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Artículo de investigación científica

Ley ZIDRES: fundamentos normativos emergentes de legitimidad estatal en áreas rurales de Colombia

ZIDRES Law: Emergent Normative Foundation of State Legitimacy in Rural Areas in Colombia¹

Lei ZIDRES: Emerging Fundamentos de Regulação de legitimidade do Estado em áreas rurais da Colômbia

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RESUMEN

Este trabajo surge del análisis de las transformaciones en la narrativa sobre seguridad alimentaria y sus efectos sobre los fundamentos normativos de la legitimidad estatal y la gobernanza rural. El concepto de seguridad alimentaria es diferente, en tanto los países no necesitan depender exclusivamente de la producción agrícola nacional para alimentar su población. Simultáneamente, países con tierra cultivable disponible, como Colombia, se encuentran expuestos a una creciente demanda de tierras para proyectos agrícolas; este fenómeno está transformando la gobernanza rural. El artículo sugiere que el Estado está dispuesto a ceder funciones de gobierno a inversionistas privados en áreas remotas, esperando crecimiento económico, control poblacional y provisión de bienes públicos. Dicho modelo tiene importantes implicaciones para el post-acuerdo en Colombia.

Palabras clave: agricultura a gran escala, construcción del Estado, gobernanza rural, seguridad alimentaria.

ABSTRACT

This work builds off the observations of contemporary scholarship in the study of food security to explore its potential effects on the normative foundations of state legitimacy and rural governance. Today the concept of food security is different; states no longer need to primarily rely on domestic agricultural production to feed their population. Similarly, countries with available land for agriculture like Colombia are exposed to an increasing rush for land which is transforming the dynamics of rural governance. The article suggests that central government is willing to outsource governing functions in remote areas to private investors as long as they increase economic output, control populations and provide public goods. This finding has important implications for the post-conflict scenario in Colombia.

Keywords: food security, large-scale agricultura, rural governance, state-building.

RESUMO

Este trabalho surge da análise das alterações na narrativa sobre a segurança alimentar e seu impacto sobre os fundamentos normativos da legitimidade do Estado e governança rural. O conceito de segurança alimentar é diferente nos dois países não precisam de confiar apenas na produção agrícola doméstica para alimentar sua população. Simultaneamente, os países com terras aráveis disponíveis, como a Colômbia, estão expostos a uma crescente demanda por terras para projetos agrícolas; este fenômeno está a transformar a governança rural. O artigo sugere que o Estado está disposto a dar funções de governo a investidores privados em áreas remotas, na esperança de crescimento econômico, controle populacional e provisão de bens públicos. Este modelo tem implicações importantes para a pós-acordo na Colômbia.

Palavras-chave: agricultura em grande escala, construção do Estado, governança rural, segurança alimentar.

Introduction

This work builds off the observations of contemporary scholarship in the study of food security, its transformations and potential effects on the normative underpinnings of state legitimacy and its implications for how we think about rural governance in the contemporary world. To begin with, this article suggests that the narrative of food security has changed as a result of population dynamics, technological advancements and trade liberalization in agriculture. Until mid-1990s, food security “was used by some to mean self-sufficiency” with a focus on maximizing supply (Pinstrup-Andersen, 2009). The rapid growth of world population and the subsequent increase of urbanization greatly increased food demands, transforming the dynamics of food production and distribution. This demographic shift required more efficient agricultural production and increased exchanges of food. Unsurprisingly, this approach indicated that national governments bore responsibility for creating favorable conditions to the development of food systems to control population’s food requirements. In the immediate aftermath of World War II and broadly consistent with the historically dominant conceptualization of food security, the focus was upon improved technologies (associated most powerfully with the ‘Green Revolution’), development of rural infrastructure, and intimately linking a state’s agricultural productivity to the very health of the national project. Today the concept of food security is different; states no longer need to primarily rely on domestic production of agricultural goods to feed their population. Instead, the expansion of industrialized food production has led to an increasing volume of international food exchanges and a reliance on transnational networks for food provision. It has also transformed the dynamics of rural governance.

The theory suggested in this work, will be explored through the study of the effects of the current food security narrative on rural governance in Colombian post-conflict scenario, by studying transformations in the agricultural sector through the analysis of Law # 1776 of 2016 “Zones of Interest for Rural, Economic and Social Development” or ZIDRES law and related policies. A critical case study approach allows for an effective way to flesh out broader implications of the theory as well as to point to particular punctuations where shifts in food security regimes have produced meaningful impacts on the administrative capacity of national governments. That being said, the theory is a contribution to the global discussion on food security globally and it is not exhausted solely on this particular case, on the contrary it opens avenues for the discussion of governance as they relate to food security in other geopolitical contexts. This article consists of three sections: theoretical foundations, study of transformations in the agricultural sector in Colombia and discussion about this relationship.

