

STATE CAPTURE AND INEQUALITY: ANALYSIS OF ELECTORAL CAMPAIGN FINANCING IN COLOMBIA FROM 2018 TO 2022

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Abstract

This article analyzes the role of political campaign financing in the capture of the Colombian state from 2018 to 2023, as well as its relationship with material inequality. Theoretically, the research is based on Corporate State Capture approaches and elite theories that explain the concentration of economic power and inequality. Using a mixed method approach combining a review of government documents, clear accounts application, data published by the Electoral Observation Mission, press reports, and research carried out in other regional countries, the article establishes that economic elites obtained immediate benefits, such as millionaire contracts and other advantages for their companies, through political campaign financing. This preserved their advantages in the social hierarchy and reproduced structural inequalities.

Keywords: State capture, elites, inequality, financing of political campaigns, state contracting.

Introduction

For a couple of decades, pioneering authors in the study of state capture, such as Francisco Durand (2016, 28), have analyzed how the economic power group, represented by the largest companies, seeks better political connections to gain more economic power and influence over the state bureaucracy. Serna and Bottinelli have also demonstrated that economic elites seek immediate benefits, such as tax exemptions, through business lobbying. They also influence the design and application of public policies in strategic sectors for the benefit of companies (Serna & Bottinelli, 2018).

In Colombia, academics and researchers have shown marked interest in issues of poverty, violence, and displacement. However, there is a relative lack of knowledge regarding elites, their formation and transformation over time, and their role in relevant aspects, such as the country's economic dynamics and influence on political institutions. Elites are groups that occupy prominent positions in politics, finance, industry, culture, and other areas (Jiménez et al., 2012, p. 7), but their origins (e.g., inheritance, privileged access to financial resources) and the mechanisms they use to maintain their position are still unclear.

State capture by elites can be understood as the political influence of firms and economic groups over the state apparatus and direct control of the state by elites. The latter seeks to maintain and reproduce their privileges in the social pyramid. Initially, the definition of state capture referred only to the formulation of laws. However, Hellman and Kauffman, as cited by Salcedo et al. (2008), interpret capture more broadly and include practices such as bribing judges to modify their decisions and distorting a state's legal framework.

Capture is generally associated with material inequality and enormous power asymmetries between vulnerable social groups because the elites' privileges are maintained by reinforcing

the dynamics that perpetuate social inequality and the political exclusion of entire groups. Gerardo Esquivel Hernández has pointed out that one of the most unfortunate consequences of inequality and political capture by elites in Mexico is not only low economic growth but also exclusionary growth (Esquivel, 2015, 27).

Although Latin American countries' experiences with state capture vary according to factors such as the structure and timing of private economic power, the definition of rules and practices that concentrate political power, and the evolution of civil society, it is possible to identify similarities, particularly in the historical concentration of wealth and economic resources by large families and foreign capital with high political influence (Durand, 2016, 10).

This article proposes the hypothesis that Colombia's significant material inequality is perpetuated by private groups controlling the state. One form of control is the economic capture of the state by corporations, particularly through financing political campaigns. Through this practice, economic elites influence departmental and municipal government decisions and obtain immediate benefits, such as multimillion-dollar contracts, tax exemptions, and other advantages for their companies. This distorts the State's role and generates conditions that ensure and preserve their advantages in the social hierarchy.

Methodological framework

A mixed methodological approach was used. First, a documentary analysis was conducted on the mechanisms of state capture in Colombia from 2018 to 2022. Sources included national and local newspapers. Second, a quantitative analysis was conducted on databases from the National Electoral Council (CNE) and the National Public Procurement Agency (SECOP) to determine if there was a relationship between political campaign financiers and state contractors.

The information was then recorded and classified according to the most significant variables in the study framework of state capture mechanisms, including actors, mechanisms, and objectives of capture. Francisco Durand's methodological annex, as presented in his book, was used for this purpose. When Extractive Power Captures the State (Durand, 2016). To analyze the corporate character of the elites, we used the variables proposed by Horacio Cao, Arturo Laguado Duca, and Maximiliano Rey in their study on the corporate homo (Cao et al., 2018). Likewise, for the analysis of corruption in state contracting, the following variables were used: little competition between bidders, discretionary or direct forms of procurement, and repeated awarding of contracts to specific suppliers without justification.

