historical memory undermines both the empowerment of marginalised groups and the fundamental goal of the Colombian peace process to guarantee the non-repetition of conflict.

## 6.3. Part two: Active silencing

This section explores the 'active' silencing of the drug war in memory interventions seeking to open up Colombia's recent history of armed conflict. I first consider how well-founded fear of persecution and stigmatisation have shaped people's experiences of contemporary armed conflict. I argue that memories of drugs-related violence may be consciously suppressed and kept secret because of fear of persecution. I then consider silence as a form of prohibition, repression or imposition (del Pino, 2017). I suggest that memories of the drug war may be systematically silenced and therefore purposefully excluded by memory practitioners when they are considered to be politically inconvenient.

## 6.3.1. Silence caused by fear

Armed conflict propagates fear and terror (Bourke, 2006). In Colombia, the climate of terror that armed groups have installed across the country with massacres, torture, forced disappearances, sexual violence and forced recruitment, also spawned distrust and suspicion, the breakdown of the social fabric, and silence, as people are sometimes too scared to speak out about the violence they

have experienced (GMH, 2013a, p263).<sup>32</sup> I suggest that well-founded fear of persecution and stigmatisation can help to explain why mainstream narratives of armed conflict rarely include the impact of counter-drug and security policies. Not least because the global drug war makes some drugs illegal and criminalises those who produce, supply and consume them, which actively promotes stigmatisation and discrimination, particularly among marginalised or vulnerable populations (Transform, 2014). I argue that these dynamics have shaped people's experiences of armed conflict and silenced many memories, specifically memories of drug-war related violence.

A lot of memory and truth-seeking work in Colombia is realised in a context of violence. According to statistics compiled by Colombian think tank, *INDEPAZ* (2019), 623 social leaders and human rights defenders were murdered in Colombia between the signing of the peace agreement in November 2016 and July 2019. This trend has been described by commentators as systematic (El Espectador, 2017). In 2017 and 2018, 47 members of the COCCAM were killed for promoting voluntary crop substitution and more humane drug policies (Gutierrez and Balfe, 2019). Commentators have suggested that many assassinations of social leaders are carried out by armed groups and dissident FARC members in territorial battles to control illegal industries (Nos Están Matando, 2018). Social leaders in Colombia play a fundamental role in guiding communities and negotiating with the state (CEV, 2019). The murder of social leaders can therefore be seen as a deliberate attempt to weaken the social fabric and make communities more vulnerable to attack (INDEPAZ, 2019).

Scholars have recognised that when truth reconstruction takes place in a context of ongoing violence, the tension between remembering and silencing certain topics is particularly contentious due to a climate of heightened insecurity (Sánchez, 2003; Riaño Alcalá and Uribe, 2016). Writing about her ethnographic work in Ayacucho, Peru, Theidon (2001) talks of "words as weapons" to describe how speaking can be used against you in the context of war. Indeed, in Colombia, the constant threat of violence and its psychological impact has prevented women from denouncing violence (Ruta, 2013, p22). Similarly, concerns around safety and fears of rejection have hindered members of the *Hijos e Hijas* group from making their memories visible (Gómez et al, 2007, p33). Commenting on the challenges of doing memory work in Colombia, Commissioner and psychologist, Carlos Beristain, said, "One never knows who might be listening and where the information could end up" (interview on 27 November 2018). Fear and insecurity caused by the continued conflict is thus understood to hinder victims' participation in truth-seeking initiatives (Taylor et al, 2016).

<sup>&</sup>lt;sup>32</sup> For more on the impact of fear in Colombia in the 1990s, see Juan Gabriel Vásquez's book, 'The Sound of Things Falling' (2011), which explores the terror caused by the violent confrontation between the cartels and the government, through the eyes of those who experience it only indirectly, but unavoidably.

Being identified as a member of the "other group", as the enemy, is an emblematic characteristic of the armed conflict (GMH, 2013, p360). This stigma is said to have broken down relationships and encouraged distrust within communities (ibid, p535). The fear of being labelled a drugs-trafficker or a collaborator plausibly creates obstacles for people who might otherwise speak out about drugs-related violence. Given that the drug war is ongoing and there is a very real risk of persecution, the destructive impact of these factors on memory work and truth-telling cannot be overstated. In an interview, the coordinator of the GTG at the CEV developed this point further and described how fear of reprisals, stigmatisation, being killed and being rejected by society may prevent people from speaking out (interview on 26 November 2018). Many interviewees also commented on a particular fear felt among coca farmers of losing their crops, and with that, the ability to provide for their families and make sure their children go to school. Well-founded fear of persecution helps to explain why individuals engaged in memory interventions are not speaking about the drug war, as safety and security are more pressing considerations than uncovering a silenced past. However, I suggest that neglecting the key issue of drugs policy undermines the goal of Colombia's transitional justice processes to guarantee non-repetition of violence, as evidenced by ongoing drugs-related violence.

Fear also implicates memory practitioners and scholars conducting research in contexts of war which can limit their potential to open up certain narratives. For example, when documenting emblematic cases of armed conflict in Colombia, the GMH had to carefully decide whether to include the names of politicians or local authorities who had been identified as complicit in human rights violations, so as to mitigate risks for the local community they were working with (Riaño Alcalá and Uribe, 2016, p18). The context of ongoing violence and fear creates further obstacles for memory work practitioners who must take seriously security considerations for participants and for themselves. In Colombia, researching sensitive topics such as coca gives rise to suspicions (Ciro, 2016). Doing research in disputed territories can be considered as "intelligence gathering" (Ramírez, 2014, p4). These dynamics create obstacles for those seeking to amplify the voices of communities living in territories marked by distrust, suspicion and fear, and may prevent memory practitioners from working to investigate drugs-related violence in Colombia.

There can be value in keeping secrets and maintaining silences. Commissioner Carlos Beristain describes how the all-consuming dynamics of fear and distrust have prompted people to adopt extreme hostility as a form of self-protection (interview on 27 November 2019), which suggests that in the case of Colombia, silence may be strategic. Some victims, perpetrators and witnesses, may be making a conscious and deliberate choice to maintain silences around the drug war in an effort to protect themselves. Discussing the marginalised memories of rural communities in Ayacucho, del Pino

describes silences as "performing truths" (2017, p46). He argues that for the rural villages in Ayacucho, maintaining silences is like keeping secrets, and can protect the collective identity of the community. In drug producing and drugs-trafficking regions of Colombia in particular, there may be value in keeping silent about drugs for security reasons. There may even be pressure from local communities not to speak out, since this shared recognition among members about the value of keeping said truths silenced guarantees their protection (del Pino, 2017, p94).