Theoretical foundations

The core idea of this work is that food security is nowadays a highly important variable that can help explain uneven internal state capacity in an increasingly globalized world. This definitional change, while wholly consistent with the expectations of improved efficiency garnered from technological improvements as well as gains from trade obtained from freer and more open markets, has transformed the willingness of central governments to effectively govern across all the juridical territory of the state. Analytical models portraying consolidation of modern states imply that the physical elements of the state coexist in a symbiotic manner where politically dominant urban areas rely upon peripheral areas to obtain food (Jones, 1981; Wittfogel, 1957). This model of ideally autonomous political units has changed; today global networks formed by national and multinational corporations actively participate in the consolidation of governance in rural areas. Put simply, most modern societies ‘do not need’ their rural populations as evidenced by the decline of people involved in agriculture (Roser, 2016); and because food can be ensured through global networks of agricultural trade, it is based less on small farms and more on corporate models of production. Consequently, contemporary governance is less oriented towards legitimizing state control over the whole of a state’s territory and population, but rather aims to ‘maximize’ public goods by focusing public expenditures on populations that are either necessary to sustain revenue streams or who may represent an existential threat to the regime by virtue of their capacity to quickly overthrow regimes (in practice, urban populations). The result of this is that rural populations largely are less a population to be cultivated and relied upon for their contributions to the national project and more of a costly burden to be managed.

Ultimately, the alleged new narrative of food security is leveraging the asymmetries in the public administrative capacities of the state to transition to a new form of governance, in which central government is outsourcing its ruling capacity to private investors in the rural periphery. There are many possible reasons for this growth in asymmetric public administrative capacity between urban and rural areas (Herbst, 2000; Jackson & Rosberg, 1982; Migdal, 1988; Scott, 2009), but I will argue that changes in the nature of global food production and provision are a significant, and heretofore, an under-analyzed variable that helps to explain this change. For instance, an important outcome of this change is the emergence and persistence of irregular forms of governance that are somewhat related to land acquisition for agricultural development. In fact, the case of Colombia illustrates how low-level and non-existentially threatening insurgencies are incorporated to manage security to the extent that they do not impair what few viable

economic activities are conducted in outlying areas (in practice, extractive industries like mining and forestry and corporate agriculture).

Under the umbrella of food security, large-scale agriculture in countries like Colombia serves to two purposes: to increase agricultural output for exports and to govern rural areas. The Food and Agriculture Organization of the United Nations (FAO) indicate that given the potential expansion of agriculture in Colombia, the country is ranked among the seven nations that can contribute to the world's breadbasket (Zabala, Gordillo, & Brugés, 2014). Two types of approaches to feed the increasing world population emerge: on one hand, a group of scholarship that includes the FAO vision indicate that small farming is not only the largest employer in developing countries but also is responsible for an important share of food production worldwide (Barrientos-Fuentes & Torrico-Albino, 2014; Food and Agriculture Organization (FAO), 2014; Machado C. & Botello M., 2014). On the other hand, the narrative of potential lack of food and land to feed billions has pushed the demands for land for large-scale agriculture and technology development to adapt lands that were considered wasted previously. The latter has created a speculative market for land, sometimes at the expense of legal land-tenure, population wellbeing and ecological conditions of these lands (Brannstrom *et al.*, 2008; Clements & Fernandes, 2012; Von Braun & Meinzen-Dick, 2009). This rush for land for large-scale agriculture has encouraged a new form of public-private governance in rural areas. However, this is occurring in areas portrayed as 'empty' or 'wasted'; a concept that the scholarship identifies as problematic because considering these spaces as empty or underused neglects the role of population and environmental dynamics occurring in these lands and focuses only in the potential economic productivity of the land (Hale, 2011; Grajales, 2013; Peters, 2013).

Additionally, it may be that there is a politically costly externality created by the current narrative of food security given technological improvements in agricultural output. Potentially, developing states no longer have incentives to fully control their rural areas because their physical survival (not political survival) does not depend on it. The ability to secure adequate food resources from global markets makes rural control less existential. Central governments are willing to share territorial control with national or international corporations by requiring that they are collaborating with the production of public goods. However, this does not occur in a vacuum but in a context of conflict of interest for gathering resources, expanding economic power, and controlling insurgency. In practice, given the shift in the notion of food security, public-private networks have succeeded in the stabilization of the governing functions in rural areas through the implementation of large-scale agricultural projects.

The case study of land policies in Colombia

This article utilizes the critical case study (Yin, 2009) of Colombia and trace processing techniques (Mahoney, 2008) to assess the alleged theory. However, the case will not solely explain the theory, instead it provides elements to better understand and refine the analytical component of this research. In fact, I am aware of the significant variations across geographies that the Colombian case cannot explain, but at the same it offers several elements that will enrich the theory to further examine the problem in other regions. The case of Colombia offers interesting conditions to be considered a critical case because it constitutes a type of 'natural experiment' to test the veracity of how changes in food security policy impact state administrative capacity. In the first place, the paradox of urban development and economic growth along with a long lasting armed conflict in rural areas poses valuable evidence to study state building; second, transformations in the economic model in the past twenty five years have altered the internal dynamics of agriculture affecting rural governance; finally Colombia has recently become a frequently used case to study the evolution of political institutions by scholars of political development and rural administration (Acemoglu, Robinson, & Santos, 2013; Nielson & Shugart, 1999; Thomson, 2011). Specifically, this article aims to illustrate how recent transformations in land policies have leveraged corporate investments in agriculture in remote areas of the country targeting the expansion of the agricultural frontier and transforming rural governance.

