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I. Introduction

Since the 1990s, the design and provision of social policies in Colombia has undergone substantial transformations. In general, these transformations seem to reflect a regional trend to combine a selective enforcement of constitutionally protected economic, social and cultural rights,¹ with a reliance on conditional cash transfers² as the most effective way for the state to channel social services to hitherto excluded segments of society (e.g., informal workers, or marginalized identity groups). At the same time, scholars and policy makers in the development field have identified these transformations in the design and provision of social policies in Latin America as part of a series of institutional changes pointing towards the emergence and consolidation of a new conception of the role of the state in the development process.³ The overarching tone of the literature on the New Development State is celebratory, pointing at success

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¹ Victor Abramovich y Christian Courtis. *Los Derechos Sociales como derechos exigibles*. Madrid : Editorial Trotta, 2004; Varun Gauri, Daniel M. Brinks. *Courting social justice: judicial enforcement of social and economic rights in the developing world*. Cambridge; New York : Cambridge University Press, 2008;

² Much has been written about cash transfers in the region, among them the most useful are: Orazio Attanasio, Erich Battistin, Emla Fitzsimons, Alice Mesnard and Marcos Vera-Hernández. "How effective are conditional cash transfers? Evidence from Colombia". THE INSTITUTE FOR FISCAL STUDIES, 2005, in: <http://www.ifs.org.uk/publications/3214>; Jairo Nuñez y Laura Cuesta. "Evolución de las políticas contra la pobreza: de la previsión social a las transferencias condicionadas". CEDE, Universidad de los Andes, Bogota, 2006.

³ David Trubek & Alvaro Santos (Eds.), *The New Law and Economic Development: A Critical Appraisal* (2006); Kevin Davis and Michael Trebilcock, *The Relationship Between Law and Development: Optimists versus Skeptics*, *American Journal of Comparative Law* (2008); Thomas Carothers (ed.), *Promoting The Rule Of Law Abroad: In Search Of Knowledge*; Kenneth Dam, *The Law-Growth Nexus: The Rule Of Law And Economic Development*; Erik G. Jensen and Thomas C. Heller (eds), *Beyond Common Knowledge, Empirical Approaches to the Rule of Law* (2003) and Hernando de Soto, *The Mystery of Capital* (2000); David Trubek, "Development States and the Legal Order: Towards a New Political Economy on Development and Law" available at <http://wage.wisc.edu/uploads/Working%20Papers/NPED%20&%20Law%20Nov%202008.pdf>. For a bibliography of the new political economy of development discussed in Section II, go to the LANDS website: <http://www.law.wisc.edu/gls/lands.html>.

stories particularly the case of Brazil and the *Bolsa familia* program.⁴ A significant number of studies attempted to synthesize these new developments to correlate success in achieving developmental goals with particular policies, practices and institutional innovations.

A cursory comparison of the outcomes of these social policies as implemented in different countries in Latin America reveals a wide margin of variation. In the particular case of Colombia, social policies structured to combine conditional cash transfers and constitutional adjudication seem to have had a marginal effect on improving the conditions of its beneficiaries or the structural characteristics of the economy, as measured by rates of inequality,⁵ unemployment and informality.⁶ This makes the study of the Colombian case particularly relevant for the ongoing conversation about the role of the state in the development process. It invites a number of important questions about the conditions for successful implementation of these policies, and about the nature of the relationship between new social policies, institutional innovation, and achievement of developmental objectives.

In this paper, I argue that the adoption of new social policies, even if consistent with regional best practices, does not necessarily co-relate with positive developmental outcomes. More specifically, I argue that the success of new social policies is not only path dependent but also seems to depend on the specific political choices that made the adoptions of these policies possible. Conditional cash transfers adopted in the context of a political choice to reduce structural and historical inequality are incomparable to ones adopted as a measure to help families in moments of crisis⁷,

⁴ The Bolsa Familia program is discussed in another chapter of this research project.

⁵ Recent statistics from Cepal point that Colombia is the second most unequal country in Latin America (Brazil being the first). This makes Colombia one of the nine most unequal countries in the world. Cepal, *Panorama Social de América Latina 2008*, December of 2008, available on: http://www.eclac.cl/publicaciones/xml/2/34732/PSE2008_Cap1_Pobreza.pdf; and Armando Montenegro y Rafael Rivas, *Las piezas del rompecabezas: desigualdad, pobreza y crecimiento*, Taurus, Bogotá, 2005. P. 37.

⁶ Statistic from the ILO point out that the rate of unemployment in Colombia has never been below 10% and has reached 16% in 2008, higher than the average of all Latin America. In addition, Colombia is characterized by very high rates of informality, since 1988 informality in Colombia has reached 60 % of the population. See in:

http://www.dane.gov.co/daneweb_V09/index.php?option=com_content&view=article&id=183&Itemid=117 and http://www.ilo.org/global/What_we_do/Statistics/lang--en/docName--WCMS_087893/index.htm

⁷ Originally Familias en Acción was designed as a mechanism to help families face structural adjustment programs. See Jairo Nuñez y Laura Cuesta. “Evolución de las políticas contra la pobreza: de la previsión social a las transferencias condicionadas”. CEDE, Universidad de los Andes, Bogotá, 2006. P. 6.

reduce the burden on the government's budget, treat poverty as a localized phenomenon ultimately linked to individual/household fortunes, or strengthened in order to enhance the political capital of a very powerful executive⁸.

I will pursue these arguments in three steps. In the following section I briefly describe the set of social policies that crystallized in Colombia during the 1990s. What characterizes this new regime is a combination of the enforcement of constitutionally protected economic, social and cultural rights with conditional cash transfer programs as the most effective way for the state to channel social services to marginal segments of society (e.g., informal workers, or marginalized identity groups). In section III, I propose an analytical framework to understand the design and content of social policies generally and how it can be used to describe the historical evolution of social policy in Colombia in order to highlight the transformations that were set in place after 1990. Finally in the last section I propose some conclusions in terms of the success and failure of the New Law and Development Social Policy: Familias en Acción.

⁸ As a matter of fact, President Uribe has multiplied the amount of resources destined for Familias en Acción in a series of populist measures. In the Presidential web page this impulse is described as follows: El Presidente Uribe reiteró que al finalizar este primer semestre Colombia contará con tres millones de Familias en Acción, de las cuales 150 mil estarán ubicadas en Bogotá.

Indicó que esta cifra representa un gran logro del Gobierno en la búsqueda de reducir los índices de pobreza que se reportan en el país.

