Expanding land for agribusiness development in postconflict Colombia: a means to overcome violence or to institutionalize it?

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Abstract

This article offers an analysis of the political economy behind the emergence of current spaces of agrifood production in Colombia in the light of a case study of the Eastern Plains region. This region of the Orinoco savanna has been the target of postconflict (postwar) policies in Colombia aimed at developing large-scale agricultural projects. The analysis shows the processes behind the emergence of this region. On the one hand, those related to land grabbing; on the other hand, those linked to the institutionalization of private land ownership derived from violent forms of dispossession. The paper shows how policies to promote large-scale agricultural projects have helped to legitimize and institutionalize historical processes of dispossession and spawn new conflicts in the region over land tenure and ownership.

Keywords: Colombia, ZIDRES, Altillanura, agrifood industry, dispossession

Résumé

Cet article propose une analyse de l’économie politique derrière l’émergence des espaces actuels de production agro-alimentaire en Colombie à la lumière de l’étude de cas de la région des plaines orientales. Cette région de la savane de l’Orénoque a fait l’objet de politiques postconflict (après-guerre) en Colombie visant à développer des projets agricoles à grande échelle. L’analyse révèle les processus à l’origine de l’émergence de cette région. D’une part, ceux liés à l’accaparement des terres ; d’autre part, ceux liés à l’institutionnalisation de la propriété foncière privée issue de formes violentes de dépossession. L’article montre la manière dont les politiques tendant à promouvoir les projets agricoles à grande échelle ont contribué à légitimer et à institutionnaliser les processus historiques de dépossession et à engendrer de nouveaux conflits dans la région à propos de l’occupation et de l’appropriation du foncier.
Introduction

Six years after the signing of the Peace Agreement between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC) in 2016, internal conflicts were far from having been overcome. The Peace Agreement had sealed the beginning of the “postconflict” period (hereafter solely “postconflict”), which was supposed to open a new phase of economic development with justice and social peace, and prosperity for all. However, territorial conflicts and violence were exacerbated instead. More than a hundred peasants, indigenous people, and union leaders were murdered between the signing of the Peace Agreement in 2016 and 2021. One of the main factors behind this intensified violence was the dispute over rural lands. Colombia is considered to be one of the most unequal countries in the world in terms of land distribution: whereas 1 percent of the largest properties concentrate close to 75 percent of the country’s productive rural land, 80 percent of the smallest farms control less than 5 percent of productive land (OXFAM, 2014, p. 36). Postconflict policies sought to tackle these issues through an effective land-use policy that, on one hand, sought to compensate the victims of the armed conflict and, on the other, to contribute to the development of agri-food production (Gutiérrez, 2019; García, 2020).

Postconflict policies were nonetheless influenced by the expansion of agribusiness, which has had an impact on processes of land grabbing at both global and national scales (Grajales, 2020). Between 2007 and 2009, throughout the world, at least 46.6 million hectares of land were acquired for producing food and biofuels, or for speculation (World Bank, 2010). Most of these land deals took place in sub-Saharan Africa and about 60 percent were on lands claimed by indigenous and small communities around the world (OXFAM, 2016a). According to OXFAM (2016b), there was an escalation of conflicts and violence worldwide, especially in rural communities as a result of the implementation of land deals.

This paper argues that postconflict policies, far from addressing the structural causes of violence in Colombia, have been a key means to institutionalize them. This is evidenced through the case study of the public initiatives to develop large-scale agro-industrial projects in the Eastern Plains region of Colombia. This region was marked by episodes of land grabbing, violence, and dispossession. Notwithstanding, the government proposed to develop the vacant lands of the region as a contribution to postconflict development. Unlike analyses that focus on the interests that prompt individuals, corporations, or states to grab lands, this paper emphasizes the role of policies in the institutionalization of violent forms of appropriation. Institutionalization is here understood to mean the legal and economic reforms that allow or consolidate landownership; these include mechanisms such as land-use policies or agricultural

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1. “Prosperity for All” is the title of Colombia’s National Development Plan of 2010-2014. It was proposed during the first government of Juan Manuel Santos (2010-2014) which established the road map for postconflict policies.
developmentalist policies that define specific uses and rights over lands. Violence is conceptualized as a manifestation of historical processes of class struggle over land access. Therefore, the institutionalization of violence is equivalent to the normalization of land grabbing which consolidate private property on the land.

