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RESEARCH ARTICLE

Rebel governance as state-building? Discussing the FARC-EP's governance practices in Southern Colombia

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ABSTRACT: Rebel governance practices are often conflated with state-building, as if the former were the embryonic stages of the latter. This association is not necessarily accurate. Some rebels do not aim at replacing the state with another of their own. It also fails to reflect the complex configuration of political power in conflict areas. I comparatively analyze the governance practices of the FARC-EP in six villages in Colombia. Considering the state's presence in those territories and the social background of both rebels and their constituencies, I describe two broad patterns: armed advocacy and substitute state. In none of the cases was the state completely challenged, and there were many overlaps as the rebels used the state structure to advance their cause, in the process inadvertently expanding the infrastructural power of the State they confronted. It is only in this sense that the FARC-EP could be described as unconsciously contributing to state-building, not in the sense that through their governance practices they were laying the foundations for their own state apparatus. This hybrid and ambiguous situation illustrate the importance of understanding the overlapping regimes of territorial authority in conflict situations, as opposed to expecting clear-cut boundaries and monopolies (of violence, power) that rarely occur.

KEYWORDS:

Rebel Governance, state-building, Colombia, FARC-EP, overlapping regimes of territorial authority.

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1. Introduction:

A specter is haunting the emerging field of rebel governance – the specter of state-building. Governance by rebels is often, tacitly or explicitly, understood as an embryonic form of state-building (see e.g. Arjona 2016; Huang 2016; Stewart 2017). An early contribution in this field, however, warned us against viewing rebels as state-builders in the making, claiming that this approach "inhibits a true appreciation of the distinctive environment that insurgents must navigate in their attempts to construct a system of governance" (Mampilly 2011, 28). Instead, it is more productive to explore rebel governance systems, "as an example of both the potential and the limitations of a political and social order produced by nonstate or counter-state actors" (Ibid: 46).

Indeed, not all rebels have aimed at conquering or building their own the state. The anarchists, for instance, rebels *par excellence* and arguably the most important -numerically and organizationally- global revolutionary movement at the turn of the 20th century, have since their inception been fighting to smash state structures, to build, instead, a federation of autonomous communes based on a radical version of direct democracy (Guérin 2006; Kinna 2019). More recently, the Kurdish liberation movement has taken also an explicitly anti-state approach through the idea of democratic confederalism, which, in crucial ways, resemble the anarchist vision of a stateless society (Knapp et al. 2016; Schmidinger 2018; Allsopp & van Wilgenburg 2019). Other movements have adopted armed reformist strategies. The M-19 in Colombia, and their idea of a national *sancocho*,[1] was hardly a state-building project, being most definitely inscribed on a reformist agenda aiming at broadening up the political inclusiveness of Colombian democracy (O'Connor and Meer 2021).

This paper will argue that rebellion (and rebel governance) does not necessarily lead in a unilinear fashion to state-building. This, although it may be the case in some rebellions (e.g., Davidson 1981; Stokke 2006; Müller 2012; Podder 2014), should not be taken as necessary by default. Instead, I will argue that rebel governance does not always lead to state-building, by exploring the Colombian case, the longest armed conflict in the Western Hemisphere.

It has been claimed that the Colombian FARC-EP built -or attempted to build- a state within a state in their rural strongholds during their five decades (and counting) rebellion. This opinion has been held by Colombian politicians who claimed the communist guerrillas who preceded the FARC-EP had created independent republics within Colombian territory (González 1992; Uribe 2001) and by army officers anxious about state sovereignty in rebel strongholds (Ciro 2016). The FARC-EP contributed to this view by claiming at times themselves that they were a "government within a government" (Semana 1999), the embryo of a "new power" and "a new state" (Benítez and Zamudio 2015), the *New Colombia*. This view has been on occasion also voiced by scholars who have described the FARC-EP governance as a "proto-state", an "alter-state", a "fluid state", a "counter-State", or the "embryo of a state" (see e.g., Uribe 2001; Bejarano and Pizarro 2004; Ramírez 2005; Ávila 2010; Agnew and Oslender 2013; Estrada 2015).

This paper argues, on the contrary, that the FARC-EP did not create the rudiments of their own state within the shell of another. They rather used the structures of the actually existing state –especially at the local level- in order to advance their insurgent project, along two broad patterns. First, they acted as a *state substitute* in those areas which were not well articulated with the central state and markets, organizing communities to facilitate the reach of state services in the locality, but also helping to create institutions of local government. Secondly, they engaged in *armed advocacy* in those areas which were better articulated with the state and market, thus using their coercive capacity to favor sympathetic communities and improve, quantitatively and qualitatively, the state provision of services. As such, the FARC-EP did not engage in a deliberate exercise of

[1] A mixture of ideas, named after a popular Colombian stew.

state-building, although their actions did have an impact over state-building at large in Colombia. Since the FARC-EP squarely inscribed their struggle against the state within the very apparatus of that state, while they mobilised the population, they also expanded the infrastructural power of the state they antagonized.

My case-study is based on extensive ethnographic fieldwork, coupled with other qualitative techniques, conducted between 2014-2018, in six villages in Southern Colombia (in the regions of Putumayo, Cauca, Cauca Valley and Tolima) controlled/influenced by the FARC-EP (see Figure 1). These villages were predominantly smallholders" regions, which were the core constituency of the FARC-EP, and my results are not necessarily generalisable to Afro-Colombian or indigenous regions where the FARC-EP also had presence but where dynamics were different (these communities, for instance, enjoy some autonomy, and constitutional recognition).