“¿Ustedes saben cuántas Familias en Acción tenía Colombia cuando este Gobierno empezó? 220 mil, un poquitico. Era un programa experimental, transitorio. ¿Saben cuántas Familias en Acción tendrá Colombia en el mes de junio? Tres millones, tres millones”, añadió.

Indicó que “Bogotá no tenía Familias en Acción, tenía cero Familias en Acción Bogotá. ¿Saben con cuantas Familias en Acción queda Bogotá, en junio? Con 150 mil Familias en Acción”. See in: <http://web.presidencia.gov.co/sp/2009/mayo/29/25292009.html>

II. Colombia's New Social Policies: Rights+Cash Transfers

In this section, I offer a brief description of the regime of social policies that slowly crystallized in Colombia during the 1990s. As mentioned earlier, what characterizes this new regime is a reliance on the combination of enforcement of constitutionally protected economic, social and cultural rights with conditional cash transfer programs as the most effective way for the state to channel social services to hitherto excluded segments of society (e.g., informal workers, or marginalized identity groups).

A. Weakening the Weak? Less Social Security, More Rights

From the late 1980s through the late 1990s many of the worker's benefits were eliminated and direct state investment in health and education was diminished.

Nevertheless, the removal of welfare style type policies faced important restrictions. On the one hand, the laws and regulations set in place to minimize the role of the state had to deal with pressing social and economic inequality. On the other hand, privatization and the elimination of subsidies were also restricted by a Constitution that includes a generous bill of social and economic rights as well as with social corporate responsibility codes which historically shaped ideas about protecting the family unit⁹. The extensive bill of social and economic rights, plus special provisions on obligations for the state to guarantee human dignity and provide education and health to all the population provide a backdrop against which any social policy must interact. In addition to this set of rights, the power of the executive in terms of economic and social policy design was greatly limited preventing the President from being able to legislate in certain matters and forcing Congress to regulate most subjects such as labor and pensions¹⁰. Therefore, the constitution had a very determinant effect

⁹ The private sector has influenced the configuration of social policy in at least three ways: first, cooperating with the State on social investment programs that later have become laws; through the creation of independent institutions in charge of social programs; and recently through the establishment of social responsibility codes. Therefore, the dismantling of social policies had to deal with an existing welfare structure promoted by conservative industrialists influenced by catholic ideas of solidarity.

¹⁰ For an account of the transformations and setbacks in the constitutional process see: Manuel José Cepeda Espinosa, La Constitución que no fue y el significado de los Silencios Constitucionales, Ediciones Uniandes, Bogota, 1994; Humberto de la Calle Lombana, Contra todas las apuestas: historia íntima de la constituyente de 1991, Editorial Planeta, Bogotá, 2004.

over both the content of the norms, the type of regulation appropriated and the role of the judges.

The fact that the Colombian Constitution has an extensive bill of rights and that the Constitutional Court has had progressive rulings in terms of social and economic rights, does not mean that the distribution of resources and power within Colombian society has been transformed. It has meant, though, that the rights of formal workers have been effectively protected in comparison to a situation before 1991 where the rights of the working class were in the law but because of a range of problems including access to justice, they were marginally set in place¹¹. In other words, social and economic rights have been able to strengthen the liberal welfare state because they have been used to effectively exercise worker's rights. According to Rodrigo Uprimny, Mauricio García and César Rodríguez's research, roughly 49% of the rulings of the court have referred to worker's related rights: the right to health (28,76%) and right to social security (20,59%)¹².

Having said this, the 1991 Constitution has provided a limit both for executive branch technocrats as well as legislators in terms of targeting social policies (through an identification system that will be summarized in the following section), reaching universal coverage in health¹³ and education¹⁴ as well as in guaranteeing the minimum wage¹⁵.

¹¹ Statistics from the Departamento Administrativo Nacional de Estadística (DANE) point that before 1991, more than 50% of labor trials lasted over a year, and more than 30% of them lasted over two years. La justicia Colombiana en cifras 1937-1994, Departamento Administrativo Nacional de Estadística, p.226.

¹² Mauricio García Villegas, Cesar Rodríguez Garavito y Rodrigo Uprimny. ¿Justicia Para todos?: Sistema judicial, derechos sociales y democracia en Colombia. Norma, Bogota, 2009. P. 359.

¹³ In 2008 the Colombian Constitutional Court declared that the right to health should be adjudicated in the same rank as civil and political rights. This ruling is important for three reasons. First, the Colombian Constitutional Court ruled that the right to health is an independent fundamental right. In previous rulings, the right to health had been protected when it was linked to life risks or human dignity. Second, the Court stated that health coverage in Colombia was not universal as it should be and therefore ordered the government to take the necessary measures to ensure universal coverage and to report every six months to the Constitutional Court the progress obtained in relationship to this aim. Third, the Tribunal pointed out that even though there is a contributive and a subsidized regime, there is discrimination inside the system among the members of those regimes. Therefore, the Court ordered the government to unify both regimes.

¹⁴ There are many decisions by the Constitutional Court about this subject, among them the most useful are: T-236 of 2001; T-943 of 2004; C-1109 of 2001; C-673 of 2001; C-925 of 2000.

¹⁵ For example, in 2003, the Constitutional Court declared unconstitutional an increase of 2% in the Value Added Tax on products that are considered essential for family subsistence ("canasta familiar"). The Court said that this increase went against the taxation system principles of progressivity and equity and it would affect disproportionately the poorest segments of society since most of their income is spent on the goods included in the canasta familiar. Corte Constitucional, Sentencia C-776 de 2003, M.P. Manuel

B. Targeted poverty alleviation programs: SISBEN and Familias en Acción

The objective of Familias en Acción is to: “offer help in moments of crisis in the best way possible to the poorest households, either with food subsidies to children, measures to avoid school desertion, with teaching programs for the unemployed population to get into the labor market and job promotion and creation programs.”¹⁶ Each month it provides a specific amount of money to a family (US \$100 for each child younger than seven years old, US \$50 for each child between the second and fifth grade of school, and US\$ 100 for each child in high school). This sum is supposed to be used to fulfill basic needs related with nutrition and permanency in the schooling system. According to the program’s description “the subsidy is given to mothers, who tend to redistribute the resources in the consumption of food, education and health.”¹⁷ To guarantee the use of the money accordingly, mothers have to complete formats in which they assure their compromise on nutrition, health and education.