The paper examines the relationship between space and violence through an analysis of the processes that have made lands in the Eastern Plains region available for "postconflict" agrifood development. Characterized by savannas and wetlands, this region was classified as “prime agricultural land” due to “its ample water resources, vast swaths of flat land and perennially warm and rainy climate which allows for two harvests in a year” (USDA, 2015, p. 4). The development of these lands represented the possibility to reduce food imports and increase the export of agrifood products such as genetically modified corn, soy, rice, oil palm, and other products demanded by the global agrifood industry. It also promised to contribute to the creation of wealth and employment (Portafolio, 2008; USDA, 2015). Thus, the development of the Eastern Plains—which was defined as “Colombia’s last agricultural frontier”—represented the possibility of bringing economic prosperity to postconflict regions, resolving historic land issues, and combining efficient land uses for sustainable development².

The analysis presented in the paper is based on a case study carried out over the course of six months (between February–March and August–December 2021) in the locality of Puerto Gaitán, in the province of Meta, in the region of Eastern Plains. The aim of my research consisted of examining the implementation of the projects proposed by the government to expand agrifood production in the region. The Zonas de interés de desarrollo rural, económico y social or “ZIDRES”—the name given to these projects according to the law that enabled the creation of those zones—were projected over different provinces of the Colombian Eastern Plains and central regions which were marked by the armed conflict (figure 1). With the aim of understanding the rationality behind such projects, I conducted semi-structured interviews with public servants of the Agricultural and Rural Planning Unit (UPRA) of the Agustín Codazzi Geographic Institute, local public authorities, professionals, and local inhabitants of Puerto Gaitán (N=30)³. During my stay in the locality of Puerto Gaitán, I could confirm that none of the ZIDRES projects had been built, and that none of the infrastructure that the government had promised for prompting the development of the region had been constructed either.⁴ The explanation provided by the public authority (the UPRA)

2. The notion of the last agricultural frontier has a contradictory meaning within Colombia’s public policy: on the one hand, it signifies the limits to agricultural expansion. On the other hand, it refers to the borders with the Orinoco and the Amazonian forests. The “closure” of the agricultural frontier—made into law by the Resolution 261 of the Ministry of Agriculture in 2018—thus aimed to provide the state with an inventory of the lands in which agricultural development could take place respecting ecological borders.

3. This research was funded by the Fonds de recherche du Québec, société et culture (FRQSC)’s PhD bursary program.

4. The government planned the construction of a 4G highway (Chirajara - Fundadores highway) to improve access to the Eastern Plains, and the construction of five riverine ports and other infrastructures to facilitate the transport of agricultural goods to the main ports of the country. Most of the funding for these projects came from private investments and international loans from the World Bank. Specifically, from a US$10 billion loan package granted by the International Bank for Reconstruction and Development (IBRD) in 2018 (Juaneda, 2018, p. 4).
for the delay of these projects was the legal issues regarding lands in the region. However, this had not prevented the expansion of agribusiness and other private capitalist ventures in the region’s public lands. In fact, postconflict legal reforms had favored land claims for “productive projects” while ignoring the historical land claims of indigenous and peasant communities.

The analysis, in the paper, is structured in three sections: the first section comprises a brief discussion of land grabbing and the relationship between violence and space; the second section provides an analysis of the nature of the land grabbing phenomena and land dispossession in Colombia. This part explains the effects of some economic booms and land policies on land dispossession. Finally, the third section makes an analysis of the implementation of the ZIDRES projects in the region of the Eastern Plains.
Land grabbing and agriculture: conceptualizing violence

