

Bolivia: A national clash over multiple worlds

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Abstract

Two and a half years into his presidency, the Evo Morales reform programme has stalled, and Bolivia is in political deadlock. His far reaching constitutional project, which would serve not only to redistribute the country's land and resource wealth but refound Bolivia on "plurinational" lines, has been approved by the constituent assembly, but without the presence of the main opposition party, who bitterly oppose the way the document distributes economic and political power in the country.

The fallout from an imminent recall vote – and the political manoeuvring around it – will decide whether his project gets moving again, or remains grounded. If it can be passed, however, the constitution as it stands could construct an uncertain future for the country. Whether it will provide a framework under which Bolivia's multiple worldviews can mutually coexist and cooperate, or lay the foundations for a country permanently divided, remains to be seen.

This paper analyses the situation in Bolivia on two levels – looking first at the current debate over distribution of land and resource wealth and the political context of the forthcoming August 10th recall vote, before moving on to a more in depth analysis of Bolivia's new constitution, looking in particular at the possible effects of trying to found a "plurinational" country.

1. Introduction

Evo Morales led his Movimiento al Socialismo (MAS) party to power in Bolivia in January 2006 with a popular mandate unprecedented in the country's recent history, later described by the man who preceded him, Carlos Mesa, as a "blank cheque."¹ Not since 1982 has a party won more than 50% of the popular vote, and the context – a populous exhausted by years of political instability – provided the country's first indigenous president with a legitimate mandate for reform. This is not a mandate he has shied away from – indeed, his programme for change amounts to little less than a genuine refounding of the Bolivian state.²

The centrepiece of this refoundational programme, which emerged from Bolivia's constituent assembly in December of last year, is the "Oruro constitution", as it is sometimes known. The assembly began as an all party affair, but the end product was signed under guard, without the presence of main opposition party, PODEMOS, after talks between the two sides broke down.

¹Interview with Tuffí Are Vázquez, El Deber, 15/06/08. See: <http://www.eldeber.com.bo/2008/2008-06-15/vernotasantacruz.php?id=080614221724>. Between the presidency of Carlos Mesa and Evo Morales came the interim presidency of Eduardo Rodríguez.

²See Isabel Moreno and Mariano Aguirre, 'Re-founding the State in Bolivia', FRIDE Working Paper 31, January 2007. See: <http://www.fride.org/publicacion/170/la-refundacion-del-estado-en-bolivia>

Rather than an all party consensus, then, the final text is, with some small changes, “that drawn up by the MAS bloc in the assembly” according to John Crabtree, research associate at the Oxford Centre for Latin American Studies.³

For MAS, and the social movements with which the party is allied, it represents a long required redistribution of both economic and political resources in Bolivia, and the completion of a process of restoration and respect for indigenous peoples and ways of life. The opposition, on the other hand, perceive it as an attempt to seize control of land and revenues which are rightfully theirs, and change the structure of the Bolivian state to cement the position of MAS and indigenous movements in power.

Either way, rather than a point of common ground around which all Bolivians can unify, the new constitution is a document that contains within it all the division running through Bolivian society. As such, it could not help but provoke conflict.

A Divided Bolivia

“Some might say there are two Bolivias” argue Leny Olivera, Aldo Orellana, and Lily Whitesell, writing for the Cochabamba based Democracy Centre.⁴ The conflict between these two Bolivias occurs on multiple levels of class, race and location, and is currently expressed by a coalescence of alliances around Bolivia’s two main parties. MAS counts the on support of poorer, indigenous peoples, who are concentrated in rural areas and the Western highlands, whilst PODEMOS and the conservative opposition are formed out of richer people of mestizo or criollo descent, who are concentrated in urban areas and the Eastern lowlands.

This division is of course approximate. The lowland areas contain many indigenous peoples, just as the highland areas contain many mestizos. Urban areas are equally mixed - and making any easy distinction between “mestizo” and “indigen” peoples is difficult. However, it is reflected in how Bolivians view themselves. In the 2001 census, around 62% identified themselves as “indigenous”, almost 80% of whom live in the five Western highland departments.⁵ And it is also reflected in how they see their history. “One Bolivia has made the rules and the other has chafed under them” say Olivera, Orellana and Whitesell. Redressing this felt injustice is a vital part of the Morales programme, and his refoundational project reflects this.