This policy, designed in the year 2000 was financed by a World Bank and Inter-American Development Bank credit. The loan’s objective was to promote three welfare programs intended to alleviate poverty and consequently foster development¹⁸. The first of these: Familias en Acción, was inspired by the Mexican program PROGRESA and was centered on conditional cash subsidies for education and nutrition. Initially, the policy was designed according to geographical considerations due to the fact that poorest of the Colombian population live in rural areas¹⁹. Accordingly, 70% of Colombian municipalities qualified for the program. In the year 2005, president Uribe

Jose Cepeda Espinosa. Along the same lines, in 2001, in a highly controversial decision, the Court decided that the salary of low wage public workers could not be increased below the inflation rate. Corte Constitucional, Sentencia C-1064 de 2001, M.P. Manuel Jose Cepeda and Jaime Cordoba Triviño.

¹⁶ Presidencia de la República, Colombia: Hacia un Estado Comunitario, Plan Nacional de Desarrollo 2002-2006, 2002, página 214.

¹⁷ Ibid.

¹⁸ Orazio Attanasio, Erich Battistin, Emla Fitzsimons, Alice Mesnard and Marcos Vera-Hernández. “How effective are conditional cash transfers? Evidence from Colombia”. THE INSTITUTE FOR FISCAL STUDIES, 2005, in: <http://www.ifs.org.uk/publications/3214..> P. 3

¹⁹ According to data presented by FAO and UNESCO rural poverty in Colombia is “65.2%” of the rural population. In: <http://www.lasillavacia.com/elblogueo/blogoeconomia/4832/pobreza-rural-en-colombia>

pushed for total coverage including all cities²⁰ and most towns. To this date 1,093 of the 1,098 municipalities are covered by the program²¹.

The process to access the subsidy is the following. After the town or city has been included in the list of targeted municipalities, the office of the town major must publicly announce a date for families to register in the program. In order to register, you must be a mother, classified as SISBEN 1²², or be part of the displaced people's identification data base²³ and have children younger than 17. This registration process is done once a year. The payment of subsidies is practiced bimonthly. In order to receive the subsidy, the mother must prove that both she and her family have complied with:

- A standard increase in weight and height for children younger than 7. This includes going to 100% of follow up appointments.
- No more than 8 unexcused absence from elementary school for school aged children
- Full attendance to courses on nutrition and early education.

The office of the town major is responsible for sending the necessary reports and information about the adequate fulfillment of conditions to the central government.

In terms of its legal structure, the program is designed by the National Planning Department and a public institution created by President Uribe in order to channel both national and international resources for Presidential social policy initiatives: Acción Social. The existing regulatory framework can be only traced in planning department papers (CONPES). CONPES texts are defined as policy discussions whose objective is to

²⁰ Conpes 3472.

²¹ <http://www.accionsocial.gov.co/contenido/contenido.aspx?catID=204&conID=157&pagID=275>

²² Sisben is a poverty classification data base which is created through a survey practiced in the entire territory. The survey asks questions intended to measure levels of wellbeing and needs in terms of: health, nutrition, education, construction of the family house, type of employment, safety and social interaction. Consejo Nacional de Política Económica y Social, Documento 117, 25 de Agosto del 2008, DNP. In: <http://www.dnp.gov.co/PortalWeb/tabid/55/Default.aspx>

²³ Registro Único de Población Desplazada. In: http://www.gobiernoenlinea.gov.co/contenido_ciudadanos.aspx?temID=119&traID=4752

serve as government consulting documents for economic and social development²⁴. Nevertheless, it adjudicates enormous amounts of resources (such as in the case of Familias en Acción, but most of the CONPES documents deal with issues that have to do with state expenditure such as social security, displaced population, agrarian subsidies, urban zoning projects, aid for minorities, road building, education, among others) and the policies it designs haven't been challenged in Court up to this date. As a consequence, Familias en Acción subsidies provide no citizen entitlement and up to this date have not been contested in administrative courts.

Recently, the program has been greatly criticized by both the right and the left. The critics on the right state that it creates incentives for people not to enter the labor force, it weakens individual resilience and it fosters a paternalistic view of the state. On the left, the critics say that the amount of the subsidy is too small, that it will never make any difference in poor people's lives and that it has been used in order to increase the popular support for President Uribe²⁵. As a matter of fact, President Uribe has forced an increase in the number of families benefitted, which has meant that Acción Social (the agency in charge of delivering the subsidy) in October of 2009 had not

²⁴ According to the National Planning Department: El Consejo Nacional de Política Económica y Social — **CONPES** — fue creado por la Ley 19 de 1958. Ésta es la máxima autoridad nacional de planeación y se desempeña como organismo asesor del Gobierno en todos los aspectos relacionados con el desarrollo económico y social del país. Para lograrlo, coordina y orienta a los organismos encargados de la dirección económica y social en el Gobierno, a través del estudio y aprobación de documentos sobre el desarrollo de políticas generales que son presentados en sesión. In: <http://www.dnp.gov.co/PortalWeb/tabid/55/Default.aspx>

²⁵ Among these Presidential Candidate Cecilia López..." La política social colombiana no puede seguir basándose en limosnas para los pobres, malos servicios para los pocos trabajadores formales y mercados de seguros en salud, educación y pensiones para los pudientes. Tampoco se justifica que los programas asistenciales del Gobierno acaparen cada vez más recursos públicos y se conviertan en la prioridad mientras que, para la mayoría, la salud está en crisis, la educación es de mala calidad, la seguridad social es privilegio de pocos y el mercado laboral es generador de pobreza. Se agrega la crítica situación social de las costas del país, que se comportan como si fueran parte de las zonas más pobres del África, donde los niños mueren de desnutrición y los servicios de salud y de educación son vergonzosos o inexistentes. Voces autorizadas, nacionales e internacionales, han prendido las luces rojas, pero el Gobierno hace "mutis por el foro". La política social sigue siendo la cenicienta de este y un instrumento para obtener votos o pagar favores políticos, cuando no la fuente de financiación de las mafias". In: <http://www.eltiempo.com/archivo/documento/MAM-2742953>

reached the Presidential goals²⁶. Beneficiaries have also complained about long lines in order to register and the slow delivery of the subsidy.