Theoretical approach

State capture is a type of large-scale corruption in which individuals or private groups manipulate public policies, regulations, and laws to further their own interests at the expense of society (Fiebelkorn, 2019). It is important to understand that state capture negatively affects government efficiency and the quality of democracy.

Capture occurs within an eminent political institution in which economic activity, broadly defined, occupies a central position. Although the state appears as an autonomous entity of economic power, the most powerful economic groups tend to have an inordinate interest in certain state-mediated issues, seeking to extend their influence over the state. As Stigler rightly points out, "economic giants are extroverted toward the state more than the state

toward them. They are launched upon the state, and with good success" (Stigler, 1971). When reference is made to state capture, direct or indirect, it is almost always in reference to the possibility that certain interest groups influence government decision-making on key issues and areas to defend or obtain advantages for their interests, sometimes extending to the legislative and judicial spheres. It is important to note that state capture can be carried out by various legal and illegal actors, not only large economic groups. Examples of the former include pressure groups, large corporations, and political elites. State capture implies an imbalance of power and political decision-making. When certain interest groups significantly influence the state's decision-making, inequality and a lack of representativeness in the political process result. This can lead to the implementation of public policies that benefit certain dominant interest groups at the expense of the general well-being of society. Interest groups that capture the state often engage in corrupt practices, such as bribery and influence peddling. These practices undermine the integrity of the political system and affect the economy and social development. These illegal groups can include drug traffickers and armed actors, who generally use state capture to bribe judicial officials and influence judicial decisions (Hellman & Kauffmann, 2001). State capture has been defined by different academics and organizations according to their approaches to understanding and analyzing it. For example, the World Bank defines it as "the action of individuals, groups, or firms in the public and private sectors that influence the formation of laws, regulations, decrees, and other government policies for their own benefit through illicit and nontransparent provisions of private benefits to public officials" (World Bank, 2000). It is an action that seeks to design and carry out policies that maximize private benefits at the expense of social welfare due to the greater bargaining power of certain actors (World Bank, 2007). When this occurs, public resources and powers may be used to improve the economic status of groups with significant economic power (Stigler, 1971). A situation emerges in which these groups manipulate the creation of laws (Hellman & Kauffmann, 2001). In this study, we adopt the definition of state capture by John Crabtree and Francisco Durand because it synthesizes the main theoretical developments on the subject. According to Crabtree and Durand, state capture is the process by which economically powerful groups use overwhelming political force to protect and project their economic interests onto the state despite the existence of democratic institutions, negotiating, isolating, or simply ignoring dissenting voices from government to government (Crabtree & Durand, 2017). When studying state capture, it is important not only to understand what we mean by it, but also to understand how the phenomenon of capture occurs. Various authors have analyzed the variables that facilitate or limit capture processes, including the concentration of political power in certain groups, the absence of regulatory frameworks, and the excessive concentration of economic power, among others (Cortés & Itriago, 2018). It is also necessary to specify the existing capture mechanisms. Although diverse, the main ones are associated with the electoral political system, such as campaign financing, corruption, and the appointment of positions.

Elites, State Capture, and Inequality

The term "economic elites" refers to a minority group within the population that holds a disproportionate share of national income, often exceeding its proportion in the overall population. These elites also exercise considerable control over a significant portion of a

nation's productive resources (Jiménez et al, 2012, 7).

As posited by numerous scholars, the correlation between a nation's economic standing and its social disparity is not directly indicative of the relationship between the affluent and the impoverished. Rather, it is imperative to examine the actions and impact of the elite class within the context of governmental policies. This approach allows for a more nuanced understanding of the influence of economic policies on state decision-making processes and the subsequent impact on various societal segments. Peter Birle and his collaborators, for example, have underscored the imperative to direct heightened scrutiny toward these power groups and the influence they have exerted and persistently wield on the economic, social, and political disparities in the region. According to these scholars, Latin American elites are primarily distinguished from other social groups by their control of economic resources and by their constant exercise of power. As Birle et al. (2007) note at page 45, it is imperative to underscore that, despite the fact that these elites have effectively expanded their power base through the corporate capture of the state for decades, the discourse on this phenomenon only gained prominence in the 1990s, during the neoliberal hegemony. This period witnessed a decline in the regulatory capacity of the state, accompanied by a series of policies promoting commercial and financial liberalization. These policies served to fortify the power of the elites (Beltrán and Castellani, 2013).