2. Redistribution

Most obviously, it is reflected in programmes of economic redistribution. Gisela Karina López, Bolivian journalist and political analyst, says the current conflict in Bolivia is principally economic rather than ideological,⁶ and the measures for resource distribution and allocation certainly lend it its immediacy and sharpness.

The MAS programme of economic redistribution is based on two principles - the “nationalisation”⁷ of key industries (and the appropriation of large parts of their revenue for the Bolivian exchequer), and the redistribution of land by the establishment of both upper

³John Crabtree, ‘Bolivia’s Controversial Constitution’, openDemocracy, 10/12/07. See: http://www.opendemocracy.net/article/democracy_power/politics_protest/bolivia_constitution

⁴Leny Olivera, Aldo Orellana, and Lily Whitesell, ‘Bolivia writes a new constitution’, The Democracy Centre, 06/08/07. See: <http://www.democracyctr.org/blog/2007/08/bolivia-writes-new-constitution.html>

⁵Statistics taken from the 2001 census, and refer to Bolivians aged 15 and above. See: <http://www.ine.gov.bo/cgi-bin/Redatam/RG-4WebEngine.exe/PortalAction>. The Western departments are largely, but not exclusively, high lying.

⁶Interview with the author by email, 18/06/08.

⁷Frequently characterised as more of a “renegotiation”, as foreign companies have remained, on different terms.

limits in size of landholding and powers of compulsory purchase for unused land. Both the key industries for nationalisation (largely hydrocarbon producing ones) and the largest conglomerations of land to be broken up are found in the Eastern lowlands.

The process of nationalisation is now by and large complete, at least of the all important hydrocarbon industries, and high profile redistribution projects such as the Renta Dignidad (a state funded pension scheme) have been the result.

But further revenue redistribution, and land reform, remains incomplete. These two areas have become tied into Bolivia's ongoing process of constitutional reform, and it is here that the opposition has found an effective way of resisting them, through the issue of departmental autonomy.

Bolivia's new multipolarity

In 2005 the political landscape of Bolivia was altered fundamentally when departmental prefects, previously selected by the government, began to submit themselves to election. "The election of prefects...changed their status, giving the office much greater visibility and legitimacy" says Crabtree.⁸ And while MAS won substantially in the central state, PODEMOS gained power in many of the departments (especially the richest provinces).

The opposition prefects quickly recognised the opportunity presented by the existence of these prefectures as alternative loci of power within Bolivia and ways of fracturing Morales' power base. "Where once Evo faced an opposition that one could genuinely classify as the old elite, he now faced one that was regional, taking with it even many of the lower income parts of the rebel departments" says Jim Schultz, also at the Democracy Centre.⁹

And, even more importantly, these new prefectures represent a political space within which to contest the MAS redistribution programme. To function, this programme is one that relies on political powers – the power to raise and spend taxes, the power to compulsory purchase land, and the power to spend revenue from natural gas exploitation. By calling for departmental autonomy, opposition prefects aim to hand these powers to department prefects, rather than the central state, and thus reduce the scope of redistribution.

A 2006 nationwide referendum on the inclusion of departmental autonomy in the constitutional process was followed, this year, by referenda on self-authored autonomy statutes in the four departments which voted "yes" in 2006 (Beni, Pando, Tarija and Santa Cruz), statutes which would guarantee wide ranging powers for department heads. All of them have again produced strong "yes" votes (albeit with varying levels of MAS encouraged abstention), but have been called illegal by the central government.

The statutes are, unsurprisingly, at odds with the definition of autonomy found in the MAS constitution. The constitution would limit the power of departments,¹⁰ and goes further than merely establishing governmental instruments for apportioning tax revenue or redistributing land by writing specific distributions into the constitution (only 11% of the revenue from production of hydrocarbons will go directly into departmental coffers,¹¹ whilst either 5,000 or 10,000 hectares is established as the maximum landholding – the exact number to be decided by another referendum¹²). Furthermore, it establishes the existence of a variety of other "hierarchically equal" areas of regional power – provinces, municipalities, and areas of

⁸John Crabtree, 'Bolivia's Democratic Tides', openDemocracy, 02/07/08. See: <http://www.opendemocracy.net/article/bolivia-s-democratic-tides>.