Table 1: Familias en Accion

Description	Familias en Accion is an initiative from the central government, lead by the Presidential Agency for Social Action and International Cooperation. It was designed to provide food and education subsidies to children belonging to the poorest households, subject to the fulfillment of certain commitments.
Objectives ²⁷	<ol style="list-style-type: none"> To Improve the income of the households with children under 18, by promoting the formation and growth of human capital, through: <ul style="list-style-type: none"> Consumption of food, adoption of healthy nutritional habits and health care measures, and nutritional monitoring to minors; The school attendance and permanence, in primary, secondary and vocational education levels. To serve as lynch-pin through the implementation phase of the Social Protection Network for Overcoming Extreme Poverty – JUNTOS (<i>Red de Protección Social para la Superación de la Extrema Pobreza – JUNTOS</i>).
Beneficiaries	<ol style="list-style-type: none"> Households classified as Level 1 – SISBEN, with 18-year-old minors; Internally displaced households, registered in the SIDOP, with 18-year-old minors; Indigenous households, registered in the Indigenous Census endorsed by the Ministry of Interior and Justice, with 18-year-old minors.
Benefits	<p>The program provides a direct financial aid to the beneficiary mother, provided that the family fulfills certain commitments. The subsidy's amount is defined according to the place of residence of the family.</p> <p>The subsidies are meant to be used for education and nutrition.</p> <p><i>Requirements:</i></p> <p>Families have to guarantee: 1) that children continue in the schooling system; and 2) children's attendance to health monitoring appointments.</p>
Entities in charge	<ol style="list-style-type: none"> <i>Unión Coordinadora Nacional (UCN)</i>, responsible for the technical, financial and operative administration and execution of the program; the design of the politics; and program monitoring. <i>Unidades Coordinadoras Regionales (UCR)</i>, intermediaries between central and municipal levels. Mayor.

Finally, in order to understand the program, it is necessary to briefly describe the data base SISBEN. Poverty alleviation programs in Colombia are based on a system that generalizes the needs of the poorest sectors of the population. The 'needs parameter' is the 'SISBEN'-SISTEMA DE IDENTIFICACION PARA POTENCIALES BENEFICIARIOS DE LOS PROGRAMAS SOCIALES- an index composed by six categories which score goes from 0 to a 100. This categorization measures different stages of the poverty according to criteria

²⁶On October 27, 2009 the web page of Acción Social stated that the number of families benefitted by the program (including the displaced population was 2, 538754 families, half a million below the goal announced by President Uribe. For complete information see:

<http://www.accionsocial.gov.co/contenido/contenido.aspx?catID=204&conID=157&pagID=267>

²⁷ Presidencia de la República:

<http://www.accionsocial.gov.co/contenido/contenido.aspx?catID=204&conID=157&pagID=267>

such as: participation in the labor market, income, education, family structure, goods, housing as well as access to basic services such as water and electricity. The following table summarizes the main features of SISBEN:

Table 2: SISBEN

Definition	<ul style="list-style-type: none"> • SISBEN (Identification System of Social Programs Potential Beneficiaries) is “an identification instrument which organizes individuals, according to their standard of life, and permits a technical, objective, uniform and equal selection of state’s social programs beneficiaries, depending on their socio-economic condition”²⁸. • It is the main instrument of individual targeting of social expenses, aimed at centering the investment to the most vulnerable sectors of the population. • It establishes a life standard, classifying the population according to pre-set variables and cut points, such as the ‘line of poverty’ and ‘unfulfilled basic needs’.
Constitutional Basis	art. 350, 356, 357: which establish the state’s obligation to target social investment to the poorest households.
Objectives ²⁹	<p><u>General objective</u></p> <p>To establish a technical, objective, equal and uniform mechanism of identification of social investment possible beneficiaries, meant to be used by the public entities in charge of the execution of social politics.</p> <p><u>Specific objectives</u></p> <ul style="list-style-type: none"> • To facilitate the classification of potential beneficiaries for social programs, in a prompt, objective, uniform and impartial manner. • To permit the elaboration of accurate socioeconomic diagnosis of the poor population, in order to support municipal development plans and the design of concrete programs for most vulnerable households. • To contribute to the institutional strengthening of municipalities, through the development of a modern system of reliable social information. • To support the municipal inter-agency coordination in order to improve the impact of social spending and to promote social programs’ control by municipalities, society and public entities. • To facilitate the evaluation of social programs’ results.
Entity in Charge	The National Department of Planning is in charge of the organization and update of the information.
Benefits	<ul style="list-style-type: none"> • The population categorized as level 1, 2 or 3 can obtain state subsidies and specific social programs benefits, according to the conditions set for each one of them. • It is used by 8 institutions and 31 social programs as a criteria to define their beneficiaries, i.e.: <ul style="list-style-type: none"> ▪ Subsidized health regime ▪ Hospital network ▪ Familias en Acción

²⁸ <http://www.sisben.gov.co/Default.aspx>

²⁹ *Ibíd.* .

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| | <ul style="list-style-type: none">▪ Social protection for Senior citizens▪ Breakfasts for children▪ Low income housing |
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III. Colombia's New Social Policies in Historical Perspective

In this section I situate Colombia's new social policies in the context of the evolution of the Colombian Welfare State since the 1940s. I demonstrate that similar to many countries in the region, and arguably in the global south, the genesis of the Colombian Welfare state and social policies was intimately linked with a development agenda. In the period between 1940s and the 1990s, the lines between social policies and development policies were very blurry. The state pursued development policy objectives in the Keynesian terms of full employment and stimulation of aggregate demand. Social policy was enlisted to the task and was understood broadly to include policies ranging from workers' social insurance schemes to land reforms. The 1990s paradigm for social policies resulted from a series of reform that tended to restrict the domain of social policies and to define it rigidly independently from development policy goals. This didn't mean that development considerations were excluded from the domain of social policies. Many areas of overlap between development policy and social policy persisted throughout the 1990s. Conditional cash transfers are designed by the planning department. The legitimation of these policies continued to rely on arguments drawn from the discourse of economic development. The restriction of the domain of social policy and its gradual distinction from development policy has more subtle manifestations. Two in particular are worth pointing out. *First*, there is the changing understanding of poverty and poverty alleviation from a macro/structural phenomenon that could be addressed through development policy goals and macroeconomic policy instruments, to a localized phenomenon focused on individual/household fortunes that could be addressed by individuals adjudicating entitlements on the basis of the constitutional bill of rights, and conditional cash transfers to households on means-test basis. *Second*, there is the strong role that the Colombian presidency played in setting up the necessary apparatus to implement policy of cash transfers in ways that bring to the foreground the specter of populism and the subjection of social policies to the political considerations of securing a loyal base for the presidency of the republic.