This work considers the decade of 1990 as a punctuated moment in the transformation of agriculture in Colombia. Trade liberalization impacted internal policies significantly; it shifted traditionally protected sectors in the context of import substitution (i.e. corn or rice) towards sectors that stand out for their competitive capacity in the market of commodities (i.e. oil palm). Government slowly introduced trade liberalization policies in late the 1980s, but the crucial set of reforms did not occur until the early 1990s. Building upon the concept of comparative advantages for international trade, Neo-liberal reforms dictated policies to increase liberalization of imports, reduce tariffs, financial deregulation and in general it aimed at eliminate barriers to international trade. As a result, Colombian agricultural sector experienced significant effects; the initial boom in early 1990's was followed by stagnation around 1995, ending the decade with one of its worst economic recessions (Garay, 1999). Unemployment in rural areas increased significantly, living conditions did not evolve at the same speed as they did in urban areas, and armed conflict worsened paired with expansion of coca crops and drug trafficking (Holmes, Piñeres, & Curtin, 2006; Sánchez, 2000; UNDP, 2011). Simultaneously, agricultural policies started to promote sectors like oil palm due to its potential comparative advantages in the

market for commodities (El Tiempo, 1997; Kalmanovitz & López E., 2006). The decade of 1990 exhibited important elements that leveraged the transition to a new norm in rural areas, one that is dominated by low level insurgency, corporate agriculture and a central government willing to outsource the governing function to private investors.

The evolution of land policies in Colombia

Colombia's history is characterized by periods of long-standing peace and attempts to implement comprehensive public administration as well as periods of instability where the rule of law is uneven. The country has been long regarded as among the most stable democracies in Latin America; electorally speaking. In contrast, it also has been dealing with a long-term internal conflict that has mostly impacted rural areas. Although rural elites were capable of avoiding radical transformations in the land tenure structure either through policy or violence, the central government never fully captured the interest of land elites and peasants maintaining a low-intensity conflict that extended for decades (Machado C., 2013; Richani, 2012). Given these conditions it can be said that Colombia has chosen stabilization over universal modernization, in other words the government is satisfied modernizing urban areas and indifferent towards extending public goods and infrastructure to the rural population. More recently, the country is being pushed to expand the agricultural frontier towards 'empty' lands for agricultural development. In Colombia as in many other places, the cost of ruling the countryside has increased as population in rural areas has declined. All these conditions have promoted a new form of governance supported by public-private alliances that are performing governing functions in the formerly abandoned periphery, aiming to expand corporate agriculture and other extractive industries. Policies, such as the ZIDRES law express institutional commitment to this model.

The consolidation of a nation-state in Colombia has been a challenging and unattainable task. Under the current situation rural and urban Colombia are very different. In the first place, property rights have not been enforced equally to all segments of the population, the structure of land tenure in several rural areas in Colombia mocks a semi-feudal model of ownership and loyalties (Bejarano, 2011; Kalmanovitz, 2000). Second, poverty among rural populations has been significant and comparatively higher than among urban populations, which leveraged social movements and guerrilla insurgency from the 1960's (El Tiempo, 2005; Sánchez, 2000; UNDP, 2011). Finally, the integration of the national market has been extremely difficult due to the geographic conditions that are dominated by both mountains in the south and flat lands in the north and a lack of strong transportation systems to facilitate travel and commerce. Safford and Palacios (2002) argue that

land fragmentation is the cause of a divided society as this produces different identities, models of economic production and political interests.

Land tenure varies across the Colombian territory characterized by both mountains from north to south in the mid-west and flat lands in some areas of the north and predominantly in the southeast. Population in mountain lands mostly organized under a model of smallholding for growing subsistence crops (corn, cassava, plantain); this model of colonization further led the expansion of coffee farms after 1930's and made this commodity the most prominent agricultural export after 1920's (Palacios, 1979). In the early decades of the twentieth century flat inter-mountainous regions like Cauca Valley (Southwest) and the Caribbean Coast focused on producing sugar cane. Cauca Valley monopolized industrial sugar production around 1950's (Kalmanovitz & López E., 2006). Flat areas of the southeast were featured by low population densities and large farms dedicated to cattle ranching (Richani, 2012). The predominant geography in the south east *plains* (llanos orientales) is tropical savanna and wetlands, and the rainforest in the Amazon region. This combined with low population densities, led to an 'abandonment' by the state and a further expansion of coca crops in those regions (Holmes *et al.*, 2006).

Disputes for land have been a constant feature in Colombia after independence from Spain, scholarship has argued that internal political violence has its roots mostly in the inequality of land and income distribution. Left-wing insurgents have claimed that concentration of wealth and land is the main driver for rural poverty and it became the rationale underlying armed confrontation against the government. Attempts of land reform started in 1936 through the *Marching Revolution*. A failed reform that aimed at introducing new rules on land use, protections for the rights of tenants and settlers on the lands, and the establishment of optimal working conditions for laborers. Attempts of land reform were refused by land owners whom used violence as a means to avoid changes in land structure. The period known as *La Violencia* (1948–58) was a civil war in which supporters of Conservative and Liberal parties fought mostly in rural areas for control of agricultural land (Bailey, 1967; Sánchez & Meertens, 1983).