# 6.3.2. Silence as imposition

Memories may be absent from conflict narratives when they are excluded and systematically silenced (Riaño Alcalá and Uribe, 2016; del Pino, 2017). Critical analysis of memory projects in Colombia and conversations with staff at the CEV reveals that memory and truth-seeking interventions tend to be oriented towards the ideals of peace and reconciliation. I suggest that memories of the drug war may be considered politically inconvenient by institutional and grassroots memory practitioners, and thus deliberately silenced.

Memory work can purposefully silence narratives which diverge from a permitted political or social vision (Kansteiner, 2002). To understand how these dynamics play out in Colombia, it is useful to highlight the historical and political context within which memory and truth-seeking interventions in Colombia are operating. From 2002-2010, former Colombian President, Álvaro Uribe, forbade talk of 'armed conflict' and insisted that Colombia faced a 'terrorist threat' (El Espectador, 2011). Consequently, for decades, victims of Colombia's armed conflict were invisible in discourses which legitimised the conflict or were referred to as "collateral damage" (GMH, 2013a, p14). This discourse changed in 2010 when Juan Manuel Santos became president and began peace negotiations with the FARC. Contemporary memory and truth-seeking interventions now tend to be oriented towards peace and reconciliation, which is being driven by scholarly and political agendas aimed at uncovering guerrilla, state and paramilitary crimes and promoting demobilisation and peacebuilding (Lazzara, 2018). To illustrate, it has already been highlighted that the GMH made a deliberate decision to focus on "emblematic cases of violence" which represent "systematic and generalised patterns of human rights abuse" in the armed conflict, which were chosen for their "gravity, magnitude and impact" (Riaño Alcalá and Uribe, 2016, p13). The reports represent a considerable effort to uncover Colombia's recent history and raise awareness of deeply rooted practices of violence and discrimination, but nonetheless, they do not account for a comprehensive heterogeneity of memories and narratives and include silences (Ibid). Thus, practitioners may be making a deliberate political decision to focus on narratives of 'political' violence which are considered to be different from drug war-related violence

and drugs-trafficking. On this view, silencing is not necessarily a free decision, but is shaped by dominant forces of power (del Pino, 2017, p45).

A related dilemma resolves around the issue of legitimacy and memory production. Social and cultural contexts can legitimise some voices and authorise certain themes while denying others (Jelín, 2017). Theidon's work on Transitional Justice and gender (2007) describes how the Truth Commission in Peru incentivised communities to construct a narrative that suppressed the complexity of the truth and sought to represent those communities as populated only by innocent victims, which results in a homogenised notion of 'victims' and a partial and fragmentary truth. Similarly, in their detailed review of the GMH, Riaño Alcalá and Uribe identify that institutionalised memory work tends to focus on a "politically correct" and "idealised" notion of 'victims' (2016, p21). Furthermore, it is important to note that the active combatant is often marginalised in collective narratives of war (Bourke, 2006). Because the drug war makes growing coca illegal, the voices and testimonies of coca farmers are delegitimised, distrusted and marginalised by authority. Conversations with staff at the CEV reveal that some sectors of society view coca farmers as responsible for conflict, particularly those who process the coca leaves (field work diary notes March 2019). This idea will be explored in greater detail in part 3 of this chapter. For now, it will suffice to say that voices may be delegitimised if they do not fit into the compatible ideal of a 'victim', and consequently excluded from Colombia's historical memory.

To summarise, so far, I have tried to demonstrate that the drug war is rarely considered to be a priority in dominant accounts of conflict by memory work practitioners seeking to open up Colombia's recent history. The silencing of the drug war in conflict narratives is due to a combination of conscious and subconscious processes which perpetuate the supposed boundary between the global drug war and the contemporary armed conflict. This purported binary between drugs-related violence and 'political' violence is, I believe, an unhelpful distinction which undermines peacebuilding efforts.

## 6.4. Part 3: Memory work in drug producing regions of Colombia

In this section I explore how the drug war does feature in memory encounters taking place in regions of Colombia where illegal drugs are produced. Here the supposed boundary between the drug war-related violence and 'political' violence tends to be blurred in conflict narratives and their impacts felt somewhat indiscriminately, despite the contrary political agenda which seeks to portray them as separate. As I described in chapter 3, the following dynamics are visible in the memories of people living in these regions: violence caused by armed groups in territorial wars to control the illegal drug trade; stigmatisation and discrimination; militarised security policies; and, aerial crop fumigation (Poveda, 2004; GMH, 2010, 2012, 2015 and 2018; Corporación Humanas, 2017; Fundación Ideas para la Paz, 2017; Dejusticia, 2018). I now suggest that counter-drug and security policies have made people

in these regions more vulnerable within the framework of the armed conflict. Their memories reveal that counter-drug and security policies have exacerbated the pre-existing dynamics of conflict in some regions of Colombia. In general, these memories are missing from dominant accounts of conflict for the reasons highlighted above, whereas, plausibly, in drug-producing regions the impact of counterdrug and security policies cannot be ignored.

# 6.4.1. Bridging the drug war and armed conflict

Colombian drug war policies have put excessive effort into eradicating coca (O'Shaughnessy and Branford, 2005). As a result, rural farmers who derive their economic sustenance from growing coca have been exposed to a military state that criminalises them, eradicates their crops with force and fumigates with glyphosate. Conflict narratives produced in these regions of Colombia have shed light on the violence inflicted on communities as a result of territorial fights to control drugs-trafficking routes. For example, the state-sanctioned report investigating gender-based violence in Putumayo, 'El Placer. Mujeres, coca y guerra en el bajo Putumayo' (2012) acknowledges that the criminalisation of coca growers and their consequent involvement in illegal activity has legitimised the violence that local people in coca growing zones have been subjected to in the eyes of the armed groups (GMH, 2012, p30). This narrative is key to understanding how Colombia's counter-drug policies have made people living in these regions more vulnerable to violence within the framework of the armed conflict. However, while these narratives make drugs-related violence visible, memory work tends to focus on the impact of illegal drugs-trafficking, rather than drugs policy.

The memories of female coca growers in Putumayo reveal that counter-drug and security policies have impacted their experiences of conflict during three pivotal moments: First, the 'coca boom' in the 1980s, which saw increased migration to coca producing regions as a result of new economic opportunities and the strong presence of armed groups linked to drugs-trafficking; as of 1998, memories reveal the impact of the state's militarised response to drugs-trafficking, which combined the counter-insurgency fight and the eradication of illicit crops; and last but not least, the demobilisation of the FARC in 2017, a context permeated by uncertainty and heightened insecurity, specifically in rural areas where the FARC previously exerted control (Fundación Ideas para la Paz, 2017; Dejusticia, 2018). These studies are important contributions to advance understanding of how counter-drug and security policies have impacted people's experiences of contemporary armed conflict in Colombia. However, I have identified that most of this work comes from Putumayo, when the issue is much more widespread across the country.

