

<https://www.internationalviewpoint.org/spip.php?article5798>



Colombia

The electoral triumph of Uribism and the dilemmas of neoliberal peace

- IV Online magazine - 2018 - IV526 - November 2018 -

Publication date: Saturday 24 November 2018

Copyright © International Viewpoint - online socialist magazine - All rights reserved

Iván Duque, candidate of the Democratic Centre, a political party created by former president Álvaro Uribe in 2013, won the second round of the presidential elections on Sunday, June 17th, with 10,373,080 votes, that is 54 per cent of total votes cast.

Electoral unity of the elites

This candidacy was supported in the first round by a right-wing coalition comprising sectors of the Conservative Party and representatives of Protestant churches. Duque obtained 7,567,785 votes in the first round, with 2,803,387 votes more in the second. But between the two rounds, he significantly increased his range of support.

All the parties and political machinery linked to the establishment, including the regional powers associated with criminal enterprises that continue to guarantee territorial control, called for a vote for him. Added to this was the support of the National Business Council, made up of the most representative commercial and financial corporations of the country's cities and countryside. [1]. In a word, Duque's candidacy for the second round created the electoral unity of all the groups of the dominant elites and their political expressions.

This consensus among the elites emerged in the urgency of the electoral moment. During the Santos government's two terms of office, members of the Democratic Centre objected to the political negotiations that began in Havana in 2012, which led to the demobilization of the FARC. They argued that the peace agreements formalized an alleged impunity of the guerrilla command and they openly opposed the transformations announced by these same agreements in rural areas, as well as the proposed changes in the electoral system and the mechanisms of political representation in general. This opposition was accompanied by a patriarchal and homophobic discourse, in the name of the defence of the traditional family.

These arguments ended up giving them victory at the plebiscite in early October 2016, because of the limited governmental legitimacy and the impossibility of forming a democratic and popular movement that would accompany the peace process at this crucial moment. Then a new agreement was signed, called the Colón Theatre Agreement, in which the scope of the initially agreed topics had been reduced. Moreover, its implementation was deficient because it was left to a Congress with weakened parliamentary majorities.

Despite this, the political bloc led by Uribe continued to insist that the agreements be subject to further revision. The candidature of Iván Duque also expressed a class attitude. Uribism represents the interests of the traditional latifundists, now associated with large landowners who have benefited from the dispossession of peasants, produced by the war over recent decades, which, according to the most cautious calculations, amounts to 6 million hectares. This is why Duque advocates maintaining the rural "status quo", because the dispossessed land remains in the hands of the aggressors, their frontmen and those who seized it by laundering capital. He also wants to preserve their tax exemptions, to the point of opposing the modernization of the cadastres. [2] It is for this reason that Álvaro Uribe, at the end of his term, while the equilibria of the implementation of the Plan Colombia in North American and Colombian governmental spheres announced the military triumph of the official forces and a possible transition towards political negotiation, maintained the thesis of the non-existence of the armed conflict. Accepting the opposite would have been to open the debate on the return of people who had been displaced from the countryside and compensation for the victims at the scene of the conflict.

The Santos government expressed the interests of the financial groups. In the rural areas, it found in the peace process a mechanism to legitimize the intensification of agro-industry by seeking changes that could form part of a "modernizing rationality", at a time when transnational capital is demanding it. The international financial institutions, especially the World Bank, have stated that Colombia is one of the few countries where there is still space for agricultural investment, while international trade in raw materials and food, as well as the segment of "commodities" on the capital market, continues to grow. In 2011, Santos succeeded with the parliamentary majorities that accompanied him, to pass a law on the victims, which has not been really applied. [3].

Then, during the negotiations in Havana, he recognized the formalization of settler properties in the areas where the FARC had their social base, and the creation of a land fund of 3 million hectares to be distributed to the landless peasants and to ethnic communities in various parts of the country [4]. In addition to legitimizing the agreements, the Santos government's vision was to foster the consolidation of entrepreneurial control of territories, by opening up business opportunities for large companies associated with transnational production chains. [5]. The formal recognition of the ownership of the small agricultural producer has become an indispensable condition for integrating it into a rural market where farm production represents a small part of the value chain in a globalized agriculture.

But these contradictions between the elites have given way to an electoral front of "those who are at the top", faced with the possibility that a person outside the establishment might take the presidency of the Republic.

Uribism triumphs electorally once again

Throughout his presidential campaign Iván Duque did nothing but repeat the recipe that enabled Uribism to win the plebiscite that was to ratify the outcome of the political negotiations in Havana. On this occasion, he also used the crisis in Venezuela, which affects the country with its border migrations, while migrants are made to compete with each other for low wages in the cities. The crisis in Venezuela also served Duque's campaign to frighten the middle classes, on the pretext that it was the result of a policy of expropriation by the state, of which he presented himself as the fiercest opponent. In his campaign discourse, he added the commitment to comply with the reforms demanded by big capital for the entire region, through international financial institutions and rating agencies, such as a retrogressive reform of the pension system, reductions in corporate taxation and greater work flexibility, which synthesise a new phase of deepening neoliberalism.

The 10,373,080 votes obtained by Duque in the second round signified his triumph in 24 of the 32 departments. He also won in 18 cities – we should highlight the case of Medellín – but lost in Bogotá and in major cities such as Cali, Barranquilla and Cartagena. He also lost in the geographical area of greatest social conflict in recent years, the Pacific Rim in the southwest of the country. It was in the department of Antioquia, where Duque got a total of 2,537,361 votes, that his score was the highest, confirming that this region continues to be the bastion of Uribism. A traditionally conservative and religious department by its customs, in which Uribism managed to impose as a result of the war a parastatal social order in some areas (the case of Urabá).

The votes for Duque were also important in the departments of the eastern zone, bordering Venezuela. Another highlight was the vote in the coffee producing areas, where a large number of voters are from the urban and rural middle classes associated with coffee production and export, whose cultural traditions are also conservative. In the first round, on May 27, Sergio Fajardo [6] had been leading in this region. Fajardo was a Green Alliance candidate in coalition with a sector of the alternative democratic pole led by the MOIR [7]. The Green Alliance, which acts formally as a political party but is an amalgam of groups with diffuse political boundaries, tailor-made for themselves by the middle classes, presented its campaign in the name of the "political centre" and obtained 4.500,000 votes. In the case of the coffee zones, Fajardo's votes went to Duque, despite the fact that members of the Alliance leadership supported Gustavo Petro [8]. The same thing did not happen in Bogotá, where this agreement led to an increase of

nearly 700,000 votes.

