

REFLECTIONS ON AESTHETICS AND VIOLENCE IN COLOMBIA

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For Maria Victoria Uribe, the most interesting questions about social suffering arise from the interstices that exist between disciplines such as anthropology, psychoanalysis and cultural criticism, and random encounters with artists, murderers and perpetrators – like those that arose during a brief encounter she had one day with a hit-man who, before she started with her interview, told her: “I’d like to have two hearts, one to deal with good people and another one to deal with bad people, those having no enemies and being dangerous because they betray”.

An unintelligible logic, in principle, for someone who believes in having one heart, like I do. However, it explains very well why in those societies with catholic criminals – as Mexico and Colombia – the only way of circulating between legality and illegality is by avoiding a collision between the good and evil that everyone carries inside, and by having very clear notions of friend and foe. From this point, I understood that one could be simultaneously a cruel murderer and a pious devotee of God, as long as culture allows it. I thus recall something Zizek wrote paraphrasing Chuang-Tse’s parable about a butterfly – also named by Lacan – where he mentions a peaceful, kind, decent bourgeois teacher who, for a moment, dreams about being a murderer. In

Colombia, murderers often dream about themselves being decent people.

With a few exceptions, the Colombian conflict has been studied from itself and within itself, which has resulted in a vast volume of information and documentation almost unknown outside the country, and that only in rare occasions has become part of global academic discussions. Indeed, there are very few studies that situate Colombian violence and its effects within the global context and discussions about this topic.¹ Thus, with the intention of inserting, the topic of the Colombian conflict in global discussions on contemporary wars and their consequences, I find it relevant to take into consideration Achille Mbembe’s text about “Necropolitics”². I would like to reuse the concept of “states of emergency”, used by Mbembe in such an interesting article to refer to those spaces where rights are suspended and institutions do not operate, a very similar concept to “spaces of terror”, used by anthropologist Michael Taussig to refer to those abuses and atrocities committed at the rubber plantations in Colombia.³ Regarding the Colombian conflict, I consider the concept used by Mbembe to be useful since many of the death spaces in Colombia such as massacres, bloody assaults to villages and massive kidnappings, constitute places

1 Some publications talk about the Colombian issue within the context of wider discussions. See, for example Apter, David, Ed. *The legitimization of violence*. United Nations Research Institute for Social Development; McMillan Press, London, 1997. See also Francisco Ortega, Ed. *Veena Das: Sujetos del dolor, agentes de dignidad*. Instituto Pensar Universidad Javeriana and CES Universidad Nacional; Bogotá, 2008.

2 See Mbembe, Achille. “Necropolitics” *Public Culture* 15(1): 11–40; Duke University Press, 2003.

3 See Taussig, 1991.

where the Rule of Law is temporally suspended and victims are reduced to things. In these contexts, power is executed by lords of war, that in Colombia are paramilitary and guerilla groups as well as other criminal organizations dominating the spaces of terror, and that have the capacity to vanish the distinction between combatants and non-combatants.

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For more than thirty years Colombia has been living at least two simultaneous and uninterrupted wars. The first one started by 1980 and lived its most critical moment during the 1990s, when government and institutions were frontally attacked by the drug cartel of Medellin. The war took place mostly within big cities and left a large number of deaths – among them, three presidential candidates, several ministers of Justice, justice officials, left-wing intellectuals, judges, prosecutors, Trade Unions leaders, journalists, Human Rights activists and citizens who were killed by means of bullets or because of powerful bombs. Cali and Medellin Cartels were dismantled and afterwards they were replaced by micro-cartels acting within the underground, without facing the State, and in alliance with the different Mexican cartels.

The other war has a lot of edges and it is connected with the first one due to the main armed actors’ financing and benefiting from drug trafficking. This second war that began in the mid 20th Century,

and has not finished, is an ongoing conflict around land distribution. Colombia has never had a serious land reform, which implies the monopoly of land by a few. The main actors of this confrontation are the State Armed Forces, two guerilla groups--Colombia Revolutionary Armed Forces (FARC) and the National Liberation Army (ELN), and right wing paramilitary groups. It is an irregular war where guerilla groups have had a strategy focused on attacks to police stations and military positions, the use of non-conventional weapons and the final retrenchment to the mountains. Police Stations are located in the centre of villages and, because of that, a lot of civilians die because of the use of gas cylinders, used as mortars by the guerilla. At the same time, and as a response to the guerilla groups, the paramilitary groups, blessed by active and retired military commanders have massacred in innumerable occasions, killing those civilians that were believed to help the guerilla groups.