# 6.4.2. Aerial fumigation

Critical analysis of memory interventions seeking to open up Colombia's recent history reveals some visibility of the impact of aerial fumigation with glyphosate. Aerial fumigation has been described as the imposition of a transnational drug policy that further marginalised a population already disadvantaged within the Colombian armed conflict (Ramírez, 2011, p229; Corporación Humanas, 2017, p2). Memories produced in drug producing regions in Colombia reveal that strategies of militarisation and the fumigation of coca crops were processes that caused great losses for families, including those not directly involved in the coca economy (Dejusticia, 2017, p84) and combatants (Echevarría, 2007). However, largely absent from this body of work is detailed discussion or critique about the complex relationship between Colombian politics and US interests in eradicating the source of drugs-trafficking (as discussed in chapter 2). Across Colombia, aerial glyphosate fumigations have resulted in the displacement of drug production to new areas which has destroyed fragile ecosystems and exacerbated the social, political, economic and environmental crisis throughout the country (Poveda, 2004, p19; O'Shaughnessy and Branford, 2005). The fumigations are also reported to have caused health problems, including headaches, fever, respiratory problems, dizziness, vomiting, diarrhoea, allergies, miscarriages and an increased risk of cancer, among other health consequences (O'Shaughnessy and Branford, 2005; Camacho and Mejía, 2017). Evidently, militarised counter-drug policies and forced coca eradication have made rural farmers more vulnerable within the framework of the armed conflict.

# 6.4.3. Stigmatisation and criminalisation

Memories of individuals living in drug producing regions of Colombia reveal that drug war policies have turned rural farmers into an enemy, against whom violence is justified. As Ciro highlights in her research into the life trajectories of coca growers in Caquetá; "rebel, guerrilla supporter, drugtrafficker, criminal, someone who wants to get rich easily" are some of the stigmas attached to rural farmers (2017, p121). Within the framework of Colombia's contemporary armed conflict, rural farmers have been accused of being members of the guerrilla, simply for sharing the same territory as insurgent groups, and therefore, have been subject to persecution by both the army and the paramilitaries (Ramírez, 2017, p351). The context of militarisation and the "war on drugs" has deprived farmers in drug producing regions of their status as citizens and established them as an enemy that the State is justified to fight against (Dejusticia, 2017, p83). Also present in the memories of contemporary conflict of coca growers is the theme of criminalisation. Some farmers express their frustrations and fears at the risk of being criminalised and imprisoned for growing coca when they have no viable alternative (Humanas Colombia, 2017).

Critical analysis of memory interventions seeking to document drugs-related violence in Colombia tend to focus on uncovering why farmers are involved in the coca economy, which is driven by an agenda to present coca farmers as victims rather than drugs-traffickers. This supports the argument made earlier that memory and truth-seeking interventions often seek to empower marginalised groups. Memory practitioners working with coca farmers often seek to legitimise coca growers, by showing that growing coca has become a means to escape poverty for already vulnerable and marginalised communities abandoned by the state. In some instances, coca has become a resource which has enabled women to have economic independence for the first time, thus granting them a degree of control and autonomy and the possibility to separate from their partners (Ciro, 2016; Fundación Ideas para la Paz, 2017; Humanas Colombia, 2017). To support this argument, a report by Christian Aid suggest that the willingness of farmers to comply with voluntary crop substitution, reaffirms that Colombian farmers cultivate coca only as a last resort, and would stop if other viable options were available. It also undermines the discourse, common in Colombia, that the farmers are profit driven 'criminals', or drugs-traffickers (Gutierrez and Balfe, 2019, p31). In her pioneering ethnographic work on the protest movement of coca farmers against aerial eradication, Ramírez describes how marginalisation and stigmatisation have been openly rejected by coca farmers (2011), in what she argues extends beyond the exercise of "identity politics" to the exercise of "the politics of differentiated inclusion" (2017). In sum, memory work with coca farmers is driven by an agenda that seeks to recognise this group as victims of conflict, rather than drugs-traffickers (see ASAMCAT, ANZORC and COCCAM, also; Ramírez, 2017), which can be seen as a deliberate attempt to reverse some of the stigmatisation caused by the drug war.

This section makes the case that counter-drug and security policies have resulted in increased violence and oppression in drug-producing regions, particularly towards coca farmers, and has exposed them to risks on multiple fronts. Coca farmers are criminalised by the State for being involved in the coca economy, are victims of violence because they live in areas controlled by armed groups (sexual violence, torture, forced displacement), have been stigmatised by society, are victims of militarised counter-drug strategies, and; have been condemned to situations of poverty, marginalisation and state abandonment. This contributes to answering my second research question: what is the impact of the global drug war on the contemporary Colombian conflict? These narratives are on the margins of Colombia's historical memory of contemporary armed conflict. I believe that these memories are critical for understanding the complexity of the conflict and how it has been impacted by drug policies. The next chapter explores how will these memories are being incorporated into the work of Colombia's CEV.

## 6.5. Conclusion

In this chapter, I have explored the key trends and findings of scholarship investigating memory work in Colombia to explain why the global drug war is, for the most part, a critical blind spot in Colombia's historical memory of contemporary armed conflict. I have suggested that memory and truth-seeking interventions frequently silence, cover and oversimplify the connection between the drug war and the armed conflict, often because global drug policies are not considered to be a priority by memory work practitioners. A combination of both conscious and subconscious processes focuses on documenting the events and human rights violations of conflict, which is driven by scholarly and political agendas aimed at uncovering guerrilla, state and paramilitary crimes, and promoting peacebuilding. The exception to this trend occurs in regions of Colombia where illegal drugs are grown, because the impact of counter-drug and security policies on people's experiences of conflict cannot be ignored. Here the supposed boundary between the drug war and the contemporary armed conflict is blurred, usually being viewed as one and the same, despite the contrary political agenda.

# Chapter 7

## The Commission for the Clarification of Truth, Coexistence, and Non-Repetition

"The [truth] commission helps to clarify what changes must be made in the country so that this war does not continue and does not happen again. If we do not make changes to our economic system, this is impossible. If culturally, we are not able to end impunity and corruption, the war will continue.

If we do not solve the problem of drug-trafficking, the war will continue."

Commissioner Saúl Franco, interview on 27 November 2018.

## 7.1. Introduction

The establishment of the CEV is a meaningful step towards reconstructing an inclusive historical memory and consolidating peace in Colombia. The fundamental objective of this chapter is to explore how drugs and drug policy feature in the CEV's work to investigate and explain conflict and promote coexistence and the non-repetition of violence. The findings from this study present much to be positive about, including the CEV's utopian mandate and rigorous approach to uncovering previous marginalised and silenced topics, in particular, the fact that the drug war is already appearing in the CEV's intersectional work. I suggest that the CEV presents a promising opportunity to investigate the impact of counter-drug and security policies on the pre-existing dynamics of armed conflict in Colombia, and, to uncover how they have shaped Colombia's experiences of contemporary armed conflict since the mid-1990s. This would mark a significant contribution to bridge the aforementioned gap between drugs-related violence and 'political' violence, often promoted in mainstream and stateled memory processes, and to collect what has been neglected in Colombia's historical memory until now. However, my analysis has uncovered critical challenges that may prevent the CEV from doing so. I have found that the CEV's ambitious mandate and institutional culture may mean that drug policy is not considered to be a priority and falls through the gaps of the CEV's work. Given that the CEV is still in progress, this chapter constitutes a reflective exercise based on a critical reading of its mandate, interviews with CEV staff, and media accounts of the CEV's first ten months of operation.