The Uribist triumph formalizes a backward electoral system, without electronic voting, without state funding and structured around an Electoral Council with administrative functions, controlled by traditional politicians. This system allows the unpunished operation of clientelist networks and the uncontrolled flow of licit and illicit funds to support parties and their occasional candidates. This money comes from various sources. In the first place, from the big business lobby, interested in obtaining concessions from the state, which eventually internationalized corruption – the Odebrecht case is paradigmatic in this respect [9]. Secondly, they come from the corruption associated with the exercise of politics. Official statistics themselves acknowledge that in this way about \$10 billion disappear from the Treasury every year. Thirdly, from the unregulated circulation of money from drug trafficking [10]

It should be added that the way the drug traffic functions in the Twenty-first century is different from previous periods. To continue expanding the circuit of its business in the midst of the facilities afforded by financial globalization, it eventually evolved towards conventional political power, and acts as a fraction of capital: "Drug trafficking no longer only signifies illegality and no longer operates outside of all the frameworks established by the law, but in the framework of a mafia model it has captured the political and economic system and has strengthened itself through the structures of conventional enterprises." [11]

This access to political power in the Colombian case was facilitated by the civil war, which led to the alliance between groups of traffickers and military forces in the implementation of the counter-insurgency policy. [12], the emergence of regional paramilitaries, the appropriation by mafia enterprises of rents and public property, the appropriation of land by the displacement of populations, money laundering, taking control of extractive rents – in short, by the consolidation of a form of criminal capital accumulation that has found in traditional parties and in the old electoral system the means of gaining access to national decision-making spaces [13]. Since taking office in 2002, Álvaro Uribe has achieved the political centralization of these powers, which were crystallized during the conflict. At the same time, Uribe has been a fervent advocate of big capital and an architect of the implementation of neoliberal reforms. During his tenure, he satisfied the demands of the enlarged agreement signed by Colombia with the IMF in 1999, increased tax exemptions for large entrepreneurs and organized subsidies for the production and sale prices of the sectors of agribusiness who have turned to agrofuels (sugar cane and oil palm), while promoting a labour reform that reduces the rights of workers. For all these reasons, Uribe is at the same time attracting the support of the "emerging political class" and that of entrepreneurial groups and the parties that express their interests. This political hybrid has been expressed in elections since his first arrival as President.

The oppositional campaign of Gustavo Petro

Gustavo Petro led a campaign based on the denunciation of the traditional forms of politics, corruption, clientelism, paramilitarism, which he has denounced since he was a member of parliament. This type of campaign has earned him the support of a multiclass spectrum of democratic opinion, including almost the entire social movement, the trade unions, peasant and ethnic organizations, the majority of the left and even the middle and upper classes, especially the young layers. The recovery of the public square was a key aspect of this campaign. Its growth in the polls and the audience achieved would not have been possible before the peace negotiations with the FARC. Because peace has neutralized the stigma perpetrated for decades by the establishment's spokespersons against the political opposition. This can be said, despite the fact that the FARC themselves paid the price of unfavourable public opinion, which reduced them to 50,000 votes in the legislative elections (which precipitated the abandonment of their candidacy for the presidency).

The programme presented by Petro respected the rules of the game of neoliberalism. Before the first round of presidential elections, to the question of a journalist from the daily *El Tiempo*, "Why is your candidacy raising fears

among the country's leading businessmen? " he replied: "Last week, I had a useful meeting with the National Council of Entrepreneurs, as well as other meetings with investment funds, international rating agencies and the International Monetary Fund. A climate of confidence has been established around the stability of monetary policy and the autonomy of the Bank of the Republic, as well as the management of taxation. As well as a better understanding of the urgent need to prepare the country for oil depletion with more agro-industry, metallurgy, smart services and tourism. The productive economy that we propose will be 20 per cent state-owned and 80 per cent private enterprise" [\[14\]](#)

The broadening of his alliances to members of the Green Party leadership forced him to further reduce the programmatic content of his candidacy. He has committed himself to respect without any objection private property, budgetary regulations (regular payment of the debt) and the existing institutions in force [\[15\]](#).

The goal of his programme was based on the development of capitalism, which in his opinion the latifundists and the rentier and mafia elites are blocking: "We propose to evolve towards a model that turns Colombia into an agrarian and environmental power and makes possible the integral development of industry", he explained [\[16\]](#). To differentiate himself from the supposed support of the Venezuelan government, of which his opponents accused him during the campaign, he insisted on the need to reduce extractivism: We propose the opposite of what is being done today both in Venezuela and in Colombia (...). The latifundios and the extraction of the resources that geological hazard has left us generate only rents, not productive profits, because the minerals, the coal and the oil, and the earth as well, are not a productive process, they are simply there." To replace the extractive economy, he proposed an energy transition under the parameters of "green capitalism". This proposal had antecedents. When he was mayor of Bogotá, he unsuccessfully tried to change the city's transportation system with the support of the employers-government group represented in this sector by the Clinton Foundation. [\[17\]](#). At the COP21 summit held in Paris, he attended a parallel meeting of mayors from Latin America during which he criticized the conclusions, which gave leeway to financial groups without them making collateral efforts. He then proposed the application of the Tobin tax to create a Green Investment Fund [\[18\]](#)

From the beginning of his presidential campaign, he insisted that the national oil company, Ecopetrol, should adopt an investment budget oriented towards the use of renewable energies, financed in part by the royalties [\[19\]](#). He proposed the use of solar panels in homes. But the different priorities that he proposed did not consider the eventual elimination of dams – which cause considerable damage to the environment as well as the displacement of populations throughout the country. He ended up accepting that they should be reduced to small-scale investments. Nor did he succeed in formulating a guarantee of changes in the energy used in industry, or comment on the relationship between the production and the consumption of energy.