The National Front aimed to solve the political violence of the 1940s and 1950s, but its political reforms failed at including traditionally excluded political sectors and changing the land tenure structure (Buitrago & Archila, 1995). As a result, during the sixties an organized peasantry group formed a guerrilla movement aimed at fighting the government, eschewing democratic contestation as a means of achieving their goals. As *latifundia* model remained the most common form of land tenure in rural areas, guerrillas claimed that they fought for better distribution of land and wealth.

Since the late 1970s drug trafficking set up the rules for movements towards a *land counter-reform*³ because it permitted the expansion of illegal property rights among right-wing armed bandits (Holmes *et al.*, 2006; Kalmanovitz, 2003). Colombia has ideal physical conditions for growing coca and marijuana, making the country one of the world largest producer and exporter of illegal drugs since the 1980s when drug cartels started disputes for territorial control of crops and routes. The need for self-security forces was critical in this case due to the need to secure property rights within the framework of an illegal economy. This yielded further expansion of paramilitary forces in rural areas as a way of securing a counter-insurgency strategy (Avilés, 2006). Not only the need to control illegal crops, but the protection of new land owners that used land purchases and cattle ranching as money laundering strategies channeled the expansion of paramilitaries. Noticeably, self-defense groups that emerged along the growth of drug trafficking partnered with the military to enforce illegal land tenure, especially in regions such as Magdalena Medio (Loingsigh, 2002; Medina G., 1990).

Given this historical context for land rights, Colombia can be described as a system of dual legitimacy that has been featured by a fairly liberal urban policy with comprehensive public administration and tendencies towards an authoritarian rural order administered by a collection of non-state armed forces preventing the central government of obtaining a monopoly of violence. Scholarship suggests that this situation is the result of modernization without modern values in society (Jaramillo V., 1994; Melo, 1990) while others critique the “overlapping of formally democratic institutions and high intensity violence” (Grajales, 2013, p. 213). The limited capacity for state consolidation is critical in understanding the new path towards public-private governance in rural areas. The lack of full control of violence across the territory created exceptional conditions for the expansion of the agricultural frontier over ‘empty’ lands and persistent, yet manageable, low-intensity conflict. Given the described conditions, the changes occurring during the 1990’s altered Colombia’s political economy of governance. The term ‘wasted or unproductive’ lands refer to those areas beyond the agricultural frontier economically unproductive. As mentioned earlier, this portrayal is key because the narrative of ‘wasted’ lands has been used to introduce policy changes aiming to expand the agricultural frontier through corporate agriculture. This model has led to policies concentrated on the consolidation of urban areas at the expense of the abandonment of rural periphery (Bejarano, 2011; UNDP, 2011). Indeed there is an

important difference in rural and urban poverty, data from 2005 indicates that the national average of rural poverty⁴ reached 53.51% compared to 19.66% in urban areas (DANE, 2005).

The evolution of land policies and rural conflict directly relates to the incomplete consolidation of the nation state in Colombia. Income and land inequality in rural areas have potentially yielded to a permanent state of conflict with left-wing guerrillas (Sánchez & Meertens, 1983; Thomson, 2011). Attempts of agrarian and/or land reform in 1936, 1961 and 1994 failed because of the opposition of land elites to alter the structure of property rights. In fact, there are high levels of concentration as indicated by the land Gini index of 80% during the 2000’s (IGAC & Universidad de los Andes, 2012). Indeed, Albertus and Kaplan (2013) suggest that attempts of political redistribution of land in Colombia have been used as a counterinsurgency strategy and does not indicate a real state-led effort to transform the structure of land distribution (see also Richani, 2012; Romero, 2000). Machado (2013) suggests in a historical classification of land policies that those have shifted based on the type of economic strategy of central government: land policies during the 1964-1994 period were featured by government interventions with redistributive focus due to the model of centralism and import substitution; a market-based model promoted after the Constitution of 1991 created different conditions for land reform leveraging the need for expansion of property rights. Although traditionally excluded communities like African-descendants and indigenous groups achieved legal rights on the land, they faced problems of enforcement due to the expansion of illegal forces that provoked internal displacement and/or land transfers through coercion (Arias, Ibáñez, & Querubin, 2014).

The shifts in the context of land policy indicate that there have been attempts of land reform to reduce social conflict, but those have failed as redistributive efforts. Recent FARC-Government agreements brought the issue of land to the center of the discussions, not only because of the historical conditions of conflict but because of current increasing demands of land for agricultural development, and a model of low-intense conflict in certain rural areas aiming at preventing the enforcement of land laws that benefit small-scale tenure rights. As the armed conflict between FARC and Government is close to an end, recent land policies are prone to compensate victims but simultaneously are maintaining land concentration due to the increasing demand for land for export-oriented agriculture at the expense of non-titled tenured inhabitants, population well-being and ecological conditions of the land. A

3 Richani (2012) opposes to the use of this term arguing that attempts of land reform have never been real opportunity.

4 Measured as population share with unsatisfied basic needs.

strategy of pacification of rural areas without political modernization seems to be the new strategy to govern rural areas. Taking into account that land was once the key ideological feature of FARC insurgency, this is a critical issue in a post-conflict scenario.

