

FROM *JACH'A MALLKU* TO *ALCALDE*:  
THE TENSIONS BETWEEN LIBERAL DEMOCRACY AND  
INDIGENOUS AUTONOMY IN BOLIVIA

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To my mother for crossing my t's and dotting my i's

and

To my father for always making sure I got where I was going.

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## CHAPTER I

### INTRODUCTION

On February 7, 2009, the Bolivian government formally recognized indigenous autonomy through the promulgation of the country's newest constitution. The New Political Constitution of the Plurinational State of Bolivia (*Nueva Constitución Política del Estado Plurinacional de Bolivia*) legalizes self-determination for indigenous communities, upholding their right to define their own local political, economic and judicial systems. In the following chapters, I frame indigenous autonomy as part of a decades-long struggle to deepen democracy in Bolivia through the more meaningful inclusion of indigenous peoples and through the decentralization of the country's political system. The incorporation of the country's indigenous population into the state system as full and equal citizens is especially important to this struggle since 62 percent of Bolivia's population self-identifies as indigenous (Albó and Romero 2009, 2). The state has attempted to achieve this incorporation through decentralizing reforms and through the recognition of special collective rights. However, paradoxically, as these reforms seek to draw indigenous peoples closer to the state apparatus, indigenous communities have sought to distance themselves increasingly from the central government. Indigenous groups have even taken advantage of such reforms to exercise greater autonomy from the state. The result is an increasingly contentious relationship between the state democratic system and indigenous political systems.

In order to set the stage for my discussion of the state's recent recognition of indigenous autonomy, I will begin with a brief history of indigenous rights and political decentralization in Bolivia and how these two realms have interacted each other, culminating in demands for indigenous autonomy in recent decades.

The year 1874 in many ways is a starting point for the historical exclusion of Bolivia's indigenous peoples from the political, economic and social scenes of the country. In 1874, the government of Mariano Melgarejo passed the *Ley de Exvinculación*. This law is infamous among Bolivia's indigenous population for abolishing communal land rights, thus destroying the *ayllu* system. Communal lands were parceled out to community members who received private land titles and, often, subsequently sold their lands or lost them to encroaching *haciendas*. Thus, the law also marks the birth of the *hacienda* and indigenous peonage. Furthermore, it represents a significant instance of indigenous exclusion from national policymaking, since the ratification of the Law fully ignored indigenous opinions. Since then, indigenous peoples have fought for the return of their ancestral lands and communal rights to those territories, as well as for a voice on the national political stage. Until recent decades, however, their efforts have been to little avail.

The year 1952 signified a turning point for indigenous peoples in Bolivia. In that year, the MNR party came to power, commencing the Bolivian National Revolution. Indigenous inhabitants were granted suffrage and incorporated into the national political system as full citizens. The Agrarian Reform of 1953, enacted by the MNR, abolished the *hacienda* system, which it labeled as backward and a hindrance to the national economy. Agrarian unions (*sindicatos agrarios*) were also put in place at this time as a

way to organize peasant communities. In this case, “peasant communities” refers mainly to indigenous communities, since the MNR also re-baptized indigenous citizens as peasants during the Agrarian Reform, stripping them of their ethnic identity in the hope of creating a homogenous Bolivian nation. Agrarian unions oftentimes overlaid indigenous forms of community organization, whereby indigenous leaders were given positions within the union or union-appropriate titles that would have corresponded more or less with their position in the former indigenous hierarchy. This has heavily impacted modern, indigenous political systems in the Bolivian highlands, especially in Aymara and Quechua communities, which now have nearly identical forms of political organization. While their intended effect of homogenization may not have been achieved in many indigenous communities, the central government hoped that agrarian unions would offer some form of local political organization and representation to peasants and, implicitly, to indigenous peoples.

The National Revolution and the Agrarian Reform recognized indigenous peoples (in whatever couched terms) as a vital component to a healthy democracy in Bolivia. However, these events also resulted in the loss of a formal indigenous ethnic identity and, thus, indigenous peoples were not incorporated into the national political system as such. They were accepted into the nation as a class, peasants, rather than as an ethnic group. This resulted in the masked exclusion of indigenous peoples from the political system since they were denied a collective ethnic identity, a common history and special communal rights. Moreover, the economic and social inequality of Bolivia’s indigenous citizens persisted as the term “*campesino*” came to hold many of the same racist connotations as the former “*indio*.” It was not until the 1970s that indigenous peoples



began to reclaim and reconstruct collective indigenous identities. Then, in the late 1980s, indigenous groups across the country began to articulate specific demands for autonomous control over their ancestral territories. The resulting legal reforms have been both symbolic and practical in their recognition of indigenous rights and the further incorporation of indigenous peoples into the national political system.

In 1989, demands for indigenous autonomy were made on both the national and international stages. Internationally, the International Labour Organization's (ILO) Convention 169 on Indigenous and Tribal Peoples recognized indigenous peoples' right to "retain their own customs and institutions" (Art. 8). Within Bolivia, the Confederation of Bolivia's Indigenous Peoples (CIDOB)<sup>1</sup> proposed the *Ley Indígena* that formally outlined a plan for special indigenous rights to self-governance and territorial control (Albó and Barrios 2009; Plata 2010). Then, in 1990, CIDOB organized the "March for Territory and Dignity," crossing the country from Trinidad to La Paz, demanding the right to autonomous control over indigenous territories (Albó 2008). In that same year, the central government ratified the ILO Convention 169.

More recently, in 1994, Bolivia began an intensive decentralization process with the ratification of the Law of Popular Participation (LPP), the idea being to create a more meaningful democratic system by giving citizens greater influence over politics at the local level. Decentralization gave more power to municipal governments so that, in theory, political participation might be more effective and government more personalized to the needs of each community. This was the first of several reforms aimed at deepening democracy in Bolivia by making citizenship more meaningful for a larger swath of the

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<sup>1</sup> CIDOB is an indigenous organization that represents most of Bolivia's lowland indigenous groups on a national level.

population. Though this reform was not focused specifically on improving indigenous rights, indigenous communities seized the opportunity to exercise greater autonomy from the central government at the municipal level. Thus, the LPP also marks an important milestone in the drive for indigenous autonomy because it “opened a space of empowerment for the [indigenous] communities since it implied the emergence of indigenous peoples as direct actors in the political arena, widening the notion of individual citizenship to collective citizenship” (Plata 2010, 248, author’s translation). As an unintended side effect, the Law created new possibilities for indigenous communities to practice greater independence from the state.