The other economic objective he insisted on, presenting it as an alternative to extractivism, was agribusiness [\[20\]](#). "Productivity in the countryside leads us to agribusiness, that is to say to the increase of the added value of agricultural products. Every Colombian municipality can become agro-industrial if the fields are productive ..." [\[21\]](#) In order to be able to develop it, he proposed a prior distributive exercise because of the concentration of land and its waste through extensive farming. [\[22\]](#). At this point, he insisted that such a distribution would not be made through expropriations but by the increase of the tax burden. To the peasants, he promised to get them away from poverty and proletarianization through the mechanisms of associative and cooperative movements, which in the context of increasing productivity, would make farmers of them: "Developing a productive and democratic area that transforms the peasant into a farmer and a citizen is one of the most urgent tasks that we will undertake ..." [\[23\]](#). Furthermore, this objective did not apply only to the countryside, it was a general approach. "What we want is to turn towards the millions of Colombian entrepreneurs, and above all towards women and young people. And not, as the false discourse of the political class claims, to wait for big Colombian or foreign entrepreneurs who will never arrive ..." [\[24\]](#)

The commitment to the development of capitalism obviously requires capital investment, which is reminiscent of the obsolete debates of the bourgeoisie in the region during the period of import substitution. "Integral industrialization is

the development of the three sectors of industry, namely unsustainable and sustainable consumer goods, intermediate goods, chemical and other products, and capital. Without this last element, everything else fails ..." [25]

On the question of how to obtain the financial resources to mobilize these economic transformations, Petro proposed to eliminate tax exemptions [26] of big business and strengthen contributions to *Colpensiones*, the public pension system [27], contrary to the proposals of the leaders of the pension funds and the neoliberal technocracy.

To summarize, the programme of the "Petro Presidente" campaign was a liberal developmentalist programme, including periodic reforms in the framework of neoliberalism, a programme that ignored the new international division of labour, in which industrial investment in Latin America has been relegated to a secondary level; ignoring also the functioning of financial globalization that has allowed transnational financial groups to control wealth – a control exercised through the capital market where money from the mafia circulates with impunity. Obviously, this programme is unfeasible under the present conditions of capital accumulation.

However, by attacking unproductive latifundia, including those resulting from dispossession, and by opposing the circulation of extractive and financial rents, he stood up to those who fomented the civil war, and encouraged democratic aspirations. That is why the organized social movement came to his assistance. It is a divided social movement, defeated by state terror and by neoliberal policies, without its own means of propagating its ideas, which found in this campaign an opportunity to change the present state of affairs, whereas paradoxically the candidate insisted on the respect of the rules of the social system in force in order not to intimidate the middle classes, which constitute a juicy electoral objective.

Since the ideological stakes are also part of the relationship of social forces, neoliberalism ended up by imposing its hegemony. Interpretations of the functioning of society and politics, subjects such as the right to work, distributive politics, sovereignty, the rights of peoples seem to have been relegated to the past. They are not part of the public debate. This is one of the signs of this era.

The electoral movement that formed around Petro ended up being a pluri-classist and amorphous movement [28] around a sort of caudillo who expressed social discontent, combined with the weariness of large sections of the population in the face of traditional forms of political domination and the widespread corruption that infects the three arms of the state (the executive, the legislature and the judiciary). This electoral movement included feminist, youth and animal welfare organizations, presented by Petro as "new forms of citizenship". He also expressed interest in getting rid of the aftermath of war and of polarizations that he did not understand. Such political expressions, despite their limitations, are not despicable in a country that has opened up a political transition after decades of civil war. This confirms that there are opportunities to form political and social coalitions with a view to channelling this broader democratic view towards alternative proposals that would confront the dominant regime.

The questioning by the "Petro Presidente" campaign of unproductive latifundia and those who live on extractive and financial rents also produced a closing of the ranks of the dominant elites after the first round of the presidential elections. Contradictions concerning land ownership and use in a globalized world gave way to the preservation of major interests – to the preservation of their economic order and political dominance. As far as the economic order is concerned, it should be noted that the accumulation of capital includes the laundering of mafia money by the invisible networks of the financial system. At the same time, macroeconomic stability depends on extractive investments, which make it possible to obtain budget revenues and account for the bulk of exports, putting the trade balance in equilibrium and meeting the demands of globalized capital. To try something else would be from the point of view of these elites a leap in the dark. With regard to political dominance, all the elites agree on the need to pursue state terror. If the application of this type of regime allowed them to win the civil war and also to create a situation where the popular resistance has its back against the wall, why abandon it? A government that does not belong to this elitist tradition, whatever its discursive talent, is in their eyes a useless risk, especially if it generates expectations in the

population.

A peace at the service of the big entrepreneurs

After the defeat of the plebiscite which was to approve the agreements signed in Havana, a new negotiation took place and ended with the "Colón Theatre accords". In this second version, the political bloc led by Uribism obtained considerable changes.

Thus, in recognition of the leading role played by most Catholic bishops and Protestant church leaders in the campaign, the family – "fundamental core of society" [29] - has been included in the rights of peoples, while the recognition of the rights of the LGBT population has been refused.

On the other hand, from the beginning of the dialogues in Havana it was clear that the central point of the negotiations was the integration of the peripheral territories that had endured the conflict into the national institutions. In the Havana agreements, this reference was included in the criterion of the "territorial approach" [30], which introduced a policy of territorial organization for the benefit of corporations ("clusters") of commercial enterprises in the globalized world. During the development of the implementation mechanisms, a bilateral mechanism was agreed in the decision-making between the government and the guerrillas on a wide range of topics ranging from the conception of territorial development plans to the selection of beneficiaries of the local programmes. The document signed at the Colón Theatre added to this bilateralism the approval of the local authorities.

The inclusion of issues relating to national agrarian policy was a key element of the negotiation in Havana. For the Santos government, it was important to further legitimize agro-industry in the post-war period, when, according to official statistics, the export of hydrocarbons will begin its last cycle in 2022. For the FARC, the formal recognition of the land ownership of the settlers who are its social base and the simultaneous granting of "public goods" such as roads, technical assistance, public services in the home and social services, as well as replacing "crops for illicit purposes" without repression, constituted a priority. Thus, the formula of the agreement recognized that "the integral development of the countryside depends on an adequate balance between the different existing forms of production – family farming, agribusiness, tourism, large-scale commercial agriculture ..." In the version of the Colón Theatre, it is the importance of investment by employers and large-scale production of the peasant economy that is highlighted [31]. In addition, it should be recalled that, as soon as the agreement was drafted, technical assistance included GMOs [32].