During 15 months of fieldwork I carried out participant observation and ethnography, which included close work with the local community and farmers' associations, participating in collective work (*mingas*), attending community meetings and eventually, meeting between the rebels and communities. I also conducted 46 in-depth, semi-structured interviews (27 men and 19 women) and 10 focus group discussions (53 men and 33 women participated in them) in those six villages. 15 guerrillas, of whom 6 were women, were also interviewed for this project, 14 while in the process of demobilization, one while still in hostilities. This ethnography was theory-driven and I followed the Extended Case Method (Burawoy 1998; Lichterman 2002; Tavory and Timmermans 2009; Wadham and Warren 2014), by contrasting empirical evidence with the bellists theory of state-building (Tilly 1985; 1992; Mann 1988; Tarrow 2015), whose concepts provided the building blocks for the codes used in the thematic analysis. This paper builds heavily on the core conclusions of my doctoral dissertation (Gutiérrez 2019).

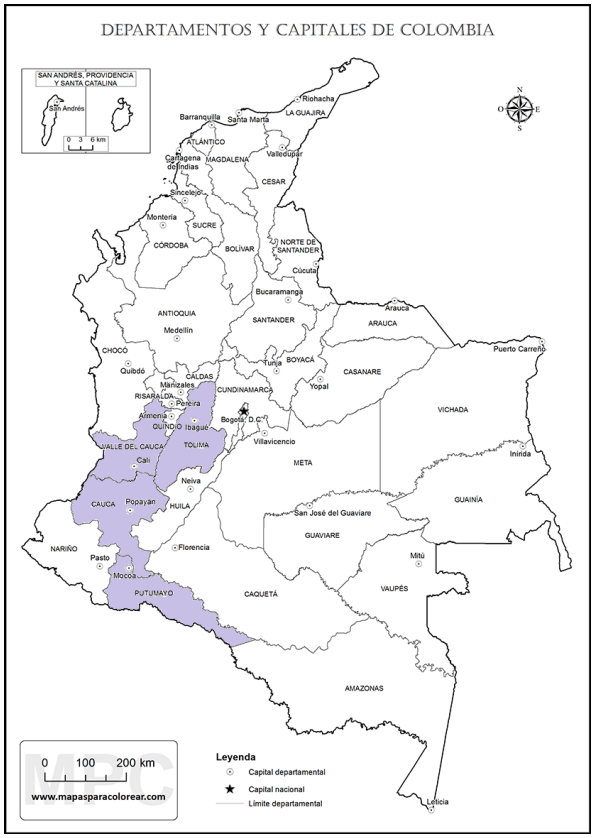

Figure 1 -Map of the broad regions where research was conducted 2014-2018.

The paper proceeds by first discussing some key concepts on state and rebel governance, which form the basis of my arguments. Then, I discuss some aspects of the Colombian conflict that shaped FARC-EP governance practices: the social composition of the movement and its constituency, and the nature and evolution of its rebel governance practices. I discuss the two broad patterns of rebel governance in the areas that I researched, namely, armed advocacy and substitute state, and account for the divergence in patterns, giving a crucial role to the degree of the articulation of the villages with both the central state and markets. Finally, I discuss common state-building assumptions in the light of my observations on rebel governance, articulating them through the concept of overlapping regimes of territorial authority.

2. States and rebel governance

In this section, I argue that basic concepts of the state tend to reify the state as an entity, rendering the process behind state-making invisible, while notions of the state monopoly of violence and territorial control, which are replicated in the rebel governance literature, preclude our understanding of the hybrid, contradictory and ambiguous institutional settings in which governance practices by rebels can take place in practice.

2.1 The state: process and effect

Discussing rebel governance and state-building presents us foremost with the difficulty that, as a concept, the state "has proved a remarkably elusive object of analysis" (Abrams 1988, 61). Caution needs to be exercised in order not to reify the state as an autonomous entity with a life of its own, as outlined from the early conceptualizations in the Marxist tradition of the state (Gramsci 1971, Marx and Engels 1976; Harper 1977; Marx 1978; Therborn 2008). Mitchell warns against reification of the state in diaphanous terms, defining it as a series of "processes of spatial organization, temporal arrangements, functional specification, supervision and surveillance (…) These processes create the effect of the state (…) as a distinct dimension of structure, framework, codification, expertise, information, planning and intentionality" (1991, 95).

This literature, and particularly the work of Poulantzas, conceptualize the state as a contradictory process, in which the conflicting forces of society are condensed (1974; 1975; 1978). Further elaborating upon this critique of the state as a unified, self-contained, and coherent institution, later scholars have highlighted the contradictory nature of the processes behind state-building (Jessop 1990; Migdal and Schlichte 2016; García et al. 2018). In these views, the state has no power other than the power of those social forces which are hegemonic in our society, which are organized through it. Moreover, Painter calls attention to the ways in which "social relations of stateness are reproduced" (2006, 759) through a set of uneven, fragmented and contradictory practices, in which state claims (to monopoly of violence, to territoriality, etc.), though central, are quite often only that: claims.

These cautionary remarks are needed because of the tendency within sociology to reify the state, following the Weberian definition of the state as "a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory" (Gerth and Wright Mills 1946, 78), which renders invisible some of the contradictory processes behind state formation. As often the case, Weber was himself more cautious about his ideal-types than those who came after him; in his definition he counters this tendency of reification by emphasizing that "[l]ike the political institutions historically preceding it, the state is a relation of men dominating men, a relation supported by means of legitimate (…) violence" (Ibid).

The process behind state-building has been central to the concerns of the distinctively neo-Weberian "War-making State-making" tradition in sociology, according to which the development of warfare from the Middle Ages produced distinct effects over a centuries long process, leading to the emergence of the modern state in

Western Europe. Centralization, differentiation from the rest of society, political domination, violence and territorialization are central to their definitions of the state (Giddens 1985; Tilly 1985; Mann 1988; 2012). Within this tradition, Mann makes a particularly useful distinction between two forms of power in modern states: *despotic power* -which Tarrow (2015) calls *hierarchical power*-, which "denotes power by the state elite itself over civil society", and *infrastructural power*, which "denotes the power of the state to penetrate and centrally coordinate the activities of civil society through its own infrastructure" (1984, 188). Without necessarily transplanting *in toto* to Colombia the implications of this model that has been subject to robust criticism elsewhere (e.g., Kaspersen and Strandsbjerg 2017), the link between state-building and conflict together with the concept of infrastructural power will be critical for my argument.