This chapter draws heavily on my fieldwork, which was spent as an embedded researcher at the CEV in Bogotá, where I conducted interviews with commissioners and researchers about how drugs and drug policy feature in conflict narratives. The chapter is divided into three parts. It begins with an overview of the CEV's institutional history and assesses its potential to complement efforts that have already been made toward clarifying the truth and reconstructing historical memory of the contemporary armed conflict. Following this, section two discusses the CEV's mandate in detail, specifically its mandate to investigate the relationship between drugs-trafficking and the armed

conflict; its potential to shed light on underlying economic and social factors and their connection to drugs-related violence, and; the commission's commitment to promoting the non-repetition of violence. I suggest that together these dynamics offer a meaningful opportunity to uncover the impact of counter-drug and security policies on Colombia's contemporary armed conflict. The third and final part of this chapter focuses on feasibility and discuss two significant challenges facing the CEV, which may limit its potential to uncover truths about drug war-related violence in Colombia. I focus on the recurring theme of ongoing violence and its implications on truth-telling, followed by the broad scope of the CEV's mandate and the colossal task that lies ahead.

# 7.2. CEV: institutional history and innovations

The literature review on TCs set out some of the key opportunities and challenges they often face to accomplish their objectives in societies in transition from conflict to peace. International TC experience shows that uncovering the full plurality of memories and narratives is always difficult. In the Colombian context, memories of the drug war are at the interfaces of government policies and economic structures that sustain conflict and the violence that appears as its symptoms, which according to international TC experience, are often overlooked. This section now provides a more detailed discussion of the institutional history of Colombia's CEV. By focusing on innovations in the CEV, I assess its potential as an official truth-seeking tool to complement efforts that have already been made in Colombia toward clarifying the truth and reconstructing historical memory of the contemporary armed conflict. This forms the basis of my argument that the CEV has great potential to uncover silenced and marginalised memories, but that some themes, regions, and communities may fall through the gaps, because of its broad and utopian mandate.

As discussed in the chapter 4, a TC's timeline can strengthen or limit its investigative reach and define the truth that will be documented (Hayner, 2010, p75). The CEV was officially launched on 28 November 2018 and has just three years to produce a final report that offers a comprehensive and inclusive explanation of the complexity of the conflict, from 1958 to 2016. This is a huge challenge. Nonetheless, as this study shows, in Colombia, considerable effort has already been made to reconstruct historical memory of contemporary armed conflict. The CEV's truth-seeking efforts build on the *Basta Ya* report (CNMH, 2013), which is one of the most complete and thorough memory interventions regarding armed conflict in Colombia and covers almost the same period (1958 - 2012). It is also important to note that some of the researchers and commissioners' professional trajectories have included rigorous research into the impact of the drug war in Colombia.<sup>33</sup> A concern frequently

<sup>&</sup>lt;sup>33</sup> Commissioner Alfredo Molano and Researcher Teófilo Vásquez are particularly noteworthy examples. Current Director of Dejusticia, Professor Rodrigo Uprimny, also sits on the CEV's advisory board.

raised by victims' organisations and the media, questions what value the CEV will add to previous memory interventions, which have already made significant progress towards shedding light on past wrongdoing in the armed conflict? The CEV intends to build on pre-existing memory work by uncovering patterns of violence. In a workshop for victims of sexual violence, Commissioner Alejandra Miller said that the key difference between the CEV and already existing memory projects is that the TC is truth-seeking – rather than memory-seeking –, thus it must collate and evaluate all the previous memory interventions to reach the truth (fieldwork diary notes, 14 November 2018).

To achieve its objectives, Colombia's CEV has four principal interconnected strategies: participation; the production, dissemination and appropriation of knowledge; pedagogy; and, communication. The CEV seeks to collate testimonies of victims, witnesses and perpetrators with the findings of previous memory interventions. Memory work produced by the CNMH and various victims' organisations are being handed over to the CEV to complement this process. The CEV is organising a series of public dialogues, and national and regional acts of recognition, for victims, perpetrators and witnesses, leaders from across the country, members of the international community, and the media. Below, I discuss how the drug war is already featuring in these events. Furthermore, the CEV is using art and digital interventions, including, for the first time, social media, to advance knowledge and understanding about its mandate, mission and methodologies among wider society. To illustrate, the first Encuentro por la Verdad included music and performance, from traditional drumming from the Cauca region (Las Tamboreras de Cauca), to Aterciopelados, a popular Colombian rock band, in a public event designed to reach more people.<sup>34</sup> Creative activities such as these also encourage inclusivity and tolerance, which are important for coexistence and non-repetition of violence. The CEV's findings are intended to feed into a 'National Dialogue for Truth' which involves the whole of society and contributes to the building of a transformative peace in Colombia.

As I touched upon in chapter 4, Colombia's CEV has a number of innovations that are intended to provide an intersectional understanding of the armed conflict. The transversal gender perspective, for example, seeks to uncover the disproportionate impact of armed conflict on the lives of women, girls and LGBTI people as a consequence of the violence exercised against them because of gender, sexual orientation and gender identity, and is hoped to empower women and LGBTI people, advance gender equality and promote structural change. The CEV also has a regional focus, to better understand the particularities of affected territories across Colombia, the common patterns and differences, and how the actors operated on different territories. This presents an interesting opportunity to uncover

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<sup>&</sup>lt;sup>34</sup> These are meetings for reflection about the harms and impact of the conflict, and the various ways in which victims and communities have faced violence and resisted. The aim is for participants to have a space for social and institutional dialogue which gives visibility to their experiences of conflict.

regional variation about the impact of the drug war in Colombia. As expressed by the Commissioner Saúl Franco in an interview, this requires being sensitive to the diverse social, political and economic realities of communities living in these regions, such as involvement in the illegal drugs trade (interview on 27 November 2018).

## 7.3. Opportunities

This section discusses the CEV's mandate in detail to explore how the purported dissonance between drugs-related violence and 'political' armed conflict might be bridged in this official truth-seeking process. First, I discuss the significance of point 11 on the CEV's mandate, which is to investigate the relationship between drugs-trafficking and the armed conflict. Following this, I explore its potential to shed light on the underlying economic and social factors which created the conditions for drugs-related violence. Finally, I discuss the CEV's commitment to promoting the non-repetition of violence. I suggest that despite significant challenges, together, these objectives offer a significant opportunity to uncover the impact of counter-drug and security policies on Colombia's contemporary armed conflict.

