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Sisyphus and Regulation: The Endless Struggle of Bureaucracy

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Abstract

This paper addresses the inequities in the equations governing Colombia's waste management and energy services, comparing the domestic models—which perpetuate intergenerational poverty—with the global framework that keeps developing countries trapped in underdevelopment. The first chapter examines the waste management service, demonstrating how the structure overwhelmingly benefits large corporations while keeping recyclers—key actors in entrepreneurship and environmental care—in poverty. The second chapter focuses on energy regulation, not by contrasting large companies with smaller providers, but by analyzing how the commodification of the service maintains a market with limited competition, excessively high prices, and no real or consistent expansion of basic coverage. The third chapter explores the global structure that renders underdevelopment not a transitional phase toward development but an inescapable condition. It argues that this is mirrored in Colombia's internal regulation of both energy and waste management services. The paper concludes by illustrating how this entire structure embodies the myth of Sisyphus, where, regardless of the efforts made, the outcome remains the same—there is no real improvement.

Keywords: energy, sanitation, regulation, poverty, economic model, commodification

Introduction

Legend tells of Sisyphus, eternally condemned to push a boulder uphill, only to watch it roll back down—an image that Camus interpreted as a metaphor for the absurdity of labor stripped of meaning. Yet in that descent, Camus found defiance: a moment of lucid awareness that resists resignation. This struggle resonates with Colombia's ongoing efforts to govern public services effectively. Though framed by Law 142 of 1994 and the Political Constitution of 1991 to promote efficiency and uphold the principles of a Social State of Law, the regulatory model instead entrenches inequality and commodifies essential services.

Anchored in neoliberal policies rooted in the Washington Consensus, Colombia's public services framework prioritizes privatization, often at the expense of vulnerable populations and constitutional mandates such as environmental protection and support for informal recyclers. While these policies were strategically adopted in the Global North, their imposition on the Global South reveals a broader dynamic of dependency and systemic inequality.

This study interrogates that dynamic, beginning with an analysis of the sanitation sector's tariff structure, which disproportionately benefits private interests over public welfare. Subsequent chapters explore similar distortions in energy regulation and the economic models that sustain social and regional inequalities. By situating Colombia's case within the context of global economic hierarchies and historical dependency, the research underscores the urgent need for redistributive policies and robust state intervention to dismantle entrenched exclusión.

Chapter 1: The Public Sanitation Service

This chapter explores structural distortions in Colombia's public sanitation regulation through three interrelated sections. First, it presents the current tariff framework, emphasizing its components and the prioritization of final waste disposal. Second, it traces the historical evolution of sanitation regulation, underscoring both advances and persistent limitations. Third, it critically examines the compensation mechanisms for recycling activities, exposing inequities that favor large sanitation service providers while marginalizing informal recyclers who play a critical role in environmental sustainability and livelihoods.

The garbage collection service regulatory framework, overseen by the Water and Basic Sanitation Regulatory Commission (CRA), is defined by a cost-based pricing system established in Resolution CRA 943 of 2021 and subsequent amendments. Under this model, service providers may set prices up to a **maximum ceiling** determined by the Local Tariff Entity [1]. Regulatory gaps may stem from the lack of genuine inclusion of all stakeholders. In fact, prior to issuing new regulations, no comprehensive stakeholder mapping is conducted, and the preliminary publication of the regulatory framework does not necessarily require that observations or comments be taken into account.

Additionally, the National Planning Department (DNP, 2021) itself limits the regulatory scope by requiring it to focus narrowly on correcting market failures, rather than expanding to address broader issues such as access to services or other human rights-related concerns. This situation is further exacerbated by the fact that the Regulatory Commission (CRA) is financially sustained through “special contributions”—monetary payments made by the large public service providers—which may create a conflict of interest.

To better understand the internal logic of this tariff framework, it is essential to examine the structure of the ceiling price, since it is not explicitly defined by the Regulatory Commission. Rather, it is determined through a formula, and the Local Tariff Entity is responsible for setting the actual ceiling price based on that formula, which is as follows:

CFT [2]= (CCS+CLUS+CBLS) [3]

where:

- CCS: Commercialization Cost per Subscriber
- CLUS: Urban Cleaning Cost per Subscriber
- CBLS: Sweeping and Cleaning Cost per Subscriber

As shown, the equation determines which costs are recognized and which are not. It is within this context that the payment model reveals a structural element generating economic distortions: the service provider has all of its activities recognized and compensated but providers of recyclable material collection—typically Colombian grassroots associations—do not enjoy such regulatory support. To illustrate, their transportation costs are not recognized within the equation but the one from the cleaning company does, as is shown:

> *Article 11. Components of the public sanitation service. For the purposes of this decree, the following are considered components of the public sanitation service:*
> *1. Collection.*
> *2. Transportation.*
> *3. Sweeping and cleaning of roads and public areas, mowing and pruning of trees located in roads and public areas, and washing of these areas.*
> *4. Transfer.*
> *5. Treatment.*
> *6. Recycling.*
> *7. Final disposal.*

To put this into perspective: final disposal, even when it does not fully treat leachates, is recognized within the cost equation and is compensated based on weight (i.e., quantity). In contrast, the economic recognition of recyclable waste is left to market forces—specifically, the weight and acceptability of materials after they are transported to the classification and recovery stations (ECAs).

However, to clearly define the impact and regulatory deviations, it is essential to analyze the regulatory evolution [4]. The fact that payments to informal and formal recyclers only began to be formally recognized in 2015 and 2018—and even then, in vague terms, without acknowledging their status as subjects of special constitutional protection—is a clear indication that the **regulation is not centered on the protection of the population or the realization of constitutional principles.**

This cost structure captures key stages of non-recyclable waste management but fails to incorporate the actual costs associated with recycling. While recyclers perform activities such as collection (often using human-powered carts), sorting, storage, and transport to recycling centers (ECA) but these functions are not recognized in the CVNA formula. Instead, recyclers are compensated from the residual surplus left after payments to formal waste management providers. In effect, the recycler is paid only *on what remains*, rather than being equitably remunerated for their contribution to waste reduction and environmental protection.