To promote investments in the countryside, the issue of land ownership, formally recognized throughout the national territory, is essential. However, "54.3 percent of rural areas in the country are exploited without land deeds". [33]

. This concerns the dispossessed lands as well as zones newly cultivated [34] by latifundists and rural entrepreneurs. Without a "legal guarantee" there is no chance of attracting large agricultural investors. The standards for the restitution of land to the victims, negotiated in 2011, proved to be a resounding failure. The agreement provided for the creation of an agrarian jurisdiction that never saw the light of day.

The other changes made at the Colón Theatre include the inclusion of local authorities in the implementation of the rural cadastre and the limitation of the formation of the Peasant Reserve Zones, on which the FARC had focused [35]

.

At the level of political participation, 10 parliamentarians were granted to the FARC (5 in the Senate and 5 in the House), as well as the legal status of a political party and access to funding by the state. The possibility was opened up of granting 16 districts, called peace constituencies, in the 16 areas most affected by the war – so that social organizations could have access to parliamentary representation.

With regard to the Special Peace Justice (JEP), recognized as a form of transitional justice for crimes committed in the conflict by both guerrillas and state officials, both sides had already accepted the break-up of the chain of command for guerrillas as well as for the armed forces and the symmetrical judgment of responsibilities [36]. To solve this problem, the question of those who financed the war remained in suspense. It was postponed until approval by Congress. It was the great triumph of those who succeeded in rejecting the plebiscite: to leave to Congress the bulk of the implementation of the agreements, after the referendum.

The Congress and the Constitutional Court have thus eliminated the responsibility of those who financed the war, deciding that they cannot be compelled to appear before this tribunal [37].

The record of the Congress as regards the adoption of the regulations that were requested of it and the implementation of the Colón Theatre agreements is deplorable. It contrasts with the implementation of the agreement by the FARC, which concentrated the guerrillas in the defined areas and delivered their weapons on June 27 last year in the municipality of Mesetas, department of Meta. The negligence of the members of the majority in Congress, controlled by the government, was obvious.

In accordance with the agreements, bills were submitted to the Congress for approval, beginning with the ordinary session of March 2017. Here are the results:

1. With regard to changes in the party system and political representation, the bill containing the “peace constituencies” was classified. At the same time, the government set up a special electoral mission composed of academics and professionals with experience in the field to submit proposals to the legislature. At ordinary sessions in the second half of 2017, these proposals were rejected by the Congress.
2. Regarding the rural question, the project of reclaiming dispossessed land was not even presented; the one that formalizes the general cadastre was just communicated, as well as the adjudication of newly cultivated zones in the forest reserve areas.
3. In penal matters, the project of differential treatment of small producers of coca was also not presented; the submission to justice of criminal gangs was not approved in plenary; as for the draft law regulating the procedure of the JEP, although it was approved up until last week, considering the results of the presidential elections, Uribism managed to include in it a special court for the judgment of the military, to guarantee them greater impunity.
4. As regards the economic commitments, the modification of in the national rent system was not presented and the one that modified the law of the plan was approved [38].

Meanwhile, the Santos government concentrated its efforts on completing the institutional conception of what can be called “entrepreneurial peace”, a peace that expands the commodification of territories and the subsoil for the benefit of big capital. Since the publication of the development plan at the beginning of the second mandate, the Strategic National Interest Projects (NIPs) were institutional mechanisms designed to promote large-scale mining. [39]. Also included are Areas of Interest for Rural, Economic and Social Development (ZIDRES), which already have a regulatory law and which favour large-scale investments, by increasing the concentration and the expropriation of land [40]. As if that were not enough, a project to modify the present agrarian law, with a productivist bias that favours rural investment with patrimonial and technological capabilities, is underway in Congress. This project eliminates regulations stipulating that new land must be in priority attributed to settlers and poor peasants and establishes an “amnesty” for contractors who illegally acquired it [41].

Using the so-called fast track procedure [42], the government has issued a decree that allows some of the money

received by the country under the "Colombia Peace Fund" within the investment portfolio defined by the United Nations as part of COP21 for the "payment for environmental services" project, under the parameters of "green capitalism". [43]. In the case of the reconstruction of the "areas most affected by the armed conflict" (ZOMAC), the government has already issued a decree on "work for taxes" [44], drawing on the experience of other peripheral countries, which is only the beginning of a process of concessions to entrepreneurs who engage in reconstruction. The national plan for the construction of dams continues to be implemented, despite population displacements and the destruction of nature that it implies. The three most important dams in the country, El Quimbo, Hidrosogamoso and Hidroituango, have already caused irreparable damage. The latter dam is about to produce a huge humanitarian tragedy.

In line with the above, state technical institutions already have conceptions that integrate regional contexts and soil quality to implement the Areas of Interest for Rural, Economic and Social Development (ZIDRES) [45]. The government and businessmen have hired academic and technical groups to conduct field research to improve the design of business investment [46]. The pacification of the country has opened up new possibilities and new spaces for enterprises. The major economic groups have understood this and they know that beyond the vagaries of politics, enterprises will continue to be pampered.

It is for this reason that the spokespersons of the financial group Sarmiento (closest to the Santos government, and which has benefited the most from its governance; it controls a large part of the financial system and large-scale construction, including road concessions), in turning to support Iván Duque's candidacy for the second presidential run, added that this support was conditional on the continuity of the peace process. They did so in the following way on the editorial page of *El Tiempo*, a newspaper belonging to the group: "Consequently, this publishing house approves the candidacy of Iván Duque, whose programme of government is serious and who represents the hope for moderation and generation change that is desirable in the situation (...). It is important to note that our support for the peace process with the FARC remains firm and that any attempt to back down, reversing the clock of history and the spirit of the agreements will be considered a colossal error ..." [47]

Meanwhile, the paramilitarism associated with local political authorities continues to operate with impunity in the regions, and criminal forms of wealth accumulation continue to claim victims. The Office of the Ombudsman acknowledged that between 1st January 2016 and 27th February 2018, 282 people, including social leaders and human rights defenders, have been murdered in Colombia [48]. This year, up to June 2nd, 2018, 98 other social leaders were killed [49]. Many FARC veterans received the same treatment. "According to the report of the UN Monitoring and Verification Mission, 40 FARC ex-combatants have already been killed since December 2016, when the Havana peace agreements were concluded." [50]. This precipitated in April of this year the statements of Jean Arnault, Special Representative of the Secretary-General of the UN, asking for guarantees for the safety and lives of the demobilized.