# 7.3.1. Explicit mention in mandate

Point 11 on the CEV's mandate is to "uncover and promote recognition of the relationship between the conflict and illegal crops, the production and supply of illegal drugs, and the laundering of assets derived from drug trafficking" (Decree 588/2017). This is a direct line of investigation intended to shed light on how different actors have benefitted from the production of illicit drugs and drugs-trafficking, how different communities have been impacted, and how drug policies have generated new cycles of violence in Colombia. For example:

"Since the 70s, this drug phenomenon has been increasing, and we have been producing and industrialising [drugs].... we do the whole process in Colombia. This intensified the armed conflict, because when armed groups hand over drugs they often received weapons as payment which serve to protect their crops and their laboratories, and this repeats over and over again." (Commissioner Carlos Ospina, Interview on 20 November 2018).

Investigating "drugs-trafficking and the armed conflict" has been officially identified by the CEV as one of ten key themes strategically chosen to achieve its fundamental objective to uncover and explain patterns of violence in Colombia (CEV, 2019d, p13). However, drugs-trafficking should not be conflated with drugs policy. Nonetheless, the historical lens through which the CEV is investigating (from 1958 to present) offers real potential to uncover, not only the direct impact of drugs-trafficking on the contemporary armed conflict, but also, when and how counter-drug and security policies have

exacerbated and transformed the pre-existing and structural dynamics of conflict over this period. This includes the rise of narcoterrorism in the 1980s and 1990s; militarised efforts to eliminate the source of drugs by targeting growers, such as the US-backed Plan Colombia and intense crop fumigation; the official demobilisation of paramilitary groups in 2006; the 2016 peace accord; and demobilisation of the FARC in 2017. Commissioner Saúl Franco uses the phrase 'narco-problem' as an umbrella term to refer to illicit crop production, micro-trafficking and drugs-trafficking, drug consumption and drug policies. He explains that point 11 on the mandate should encourage the CEV to investigate the whole drug supply chain (Interview on 27 November 2018).

The previous chapter on memory-interventions in Colombia discussed the drugs-trafficking stereotype. While at the CEV, I encountered a desire to move away from this stereotype, and to focus on deeper and more nuanced analysis about the role of impunity, corruption and structural mechanisms that enable drugs-trafficking (field work diary notes, November 2018). A huge challenge for the CEV is to bridge the gap between "microhistories about impact of drug-trafficking in a specific region" – such as those produced in the reports of the CNMH – and "broad, macro analysis about drug policy", to produce narratives that helps to explain the complexity of the Colombian conflict (Commissioner Carlos Beristain, interview on 27 November 2018). Similarly, Teófilo Vásquez suggested that the CEV need not study the impact of drug policies in Colombia per se, because the catastrophic impact of such policies is already clear, and "documented in enough books to fill an entire room". Rather, he sees greater need in investigating why Colombian and US governments have maintained these policies for so long (interview 21 March 2019).

Plan Colombia was mentioned in the very first public act of recognition organised by the CEV, titled 'My body speaks the truth'. 35 "My daughter was kidnapped and raped by a US military officer who came for Plan Colombia", read Tarcila Rivera, an indigenous Peruvian activist, who lent her voice for the event (CEV, 2019b; Colombia2020, 2019). She went on to describe the threats and stigma that the family received following this crime, and the impact on the girl's mental health. In chapter 2, I suggested that scholars and memory practitioners have described Plan Colombia as having transformed the pre-existing dynamics of conflict significantly. Drug policy also featured in the CEV's first dialogue for non-repetition 'Long live social leaders and human rights defenders', to address the

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<sup>&</sup>lt;sup>35</sup> On 26 June, 2019, in Cartagena, 30 women and LGBTI people presented their stories of sexual violence, in the first 'encuentro por la verdad' entitled 'Mi Cuerpo Dice la Verdad' - a series of events organised by the CEV to officially recognise victims' experiences and bring past wrongs into the public domain. The survivors of sexual violence told stories of torture, rape, forced abortions and sexual slavery, among others, to an audience made up of leaders from across the country, the international community, victims' organisations, the media, and, crucially, perpetrators of violence, whose role was to be silent and listen.

killings of social leaders across Colombia (CEV, 2019c). Andrés Chica, social leader in Southern Córdoba, member of COCCAM, was one of 12 participants in the discussion, which suggests that coca farmers are being listened to and taken seriously by the CEV. Participants also discussed how coca cultivation was continuing to attract armed groups and driving conflict in Colombia.

These examples show that the drug war is already emerging in the CEV's intersectional work, and beginning to bridge the binary between drugs-related violence and 'political' violence, often promoted in mainstream memory initiatives working to open up Colombia's recent history. With regards to drug policy, the key issue for the CEV is to recognise the drugs war as a driver of conflict in Colombia.

#### 7.3.2. Economic and social factors

"We believed that growing coca was important because it enabled our children to study and move forwards in life. Now we are realising that at 14 years old, our children do not want to study, they want to 'raspar'. So, what has coca done for us, if at the end of the day, we haven't been able to ensure that our children study and move forwards" (Commissioner Alejandra Miller, quoting a woman from El Tambor, Cauca, interview on 20 November 2018).

As I have suggested, memories of the drug war are at the interfaces of economic structures that sustain conflict and the violence that appears as its 'symptoms'. The seventh point on the CEV's mandate deals with the structural factors that have contributed to the long duration of Colombia's armed conflict's duration. Chapter 2 discusses how socio-economic inequality is a widely cited cause of conflict. This task on the mandate offers real opportunity for nuanced research into how the economic opportunities and possibility for social inclusion generated by prohibition-based drug policies and illegal drugs trafficking have motivated participation in the violence (Duncan, 2015a).

The 2016 peace accord aspired to "construct a stable and long-lasting peace," which requires a solution to rural development in some of the most abandoned regions of the country. The agreement is built on two important pillars: community participation and the transformation of rural economies, recognising that poverty, social exclusion, and violence have fuelled the spread of coca cultivation across the country. Thus, investigating the factors that facilitated the persistence of the armed conflict also requires in-depth investigation into the lack of opportunity, infrastructure and state presence in rural Colombia, where people grow and produce drugs. In the previous chapter, I argued that the drug war has further marginalised a population already disadvantaged within the Colombian armed

<sup>&</sup>lt;sup>36</sup> 'Raspar' is the word used to describe harvesting coca leaves.

conflict. Commissioner Alejandra Miller recognises that this phenomenon ought to be tackled from a gender perspective because of the disproportionate impact of militarised drug and security policies on women in drug producing regions (interview on 16 November 2018). Indeed, there is real potential to investigate the coca boom, the impact of aerial fumigation with glyphosate on women's health – including forced abortions and miscarriages - and the relationship between illicit drug production, the presence of armed groups and gendered violence, have shaped women's experiences of contemporary armed conflict (interview on 14 March 2019).