A. Analytical Framework

The description of the rigidities and evolution of the Colombian system is a daunting task and cannot be done without a measure of simplification. In this section, I identify a number of key variables that should facilitate the task of synthesizing almost sixty years of Colombian social policies. I specifically focus on three issues; namely the definition of social policy, the relationship between social policy and development models, and the correlation between models of social policies and legal technology.

1. The Domain of Social Policy

Since the second half of the 19th century, modern industrial societies have been experimenting with different schemes for the provision of social services with a variety of political justifications. This long history has produced a wide spectrum of alternative models for social policy. For the objectives of this paper, social policy broadly moves along three axes: i) relationship between social policies and the market; ii) the nature of individual entitlement; and iii) the role of the state in channeling social services.

In terms of its relationship to the market, social policies can be understood as set of tools that serve broad redistributive objectives, based on equality, fairness and citizenship. In this model social policies are expected to be a counterweight to the market correcting the market's distribution of resources. This is the notion of social policy that one finds in post WWII European social democracies. In the opposite view, social policy is a marginal mechanism set in place to deal with individual issues (e.g., persons with disabilities) that make it impossible or very difficult to enter the market or ones that cannot be corrected by the market. In other words, and contrary to the social democracy model, social policies leave the question of resource distribution to the competitive mechanism of the market. This model of social policy is characteristic of neo-liberal market reforms of the 1980s.³⁰

Furthermore, an essential aspect of the design and provision of social policies has to do with the nature of individual entitlement to the different social services. Here, there is opposition between social policies premised on services rendered as a matter of citizenship rights and policies that condition the provision of services to work performance, individual responsibility or needs test.

Finally, models of social policy vary in terms of the role of state in the design of policy, and the financing and channeling of social services. On the one hand there are models in which the state has the default responsibility to provide social services

³⁰ Kerry Rittich, Recharacterizing, Reestructuring: Law, Distribution and Gender in Market Reform, Kluwer Law International, 2002.

through its administrative apparatus. In this model social services are financed from taxes and budget deficits. On the other hand, there are models in which the role of the state is minimal and civil society agents (charitable foundations, religious institutions, and NGOs) play the most important role in financing and channeling social services.

The following chart summarizes this framework:

Table 1: Models of Social Policy

	Right	Left
Relationship to the Market	Social policy intervenes when markets fail.	Social policy is a counter weight to the market's distribution of resources
Nature of Individual Entitlement	individual responsibility or needs test	Citizenship Rights
Role of the State	Marginal role of the state. Important role for civil society (charity, religious institutions, NGOs)	Central to the design, financing and channeling of services.

2. Social Policies and Development Models

The above map, however, is incomplete for the Colombian context, and by analogy, other developing countries. In the Colombian context, any description of social policy is unintelligible without a consideration of the relationship between social policy and economic development models. There is a dynamic relationship between on the one hand processes of economic transformations and, on the other the design of social policies. In any particular setting, the way in which state and political actors have defined the distributive impulse of social policies will interact with broader objectives of economic development. In the same way, the objectives of development policies will have a determinant effect on both the possibilities and the limitations of social ones.

Therefore, if the economic development policy of the state is to reach industrialization through an import substitution strategy, the corresponding social policies and legal technology will be different than if the state is defining development as market liberalization and export led growth. At the same time, if the social thrust of a state is to universally redistribute wealth within a society, this will impact economic development policy by rearranging its priorities, and preferences for policy instruments.

3. Social Policy and Legal Technology

The above typology of social policy models in terms of the definition of the social and the relationship to development models is still too vague to guide a historical overview of the Colombian Welfare State. An important dimension of social policy remains outside this typology; namely, the dimension of the details of implementation and the legal and institutional arrangements that are necessary for/produced by the different models of social policy. More specifically, law provides the necessary technology to translate policy objectives into specific decisions about the division of labor between the different actors and agencies involved (legislator, executive, administrative bureaucracies, beneficiaries, charitable organization, NGOs, and judges etc). Additionally, the legal structure also determines the distributional outcome of these policies and the limits of their reach.

The following chart summarizes the relationship between economic development ideas, social policies and legal instruments:

Table 2: Social Policies and Development Models

	Idea of Social Policy	Role of the State	Use of Law
ISI	SP is a tool to increase productivity, and stimulate demand; Land reform, subsidies on necessities, public education	Increase the productivity Increase Investment Industrialization	Public Law Administrative Action Top-down
Dependency	SP is a tool to transform class relations in society; Land reform, universal health care and education	Owns the means of Production Provide Social services De-linking	Public Law Administrative Action Top-down Popular democracy, cooperatives institutions
Market-oriented Reforms	SP is a safety net Private charity to the poor, the sick and the elderly	Minimal state Macro-economic stability Market as best resource allocator	Private law Negative rights
Post Washington-Consensus	SP is a tool to help people enter the market Cash transfers Corporate social responsibility	Partner with the Private Sector Providing public goods to facilitate innovation	Social and Economic Rights Soft Law and Governance

B. Social Policies in Historical Perspective

Since its origins in the late 1940s, the Colombian welfare state has been geared exclusively to the working class, with very marginal programs aimed at providing universal services to the population excluded from the market. According to Stephan Haggard and Robert Kaufman:

In Latin America, most states established occupationally based social insurance and health systems that favored formal-sector workers but typically excluded informal urban workers and the rural sector. The provision of basic social services also showed a marked inequity in distribution, reinforcing rather than mitigating long-standing patterns of inequality in the region.³¹

Characterizing the Colombian state as one completely focused on the urban, formal worker and the problems that this entailed is a consequence of the observation of three factors: the economic and political justifications that have been included in the diverse laws and regulations; the targeted population and their benefits, as well as institutional setting created. It is against this basic image that one can make sense of the 1990s transformations.

³¹ Stephen Haggard and Robert R. Kaufman, Development, Democracy and Welfare States: Latin America, East Asia and Eastern Europe, Princeton University Press, 2008, p. 4.

All along, the system has been thought of as protecting workers from the risks of unemployment, sickness and age. At the same time, programs destined to alleviate poverty or specifically targeted for the poor have been marginal. Since 1945, and up to the mid 1990s policies designed towards alleviating poverty had three basic components: eliminating unemployment through Import Substitution Industrialization³², promoting rural migration to the cities in order to increase the work force available for the industrialization process³³ and redistributing unused land³⁴ as well as increasing credits and resources for small landowners in order to make them more productive³⁵.