Land grabbing is defined as the acquisition and control of large amounts of land by a person, entity (public or private, foreign or domestic) via any means (legal or illegal) which can take place through different mechanisms of ownership, lease, concession, contracts or de facto forms of power (Peluso and Lund, 2011). Land grabs can have a variety of purposes including speculation, extraction, resource control or commodification, all of which occur at the expense of peasant farmers, agroecology, and land stewardship (Baker-Smith and Miklos, 2016, p. 2). The term “land grabbing” has been broadly assumed as the drive to control and exercise power over the territory for political and economic purposes. In the context of the 2007-2008 Global Food Crisis, this phenomenon was formulated as a response to the market crash of 2008 which led speculators, hedge fund managers, and other large institutional investors to look for secure investments in food and land (Cotula et al., 2009; McMichael, 2012; Akram-Lodhi, 2012). However, the emphasis on the actors and the motivations behind land grabs has led us to lose sight of the processes that help to institutionalize space violence. For instance, infrastructural projects that “facilitates and conceals the complex intertwining of structural, symbolic and direct forms of violence” (Wilson, 2014, p. 516) and distinguish legitimate from illegitimate land uses and users (Li, 2014, p. 593). In the specific context of Latin America and the Caribbean, land policies for agricultural development caused cycles of political violence (Edelman and Leon, 2013). Specifically in Colombia, the implementation of agricultural development projects for the market led to violent land grabbing processes (Escobar, 2004).

Therefore, as the following case study aims to show, violence is not only a by-product of the expansion of private and corporate interests on the land, but it is also a precondition for land grabbing. As a precondition, violence colludes in the production of land as a commodity and as a “resource” available for development projects. The discourse framing lands in terms of agrifood development thus helps to produce a new type of property: the property of dispossessed land that becomes a new source of wealth (Nichols, 2018). Rural land-use planning policy in Colombia has played a key role in the institutionalization of spatial violence and the formalization of violent dispossession. As this case study demonstrates, instead of a vehicle for overcoming violence, the allocation of land uses for postconflict agrifood development along with the formalization and ordering of tenure, constitutes a key means of “concealing” the violence that is at the root of private property in land. As such, agrifood development constitutes a key land grabbing developmental strategy (Lavers, 2012) that aim to consolidate “extra-economic power” over the land (Levien, 2012, p. 964).

In the following, I summarize some of the events that shaped land grabbing in Colombia and were followed by formalization processes. Such processes helped institutionalize forms of violent dispossession and made land available for agricultural developmental projects.

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5. This crisis was associated with increased international prices of rice, wheat, soybeans, and other staple foods (FAO, 2008).
National context of land grabbing

The phenomena of land grabbing in Colombia have been shaped by different social and economic factors, such as the economic policies and land policies to expand agricultural frontier that created injustices in terms of land redistribution. At the end of the 19th century, settlers peasant or colonos and landowners clashed for the titling of public lands in the coffee agricultural frontier. According to Catherine LeGrand, coffee entrepreneurs “sought to establish property rights over large extensions of public lands already occupied by peasants”, which led to expropriations, usurpations and the violent dispossessio of peasants and sharecroppers (LeGrand, 1984, p. 35).

In the second half of the 20th century, land conflicts were compounded by the war between the Liberals and the Conservatives—a process that in Colombia reached the dimensions of civil war (Sánchez and Meertens, 2001). Consequently, more than two million people were displaced from rural areas between 1948 and 1958, equivalent to one-fifth of Colombia’s population and at least 200,000 people were killed (Rueda Bedoya, 2000; Sánchez and Meertens, 2001). Such an exodus led to the opening of new agricultural frontiers in the regions of Sumapaz, southern Tolima, the Middle Magdalena, and the Eastern Plains region by landless populations (Sánchez, 1989, p. 142-143).

During the 1960s, agrarian reform programs sought to foster agricultural development via the colonization of vacant state lands and the modernization of large estates. These programs, which were strongly influenced by US intervention in the region through the Alliance for Progress (1961), led to the conversion of unproductive lands into modern agricultural enterprises while land redistribution was violently prevented by traditional landowner classes (Días-Callejas and Medellín, 1986, p. 15). The result was a violent process of dispossessio of rural populations in regions where cash crops (sugarcane, pastures for meat production) expanded with financial and technical assistance of the state.