In recent studies on inequality, some authors, including Piketty, have emphasized the role and responsibility of elites in this regard, demonstrating the increase in inequality resulting from the concentration of wealth (Piketty, 2015). This perspective has facilitated the exploration of not only the social and economic ramifications of wealth concentration, but also the strategies employed by elites to maintain and perpetuate their privileges within their respective countries' social structures. One such form is state capture. In the context of Latin America, Durand's analysis of Peruvian economic elite has illuminated how these actors seek to enhance their political connections, thereby amassing greater economic power and achieving direct influence over the state bureaucracy (Durand, 2016, 28).

Serna and Bottinelli have demonstrated that economic elites employ business lobbying tactics to achieve immediate benefits, including tax exemptions, while also exerting influence over the design and implementation of public policies in strategic sectors that favor corporate interests (Serna & Bottinelli, 2018).

A distinguishing trait of Latin American elites is their political subjectivity as corporate homos. This figure, employed by Horacio Cao, Arturo Laguado Duca, and Maximiliano Rey, delineates a social and political entity that functions as a mediator between the market and the state to safeguard sectoral interests and privileges (Cao et al., 2018). Cao et al. (2018) posits that the concept of the "homo corporate" in periods of late capitalism is not confined to the middle classes and popular actors, such as unions, workers' guilds, peasants, and ethnic groups. They contend that it also serves to describe the behavior of the economic, political, and professional elites. These elites act not only as individuals in a market or as citizens in a liberal democracy, but also as organized bodies that collectively negotiate their privileges with the state.

The experiences of Latin American countries with state capture vary according to variables such as the structure of private economic power, the definition of rules and practices that concentrate political power, and the evolution of civil society. However, similarities can be identified, particularly in the historical accumulation of wealth and economic resources by

large families and foreign capital with high levels of political influence (Durand, 2016, 10). According to the OXFAM report, in Latin America and the Caribbean, the concentration of wealth and extreme inequality are intimately linked (OXFAM, 2015). One of the salient features of this inequality is the high concentration of economic resources (income, wealth, and land) in the ultra-rich (1% of the population), thereby sustaining the inequality. Another salient feature is the exclusion of women in all areas, which results in a higher prevalence of impoverished women compared to men. However, the extreme concentration of wealth is inseparable from the concentration of power, both of which are determined, thereby deepening social imbalances and hindering the inclusion that democracy demands. Accordingly, the report delineates a hijacking of democracy, conceptualized as "a process in which a political or economic elite co-opts democratic institutions to promote the generation of dysfunctional policies that allow them to maintain their privileged position in society" (OXFAM, 2015, 9). The mechanisms employed by the elites to achieve this objective are varied and extensive. These mechanisms include, but are not limited to, attempts to influence political and legislative decisions through lobbying, as well as corruption and clientelism. These forms of kidnapping also make use of resources such as the control or capture of the media, which can be of four types: economic, property, political, violent, or the private control and financing of political parties. The political and economic elites have historically engaged in the process of co-opting democratic institutions in order to ensure that the state apparatus is utilized to design and execute public policies and rules that are tailored to their own needs. This has the effect of guaranteeing their privileges and deepening inequality. One such phenomenon is the privatization of public services.

Colombia is a nation that is distinguished by its pervasive social inequality and the preeminence of economic and political elites that have, for an extended period, remained in a state of stagnant power. In Colombia, as in other Latin American countries, there has been a trend towards privatization since the 1990s, accompanied by a concentration of economic power in small groups of economic elites. To the extent that these economic groups were attuned to the approach of a free market economy, it became necessary to dismantle the scaffolding of the interventionist state. (Vásquez, 2000, 391). Consequently, since the 1990s, economic policy has undergone a radical transformation, establishing the foundations for not only the proliferation of a free market but also the rise of a neoliberal state model. In such contexts, fiscal policies that enable states to redistribute wealth and combat inequality have been associated with an increase in poverty (Cañete 2005).