Despite regulatory advances, the underlying formula remains oriented around non-recyclable waste and fails to integrate the real costs of recycling. This structure:

1. Reinforces a linear waste management model that overlooks the benefits of circularity (Maintains a traditional "end-of-life" view of waste, contrary to circular economy principles).
2. Fails to incentivize recycler participation by omitting their labor and operational costs.
3. Discourages investment in recycling infrastructure.

As demonstrated, the garbage collection service regulatory framework primarily protects large corporations, which are often foreign-owned. For example, Veolia—a French multinational—controls 18 service provider companies in Colombia (El Tiempo, 2018). This regulatory framework is harmful because it perpetuates a system that undervalues recycling and resource recovery by excluding them from the regulatory cost equation (this approach not only reinforces a linear economy and contributes to the overburdening of sanitary landfills, it fails to provide incentives to improve recycling processes!).

The regulation has not reduced billing amounts because, with each regulatory phase, more costs have been recognized for the garbage collection service provider. Although efforts have been made to adapt to small providers and regional contexts, challenges in accurately measuring individual user consumption persist. In fact, when a company can demonstrate that certain costs have not been recognized, it may initiate an administrative procedure called a "particular proceeding" to seek recognition of these costs through the tariff (they never lose!).

While this process is subject to limits on the recognition of "efficient costs," the key point is that the garbage collection service provider enjoys strong regulatory support and the recycler receives none, which results in a resolution contrary to the constitutional postulates that it should defend.

This issue is born by the legal criterion named 'Financial sufficiency', and it is an economic criterion established in Article 87 of Law 142 of 1994 to guide tariff regimes, alongside principles such as economic efficiency, neutrality, solidarity, redistribution, simplicity, and transparency. According to Article 87.4, **tariff formulas must ensure recovery of operational costs, including expansion, replacement, and maintenance, and must remunerate shareholders' equity comparably to an efficient company in a similar risk sector** (Concept of CRA 0064471, 2018).

The idea of including the private sector in public services was that they could do "business" and therefore bring efficiency, but this regulatory structure of the service only shows companies that live off exploiting the Colombian treasury.

The Constitutional Court emphasized that private service providers must earn **reasonable profits consistent with competitive market conditions,** avoiding monopolistic inefficiencies (Corte Constitucional, Sentencia C-150 de 2003, 2013), so, the regulation allows companies some freedom to achieve higher efficiency and profits, furthermore, Article 163 mandates tariff formulas for water and sanitation services to include expansion, replacement, operation, and maintenance costs. Thus, the 'financial sufficiency' principle requires **tariff methodologies to guarantee cost recovery**

and a fair return on capital, and this is read as "ensuring the viability of private sector participation in public service provision" (if the idea of private participation in the public sector is to bring its business ideas, its monetary efficiency and its technological advances, this regulatory criterion is absurd).

This is why it is said that the regulation resembles the myth of Sisyphus (for the habitants, users). This occurs because (i) the price ceilings do not consider the actual income levels of Colombian households in monetary terms, (ii) final disposal is not sufficiently disincentivized, resulting in widespread environmental damage, and (iii) the regulatory focus is on correcting market failures—such as externalities, monopolies, and information asymmetries—instead of guaranteeing human rights or implementing constitutional principles.

The biggest proof of this statement is that large sanitation companies do not reach small municipalities, therefore, the tariff support gives them much more profit than they should (the criterion 'should' is based on the profits of 'municipal companies' - when the provider is the municipality).

Thus, like Sisyphus, no matter how well, how quickly, or with what determination and joy one pushes the stone, it will always roll back to the same place without any lasting impact. Colombian households struggle every month to pay bills whose revenues mostly flow out of the country. This not only negates the value of their effort but also undermines the constitutional foundations that justify state intervention in the economy.

The regulation's perpetuation of economic inefficiencies and environmental harm can be critically understood through the lens of dependency theory, which posits that peripheral economies, such as Colombia's, remain structurally constrained by their subordination to global capital and foreign interests, which extract their value and inhibit autonomous development. Similarly, the tariff regulation mimics the myth of Sisyphus by forcing Colombian households to endlessly bear the cost of services dominated by multinational corporations, like Veolia, whose profits largely flow abroad.

The regulatory framework fails to consider local income realities or prioritize social and environmental justice, instead maintaining a system designed to sustain external capital accumulation. This dynamic reproduces dependency by subordinating national economic welfare to the interests of transnational actors, perpetuating inequality and limiting the possibility of true economic sovereignty. Thus, the regulatory model not only reflects market failure correction but also exemplifies the systemic constraints dependency theory highlights, where structural imbalances prevent equitable development and human rights realization.

For example, to address the regulatory shortcomings (by promoting waste disposal through a regulatory framework that protects this practice by recognizing all its associated costs), according to UAESP data, the Doña Juana landfill in Bogotá receives approximately **6,500 tons of waste daily** (Secretary of environmental issues, 2022). Given that around **1,000 tons of waste can generate approximately 1.5 MW of power** through biogas conversion, Doña Juana could potentially generate about **9.75 MW** of electricity from its daily waste intake.

However, Bogotá's daily electricity consumption ranges between **191 and 232 GWh**, which vastly exceeds the energy that landfill gas can supply [5]. Thus, while energy recovery from the landfill contributes to sustainability and reduces waste emissions, its potential to meet the city's total energy demand remains very limited.