The indigenous municipality of Jesús de Machaca declares this historical moment as the initial spark of their hope for greater autonomy from the state (CEBEM 2009, 59). At the time, Jesús de Machaca was part of the municipality of Viacha, but with the extended autonomy offered at the municipal level by the 1994 LPP, the community was motivated to petition for separate municipal status, and was eventually granted this in 2002. Taking advantage of its newfound autonomy, the community held unofficial elections according to customary practices with the intention of formalizing the results in the 2004 state-sanctioned municipal elections.

Though the Law of Popular Participation was effective in decentralizing the Bolivian state, it failed to address ethnic differences and dissipate ethnic conflict. In other words, the Law denied special territorial rights for indigenous communities, and newly created municipalities grouped indigenous and non-indigenous peoples together under the same local government (as was the case with Jesús de Machaca). Thus, CIDOB embarked upon its second march in 1996 for “Territory, Land, Political

Participation and Development.” In response, the 1996 Law of the National Institute of Agrarian Reform (*Ley INRA*) created the territorial status of First Peoples’ Communal Territory (*Tierra Comunitaria de Origen*, TCO), constituting an attempt to recognize indigenous claims to ancestral lands. However, TCO status did not grant political authority to a territory’s inhabitants and could not fully guarantee territorial control (Gustafson 2009a, 995). Moreover, the 1996 INRA Law’s TCO provision was largely directed at Bolivia’s lowland indigenous groups, who often constituted a minority in their respective municipalities.

In Bolivia’s highlands, indigenous peoples constituted a large majority in many of the newly created municipalities. In fact, 145 of Bolivia’s 327 municipalities (44 percent) have an indigenous population constituting 90 percent or more of their total population (Colque 2009a, 90), and all but two of these municipalities are located in the highlands (Colque 2009b, 44). In terms of simple majority, 85 percent of highland municipalities are over 50 percent indigenous (Colque 2009b, 43). Thus, the 1994 LPP offered highland groups significant control over their territories (as long as their ancestral territory lie within the confines of the state-defined municipality), while lowland groups relied on the 1996 INRA Law to provide them with greater autonomy.

In 1999, the LPP was modified to allow for the creation of “Indigenous Municipalities,” which permitted the combination of customary practices of decision-making with municipal government institutions. However, the resulting systems of local government, largely retained the existing municipal institutions, while indigenous practices were often included as an afterthought or were carried out completely separate from the municipal government and had little influence over it (Cameron 2009). Thus,

demands for indigenous autonomy continued to be insufficiently addressed by the Bolivian state.

In 2001, organizations representing Bolivia's Aymara nation laid out their hopes and demands in the Achacachi Manifesto, which was released in the midst of massive, violent, indigenous uprisings all across Bolivia's *altiplano* region, where the Aymara are concentrated. The first of the Manifesto's six points calls for "the revival of indigenous power and of the original nations of this republic dominated by economic, political, and ideological power as a legacy of colonialism" (cited in Zibechi 2010, 106), which suggests a strong ethnic consciousness amongst the Aymara. The Manifesto also makes reference to indigenous autonomy by calling upon indigenous communities "to expel the repressive bodies of the government, the police, and the army" (cited in Zibechi 2010, 106) in its sixth and final point.

As demands for indigenous autonomy grew, the central government passed the Law of Indigenous and Citizen Groups (*Ley de Agrupaciones Indígenas y Ciudadanas*) in 2004, which allowed for groups other than political parties to contest municipal elections. This opened the local political stage to indigenous organizations and allowed for communities to select local representatives that were unaffiliated with national-level political parties, and which may have been preselected using customary practices, such as was the case in Jesús de Machaca during the 2004 municipal elections. Since indigenous peoples were no longer dependent on the state institution of political parties, in many cases they were able to practice even greater autonomy at the local level.

Finally, Bolivia's most recent Constitution largely addresses demands for indigenous autonomy, such as those laid out in the Achacachi Manifesto, by guaranteeing

the right to self-government of pre-colonial, indigenous nations and recognizing the customs and institutions of the country's indigenous peoples for the first time in history. Under the Constitution, indigenous autonomy, declared through popular referendum at the local level, gives a TCO, municipality or region power over its internal governance, economic affairs, judicial procedures and mechanisms of social control, within the limits of the Constitution and national laws.

The formal recognition of indigenous autonomy by the Bolivian state is part of a momentous effort to further incorporate Bolivia's historically excluded indigenous population into the national political system, an effort meant to make citizenship more meaningful primarily through decentralizing reforms and, thus, deepen democracy in the country. Furthermore, scholars and diplomats have cited indigenous autonomy's potential to improve the quality of democracy as a reason to support this reform (García Linera 2003; Blanes 2003; Prats 2006). It seems that indigenous autonomy could potentially deepen democracy by provoking necessary changes in Bolivia's larger democratic system, which has historically been flawed due to its exclusion of indigenous voices, among other issues. However, the Bolivian government and indigenous peoples have struggled to implement indigenous autonomy within the state's democratic system.

In the following chapters, I argue that the institutionalization of indigenous political and economic systems in Bolivia under the umbrella of indigenous autonomy has failed to deepen democracy because there are tensions between the two systems. The problem is two-fold. First, indigenous political systems are democratically flawed for reasons I will discuss in chapters 3 and 4. This is problematic because democracy cannot be improved through the incorporation of non-democratic elements into the system.

These flaws would need to be corrected before indigenous political systems could be accepted into the state political system as democratic institutions.

Second, indigenous autonomy has been implemented in a top-down fashion in Bolivia through the Framework Law of Autonomy and Decentralization (*Ley Marco de Autonomías y Descentralización*). In this process indigenous visions of indigenous autonomy were disregarded. Indigenous peoples were largely dissatisfied with the resulting law. Due to their lack of participation in the elaboration of the Law, the changes that indigenous political systems are required to undergo will likely be seen as imposed and foreign, and the inhabitants of newly-created indigenous autonomies will not identify as closely with the changed systems as with their former political systems. Worst of all, by greatly excluding indigenous peoples from the process of drafting and ratifying the Law of Autonomy, the state reinforced their marginalization, alienated them from democratic civil society, and eroded their quality of citizenship. This has the effect of diminishing the quality of democracy.