2.3 Proto-states, counter-states and states within the state

Some of the early scholarly literature on insurgencies discusses rebel control in relation to state-building. The pioneering work of Mercier Vega, for instance, refers to guerrillas in Latin America as a counter-state, "a tiny power apparatus", oriented towards destroying and overcoming the power of the government (1969, 4), in terms which clearly imply that rebels need to build the rudiments of a state in order to confront the incumbent. Wickham-Crowley (1987; 1991; 1992) emphasizes the mutual exchanges between communities and rebels, which lead to the creation of a social contract in opposition to the state, again, strongly implying the organization of a government from below to confront the government from above (2015). Both definitions, despite their merit and insights, underplay the way the state and rebel governance interacts and overlaps in many cases, including Colombia (cf. Escalante 2008). More recently, Agnew and Oslender (2013), in an insightful paper, claim that the FARC-EP built an *alter-state* in rural regions without, unfortunately, providing a definition of what they actually mean by that. Mampilly (2011), too, describes rebel governance structures as "counter-state sovereigns" that compete with the state while mimicking it. Ramírez (2005) also uses the term "counter-state" with reference to the FARC-EP.

At a more general level, Spears (2004) gives a working definition of "states within the state", as polities which share one or more of the following characteristics: effective territorial control in the jurisdiction of a larger and internationally recognized state; institutional structures that can fulfil functions such as collecting taxes, providing basic services, and permit trade locally or internationally; the legitimacy of their coercive nature to those living within their territory; and the existence of a bureaucratic centralized apparatus for decision-making which enjoys relative autonomy. Bejarano and Pizarro (2004), discussing specifically the FARC-EP, use the term "proto-state" to define a polity, which stands in great asymmetry to the central state in terms of population, territory and available resources. Thus, the difference between a proto-state and states within a states is one of scale and degree with, in their opinion, the former being at an incipient level in relation to the latter.

The temptation to understand rebel governance as state-building is clearly present in these concepts, particularly in their discussions of territoriality. The latter is understood as a cornerstone of statehood in the Weberian sense, to the point that it has been claimed that the state "does not have a territory, it is a territory" (Poggi 1990, 22). However, the assumption that a state's territory is clearly demarcated and mutually exclusive with other power networks, ignoring how territorialities are produced historically, has been called a "territorial trap" (Agnew 1994). Moreover, "states are rarely if ever the neatly defined entities with homogeneous powers over their territories that typical stories allege them to be. This is particularly so when much statehood is a history of contested acquisition and conquest rather than consensual union" (Agnew and Oslender 2013, 121). The idea of clear-cut territorial boundaries of the state has been extrapolated to the dynamics of civil war: "Political actors maximize territorial control (…) I assume no anarchy; when one actor abandons a territory,

the rival actor moves in." (Kalyvas 2006, 196). However, it has been emphasized that the map of rebel territorial control is like a "pockmarked map" with areas under rebel control while adjacent areas are under state control (Mampilly 2011, 59-60; see also O'Connor 2019). In Colombia, this is not so much a map with clear zones, but a series of scattered dots (Palacios 2012); I would add that, at least in Colombia, hybrid situations and overlaps are the norm rather than the exception.

2.3 Rebel governance

According to Rosenau, governance can be understood as "a system of rule that is as dependent on inter-subjective meanings as on formally sanctioned constitutions and charters" (1992, 12). While it has been described in minimalistic terms as the "administration of civilian affairs" (Arjona *et al*. 2015, 2), the term encompasses both state and non-state actors (Kahler and Lake 2004). *Governance* could be referred to, operationally, as *processes of participation and decision-making, including both state and non-state actors, in the institutions of a given social setting*.

Governance, as exercised by rebels, implies "the structures that provide certain public goods but also the practices of rule insurgents adopt", which can be formal or informal (Mampilly 2011, 4). According to Huang, rebel governance is "a *political strategy* of rebellion in which rebels use political organization to forge and manage relations with civilians" (2016, 51). Nelson Kasfir, defines *rebel governance* as the engagement of "residents in an area [that rebels] significantly control to pursue a common objective" (2015, 22). For rebel governance to occur, there needs to be territorial and population control in the context of an armed rebellion or civil war. In this territory, three basic features should take place for rebel governance to exist: first, there have to be mechanisms for the political participation of civilians; secondly, there has to be a civilian administration for them to run their own affairs; thirdly, there should be mechanisms to regulate and tax commercial activities or to create wealth (Ibid). Reducing rebel governance to instrumentalist purposes - military advantage or territorial control (e.g., Kalyvas 2006; Arjona 2016; Huang 2016) - seems inadequate in the face of mounting evidence highlighting cultural and ideological dynamics (Mampilly 2011; Gutiérrez 2019; Minatti and Duyvesteyn 2020; Stewart 2020).

Any form of power relationships, however, "rests not only with the ability of a political actor to use violence but also with its ability to generate consent" (Mampilly 2011, 52). Schlichte notes that a crucial problem for armed groups is to turn "the power of violence into legitimate domination" (2012, 718). This view is echoed in an extensive literature emphasizing the complexities of the legitimization mechanisms of insurgent control (Malthaner 2015; Schlichte and Schnekener 2015; Duyvesteyn 2017; Schoon 2017; Minatti and Duyvesteyn 2020). The key point is that, although linked to coercion, legitimacy cannot be reduced to it. Instead, we need to understand the social and cultural context in which rebels operate (and often come from) and the dialectical way in which they are shaped by – and, in turn, shape – these cultural repertoires (e.g., Hoffmann 2015).