Biogas generated from landfills such as Doña Juana can contribute to energy production; however, its scale is limited compared to the total energy consumption of large cities like Bogotá, which requires hundreds or thousands of megawatts. Several factors constrain the actual potential of biogas: capture and conversion efficiencies are not perfect, energy generation varies depending on waste composition and moisture content, and the infrastructure needed for biogas utilization demands significant investment and ongoing maintenance. Therefore, while biogas can play a role in renewable energy strategies and environmental management, it is neither a complete nor sufficient solution for meeting large-scale energy demands. Instead, it should be considered a complementary component within a diversified portfolio of clean energy and efficiency measures. **And that is why it is important to reduce or completely eliminate the concept of 'dumps' or 'landfills'.**

This issue is common across other public service regulations in Colombia and is closely related to the widespread poverty among the country's inhabitants. Therefore, it is important to emphasize that if the constitutional principles underpinning economic intervention (regulation) aim to guarantee certain minimum rights (fundamental rights), then social safety nets are not merely ideals—they constitute a foundational basis of legal legitimacy.

In response to the question, *"Where in the world is it easiest to become rich?* Karl Moene's study on wealth distribution provides an answer, finding that countries such as Norway, Sweden, and New Zealand have the highest number of wealthy individuals per capita, which challenges traditional capitalist assumptions. Eia (2016) explains that Moene identifies two key factors behind these outcomes: **free and accessible higher education**, which promotes social mobility, **and strong labor unions**, which enhance productivity while supporting a generous welfare state. In this regard, the need for regulation aligned with constitutional principles not only legitimizes the state and its regulations but also represents a vital strategy to combat hunger and poverty—conditions that should not exist if the constitutional framework is fully realized.

Thus, this chapter emphasizes that the high cost of waste management services not only burdens households financially, but also fail to benefit Colombian recyclers, who receive little to no share of these payments. Additionally, the current tariff structure neglects environmental protection by favoring final disposal through landfills. However, these landfills—far from being sustainable—are ineffective even for energy generation, as doing so would require an impractically large volume of waste and entail prohibitively high costs.

Chapter 2: The danger of no Redistribution through Energy Regulation

This chapter explores the Liberal State and the Welfare State, the changing role of the state in the well-being of its inhabitants, and the redistribution of wealth. It then addresses the imposition of this failed model in Latin America and how it leads to energy poverty. The impact of access to electricity on the right to development is profound.

Considering that the regulation of public utility services is vital for guaranteeing access to basic needs in Colombian households, the price ceiling framework should be aligned with minimum incomes (the current legal minimum wage) rather than the "financial sufficiency of service providers." However, before delving into the regulatory shortcomings in the energy sector, it is important to first present the relevant regulatory context.

The emergence of the liberal state is contrasted with the rise of the welfare state, which developed in response to the economic crisis of the 1930s (Martínez, 2017). While the liberal state emphasized individual freedoms and market-driven economic growth, the Great Depression exposed the inherent flaws of this system. Consequently, the welfare state arose, focusing on reducing inequality and providing essential services such as healthcare and education (Draibe & Riesco, 2006). This shift highlights the fundamental tension between a state that actively promotes social equity and a neoliberal economic model that prioritizes unregulated market forces.

When the liberal state emerged, it did so as a response to absolutism and the concentration of power, promoting a system based on the natural rights of individuals: liberty, equality, property, and security (Cárdenas, 2017). This model prioritized the interests of the bourgeoisie, with economic freedom considered an essential driver of social progress (Ramírez, 2014). **The liberal state did not directly intervene in the economy; rather, it ensured security, legality, and the free operation of markets. Its primary role was to secure capital accumulation and protect property rights, while limiting its functions to regulating labor and commercial relations.**

The welfare state emerged as a response to the failures of the liberal state, integrating working classes into economic planning and prioritizing social equity through policies such as social security systems and public services (Martínez, 2013). This approach, adopted by countries like the UK, France, and Germany, addressed market failures and improved income distribution, marking a significant shift in the state's role in the economy.

However, this model was starkly contrasted with the liberal market system imposed on former colonies, which replicated economic inequalities that wealthier nations had already sought to remedy. The rise of neoliberalism in the late 20th century further eroded state intervention, promoting austerity, privatization, and reduced public spending.

In Latin America, these neoliberal reforms **weakened state roles, prioritized global financial interests, and exacerbating inequality [6] (and it was done purposly).** While touted as solutions for economic stability and growth, these policies deepened dependency and widened the gap between rich and poor, revealing the contradictions of a global capitalist system that redefined state-society-market relations.

The "glocality" of state administrative policies has a racist and colonial foundation: wealth and benefits are reserved for the colonizing states, while exploitation is imposed on the colonized. To focus this discussion on energy regulation, it is important to recognize that across Latin America, approximately 18 million people lack access to electricity (Los Tiempos, 2023), and in Colombia, as of 2023, 10 million Colombians are living in energy poverty (García, 2023).

Laura Hoyos's 2016 research at the National University of Colombia offers invaluable insight into the effects of the 1980s on the "first-generation" energy reforms influenced by the Washington Consensus. During this period, the role of the state evolved: while it continued to invest in large-scale infrastructure, it failed to address deep-rooted institutional weaknesses. To obscure this institutional fragility, a narrative of "energy overcapacity" was promoted—a narrative that ultimately collapsed during the 1992 electricity rationing crisis. This failure catalyzed the enactment of Laws 142 and 143 in 1994, **based on the assumption that market competition would resolve the sector's problems.**

Competition was introduced into a liberalized market through the creation of a "pool" system, supported by the vertical unbundling of the electricity sector—separating generation, transmission, distribution, and commercialization. Within this framework, users were redefined as "customers," effectively commodifying essential rights and services. Consequently, the *Zonas No Interconectadas* (Non-Interconnected Zones) were further marginalized, as they failed to meet profitability criteria. This undermined the social function of public utility provision, reinforcing structural inequalities and neglecting the constitutional mandate to ensure universal access.