In the next chapter, I will examine definitions of indigenous autonomy as debated in three different arenas. I begin with an analysis of general definitions of indigenous autonomy as it has been debated on the world stage by scholars, lawyers, diplomats and international organizations. In proceeding, I focus more narrowly on the debate surrounding indigenous autonomy within Bolivia as it applies to that country, including scholarly definitions and state definitions as expressed in the 2009 Constitution (*Constitución Política del Estado*, CPE) and the 2010 Framework Law of Autonomy and Decentralization. Finally, I will outline indigenous perspectives of what indigenous autonomy should entail, looking specifically at definitions by Bolivia's indigenous

groups. This chapter will serve to demonstrate how indigenous autonomy has been theorized across the globe and what the ideal of indigenous autonomy in Bolivia has been.

In my third chapter, I will focus on the points of contention between indigenous autonomy and liberal democracy. I will present a series of scholarly arguments that support indigenous autonomy as a means for deepening democracy accompanied by specific counterarguments. From this analysis, I conclude that indigenous autonomy in the Bolivian case has two sets of fatal flaws that prevent this reform from deepening democracy in the country. The first set of flaws is inherent to indigenous political systems. Principally, there are tensions between liberal democracy and the communal democracy of indigenous political systems. The second set of flaws is a result of the way in which indigenous autonomy was implemented by the central government in Bolivia.

Chapter four addresses the first set of flaws for indigenous autonomy in the Bolivian case. I will provide two case studies of indigenous communities in Bolivia and their political systems in order to highlight specific instances of non-democratic practices and values. I will explore the *usos y costumbres* system of the Aymara indigenous autonomy of Jesús de Machaca as well as the *Capitanía* system of the Izoceño-Guaraní. This chapter will serve to give concrete examples of tensions between indigenous political systems and liberal democracy in the Bolivian case. I will also touch on fundamental changes that must occur in indigenous political systems in order for them to be more democratic.

I conclude with a discussion of the actual implementation of indigenous autonomy in Bolivia. This will include a discussion of the changes in indigenous political systems that the Framework Law of Autonomy and Decentralization demands. I will argue that these demands, unpopular among indigenous groups, are problematic due to the fact that the implementation of indigenous autonomy in Bolivia has been a top-down process; the idea of indigenous autonomy was proposed by political intellectuals in Bolivia and formalized by a MAS-dominated Congress, with minimal influence by indigenous groups and representation. Ultimately, I argue that due to the exclusionary way in which the Framework Law of Autonomy and Decentralization was defined and implemented and due to indigenous groups' ensuing rejection of the Law, indigenous autonomy is unlikely to improve the quality of national-level democracy in Bolivia or to make local-level democracy more meaningful. To the contrary, the process of implementation has more likely had a negative impact on the quality of democracy in Bolivia since it reinforced the political exclusion of indigenous peoples.



## CHAPTER II

### DEFINING INDIGENOUS AUTONOMY

*“The proposition... that every people should freely determine its own political status and freely pursue its economic, social, and cultural development has long been one of which poets have sung and for which patriots have been ready to lay down their lives.”*

*-Humphrey 1984, 193*

Perhaps the most difficult task in debating the democratic viability of indigenous autonomy, along with defining the nebulous concept of democracy, is defining indigenous autonomy itself. Scholarship on the subject is vast, ranging from works that focus on sovereignty more generally (Gomez Rovera 1999; Lenzerini 2006; Porter 2002; Resnik 1989; Van Cott 2001) to various euro- and U.S.-centric treatments of indigenous autonomy (Andersen 2010; UNDRIPS 2007) to debates about what even qualifies a person as “indigenous” (Anaya 1996; Brysk 2000; Cornassel 2003; Gurr 1993; Riggs 1998; Wilmer 1993). Literature comes from scholars across the globe—including Bolivia, specifically—international organizations, the Bolivian state, and indigenous peoples themselves in myriad forms.

The scholarly preoccupation with indigenous autonomy comes from the fact that indigenous peoples were once autonomous peoples that enjoyed territorial, political, economic, judicial and cultural sovereignty,<sup>2</sup> but they have been deprived of that natural right through violence and abuse. If a state is to consider recognizing or returning the

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<sup>2</sup> Nevertheless, a commonly forgotten fact is that many indigenous peoples were conquered by other groups prior to the Conquest, which also limited their autonomy.

right of autonomy to indigenous peoples it is important to first understand what elements constitute indigenous autonomy, as well as what a state's motivations might be behind the recognition of indigenous autonomy beyond the fact that it is a prior right of indigenous peoples.

I divide this chapter into three sections. The first examines the concept of indigenous autonomy as it has been debated on the world stage by scholars, lawyers, diplomats and international organizations. The second section focuses more narrowly on the debate surrounding indigenous autonomy within Bolivia as it applies to that country, including scholarly definitions and state definitions as expressed in the 2009 Constitution (*Constitución Política del Estado*, CPE) and the 2010 Framework Law of Autonomy and Decentralization (*Ley Marco de Autonomías y Descentralización*). This discussion will also look briefly at the varying attitudes toward regional autonomy movements versus the movement for indigenous autonomy. The final section will outline indigenous perspectives of what indigenous autonomy should entail. Though I will briefly enter into the opinions of the international indigenous community, I will focus specifically on the ideas expressed by Bolivia's indigenous groups.

This chapter serves to discuss the *ideal* of indigenous autonomy from the perspectives of the international community, the Bolivian intellectual community, the Bolivian state and different indigenous groups. From a thorough examination of the debate, I ultimately focus on the ideal that indigenous autonomy serves as a method for political decentralization, which should make democracy more meaningful at the local level for indigenous citizens. In subsequent chapters I will analyze the reality of

indigenous autonomy in Bolivia, which represents a stark contrast to the democratic improvement that this reform promises.

### **Internationally Debated Definitions**

In order to define indigenous autonomy it is helpful to separate the term into its composite parts: “indigenous” and “autonomy.” The first term has been a source of endless debate, especially within Latin America. In Bolivia, over 30 recognized indigenous nations exist (including Quechua, Aymara, Guaraní, Uru, Chiquitano, Moxeño and Tacana) and 62 percent of the national population self-identifies as a member of one of these groups according to the last (2001) census. Therefore, outlining an operational definition of “indigenous” is imperative to any definition of indigenous autonomy and especially in the Bolivian context where such an institution could potentially impact the majority of the population.

Since identity is a social construct (Abdelal, et al. 2006; Chandra 2006), divisions among groups of people in a given society are not clear or objective. Definitions of what attributes classify a person as indigenous have shifted over time and have been strongly tied to historical and political factors, especially the institutionalized racism that has been prevalent throughout Latin America. Chandra (2006, 398) defines membership within a specific ethnic identity as based upon “attributes associated with, or believed to be associated with, descent.” In Latin America, this definition has historically labeled people as *criollo*, *mestizo* or indigenous.

