

Has Incoming Colombian President Santos Inherited a "Captured State"?

By Coletta Youngers, August 6, 2010, Foreign Policy in Focus

On Saturday August 7, 2010, former defense minister Juan Manuel Santos will be sworn in as Colombia's next president, surrounded by an estimated 380,000 members of the police and military and an array of foreign dignitaries. If all goes according to plan, one of those dignitaries will be Ecuador's president, Rafael Correa. However, Santos' initial efforts at rapprochement with Venezuela's Hugo Chavez, also invited to the inauguration, were nipped in the bud by sitting president Alvaro Uribe, whose dramatic accusations on July 21 of Venezuelan government tolerance of the FARC (including key leaders) in its territory led to a complete rupture in diplomatic relations between the two countries.

Uribe's legacy will no doubt be contested for some time. His admirers claim that he finally broke the back of the guerrillas, reigned in the paramilitaries through a demobilization program, and has made the country a safer place to live overall. Some go so far to say that Colombia is now in a post-conflict situation.

That would not be the view, however, of the country's estimated 4.5 million internally displaced persons or the Afro-Colombians and indigenous communities being pushed off their land by right-wing paramilitaries (now conveniently called "criminal gangs at the service of narco-trafficking") to make way for large-scale economic projects like the monoculture of palm oil and commercial gold mining or those in the squalid urban areas where crime has always been rampant. (And it is worth noting that even in cities like Medellín, crime is on the rise again.)

According to Uribe's critics (myself among them), his eight-year legacy includes:

- An estimated 16,000 politically-motivated killings, including 4,000 by the "demobilized" paramilitaries.
- A doubling in the number of annual killings by the Colombian security forces, including a "false positives" scandal in which more than 2,000 poor Colombians were presented as guerrillas killed in combat.

- The second highest number of internally displaced persons in the world (the Sudan is first) with ethnic minorities disproportionately affected and with over 40 displaced leaders killed in recent years for advocating for their rights.
- A total of one – just one – paramilitary leader convicted as a result of the Justice and Peace Law.
- A scandal that Washington-based human rights groups call “[Worse than Watergate](#),” in which the notorious DAS security agency was spying on everyone from the children of human rights activists to Constitutional Court judges – and eavesdropping in on the Court’s confidential sessions and sabotaging their activities, including by trying to link them to terrorist groups.
- A complete lack of respect of judicial autonomy and full support for continued impunity for human rights violators.
- Increased inequality, poverty, and unemployment.

Moreover, the more than one-hundred local, regional and national politicians under investigation for links to paramilitaries (commonly known as the “*para-politicos* scandal”) has revealed the extent to which the right-wing paramilitaries, allied with drug traffickers and other local mafias, have infiltrated the Colombian state. During Uribe’s government, these illegal forces (be they *paras*, guerrillas or from among various bands of criminals) allied with local political and economic elites have consolidated territorial control in resource-rich and other strategic areas of the country.

In short, Juan Manuel Santos has inherited what some Colombian analysts call a “captured state” and those forces remain at the center of his own base of political support. As a result, many assume that a Santos administration means continuity – more of the same but perhaps with a gentler face. It is true that Santos appears to be more even-tempered and has a less confrontational style than Uribe. However, there are other, incipient positive signs of change.

The cabinet that Santos has pulled together is composed largely of technocrats and is seen as representing a more modern Colombia, in contrast to Uribe’s ties to traditional landed elites.

He has also included two widely-respected individuals – Juan Camilo Restrepo as Minister of Agriculture and Maria Angela Holguín as Minister of Foreign Affairs – who are considered critics of the Uribe government (and Uribe has made clear his displeasure with their incorporation into the cabinet). Restrepo was an outspoken critic of a subsidy program that gave large amounts of money to wealthy landowners rather than the small-scale farmers who were allegedly the intended beneficiaries (some would claim that

was the plan all along), while Holguín resigned as Colombian Ambassador to the United Nations, complaining that President Uribe filled her staff with sons of his own political allies.

Holguín and Santos are already moving foreign policy in a new direction. As noted, the government-elect has sought to improve relations with Ecuador and Venezuela, both of which have complicated border issues with Colombia. The soon-to-be foreign minister and vice president both already visited Ecuador and full relations should be restored with that country soon. Venezuela will now take more time, but as a former Colombian ambassador in Caracas, Hoguín should be well suited to moving talks forward after the Venezuelan elections. Early indications are that the new government will seek to play a more collaborative and less ideological role in regional forums.

On the domestic front, the most promising policy change is a new focus on land reform. The Santos administration plans to launch an ambitious program to redistribute land and provide land titles to small farmers. Widely respected academic Alejandro Reyes is in charge of a strategy to redistribute land to the displaced population. This is the first government in some time to attempt to tackle head on the land issue – which is at the heart of the problem of political violence – and if it moves forward as announced, it will deserve credit for doing so, even from those otherwise critical of the right-wing presidency.

The ability to carry out such a land reform program, however, faces two fundamental obstacles. First, while the government does have a significant amount of land in its hands to redistribute, much of it is now occupied by agro-business and others who are not likely to relinquish control easily. And at least a quarter, if not more, of the land abandoned by the displaced population is now in the hand of third parties backed by the “new criminal gangs.” As Colombia’s history and recent murders of defenders of victims’ rights make clear, any effort to deal with the land issue will no doubt lead to significant conflict and violence.

Second, the Santos government has stated that agriculture is to be the engine of economic growth in the coming years and that growth is to be based on an agricultural export-led model that inevitably favors large land-owners. The government is also banking on increased foreign investment in natural resources, including in indigenous and Afro-Colombian lands that should be protected by law. In short, overall agricultural and economic policies will continue to favor the economic and landed elite at the expense of the rights of small farmers and marginalized minorities.

In the end, there will likely be more continuity than change with the Santos government and some fear that the kinder, gentler approach will serve to mask the ongoing problems listed above. However, any

movement away from the hard-line, authoritarian practices of the Uribe government is welcome. For its part, the Obama administration should take advantage of the change in government to broaden bilateral relations beyond the nearly myopic focus on drugs and security. Most importantly, it should put promoting human rights in Colombia at the center of its policies toward that country until measurable improvements are made, first and foremost in confronting the countries' legacy of impunity that will be passed from one president to the next on Saturday.