To this day, there remains a lack of sufficient capacity—let alone overcapacity or affordability—in the provision of electricity services to rural territories and populations. Meanwhile, the middle class continues to bear the burden of the high cost of this 'essential service' (Corte Constitucional, Sentencia T-337 de 2023). The tariff equation of the energy service is as follows:

$$CUV_{n,m,i,j} = G_{m,i,j} + T_m + D_{n,m} + CV_{m,i,j} + PR_{n,m,i,j} + R_{m,i}$$

$$CUf_{m,,j} = Cf_{m,j}$$

The regulation of electricity tariffs in Colombia, established by CREG Resolution 119 of 2007, aims to balance the cost of electricity supply with the profitability of service providers. It includes components for Generation, Transmission, Distribution, and Commercialization, which are designed to reflect the efficient costs of each activity. However, the implementation of this framework reveals significant shortcomings that disproportionately affect users, particularly those in lower socioeconomic strata [7].

Just as in the case of sanitation services, the tariff system incorporates subsidies intended to ensure affordability for vulnerable populations; however, flaws in their application undermine this objective. Subsidies, as established in Law 142 of 1994 and Law 1955 of 2019, aim to reduce tariffs for users in strata 1, 2, and 3, financed by contributions from higher-income strata. In this regard, the recommendation is reiterated to focus subsidies by setting price caps based on household income levels rather than the costs incurred by the service providers.

The tariff equation's key components further exacerbate inequities [8]. This can be shown by simply exposing the components of the equation, which are the following:

1. **Generation Cost (Gm,i,j):** This fluctuates with market conditions, such as spot market prices and CPI-indexed contracts, making it unpredictable and often leading to higher costs for users.
2. **Transmission Cost (Tm):** Although theoretically fixed, this component can rise due to factors like energy volume variations, indirectly increasing user tariffs.
3. **Distribution Cost (Dn,m):** Regional and voltage-level disparities create unequal burdens, with rural users often paying higher costs than urban counterparts.
4. **Commercialization Margin (CUVn,m,i,j):** Intended to cover commercialization expenses, this margin enables providers to increase profitability, raising concerns about whether the system prioritizes corporate gains over user welfare.

Overall, **the tariff framework appears misaligned with its stated goal of equitable access to electricity**. The prioritization of profitability and the failure to address cost variability and subsidy inefficiencies highlight a regulatory model that disproportionately burdens low-income users while reinforcing market advantages for private companies. This misfocus ultimately undermines the principle of universal access to essential services and exacerbates existing social inequities.

The regulation of electricity tariffs in Colombia, although ostensibly designed to balance user needs with provider profitability, reveals profound structural flaws. The current model prioritizes corporate returns over equitable access, effectively trapping vulnerable populations in a cycle of rising costs and inadequate relief. In a dynamic reminiscent of the myth of Sisyphus—where relentless effort yields no resolution—low-income users face perpetually increasing tariffs without achieving secure access to electricity as a fundamental right.

Significant deficiencies in subsidy distribution, the volatility of tariff components, and the profit-oriented incentives for private companies raise concerns about whether the regulatory framework genuinely aims to guarantee universal access to electricity. Instead, it appears calibrated to protect business interests, relegating electricity—a vital public service—to the logic of market commodification. For the system to be fair and just, electricity must be recognized and treated as a non-negotiable right, not a privilege contingent upon market dynamics.

Ultimately, the regulatory model exacerbates inequality: those with the fewest resources shoulder a disproportionate burden of costs while receiving limited benefits. This fosters not only economic exclusion but also deepens the gap in access to essential services, undermining the very notion of electricity as a universal and fundamental right.

For clarity, here are listed the **Points of Imbalance in the Equation** so it is exposed that t*he problem is not merely technical or economic—it is political and ethical, as it treats a fundamental right as a commodity.*

1. **Cost Variability and Rising Tariffs** Fluctuations in generation and transmission costs—driven by market dynamics such as spot prices and transport fees—are passed on to consumers. This creates a cycle of unpredictable tariff increases, disproportionately affecting low-income households with limited financial resilience.
2. **Inequitable Subsidy Distribution** Subsidies aimed at alleviating energy costs for the most vulnerable users often fall short due to poor targeting and implementation. As a result, households in strata 1, 2 and 3, frequently receive insufficient support, deepening their economic precarity and reinforcing structural inequality.
3. **Commercialization Margins Favor Corporate Profit**
   Commercialization margins include variable costs such as regulatory fees and operational risks. While designed to ensure company sustainability, these expenses are ultimately transferred to users. The poorest consumers bear a disproportionate share of these costs,

raising concerns about fairness and social justice.

4. **Exclusion Due to Inequitable Access**
   The establishment of Electricity Distribution Areas (ADDs) and disparities in distribution costs between urban and rural zones underscore systemic exclusion. Residents in remote areas pay higher rates despite receiving inferior service and infrastructure, reinforcing geographic and socioeconomic marginalization. This dynamic mirrors the Sisyphean struggle—continuous effort without real progress—experienced by those left behind by the current model.
5. **Geographic Inequities in Distribution Costs**
   Rural users consistently incur higher distribution costs than urban users. This disparity exemplifies institutionalized geographic discrimination, denying fair access to essential services and widening the development gap between regions.

Just as Sisyphus is trapped in his eternal struggle, many electricity users in Colombia are caught in a system that perpetuates absolute poverty. Although energy is recognized as a fundamental right, as affirmed by the Constitutional Court—the foremost guardian of the 1991 Constitution—the current regulatory model fails to guarantee this right in a fair and equitable manner, thereby violating the constitutional framework within which it should operate.

As previously discussed, the regulation of public utility services in Colombia is fundamentally imbalanced, prioritizing corporate profitability over universal and equitable access. This has resulted in deepening exclusion and marginalization, especially for vulnerable populations. The current regulatory approach sustains energy poverty and, with it, social exclusion. Without significant reform, the system will continue to mirror the plight of Sisyphus—offering the illusion of progress while condemning the most vulnerable to perpetual hardship.

