

Ardila, E. (2018). *Judicial Borders in Colombia*. Bogotá: Universidad Nacional de Colombia.

To understand the reasons why the institutions that in theory have been established to guarantee the validity of the legal order and, from there, protect the legitimate interests of those who claim to be undermined: in practice they are absent from the widest range of problems that call for their intervention; they rarely achieve satisfactory results; and the set of institutions that lead the Judicial Branch is structurally weak internally and contextually.

It establishes issues on the colonial imposition of the judicial system; the judicial experience in Colombia; the territories in the administration of justice; and the transformation of the judicial system.

The judicial system in a country on the western periphery, such as Colombia, has very low legitimacy and a very reduced capacity to regulate disputes. Throughout the national territory, there are wide areas in which conflicts are mediated and social relations are regulated by instances that are not part of the State, which, in many cases, are imposed by blood and fire, leaving behind an increase in previously existing inequalities. While the intervention of such actors can be oppressive and often aggressive, it is not necessarily rejected.

The territories that impact the judicial system in Colombia are much smaller in reality than those demarcated by the law and the doctrinants of the law, and that, in them, is highly deficient in the attention of the needs of justice of the majorities; in this sense, the changes that are being made in the middle of the judicial crisis will feasibly deepen in the same tendency.

The judicial institutions in Colombia are substantially different from those in the central capitalist countries. The five centuries of Western presence and domination have not made us equal nor allowed us to be equal because there are cultural, social and political vectors that prevent it. The judicial system, linked to a colonial system of exclusion and discrimination, has been a vehicle for the imposition of the interests of the powerful and does not have the same value as in the central countries as tools for the democratization of social relations.

The administration of justice in the provinces that today we call Europe, developed a legal culture and dynamics of distribution of power and wealth before which the legal institutionality and dynamics of distribution of power and wealth before which the legal and judicial institutionality has very different determinants from Latin Americans. In this part of the world, the law and the judicial system came as an essential tool of a colonial power system structured fractally from and for inequality.

Modern law in Latin America arrived tied to colonial oppression and as a tool of discrimination, where, although there have been changes, the judicial system has not been structurally transformed, not only because it lacks the emancipatory genes that make up the judicial system of the central countries, but they have been configured from one form to another. True political-legal organization is founded on the fractionality of colonial structures, and the judicial system has tended to reproduce those structures.