ZIDRES Law: A policy tool to govern wasted lands

Strong agricultural protection after the 1950's under a model of import substitution did not favor competitiveness in international markets despite the introduction of technological change in some sectors (Machado C., 1991). Policy changes in the 1990's due to market-based approaches favored international trade under the criteria of comparative advantages; non-competitive agricultural sectors like rice and corn collapsed due to their low competitiveness (Garay, 1999; Junguito, Perfetti, & Becerra, 2014) and government distortions in agriculture before the introduction of trade liberalization efforts (Anderson, Rausser, & Swinnen, 2013). Some farmers suffered the consequences of increasing food imports with lower prices while government dismantled price subsidies, production quotas and introduced institutional changes in agricultural sector (Balcázar, Vargas, & Orozco, 1998). In theory, these changes aimed to shift from state-sponsored agriculture to market-based solutions; the reality is, new forms of agricultural distortions were introduced after trade liberalization. The case of *Agro Ingreso Seguro* indicates these types of distortions (i.e. subsidies, cheap loans); it intended to support through few agricultural sectors due to the impacts of the Trade Agreement between Colombia and the United States (Congreso de

la República de Colombia, 2007). Due to the conditions of rural areas and agricultural sector, armed conflict and drug production, public policies in the 2000's focused on agricultural recovery and strategies for pacification of the countryside.

One of the worst economic crisis occurred at the end of the 1900's when GDP dropped to -4%. Government sought to manage the crisis by identifying and promoting the sectors that were likely to increase economic growth. Some agricultural sectors with growing potential were highlighted, given the increasing demands for non-traditional commodities. With a closed economy, exports were limited to products like coffee, tobacco and banana; and internally, industrialized agricultural production of food staples concentrated on rice and corn mostly. However, as global urbanization and trade shifted eating habits, industrialized foods transformed population diets; this pushed the demand for goods like palm oil which is required in the production of processed foods. Colombia met the geographic conditions for expanding the production of oil palm crops. International investors (Malaysian mostly) put an eye on the expansion of oil palm in Colombia (El Tiempo, 1997). Under the new dynamics of globalization, rice and corn (seasonal crops) are no longer exclusively produced internally, whereas oil palm (permanent crop) had the potential for expansion and economic growth and be competitive in international markets. This situation altered the structure of agricultural production in Colombia. Since the 1990's we saw a shift in the distribution of agricultural land, where permanent surpassed seasonal crops (Figure 1).

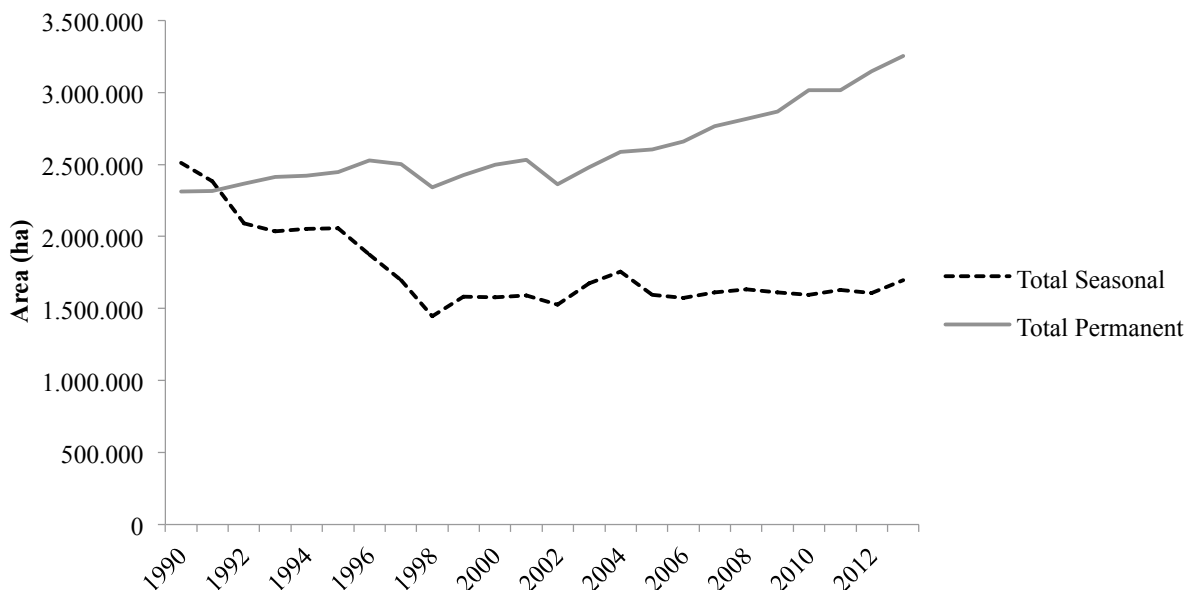


Figure 1. Permanent and Seasonal Crops in Colombia, 1990-2013 (cropped hectares)

Source: Author, using data from: DNP, Estadísticas Sector Agropecuario (2015). Cultivated area (hectares, national totals) [Data file].