Given the resort to some cherished concepts in the state-building field -territory, control/coercion, differentiation, legitimization- in the aforementioned literature, the temptation to conflate rebel governance with state-building processes is understandable. Yet, as will be argued in the following section, this can be factually wrong and conceptually deceiving.

3. Practical revolutionaries: FARC-EP governance and conflict

The Colombian armed conflict is the longest in the Western Hemisphere -with ups and downs, it has been around since the mid-1940s (Henderson 1985; Palacios 2012). Despite the high hopes in the 2016 peace agreement, the conflict has not withered away (Gutiérrez 2020a; Gutiérrez-Sanín 2020). In this section, I

discuss the FARC-EP constituency and how their social and class composition affects rebel governance practices; I also discuss briefly the institutional setting of rebel governance; and finally, I discuss the evolution of the FARC-EP governance practices.

3.1 The constituency of rebel governance

Too much emphasis in the rebel governance literature is given to rebels, without paying sufficient attention to the constituency from which they draw militants and supporters. Notwithstanding episodic violence in urban centers, Colombia's conflict is largely agrarian, based on patterns of land-grabbing and systematic expulsion of smallholders to the margins of an ever-expanding agricultural frontier (LeGrand 1986; Fajardo 2015; Tovar 2015). Half-hearted attempts at modernizing the agrarian structures in the 1930s were quickly over-turned during the period known as *La Violencia* (Palacios 2011). The rising expectations of the rural masses, coupled with frustration in the face of the inability/unwillingness of reformers to deliver and the staunch and violent opposition of landlords to even the mildest of rural reforms, proved to be an explosive mixture. Together with the legacies of *La Violencia*, this is the backdrop to understand the persistence of armed conflict in Colombia (Gutiérrez-Sanín 2015; Gutiérrez 2019).

Colombian peasants became politicized through this process of (largely but not exclusively legalistic) struggle for reform and violent pushback from elites. Thus, an independent smallholding class of colonists, with precarious tenure rights and collective practices, influenced by a mixture of belligerent popular Liberalism and Communist ideas, organization, and practices, provided the backbone for an armed resistance that emerged in the late 1940s and developed into the modern guerrilla armies in the 1960s (Gutiérrez 2019). Table 1 provides some insights on the economy and demographics of the case-studies. Smallholders access to land vary depending on the region and the climate conditions (10 hectares of land in the Amazon are considered to be smallholdings because they are not as productive as 3 hectares of land in the Andean slopes).

The FARC-EP deep agrarian roots had an important impact over the type of rebel army they are (both before and after demobilization in 2017) and their relationship with its constituency. In 2017, a FARC-EP commander interviewed in Tolima pointed out that

> *The roots of our guerrilla movement lie deep within the peasantry. Since the Thousand Day War [ed. 1899-1902], the indigenous started to flock towards the struggle of the peasantry. All of this time, the struggle has been about the land. The Marquetalia peasants had to look for sanctuary in this territory and take up arms because they were persecuted. I entered to the guerrilla movement, because my family had poppies, and when the army arrived to our farm they robbed a radio, they took us out of our house and then they burnt it. It has always been the same.*[2]

Mentions of Marquetalia, the birthplace of the FARC-EP in 1964, bring together past and present grievances, bound and interwoven in an institutionalized insurgent history that gives coherence to the practice of armed resistance (Gutiérrez-Sanín 2003). The importance of peasant culture was institutionalized in internal regulations, such as article 7 of the Internal Command Regulations: "The General Staff of each front and the command, whenever the circumstances demand so and allow so, will take into account the harvest months, and (…) will proceed to organize the correspondent agricultural work, in which all of the troops available should take part" (FARC-EP, n.d., 63).

[2] Interview with Donald Ferreira, 21st Front, 23/06/17. All translations from sources in Spanish (whether from interviews, documents, books or papers) are my own.

Their social base of support consisted not so much of laborers or local shopkeepers and better-off segments of society (who, at best, tolerated them, and sometimes actively opposed them) but primarily of smallholders –although with an increasingly urbanized leadership drawn from the 3% of the organization that attended university. Out of 9,929 ex-combatants demobilized in 2017, 66% described themselves as having rural origins, while a further 15% described themselves as coming from small urban centers in predominantly rural regions. A mere 19% were urban (UNAL 2017). In a country where 32% of the population lives in rural areas (PNUD 2011), the insurgents have a marked rural composition that is not representative of Colombia's demographics. Another remarkable feature of FARC-EP is the participation of ethnic minorities, which again does not reflect the country's demographics: while the indigenous represent a 3.40% of the population, 18% of combatants were indigenous (UNAL 2017). This composition is at once a strength and a weakness; it gives them a strong sense of identification with their constituency, but makes it difficult to attract urban sectors, even because of practicalities (Gutiérrez 2021a).

The nature of this constituency was critical for rebel governance. On the one hand, rebels had a clear constituency, located in the regions of colonization of the agricultural frontier, who had resources (although very poor, most of the FARC-EP supporters had access to land), but in a precarious situation, constantly at risk of losing all to debt or to violence. Thus, access to illegal markets such as coca, and the rebels' presence brought some measure of stability (Gutiérrez and Thomson 2021). Most importantly, these smallholders' control over their means of reproduction and of their time, afforded them the opportunity to engage in governance practices. The autonomy of the small-property owner, a much-maligned subject in classic Marxism (Scott 2012), proved critical to the development of rebel governance: not only had they strong incentives to participate in this time-consuming exercise, but they also could do it (see Gutiérrez 2020b).