⁹Jim Schultz, 'Back from one Balkans, Home to another', The Democracy Centre, 01/07/08. See: <http://www.democracyctr.org/blog/2008/07/back-from-one-balkans-home-to-another.html>

¹⁰'Nueva Constitución Política del Estado', December 2007, Article 299. See: http://www.presidencia.gov.bo/asamblea/nueva_cpe_aprobada_en_grande_en_detalle_y_en_revision.pdf. All subsequent references to the constitution refer to this version.

¹¹Article 368

¹²Article 400 and Article 398

¹³Article 270

“indígena originaria campesina” control (of which more later).¹³ These areas would enjoy much the same powers as the departments, and therefore serve to further cut away at their power.

As yet, neither side is talking about “separatism”, nor does it appear to anyone’s immediate advantage to go down such a road (though members of the policy and academic community are beginning to consider the possibility that Bolivia might one day break up, or descend into civil war¹⁴). Nevertheless, the two visions of Bolivia presented here are significantly different. Which definition of “autonomy” wins out, if either, will decide whether the Morales programme of economic distribution has the political tools it needs to succeed before his term comes to an end. And this will depend on the complicated political struggle that is currently playing itself out.

The Recall Vote

Morales has yet to put the MAS constitution to a Bolivia wide referendum. Instead, he has scheduled a recall vote to take place on August 10th, which he hopes will reduce the number of opposition prefects he faces, and close down some of the political space they have to operate. Morales (together with vice-president Alvaro García Linera) and eight of the nine department prefects will all face public votes of approval (Chuquisaca, having only recently elected a new prefect, is exempt).

This unusual process, in which an incumbent is removed if they receive more votes against them than they received in their favour when elected (in both relative and absolute terms), appears to threaten opposition prefects more than it does MAS, some of whom recorded relatively narrow victories in 2005. The opposition, which appear to regret passing the legislation for this vote through the Senate (which they control), seem to have agreed to co-operate, though disputes over the process remain (and a recent call from the only remaining member of Bolivia’s highest constitutional court to suspend the process while its constitutionality is considered casts some doubt over whether the vote will even take place).¹⁵

Polling suggests that Morales will not be recalled, whilst opposition prefects such as José Luis Paredes in La Paz, who won with only 37.9% of the vote in an area traditionally regarded as a MAS stronghold, and Manfred Reyes Villa, in Cochabamba, are regarded as under threat¹⁶. In this sense, it is unlikely that PODEMOS will score a major political victory.

However, as the recent loss of the Chuquisaca department to the opposition indicates, neither does Morales’ support appear to have increased nationwide – and MAS supportive prefects also appear under threat. In fact, the results from Chuquisaca appear to be emblematic of the general division – Morales won strongly in the countryside, but lost heavily in the city (Sucre)¹⁷. Therefore, while Morales may survive the vote and remove some opposition, it seems unlikely he will be able to establish a significantly greater percentage of the popular vote in his favour than he did at election – which may still be interpreted as political defeat.

All parties agree that further dialogue would be unproductive, and that the problem must be resolved through some form of democracy. But with no electoral process recognised as completely legitimate by both sides, and support amongst the populace fairly evenly distributed between them, it is unclear that this next poll will produce a definitive result. Bolivia may emerge without much change to its political landscape - and any result will almost certainly be contested by one party.

¹⁴For example, Carlos Malamud and Carlota García Encina, ‘Potential Flashpoints in South America (II): Could the Situation in Bolivia Spark a Regional War?’, Real Instituto Elcano, 10/06/08. See: http://www.realinstitutoelcano.org/analisis/ARI2008/ARI27-2008_Malamud_conflicto_belico_America_Latina.pdf.