We are in the presence of the continuity of the barbarism that triggered the civil war, in another context. Despite all this, the present defence minister cynically declared that most of these killings were due to "quarrels over women, alcohol and intolerance between neighbours", denying the role of criminal gangs [51].

The Santos government thus puts the peace process in the hands of regional paramilitarism acting with impunity, it guarantees impunity to the regular forces of the state and offers big capital a network of businesses in the spaces left empty by the demobilization of the FARC. This reality cannot be avoided in the name of an ingenious defence of the Havana agreements.

The return of Uribism to government

In the middle of the election campaign the North American government asked the Public Prosecutor's Office to extradite Jesús Santrich, one of the FARC's central leaders, for alleged drug trafficking activities. Until now the evidence presented to public opinion is contemptible. Nevertheless, President Santos himself endorsed it and the Public Ministry made the decision to incarcerate him. A legal discussion continues as to whether the facts were committed before or after the signing of the peace agreements, and therefore which court will have jurisdiction – ordinary justice or the JEP. In his election campaign, Iván Duque seized on this case to announce that he would extradite him without further considerations. [52]. Beyond the immediate significance of this event, the important thing is that it initiates the unconditional alignment of the new president on Trump's policies. Duque announced the withdrawal from UNASUR, for the reinforcement of the OAS; he denounced the Maduro government to the International Criminal Court and declared the embassy in Caracas to be deserted.

At the national level, Duque supported the criminalization of coca leaf production. This announces the forced replacement of crops with aerial application of glyphosate, which is a humanitarian tragedy for peasant families. This forced substitution policy eliminates another point in the Havana agreements, to which already 65,000 peasant families have resorted; furthermore, it will increase tensions in areas where the circuits of the production and sale of drugs is controlled by transnational cartels such as Sinaloa. The argument of the White House's National Office on Drug Control (ONDCP) is that the number of hectares sown with coca has reached 209,000 (the government recognizes 180,00). As always, this argument ignores the co-responsibility of consumer countries and the benefits that accrue to international finance capital. The Santos government has already yielded to US pressure and, on 25 June, by a decision of the National Narcotics Council, authorized the use of drones for the application of glyphosate in coca growing areas [53]. Duque will generalize the blind use of these fumigations.

With regard to economic questions, Duque has already agreed with the employers, in conformity with the requirements of rating agencies and international financial institutions, to submit to the Congress regressive reforms of pensions, taxation and the labour code to increase flexibility.

In the case of the Special Peace Justice (JEP) – and before Duque took office as President – the Parliament, which had accompanied President Santos until the elections, made procedural changes, suspending the trials of soldiers involved in war crimes until the establishment of a special section of the JEP, with new magistrates for the preparation of cases, investigation and trial. This suspension may be requested for a maximum of 18 months – the period necessary for the commissioning of this special section. The paradox is that already more than 2,000 military and police officers have appeared before the JEP and nearly 1,500 of them have been released.

Once state terrorism has been preserved, the conflict between the ruling elites has taken the form of an escalation: who will now guarantee the most impunity to the regular forces of the state.

This insistence on further weakening transitional justice is only one element of Uribe's overall strategy to reduce the functions of the judiciary. During the campaign, Duque announced the creation of a "Super Court" to concentrate the functions exercised by the High Courts, in order to eliminate them. This strategy aims at obtaining presidential control over the judiciary and at the same time seeks to formalize the impunity of those adhering to Uribism, including Álvaro Uribe himself.

Duque has already laid down the main lines of his mandate. But this return of Uribism to the government cannot count on the favourable conditions that earned it the triumph of 2002. Now that the internal war has been deactivated, the international accusations against Uribe are increasing [54]; there are a lot of legal proceedings against his relatives, against members of the Democratic Centre and against Uribe himself. For this reason, Duque has maintained a constant confrontation with the courts and the journalists' union.

Political space for the opposition

The electoral results, by the very fact of their contradictory manifestations, confirm that there is a political space to advance democratic proposals and that the political negotiation has opened a different space for the political opposition. There is the possibility of forming a great democratic convergence between the various political and social organizations that would develop a platform of peace with social justice, make demands beyond what is left of the Havana agreements and of course oppose the latest changes introduced by Uribism. Respect for the lives of social leaders and former demobilized guerrillas can be a unifying slogan, as it aims to dismantle paramilitaries, denounce state terrorism, recognize victims and denounce judicial impunity.

The entrepreneurial peace enforced by the Santos government, which his successor will undoubtedly pursue, strengthens resistance in the territories. It takes the form of struggles against extractivism. Defenders of the territory and ethnic communities acted against the exploitation of hydrocarbons, against mines and dams and denounced the displacement of communities and the destruction of nature.

In the cities, this resistance has taken the form of the rejection of town planning projects and confrontation with the big construction companies, who are the urban agents of extractivism.

The unification and the coordination of these forms of resistance in a national platform are a necessity ... But these daily struggles must be articulated with the proposal for an energy transition based on democratic decisions of the society, with respect for common goods, and far from the commodification of nature proposed by green capitalism. The Ecosocialist Movement has repeatedly expressed its willingness to participate in the construction of a movement with such characteristics.

Daniel Libreros C., a teacher and researcher at the National University of Bogotá, is a member of Movimiento Ecosocialista (Ecosocialist Movement).

—

PS:

If you like this article or have found it useful, please consider donating towards the work of International Viewpoint. Simply follow this link: [Donate](#) then enter an amount of your choice. One-off donations are very welcome. But regular donations by standing order are also vital to our continuing functioning. See the last paragraph of [this article](#) for our bank account details and take out a standing order. Thanks.

[1] "The Consejo Gremial Nacional (National Business Council) has 21 guilds covering all economic activities, which together account for 60 per cent of national production and generate 73 per cent of formal employment in the economy. These unions represent 166,903 micro-, small, medium and large enterprises operating in different sectors of the economy ..." From the public statement of support of this Council, Bogotá, June 7, 2018 <http://www.centrodemocratico.com/?p=1713>

[2] A cadastre (also spelled cadaster) is a comprehensive land recording. In most countries, legal systems have developed around the original administrative systems and use the cadastre to define the dimensions and location of land parcels described in legal documentation. The cadastre is a fundamental source of data in disputes and lawsuits between landowners.