Without such changes, the system will continue to mirror Sisyphus‘ plight, offering the illusion of progress while condemning the most vulnerable to perpetual hardship. This chapter concludes that it was the liberal state that commodified rights by making them accessible only through monetary exchange. Neoliberal reforms, in particular, weakened the role of the state and thus exacerbated social inequalities. This is evident in the liberalization of Latin American markets and the opening to companies from so-called “developed” countries. When combined with flawed regulatory decisions—such as the belief that market forces and competition would resolve the challenges of the electricity sector—these dynamics laid the foundation for today’s outcomes: insufficient capacity and widespread energy poverty or total exclusion from service. Moreover, because electricity tariffs are not adjusted according to average household income -notably, only 1% of Colombians earn more than USD 2,370- (Portafolio, 2022), access to other essential rights such as health, education, employment, and adequate housing is further undermined by the lack of availability and affordability of electricity.

Chapter 3: The Economic Model

As demonstrated, poverty cycles constitute a downward spiral, initially presented in Chapter 1 through the analysis of waste regulation. This sector is dominated by wealthy companies and remunerated based on the provision of services, while recycling activities—largely carried out by informal workers—are subject to market fluctuations, with payment tied to the volume of materials processed. Chapter 2 further revealed that access to electricity is neither stable nor guaranteed for low-income populations. As is widely acknowledged, without electricity, the enjoyment of numerous other rights becomes severely compromised. In Colombia, more than two million people lack access to electricity, and approximately thirteen million do not have access to potable water. These deficiencies directly impede the realization of other fundamental rights. Moreover, even for those with nominal access to such services, exorbitant costs often continue to limit access to education, healthcare, and dignified housing.

To clarify: the high cost of basic utilities not only excludes millions from essential services but also creates additional barriers for those who do have access, as the financial burden restricts their ability to enjoy other rights.

In this context, the theory of **collective know-how**, developed by Ricardo Hausmann, Director of the Center for International Development at Harvard University, offers a compelling explanatory framework. Hausmann argues that a nation's development depends on its capacity to combine tools, protocols, and knowledge, forming a collective identity that fosters the creation of complex and technologically advanced products. If we extract the concept of the **Economic Complexity Index** —a key concept in his theory—measures the amount of knowledge embedded in the products a country exports (Haussman e Hidalgo, 2010). Countries exporting sophisticated goods demonstrate a high level of collective knowledge and are more likely to experience sustainable economic growth. Conversely, countries reliant on the export of raw materials or low-complexity goods tend to exhibit limited growth potential.

This chapter underscores the interdependence of public service access and economic development. Without electricity, it is virtually impossible to ensure access to quality education, balanced nutrition, or well-paying employment. The cumulative effect of these deficiencies impedes the development of collective know-how and, therefore, the production of more complex exports. Ultimately, unless the regulatory framework of Colombia's neoliberal state is structurally reformed, the negative pattern of downward mobility will continue to widen the gap between rich and poor, entrenching the country in a state of dependence and subordination.

Moreover, it is important to add to Hausmann's theory that what a country exports is determined not only by *what it can produce*, but also by *what it is permitted to export*. To analyze Latin America's limited autonomy in economic decision-making, one can refer to the Marshall Plan's application in the region, which deepened economic dependence on the United States. This process entailed the intense exploitation of natural resources under the banner of economic development—yet without equitable returns for local populations. As this was neither the first nor the last such episode, it is crucial to review some of the historical models that were externally imposed.

Beginning with the Monroe Doctrine and the concept of Manifest Destiny in 1823, it is evident that from the earliest years of independence, the United States exerted significant influence over Latin America's emancipatory processes. The Philadelphia Charter and the federal system were promoted as models for emerging Latin American republics (Palancar, 1944). However, U.S. foreign policy soon diverged from these foundational principles—principles that could be likened to a social constitutional framework—by adopting the doctrine of Manifest Destiny (Palancar, 1944). This doctrine served as a justification for territorial expansion, resulting in military conflicts with neighboring nations. The Texas War, the annexation of Mexican territories, and repeated interventions in Central America and the Caribbean were among the most overt expressions of this expansionist agenda.

Although the Monroe Doctrine was publicly framed as a safeguard for the sovereignty of newly independent Latin American nations—with President Monroe asserting that any European colonization in the Americas would be deemed an act of aggression against the United States—it also subtly asserted U.S. supremacy in the hemisphere. **This assertion was often misinterpreted as a gesture of international solidarity.** What went largely unnoticed was the implicit warning: the United States would remain hesitant to engage in any multilateral agreements that might constrain its unilateral power.

Throughout the 20th century, the United States maintained an interventionist stance in Latin America, often veiled under the guise of the Good Neighbor Policy. However, interventions in Guatemala (1954), Cuba (1961), and the Dominican Republic (1965) revealed that the principles of non-intervention and continental solidarity were largely rhetorical (Uribe, s.f.), as U.S. actions remained guided by strategic and economic self-interest.

Over time, particularly after World War II, U.S. policy toward Latin America became more moderate, adopting a more diplomatic and cooperative tone. This shift was reflected in agreements such as the 1947 Inter-American

Treaty of Reciprocal Assistance (TIAR) and the 1948 Charter of the Organization of American States (OAS). Nevertheless, the legacy of the Monroe Doctrine and historical interventions continues to influence U.S.–Latin American relations to this day.

In the 1930s and 1940s, the Colombian state began to assert itself as a central actor in economic affairs, utilizing public institutions to manage resources and promote both economic growth and social justice. The Great Depression led to the devaluation of the Colombian peso, which in turn stimulated domestic industry (Urrutia, 2024). In response, Colombia sought to redistribute wealth and align the interests of diverse social and economic groups, recognizing that private capital accumulation alone was insufficient to drive industrial development or meet growing social demands. Through subsidies, public investment, and infrastructure development, the state not only reinforced capitalist growth but also attempted to mitigate social tensions caused by deepening inequality.

This experience reinforces the chapter's opening argument: only through the redistribution of wealth can broader and more sustainable opportunities for private capital expansion be created. It is therefore necessary to pause and critically examine the models imposed on Latin America that have contributed to its persistent impoverishment.