An additional question related to ethnic identity begs a response: who has the authority to assign a person a certain ethnic identity? There are three possibilities: (1) other people assign membership (imposed identity), (2) a set of attributes confers membership, and (3) each individual self-identifies. After the initial conquest, indigenous identity was imposed upon individuals for political and economic purposes. However, later measurements of indigeneity have used cultural and linguistic attributes and/or self-identification methods.

The Bolivian Constitution refers to indigenous peoples of the nation as “pre-colonial” and with “ancestral dominion over their lands” (Art. 2). I will define indigenous peoples in much the same way. Broadly, I define indigenous peoples as the descendants of those peoples inhabiting an area prior to the arrival of a conquering people. Therefore, indigenous autonomy in Latin America applies to those peoples who identify as heirs of pre-Colombian peoples.

Proceeding to the second half of “indigenous autonomy,” scholars have used the term “autonomy” interchangeably with “sovereignty” and “self-determination.” Some scholars have defined sovereignty in purely legal terms (Gomez Rovera 1999; Porter 2002; Resnik 1989). However, sovereignty is more often tied to territory in addition to legal independence (Andersen 2010; Lenzerini 2006; Van Cott 2001). Lenzerini (2006, 159-160), for example, defines sovereignty in contemporary terms as “territorial independence subject to no legal constraints except those imposed by international law.” Sovereignty has also been defined in political terms in the context of the modern nation-state (Chatterjee 2004), which also has strong territorial implications. The term “self-determination” is also frequently used in conjunction with autonomy. Alison Brysk

(2000, 60) defines self-determination as “the collective empowerment of peoples sufficient to enable effective management of development, cultural contact, and political representation.” Thus, self-determination, unlike sovereignty, does not have strong territorial implications and tends to be more exclusively political in nature.

The concept of indigenous autonomy has been broadly defined as “the freedom of a people to choose what their future will be” (Porter 2002, 75). Gomez Rovera (1999, 43) narrows this definition slightly by specifying that indigenous autonomy is “the right to make decisions about issues that are fundamental to their culture.” Nevertheless, both of these definitions are extremely vague. After all, who decides which issues are *fundamental* to the culture of a people? And, when the collective future of one people conflicts with the collective future of another, which will concede its right to autonomy?

The United Nations, after upholding indigenous peoples’ right to self-determination, provides a somewhat more detailed definition, defining indigenous autonomy as the right to “freely determine their political status and freely pursue their economic, social and cultural development” (UNDRIPS 2007, Art. 3). This definition, at the least, provides four pillars upon which to base indigenous autonomy: political, economic, social and cultural.

Similarly, Martin Edwin Andersen (2010, 111) states that indigenous autonomy allows for indigenous peoples to “create governing statutes and bodies, elect their authorities [*sic*] using customary practices, plan their own economic development and manage the renewable resources found in their territory,” as well as administer justice using customary law and practices. This definition elaborates minimally on what the four pillars of indigenous autonomy introduced by the U.N. may entail in real terms. Under

the political pillar, indigenous peoples would be able to create their own laws and government organs. In economic terms, indigenous peoples would have control over their own economic development and natural resources. The social aspect includes the right for customary mechanisms of social control. Finally, the cultural element underlines the right of indigenous peoples to elect their authorities and administer justice using customary practices. Anderson also hints at another dimension of autonomy, which is land rights.

The importance of land rights for indigenous groups should not be understated. Van Cott (2001, 31), for example, refers to indigenous autonomy as politico-territorial autonomy, stressing that claims to such autonomy “are based on centuries of attachment to specific territories and self-government practices.” Lenzerini (2006) also defines indigenous autonomy in purely territorial and political terms (at least economic, social and cultural dimensions are not explicit). First, he stakes the claim that, prior to the conquest, indigenous peoples were originally sovereign over their territories and then “illegitimately deprived of the lands ancestrally occupied and governed by them” (Lenzerini 2006, 165) by invading peoples who, consequently, violated their *de facto* right of sovereignty, which gives them the legitimate right to a return of that territorial sovereignty. In political terms, Lenzerini (2006, 165) defines indigenous autonomy as “self-government” or “internal self-determination,” which “would never be so wide as to override the supreme sovereign powers of the national government.” This last comment has become a central point in the Bolivian debate over indigenous autonomy, as some indigenous groups have pushed for greater authority than the central government will allow.

The concept of indigenous autonomy becomes increasingly complicated when it is imagined within the context of the state. Since the state that was imposed upon indigenous peoples in Latin America centuries ago is not willing to forfeit its own right to sovereignty, any sub-national, internal autonomy will necessarily be limited by the overriding sovereignty of the larger state. This is a fundamental flaw found in most efforts to implement indigenous autonomy and becomes critical in understanding the problems that arise in these efforts. In later chapters, I will discuss the political and cultural distortions that must occur to indigenous customary practices for indigenous autonomy to exist within the context of the state in greater depth. For the purpose of this chapter, I will merely define indigenous autonomy.

I define indigenous autonomy generally, based upon the scholarly definitions just discussed, as the formal recognition of a people's right to freely determine its political, economic, social and cultural norms and institutions, processes of development, and systems of justice at the community level within their defined territory and when not in violation of the laws of the national government. I will specify what this definition entails for the Bolivian case in the next two sections.

### **The Bolivian Debate**

The first item of note within the Bolivian debate over indigenous autonomy is the actual terminology to be used when referring to this institution. In the 2009 Constitution, the central government decided upon the term *Autonomía Indígena Originaria Campesina*, which translates to English rather awkwardly as Indigenous First Peoples

Peasant Autonomy, and which I will refer to simply as “indigenous autonomy” throughout this paper. The important thing to note is that the term “autonomy” carries three defining adjectives. More importantly, when talking about plural autonomies the term changes to *Autonomías Indígena Originaria Campesinas*, where only one of the qualifiers takes on the plural form, thus signifying that the three words following “*autonomía*” are indivisible and refer to a single concept. This three-word unit is born out of a disagreement in terminology between Bolivia’s myriad indigenous peoples themselves.