[3] Law 1448 of 2011 "by which are encouraged measures of attention, assistance and comprehensive compensation to victims of internal armed conflict and other provisions". This law promised reparations with the recovery of 6 million hectares; to date only about 250,000 hectares have been redistributed. The precariousness of a judiciary trapped by the weight of conventional political authorities explains this Pyrrhic victory.

The electoral triumph of Uribism and the dilemmas of neoliberal peace

[4] The lands of this Fund, according to the final text of the Agreement, were to be derived from the confiscation of land acquired through money laundering and "other illicit activities", from newly cultivated land, the delimitation of forest reserve areas, unexploited land, acquisitions for reasons of public utility and donations. So far, there is no regulation.

[5] The peace agreements mention several times the territorial entrepreneurial ordinance in the regions where the FARC were present and the Agricultural Border which will be open to major investments, including foreign ones through state concessions. Such is the case of the Altillanura, a region of the eastern plains covering 7 million hectares. This ordinance should facilitate the option of clusters of employers associated with globalized capital.

[6] Sergio Fajardo was mayor of Medellín, governor of Antioquia and one of the visible political figures of the Grupo Empresarial Antioqueño corporation (Antioquia Employers' Group), which controls about 14 per cent of the national GDP and includes enterprises that invest abroad as well as in the financial sector. This group of enterprises supported Fajardo in the first round and Iván Duque in the second round.

<http://lasillavacia.com/silla-paisa...>

[7] The MOIR (Independent and Revolutionary Workers Movement) has a very popular senator, Jorge Enrique Robledo. It is an organization of Maoist origin, present in the trade-union movement and in the unions of the middle peasantry. The MOIR denounces free trade agreements in the name of a supposedly national bourgeoisie, which leads it to form alliances with regional businessmen, generally reactionary. Its support for Fajardo indicates a turning point towards alliances with big capital.

[8] The members of the Green Alliance leadership who supported Petro in the second round, were Antanas Mockus (former Mayor of Bogotá who won popularity using symbols referring to "anti-politics") and Claudia Lopez (a member of parliament well-known for her denunciations of paramilitarism).

[9] The Odebrecht affair (concerning a Brazilian construction company) was revealed on 21st December 2016 by an investigation by the United States Department of Justice. Marcelo Odebrecht, CEO, was sentenced in Brazil to 19 years in prison and a fine of more than \$30 million, because his company had paid over the previous twenty years bribes to officials from 12 countries (Angola, Argentina, Colombia, Ecuador, the United States, Guatemala, Mexico, Mozambique, Panama, Peru, the Dominican Republic and Venezuela) for public procurement. In Brazil, former President Luis Ignacio Lula da Silva was also sentenced (he appealed) and other leaders of Latin American countries, such as Jorge Glas (Ecuador), Pedro Pablo Kuczynski (Peru), Ricardo Martinelli (Panama) and Juan Manuel Santos (Colombia) are threatened with prosecution or have already been sentenced.

[10] Including with official political support: during budget reforms, which are frequent, "fiscal amnesties" for capital transferred abroad are recurrent, testifying to legislation tailored to money launderers. In 1992, such an amnesty was subordinated to the purchase of public debt ...

[11] Cf. Carlos Medina Gallego, *Mafia, narcotráfico y bandas criminales en Colombia*, published in 2018 by the Universidad Nacional de Colombia, p. 27.

[12] "State judicial instruments to protect property rights have failed, because security has become a function delegated to co-ordination between the law enforcement and private forces, and these forces, as allies, enjoy immunity to appropriate the land of the displaced and, in many cases, to compel them by force to legalize the transfer of ownership. This process has exceeded the possibilities of ordinary civil justice to protect rights lost due to violence and has exceeded the reduced administrative capacity of organizations responsible for the cadastre, registration, clarification, issuance and distribution of rural property". (Alejandro Reyes Posada, *Guerreros y Campesinos*, Ariel Editorial, Bogotá 2016, pp. 159 and 160).

[13] "The Supreme Court of Justice and the Office of the Attorney-General of the Nation conducted the trials of 184 members or former of Congress and 8 governors between 2007 and 2013. Twelve former Presidents of Congress have been brought to justice. In February 2013, 41 people were found guilty and 5 were declared innocent. The Attorney-General's Office opened 519 disciplinary proceedings against local officials and leaders, mainly members of councils, assemblies and town halls". (Camilo González Poso, "El Complejo paramilitar se transforma", Indepaz, March 4th, 2017, <http://www.indepaz.org.co/wp-conten...>

[14] *El Tiempo*, May 22nd, 2018 <http://www.eltiempo.com/elecciones-...>

The electoral triumph of Uribism and the dilemmas of neoliberal peace

[15] The first commitment was not to convene a National Constituent Assembly, which implied that Gustavo Petro, if elected, would fully implement the Constitution that currently governs the legal and institutional order. The second was to "respect private property in the terms of the Constitution, especially Article 58". The third was to apply the rule of fiscal sustainability in his public policies, that is to say that the President pledged "not to jeopardize the economic stability of the country". The signed agreement says: "The 'fiscal rule' will be respected in order to gradually reduce the public expenditure deficit. The increase in tax revenues will be sought by stimulating the growth of the economy." See, "Los siete puntos del acuerdo con Petro", *El Espectador*, 5th June 2018 <https://www.elespectador.com/elecci...>

[16] Cf. Gustavo Petro's campaign webpage: <https://www.petropresidente2018.com...>

[17] "Bogotá Mayor Gustavo Petro Urrego and former US President Bill Clinton met in Cartagena to discuss important issues for the city. They talked about the climate change affecting the planet and the importance, among other things, of setting up public electric transport in the city. The Clinton Foundation, a non-governmental organization dedicated to promoting environmental protection policies through partnerships between businesses, governments, non-governmental organizations and individuals, is collaborating with the administration of Gustavo Petro on various issues related to the implementation of electric taxis, a hybrid and electric bus programme, and the creation of a Cities Fund for risk mitigation and adaptation to climate change." ("Petro y Bill Clinton se reunieron en Cartagena para tratar 'temas de ciudad'", *El Espectador*, May 16th, 2013 : <https://www.elespectador.com/notici...>

[18] Ibid. note 15.