For example, the Dependency Theory -1950s-1970s- offers a critical lens through which to understand enduring global inequalities. Before exploring this further, it is essential to define a key concept: the *developmentalist state* that Villegas (2021) points it merging primarily in the Global South, this model became central to the configuration of postcolonial nation-states. While it aimed to foster economic growth and modernization, it also functioned as a mechanism that entrenched political and economic asymmetries within and between nations.

The developmental state refers to a form of governance in which the state assumes a leading role in planning, coordinating, and directing economic development, particularly in industrializing nations (Eslava, 2019). This model is most commonly associated with the post–World War II economic transformations of East Asian countries such as Japan, South Korea, and Singapore. However, its origins and implications extend far beyond East Asia, particularly when considering Latin America's historical experience with European colonialism.

In Europe, the modern state evolved as an *absolutist state*, centralizing authority to ensure internal order and facilitate imperial expansion. In contrast, the Global South was shaped by the *colonial state*—a structure of domination designed to extract resources and suppress indigenous cultures and identities (Eslava, 2019). In the Latin American context, the postcolonial state took the form of *sovereign nations*, but these inherited deep social fragmentation and structural inequalities, which severely limited the formation of inclusive national identities and developmental cohesion.

When Latin American countries gained independence in the 19th century, they inherited not only the political boundaries of colonial rule but also an economic structure designed to serve European interests. This legacy condemned the region to operate as an extractive economy, reliant on the export of raw materials. Moreover, the wars of independence left these nations with depleted populations, fragile political institutions, and significant debts—particularly to the British Empire—thereby cementing a pattern of economic dependency that would persist throughout much of the 20th century (Eslava, 2019).

This dependency was further reinforced by the implementation of Import Substitution Industrialization (ISI) strategies. While these policies aimed to promote autonomous development, their outcomes were contradictory: foreign dependence remained largely intact (Eslava, 2019), local and international elites benefited disproportionately, and the majority of the population remained excluded from modernization.

The concept of *development* gained prominence after World War II, particularly following President Harry Truman's 1949 address, in which he framed development as an alternative to imperialism. In the emerging global order, development was portrayed as a technical and apolitical endeavor—yet it carried profound political implications. It sought to integrate the countries of the Global South into a global economy dominated by Western powers, under the pretense of reducing poverty and modernizing "backward" economies by providing access to scientific and technological knowledge from the industrialized North.

However, Truman's vision—and that of theorists such as Walt Rostow—relied on a modernization framework that presumed Southern nations should replicate the developmental path of Northern countries (Ogbonna, 2022). This approach failed to interrogate the existing global power structure. Development was treated as a linear progression toward industrial capitalism, thus deepening the integration of the Global South into a capitalist system that offered little opportunity for genuine transformation.

In response, Dependency Theory—formulated in the 1960s by thinkers such as André Gunder Frank—challenged conventional development paradigms (Kay, 2023). It argued that Latin America's underdevelopment was not due to internal deficiencies but rather to its subordinate position within the global capitalist system (Puiggrós, e al, 2025). The colonial "center-periphery" dynamic had evolved into a structural dependency in which Southern economies remained beholden to the interests of the North.

The developmental state, far from being a driver of transformation, became entangled in these dependency dynamics. Efforts by Latin American governments to stimulate development through ISI policies were undermined by rising external debt, recurring economic crises, and the emergence of military dictatorships—each a symptom of the model's failure. Dependency theorists such as Celso Furtado and Fernando Henrique Cardoso emphasized that the Global South's development could not be understood in isolation but must be analyzed within the framework of an inherently unequal global order (Franke, et al, 2023).

Following a brief period of economic expansion, the Cold War (1947–1991) introduced a new strategic framework: the Doctrine of National Security, rooted in U.S. efforts to contain communism. Faced with perceived threats such as revolution, capitalist instability, and nuclear proliferation, the United States prioritized military defense and internal security—particularly in Latin America, a region deemed geopolitically critical (Leal, 2003).

In this context, the U.S. Doctrine of National Security was adapted by Latin American regimes to local realities. The doctrine identified the primary threat not as foreign, but internal: leftist movements, guerrilla groups, and political dissidents were framed as existential dangers. Communism, embodied by the Soviet Union and regional allies like Cuba, was the rhetorical justification for repression. In practice, **however, the doctrine facilitated the militarization of the state, legitimized authoritarian rule, and suppressed dissent under the guise of preserving national security and public order** (Leal, 2003).

The Doctrine of National Security in Latin America was characterized by the deep militarization of society, positioning the armed forces as central political actors (Sala, 2022). It not only justified military dictatorships but also promoted human rights violations under the pretext of combating communism. The doctrine's principles were used to label social movements and political opposition as "subversive," creating an environment of widespread repression.

Over time, however, the influence of the Doctrine of National Security began to decline, particularly from the 1980s onward, with the onset of democratization in the region—although it remains latent in many right-wing positions to this day. In Colombia, the "séptima papeleta" movement and the adoption of the 1991 Constitution marked a turning point; however, it is necessary to step back in order to examine another branch of the Doctrine of National Security.

Between 1978 and 1982, exceptional measures were adopted under what would become known as Plan Condor, aimed at guaranteeing social order and national peace. **The military forces were assigned the responsibility of ensuring citizen security and well-being. Official discourse claimed the Statute would protect all individuals and their property;** however, in practice, such protection was extended only to those aligned with the government. Opponents, in contrast, became targets of systematic repression.

This context reinforced the logic of Manifest Destiny: arbitrary detentions, raids, torture, and forced disappearances significantly increased, particularly against union leaders, members of social movements, intellectuals, students, journalists, and others deemed "enemies of order." (Burgos-Gallego, 2023). **Under the pretext of protecting the state and its institutions, the military was granted judicial and extrajudicial powers, allowing them to act with impunity in the absence of effective oversight mechanisms.**

In parallel, the military launched efforts to dismantle "urban cells" of the opposition, often resorting to physical and psychological torture to extract information (Escobar, 2018); This repressive mentality was also reflected in the creation of paramilitary groups, which operated as unofficial extensions of the armed forces in regions where open military intervention was politically sensitive. These practices generated a cycle of violence and repression that had a lasting impact on Colombian society.