A review of the 2022 World Inequality Report (WIR), published by the World Inequality Database, reveals that in Latin America, the wealthiest 10% of the population holds over 52% of the region's total income. According to this indicator, Colombia is among the ten most unequal countries worldwide.

In Colombia, the wealthiest 10% of the population captures approximately 51.46% of the country's total national income, while the wealthiest 1% captures 18.85%. In contrast, the poorest 50% of the population captures a mere 10.63% of the income. (World Inequality Database, 2022).

The concentration of income in a small minority (elite) has been demonstrated to increase inequality in society (Jiménez et al., 2012, 8). However, beyond the realm of family income disparities, Colombia's socio-economic landscape is intricately woven with other factors, including but not limited to the accessibility and quality of educational and healthcare

services, labor income, pension systems, housing conditions, and land distribution. These inequalities are inversely proportional to the concentration of wealth among elites and their propensity to entrench themselves and protect their rights (Crisis Group, 2021). By 2014, the wealth of Colombia's billionaires constituted 22% of the country's GDP (Cañete, 2015). Furthermore, Guereña (2017) found that more than 80% of private land was concentrated in the top 1% of farms, a statistic that positions Colombia as the Latin American nation with the greatest territorial inequality. In addition to the concentration of wealth, Colombia exhibits a high degree of correlation between inequality and corruption.

Corruption can be defined as the capture and co-optation of the State by economic groups (Garay Salamanca et al., 2008), and it operates in conjunction with clientelism and political particularism (Rothstein & Varraich, 2017). According to Gamarra (2006), corruption in Colombia has been demonstrated to reduce the effectiveness of public investment by affecting the spending of government programs. The author further posits that corruption and poverty, larger state size, and poor fiscal management generally go hand in hand (Gamarra, 2008). In a similar vein, other researchers, including Paola Mauro (1998) and Karoll Gómez Portilla and Santiago Gallón (2001), have underscored the role of corrupt actors in channeling state resources toward initiatives that are unprofitable and susceptible to manipulation, with the primary objective of maximizing their personal benefits. State contracting is a primary conduit through which corrupt actors channel resources. It has been demonstrated that, in the context of this practice, there is a possibility for the redirection of resources to projects that are deemed to be inefficient, unnecessary, or poorly executed. This phenomenon has the potential to diminish the tangible impact of state expenditure, thereby compromising the quality of public goods and services. The allocation of contracts is not determined by merit or technical aptitude; rather, it is influenced by political connections or the exchange of incentives, resulting in the misappropriation of public funds and the systematic diversion of the state budget (Gallego et al., 2021).

In this sense, corruption through state capture exerts a detrimental influence on electoral processes and state contracting. This form of corruption is characterized by the abuse or misuse of public power (Pont-Newman & Ángel-Arango, 2017), which has a deleterious effect on the quality and institutional capacity of the state, thereby contributing to the exacerbation of high inequality rates.

The ongoing armed conflict and the emergence of the novel Coronavirus (SARS-CoV-2) have exacerbated existing socio-economic disparities in Colombia over the past decade. On the one hand, the armed conflict intensified disparities in access to productive factors, particularly rural land. (World Bank, 2021). Conversely, the repercussions of the novel strain of the virus known as severe acute respiratory syndrome (SARS-CoV-2), which is the causative agent of the global pandemic known as the Coronavirus Disease 2019 (henceforth referred to as "covid-19"), have had a profound impact on the global socio-economic landscape. The pandemic has not only exacerbated preexisting socio-economic disparities but has also served to reinforce the tendency of a select group of individuals to amass significant fortunes, while concomitantly engendering a deepening of the disparities. According to the World Bank (WB) report published in October 2021, "Towards the construction of an equitable society in Colombia," income inequality in the country became the second highest among all Latin American countries and the highest among the members of the Organization for Economic Cooperation and Development (OECD). This inequality

is transmitted between generations, manifesting in a more pronounced manner than in other countries. The predominant factors contributing to inequality in urban households include disparities in the quality of education, illiteracy, and precarious housing conditions. Furthermore, Colombia is distinguished by its relatively low redistribution of wealth from the richest to the poorest segments of the population, coupled with a significant number of individuals who are exempt from paying taxes despite their ability to contribute more (World Bank, 2021).