Both paramilitary and FARC guerilla charge taxes to the producers and merchants of cocaine and participate actively from the drug commerce, investing the earnings in weapons; both guerilla and paramilitary groups have ransacked oil and product pipelines. They have also implemented criminal practices such as extortion and kidnapping. Nowadays, the Colombian State of war against insurgency is characterized by the partial recovering of the monopoly of force by the military commanders and the FARC's tactical retrenchment to jungle areas close to Venezuela and Brazil. I would not hesitate to establish a first difference with Mexico, where the State has not had important insurgent enemies; the Mexican State, which had the force monopoly until a decade ago and controlled the national territory, has

been losing that control over the vast areas nowadays dominated by the drug cartels, the Zetas and the paramilitary groups.

I do not know which will be the dimensions of the death squads in Mexico, but I can affirm that the Colombian paramilitary groups, united by the acronym AUC, and acting in alliance with army sectors, created an armed force divided in 34 structures and around 34000 fighters, committed 1755 massacres, 36000 citizens disappeared and, according to the Public Prosecutor Office, they have been accused of 178000 murders.⁴ The paramilitary groups consolidated their empire at the expense of the smear of a guerilla, used to the systematic burning of villages, kidnapping, cattle robbery and extortion – which in turn facilitated the recruitment of supporters and followers to the paramilitary cause. The AUC agenda focused on the violent expulsion of farmers considered as alleged guerilla supporters and the consequent usurpation of their land. Due to this way of proceeding, Colombia has around 4 million internal displaced people surviving in big city slums of poverty and rootlessness. This strategy of expelling the population has been sponsored by landlords and rural businessmen, and has been implemented by the paramilitary groups looking forward to consolidating strategic corridors to facilitate weapons and drugs transport, as well as the expansion of their territorial control.

With the recent dispatch of the Law of Victims and Land Restitution, issued in 2012⁵, President Santos' Government is trying to settle the huge debt

4 Data taken from the Public Prosecutor's Office for Justice and Peace web page, 2011.

5 LAW 1448 DE 2011. See link: http://www.putumayo.gov.co/documentos2012/ley_devctimas.pdf

the country has with the victims of this conflict and with the dispossessed farmers, who continue to live amidst threats and selective murders of communal leaders. This Law has become the key test to see if it is possible to refrain landlords, stockbreeders and agricultural businessmen from using violent methods and expedite procedures for the accumulation of capital, or if, on the other hand, they will impose their law again through the assassination of those peasants now reclaiming their lands from the government. Assuming that after the four years of Santos' government the goal of allocating 2 million hectares stolen from farmers all over the country is achieved, the outreach of this program will be modest compared to the 6 million hectares that were taken from peasants all over the country. This expropriation of lands with blood and fire is similar to a land reform but the other way round, benefiting only a handful of people.

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Although cruelty, servitude and lack of compassion to the other have been the predominant characteristics in Colombia, and many victims have no words to verbalize what happened to them, in comparison to the Holocaust, Slavery or Apartheid ⁶, it is definitely at a different scale. Although it is impossible to neglect the existence of State crimes in Colombia, the extreme forms of violence in the country have

6 Achille Mbembe "African modes of self-writing". Public Culture 14 (1): 239-273; Duke University Press, 2002.

a located and fragmentary nature. With the exception of the extermination of 3000 members of the left-wing political party *Unión Patriótica* (Patriotic Union) carried out by the state's armed forces, paramilitary groups and drug lords, the spaces of devastation in Colombia are conscribed to certain locations, small places where thousands of people were murdered, mutilated or disappeared over the last fifty years. We are talking of a chronic form of violence at a very slow pace, where in most cases there is no sense of shared mourning or collective memories.

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Despite the deep social inequalities existing in Colombia and despite the presence of an important movement of victims considering the State as the main violator of Human Rights, Colombian democracy cannot be compared to a military dictatorship like those of the Southern American Hemisphere that took place during the 1970s and 1980s. The Colombian State has been traditionally a weak state, with lack of control over the national territory. However, it is far from being a collapsed state because of having strong institutions committed to truth, justice and memory. Indeed, most of the truth behind the war atrocities committed is starting to be known through state institutions such as the Public Prosecutor's Office, the Attorney's Office, the Constitutional Court and the Supreme Court of Justice, as well as the testimonies and memories compiled by organizations of victims and NGOs. The Supreme Court of Justice has investigated the relationship between the drug trade, paramilitarism and

corruption, and has imprisoned a growing number of Representatives, Mayors and Governors because of their links with criminal activities. The many Acts of Memory promoted and carried out by the different organizations have played a fundamental role in expanding the knowledge about what happened. As Beatriz Sarlo says, "there is no Truth, but the subjects have become knowledgeable".⁷ This is, *grosso modo*, the partial result of the evident links of paramilitary groups with Colombian State institutions.

