

**Cruz, M. (2017). *Supreme Courts and the political class in Colombia. Three case studies from a socio-legal perspective.* Bogotá: National University of Colombia.**

Characterize the ideological distance generated by the judicial practices of the high courts in Colombia with respect to the institutionalized political class, which produced independence for the judiciary, and what effects it had on the Colombian legal field between 1991 and 2013.

It refers to the independence of the judiciary, the distinction in the legal field and the protection against judicial decisions, the Upac crisis and revolutionary conservatism in the Constitutional Court, the Supreme Court of Justice and the parapolitical and symbolic power in the judicial decision.

In Colombia, since the 1991 constitution, the high courts have been distancing themselves from the institutionalized political class, based on judicial practices or legal work that contradicts the latter's ideology. In this sense, the elements of the Colombian legal and state field, as well as the constitutional changes of 1991, condense the conditions of possibility that allow the high courts to erect their capital as the dominant one and their power of nomination as the distinctive one. Therefore, the constitutional actions and forms of discipline of the institutionalized political class constitute the mechanisms by which the High Courts capitalize their power in other

The historical transformations of the judiciary have shown its leading role in the social space, especially in relation to the high courts as dominant agents of the legal field. This stellar role has been analyzed in their relations of ideological distance from the institutionalized political class, that is, professional politicians or political officials who do not need autonomy and independence to exercise their vocation.

The judges of the high courts, without being political officials or professional economists, produced with their actions effects in the political and economic fields and tried to modify their rules of the game from the work of shaping the legal materials. This was possible thanks to the fact that the judges of the high courts belong to multiple social fields and to the arrival in their offices of social problems not resolved by other instances of the State.

The independence of the judiciary does not consist exclusively in the non-interference of the other powers in the work of the judges, as it was considered from classical political philosophy and North American constitutional theory. This can be generated by themselves in judicial practice, whenever they assume an ideological distance from the institutionalized political class. In Colombia, the historical conditions that generated the greatest possibilities for this to happen were trends in the legal and state fields: legal authoritarianism, the poor functioning of the legislative branch, legal pluralism and political fragmentation.

To this, factors such as globalization, the constitutionalizing of law, the transplantation of a model of constitutional justice, economic openness and neoliberalism, and the use of law to articulate and resolve social demands are added.