[19] "Since technology has already been developed to transform roofs into solar panels, all you have to do is change the regulations so that each family generates its own electrical energy at no cost, transforming your home into a productive unit and improving the means of production and transport, the city, the countryside and the water wells". Quoted by *El Espectador*, April 5th, 2018 <https://www.elespectador.com/elecci...>)

[20] This is contradictory to the environmental discourse, since chemical fertilizers are used in the agri-food industry. However, in relation to the peasant economy or ethnic communities, he recognized the importance of preserving organic seeds.

[21] Ibid. note 15.

[22] The Gini coefficient (a number varying from 0 to 1, where 0 signifies perfect equality and 1 signifies perfect inequality) is in Colombia one of the highest of the region, One per cent of landowners concentrate in their hands nearly 60 per cent of cultivable land and extensive stock breeding occupies 32 million hectares, against only 8 million hectares for all agricultural crops

[23] Ibid. note 15.

[24] Ibid. note 15.

[25] Ibid. note 15.

[26] Which represent a considerable annual amount. For example, the National Directorate of Taxation and Customs (DIAN) issued a resolution allowing large extractive companies to add the payment of royalties to the payment of income tax, which resulted in tax evasion of approximately \$14 billion.

[27] The pension system is mixed in Colombia; it combines a contribution to the Pension Fund and one to the public entity (Colpensiones) which maintains the system of "reciprocal solidarity". Petro proposed that this entity receive the so-called fourth pillar contributions, i.e. those of the informal sector.

[28] In fact, Colombia Humana is an electoral movement with no party structure, which takes part in presidential elections by collecting signatures. In the legislative elections, it formed a coalition called the List of Decency, obtaining 4 seats in the Senate and 2 in the House.

[29] "The Final Agreement recognizes without discrimination the primacy of the inalienable rights of the person as the basis of coexistence in the public and private spheres and of the family as the fundamental nucleus of society and of the rights of its members."

[Http://www.altocomisionadoparalapaz...](http://www.altocomisionadoparalapaz...) Documentos% 20compartidos/24-11-2016NuevoAcuerdoFinal.pdf)

[30] This territorial approach is often inspired by the Territorial Agenda of the European Union: "The new European Territorial Agenda 2020 (adopted in 2011) is the main guiding instrument for the national territorial management policies of the Member States; it is characterized by an approach based on the characteristics of each place, as an endogenous development potential, from which to promote territorial cohesion at three levels : local, regional and national; and at the same time confront the geographically diverse impacts of global change".

<http://www.fao.org/in-action/territ...>

[31] "Integral development of the countryside: the integral development of the countryside depends on an adequate balance between the various existing forms of production – family farming, agro-industry, tourism, agriculture on a commercial scale. – ;competitiveness and the need to promote and encourage investment in the countryside with an entrepreneurial vision and productive objectives as a condition for their development; and the fair promotion and development of small-scale rural chains of production with other models production, which may be vertical or horizontal and on a different scale. In any case, the peasant, family and community economy will be supported and protected, with a view to its development and reinforcement." <Http://www.altocomisionadoparalapaz...>

[32] The text of the agreement mentions "the promotion and protection of native seeds and seed banks, without restriction or the imposition of other types of seeds, such as improved seeds, hybrids and others."

[33] This fact has been recognized by the Director of UPRA, the Office of the National Planning Department, which is responsible for determining soil quality in the different regions of the country: "The director of this entity, attached to the Ministry of Agriculture and Rural Development, Felipe Fonseca, told *Dinero* that currently, the country has about 3,691,000 million identified rural properties. However, the country's great challenge remains the informality of the countryside, since 54.3 per cent of the country's rural estates are exploited without title, the equivalent of nearly 49 million hectares". (*Revista Dinero*), July 30th, 2017 :www.dinero.com/pais/articulo/inform...).

[34] And also of national history: "The occupation and use of Colombian territory was a conflictual and violent process, in which the efforts of the elites played a determining role in subjecting labour to the service of the latifundist regime, provoking the reaction of the peasants who fled to colonize spaces where they could free themselves from the monopoly of the land and carry out independent projects of economic accumulation". (Alejandro Reyes Posada, *Guerreros y Campesinos*, op. cit., Footnote 11, p 396).

[35] These are peasant associative units in which the extensions of the family holding are limited. They were created by the current agrarian law (Law 160 of 1994) in the perspective of a continuous increase of the agricultural frontier: for the FARC, this associative form played an important role in relations with the peasant movement.

[36] In the case of the military by the "renunciation of the judicial action of the state

[37] "The High Court has decided that, contrary to what was agreed between the national government and the FARC, the third-party civilians who are answerable for these crimes cannot be summoned to jurisdiction and will only appear voluntarily. This means that the new system, in practice, will massively judge disappeared ex-combatants of the FARC guerrillas and members of the police force who have committed war crimes and crimes against humanity ..." <https://verdadabierta.com/tribunal-...> of November 16th, 2017). The following day, the Congress – which had delayed the publication of the statutory law of the JEP pending the decision of this Court – approved it with these considerations. This decision also left the ordinary courts the choice of guardianship issued by the JEP. In addition, it determined that its term will be 20 years.

[38] This is intended to link national planning with Territorial Development Plans (TDPs), which will be implemented in former conflict zones with the aim of concentrating investments there. To this end, the government created the Territorial Renewal Agency, which aims to coordinate all entities, plans and programmes in the territory. This agency must act in 170 selected municipalities using four indicators: poverty, violence, institutional fragility and illegal economies.

[39] "The Commercial Mines Directorate is responsible for managing the mining progress necessary for the implementation of National and Strategic Projects of Interest (PINE), in order to achieve the objectives of the National Development Plan. It is important to indicate that the national government must select the NIP projects with a significant impact on the economic and social growth of Colombia, linked to the strategic minerals for the country, which constitutes a viable project and an opportunity for social development ..." (Ministry of Mines and Energy :

<https://www.minminas.gov.co/proyect...>).