Private financing of political campaigns and state contracting.

The financial underpinnings of electoral campaigns represent a salient issue in contemporary democratic discourse, particularly given that economic disparities between candidates for elected positions frequently determine their electoral success or failure. Consequently, candidates with ample financial resources possess a distinct advantage over those with limited means.

The public financing of political parties endeavors to "provide a minimum of resources to all political organizations, which mitigates the privileges that derive from exclusive private financing" (LEYVA et al., 2017, 115). However, the existence of private financing sources, derived from the assets of individuals or groups, for the benefit of electoral campaigns, in practice, generates an inequality of conditions between candidates and parties, far above the minimum guarantees for their subsistence established in Law 130 of 1994.

As José Rafael Espinosa has noted, in the Colombian context, electoral campaigns for public corporations, gubernatorial, and mayoral offices are financed through a combination of private and public resources. However, private financing plays a predominant role in these campaigns. According to Espinosa (2015, 8).

A salient feature of this financing model is the substantial costs of the campaigns and the considerable sums contributed by entities such as major corporations, financial institutions, and families with a notable presence at the local and regional levels. Consequently, it is not labor unions, community associations, or marginalized sectors of the population that finance political campaigns; rather, it is groups that concentrate economic power, that have direct or indirect influence on politics, and that have a great interest in shaping the decisions of the state. These characteristics are typical of elites.

It has previously been indicated that certain methods by which elites reproduce and preserve their privileges within the social hierarchy and receive benefits from governments include the financing of political and media campaigns, which function as forms of state capture. As Jiménez and Solimano have demonstrated, the privatization of state-owned enterprises through opaque mechanisms has been a significant factor in the formation and persistence of economic elites in recent decades, not only in Latin America but globally (Jiménez et al., 2012, 24). This phenomenon is not isolated; it is part of a broader context in which the establishment of public policies, including the approval of laws, is influenced by the actions of elites.

Regarding the substantial sums contributed to the 2018 national elections for the Presidency, Senate, and House, the aggregate amount amounted to \$19,883,203,686. This figure pertains exclusively to individuals who subsequently entered into contractual agreements with the State. In the 2019 territorial elections for governor, mayor, assembly, council, and JAC, the total amount of financial contributions received by the relevant entities, considering

exclusively those individuals and entities that subsequently entered into contractual agreements with the state, amounted to \$26,864,322,092, according to Transparency for Colombia (2024).

This form of private campaign financing entails a risk of manipulation of the public agenda in favor of private interests. For instance, in the 2018 congressional elections, campaign expenses amounted to nearly 252 million pesos during the initial four months of the electoral process. This figure is more than double the budget allocated for all state programs, including community infrastructure.

Despite the absence of substantial contributions from guilds or business entities, a considerable proportion of these donations are derived from individuals, predominantly managers or members of these groups, who typically report their donations individually. Therefore, in the 2018 presidential campaign for Iván Duque, the following individuals contributed sums of at least \$80,000,000 pesos: Carlos Andrés Uribe Arango, a member of the board of directors of CAMACOL; Francisco José Barberi, president and shareholder of tecnoquímicas; Alejandro Santo Domingo, a member of Grupo Santo Domingo; and María Cristina Uribe, a shareholder of the Argos group.

The issue, of course, is not new. The Electoral Observation Mission (EOM) has indicated that, according to research on the relationship between campaign financing and public procurement in the 2015 local elections, local administrations in 183 municipalities in Colombia awarded contracts to their financiers. These contracts were carried out using single-proponent modalities and without transparency criteria (EOM, 2018, 23). Consequently, during the electoral season in Colombia, there are candidacies that are comprised of networks in which politicians and contractors seek to win elections and secure public contracts. A consequence of this phenomenon is the subordination of the state to the interests of private individuals or groups, resulting in a diminution of its autonomy. This, in turn, leads to a restriction of the state's capacity to manage public affairs efficiently.