¹⁵At the time of writing the National Electoral Court had refused to recognise this decision, and is intending to proceed with the vote. This situation is likely to evolve quickly in the coming weeks.

¹⁶A ‘Evo y el Vice serían ratificados y cuatro prefectos, revocados’, La Prensa, 21/07/08. Poll carried out by Captura Consulting. See http://www.laprensa.com.bo/noticias/21-07-08/21_07_08_poli6.php

¹⁷It is worth noting that this election was coloured by a dispute about the location of Bolivia’s capital

Economic problems

Meanwhile, economic problems are appearing on the horizon. The newly nationalised hydrocarbon industry has been struggling to complete new exploration and drilling projects, and worries exist over its future sustainability. Sabino Carme, head of YFPB's human resources department (the state owned petroleum company whose responsibilities have expanded significantly following the nationalisations), said the business would need between US \$8,000 – 9,000 million in investment over the next five years to carry out exploration, exploitation and industrialisation work¹⁸. Without this money, it is unclear whether Bolivia will continue to be able to fulfil its energy export commitments to Brazil and Argentina¹⁹. But there has been a sharp decline in foreign investment into Bolivia (US \$149 million in 2007, down from US \$650 million in 2002²⁰ - at a time when investment into Latin America is rising overall²¹) - blamed on its unstable political situation and nationalisations of key industries.

Meanwhile, inflation is rising. *The Centro de Investigaciones Económicas y Empresariales at the Universidad Privada Boliviana* predicts inflation in 2008 will stand at 16.84% (up from 6.4% in 2007), which they attribute partly to the context of world commodity price rises²² (which the OECD is predicting will last for a decade or more²³). This is already being felt in, for example, rises in the price of chicken and rice.²⁴

Severe economic problems could therefore arrive in 2009, bringing with them new legitimacy problems for Morales. Whether his supporters (who are likely to be among the worst affected) stick by him will prove another key factor in deciding the future of his project.

August and Beyond

The immediate future of the Morales programme is therefore uncertain. Unless his position is strengthened in August (assuming the vote takes place), Morales may well be unable to bring his constitutional project into Bolivian law, and the deadlock could continue until the forthcoming elections in 2011 (when, as presidents are currently limited to one term, he would be forced to step down²⁵). Fresh elections would follow.

Meanwhile, sporadic outbreaks of violence remain a feature of Bolivian politics, and it is possible that continuing political deadlock could erupt into more widespread clashes²⁶. However, as

¹⁸YFPB requerirá \$us 9.000 millones hasta el año 2013; La Razón, 10/06/08. See: http://www.la-razon.com/versiones/20080610_006299/nota_248_611623.htm

¹⁹Producción insegura de gas; La Razón, 03/06/08 http://www.la-razon.com/versiones/20080603_006292/nota_245_607285.htm. Fines could result from being unable to fulfil these commitments.

²⁰Bill Faries, 'Bolivia Seizes Gas Pipeline from Shell, Ashmore', Bloomberg, 02/06/08. See: http://www.bloomberg.com/apps/news?pid=20601086&sid=aAaydN56HuU8&refer=latin_america.

²¹Foreign Investment in Latin America and the Caribbean; United Nations Economic Commission for Latin America and the Caribbean, May 2008. Foreign investment into Latin America and the Caribbean went over US \$100 billion for the first time in 2007. See: <http://www.eclac.org/cgi-bin/getProd.asp?xml=/publicaciones/xml/1/32931/P32931.xml&xsl=/ddpe/tpl-i/p9f.xsl&base=/tpl-i/top-bottom.xslt>

²²Monitoreo de la Inflación en Bolivia: Análisis por descomposición; Centro de Investigaciones Económicas y Empresariales, June 2008. See: <http://www.upb.edu/investigacion/monitoreo.pdf>

²³OECD and FAO see agricultural commodity prices remaining high and growing more volatile; OECD, 29/05/08. See: http://www.oecd.org/document/29/0,3343,fr_2649_201185_40717917_1_1_1_1,00.html

²⁴En 2009, el arroz y el pollo costarán más; La Razón, 15/06/08. See: http://www.la-razon.com/versiones/20080615_006304/nota_276_614757.htm

²⁵The new constitution would allow presidents a maximum of two terms.