Table 1 - Municipalities constituting the case-studies for this research project.[3]

	Population	Case-Studies	Productive Activities	Land patterns
Argelia (Cauca)	-4,000 (urban) -23,000 (rural) -Floating population of some 15,000 coca-pickers	-Sinaí	-Coca	-88% owners -4% tenants -Average plot: 0.32 hectares (99% less than 1 hectare)
Chaparral (Tolima)	-27,000 (urban) -21,000 (rural)	-La Marina	-Coffee (mid-high lands) -Cattle (lowlands and high lands)	-90% owners -5% tenants -Average plot: just under 5 hectares
Pradera (Cauca Valley)	-49,000 (urban) -7,000 (rural)	-Bolo Blanco -San Isidro	-Sugar cane (lowlands) -Coffee (mid-high lands) -Cattle (high lands)	-74% owners -12% tenants -5% sharecroppers -Average plot: 8.5 hectares (Bolo Blanco) 2.75 hectares (San Isidro)
Puerto Asís (Putumayo)	-34,000 (urban) -27,000 (rural)	-Puerto Bello	-Oil -Coca -Cattle	-59% owners -29% collective rights (indigenous)

[3] The table was elaborated with official data available in the *National Administrative Department of Statistics* (DANE) and in the municipal development plans, with data available in internal surveys done by the agrarian organisations, and information collected during fieldwork.

				-Average plot: 10 hectares (Puerto Bello)
Valle del Guamuez (Putumayo)	-20,500 (urban) -31,500 (rural)	-Maravelez	-Oil -Coca -Cattle	-75% owners -15% sharecroppers -10% tenants -Average plot: 23 hectares

3.2 State and rebel governance

It is against this backdrop of smallholders with tenuous and precarious claim to their land, but ferociously autonomous, with control over their time and therefore capable of engaging in governance practices, that we can make sense of the FARC-EP governance. They used institutions already in place in some regions, and created those same institutions in areas of recent colonization. These institutions, central to the rural civic life, revolve around the *agrarian unions* and the local *Junta de Acción Comunal (JAC)*, or community action committee/board. While agrarian unions have an unproblematic origin in the mobilization for land from the 1920s onwards, fitting well in the guerrillas' narrative of land reform, the JAC's origins are linked to governmental rehabilitation programs of regions affected by partisan violence in the 1950s: originally a counter-insurgent prophylactic mechanism, many eventually became the natural mechanism of interaction between rural communities and guerrillas, their initial purpose thus subverted. The JAC was, at the same time, the basic constitutionally-sanctioned cell of the Colombian State, while the FARC-EP saw them as the seeds of the "New Colombia", and villagers often referred to them as their "little government" (Gutiérrez 2020b).

Both agrarian unions and JACs are legal, often acting as the interphase between the rebels and the state, embodying the contradictory interactions between armed rebels, rural communities and a state with a differential presence across the territory. More than a zero-sum game over control, we encounter a very porous rule by different actors, with *overlapping regimes of territorial authority* (Agnew and Oslender 2013) and no neat boundaries; arguably, the map of "guerrilla presence" is reflected by their mobility patterns –"'passages' that, in reality, are a meticulous network of supportive centers (…) united by dots invisible to the untrained eye" (Palacios 2012, 53). In none of the case-studies, moreover, the FARC-EP seemed to have been fundamentally opposed to the state's territorial presence –as a matter of fact, they resisted selectively some aspects of its presence, such as the repressive, judicial and military apparatus, while they welcomed others: the extension of services, social investment and administrative structures which could be occupied and re-signified, such as the JAC (cf., Vásquez 2009).

From the perspective of the rebels, the JACs, in particular, secured much needed social order in areas of recent colonization, with a floating population with weak mutual attachments and often with shallow roots (Jaramillo et al. 1986; Molano 1987; 2001; Gutiérrez 2021b; Gutiérrez-Sanín 2021). The insurgents' demands, from their earliest documents until the present (Gutiérrez 2019), were distinctly inscribed in the framework of traditional colonists' demands: better roads in order to access markets, better infrastructure for basic services, and the right to land (Zamosc 1986). Through the JACs, part of the resources they extracted were redistributed through some investment in infrastructure and providing, mostly on an *ad-hoc* basis, some services such as medical interventions (Gutiérrez 2019). The FARC-EP programs was above all of a democratic, nationalist and popular Liberal orientation. This doesn't mean that socialist rhetoric was deceptive; on the contrary, this paradoxical approach was consistent with the basic tenet of Marxist-Leninism that democratic-bourgeois tasks take precedence -in backward countries- over socialism (Lenin 1965; Stalin 1975; Suykens 2015).

3.3 The evolution of rebel governance

The FARC-EP rebel governance evolved with time from a very top-down model, which reached its climax during the late 1990s, to a model which left more room for the autonomy of local communities, the FARC-EP taking a role as enforcers of the "popular power" organized through the JACs. In the words of a FARC-EP commander:

> *In the beginning, we were the same as the community (…) The next phase coincides with the period of the Caguán [ed., failed peace negotiations in 1998-2002]… around that time we had a dictatorship, (…) there has always been some form of dialogue with the communities, but our relationship was primarily top-down. The [next] period, coincides with Uribe [ed., 2002-2010]… we gained a more horizontal relationship, but with this experience of 50 years on our back.*[4]

At first, the FARC-EP tended to impose the *manuales de convivencia* (co-existence manuals), the local village regulations, and often acted as rulers and judicial authorities. But from the early 2000s, coinciding with Plan Colombia, a massive US-funded counternarcotics-cum-counterinsurgency strategy (Rojas 2015; Tate 2015; Lindsay-Poland 2018), the FARC-EP decided to step back from direct involvement in governance affairs, particularly on the resolution of disputes, leaving this to the local JACs. They had, nonetheless, numerous mechanisms to influence them through their militancy and through open or covert "guidance" (*orientaciones*) (Gutiérrez 2020b).