During the 1980s and the 1990s, the country experienced a boom of extractive activities linked to the greater demand of illegal drugs like marihuana and cocaine, mining, and agrofuels. These exacerbated processes of land grabbing and dispossessio in some regions. For instance, in the southern provinces and the eastern limits of the Amazon jungle, the Orinoco, and the Atlantic coast, in which drug trafficking and cattle rancher investments were made (Richani, 2012). Rural lands were specially used by drug traffickers for money laundering, which then converted them into pastures for cattle ranching and agrofuel production (Cueto Gómez, 2011; Ballvé, 2012; Richani, 2012). The latter phenomenon prompted the violence of armed groups and criminals that disputed the territorial control of such regions (Maher, 2015). For instance, paramilitary groups have disputed the control of oil palm plantations since the boom in the 1990s. This type of crops increased from around 150,000 hectares in 2000 to more than 350,000 hectares in 2009, which was associated with an increase of massacres and death threats designed to force people to abandon their lands (Gerber, 2011; Gómez et al., 2015, p. 259). It is estimated that more than four million people
were evicted from some six million hectares of land between 1998 and 2010 (Maher, 2015, p. 306-307; Comisión de Seguimiento a las Políticas Públicas Sobre Desplazamiento Forzado, 2010, p. 4).

At the end of the 1990s, the creation of land regularization programs that were influenced by neoliberal policies of market-led rural reform enabled the purchasing of land that had been violently dispossessed. Lands were declared “abandoned” by the decentralized institutions of rural reform, and their titles were then revoked and assigned to new owners, including enterprises that benefited from farm subsidies granted to agrofuels production (Hristov, 2014, p. 100). During the implementation of land titling programs in the 2000s, hundreds of further claims corresponded to lands violently dispossessed by paramilitary groups (Peña-Huertas et al., 2017). Such institutional processes helped to blur the lines that divide “legal” (institutional) and “extra-legal means” of appropriation (ibid.), and served to consolidate processes of “accumulation by dispossession” (Harvey, 2003; Hristov, 2014, p. 100), and land grabbing by different private actors (Grajales, 2011, p. 77).

The ZIDRES and institutionalization of violence in the Eastern Plains

In the postconflict context, the government proposed to tackle some of these land issues through a policy of agro-industrial development. Thus, in 2016, the government proposed a law that authorized private investments for large-scale agribusiness projects on vacant state lands in hard-to-reach areas with potential for agricultural, livestock, and forestry products. The aim was to facilitate the development of agrifood chains prioritized by the government, such as genetically modified corn, soy, agroforestry, rice, oil palm, cocoa, and fruits.

The bill was criticized by peasant organizations and NGOs that claimed that these projects were intended to facilitate land grabbing by large multinational agribusiness corporations. For instance, the multinational corporation Cargill and other national agrifood corporations had acquired more than 100,000 hectares of land in the Altillanura region, circumventing farm size limits stipulated by Law 160 of the agrarian reform of 1994—which prioritizes the allocation of public lands to agricultural family units (Contraloría General de la República de Colombia, 2017, p. 147). National authorities defined these as cases of “land grabbing” in which, “the principal land transactions were led by large national economic groups and multinational corporations” (ibid., p. 63). However, beyond the defense of individual interests in land grabbing and the pressure exerted by lobby groups, the ZIDRES law materialized the spirit of the agricultural and land policy of Santos’s government. This policy aimed to overcome historical land issues by transforming land uses and depoliticizing land claims—backed by the 1960s agrarian laws.

Therefore, the ZIDRES bill was approved by the Constitutional Court in 2016 after several adjustments were made to the original draft—which included the drafting
of a new paragraph that made mandatory the participation of rural workers and landless populations in large-scale agribusiness projects.

Additionally, in 2017, the government created decree 902 on “the Social Ordering of Property”, which established mechanisms for the resolution of issues of land tenure and use, and strengthened food production, through the regularization and formalization of property rights. This decree aimed to guarantee progressive access to land ownership through the allocation of vacant land. The main mechanisms for guaranteeing access to land were the granting of long-term credits to land claimers; the creation of subsidies for the purchase of land; and the promotion of agricultural activities (Presidencia de la República, 2017). Together with the ZIDRES law, this decree eliminated the existing restrictions on land accumulation and prioritized productivity within national land-use planning. As a matter of fact, the ZIDRES were created to facilitate not only the expansion of large-scale agribusiness in the region of the Eastern Plains (also called “Altillanura region”), but also the legalizing of the lands illegally and violently appropriated by cattle ranchers, paramilitaries, and other private actors (Grajales, 2020).