²⁶It is worth noting the apparent racial subtext to some of these clashes, which came to the fore in Sucre in May. See: 'Bolivian Racism Runs Amok in Sucre', The Democracy Centre, 27/05/08. <http://www.democracyctr.org/blog/2008/05/bolivian-racism-runs-amok-in-sucre.html>

Roberto Navia, journalist at Bolivian newspaper *El Deber* says, “Bolivia has always lived on the edge of the abyss.”²⁷ Violence has been frequent but also small scale, and parties with apparently irreconcilable positions have a habit of negotiating at the last minute to find some kind of political solution²⁸. There is, as yet, no compelling evidence to suggest this crisis will unfold any differently.

Morales may therefore see out his term without widespread conflict, but also without the completion of his foundational project. He will achieve what he can by decree (continued revenue redistribution) but be prevented from redistributing land, or fundamentally changing the structure of the Bolivian state. If so, some of the wider possible ramifications of the project will never play themselves out. But the questions he was attempting to resolve will remain.

3. Revindication

The MAS programme, argues Whitesell, emerged partly in response to “demands that were in place long before even the 2005 election campaign.”²⁹ These do include a more equitable distribution of Bolivian wealth, which has always been concentrated in the hands of the few, but are not limited to this. Behind the argument over resources is a process which has its roots in the colonial occupation of the area which is now known as Bolivia, and which began in earnest in the 1990s – the “revindication” of indigenous ways of life.

As López says, previous constitutions, established on liberal / human rights bases, “never took into account the *worldview* of the diverse indigenous cultures of this country.”³⁰ It is this incorporation of different worldviews – more fundamental than simply granting access to economic and political rights – which the Morales constitution, at least in part, attempts. The potential effects of this could be far reaching indeed

The “Pueblo Indígena Originario Campesino”

The new constitution makes countless references to the rights, laws and customs of the “pueblo indígena originario campesino”, defined as people whose existence predates the “Spanish colonial invasion”³¹ and who share “cultural identity, language, historical tradition, institutions, territory and worldview”. López explains the origin of the term as follows:

The transformations of the 50s [when various ‘modernization’ campaigns tried, for example, to eradicate indigenous languages]...annulled the term “indígena” [indigenous] for the “originario” [native] men and women of rural communities, and replaced it with the word “campesino” [rural dweller]...Forty years later, in the 90s, the indigenous ethnic groups that inhabit that Amazon and the East of Bolivia decided to leave the jungle and show themselves to the country and the world and demand recognition from the Bolivian state. And they did this calling themselves “indígenas”.

In this decade a process of reclamation and restoration of indigenous Bolivian culture began... in parallel, the indigenous peoples of the “altiplano” [highlands] also began a similar process, deciding to call themselves “originarios”.

Previous constitutions have made reference to these peoples, even used the term

²⁷ Interview with the author by email, 18/06/08

²⁸ Ibid

²⁹ Interview with the author by email, 03/07/08

³⁰ Op. cit. Emphasis added.

³¹ Article 30

“plurinationalism”, but this is the first to attempt to incorporate their distinct *worldviews* into the fabric of Bolivian life. It does so on a variety of levels.

Most immediately, it promises respect for their systems of education and healthcare, and guarantees provision of public services in any one of the 36 official state languages³². It guarantees them equal representation in all state organs, including the constitutional tribunal (through which any change to the constitution must pass), and establishes the ability to speak Castellano and one other official state language as a mandatory requirement for any type of “public service”³³ – up to and including the office of the president and the constitutional tribunal. This would, at least in the short term, restrict state employment to around 3 million Bolivians (of a total population of 8.2 million), less than 500,000 of whom live in the lowland departments³⁴, and could therefore present a significant advantage to the Morales supporter base when seeking public sector employment.³⁵

These articles are significant. But two areas are even more important – the attempted establishment of plurinational law and plurinational systems of election. It is here that the difference between a worldview that is respected or tolerated and one which is genuinely incorporated into the fabric of the state is established.