Nevertheless, I found that within the CEV, drugs and drug policy generate somewhat polarised views. According to Commissioner Carlos Beristain, "coca growers are victims when their crops are fumigated, or their families murdered... they are not victims simply for being rural farmers" (interview 20 November 2018). This suggests that stigmatisation surrounding the drugs issue prevails even within the CEV. Furthermore, this comment speaks to the "grey zone" in which categories of victims and perpetrators blur (Theidon, 2010, p13). One key member of the gender research team suggested that some coca farmers are victims while others are perpetrators, and that the CEV doesn't yet know what it will find (interview on 26 November 2018). Plausibly, the institutional culture at the CEV encourages some members of staff to share the blind spot I identified in the previous chapter. That coca farmers might not be considered victims of conflict, overlooks the socio-economic situation that many coca farmers in Colombia are in, which has led them to grow coca (Ciro, 2017). Furthermore, it suggests that the mandate of the CEV is so broad and utopian that it opens up these grey zones and creates the possibility that some themes, regions and subjects will fall through the gaps.

## 7.3.3. Ongoing violence and commitment to non-repetition of violence

The CEV has a commitment to promote the non-repetition of violence. Given that much of the ongoing violence in Colombia is related to drug trafficking, neglecting the drugs war would considerably compromise this commitment. The CEV must prepare a final report that incorporates recommendations to the Colombian state, including guarantees of non-repetition. Alejandra Coll of the GTG suggests that uncovering the impact of the drug war on Colombia's contemporary armed conflict is necessary to reduce the financing of the armed groups, and thus the 'war on drugs' must be approached by the CEV in a non-traditional way (interview 14 March 2019). In fact, when I asked them, most participants commented on the need to address this issue. There was far less consensus on how this would be done, who's responsibility it was, and so on.

Moreover, Colombia's coca crop substitution programme, which aims to help farmers eradicate their coca crops and switch to legal crops in return for subsidies and government support, is facing

significant delays which are compromising the sustainability and effectiveness of the substitution process. In drug producing regions of Colombia, many people who enter into substitution programmes are being threatened or murdered by the cartels. In 2018, homicides in PNIS municipalities increased by 38% with respect to 2017 and the murder of social leaders increased by 165% (FiP, 2019, p9). Evidently, poor implementation of the PNIS is exacerbating an already volatile environment in rural Colombia. One key member of the GTG describes how, since the peace agreement was signed, drugs are causing problems within communities, as well as between the armed actors, explaining that when one neighbour wants to substitute and another does not, this creates conflict: "the state says that it is going to send in drones, and so the farmer then fights with his neighbours, not with the state" (interview 26 November 2018). Therefore, drug policy a key issue for the CEV to tackle in order to promote coexistence and non-repetition of violence.

# 7.4. Feasibility

A complicated and polarised political environment raises concerns about the feasibility of investigating how counter-drugs and security policies have shaped people's experiences of armed conflict. During my fieldwork, I attended both the official launch of the CEV on 28 November 2018 and three workshops with civil society organisations. These experiences were, on the whole, positive, but it was interesting to note that drugs and drug policy were not mentioned at all. The launch of the CEV was its first opportunity to communicate its key functions and objectives to the wider public and international community, which suggests that the drug war is not a priority. It seems that the CEV is focusing on uncovering the agency of particular groups and the individuals responsible and may remain blind to the role that drug policies have played. Taking this into account, the third and final part of this chapter focuses on two significant challenges facing the CEV, which may limit its potential to uncover truths about drug war-related violence in the context of the contemporary armed conflict. First, I look at the recurring theme of ongoing violence and its implications on truth-telling. Following this, I return to the broad scope of the CEV's mandate and the colossal task that lies ahead.

# 7.4.1. Fear and safety

Decades of armed conflict in Colombia have destroyed trust and brought about extreme hostility as a form of self-protection, this has significant implications for official truth-telling (GMH, 2013). Fear was mentioned multiple times in interviews as an obstacle for the CEV, as some people in Colombia may be scared to speak out and denounce atrocities. The review of literature about TCs, revealed that they must confront the sensitive problem of encouraging and protecting terrified victims and witnesses to

speak out, who fear putting their lives in danger by doing so. When discussing the psychosocial impact of conflict, Carlos Beristain says:

"In Colombia, people fear speaking out, they fear the repercussions of speaking out, and the fact that their lives are in danger. With this comes a lack of trust in who does [memory] work, in what we are going to do with [their testimonies], what kind of results it is going to have, what purpose will it serve..." (interview on 27 November 2018.)

Clearly, the context of ongoing violence makes for an unfavourable situation to work in. The CEV takes these risks very seriously and is enforcing the following security measures to mitigate the risks to participants: the CEV operates from 21 regional 'truth houses', where people can give a testimony. Wherever possible the commissioners travel to the victims, perpetrators and witnesses, rather than the other way around. If there are increased concerns about safety, a trusted local person will carry out the interview on behalf of the CEV. It is also possible for people to submit audio and video files, rather than presenting in person. When receiving testimonies, analysts do not receive names nor the names of places sometimes. People sign consent forms and say what they consent to with regards to anonymity (Fieldwork diary notes 20 March 2019).

Related to fear and a context of ongoing violence, distrust in the state also threatens to limit the CEV's potential to uncover truths about drug-related violence in the framework of the Colombian armed conflict. *As Fundación Ideas para la Paz* state, the state bears huge responsibility for families that have committed to the substitution process and are willing to give up their coca crops (Garzón and Gélvez, 2018, p8). In areas in which PNIS has begun to be implemented, there has been some engagement between the population and the state. However, approximately 130,000 families signed collective agreements for voluntary substitution, yet only 76% have received support from the state (Garzón et al. 2019, p9). The lack of effective implementation and fulfilment of crucial points of the agreement negatively impacts the trust and credibility of state institutions. It follows that farmers in marginalised rural communities who have been let down by the state, are perhaps unlikely to talk unless they perceive that it will benefit them.

To this end, Commissioner Carlos Beristain goes on to say:

These are two key factors that a commission has to overcome; people's fear to speak, and the guarantees of confidentiality and security - the handling of information, how to work with the victims, and how to build trust – this is fundamental to our work." (interview 27 November 2018)

This quote demonstrates that the CEV needs to gain legitimacy and confidence in all sectors. During my fieldwork in Colombia, I encountered a lack of trust in the CEV that extends beyond communities living in PNIS regions. In workshops with victims' organisations I heard people express concerns that the CEV cannot be trusted and will not bring about anything positive because it is a state institution (fieldwork diary notes, November 2018). There are also concerns that the CEV is biased towards FARC, particularly among those convinced that the peace accord was too lenient to the armed group, which has been purported by right-wing propaganda. To mitigate some of these concerns the CEV organises workshops with victims' organisations as part of its pedagogy strategy to advance knowledge and understanding about its mandate, mission and methodologies among wider society. In these workshops the CEV must demonstrate that it is independent from the state and of extra-judicial character.