According to Albó and Romero (2009, 4), the term “*indígena*” is preferred by indigenous peoples in the lowlands (*tierras bajas*) or the eastern portion of Bolivia, such as the Guaraní. The international community also prefers this term. Nevertheless, the peoples of the Andean region are especially averse to this term because of the racist ways it has been used in the past. During the 1952 National Revolution and the ensuing Agrarian Reform, the term was almost entirely eradicated from national discourse in exchange for the more “progressive” *campesino* (peasant). It is just in the past few decades that lowland groups have revamped the word “*indígena*,” recognizing the power it holds among international groups and NGOs. The alternative *originario*, a term originating in the Colonial era, is greatly preferred in the Andean region. This term tends to have better connotations for highland peoples, especially since it distinguished them from the *agregados* of the Colonial tribute system.<sup>3</sup>

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<sup>3</sup> In the colonial era, indigenous community members were divided into *originarios* and *agregados* (or *forasteros*) for taxation purposes. *Originarios* were natives of the communities where they lived and, thus, land owners. They paid greater tribute. *Agregados* held a lower social status generally and had moved from their original communities to a new one (usually to avoid obligatory mine service) where they were forced to rent land (Suárez Fernández, Ramos Pérez and Lohmann Villena 1984, 399)



*Campesino* is the other term of choice by highland indigenous groups. However, this term is more controversial among indigenous groups. It originates from the time of the National Revolution and the Agrarian Reform in 1952 and 1953, respectively. This class-based term sought to avoid the discrimination associated with the terms “*indio*” and “*indígena*.” However, it did so by erasing ethnic implications completely. Moreover, contemporary use of the term *campesino* tends to refer to indigenous peoples who have migrated away from their original territories and communities and now consider themselves to be part of the Reconstituted First Peoples of Bolivia. The majority makes a living as *cocaleros* (coca farmers) instead of surviving as subsistence farmers, as Quechua and Aymara peoples traditionally have. The term “*campesino*” mainly integrates the *colonizadores*, who represent displaced individuals from the Kollasuyo nation and from the Amazonian region and have settled in Bolivia’s valleys and lowlands, with a large concentration in the Chapare region, where Evo Morales is from. The contention in including this term alongside “*indígena*” and “*originario*” comes from the fact that not all *campesinos* identify with an indigenous heritage and they generally have no historic claim to their land. However, many *colonizadores* are adamant about their indigenous identity and maintain a right to land generally since they have been misplaced from their original lands. Some Bolivians stipulate that the term “*campesino*” was included as a political move to maintain the support of the *colonizadores* and Morales’ support base within the Chapare region and amongst the *cocaleros*.

Along with the complex terminology, the issue of indigenous autonomy is also complicated in the Bolivian case by the presence of regional demands for autonomy in addition to indigenous demands. Autonomy has been discussed in public, legal, political

and academic forums, giving voice to all sectors of Bolivian society. Autonomy has become central to state policy under the presidency of Evo Morales, partially because indigenous peoples have seen the election of the country's first indigenous president as a window of opportunity to push demands that have been building for centuries, and partially because certain policy changes under President Morales have provoked renewed secessionist movements from the Media Luna (the more conservative, less indigenous, resource-rich departments of eastern Bolivia: Santa Cruz, Beni, Pando and Tarija).

Though the debate surrounding indigenous autonomy had largely been confined to academic and intellectual settings until a few years ago, it has become an issue of popular discussion recently. As a result, departmental and indigenous autonomy have assumed a kind of duality, the first represented by the "Camba nation" and the latter by the "Aymara nation" as termed by Zegada, Tórrez and Salinas (2006, 42). The former is based on a civic-regional vision, and the latter on an ethno-cultural conception (Zegada, Tórrez and Salinas 2006, 42). The two definitions have fed off of each other in many ways, creating mutually exclusive identities and conceptions of autonomy. The effect has been an extreme polarization between the two types of autonomy and the groups with which they are associated. Therefore, it is difficult to discuss indigenous autonomy without also touching on regional autonomy. Additionally, analyzing demands for departmental autonomy leads to a more robust understanding of indigenous autonomy because it provokes important questions about what groups have the right to petition for autonomy from the central government, what should be the legitimate basis of their demands (political, cultural, economic), and—most importantly—how indigenous autonomy can be defined in contrast to other forms of autonomy.

In attempting to define the relationship between these two forms of autonomy in Bolivia, one argument tries to posit a cause and effect association. For example, Chávez Leon (2008) argues that the concept of “autonomy” in Bolivia came from these secessionist movements and the concept of “indigenous autonomy” was born as a backlash to these movements. I refute this, however, since the ideals of indigenous autonomy have little in common with those of departmental autonomy, and historical events, such as the creation of Indigenous Municipalities and First People’s Communal Territories (*Tierras Comunitarias de Origen*, TCO) and the gas and water wars, show an independent effort by indigenous peoples to establish greater autonomy from the state.

Demands for departmental autonomy were revamped as a reaction to changes in economic policy implemented under the Morales regime.<sup>4</sup> Specifically, citizens and elites of Bolivia’s eastern departments were upset by changes in the tax system and the redistribution of hydrocarbon revenues. Previously, producing departments had been immensely favored in the redistribution of these funds. As a result of the change, they threatened to secede from the nation based on economic grounds. This was met by severe reprimands from the central government and Morales supporters.

Humberto Fajardo Sainz (2006), one Bolivian scholar, in his book entitled *Volveré y Seré Millones*, in reference to Tupaj Katari’s reputed final threatening words to his Spanish assassins, criticizes the departmental autonomy movements for destroying Bolivian national unity, which was made sacred during the 1952 National Revolution. He argues, “Bolivia is a ridiculous and cracked centralist State with autonomist tendencies, with nine flags and various regional symbols, its leaders fighting like dogs

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<sup>4</sup> Eastern demands for autonomy have a long and cyclical history in Bolivia (see Rodríguez Ostría 1995), but became especially heated during Evo Morales’ first term as president from 2005 to 2010.

and cats over natural resources, which belong to the people, in their craze to regionalize them” (40, author’s translation). Fajardo Sainz blames these autonomist tendencies on the racism of the elite, in clear support of indigenous rights. Nevertheless, the central government under Morales pushed to recognize indigenous autonomy. The reaction of the central government towards departmental autonomy in contrast to its reaction towards indigenous autonomy provokes some important questions. Was it hypocritical for the Bolivian government to suppress one form of autonomy while upholding another? What differences are there between departmental and indigenous autonomy?