Plurinational Law

Basing itself in a principle of “*legal pluralism*,”³⁶ the constitution creates space for multiple legal systems in the country by defining two fields of jurisdiction: the “ordinario” (the system of civil law under which Bolivia theoretically operates) and the “originario” (a collection of customary laws emanating from the indigenous peoples outlined above) – both of which are “hierarchically equal.”³⁷

The functioning of indigenous systems of justice is left undefined, but the Democracy Centre characterise them as a type of community justice:

*“True” community justice, say advocates, is a fair, public decision that both provides real consequences and can improve the community (when the punishment is a community service requirement, for example, making mud bricks to build a new school). It is based on the idea that social control is one of the best forms of preventing future crimes.*³⁸

These forms of justice are already practiced in Bolivia – Navia calls them “a known mechanism for imparting justice, so the community can live under known rules rather than anarchy.”³⁹ Their existence demonstrates the failure of previous Bolivian states to legitimately impose themselves throughout the country; as Olivera et al. argue, the current, non-indigenous justice system “has a reputation for being slow and oftentimes corrupt, particularly in rural areas. Many communities feel that going to the courts is an investment they can’t afford to make with little promise of a fair result.”⁴⁰ Initially, therefore, plurinational justice would probably amount to little more than turning the *de facto* into the *de jure*. But it could come to stand for much more than that.

³²Article 5 establishes official languages. Article 78/II establishes education rights. Article 35/II establishes traditional medicine as part of the health system.

³³Article 235/VII

³⁴Statistics taken from the 2001 census, based on population speaking two languages or more. Numbers are approximate, and are not adjusted for those too young to be employed, or those that speak several languages but not castellano. http://www.ine.gov.bo/beyond/ReportFolders/ReportFolders.aspx?CS_referer=&CS_ChosenLang=en

³⁵Malamud and Encina in fact claim that the state machinery has already been filled with MAS supporters. Op cit.

³⁶Article 179I

³⁷Article 180/III

³⁸Lily Whitesell, Leny Olivera and Aldo Orellana, ‘Bolivia’s Indigenous Peoples Bring their Demands to the Constituent Assembly’, The Democracy Centre, 23/08/07. See: <http://www.democracyctr.org/blog/2007/08/bolivias-indigenous-peoples-bring-their.html>

³⁹Op. Cit.

⁴⁰Ibid.

The independence of the “originario” jurisdiction is established in black and white – their decisions may not be reversed by the ordinary jurisdiction, and indigenous authorities can request support from the state in the execution of their laws.⁴¹ The only unifying point between these two jurisdictions is that they are both bound to respect the “rights” established in the constitution.⁴² This establishment of the originario jurisdiction as *hierarchically equal* is more than the acceptance of state failure in rural areas – it is the attempted incorporation of an indigenous worldview into the structure of the country.

The potential for conflict between these two jurisdictions, two worldviews, is self-evident, and would manifest itself in a case where accused and accuser were from different territories or ethnic backgrounds. Either could appeal to different courts for justice. Both courts could appeal to the state to support their verdict.

Such an incident, which would be referred to the constitutional tribunal ⁴³, would raise fundamental questions about Bolivia. The issue this tribunal would be required to debate (which worldview has the right to administer justice to this person?) would set a precedent for future cases, and thus help draw sharp divisions through the heart of Bolivia. Either ones ethnicity – or ones location – would become a crucial part of Bolivian law. ⁴⁴

Plurinational Election

These potential problems are duplicated, somewhat, in the issue of selection of political representation. The new constitution promises respect for indigenous systems of election in establishing who they send as representatives to Bolivia’s various representative bodies. These methods, says López, are also based on the idea of openness and communitarianism:

They [indigenous peoples] achieve consensus around their decisions in the majority of cases through unanimity and oral discussions...the majority of indigen and campesina organisations, who are the most numerous and representative, do not hold their elections through secret ballot, but through public assemblies, town meetings and open events...⁴⁵

Just as in the case of plurinational law, attempts to include these systems of election represent, on one level, the failure of previous Bolivian systems of election to properly include indigenous peoples, and the vulnerability of these systems to corruption. But again, the existence of this dual system creates a potential fault line which could run through the heart of Bolivian democracy. Representative bodies will, on the one hand, be composed of members elected on the principle of universal suffrage, and on the other, through representatives elected through measures of community decision making, with consideration for the “special circumstances” of indigenous peoples ⁴⁶. Who you are, in Bolivia, could come to affect how you are represented.