1. Early Years (1946- 1960)

In the period that goes from 1946-1960, the Colombian economy was based on the export of coffee. During this period, and in line with international consensus, the Colombian government started to pursue a development strategy centered on promoting industrialization, by encouraging savings nationally, and foreign direct investment.³⁶ Social policy benefited the working class through minimum wage³⁷ and

³² Industrialization was a major policy objective since the early 1940s. According to a leading economic historian, Miguel Urrutia: 'Since the year 1944 Colombian political economy was geared toward creating incentives for industrial production through the promotion of the importation of machinery and some primary products.' Miguel Urrutia *40 años de Desarrollo: Su Impacto Social*, Banco Popular, Bogotá, 1990, p. 19. In most economic development documents of the following 30 years, the reference to industrialization and capital accumulation was permanent. National Development Plan: "Planes y programas de desarrollo (1969-1972)", Departamento Nacional de Planeación.

³³ Many economic planning documents include references to the idea of promoting the migration of excess labor from the countryside to intermediate cities. Just as an example, the National Development Plan of 1970 says: 'rural policy will be oriented and organized around promoting the migration of 'excess' population in 'problem zones' toward intermediate cities...' National Development Plan: "Plan de desarrollo económico y social (1970-1973)", Departamento Nacional de Planeación.

³⁴ Colombia had very weak experiments with agrarian reform. For more on the basic characteristics of the Colombian agrarian reforms see: Helena Alviar García: Derecho, Desarrollo y Feminismo en América Latina, Universidad de los Andes y Editorial Temis, Bogotá, Colombia. , Octubre 2008; Helena Alviar y Margarita Varón, *Improvement of the confiscated land redistribution processes to the IDPs, MIDAS – USAID, Task Order No. MIDAS-UNIANDES-*, Enero, 2008.

³⁵ An example of this measure was the Rural Integrated Development Program (*Desarrollo Rural Integrado-DRI*), designed in 1975, whose objective was to provide small landowners with technological and technical assistance, credits, transportation infrastructure, hospitals and electrification. "The DRI program is not a substitute for land reform but a strategy that, given the impossibility of changing the system of land tenure in some highly populated areas, attacks the problems due to the lack of capital and technology in the country side". National Development Plan:"Para cerrar la brecha: Plan de desarrollo social, económico y regional (1975-1978)", Departamento Nacional de Planeación.

³⁶ During this period, the major obstacle to industrialization and development was seen as the lack of investment: 'In previous plans, there was a close relationship between capital accumulation and production, it was concluded that the possibility of increasing growth depended on an increase in capital investment.' "El plan de desarrollo colombiano en marcha", Departamento Nacional de Planeación, Ediciones Tercer Mundo, 1974, p. 58.

social insurance benefits³⁸. The social security (understood as a protection from risks related to age and health) were managed by a public institution: '*Instituto Colombiano del Seguro Social*' (ICSS) created in 1946.

All of the policies in this field were established through laws passed by Congress. The role of the executive branch was minimal and there is hardly any jurisprudence related to contested social security rights. The role of the executive branch was minimal mostly because the ICSS was thought of as an entity regulated by private law that managed public resources. It was supervised by the *Superintendencia Bancaria*³⁹, the public commission in charge of regulating and monitoring banks. The *Superintendencia Bancaria* was defined as a technical, apolitical institution, and contrasted with "inflexible law."⁴⁰

During this period, as in the following one, there was complete faith that there would be a point at which all workers would be incorporated into the market and therefore, poverty alleviation was understood as a part of the promotion of industrialization.

³⁷ The minimum wage was established in 1945. Ley 6 de 1945, art. 4: "*El Gobierno podrá señalar, por medio de decretos que regirán por el término que en ellos se indique, los salarios mínimos para cualquier región económica o cualquier actividad profesional, industrial, comercial, ganadera o agrícola de una región determinada, de conformidad con el costo de la vida, las modalidades del trabajo, la aptitud relativa de los trabajadores, los sistemas de remuneración o la capacidad económica de las empresas, previo concepto de comisiones paritarias de patronos y trabajadores*". For an extensive study on the evolution of the minimum wage in Colombia see: Luís Eduardo Arango, Paula Herrera and Carlos Esteban Posada, *El salario mínimo: aspectos generales sobre los casos de Colombia y otros países*, in Borradores de Economía n° 436, 2007, Banco de la República.

³⁸ These years were characterized by the formal establishment of a general and relatively uniform regulation of labor relations, both for public and private sectors (Law 6/1945). According to this law, social security benefits were conceived as services at the expense of the employer. In 1946, *Ley 90* created the Colombian Social Security Institute (*Instituto Colombiano de Seguros Sociales*) and established a mandatory social security system for the working class. Arenas Monsalve, Gerardo, *El Derecho Colombiano de la Seguridad Social*, Legis, 2007.

³⁹ *Ibid.* P. 76.

⁴⁰ The proposal that justified Ley 6 of 1945 says: "to manage the Social Security system we must create a private, apolitical, purely technical institution whose mathematical department, not an inflexible law, will define the range of contributions for each risk insured..." Oswaldo Cetina, "*Derecho Integral de Seguridad Social*", Universidad Externado de Colombia, 1986, p. 104.

Table 3: Law 90/1946

Law's objective	"Establishment of the mandatory affiliation social insurance system and the creation of Instituto Colombiano de Seguros Sociales".
Benefits	<ul style="list-style-type: none"> • Medical care (26 weeks maximum) for non-work related diseases; • Daily allowance for non-occupational diseases and for maternity; • Medical care assistance for the pregnant worker or for the worker's pregnant wife; • Nursing allowance for worker's children; • Disability pension; • Retirement pension; • Medical care and compensation for job related diseases; • Worker's funeral expenses; • Pension for widow and widower
Beneficiaries	<ul style="list-style-type: none"> • "Shall be covered by the obligatory social security system, all individuals, domestic or foreign, who provide their services to another person by virtue of a contract, express or alleged, for work or apprenticeship, including domiciliary workers and housekeepers" (art. 2)⁴¹ • Self-employed persons with less than \$1800 income per year (art. 5); • The worker's family members that depend exclusively on him and live with him (art.7). <p>Shall not be covered by the obligatory social security system, the following persons (art. 6):</p> <ul style="list-style-type: none"> • The spouse, the parents and the 14-year-old minor children of the employer; • Other family members of the employer; • Seasonal workers; • Persons who work less than 90 days per year.
Entity in Charge	For the direction and supervision of social insurance system the Instituto Colombiano de Seguros Sociales is created as an autonomous public entity. 'entidad autónoma de derecho social, con personería juridical, patrimonio propio distinto a los bienes del estado e independiente del mismo' ⁴² (Art. 8)
Resources	Triple contribution system: Insured; Employer and the State