This decision, which counters the default assumption that rebels always aim at maximizing their control (Kalyvas 2006; Arjona 2016), was made not only where the FARC-EP faced some resistance from locals (e.g., Arjona 2016) but also where they enjoyed significant support, such as Argelia, Cauca (Gutiérrez 2021b). This decision responded to both practical and ideological reasons. First, if "bad decisions" were made (which was not unheard of, quite the contrary) this created resentment against guerrillas. Second, as conflict intensified, guerrillas were increasingly devoted to combat; in the words of a combatant: after the 2000s it was no longer "easy for the community to go and see the guerrillas (…) so we had to make sure that the JACs were all well organized, that the associations worked well."[5] Third, as the FARC-EP moved away from the Communist Party in the late 1980s and created its own political apparatus in the 1990s, party militants needed political roles. Finally, from the 1990s, the Latin American left had begun to shift towards less state-centric models, emphasizing communities' autonomy and direct democracy, or popular power (*poder popular*) (e.g., Simmons 2016; Zibechi 2010). This resonated with the traditions of agrarian self-rule in the FARC-EP tradition (Chernick and Jiménez 1993). In the words of some community leaders from Argelia, "before, the FARC were meddling in all matters, but now it is different. They devote themselves to their military struggle and leave the political matters in the hands of the organizations".[6]

This process has been described by the late FARC-EP commander Iván Ríos, who discussed the inconvenience of too much FARC-EP involvement in local governance: "people wash their hands of their own responsibility, assuming a slacker's attitude, even of collective mental idleness (…) [if we solve people's problems] we have a long-term problem, because we are not properly educating the people" (Espinosa 2003, 141). According to another commander,

[4] Antonio, 60th Front, interview in Sinaí, Argelia, Cauca, 13/05/16.
[5] Interview with Andrea, 21st Front, Tolima, 26/06/17
[6] Interview with Si-02-Ca-m and Si-01-Ca-m, 28/07/15

> *We didn't want to be judges and policemen all at once. It is true that in many regions people saw us as (…) judges (…) But this was wrong. We can be regarded as an authority only in the political sense of the word (…) our aim was to fight for a different country, not to be out and about fixing whatever ruckus was going on in the village.*[7]

Although the FARC-EP stepped back from local rule, they were still enforcers of the JACs' decisions. According to a commander, "as long as the sanction (…) was not irrational, we (…) enforced it".[8] Guerrilla enforcement gave teeth to community-led adjudication mechanisms and to public order measures: "The authority of the JAC is respected because of this [FARC-EP backing]"[9]. The decisions were typically reached by the JAC, and then the FARC-EP would enforce them, although they retained the main adjudicating role on offences which they felt compromised their security, such as usurping the name of the FARC-EP or on army's informers (Gutiérrez 2019).

4. Substitute State and Armed Advocacy: building the New Colombia with Old Colombia's tools

The Colombian state has a differential and uneven presence across the territory (González *et al*. 2002; González 2014). Therefore, the FARC-EP didn't have to create a new state, or mimic state-like structures, as there was already one in place to use. This had been already noticed, even if in passing, by other researchers: "The FARC learnt to confront the state, infiltrating it systematically, at a local level. Thus, instead of aiming at the total destruction of the state, the guerrilla has opted to infiltrate its structures through the exercise of permanent and public pressure on mayors and civil servants" (Castillo and Salazar 2001, 83). In reality, as we shall see, pressure was only one of the mechanisms used. The rebels also did not just infiltrate state structures; they re-signified them, imbuing them with principles of self-government, and with their own ideology on the environment, women, and participatory democracy. They were certainly trying to build the "New Colombia" with the tools of the old.

When it came to the FARC-EP's governance, I identified two broad patterns. In some cases, the rebels assumed the role of a *substitute state*, delivering, according to their limited capacity, what the national state was not willing or not capable to provide. Here, it was common for them to organize intensive collective works, to invest more in service-delivery and the construction of infrastructure. In other cases, the rebels assumed the role of a pressure group over local authorities to force them to deliver, engaging in what I call experiences of *armed advocacy*. Here, collective works were less intensive and they could even take the form of contracts with local authorities, while guerrillas invested less in the communities. These two categories should not be seen two exclusive ideal-types, but as poles of a continuum. No case-study in this research was pure *substitute state* or *pure armed advocacy*, but all combined elements of one or the other, with one prevailing in each case.

4.1 The substitute state

The organization of communities -apart from a short-lived pilot experience of "People's Assemblies" (*Asambleas Populares*) in Nariño, Southern Colombia (PCCC, n.d.)- was done through the JAC. In areas of FARC-EP control/influence, active participation in the JACs was mandatory, and if a region lacked a JAC, the

[7] Interview with Wilson Saavedra, 21st Front, 27/06/17.
[8] Interview with Germán Ballesteros, GG Flying Column, 16/07/17. In Sinaí, Argelia, the FARC-EP once refused to tie up a young woman -who had an affair with a married man- to a tree, with a placard that said "hubby-snatcher'. Although this had been a JAC decision, they disagreed but did not actively oppose it. Interview with Si-Ca-03-f, 16/05/16.
[9] Interview with Si-m-Ca-05, 27/04/17.

FARC-EP themselves took a proactive role in creating them. Through the JACs, rebel governance was possible. In some regions, this made up for the lack of investment of the central authorities in rural territories.

For instance, the FARC-EP organized work on one of the most important demands of communities in areas of colonization: roads. Interviews with JAC and agrarian union leaders,[10] but also the inventory of FARC-EP assets provided to the State at the time of their demobilization,[11] detailed the financial contributions of the rebels towards the development of local infrastructure. In this inventory, they report 3,753 kms of roads built with the support of communities, with an estimated worth of COP $196,622,000,000 [€55,741,455 in 2017]. This is possibly an underestimate. One of these roads is described as "road in use. The community contributed 25% and the other 75% was contributed by the FARC-EP with resources received as taxation from the coca base buyers, shopkeepers and land owners." A FARC-EP commander detailed that 50% of coca taxes used to be reinvested in the construction of infrastructure.[12]

But the FARC-EP contribution was more than financial: they often provided labor, mobilizing their own ranks, and mobilizing local workforce through their organizational capacity and coercive skills for *mingas* or collective works. If the FARC-EP made them mandatory, then the turn out to the *minga* would be much higher. Thus, roads, schools, community churches, health centers were built and the electricity network was extended (Gutiérrez, 2019).

