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زبانهای اروپایی

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## ***State Apparatuses and Power Struggles in Latin America: From Capture to Co-Optation and Reconfiguration (Free Book)***

Since the beginning of this century, the analysis of state capture, its causes, forms and consequences for democracy and the rule of law have received much attention.



Alongside the enormous social inequality that exists in Latin America, political and economic elites and organized crime groups co-opt or capture the state at different levels, using it for their private interests and emptying the materiality of democracy that formally and institutionally exists today in the vast majority of Latin American countries. In addition, despite having advanced and modern constitutions and institutions typical of representative liberal democracies, States in Latin America often maintain clientelist

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patrimonialism without distinction between the public and the private, so characteristic of the region in the face of power relations in societies. Another facet of several States in the region is that not only the distinction between the public and the private is blurred, but also between the legal and the illegal. In this sense, state capture may not be illegal in a merely formal or formalistic sense, depending on the determination of the captured state itself.



In this context, since 2017 the [Heinrich Böll Foundation](#) has dedicated a regional project to this issue. We start from the thesis that old and new elites use the institutions and instruments of formal democracies to enforce their own economic and political interests of power. This undermines the basic principles of democracy, such as freedom, equality and respect for human rights, and negatively affects the promises of democracy as a political and social model, including participation, the common welfare, prosperity and social justice. In this way, the implementation of public policies in favor of the majority of the population is impossible.

For this reason, we seek to broaden the debate on the state of democracy(s) in Latin America. We want to analyze and question the mechanisms of co-optation/capture of the State, the influence of legal and illegal networks of power that carry out the capture and in which some elements of the State participate, in the sense that they distort democratic processes and hinder or make it impossible for the State to work for the benefit of democratic norms and, consequently, to improve well-being, opportunities and justice in the region. We also want to promote the exchange of knowledge between civil society organizations and key actors – including the media, academia and representatives of the

political and legal systems – that seek to contain authoritarian setbacks in the respective countries.

Since the beginning of this century, the analysis of state capture, its causes, forms and consequences for democracy and the rule of law have received much attention. In 2002, the World Bank, relating the concept of state capture to corruption and governance, defined it as *"the ability of interest groups to influence political decision-making processes through corrupt practices"*; later, in 2017, he defined it as *"the ability of some actors in the political arena to be able to design or implement a policy that maximizes their private benefits before social welfare, due to their greater bargaining power."* For its part, the International Monetary Fund (IMF) understands state capture as *"the effort of companies to shape the laws, policies and regulations of the state for their own benefit, through the provision of illicit private profits to public officials."* The classic and traditional definition of state capture refers to the way in which individuals, groups or private sectors with economic power use and manipulate formal procedures, for example, legislative, administrative or judicial processes, to unduly influence the definition of public policies in their favor. A 2018 Oxfam report on the relationship between state capture and inequality, entitled *Captured Democracies: The Rule of a Few*, analyses various mechanisms and modalities for state capture, including the misuse of media and lobbying campaigns by private sectors with excessive economic power; revolving doors between the public and private sectors to fill positions in State institutions, as well as influence peddling; the use of extraordinary legislative procedures, mechanisms of the electoral system and party financing, and exclusionary regulatory frameworks; the control of knowledge under the cloak of technicality regarding matters of a political nature; and finally the judicialization of decisions on public policies.



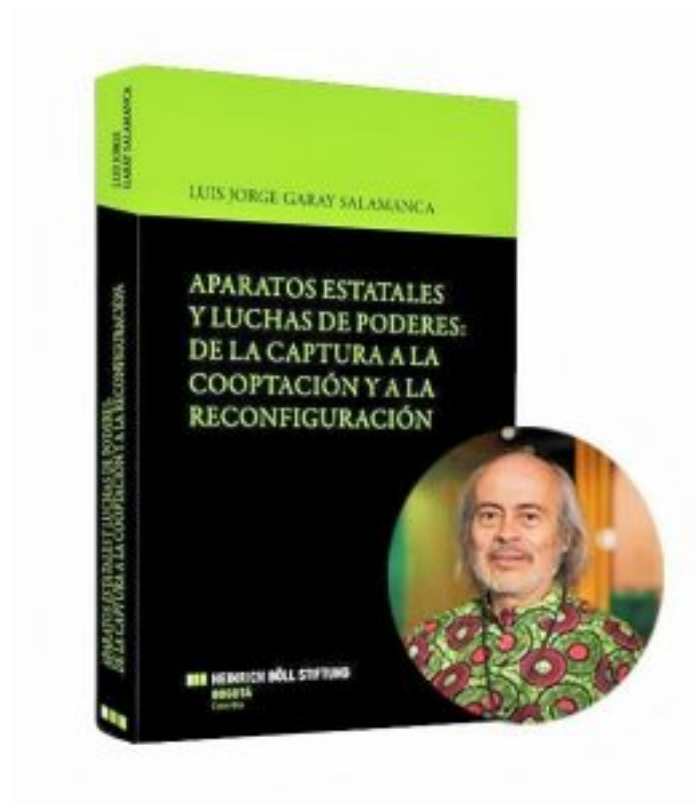
However, already in 2008 [Luis Jorge Garay Salamanca](#) had analyzed the phenomenon of the co-opted capture and reconfiguration of the State in Colombia in the historical context of the so-called *parapolitics*, which showed the close relations between paramilitary groups and political sectors, and their influence on elections and the exercise of politics in the country at the local level, regional and national. It has also analysed the role of non-State armed groups in the exercise of quasi-State functions. According to its definition, the co-opted reconfiguration of the State implies:

*[...] legal and illegal organizations that, through illegitimate practices, seek to modify the political regime from within in a systemic way and influence the formation, modification, interpretation and application of the rules of the game and public policies to obtain sustainable benefits and ensure that their interests are politically and legally validated, and socially legitimized in the long term, even if these do not obey the guiding interest of social welfare.*

Over the past decade, the phenomenon of state capture has evolved and found new expressions. Given this context, discussions about it, not only in Colombia, but throughout the region, are intimately related to the understanding and analysis of the concept of the State as a political and social model, as well as a guarantor for the well-being of citizens.

With the publication of this book by Garay entitled *State Apparatuses and Power Struggles: From Capture to Co-optation and Reconfiguration*, the Heinrich Böll Foundation seeks to contribute to an update and deepening of the conceptual debate on this complex issue and the role of the powers that influence democratic processes.

Download the book



Access the book in PDF file, entering the following link:

State apparatuses and power struggles: from capture to co-optation and reconfiguration

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