# 7.4.2. Broad Scope

The CEV also has the arduous challenge of fulfilling an ambitious mandate in a short space of time. Despite the opportunities highlighted above, given financial restrictions, limited resources and political pressure, it is plausible that investigating the impact of counter-drug and security policies on people's experiences of contemporary conflict will not be a priority for the CEV.

Notwithstanding the explicit mention in the CEV's mandate to investigate the relationship between drug trafficking and the armed conflict, it was suggested by a researcher at the CEV that another TC is needed for victims of drug trafficking violence. The argument given for this was two-fold. Firstly, I was told that such individuals are not considered to be victims of 'political' violence. "There is nothing to suggest that cartels and the armed conflict are connected. If we find a relationship between cartels and armed groups, then we will have to investigate it. The same goes for political events like the bombing of the Avianca Flight 203, it is not clear to us yet." (Interview on 14 March 2018). This perpetuates the idea that some people believe drugs-related violence in Colombia is considered to be separate and unconnected from the contemporary armed conflict. Secondly, there are concerns that thousands of family members of victims of cartel violence will want to know what happened to their loved ones, and the CEV simply doesn't have the resources to address so many crimes.

During my second fieldwork trip to the CEV in March 2019, I met two researchers investigating drugs-trafficking and the armed conflict, but there was no one focussing on the impact of drug policies on coca farmers. One reason for this, as suggested by researcher Ana Daza, is that "drugs-trafficking does not fit neatly under a specific focus for analysis of CEV (ethnic, gender etc), nor is it a region". This supports the argument that investigating the impact of counter-drugs and security policies on the contemporary armed conflict is not a priority for the CEV. As I argued in chapter 6, this is a marginalised

group who have been made more vulnerable to violence in the contemporary armed conflict because of counter-drug and security policies. It is concerning to learn that their memories are likely to be silenced and marginalised in this official truth-seeking process, as researchers share the blind spot I identified earlier.

## 7.5. Conclusion

There is an opportunity for the CEV to lay the foundations for a transformative peace in Colombia. This chapter first gave an overview of the institutional history of the CEV, which, as an official truthseeking tool, has the potential to complement efforts that have already been made toward clarifying the truth and reconstructing Colombia's historical memory of the contemporary armed conflict. I have suggested that the CEV's mandate offers genuine potential to investigate the relationship between drugs-trafficking and the armed conflict and to shed light on the underlying economic and social factors which created the conditions for drugs-related violence. Together with a commitment to promoting the non-repetition of violence, there is a meaningful opportunity to uncover the impact of counter-drug and security policies on Colombia's contemporary armed conflict. Nevertheless, this is not a given. Whether the CEV will adopt a position which recognises that the Colombian and international states are responsible for the escalating levels of violence caused by maintaining prohibition and militarised drug policies is unclear. While the implementation of the CEV in drugproducing regions of Colombia and the inclusion of marginalised voices to facilitate a process of interaction, participation and dialogue about past wrongdoing will be crucial for achieving this aim, the key question here lies on the feasibility of a three-year period to achieve an ambitious mandate in a context of ongoing violence and an unfavourable institutional culture.

# **Chapter 8**

#### **Final remarks**

This study set out to uncover how the drug war is remembered within Colombia's transitional justice process, to further understanding about causes and consequences of armed conflict in Colombia. I have suggested that memory and truth-seeking interventions frequently silence, cover and oversimplify the connection between the drug war and the armed conflict, because global drug policies are rarely considered to be a priority by both victims' organisations and official memory practitioners, including for the CEV. Although there is some visibility of violence against coca farmers and aerial fumigation in narratives of conflict in drug-producing regions of Colombia, particularly in Putumayo, these memories tend to be marginalised and continue to be missing from dominant accounts. In general, the focus of memory work is to document the events and human rights violations of conflict, which is driven by scholarly and political agendas aimed at uncovering guerrilla, state and paramilitary crimes, and promoting peacebuilding.

Given that memory work is not engaging with the key issues of drugs and drug policy, what does this mean for Colombia's TJ process? In 2017, illegal drug cultivation in Colombia reached a historic high, despite the signing of the final peace agreement and demobilisation of the FARC (UNODC, 2018). At the time of writing, a group of FARC leaders announced to the world that they are once again taking up arms, accusing the government of betraying the peace deal. While it would be incorrect to deny the group's political motivations for rearming, I have argued that neglecting the key issue of drugs policy in Colombia's historical memory undermines the fundamental goal of the peace agreement to guarantee the non-repetition of violence in Colombia. Ongoing violence against social leaders, human rights defenders and ex-combatants confirms that while the global drug war continues, despite efforts made by the Colombian peace process to end violence, the drug war continues to drive conflict in Colombia.

It is important to note that this study has been limited by practical restrictions, which framed the scope of my research and prevented me from exploring, in-depth, any dynamics of regional variation in the analysis. All the memory projects I reviewed had a web presence and the majority were national and urban. Furthermore, having identified that farmers in Colombia's drug producing regions face multiple forms of oppression derived from poverty, involvement in illegal industry, chemical fumigation, and, armed conflict (GMH, 2012; Ramírez, 2017; Dejusticia, 2017), this study would have benefitted from speaking to some of the CEV's staff or regional partners in these departments. Consequently, this text does not capture the full heterogeneity of memories and narratives of contemporary conflict in Colombia.

Nonetheless, this study lays the groundwork for future interdisciplinary research to collect and analyse testimony in regions impacted by drug war-related violence, that have until now been neglected within Colombia's historical memory, with the aim of promoting an inclusive, transformative peace.

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## **Appendices**

# Appendix 1: Ethical approval confirmation



Faculty of Arts Research Ethics Committee (FREC)

Miss Mary Ryder
Professor Matthew Brown
University of Bristol
Department of Hispanic, Portuguese and Latin American Studies
15 Woodland Road
Clifton
Bristol

University of Bristol Faculty of Arts, 3-5 Woodland Road Bristol BS8 1TB Tel: 0117 954 5982

30th October 2018

Dear Miss Ryder

Ref: 75861

BS8 1UU

Title: Memory, Conflict and Drug Wars in Colombia: how do drugs and drug policy feature in people's narratives of conflict?