[40] In various fertile regions of the country: Altillanura , Guajira , Urabá Chocoano and Mojana -Sucre. Last May the Constitutional Court approved this law. The text of the law ends with the old normative criterion, according to which new land should be mainly intended for poor settlers and peasants. In addition to the criticism of the parliamentary opposition, OXFAM criticized the law arguing that it " legalized the irregular accumulation of properties by national and foreign companies, resulting in negative effects in terms of concentration and expropriation of land ..." See : <https://www.semana.com/nacion/artic...>

[41] It is especially in the eastern region of the plains called Altillanura that the Santodomingo group (of Colombian origin), now associated with SABMiller , has, since 2011, implemented a major investment plan.: " The plan is to produce cereals, mainly soybeans and corn, first for the domestic market and, in the long run, for the global market. Santodomingo is the symbol of a style of new investor, which is at present positioning itself in the Colombian highlands. It has a contract with the Impar firm for the transfer of Brazilian technology from Embrapa , the Brazilian agricultural research agency. This agency is recognized worldwide for being the axis of the miraculous expansion of productivity achieved by this country during the last two decades. The model includes a patient transfer of technology from Brazilian experts to local residents, who must learn a range of soil management practices". So far, the Santodomingo group is not the only investor: "The big pioneer is the Aliar Business Group , which includes the industrialist Jaime Liévano and the enterprise Contegral , which has invested 100 million US dollars and now has 13,000 hectares of corn and soybeans. One of the biggest known projects is that in La Fazenda. The Aliar model is based on the configuration of a food chain for the poultry sector in Santander." Incursions by large investors included those of the Sarmiento Group and the Eder Group (which owns sugar refineries), which have also made large investments, in the second case in Valle del Cauca . Cf. "Los nuevos Llaneros", *Revista Dinero*, 21st February, 2011 <https://www.dinero.com/caratula/edi...>

[42] In drafting these agreements, the government was authorized to act by decree, which was justified by the urgency of the implementation of the peace process. They were called "fast track", by analogy with the authorizations granted by North American legislation to the President in the commercial field.

[43] "The Financing of Environmental Services [PSA] is an agreement with the owners and occupiers of strategic areas that generate environmental services, enabling them to develop activities preservation and restoration on their properties (...). It is paramount in the peace and post-conflict strategy, which is why PSA is included in the thematic portfolio of the Colombia Peace Fund as an integral alternative for the economic and social development of populations affected by the armed conflict. For decades, factors such as the presence of illicit crops, the expansion of the agricultural frontier and the armed conflict have affected our lands and territories. Now that Colombia is moving towards peace, we are creating these instruments so that our nature will also benefit, with this new country that we have already begun to build." Statements by the Minister of the Environment, Luis Gilberto Murillo, July 7, 2017, reported by: <http://www.minambiente.gov.co/index...>

[44] Decree 1915 of 2017. The mechanism of payment for taxes by working, dealt with by Article 238 of Law 1819 of 2016, is a way to extinguish the tax obligations of income tax and complementary taxes, by the direct investment of the taxpayer in implementing social transcendence projects in the areas most affected by the armed conflict (ZOMAC). Cf. <http://es.presidencia.gov.co/normat...> .

[45] Cf. *Áreas de referencia para identificar Zidres*: Document jointly prepared by the Ministry of Agriculture and the UPRA- Unidad de Planeación Rural Agropecuaria.

[46] As an example: "My attention was drawn to the fact that Purdue and Andean Universities announced a presentation on the progress of contract research for the DNP, which they were developing in partnership with other universities, Corpoica and others. institutions, and I attended the meeting in the hope of discovering encouraging news. One such piece of news was that the research was not focused solely on the highland area, but extended to the entire region, which includes seven departments: Arauca, Casanare, Meta, Vichada, Guaviare, Guainia and Vaupes. They have also developed pilot projects for the production of various products, some of which can be developed in small and medium-sized farms, which opens up the possibility that the development of the region is not exclusively for large commercial farms. It is possible to establish production units of different sizes, including family farms, various forms of organization and production that would create a diversified local supply of agricultural products (citrus fruit, pineapple, other fruits, food for the local population, rice, pigs, fish farming, cocoa, rubber, African palm, walnuts and, of course, corn and soybeans over large expanses) ... " (Rudolf Hommes, "Orinoquia", *El Tiempo* , July 1st, 2018 <http://www.eltiempo.com/opinion/col...>

[47] "Motivos de un Respaldo", editorial of *El Tiempo*, June 9th, 2018: <http://www.eltiempo.com/opinion/edi...>

The electoral triumph of Uribism and the dilemmas of neoliberal peace

[48] "282 social leaders have been killed in the past two years," statement by mediator Carlos Negrette in the daily *El País* de Cali <http://www.eltiempo.com/opinion/edi...>

[49] *RCN Radio*, June 5th, 2018 <https://www.rcnradio.com/colombia/9...>).

[50] "The number of combatants of the FARC is now alarming ", *El Pacifista* [<http://pacifista.co/el-numero-de-excombatientes-de-las-farc-asesinados-ya-es-alarmante/>]).

[51] Quoted on December 18th, 2017 by: <https://www.kienyke.com/radark/soci...>

[52] As a political realist, Gustavo Petro commented on the subject starting from the calendar of the agreements: if the alleged crime had been committed after their signature, he said he would extradite Santrich. Humberto de la Calle, Liberal Party candidate and lead negotiator on behalf of the government in the Havana dialogues, first demanded more serious proof.

[53] "Colombia autoriza uso drones para fumigar cultivars de hoja coca con glifosato": <https://www.asuntoslegales.com.co/a...>

[54] Decommissioned State Department documents from the 1990-2000 decade highlight the relations between Álvaro Uribe and the drug cartels: "Luis Guillermo Velez Trujillo, then Senator for the Liberal Party, a political party of which Uribe was a member, (...) told the US government that Uribe had received "funding" for his Senate election campaigns from the Ochoa Vásquez family, a member of the Medellín cartel headed by the drug chief Pablo Escobar. Senator Velez Trujillo also told the Americans that it was Uribe who made contact with Pablo Escobar's mother, when the trafficker was trying to negotiate a channel of communication with the then president, Cesar Gaviria (1990-1994)." ("Documentos desclasificados vinculan a Álvaro Uribe con el narcotráfico", *Vanguardia.com*, May 25, 2018: <http://www.vanguardia.com/colombia/...>).