The government’s contradictory reactions clearly created some internal discord, and the Bolivian government eventually allowed for municipal, departmental, regional and indigenous autonomy in the 2009 Constitution. The main differences between departmental and indigenous autonomy are as follows. Departmental autonomy seeks territorial secession from the nation, while indigenous autonomy has not made such demands. This first difference is the principal factor that provoked differing reactions from the state towards these two types of autonomy. Moreover, departmental autonomy movements have demanded rights to subsoil resources, such as natural gas, while these demands that would be so taxing on the state’s financial well-being have been largely absent in movements for indigenous autonomy. Additionally, indigenous autonomy bases its petition on an ethnic identity that implies prior rights to sovereignty, whereas departmental autonomy can make no such legitimating claims. Finally, there is an element of cultural preservation implicit in indigenous autonomy, which (though *cruceños*, as Santa Cruz’s inhabitants are called, may fiercely accuse the MAS

government of threatening their culture) is definitely not a central concern of departmental autonomy.

Moving into a more specifically academic niche of the public forum, I will now explore the intellectual debate surrounding indigenous autonomy, which predates the popular debate. This debate includes scholarship from intellectuals such as Ramiro Condarco Morales (1970), Xavier Albó (1999), Silvia Rivera (1987), Simón Yampara (2001; 2006), Fernando Garcés (2008) and Diego Pacheco (1992) who see in indigenous autonomy the possibility of decolonizing the Bolivian State. Others (Colque 2006; García Linera 2003; Patzi 2007) have proposed the necessary creation of a more modern multicultural state, which implies asymmetrical rights and representation for different national and ethnic identities—what García Linera (2003, 188) refers to as “differentiated citizenship” (*ciudadanía diferenciada*)—through granting indigenous autonomy. Still others (Blanes 2003; Prats 2006) have focused on autonomy as part of the decentralization process in Bolivia. I join this latter side of the debate by framing indigenous autonomy within the context of political and legal decentralization as a process with the potential to make democracy more meaningful at the local level for indigenous citizens, Bolivia’s largest historically excluded group.

Among the intellectuals in the debate, several identify themselves as indigenous, such as Fausto Reinaga, an Aymara intellectual who inspired the Andean Oral History Workshop (*Taller de Historia Oral Andina*), which seeks to reconstruct the original *ayllu* communities and to aid indigenous peoples in their fight for equal rights and political participation. MAS has given powerful voice to some by bringing them into the party, such as was the case with Félix Patzi—who is now estranged from the party following a

drunk driving incident during his candidacy for the governorship of La Paz under the party's ticket (*Los Tiempos* 2010). The most influential intellectual in the actual implementation of indigenous autonomy is Vice President Álvaro García Linera due to his current position with the central government.

Thus, when approaching the Bolivian state's definition of indigenous autonomy it is important to understand three things. First, though indigenous peoples over the past several decades have taken advantage of available opportunities to become more autonomous from the state, indigenous autonomy in Bolivia has been widely theorized by the academic community. Second, intellectuals actively involved in the scholarly debate surrounding indigenous autonomy have become deeply involved in the MAS party and the central government. As a result, indigenous autonomy has principally been a top-down initiative inspired by academics, rather than a bottom-up process shaped by the demands of indigenous communities.

In turning to the central government's definition of indigenous autonomy as expressed in the 2009 Constitution and the Law of Autonomy (as I will refer to the Framework Law of Autonomy and Decentralization from this point forward), it is worth examining García Linera's definitions of indigenous autonomy as postulated prior to assuming the Vice Presidency. As imagined by García Linera (2003, 192-193), indigenous autonomy in Bolivia would imply political autonomy *within* the Bolivian state; the right to elect executive authorities; the preservation of proportionality and equal ethnic representation; inclusion of non-indigenous inhabitants within the territorial autonomy; territorial jurisdiction with shared responsibility over education, judiciary affairs, land grants, and the management and protection of natural resources; and access

to state funding. This definition of indigenous autonomy is part of a larger vision by García Linera of a restructured, plurinational state that allows for the expression of distinct ethnic and national identities, starting with autonomies. According to Raúl Zibechi (2010, 116), such state reforms would be “aimed at *democratizing* the political unit while preserving political and cultural diversity” (author’s emphasis). In subsequent chapters, I explore the issue of recognizing indigenous autonomy as a means to further deepen Bolivian democracy at the national level.

Regardless of the feasibility of García Linera’s aims, his views are reflected in the vision of the current national government and in the new Constitution. Article 2 of the 2009 Constitution outlines the core principles of indigenous autonomy:

Given the pre-colonial existence of the indigenous nations and peoples and their ancestral dominion over their territories, their self-determination within the framework of state unity is guaranteed, which consists of their right to autonomy, to self-government, to their culture, to the recognition of their institutions and to the consolidation of their territorial entities, in conformity with this Constitution and the law.

Thus, according to the CPE, indigenous peoples hold the right to autonomy based upon their prior sovereignty and rule over ancestral lands, and this autonomy in more detailed terms implies: autonomous government organs within a community’s specific jurisdiction; the direct election of authorities by citizens; the exercise of legislative, statutory, fiscal, and executive faculties; observance and preservation of their culture; and administration of economic resources. This autonomy is limited, however, by the Constitution and laws of the state. The recognition that indigenous peoples hold rights that are prior to the state while obligating them to exercise these rights within the confines of the state structure, is a glaring contradiction in the legal framework for indigenous autonomy that has sparked massive debates between indigenous groups and

MAS. This contradiction is also central to the tensions between liberal democracy and indigenous autonomy, as I will discuss in depth in later chapters.

### **Indigenous Perspectives**

No discussion of indigenous autonomy would be complete without including the views and opinions of those most impacted by the decision to formalize it. In this section, I examine how indigenous peoples on an international level and within Bolivia have imagined indigenous autonomy, what rights they believe it should include, and how the political system of a recognized indigenous autonomy might appear in practice.

For the international indigenous movement,<sup>5</sup> indigenous autonomy has been defined as “the power of decision and control belonging to the Indigenous Peoples and Nations in their territories in the administrative, legal, political, economic, social and cultural realms with the existence and recognition of Separate Authorities in coordination with central authorities” (Espinoza 2009, 23, author’s translation). The power of decision is a common thread that runs through all sides of the debate. This definition also calls upon the right to territory. Based on her study of claims for indigenous autonomy in Colombia, Ecuador, Nicaragua, Panama and Venezuela, Donna Lee Van Cott (2001) also points to the importance of territory in indigenous definitions of autonomy, especially the right to manage the resources within that territory.