A space for conflict – or dialogue

The problems outlined above stem directly from the existential ambitions of this project. This

⁴¹Article 192 establishes its independence. Article 193/II establishes the right to ask the state to enforce its verdicts.

⁴²Article 191/II. How these rights will limit the two jurisdictions is debatable – they extend, for example, to the right to communicate with a defence team (Article 73/II) and the right to a due process of charge followed by trial (Article 127).

⁴³Article 203/11

⁴⁴Carlos Alarcón reaches a similar conclusion in: Carlos Alarcón, Carlos Böhr, Carlos Romero, ‘Hacia una Constitución democrática, viable y plural: Tres Miradas’, Fundación Friedrich Ebert-Instituto Latinoamericano de Investigaciones Sociales. Especially page 186 onwards. Alarcón proposes establishing clearer territorial jurisdictions.

⁴⁵Op. cit.

⁴⁶In, for example, the case of the legislative assembly. Carlos Romero examines this clash in detail, op. cit., p283 onwards.

constitution attempts not only to give indigenous peoples a share of economic resources, nor even access to the structure of power within the state, but rather a say over what the state is in key legal and political terms – respect, in other words, for how they understand the world to operate. Morales is here attempting to square what appears to be an impossible circle – to create room for these multiple worldviews under a single overarching framework. Ambiguity in key areas is the price paid.

On paper, this ambiguity appears a recipe for conflict. Important legal lacunae exist which multiple actors could take advantage or fall foul of. Enormous responsibility will be placed on the new (and equally theoretically divided) constitutional tribunal for resolving these, and developing frameworks for cooperation. It's unclear how mutual respect and legitimacy will be established between representatives with equal powers selected in different manners, or legal systems operating under different principles. And the danger that the constitution will increase division and polarization in the country – forcing people to pick a “world” in many important aspects of their lives – seems large.

But this is not to say that failure is guaranteed. Constitutions can survive with potential internal conflicts – everything depends on subsequent interpretation and implementation, and the willingness and ability of parties to negotiate. By creating a constitution with a number of unresolved parts, Morales may well be laying the foundations of future conflicts. But he may also be creating space for these conflicts to be resolved under the common foundation of a “plurinational” state.

4. Conclusion

Bolivia as a whole is struggling with several intimately connected questions, which are given particular shape and context by the current struggle between MAS and PODEMOS and the debate over departmental autonomy and distribution of economic resources, but which trace their roots back much further. The international community, especially close neighbours and large trading partners such as Brazil and Argentina, should do everything they can to encourage negotiation and dialogue between the two sides in the context of this specific debate. But in the end these problems can only be resolved by Bolivians themselves. How can a process of “revindication” of indigenous worldviews be completed? How can a state, founded along Europeanised principles of sovereignty and existing in a globalized world where structures of governance tend towards similarity, make room for a multiplicity of worldviews? Must one worldview always be somehow subordinated to another – or can they exist as equals within a common framework? And can all this be achieved without conflict?

The MAS constitution, in a sense, is an attempt to provide an answer to these questions. Its success is far from assured – the immediate political conflict, and forthcoming economic problems, may well prevent it ever being adopted. And its long term impact is even harder to predict – theoretically wide ranging clauses may in practice be moderated or dropped, or simply quietly ignored.

But if it is not only adopted, but also practised, Bolivians will face a new and challenging future. One in which a special type of ambiguity will be placed at the heart of its legal and political systems – an ambiguity arrived at from the existence of different worldviews operating in a system of equality. This ambiguity is fraught with the potential to create conflict and increase polarisation. Given Bolivia's history, it seems likely that constitutional crisis would likely never be far away. But it also, perhaps, contains the potential to incorporate Bolivia's multiple worlds in the same system. In this sense, it could be genuinely revolutionary.

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