Table 1. Financing and contracting in the 2018 national elections and in the 2019 territorial elections

Individuals and legal entities that made contributions to campaigns greater than \$1,000,000 between 2018 and 2019	12.156
People who made contributions to campaigns and then signed contracts with the State.	3.223
Total contribution to campaigns of funders who turned out to be contractors with the State	\$46,747,778
Number of contracts concluded	24.006
Amounts of these contracts	\$6,447,082,883,529

Source: Authors' elaboration based on the application Cuentas Claras, data from SECOP and Transparency for Colombia 2024.

Table 2. Number of funders of the 2018 national campaigns and in the 2019 territorial campaigns who entered into contracts and value of the contracts

Position Type	Number of campaign financiers who signed contracts	Number of contracts entered into	Value of contracts entered into by contractor financiers
Presidency	29	429	\$132,255,916,616
Senate	340	7.093	\$3,154,523,930,394
Camera	535	7.110	\$2,497,587,652,296
Government	318	2.968	\$1,924,970,743,972
Town hall	1.272	8.815	\$2,410,469,381,910.

Source: Authors' elaboration based on the application Cuentas Claras, data from SECOP and Transparency for Colombia 2024.

An examination of the period of the Coronavirus Pandemic reveals that political campaigns emerged as a primary investment for elitist groups, who subsequently sought to recoup their investments. The practice in question resulted in the utilization of the State's authority by individuals and private enterprises for the purpose of obtaining private rents. For instance, from March to June of 2020, a mere 2% of contracts executed by local governments (i.e., the offices of governors and mayors) were awarded to private individuals and entities that had financed the campaigns of the candidates who ultimately emerged victorious in the 2018 and 2019 electoral processes. Similarly, in 2020, 147 contracts amounting to \$47,028 million were awarded to 77 campaign donors to candidates who were elected between 2018 and 2019 (El Espectador, June 17, 2020: 6-8).

A salient aspect of this phenomenon pertains to the durability and consistency of contractors within municipalities, the predominance of contracts within specific corporate entities, and the contracting modality employed (Zuleta et al., 2018). This phenomenon suggests a high degree of risk regarding corruption among municipal governors and mayors nationwide, particularly in urban areas where contracts are prevalent.

The allocation of awards to campaign financiers was executed through a streamlined process. (Table 6).

In their analysis of corruption derived from state contracting, Jorge Gallego, Gonzalo Rivero, and Juan Martínez (2021) assert that in Colombia, corruption in contracting occurs in a context contingent on specific institutional conditions, perverse incentives, and opacity in processes. Consequently, instances of corruption are more prevalent in circumstances where there is minimal competition among bidders, discretionary or direct forms of contracting persist, and awards to specific suppliers are repeated without adequate justification.

These characteristics align with other predictive variables of corruption risk, including the immediate award of contracts following the assumption of public office; the recurrence of beneficiaries; the absence of competition; the high value of contracts; and the concentration of resources in a small group of actors with previous ties to the incoming government.

Table 3. Types of contracting with financiers of territorial campaigns in 2019, signed after the possession of the territorial authorities.

Contracting modality	Direct	39,4%
	Special Regime	32,3%
	Abbreviated Selection	14%
	Public Bidding	9,5%

Source: Authors' elaboration based on data from Transparency for Colombia 2024.

This phenomenon of state contracting also elucidates the constraints imposed on control institutions in the context of corruption.

According to paragraph 2 of article 3 of Law 80 of 1993, as established by the normative level, it is stated that: "Public servants must acknowledge that when entering into contracts and executing them, the entities seek the fulfillment of the state's purposes, the continuous and efficient provision of public services, and the effectiveness of the rights and interests of the administered. These entities collaborate with public servants in achieving these purposes. Individuals, for their part, shall take into account when entering into and executing contracts with State entities that, in addition to obtaining profits whose protection is guaranteed by the State, they collaborate with them in the achievement of their purposes and fulfill a social function that, as such, implies obligations."