Nevertheless, not all indigenous definitions of autonomy stress the importance of territory. In the Draft Declaration of Principles proposed by the Indian Law Resource

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<sup>5</sup> While it is impossible to generalize the perspectives of the world’s myriad indigenous groups, the international indigenous movement speaks with a unified voice for strategic purposes.



Center, Four Directions Council, Inuit Circumpolar Conference and the International Indian Treaty Council, indigenous autonomy includes “the right to freely determine their political status, freely pursue their own economic, social, religious and cultural development, and determine their own... citizenship” (Hannum 1996, 95), but it makes no explicit reference to the right to territory. However, this is not the case in Bolivia.

Within Bolivia, land has been exceedingly important, especially for groups in eastern Bolivia whose territory is vulnerable to encroachment by companies seeking to extract resources. In fact, the Confederation of Bolivia’s Indigenous Peoples (*Confederación de Pueblos Indígenas de Bolivia*, CIDOB) organized formal protests against the content of the Law of Autonomy, in which one of their principal complaints was based on territorial unity. In their *Plataforma de Demandas de los Pueblos Indígenas del Oriente, Chaco y Amazonia Boliviana* (translated, Platform of Demands of the Indigenous Peoples of the Orient, Chaco and Bolivian Amazon) representing the demands of eastern Bolivian indigenous groups, CIDOB (2010a) argued that indigenous autonomy should not be forced to conform to the territorial limits of the municipalities carved out by the state, which do not represent natural borders and tend to cut indigenous communities in half. The Aymara intellectual Simón Yampara (2005) has upheld this complaint by arguing that creating indigenous autonomies on top of the foundations of current territorial structures would signify a subalternized version of autonomy, subverting indigenous territorial definitions to those of the state.

Additionally, the Izoceño-Guaraní people in the current indigenous autonomy of Charagua in the department of Santa Cruz, indicate that the most important element of their autonomy is land rights and control over their natural resources, followed by food

production, “traditional” healthcare, access to Guaraní and post-colonial education and the right to teach their own history (Rocha Torrico 2008, 135). While other principles, including the right to original forms of political organization, figure within their definition of indigenous, the most important aspects are related to land and culture.

While lowland indigenous groups tend to lend greater stress to territorial rights, highland groups focus more strongly on political autonomy. In the Norte de Potosí region, including the municipality of Chayanta, the right to traditional political organization figures strongly amongst the community’s most important elements for indigenous autonomy (Rocha Torrico 2008). Additionally, for the Quechua region of Kallawaya (which includes the current indigenous autonomy of Charazani) in the department of La Paz, “‘politico-organizational autonomy’ represents the principal value that articulates and gives meaning to the collective life of the kallawaya people” (Rocha Torrico 2008, 145, author’s translation). In both of these communities, the political aspect of autonomy figures most prominently in their definitions of indigenous autonomy.

However, land has not been insignificant either for highland peoples. For example, Raqaypampa, a Quechua TCO that lies in central Bolivia near Cochabamba, gives importance to territory for its definition of indigenous autonomy by explicitly discussing land in the first and second articles of its autonomy statute. Article 1, entitled “Plurinational State, Self-Determination and Autonomy,” states, “In the application of that right [of self-determination], self-governance founded upon our territoriality, culture, history, languages, and organization is exercised” (author’s translation). The following Article is dedicated to defining territorial rights and limits of the community, as

suggested by its title “The Indigenous Territory of Raqaypampa.” Along with land, the community stresses the importance of autonomous judicial, political, social and economic institutions for its definition of indigenous autonomy. Underlying these principles is the right of indigenous peoples to practice their own culture. For example, in Aymara and Quechua communities, judicial institutions follow norms of communal justice, while political institutions rely on the community’s *usos y costumbres*, both manifestations of indigenous culture.

Since this paper focuses principally on the customary political systems of indigenous communities, it is of central importance to discuss the specifics of *usos y costumbres*. While the term “customary” or “traditional” is often used in conjunction with indigenous political systems, and I will use these terms throughout, it is important to note that contemporary indigenous political systems do not exist unchanged since pre-colonial times. They have been greatly impacted by the *cacicazgo* in the late 1700s, which was the delegitimation and demise of the hereditary indigenous leaders after the arrival of the Spanish and the abuse by the colonizers of the traditional indigenous system of reciprocity via local caciques and *kurakas* (Thomson 2002). This has led to the systems of communal democracy and *usos y costumbres* used today in many Aymara and Quechua communities. While *usos y costumbres* vary from community to community, they tend to be fairly similar across Aymara and Quechua communities, though with different terms for the similar concepts due to the difference in language between the two identities. *Usos y costumbres* usually employ public voting for leaders by community members. This is usually accomplished by simply gathering the community together and having residents line up behind the candidate of their choice. Aymara and Quechua

communities also use a system of rotation of *cargos* to designate authorities that occupy power for a limited period of time “to ensure no monopoly of power” (Zibechei 2010, 104). In indigenous political imaginings, particularly in Bolivia, authority is seen as being subject to the will of the community, instead of something apart from and superior to the community (Zibechei 2010, 119). It is not meant to be consolidated and wielded over the people.

In order to remain accountable to community members, traditionally appointed leaders govern through a series of mass meetings and assemblies (Zibechei 2010, 104). For example, in traditional Aymara communities, these meetings are called *tantachawis* and are divided into three categories: *jisk’a tantachawi*, *taypi tantachawi* and *jach’a tantachawi*. The first is a meeting among community members and their leaders in times of emergency. The second occurs monthly to review community orders of business. The *jach’a tantachawi* is the chief meeting of the year, where community authorities are changed and decisions are made with regard to supremely important issues, such as social and economic policies (CEBEM 2009, 34). With the granting of indigenous autonomy, these institutions of public voting and community decision-making are formally recognized and the policies and decisions at which communities arrive through these institutions are upheld by the central government. Though I have only discussed *usos y costumbres* briefly here, later, I will give detailed case studies that explore the customary political systems of two different communities—Jesus de Machaca and Izozog.

## Conclusions

In this chapter I have elaborated on three distinct, though not mutually exclusive, arenas of debate and analysis surrounding the concept of “indigenous autonomy.” I began by outlining the international scholarly debate, beginning with a discussion of the intricacies and complications of defining to which individuals and peoples the term “indigenous” should apply. Moving on to definitions of the term “indigenous autonomy,” I noted that different scholars have stressed the importance of different aspects of autonomy, such as land rights, political self-determination and preservation of culture. From these myriad conceptions, I distilled the definition of indigenous autonomy as the formal recognition of a people’s right to freely determine its political, economic, social and cultural norms and institutions, processes of development, and systems of justice at the community level within their defined territory and when not in violation of the laws of the national government.