On an *ad-hoc basis*, the FARC-EP would practice surgical interventions or vaccinate local populations with guerrillas trained to carry out these activities.[13] On occasion, FARC-EP units contributed to paying the salary of teachers in rural areas such as lower Putumayo (where 30 teachers were paid by the local unit),[14] which they did with taxes collected from coca and oil companies. Similarly, teachers and nurses in Caguán, Caquetá, in the 1980s, were paid their monthly income through a tax on beer imposed by the rebels (CNMH 2014, 158).

The FARC-EP also contributed significantly to the adjudication of disputes in regions under their control/influence. Their participation in these mechanisms also evolved, with the FARC-EP typically being judge and jury until the late 1990s or early 2000s in some regions. With the aforementioned changes in governance practice, the guerrillas eventually became less directly involved in the adjudication proceedings, adopting a role as enforcers.[15] It is mostly in adjudication that research participants tended to refer to the FARC-EP in a language associated to the state -in some regions they were called "the other state" or "the court Nº (the number of the local FARC-EP unit)".[16]

[10] Interview with Si-06-Ca-m, 10/05/16; FGD, Puerto Bello, 03/06/17.
[11] This inventory can be consulted in the following links http://static.iris.net.co/semana/upload/documents/anexo-1.pdf ; http://static.iris.net.co/semana/upload/documents/anexo-2.pdf ; http://static.iris.net.co/semana/upload/documents/anexo-3.pdf ; http://static.iris.net.co/semana/upload/documents/anexo-4.pdf ; http://static.iris.net.co/semana/upload/documents/anexo-5.pdf
[12] Interview with Manuel, 48th Front, 04/06/17.
[13] Interview with Manuel, 48th Front, 04/06/17; Interview with Vanessa Reynoso, 21st Front, 26/06/17; Interview with Tobías, surgeon of the Southern Bloc, 04/06/17. Others talked about support with drugs and money for the ill, interview with BB-CV-04-f, 23/03/14 and Norma, 48th Front, 04/06/17.
[14] Interview with Manuel, 48th Front, 04/06/17.
[15] Interview with Edison, 21st Front, 26/06/17; Manuel, 48th Front, 04/06/17; Pl-02-Ca-m, 15/05/16; PB-01-Pu-m, 26/09/15; Interview to PB-01-Pu-f, 19/10/14; Interview to LM-01-To-m, 23/05/16; Germán Ballesteros, Gabriel Galviz flying column, 16/07/17; FGD, San Isidro, 28/04/14; FGD, Puerto Bello, 19/10/14; FGD, Sinaí, 01/04/16.
[16] FGD, San Isidro, 28/04/14.

4.2 Armed Advocacy

In other regions, most of the work described in the previous section was done through FARC-EP pressure on local authorities. For instance, the rebels put pressure on local authorities to build schools and pay teachers.[17] In municipalities of Cauca Valley, the FARC-EP put pressure on authorities to fund projects for communities where they had control/influence: "if the peasants had a project, they looked for us, because they never received any resources for them. So we met with them, and then we took those proposals to the mayors".[18] This resulted in a guerrilla-mediated articulation between communities and local authorities, as identified also in the work of Bolívar & Torres (2010) on parts of Santander.

Guerrillas often put pressure on local authorities to cooperate on the construction of roads; often the authorities' contribution consisted in machinery or diesel.[19] But sometimes authorities also contributed by contracting community members who worked for a salary. In one community in Cauca Valley, at the start of 2016, the water committee of the JAC got a contract with the municipality for COP $142,000,000 (€40,380 in 2016) to replace the old aqueduct for a new one. Although it was a paid job, they used the *minga* scheme to organize the work, as people came out one day to work and then would go back to work on their farms the next day. Some 25 people worked in this scheme.

Communities could exercise some pressure through institutional channels, such as the Municipal Committees of Rural Development (*Comité Municipal de Desarrollo Rural*, CMDR), a participatory space to plan the development of the rural sector in a given municipality, bringing together members of the community and the local government. Here, the guerrilla pressure on authorities and the influence of their political movement, proved often critical to make investment happen.

4.3 Accounting for the difference

Many possible interdependent variables could be identified as having explanatory capacity to account for the difference between these two ways of governance. One important variable which stood out conspicuously in all case-studies was the level of articulation of a territoriality with the orbit of the state. The more articulated a region is with the central state, the more the FARC-EP was likely to exercise *armed advocacy*; and vice-versa, the less articulated, the more the FARC-EP was likely to behave as a *substitute state*. The variables identified to define "articulation to the state" are the *degree of institutional presence*, the *level of penetration of the armed forces and police*, *public investment*, and development of *transport-communications*.

In Table 2, I've also included the level of community investment –as labor and resources, for this is apparently in inverse proportion with the degree of public investment. Also, I include the presence of illegal crops, for in these regions institutional presence is kept to a minimum, so guerrillas tended to assume mostly the role of *substitute state*. Other variables to be further explored in future research include how consolidated the process of colonization is, how the presence of other armed movements (whether left-wing guerrillas or right-wing paramilitaries) affected the behavior of the FARC-EP, how deep the insurgent tradition and the culture of resistance in the territory goes, how strong community organizations are, and how intense the conflict has been experienced in the territory.

[17] Interview with Donald Ferreira, 21st Front, 25/06/17.
[18] Interview with Germán Ballesteros, Gabriel Galviz Flying Column, 16/07/17.
[19] FGD, Maravelez, 05/06/17.