President Andrés Pastrana (1998-2002) dealt with economic crisis, failed attempts of peace talks with FARC and extreme poverty in rural areas. As a result, his National Development Plan “Change to Build Peace” includes among others the strategy, *Development and peace: instruments and priorities for peace-building*. It includes policies for agricultural development: (1) production and value chains; (2) rural development; and (3) institutional change (DNP, 1999). During Pastrana’s presidency there was an important push for agricultural recovery through actions like: increasing of funding for agricultural loans, modernization of agriculture including promotion of agribusiness, increasing foreign direct investment for agriculture, and for the first time, expansion of agricultural frontier in the eastern plains or Altillanura, a region that has been considered ‘wasted’ land by the central government due to the limitations for agricultural production. Research innovations on soil adaptability shifted the concept about these lands, and it is turning into the new hot spot for agriculture. The renewed importance of agriculture pushed private investors to acquire cheap land in areas like Cesar, Córdoba, Norte de Santander, Sur de Bolívar y Orinoquía⁵.

In 2002, Álvaro Uribe is elected President in the middle of the economic and political turmoil. His National Development Plan “Towards a Communitarian State” focused on democratic security, sustainable economic growth and creation of jobs, social equity, increase transparency and government efficiency. Government strongly supported large-scale agriculture projects like oil palm via subsidies, cheap credit for large farmers, tax-burden relief and public promotion for its growth. It made agri-business attractive

to national and foreign private investors. However, security was still a concern; a reason why one of the pillars of Uribe’s government strategy was *democratic security*. It consisted of a communitarian form of provision of security, where private cooperatives performed the security function as a supplementary to the government performance. This model acquired support from farmers and, given the structure of power relations in rural areas, this model yielded the consolidation of self-defense forces as security mechanisms and counter-insurgency strategy aiming to *re-build order* in peripheral regions with potential for agricultural expansion. A form of legitimization that features the new norm of governance, that is, the monopoly of violence is no longer core of the state governing function, it can be outsourced as long as conflict intensity remains low and there is potential for economic growth.

Juan M. Santos succeeded Uribe in the Presidency, and despite their closeness during the presidential campaign, Santos’ policies turned away from Uribe’s policies of land tenure and insurgency control. A key difference was the willingness to negotiate with FARC and the introduction of a victim’s law with a strong focus on restitution of land for victims of conflict along with other institutional changes towards peace and reconciliation (Table 1). Beyond the desire for peace, one important focus of these policy changes was the need to settle property rights to promote land transactions under the new dynamics of international agricultural trade.

The new regulations opened an avenue for victims of conflict but more significantly, a route towards the consolidation of property rights as means to incentivize

Table 1. Legal changes for Agricultural Sector and Rural Development, Presidential Decrees 2015

Decree Number	Content
2363	Creates the National Land Agency (Agencia Nacional de Tierras)
2364	Creates the Rural Development Agency (Agencia de Desarrollo Rural)
2365	Winds up the Colombian Institute for Rural Development (Instituto Colombiano de Desarrollo Rural)
2366	Creates the Territory Renewal Agency (Agencia de Renovación del Territorio)
2367	Create the Superior Council of Administration of Rural Land Use Planning (Consejo Superior de la Administración de Ordenamiento del Suelo Rural)
2368	Creates the Superior Council of Administration for Land Restitution (Consejo Superior de la Administración para la Restitución de Tierras)
2369	Changes the organizational structure of the Ministry of Agriculture and Rural Development (Ministerio de Agricultura y Desarrollo Rural)
2370	Increases funding sources for the Rural Microfinance Fund
2371	Changes the organizational structure of the National Commission of Agricultural Credit and the Fund for Financing the Agricultural Sector (Fondo para el Financiamiento del Sector Agropecuario)

Source: Salinas A., 2015, p. 1

⁵ These departments will further become areas for of control by paramilitaries or under dispute between paramilitaries and guerrillas.

large-scale private investment in agriculture. As part of this goal, the national government created the agency “PROCOLOMBIA” as means to attract foreign investment in areas like agriculture:

Colombia offers great opportunities for investment in the Agro-Industrial Sector due to its extensive unexploited territories as well as plentiful and accessible natural resources. Below you will find several reasons why businesses will find suitable investment opportunities in the Agro-Industrial Sector. (PROCOLOMBIA, 2016)

In contrast with efforts for reparation of victims of conflict, policy change illustrates intentions to maintain land concentration in areas such as the eastern plains. Those ‘unproductive and/or alien’ lands, mostly located in the eastern plains and the Amazon, have now the ability to turn into productive lands for agricultural development as the basis to increase GDP, and allegedly, to secure food provision through the expansion of large-scale agriculture. As food security no longer means national security exclusively, food systems are no longer a public good but an asset for economic growth. The ability of markets to provide food has increased not only food exchanges but also re-defined food security.