The planning of the ZIDRES projects was based on a technical process of mapping areas suitable for agriculture, undertaken by the newly created Unit for Rural and Agricultural Planning (UPRA). This institution assumed the role of rural lands planning, which included the identification of the areas for developing the ZIDRES projects. This was based on a technical process of georeferencing of “suitable areas” for this kind of project, which did not necessarily consider the specific social and environmental complexities of the region. For example, the fact that many of these lands corresponded to the ancestral territory of the Sikuani people, before the republican declaration of the lands as “vacant land” and their inclusion within agrarian reform programs. The main criteria for the allocation of the ZIDRES was that the lands were distant from the main central infrastructures, in marginal regions with high levels of poverty and unemployment, and that the lands were not classified as environmental protection zones (Technical Directorate, UPRA, 2021).

Puerto Gaitán was one of the seven municipalities identified by the government for the implementation of the ZIDRES. The locality was one of the open frontiers by peasants’ colonos fleeing waves of political violence during the 1950s. During the 1960s, with the implementation of the agrarian reform laws, hundreds of peasants and landless farmers arrived, evicted from large estates in the interior of the country or from smallholding areas. These peoples settled in territories ancestrally claimed by indigenous groups such as the Sikuani people. The Sikuanis who remained in the areas of new colonization were subjected to a process of dispossession through mechanisms that included payment in kind, indebtedness in exchange of basic goods like tools or clothing which were repaid with land, and violence (killings and massacres) that forced them to move to other areas.

During the 1980s and the 1990s, this frontier became the epicenter of the coca boom, and only a decade later, it became the epicenter of an oil boom. The first
exploitable petroleum deposits in this region were discovered in the 1980s (Rausch, 2013, p. vii). The discovery of oil was accompanied by the increased presence of armed groups, included the national army, that committed atrocities against indigenous communities, and other outlaw armed groups that were attracted by the coca boom in the region. The first local self-defense groups emerged in the 1970s with the support of drug traffickers who financed security armies in coca-growing areas. These groups later evolved into paramilitary armies to fight the FARC’s territorial expansion (Ministry of Justice, 2017). Between the late 1990s and the early 2000s, paramilitary armies were integrated into larger regional armed structures that helped to expand oil palm and agrofuel plantations (ibid.). These groups also provided security for oil and extractive companies. In 2005-2006, paramilitary armies were finally demobilized. During this time, a large part of the facilities (buildings) and the lands that belonged to paramilitary commanders were expropriated by state authorities. The government also started to prosecute any kind of activity considered as “illegal” that prevented the normal functioning of the industries in the region (interview with local dwellers, Puerto Gaitán, 2021).

Postconflict policies sought to reduce the conflicts and remove criminal activities in the region by formalizing landownership and by promoting the agricultural development of the region, which since 2005 became into the epicenter of new agrifood ventures (Contraloría General de la República de Colombia, 2017). The new investments in agrifood development were made in lands previously dispossessed by paramilitaries. Thus, the agrifood company, La Fazenda, which had planted close to 32,000 hectares of corn and soybeans in Puerto Gaitán and aimed to integrate the meat production “from farm to fork”, had acquired lands from the paramilitaries that had committed massacres in the surrounding areas in the 1990s and the 2000s. These company lands had been acquired through land brokers and financed with international loans from banks in the US (Arias, 2017). Thus, when the announcement of the first ZIDRES was made, a national inquiry revealed the illegitimate origin of the property of the lands in which the project was to be located: a 42,000-hectare terrain located in a small village (El Porvenir) in Puerto Gaitán’s hinterland. National authorities revealed that the Ministry of Agriculture had recovered the lands in 2015 from the hands of a family business with connections to paramilitaries in the region who accessed the lands after massacres committed in 2005.