Table 2 - Level of articulation of the case-studies to the State

	Institutional Penetration	Militarisation	Public Investment	Community Investment	Quality of Communications	Presence of illegal crops
La Marina	High	High	Medium	Low	Medium	No
San Isidro	High	Medium	Low	Medium	High	No
Bolo Blanco	Medium	High	Low	Medium	Low	No
Puerto Bello	Low	Low	Low	High	Low	Yes
Maravelez	Medium	High	Medium	Medium	High	Yes
Sinaí	Low	Low	Low	High	Medium	Yes

Mampilly had observed that rebels can "tap into and even co-opt pre-existing institutions and networks of power": in areas of "high degree of state penetration" rebels will be more likely to "incorporate, fully or in part, the governmental structures", while in areas with a low degree of state penetration, rebels are "more likely to develop more innovative, yet less effective, structures and practices to govern the civilian population" (2011, 72-73). However, in Colombia, even in those areas of low articulation with the state, the rebels create and reproduce state institutions, demonstrating that rebel groups can opt for different solutions based on ideological, political or cultural considerations.

The FARC-EP redistributive work was mostly directed to tap into the many deficiencies of state reach into rural communities. The rebels' attitude to state investment and institutional intervention depended on *how* this was done. Typically, they were willing to accept a new public hospital, but not a military health brigade in their territory; the latter, an intervention explicitly linked to counter-insurgency. However, the rebels did not accept to be made redundant, so even if they accepted state interventions, they typically supervised authorities allegedly on behalf of communities.

As such, their territorial control was effective in a relative sense only, overlapping with the differential presence of their "rival". Ramírez observed this situation in Putumayo: "FARC's authority is both accepted and resisted by the population, with no implication that it supplants the existing state authority" (2015, 44). The direct rule of the FARC-EP was felt the most on issues related to public order and enforcement. In coca producing regions, where the very illegal nature of the dominant economy made it difficult for the state to have a full-fledged presence, the FARC-EP even regulated the local economy, labor relations and taxation (Gutiérrez & Thomson, 2020). But even in these regions the presence of the state was not eradicated totally since there were still schools and health centers operating -the constant negotiations around illegal crops substitution becoming a way to negotiate the presence of State apparatuses.

Though these governance practices gave the FARC-EP the resemblance of a state on occasion, they never developed a bureaucracy as such, i.e., an independent civil administration distinct from its military apparatus. The management of their own funds was done through the military apparatus, but they encouraged the JACs to manage community funds, including those coming from the coca tax. As such, when it came to civilian administration, the FARC-EP were happy to leave matters into local state bodies such as the JACs.

5. Conclusion

Although there is a strong temptation to conflate rebel governance with state-building, the unproblematic identification of both is misleading. For, on the one hand, some rebel groups consciously reject state-building

even if they engage in governance practices and control territory. On the other hand, they can also resort to the far more convenient utilization of the existing apparatus of the state, rather than creating their own state from scratch.

In the case of the FARC-EP, their governance practices varied across the case-studies, reflecting two broad patterns: *Substitute State* and *Armed advocacy*. Irrespective of assertions of "independent republics" by elites, rebels' assertions that they were becoming a new state in the shell of the old, or claims by academics that they were bent to destroy state institutions in order to create new ones (Uribe 2001:70), the evidence collected suggests that the FARC-EP existed ambiguously in the interstices of the state, with a firm foot within official institutions. The FARC-EP's struggle *against* the state was a struggle *within* the state –a struggle in which they were hopelessly confined to areas of colonization dominated by peasant smallholders. This does not imply that rebel governance and state-building are necessarily antinomic. Some rebel groups -particularly, but not exclusively, nationalist ones (Davidson 1981; Stokke 2006; Müller 2012; Podder 2014; Stewart 2017)- do engage in conscious exercises of state-building, regarding their own governance practice as a rehearsal for the future rebel inspired state. I only imply that rebel governance should not be *necessarily* equated with state-building, as the former representing the early stages of the latter.

However, rebel governance and state-building are not completely unrelated. Rebels, by their very actions, do influence processes of state-building. In some cases, rebels ended up strengthening reactionary regimes hostile to their own tenets – the so-called Marxist paradox (Balcells and Kalyvas 2015). In Colombia, it can be argued that the FARC-EP, by opting to operate within the structures of the very state they antagonized, contributed, unconsciously, to the expansion of the infrastructural power of the State despite their aspirations to a socialist society.

There are a number of conclusions we can draw from this research that highlight the relevance of rebel governance studies to the literature on the state. First, the notion of monopoly (of power, of coercion), so central to state definitions, rarely, if ever, is absolute. Although in some territorialities the FARC-EP or the state had priority as power-wielders, their overlaps were significant. Local authorities dialogued with the rebels in some regions (grudgingly accepting their influence) and, likewise, even in areas with the strongest guerrilla support, elements of the state not only were allowed to operate, but were expected to do so. State authorities were more often supervised than challenged, and although guerrillas selectively vetoed some state programs or apparatuses, they did not veto the state as a whole.

This concept of monopoly of political power and coercion, often rests on the "territorial trap" premise. However, during rebellions, borders are rarely clear-cut. They are rather porous –often deliberately so. The idea of territorial control as a zero-sum game, clashes with evidence collected in this research. The concept of *overlapping regimes of territorial authority*, from the field of social geography, is far better equipped to account for the complex governance arrangements we encounter in rural Colombia.

Furthermore, rebel governance in contexts such as this cannot be reduced to a power equation between "communities" and rebels (e.g., Arjona 2016), because the latter were not *exclusive* power-wielders in the territories they controlled/influenced, the state keeping a differential presence throughout them. The state cannot be, therefore, abstracted from relations between rebels and communities. This is not to deny communities' agency, but represents a recognition of the simple fact that agency does not exist in a vacuum. Even the concept of *rebel governance*, in this context, can be misleading and unable to grasp hybrid situations that, I suspect, are not a Colombian particularity. It seems more appropriate instead to talk about *wartime* or *hybrid* forms of governance in these cases. Finally, "communities" are not homogenous entities and "rebels" are not unattached alien actors; the social (class, ethnic, gendered) composition of the rebels and their constituencies shaped in decisive ways the governance practices in these territories.

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