Law 80 elucidates that state entities, while formulating contracts with individuals, endeavor to achieve the objectives of the State. This objective was endorsed by the Council of State in judgment 25000-23-26-000-1997-13467-01 (27131) of February 17, 2005, which also indicates that through the execution and execution of contracts the continuous and efficient provision of public services is sought.

In addition, the second paragraph of Law 80 of 1993 stipulates that: "Individuals, for their part, shall take into account that, when entering into and executing contracts with state entities, they are not only obtaining profits whose protection is guaranteed by the state, but they are also collaborating with them in achieving their purposes and fulfilling a social function that, as such, implies obligations."

In accordance with the points, while individuals contracting with the State are motivated by the pursuit of profit, they must also acknowledge their role in fulfilling a social function by contributing to the realization of the State's objectives.

However, the contracts that the State has entered into with political campaign financiers have the potential to compromise the realization of the State's objectives. It is probable that prominent funders will seek a return on their campaign contributions and profit through public procurement. In this sense, as specified in the second report of Elections and Contracts 2019-2022 on transparency for Colombia: It is imperative to examine the relationship between campaign financiers who are State contractors from the perspective of the motivations behind the delivery of contributions and their participation in public

procurement processes (Transparency for Colombia, 2-2024).

Conclusions

Colombia is distinguished by its status as one of the most economically disadvantaged and inequitable nations in the region. Additionally, it is notable for its pronounced concentration of wealth among elite groups, who have effectively perpetuated their privileges through their pervasive influence over state institutions. Among the various forms of control, it is particularly noteworthy in the context of financing political campaigns.

Empirical analysis demonstrates a substantial correlation between political campaign financing and subsequent state contracting in Colombia. This scenario poses a significant challenge to the efficacy of public expenditure and the credibility of institutional authority. The findings of the present study indicate that, during the period under analysis, the financing of political campaigns by elite groups has led to an increase in the excessive dependence of candidates on private interests. Moreover, this phenomenon has become a mechanism to maintain marked asymmetries of political and economic power.

These practices have enabled the elites to secure contracts with the state, thereby perpetuating their privileges within the social hierarchy, while concurrently perpetuating the economic disadvantage experienced by the majority. The state captured by the elites has not only lost autonomy but has become incapable of guaranteeing the rights of all people equally, thereby rendering it less effective in developing its ends. The ramifications of capture are not confined to the political domain; as has been noted in this work, they also manifest in the economic sphere and in inequality. Contrary to the objective of reducing social disparities, the contracts endorsed by the State have been interpreted as favoring private entities and interests.

Accordingly, economic exclusion and marginality are reflected in the political sphere (Corredor, 1997, 309), thereby resulting in a dissociation between the state and citizens. This is because conflicts of interest that determine government policies are not discussed in the public sphere.

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References

1. Beltrán, G. & Castellani, A. (2013). Structural Change and Transformations in the Argentine Economic Elite (1976-2001). *Latin American Observatory* 12: 183-204.
2. Cao, H., Laguado Duca, A., Rey, M. (2018). The corporate homo: The state elites in late neoliberalism. In: García Delgado, D., Ruiz del Ferrier, C., Anchorena, B. (Comp.). (2018). *Elites and State Capture. Control and regulation in late neoliberalism*. FLACSO.
3. Codato, A. & Espinoza, F. (Comp.). (2018). *Elites in the Americas: Different Perspectives*. UFPR Editions, UNGS Publishing.
4. (2015). Privileges that deny rights. *Extreme inequality and the hijacking of democracy in Latin America and the Caribbean*. Oxfam.
5. Birle, P., Hofmeister, W., Malhold, G., & Potthast, B. (eds.), (2007). *Elites in Latin America*. Ibero-American.