The ZIDRES law represented not only the possibility to formalize the land claims of agrifood companies that had accessed lands circumventing the law but also to dismiss the land claims made by other groups. In particular, peasant and indigenous people’s land claims (which were legitimized by previous policies of agrarian reform) were now deemed as “backward” as the new legislation prioritized productive land uses. The lack of political will to attend to the claims of peasants and indigenous communities was reflected in the poor level of response by public authorities to demands for the titling of collective lands. For instance, the indigenous reserve of Planas, located in Puerto Gaitán’s hinterland, was still awaiting the return of lands belonging to the ancestral territory of the community that had been confiscated by the
State. The Planas community had been victim of different types of institutional violence: in 1969, the army committed a massacre against the Planas people, which was widely documented for its cruelty. In the 1990s, the land reform institute arbitrarily granted private titles to the lands owned by the community. The lands were acquired by a drug trafficker who turned them into a coca-processing laboratory. Paramilitary interventions in the 2000s, facilitated by the army and aimed at combating guerrilla groups in the area, prevented the community from accessing the lands. Finally, the lands were confiscated by the State in 2005. However, instead of being returned to the community, they were used to build a military base in 2013. Part of the Planas reserve currently overlaps with the ZIDRES (Verdad Abierta, 2016).

The lack of response reflects on the one hand, the high level of bureaucratization of land claims made by marginalized communities—which had contributed to aggravating the cases of land grabbing and of corruption by individuals. On the other hand, the depoliticization of land claims under the new framework which recognized land claimers as victims of armed conflict and not necessarily as customary occupants (in the case of the indigenous populations). The public policy of rural territorial planning ruled out the possibility of allocating public lands to peasants and indigenous people—which was implicit in the previous agrarian reform laws—, except if they were defined as victims of the conflict or as agricultural entrepreneurs. Moreover, the land restitution law only recognized victims of the armed conflict between January 1, 1991, and June 10, 2021.

Thus, the expectation created by the promise of new titles attached to economic projects (such as the ZIDRES) had attracted further land occupation by settlers fleeing from poverty and violence in other regions. When the government announced the first ZIDRES in El Porvenir as well as the titling of land to around 400 families to become partners of a private investor (i.e. an agro-industrial company), a new occupation of lands took place in the zone by people other than the original occupants of the lands. The families who reclaimed the land for the ZIDRES were immigrants from a nearby town who were attracted by a real estate broker whose business was to sell land to the displaced (El Espectador, 2016). As a result, land invasions and occupations were used as a key means for claiming land in the region, which contributed to the emergence of new social clashes between peasants, indigenous communities, investors and enterprises. Furthermore, this led to an increase in threats and the use of violence in order to prevent new land invasions (interviews with local inhabitants). Thus, paramilitary violence was reactivated to prevent local communities or displaced people from occupying land or reclaiming land. According to the Ministry of Justice (2017), threats and violent actions against the civilian population over land restitution were the second main cause of violence in Puerto Gaitán, after the armed conflict. A few months after the announcement of the first ZIDRES in El Porvenir, a new armed intervention in the area left 18 families displaced (MOVICE, 2016).

Most of the legal actions against these invasions have fallen on people who tried to recover and occupy state-owned vacant lands under claims of ancestry (again, this
was the case of indigenous populations), or under the rights granted by previous agrarian laws to peasants and colonos to occupy land. In this way, the ZIDRES and other laws such as the decree 902 have provided a powerful legal basis to exclude territorial claims of the inhabitants of the land to make way for new profitable land uses. Consequently, the rule of law has also served to legitimize new businesses and capitalist enterprises emerging in areas of previous dispossession.

Conclusions

This paper has sought to show the link between the consolidation of current agrifood spaces in the Eastern Plains region of Colombia and the institutionalization of forms of violence and land dispossession. First, drawing on the analysis of land grabbing, I was able to show that there is an intrinsic link between violence and policies aiming to create new spaces for agrifood development. Second, based on my analysis of the ZIDRES and my research carried out in the municipality of Puerto Gaitán, I was able to show the link between these projects and postconflict policies aimed to allow the agricultural development of the region. While not yet materialized, these projects have legitimized the mobilization of land issued of violent displacement and dispossession for large-scale agriculture. Finally, I was able to show the link between discourses devoted to expanding agrifood production and new forms of land grabbing and dispossession at the local scale. In this way, I argued that the development of new agrifood spaces is a key driver in the dispossession of land and the institutionalization of extra-economic means of appropriation.

In conclusion, this analysis has underlined the importance of extending the analysis of land grabbing phenomena to the local scale in order to shed light on the processes that give shape to social inequalities in land access and give rise to spatial injustices.

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