2. The Age of Full-Employment (1960- 1980)

During the period that goes from the late 1960s through the late 80s, industrialization with policies aimed at increasing savings and attracting foreign direct

⁴¹ *ARTÍCULO 2. Serán asegurados por el régimen del seguro social obligatorio, todos los individuos, nacionales y extranjeros, que presten sus servicios a otra persona en virtud de un contrato expreso o presunto, de trabajo o aprendizaje, inclusive los trabajadores a domicilio y los del servicio doméstico.*

⁴² Note the difference with institutional arrangements and executive power after constitutional reform of 1968.

investment, was articulated in the more structural terms of increasing aggregate demand and achieving full employment. Full employment required a more active state and contained the understanding that only through creating the conditions of formal, well paid jobs a virtuous cycle would occur that would increase consumption and demand. Social policies were aimed at poverty alleviation and focused on removing structural barriers to full participation in the market.⁴³ The social security system was reorganized and strengthened during this period. The services for the working class were extended to benefits for families, pensions for widows, unemployment insurance and rural workers were included under the social security benefits.

Along with this expansion, there was a major change in the institutional setting and the legal framework that framed the field. In 1968, there was a fundamental constitutional amendment which increased significantly the power of the President. This constitutional transformation was based on the idea that in order to reach the objectives of development (industrialization with some degree of distribution which would increase the demand over goods and services) Colombia needed to transform the organization of the state completely. In order to do this it had to restructure public institutions into a wide range of public and semi-public enterprises (*Sociedades de Economía Mixta, Empresas Industriales y Comerciales del Estado, Establecimientos Públicos*) that shared some characteristics with private sector ones but were run by the central government by technocrats⁴⁴

As a result of this transformation the whole system during this period was put in place through administrative acts (presidential decrees)⁴⁵ with no participation from Congress and no limitations in terms of worker's rights. In addition, the ICSS was transformed into a public entity regulated by public law. Judges were largely absent from the framework, although there were a range of disputes over the adjudication of pensions.

⁴³ For example the Colombian National Development Plan of 1970-1973 states: "full employment of human resources would be the fundamental aim of plans and programs of development". Therefore, poverty must be eradicated because "the principal cause of unemployment is the unequal level present in the country". In the same sense, the Plan establishes that the "State must intervene to give full employment of human resources". Colombian National Development Plan of 1970-1973. P. 10-12.

⁴⁴ The administrative reform of 1968 tried to promote a more centralized, apolitical, technocratic institutional setting through the creation of a range of state enterprises.

⁴⁵ "The constitutional amendment of 1968 (...) gave the executive all the initiative in public expenditure without a balance of other State instance (...) The political regime became a presidential dictatorship". See in: Kalmanovitz, op cit. Tercer Mundo, 1994. P. 442.

Table 4: Colombian Social Security (1960- 1980)

Benefits	<ul style="list-style-type: none"> • Medical assistance for rural workers; • Familiar medicine; • Annual contribution of unemployment insurance.
Beneficiaries	<ul style="list-style-type: none"> • Rural workers; • Widows of the affiliated workers; • Families of the affiliated workers; • Unemployed. Public employees.
Entity in charge	Instituto Colombiano de Seguros Sociales ⁴⁶
Resources	Double contribution system: Insured and Employer.

3. Liberal Reforms and Colombia's New Social Policies

From the late 1980s through the late 1990s Colombian development strategy shifted from promoting industrialization and full employment to strengthening the competitive mechanisms of the market as the only sustainable way to achieve economic growth. ISI policies were gradually abandoned in favor of free trade⁴⁷ and strong market institution.

The abandonment of full employment as a primary objective of development policy had tremendous impact on social policies. Worker's benefits were eliminated and direct state investment in health and education was diminished. Rural poverty alleviation programs were greatly weakened because of lack of resources. These reforms were accompanied with a privatization of the institutional arrangement that provided the benefits established in the law as well as through the general reduction of the benefits. Poverty alleviation policies changed their macro-economic status, and became more focalized and defined by microeconomics. Social policy shifted from

⁴⁶ The Decree 433 of 1971 is the first statute that reorganizes the "Instituto Colombiano de Seguros Sociales". This Decree introduces substantial modifications to the original structure of the entity and transforms it completely into a public law regulated one. Arenas Monsalve, op. Cit., Legis, 2007. P. 91.

⁴⁷ The National Development Plan of 1990 establishes two principles in terms of macroeconomic policies. First: free trade and an open economy are basic for development. In this sense, it points: "unlike the recommendations of professors and students of the fifties and sixties (...) nowadays, an open economy is identified as a basic strategy for development". Second: State "intervention must not replace the market; it must correct its distortions". See in: <http://www.dnp.gov.co/PortalWeb/PND/PlanesdeDesarrolloanteriores/tabid/66/Default.aspx>

instruments related to promoting formal and total employment⁴⁸, rural population⁴⁹ and measures to respond to violence and poverty simultaneously⁵⁰, to the setting in place of cash transfers originally designed to help out households in times of structural adjustment. Thus, during the nineties, the Fondo de Solidaridad y Emergencia Social was established to provide financial aid for education, health care, sanitation, institutional development, and special protection for women, youth and elderly, as well as emergency employment programs in the cities and the countryside⁵¹.

IV. Conclusion

In the on-going conversation among policy makers and experts in law and development, Colombia's new social policies provide a springboard to analyze more rigorously the relationship between institutional innovation, a policy instrument and the achievement of developmental objectives.

In the evolution of social policy that this paper has described, the combination of constitutional enforcement of economic and social rights and conditional cash transfers constitute its latest stage. The contemporary stage is a tripartite combination of a development strategy shift, a set of localized institutional changes in the social insurance scheme, and a major constitutional reform.

Programs such as Familias en Acción represent a new understanding of the role of the state in the development process. It is new because it goes beyond the public/private distinction since the conditions set in order to receive the subsidy are based precisely on changing the realm of the private. The novelty is also related to the fact that it calls into question the coherence of the great divide in social policy models between paternalism and individual responsibility, and between politics and

⁴⁸ During the 30s were established the basic institutions of labor law, such as a Social Insurance System; the Instituto Colombiano de Seguros Sociales, responsible for the direction and supervision of the former; the Sistema de Subsidio Familiar (SSF); the Servicio Nacional de Aprendizaje (SENA) and the Instituto Colombiano de Bienestar Familiar (ICBF). However, drastic demographic changes and the urbanization process experimented in this period, contributed to the appearance of shantytowns in the cities, and marginalized population in the countryside.