Plan Condor stands out as one of the most sinister initiatives in recent Latin American history—a systematic operation of repression involving the governments of Argentina, Chile, Brazil, Paraguay, Uruguay, and later Bolivia, Ecuador, Peru, and Venezuela (Pasten, s.f.). Originally conceived as a means of coordinating the persecution, torture, disappearance, and assassination of political opponents, left-wing militants, and anyone perceived as a threat, Plan Condor was a direct outgrowth of the ideological framework of the Doctrine of National Security -between the 1970s and 1980s- (Pasten, s.f.). It not only represented a grave attack on human rights but also symbolized the strategic cooperation among military regimes sharing a common interest in suppressing communism during the Cold War (González, et al, 2022).

The genesis of Plan Condor lies in the fear and paranoia the Cold War generated in Latin America, exacerbated by the growing influence of leftist movements in the region. The U.S. governments, fearing the spread of communism in the Western Hemisphere, supported Plan Condor under the framework of the Doctrine of National Security, a U.S.-promoted ideological doctrine during the Cold War. According to this doctrine, internal revolutionary movements were seen as the primary enemy, much more so than external threats.

The legacy of Plan Condor is profound and devastating. Although the operation was dismantled in the 1980s with the fall of the dictatorships, the consequences of its actions remain present in the collective memory of Latin American peoples (González, et al, 2022). Millions of people were displaced, persecuted, and killed, while others were permanently marked by the effects of torture and abuse. The impunity of those responsible for these atrocities has been a central theme in justice processes in the region, which still seek answers and reparation for the victims.

Plan Condor also left a political legacy of distrust and fragmentation in Latin America, with countries, despite their geographic proximity, deeply affected by the social and political uprooting caused by repression. In the long run, the implementation of this plan contributed to the weakening of democratic institutions in the region and the establishment of a culture of fear and control that persisted even after the restoration of democracy in many of these countries.

Everything collapses—as it is on the macro scale, so it is on the micro scale; just as the country has been treated, it treats its citizens—seeking to perpetuate poverty, exclusion, marginalization, and a sense of dispossession. Maintaining the world order, on a smaller scale, to ensure nothing changes.

Before drawing conclusions, and with the aim of testing the hypothesis, it is important to note that Aseo Urbano—a waste management company from Cúcuta—was controlled by Acon Waste Management (AWM), a Spanish firm managed by Acon Investments, which was recently acquired by Veolia (a French conglomerate). Similarly, ENEL, an energy provider, is an Italian multinational. This raises the question of who truly benefits from a regulatory framework that promotes commodification and prioritizes corporate profit without balance. Many of the large companies operating in Colombia (and South America) are European or American, highlighting the continued extraction of resources from the Global South.

Conclusions

When Law 142 of 1994 mandated that the Regulatory Commissions develop tariff methodologies based on principles such as economic efficiency, neutrality, solidarity, simplicity, transparency, **financial sufficiency**, and redistribution (Article 87), the intent was not to protect the interests of a *Social State of Law*, **it was to protect the foreign investments.**

First, to establish a regulation that is both intelligent and aligned with the constitutional principles of income redistribution, market mechanisms must be subordinated to redistributive principles. In practice, the strengthening of the private sector and the replacement of state intervention with market-based "economic rationality" were presented as key solutions. **However, the attempt to 'modernize' the economies of the Global South exposed the limitations of a model that failed to challenge the power structures and dependencies inherited from colonialism.**

The legacy of the developmental state—characterized by debt accumulation and social marginalization—remains a defining feature of the contemporary history of the Global South. **Thus, structural changes to the state must be profound.** The struggle for genuine economic and political emancipation remains one of the greatest challenges for developing nations, which must find ways to break free from the dependency structures imposed by a global order still dominated by Northern powers.

Explaining the mechanisms of regulation and the functioning of capital accumulation is key to understanding that underdevelopment is neither an isolated phenomenon nor an intermediate stage in the process of development. Instead, it is a structural condition of peripheral countries. **Dependency is not only an externally imposed condition by colonial powers but also an internally entrenched structure deeply rooted in class relations and policies that favor a local bourgeoisie allied with foreign capital.**

Unlike traditional development theory, which assumes that underdeveloped nations will eventually follow the same path of industrialization as advanced economies, dependency theory argues that underdevelopment results from a historical process of exploitation by imperialist nations. As Katz contends, under this framework, peripheral countries are not merely in a delayed phase of development but are locked into an unequal exchange relationship with wealthy nations, which control global resources, technology, and finance. This "unequal exchange" is rooted in productivity disparities and the technological superiority of core countries, enabling them to extract value from peripheral economies.

When extrapolated to the internal regulatory dynamics of sanitation, this reveals the same phenomenon: a system that exclusively serves the interests of large corporations while being presented as "a harmonious relationship where everyone competes on equal footing." Similarly, in the energy market, the introduction of Law 1715 highlights another example. This law introduces two new actors into the market: self-generators and distributed generators. However, these actors lack a clear operational framework, creating regulatory instability and disincentivizing their participation. Consequently, Law 1715 of 2014 fails to decisively promote the involvement of these new actors in the electricity market. Moreover, it does not effectively address the needs of non-interconnected zones—which should be a priority—due to inadequate incentives for their participation. The law does not remove existing market barriers, making it particularly challenging for small-scale self-generators and distributed generators to integrate.

In parallel with dependency theory, this situation reflects the concept of *superexploitation,* which explains how peripheral countries compete in the global market through the extreme exploitation of their labor force, thereby deepening their dependency (González, et al, 2022).. In conclusion, dependency theory remains a critical tool for understanding the unequal relationships that underpin global capitalism, in the same way, wherein core countries continue to accumulate wealth at the expense of peripheral nations (González, et al, 2022)., the poor keeps the burden of generating wealth for the rich (ot only because they work for them, but because they must pay them to access basic services such as cleaning or electricity.)