The model of large-scale agriculture witnessed in the Brazilian savanna (Cerrado), featured an important expansion of their agricultural frontier in a highly environmentally rich savanna (Brannstrom *et al.*, 2008). This was brought to the Colombian Altillanura by foreign entrepreneurs and supported by the central government. The technology to reduce soil acidity and increase soil nutrients, plus the discovery of the genetic code of maize in 2009 increased the likelihood of economic success of these types of projects.

In this context, Law #1776 of 2016 or ZIDRES law is a policy that exemplifies the alleged change in the normative foundation of state legitimacy in rural areas. The law defines ZIDRES as territories prone to the development of agriculture, livestock and forestry, and fisheries as identified by the *Rural Agricultural Planning Unit*. The Ministry of Agriculture will define the agricultural frontier taking into account the definitions of environmental reserve zones and other restrictions on the use of soil imposed by any governmental authority. In order to be considered as such, ZIDRES must meet these conditions (Congreso de la República de Colombia, 2016):

1. Be isolated from the most significant urban centers
2. Demand high costs of adaptation for productivity due to its agrologic and climatic characteristics
3. Have low population densities
4. Have high levels of poverty
5. Lack minimum infrastructure for transportation and marketing of products

Prior to approval of the law, the National Council for Economic and Social Policy released the Development strategy for Altillanura, a region located in the eastern planes (Orinoquia Region) and it is formed by municipalities of Puerto López, Puerto Gaitán and Mapiripán in Meta and La Primavera, Cumaribo, Puerto Carreño and Santa Rosalía in Vichada (CONPES & DNP, 2014). A careful reading of the document “Política Para el Desarrollo Integral de la Orinoquia: Altillanura–Fase I”, suggests that the region meets the four/five criteria for emergence of ZIDRES.

In fact, prior to the approval of Law #1776 important corporate agricultural projects already took place in municipalities that formed Altillanura, but these garnered called the public’s attention due to the potential irregularities in the process of land acquisition and the development of agricultural projects, and the potential negative population and environmental consequences associated with the expansion of this form of agriculture. Cases of illegal land acquisition and concentration in the municipalities of Altillanura seem relevant to describe a new form of governance. Some cases are worth mentioning: Semillas Mónica in Puerto Gaitán was accused of land concentration and illegal transfer of land ownership for agricultural developments (Marín Correa, 2012); Oxfam reports the process of legal but shady process of land acquisition by Cargill through its subsidiary Black River Asset Management, which carried out purchases through a mechanism named *fragmented purchases* of parcels given to peasants under the legal regime of Law 160 for the production of corn and soy (Oxfam, 2013). Poligrow, located in Mapiripán, Meta, a well-known place for the massacres carried out by paramilitaries in the late 1990’s and early 2000’s, is today a consolidated agribusiness of oil palm providing public goods like electricity, infrastructure and education to the inhabitants of Mapiripán (van Dorp, *et al.*, 2015).

Discussion

An important issue emerging from the structural transformation of agricultural production and food security is that the expansion of agricultural frontier is promoting land grabbing and the foreignization of national territories. A phenomenon that is occurring not only in Colombia but in different developing countries worldwide (Clements & Fernandes, 2012; De Schutter, 2011; López Montaña, 2012; Zoomers, 2010). Under the current narrative of food security land deals for large-scale agriculture are increasingly taking place between governments and private investors. However, according to the Land Matrix project worldwide only 13% of this land is dedicated to food crops; other uses include agricultural land for bio-fuels and forestry. Table 2 displays the list of land deals in Colombia according to the Land Matrix database. Also, the International Food Policy Research Institute warned

in 2009 about the risks and opportunities of land grabbing due to the increasing value of land and water:

Food-importing countries with land and water constraints but rich in capital, such as the Gulf States, are at the forefront of new investments in farmland abroad. In addition, countries with large populations and food security concerns such as China, South Korea, and India are seeking opportunities to produce food overseas. (Von Braun & Meinzen-Dick, 2009)

The expansion of illegal forces promoted a *violent pacification* of rural areas for agricultural purposes. This means that merging of government investment in defense to fight FARC and confrontations between guerrilla and paramilitary forces yielded to FARC's withdrawal from armed confrontation and leveraged peace talks. I suggest

that the reduction of insurgency in rural areas may be indicative of a shift in the meaning of rural areas for government and insurgency as evidenced by the shift in FARC membership from 20.766 members in 2002, to 6.700 in 2014 (“¿Cuántos Hombres,” 2014). Rural periphery no longer represents the place to battle to impose the legal authority of the government and state consolidation, but it is the new place for economic growth in the context determined by an increasing rush for land for large scale agriculture. As the notion of national food security has shifted, rural areas are not existentially important for central government, because they are not the exclusive source of food stuffs for urban population.