⁴⁹ Examples of those measures are the Caja de Crédito Agrario, the Instituto Colombiano de Reforma Agraria (INCORA) and the Fondo de Desarrollo Rural Integrado (DRI), designed to alleviate rural poverty by increasing credits and resources for small landowners in order to make them more productive. Nevertheless, Colombian agrarian structure remains highly unequal, and the lack of land continues to be an obstacle for development.

⁵⁰ The Plan Nacional de Rehabilitación (PNR) was created in 1982 to allocate social benefits to people, regions and activities affected by poverty and violence and marginalized of social and economic progress.

⁵¹ Nuñez y Cuesta. Op.cit. CEDE, Universidad de los Andes, Bogota, 2006. P. 12.

technocracy. Finally, the innovation comes from the fact that it moves away from the rigidities and increase in state expenditure of the top-down approach; instead relies on malleable orders (CONPES being the ultimate example of this) and on municipal/private partnerships.

And yet, it is precisely these institutional innovations that make the program politically problematic, and with unclear developmental outcomes. When situated in a historical context, Familias en Acción becomes part of the Colombian structural incapacity to redistribute resources among its population. In this paper, this was most clearly illustrated by the tendency of these reforms to restrict the domain of social policy, and to redefine poverty as a localized phenomenon that depends on individual fortunes. More interestingly, an analysis of Familias en Acción in a historical context also reveals that whenever we find institutional innovations, these are better explained by the underlying political and economic conditions in any specific context. This is relevant in the Colombian case since the increase in the number of municipalities and families covered by the program seem to have a relationship with electoral politics and President Uribe's populist style.

In short, placing Colombia's new social policies in their proper historical context bring strong support to the insight according to which the success of new social policies is not only path dependent but also seems to depend on the specific political choices that made the adoptions of these policies possible.

BIBLIOGRAPHY

Alviar García, Helena, Derecho, Desarrollo y Feminismo en América Latina, Universidad de los Andes y Editorial Temis, Bogotá, 2008.

Alviar, Helena and Varón, Margarita, Improvement of the confiscated land redistribution processes to the IDPs, MIDAS – USAID, Task Order No. MIDAS-UNIANDES-, 2008.

Arango, Luís Eduardo, Herrera, Paula and Posada, Carlos Esteban, El salario mínimo: aspectos generales sobre los casos de Colombia y otros países, in Borradores de Economía n° 436, 2007, Banco de la República.

Arenas Monsalve, Gerardo, El Derecho Colombiano de la Seguridad Social, Legis, 2007.

Attanasio, Orazio; Battistin, Erich; Fitzsimons, Emla; Mesnard, Alice and Vera-Hernández, Marcos, How effective are conditional cash transfers? Evidence from Colombia, The Institute for fiscal studies, 2005, in: <http://www.ifs.org.uk/publications/3214>.

Morales, Otto, Bases históricas y doctrinarias del régimen social y del subsidio familiar en Colombia, Colsubsidio, Bogota, 2001, V. 3 -4

Cepal, Panorama Social de América Latina 2008, 2008, In: http://www.eclac.cl/publicaciones/xml/2/34732/PSE2008_Cap1_Pobreza.pdf.

Cepeda Espinosa, Manuel José, La Constitución que no fue y el significado de los Silencios Constitucionales, Ediciones Uniandes, Bogota, 1994.

Cetina, Oswaldo, Derecho Integral de Seguridad Social, Universidad Externado de Colombia, 1986.

Colmenares, German, Historia económica de Colombia, Siglo Veintiuno Editores, Bogota, 1987.

Corte Constitucional, Sentencia C-1064 de 2001, M.P. Manuel Jose Cepeda and Jaime Cordoba Triviño.

Corte Constitucional, Sentencia C-776 de 2003, M.P. Manuel Jose Cepeda Espinosa.

De la Calle Lombana, Humberto, Contra todas las apuestas: historia íntima de la constituyente de 1991, Editorial Planeta, Bogota, 2004.

Departamento Administrativo Nacional de Estadística (DANE), La justicia colombiana en cifras 1937-1994.

Departamento Nacional de Planeación, El plan de desarrollo colombiano en marcha, Ediciones tercer mundo, 1974

Departamento de Nacional Planeación, National Development Plan: “Planes y programas de desarrollo (1969-1972)”.

Departamento Nacional de Planeación, National Development Plan: “Plan de desarrollo económico y social (1970-1973)”.

Departamento Nacional de Planeación, National Development Plan: “Para cerrar la brecha: Plan de desarrollo social, económico y regional (1975-1978)”.

Departamento de Nacional Planeación, National Development Plan, Colombia: Hacia un Estado Comunitario, Plan Nacional de Desarrollo 2002-2006.

García, Mauricio, Rodríguez, Cesar and Uprimny, Rodrigo, ¿Justicia Para todos?: Sistema judicial, derechos sociales y democracia en Colombia. Norma, Bogota, 2009.

Guerrero Figueroa, Guillermo, Teoría general del derecho laboral, Leyer, Bogota, 2006.

Haggard, Stephen and Kaufman, Robert R., Development, Democracy and Welfare States: Latin America, East Asia and Eastern Europe, Princeton University Press, 2008.

Kalmanovitz, Salomon, Economía y Nación. TM Editores, 1994.

Montenegro, Armando and Rivas, Rafael, Las piezas del rompecabezas: desigualdad, pobreza y crecimiento, Taurus, Bogotá, 2005.

Núñez, Jairo and Cuesta, Laura, Evolución de las políticas contra la pobreza: de la previsión social a las transferencias condicionadas, CEDE, Universidad de los Andes, Bogota, 2006.

Sen, Amartya, Development as Freedom, Anchor Books, 2000, p. 3.

Tanaka, Martin and Trivelli, Carolina, Las trampas de la focalización y la participación: pobreza y políticas sociales en el Perú durante la década de Fujimori, Instituto de Estudios Peruanos, 2002.

Urrutia, Miguel, 40 años de Desarrollo: Su Impacto Social, Banco Popular, Bogotá, 1990.

World Bank, La pobreza en Colombia: un estudio del Banco Mundial, TM Editores, 1996.