The myth of Sisyphus serves as a poignant metaphor for the seemingly futile struggle of many nations within the context of dependency theory. Just as Sisyphus is trapped in an endless cycle, peripheral countries, despite their efforts to develop or improve their conditions, remain ensnared in a structurally disadvantageous cycle. Their resources and labor are exploited by core countries, and any progress they appear to make is undermined by global power structures, economic exploitation, and unequal terms of exchange under world-systems theory, pushing them back to their starting point.

Just as Sisyphus's rock rolls back under the weight of his own effort, peripheral countries external debt continues to grow. This repetitive cycle of capital accumulation and resource extraction affects the poorest within countries. The downward spiral is the same vicious circle repeated at local levels, it is reiterated.

Endnotes

[1] Tariff differentiation is based on the size of the subscriber base (under or over 5,000), though the underlying methodology remains largely consistent. Additionally, the framework includes risk management requirements that emphasize operational resilience and social responsibility. There is a distinction between **regulated freedom** (for municipalities with more than 5,000 subscribers) and **monitored freedom** (for those with up to 5,000 subscribers). In smaller municipalities, the public service provider is typically the municipality itself.

[2] The CCS (Cost of Commercialization per Subscriber) varies depending on whether billing is integrated with water or energy services. A 30% increase applies to municipalities with recovery activities—typically performed by grassroots recyclers rather than public sanitation service providers—to promote sustainable practices. The CLUS (Cost of Cleaning Urban Spaces) covers activities such as tree pruning, lawn mowing, and public area maintenance, with proper disposal aligned with PGIRS (Solid Waste Management Plan) guidelines. The CBLS (Cost of Cleaning Public Roads and Streets), as defined in Article 21 of CRA Resolution 720 (2015), calculates costs based on the kilometers of cleaned public roads and the number of subscribers. Before proceeding, an important clarification: all activities are remunerated simply for being performed; however, recovery activities are compensated based on their *efficacy*. In other words, while other services appear to be paid for "basket maintenance" as part of general service provision without quality assessment, recovery activities are measured by their effectiveness, specifically by weight. To explain this: Variable costs for non-recyclable waste are expressed as,

CVNA=(CRT+CDF+CTL)

Where CVNA represents the Variable Cost for Non-Recyclable Solid Waste, and:

- CRT: Collection and Transportation Cost for Solid Waste
- CDF: Final Disposal Cost per Ton
- CTL: Leachate Treatment Cost per Ton.

[3] **Commission for the Regulation of Drinking Water and Basic Sanitation (CRA). Resolution 943 of 2021.** "By which the general regulation of public water supply, sewerage, and sanitation services is compiled, and certain provisions are repealed." (*Article 5.3.2.2.1.2.* Official Gazette [D.O.] No. 51.690.)

[4] **Initial Exclusion (CRA Resolution 151 of 2001):** The first phase of regulation excluded recycling from cost recognition. The focus remained on final disposal, resulting in environmental harm and the neglect of informal recyclers, both of whom are entitled to special constitutional protections.

Partial Inclusion (CRA Resolution 351 of 2005): This resolution introduced the Base Remuneration Value for Recovery (VBA), formally acknowledging recycling as a compensable activity. However, inequities remained. For example, while recyclers were now nominally included, the VBA was shared with waste management companies that already benefitted from multiple revenue streams. Informal recyclers, whose sole income derives from recovery, remained disadvantaged. Moreover, of a 34% increase in commercialization costs in municipalities with recovery services, only 12% went to recyclers, while 22% was allocated to final disposal providers.

Continued Inequity (CRA Resolutions 720 of 2015 and 853 of 2018): In this phase, the CCS increase rose to 37% in municipalities implementing recovery programs. Nonetheless, the majority of funds continued to benefit final disposal providers rather than recyclers, reinforcing both social and environmental injustice.

Expected Developments (CRA Resolution 1000 of 2024 and Indicative Regulatory Agenda 2024): The CRA has announced a shift toward cost-based remuneration and a quality regime for recovery. However, this initiative privileges productivity indicators favorable to large companies, while systematically excluding informal recyclers. As a result, their marginalization is deepened.

[5] You would need approximately **177 biogas units of 1.5 MW** each running continuously for one month to generate **191 GWh**.

$$\text{Required tons} = \frac{211,500\ \text{MWh/day}}{36\ \text{MWh/day per 1,000 tons}} = \frac{211,500}{36} \times 1,000 \approx 5,875,000\ \text{tons/day}$$

To meet Bogotá's daily electricity needs (about 211.5 GWh), the city would need to process approximately 5.88 million tons of waste per day—which is over 900 times more than what the Doña Juana landfill currently receives.

While converting waste to energy through biogas significantly reduces greenhouse gas emissions, it is not nearly enough to meet the city's full energy demand and should complement, not replace, broader renewable energy strategies like solar, wind, and grid efficiency.

[6] The neoliberal transition in Latin America has led to regulatory systems that, much like the myth of Sisyphus, trap the region in an endless cycle of inefficiency. Despite efforts to "reform" the system, regulatory measures continue to perpetuate a status quo that keeps the population in poverty, while enriching global capital. This is the hidden Sisyphus of regulation—an invisible force that prevents true progress, despite the appearances.

[7] The regulation of electricity tariffs in Colombia is governed by a series of resolutions issued by the Energy and Gas Regulatory Commission (CREG). These resolutions establish the methodology for calculating the costs associated with electricity generation, transmission, distribution, and commercialization. According to CREG Resolution 119 of 2007, the cost-of-service provision is broken down into several components, which may vary depending on various economic factors. However, these components are subject to strict regulatory oversight to prevent tariffs from becoming excessive or disproportionate.

[8] By favoring cost recovery and corporate profit over affordability and fairness, the current tariff model deepens socio-economic disparities. Low-income and rural households are particularly impacted, paying a proportionally higher share of their income for access to electricity—an essential public service. This misalignment undermines both the constitutional promise of universal service and the human right to energy.

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