THE LAW OF JUSTICE AND PEACE AND THE TRANSITIONAL PROCESS OF JUSTICE

Since the XIX century, there has been in Colombia a tendency to an almost unlimited practice of amnesty, forgiveness and oblivion; this has produced a terrible lack of memory among citizens. Today, that tradition of impunity and silence is encountering tension with the growing internationalization of justice that imposes legal, as well social and ethical tolerance limits to the routine modes that make everything negotiable, even everyday and organized crime. That is why the Law of Justice and Peace, promulgated during the first Uribe Vélez Government and ratified by Congress in 2005 in order to judge the paramilitary groups' crimes, marks an important change regarding previous amnesties through the establishment of a process for transitional justice that sets a maximum of penalties of 8 years for non-reprieved criminal offences—as long as these offences are confessed by those perpetrators acknowledging the Law. From the 31671 paramilitary combatants who voluntarily demobilized

⁷ See Sarlo, 2005: 50-67.

between 2002 and 2010, only 2700 were selected by the Government to qualify for alternative penalties stipulated by the Law of Justice and Peace in exchange for the confession of their crimes. They are the ones giving their testimonies and receiving, in exchange, subtle, alternative penalties.

After six years of the process, the results are contradictory. On the one hand, one cannot deny the empowerment of victims' movements and the importance that topics such as reparation and historical memory have achieved among the population. Before the promulgation of the Law of Justice and Peace nobody talked about victims in Colombia. It is, therefore, a new social category that has become a central part of the official language. The uncountable anonymous victims of the war are no longer with us. However, their families have come together and their voices become a subalterity with the strength of a defiant memory from which to face the injustices they have suffered. Their pain echoes Adorno and Benjamin's approaches to history as suffering and the memory of those who suffer as a subversive dimension of History.⁸ To date there are more than 380000 registered victims at the Public Prosecutor's Office waiting for the State to repair their suffering. The victims of State crimes, not recognized by the Colombian State a year ago, enjoy a better status nowadays compared to the Uribe Vélez government—who outrageously did not recognize their rights, for recognizing them would have implied accepting that the State had violated Human Rights.

Another positive aspect of this process is that it has transformed Colombians into witnesses of an

⁸ Taken from Luis Joaquín Rebolo, 2004.

unseen accumulation of public revelations coming from several sources. Firstly, there are the voluntary confessions from paramilitary leaders within the free versions (Versiones Libres), which has offered the Prosecutor's Office the knowledge and chance to prosecute more than 178000 murders that ordinary judiciary did not know about. Although these confessions have been half-truths, built-up from what the confessing subject wants to remember, or forget, what s/he intentionally silences, what their cultural skills allow them to capture from the past, what rhetorical devices are used to argue, attack or defend themselves, what s/he knows from personal experience and what s/he knows through the experience of third-parties... regardless of all that, it is undeniable what these confessions have contributed to truth.⁹

The second source of public truths has been set up from the questioning carried out by the Supreme Court to politicians linked to drug trading and paramilitary groups, something that led to a phenomenon known in Colombia as "parapolitics". According to Human Rights NGOs, because of this there are more than 30 politicians currently in prison, among them 9 representatives, 2 governors, 5 mayors, the ex-director of the National Security Office and several public officers, apart from a good number of other ex-representatives, regional councilors, departmental deputies and public officers who are being investigated, have warrants of arrest or have been already condemned.

However, the most distressing aspect of the process of Justice and Peace has been its incapability to insist in the non-repetition of atrocious acts. Despite

⁹ See Sarlo, 2005: 80.

the demobilization and the revelations and consequent punishment of criminal acts, paramilitary actions have not disappeared from the national and local scenario. These groups have been recycled into the so-called BACRIM or criminal gangs, a fashionable euphemism among military and police authorities to refer to the new expanding paramilitarism. It imitates again the atrocious practices of their predecessors. Making an analogy with Mexico, we can say that these criminal bands are similar to *Los Zetas* since they are integrated by ex-military agents, ordinary criminals and hit-men keen on extreme violence. Another perverse effect of this process is the fact that 19000 demobilized paramilitary agents have been left out by Justice and Peace, their crimes remaining unpunished. These are non-amnestied fighters remaining in a juridical limbo.