Similarly, under the current dynamics of food security, peasants are detached from the land and their role in food production. Instead, investors now seem to bear the responsibility for performing this function. Businessmen take

Table 2. Land deals in Colombia by foreign investors, 2000-2012

Location	Investor Name	Investor Country	Intention	Crop
Santa Marta, Santa Marta, Magdalena	Odin Energy Santa Marta Corporation S.A.	Japan	Biofuels	Oil Palm
Meta	Cargill	United States of America	Food crops	Cereals (no specification)
Mapiripán, Meta	Poligrow	Spain	Biofuels	Oil Palm
Antioquia	Agropecuaria Santa Rita	Chile	For wood and fibre	N/A
Cauca, Magdalena	Smurfit Kappa	Ireland	N/A	Eucalyptus, Pine
Pivijay, Magdalena	Merhav Agro	Israel	Biofuels	Sugar Cane
Antioquia	Compañía Agrícola de la Sierra	Chile	F o r e s t unspecified	Pine
Vichada	Cargill	United States	Food crops	Maize, Soya Beans
Meta	Monica Semillas	Brazil	Food crops	Soya Beans
La Primavera, Vichada	La Esperanza Timberland Holding Limited	British Virgin Islands	Food crops	Maize, Soya Beans
La Primavera, Vichada	La Diana Timberland Holdings Limited	British Virgin Islands	Food crops	Maize, Soya Beans
La Primavera, Vichada	Las Ventas Timberland Holdings Limited	British Virgin Islands	Food crops	Maize, Soya Beans
La Primavera, Vichada	Potosí Timberland Holdings Limited	British Virgin Islands	Food crops	Maize, Soya Beans
La Primavera, Vichada	La Libertad Wood Holdings Limited	British Virgin Islands	Food crops	Maize, Soya Beans
La Primavera, Vichada	La Paz Wood Holding Limited	British Virgin Islands	Food crops	Maize, Soya Beans
La Primavera, Vichada	La Esperanza Wood Holding Limited	British Virgin Islands	Food crops	Maize, Soya Beans
La Primavera, Vichada	Canaguay Wood Holding Limited	British Virgin Islands	Food crops	Maize, Soya Beans
La Primavera, Vichada	El Morichal Wood Holding Limited	British Virgin Islands	Food crops	Maize, Soya Beans
La Primavera, Vichada	Paraíso Wood Holding Limited	British Virgin Islands	Food crops	Maize, Soya Beans
Magdalena	Proteak, S.A.P.I.B. de C.V. (BMV: TEAK)	Mexico	For wood and fibre	Teak

Source: Land Matrix, 2015

advantage of the available cheap land (low opportunity cost) to carry out large capital investments. Under this model, farmers are detached from the land but they play a central role in defining rules in the periphery, supported by the central government. Although those private entities contribute to the definition of political order they are a business class rather than peasantry. Under the current land reform peasants obtain property rights but they cannot afford capital investment, instead their only alternative is to cooperate (as labor) to agribusiness or sell out with no leverage. Private investors carry out large capital investments with high profitability and high government benefits. While peasants own the land they either rent it or utilize it under mechanisms such as: strategic alliances, cooperatives, and/or contract farming.

In fact, private entities manage to exceed the legal limits for land ownership in distant areas from urban centers. In these places local bureaucracies respond to regional loyalties rather than the legal authority of the state, making these types of deals relatively easy to accomplish due to the scheme of local power and the lack of accountability. In these areas the structure of property rights and land transactions are dominated by traditional canons rather than the rule of law. In practice, the local structure of political power and the definitional change in food security, have encouraged public-private networks of governance that have succeeded in the stabilization of the governing function in the rural periphery through the implementation of large-scale agricultural projects. Private agents acquire land at low prices and in exchange they invest large amounts of capital not only in the agribusiness itself but in the provision of public goods like, schools, roads and clean water systems.

Conclusions

The rush for land for large-scale agriculture to enhance food security globally and the internal need to control rural areas, produced a new form of rural governance through the development of public-private alliances for agricultural expansion. This operates as a new governing plan for rural areas. Under these conditions, rural areas remain part of the juridical state as potential zones for economic development but are not politically integrated with the national projects. This creates a form of dual legitimacy where the rule of law, bureaucratic state and democratic mechanisms prevail in urban areas, whereas in peripheral areas there is a prevalence of tradition and kinship in the structure of political power and a public administration that does not comply with the legal power of the state; this structure has recently merged with the increasing demands of land for large-scale agriculture that has been taking advantage of private armed forces and normalizing violence as means to achieve economic growth.

Given the external push to expand large-scale agriculture to enhance food security globally and the internal need

to consolidate rural areas, a new form of rural governance has expanded through the development of public-private alliances for agricultural expansion. As urban areas have expanded, government efforts have concentrated in the cities and rural areas have been left behind. That is no longer a problem for central government which accepts that the monopoly of violence is no longer the exclusive condition for state consolidation. Under the current dynamics of food security, government outsources governing functions to private investors in traditionally abandoned rural areas. Traditionally abandoned rural areas are now important given the increasing demands for agricultural land. Policy changes over land carried out by the last three presidents in Colombia have aimed at clarifying the structure of property rights in order to promote large-scale capital investments in agriculture. ZIDRES law is a good example of this model of rural governance. However, this has important implications for rural populations that have the options of staying in the countryside as part of the labor force or migrating to urban areas. To conclude, it is worth saying that rural areas are becoming increasingly valuable for the central government, as long as the cost of ruling is shared with private entities and they are likely to create economic growth. Therefore, pacification is important for economic purposes, not for political reasons.

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