6. Cañete Alonso, R. (2018). *Captured democracies: the rule of a few. Mechanisms of capture of fiscal policy by elites and their impact on inequality in Latin America and the Caribbean*. OXFAM, CLACSO.
7. Cortés, H. and D. Itriago. (2018). *The phenomenon of capture: unmasking power. Guide to the analysis of the capture of public policies and their effect on inequality*. Oxfam Intermon.
8. Corredor Martínez, C. (1997). *The limits of modernization*. CINEP.
9. Durand, F. (2016). *When the extractive power captures the State. Lobbies, revolving doors and environmental packaging in Peru*. Oxfam.
10. Durand, F. (2017). *Power Games. Tax Policy and Lobbying in Peru, 2011-2017*. Oxfam Peru.
11. Espinosa, R. (2015). *Notes for a reform of electoral financing in Colombia*. Bogotá Colombia, Editorial Scripto.
12. Esquivel Hernández, G. (2015). *Extreme inequality in Mexico*. Oxfam.
13. Fiebelkorn, Andreas. 2019. "State Capture Analysis: How to Quantitatively Analyze the Regulatory Abuse by Business-State Relationships." Governance Discussion Paper No. 2. Washington, D.C.: World Bank Group.
14. Gallego, J., Rivero, G., & Vargas, J. F. (2018). Preventing rather than Punishing: An Early Warning Model of Malfeasance in Public Procurement. Working Papers Economics, 270.
15. Jiménez, J. and Solimano A. (2012) *Economic elites, inequality and taxation*. ECLAC.
16. Leyva, O.; Montalvo, D.; Tamez, G. & Ganga, F. (2017). Public Financing and Survival of Minority Political Parties in Mexico. Political Analysis No. 91, Bogotá, September-December, 2017: pp. 110-129
17. Mauro, P. (1998). Corruption and the Composition of Government Expenditure. Journal of Public Economics, 5(69), 263–279.
18. MOE (2018). *Determined democracies. From private funders to public contractors*. MOE.
19. Piketty, T. (2015). *Capital in the 21st century*. Paidós.
20. Portilla, K. & Gallón Gómez, S. (2001). The Impact of Corruption on Colombian Economic Growth, 1990-1999.
21. Judicial drafting. (June 17, 2020). Contracts awarded to campaign financiers, in the sights of the control entities. *The spectator*. Available in <https://www.elspectador.com/judicial/contratos-entregados-a-financiadores-de-campanas-en-la-mira-de-los-entes-de-control-article/>
22. Investigative writing. (July 20, 2020). Violating limits, campaign donors get \$6,000 million. *El Tiempo*. Available in <https://www.eltiempo.com/unidad-investigativa/covid-ayudantes-a-campanas-recibieron-6-000-millones-y-violaron-topes-520018>.
23. Robles Rivera, F. (2021). "Elites and Media Capture Strategies in Central America." Mexican Journal of Sociology. vol.83 no.1 Mexico City Jan./Mar. 2021.
24. Salcedo Albarán, E. (2008). *The co-opted reconfiguration of the state: beyond the traditional conception of the economic capture of the state*. AVINA.
25. Serna, M. & Bottinelli, E. (2018). *The de facto power of business elites in Latin American politics: A comparative study of eight countries*. CLACSO.

26. Stigler, G. (1971). "The Theory of Economic Regulation". *The Bell Journal of Economics and Management Science*, 2(1). Pp.3 – 5
27. Transparency for Colombia. (2018). *International Transparency Chapter. Political campaign financing 2018*. Online: <https://transparenciacolombia.org.co/2019/03/05/financiacion-de-campanas-politicas-2018/>
28. Transparency for Colombia. (2024). *Second Report on Elections and Contracts 2018-2022*.
29. Vásquez Huamán, E. (2000). *Strategies of power. Economic groups in Peru*. University of the Pacific.
30. World Bank. (2021). Report. *Towards the construction of an equitable society in Colombia*. World Bank.
31. World Bank (2017). *Governance and the Law*. World Bank.
32. World Bank (2000). *Anticorruption in Transition: A Contribution to the Policy Debate*. World Bank.
33. World Inequality Database. (2022). *Colombia. Fraction of income that goes to the richest 10%*.
34. Zuleta, M. M., Saavedra, V., & Medellín, J. C. (2018). *Strengthening of the public procurement system to reduce the risk of corruption*. Fedesarrollo.

Regulations consulted

Law 80 of 1993. "By which the General Statute of Public Administration Contracting is issued". October 28, 1993. D.O. No. 679.
Council of State. (2005). Judgment 25000-23-26-000-1997-13467-01(27131) of February 17, 2005.