Thank you for responding to the issues raised by the Faculty of Arts Research Ethics Committee (FREC) as stated in our letter dated 18.10.18. Your response to the issues raised by the FREC has been reviewed by the Chair of the committee who has agreed to grant a favourable ethical opinion for the above-named study with the following condition:

That until the end of the Masters project, the data storage must comply with University standards – storing the data collected on a 'password protected computer' is not acceptable. The data collected should be stored on UoB secure servers using the student remote desktop:
 http://www.bristol.ac.uk/it-services/advice/homeusers/remote/studentdesktop
 Also, data storage and management should adhere to the University's Information Security guidelines:
 http://www.bristol.ac.uk/infosec/uobdata/research/

The committee recognises that you have been diligent in anticipating and responding to ethical issues in your preparation for the research. Please note that the FREC expects to be notified of any changes or deviations in the study.

Good luck with your study.

Professor Simon Potter,

Faculty Research Ethics Officer, Faculty of Arts

## **Appendix 2: Participant information sheet**

Please note, all participants received a Spanish translation of this form

Version 2 <sup>22nd</sup> October 2018

[Please note: this sheet will be translated into Spanish]



#### Participant Information Sheet

### Project title: Memory, Conflict and the Drug War in Colombia

My name is Mary Ryder. I would like to invite you to take part in my research project. Before you decide whether or not to participate, I would like you to understand why the research is being conducted and what it would involve for you. Talk to others about the study if you wish. Please ask me questions if anything is unclear.

I am studying for an MPhil in Hispanic, Portuguese and Latin American studies at the University of Bristol. I also work part time at Transform Drug Policy Foundation as the coordinator of the Anyone's Child: Families for Safer Drug Control programme. I am conducting research about memory, conflict and the drug war in Colombia, as part of my Masters study. It is completely independent from my work at Transform.

As Colombia enters a period of transition and peacebuilding, this research project seeks to investigate the role of the global drug war in the Colombian conflict, and specifically, how drugs and drug policy feature in conflict narratives and Colombia's historical memory. I am eager to gain the perspectives of leaders in memory, expert practitioners, and commentators. I hope that you will be interested in being interviewed for my project and sharing your thoughts and expertise. Even if drug policy has not been a focus of your work or an area of your personal expertise, I would love to hear your recollections and reflections about how drugs and drug policy may or may not be part of truth commission work in Colombia.

It is up to you to decide whether you wish to participate in the project. I will describe the study and go through this information sheet with you before you participate and answer any questions you might have. If you agree to take part, I will then ask you to sign a consent form. You are free to withdraw at any time before July 2019, without giving a reason.

The interview will take approximately an hour and will be conducted at a time of your convenience. I plan to analyse these interviews for use in my <u>Masters</u> dissertation. I will share the interview transcript with you and allow you to approve it (including by making any edits you wish) beforehand. I will also share the final thesis with all participants for feedback before finalising it. If you do not approve the excerpt, we will remove it. I will digitally record and transcribe the interviews which will be stored on a password protected computer until the end of this <u>Masters</u> project in September 2019. I am planning to do a PhD, and in this case, the data will likely be stored on the University of Bristol's Research Data Storage Facility (RDSF) for the duration of the doctoral project.

Due to the public nature of the Truth Commission (or alternative memory institution), I kindly ask that you agree to be identified by name and expertise in my dissertation. I therefore explicitly ask that you waive your right to anonymity and confidentiality. I am happy to discuss this with you further, to answer any questions you may have and to make alternate arrangements if you are not happy with this. You will not be named unless you give your consent.

This research project is intended to contribute to the advancement of knowledge about causes of conflict in Colombia and will provide a nuanced understanding of how the drug war features in conflict narratives and Colombia's historical memory.

This research has been reviewed by Professor Matthew Brown (School of Modern Languages, University of Bristol), and Dr Julia Paulson (School of Education, University of Bristol). The project has also been reviewed by the Faculty Research Ethics Committee at the University of Bristol.

Please take some time to consider this request and to ask me any questions that you may have. I can be contacted at mr12859@bristol.ac.uk. If you are happy to participate, I will ask you to sign and return the project consent form.

Thank you very much for considering this request. I look forward to hearing your thoughts memories of the drug war in Colombia if you are able to participate.

If participants have any concerns related to their participation in this study please direct them to the Faculty of Arts Research Ethics Committee, via Liam McKervey, Research Governance and Ethics Officer (Tel: 0117 331 7472 email: Liam.McKervey@bristol.ac.uk)

# **Appendix 3: Consent form**

Please note, all participants received a Spanish translation of this form

Version 2 <sup>22nd</sup> October 2018

#### [Please note: this sheet will be translated into Spanish]

Department of Hispanic, Portuguese and Latin American Studies Tel:

Name: Mary Ryder e-mail: mr12859@bristol.ac.uk



# CONSENT FORM Memory, Conflict and Drug Wars in Colombia

**Brief Project Outline:** This research project seeks to investigate memory, conflict and drug wars in Colombia. This research project is intended to contribute to the advancement of knowledge about causes of conflict in Colombia and will provide a nuanced understanding of how the drug war features in conflict narratives and Colombia's historical memory.

Do I have to take part? - No, participation is voluntary

Can I withdraw at any time? - Yes, you can withdraw at any time before July 2019 without giving a reason.

What do I have to do? – You will be asked to share your thoughts and expertise about memory, conflict and drug wars in Colombia, in a semi-structured interview lasting approximately one hour.

**How will the findings be used?** – The data will be analysed for my Masters (MPhil) dissertation. Selected excerpts may be included in the dissertation. You will have the opportunity to approve the interview transcript and the selections to be shared before it is submitted.

Will my taking part in the study be kept confidential? — You will be identified by name and expertise in my dissertation. I therefore explicitly ask that you waive your right to anonymity and confidentiality.

What are the possible disadvantages and risks of taking part? – You may be publicly identified in any publications arising from this research.

What will happen to the data collected? – The interview will be digitally recorded and transcribed. This data will be stored on a password protected computer, managed only by myself, at least until the end of my Masters in September 2019. I am planning to do a PhD, and in this case, the data will be kept for the duration of the doctoral project on the University of Bristol's Research Data Storage Facility (RDSF). It will then be destroyed.

Please answer the following questions to the best of your known	owledge YES	NO	
been given information explaining about the study?     had an opportunity to ask questions and discuss this study?     received satisfactory answers to all questions you asked?     received enough information about the study for you to make a decision about your participation?			
DO YOU UNDERSTAND: That you are free to withdraw from the study and free to withdraw your data prior	to final cons	sent	
I hereby fully and freely consent to my participation in thi	is study		
Participant's signature:Date:			
Name in BLOCK Letters:			

If you have any concerns related to your participation in this study please direct them to the Faculty of <a href="mailto:Arts\_Research">Arts\_Research</a> Ethics Committee, via Liam McKervey, Research Governance and Ethics Officer (Tel: 0117 331 7472 email: Liam.McKervey@bristol.ac.uk).