Despite the efforts made by institutions to reduce and limit organized crime, Colombian society is now debating between chronic boredom, generalized skepticism, and the urgency to put an end to so many years of war. The war between the Colombian State and FARC continues while paramilitary groups and drug cartels are recycling themselves; that is why it is difficult to praise the impact and the importance of a process of transitional justice that has taken place in the midst of war, and that by definition should have influenced democratic expansion. In a few years, when we have processed the amount of terrifying truths confessed by the paramilitary groups and we have a clear view and certainty of the ways in which Congress and the Chamber of Representatives participated in the dance of blood, when we know which companies financed the dirty war, only then will we have true knowledge of the dimensions of this universe of victimization. Only

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then will we be able to affirm that maybe all the pain and suffering were worth, because they contributed to making us a better country.

Although the volume and atrocity of the crimes committed in Colombia would have warranted the process, the Law of Justice and Peace did not choose an extolled judicial truth such as that of the tribunals of Nüremberg, Rwanda and the old Yugoslavia. Despite the fact that Nüremberg has been, and still is an obligatory reference for experiments regarding transitional justice that pursue questions about the relationships between judicial and historical truth, in Colombia we opted for a process that has been unveiling the truth of war at a very slow pace. This has left us with partial judiciary prosecutions that did not achieve to delineate the real profiles of what paramilitarism was, leaving behind what could be a real historical trial with pedagogical and therapeutic effects for society.

In the middle of the desolation left in the wake of violence and war, some Colombian artists have been concerned with its representation. In general terms, we could say that artistic representations of violence in Colombia have used two opposite strategies: a literal one reproducing the experience of violence as realistically as possible, and a metaphorical one that renounces the direct reference in favor of suggestion and evocation. Indeed, violence has been a recurrent topic within the work of two Colombian artists, Doris Salcedo and Clemencia Echeverri. Both



of them try to represent the unrepresentable of violence, what has no expression, what anthropologists and historians are not able to capture in words. In front of this devastating picture portraying a chronic violence that has no end, the propitiatory experience of art has intended to build a bridge between the representation of the conflict and the unrepresentable suffering, between understanding and feeling, avoiding the dramatization and the aesthetization of the victims and the perpetrators.

In a recent work from the artist Clemencia Echeverri, violence is represented through sounds making reference to the spaces of terror. It is an audiovisual work reproducing female voices that search but cannot find, voices impossible to locate because they do not belong to the narrative reality. Indeed, in the audio-visual installation *Treno*, the artist located the audience in between two large projections of the Cauca River facing each other. This river carries a strong connotation in Colombia, because of its use by paramilitary groups as a dumping

ground for the quick and covert disposal of bodies. Yet, without using images of horror and extreme cruelty, she achieves, as the water level grows, the feeling of drowning of those located in the midst of the scene; only at the end and in an allusive way, we find traces –rags of clothing-- of a necropolitics carried away by the river's current. But this is not about avoiding such representations because of a moral shame or caution. Rather, the artist seeks to achieve something else through the abandonment of the sensational and the spectacle of death: *Treno* is more like the scream or the uproar than the horror.¹⁰

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In the works of Doris Salcedo it is objects such as chairs, shirts, beds and shoes that refer us to disappearance, to the destruction without signs that has characterized Colombian violence. In her most recent work, *Shibboleth*, the artist broke the floor of the Tate Modern in London digging a crack of 167m long from one end of the gallery to another. In this way, Salcedo transformed her work into a powerful symbol that stated “*racism is not a symptom of the disquiet the first world society suffers, but the illness in itself*”.

In different sound, photographic and visual works, and through a few elements condensing universes of complex and contradictory meanings, the mentioned artists refer to violence from an indirect perspective. For that purpose, they intuitively use

tools such as metonymy in order to establish links and analogies between violence, flowers, animals and certain objects such as chairs, shirts, shoes and others considered as meaningful. Their work controverts the effects of the massive infiltration of bloody images that circulated through mass media in Colombia for years, and which ended creating saturation in the audience, what we could call a *voyeuristic saturation of horror*. We see this saturation of bloody images today in Mexican newspapers and magazines publishing without reserve photographs of severed bodies, replicating the game of terror and confusion imposed by the war lords. As if the bloody images could become explanatory texts on violence and not what they really are, symptoms of the unspeakable.

¹⁰ Taken from Chirolla, 2010.

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