The second level of debate that I examined was particular to Bolivia, situated by scholars and the state. I discussed the recent culmination of the debate over indigenous autonomy in a popular battle between the Aymara nation and the Camba nation, vying for indigenous and regional autonomy, respectively. The intellectual debate surrounding the concept has been headed by indigenous and non-indigenous scholars alike and has had a sizeable impact on state policies towards indigenous autonomy. The state recently recognized indigenous peoples’ right to autonomy based upon their pre-colonial existence in their ancestral lands. In the 2009 Constitution and the Law of Autonomy, the central government defined indigenous autonomy in political, legal, economic, cultural and

territorial terms. This definition, however, includes the caveat that indigenous peoples must exercise their pre-colonial right to autonomy within the “framework of state unity” and “in conformity with [the state] Constitution and the law” (Art. 2). This has created conflict between indigenous groups and the state, and has become a core impediment to the possibility of deepening democracy in Bolivia through the recognition of indigenous autonomy.

The final level of analysis has been on the opinions of those most affected by the recognition of indigenous autonomy: indigenous peoples. This discussion included the opinions of the international indigenous community in addition to indigenous groups in Bolivia, specifically. Though lowland indigenous peoples have placed greater stress on territorial sovereignty, highland groups have also held communal land rights as a core principle of indigenous autonomy. Additionally, the right of indigenous peoples to observe and preserve their respective cultures underlies all of their demands. In the political realm, which is of greatest interest to the purposes of this paper, this implies indigenous peoples’ right to practice traditional *usos y costumbres*. I gave some brief examples of these political methods, which I will explore in greater detail in later chapters.

In the following chapter, I will focus on tensions between indigenous political systems and liberal democracy. As I will argue, these inherent incompatibilities are a primary reason why indigenous autonomy has failed to deepen democracy in Bolivia. Any attempt at reconciling the two systems must begin with an intimate understanding of these issues. However, reconciliation will not guarantee democratic deepening. As I will demonstrate, if the state simply forces indigenous political situations to conform with

liberal democratic ideals (instead of engaging in transforming dialogue with indigenous groups), indigenous peoples may become further marginalized, resulting in an erosion of the quality of democracy in Bolivia.

## CHAPTER III

### INDIGENOUS AUTONOMY AND DEMOCRACY

*“Without democracy there cannot be liberty or justice or dignity. And without dignity there is nothing.”*

*-Zapatista Army of National Liberation, 1994*

This chapter focuses on the relationship between indigenous autonomy and democracy for two reasons. First, in recent years, the world has experienced a democratic boom. In 2010, 60 percent of the world’s sovereign nation-states were electoral democracies.<sup>6</sup> The popularity of the democratic form of government is due in large part to the benefits it promises. In political theory, democracies are understood to be less violent and more socially just than non-democratic alternatives. Moreover, democracy often leads to such rights and liberties as freedom of expression, free press, and economic equality. Seymour Lipset and Jason Lakin (2004) argue that democratic regimes, because they are based on contested elections, are more likely to sustain certain liberties and to work to provide more public goods. In the end, the democratic system creates a cycle where, by virtue of having to be chosen from amongst other candidates and being more easily replaceable by a competitor, leaders have a higher level of accountability with the people. Thus, because it would behoove them to do so, public officials are more likely to fulfill popular desires and demands to a greater extent.

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<sup>6</sup> In 2010, Freedom House labeled 116 countries as electoral democracies (<http://www.freedomhouse.org/template.cfm?page=548&year=2010>), while the U.S. State Department recognized 194 countries as of 2009 (<http://www.state.gov/s/inr/rls/4250.htm>).



Therefore, because democracy is so beneficial in theory, I concern myself in this work with the impact indigenous autonomy might have on this form of government. Under ideal circumstances, indigenous autonomy would provoke a decentralizing change in Bolivia's national political system, leading to more meaningful democracy.

Scholars have debated the meaning of democracy for centuries. Definitions have ranged from those by Aristotle to Joseph Schumpeter to Robert Dahl. For the purposes of this chapter, I follow Dahl's lead, viewing his minimal conditions for polyarchy (as listed in Schmitter and Karl 1991, 81) as a good base for a robust definition of democracy.<sup>7</sup> Dahl's first requirement is that elected officials are constitutionally granted control over government decisions. Additionally, these officials are to be chosen in periodic and fair elections that are generally free from coercion. With few exceptions, all adults must have the right to vote in said elections as well as having the right to run for eligible offices of government. Citizens should be free to express their political inclinations and ideas without fear of harsh repercussions. This freedom of expression encompasses freedom of belief, opinion, discussion, speech, publication, assembly, demonstration and petition as listed by Larry Diamond (1996, 24). Dahl also requires that citizens have a right to alternative sources of information, whose existence is protected by law. Finally, citizens have a right to form independent organizations and associations such as political parties and interest groups through which they may express their demands and represent their values and needs.

It is important to add to Dahl's conditions one more requirement that is particularly important for the quality of citizenship in an indigenous autonomy.

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<sup>7</sup> While there are various contemporary models of democracy (see Held 2006 for more), throughout this thesis I refer to liberal democracy as the ideal.

Minorities and disadvantaged majorities should not face discriminatory practices, such as impediments to voting due to linguistic or cultural barriers. In the case of Bolivia, this would require the full integration of all citizens within the indigenous community, specifically non-indigenous inhabitants and inhabitants belonging to a non-dominant indigenous group within the indigenous autonomy. With these minimal conditions for democracy in mind, I present a series of scholarly arguments in support of indigenous autonomy as a means for deepening democracy and a series of counterarguments. I use this scholarly debate to form my own argument that indigenous autonomy has not deepened democracy in Bolivia for two reasons. First, indigenous political systems contain some features that make them incompatible with liberal democracy. The quality of a democracy in a country cannot be improved by introducing non-democratic elements into the political system. Second, the way in which indigenous autonomy was implemented in Bolivia reinforced the marginalization of the country's indigenous peoples, compounding the state's pre-existing problems of democratic legitimacy.

In the following section, I begin my discussion of the scholarly debate surrounding the democratic possibilities for indigenous autonomy by exploring a category of arguments that I term "citizenship arguments."

### **Deepening Democracy Through Indigenous Autonomy: The Citizenship Argument**

Democracy originated with the ancient Greeks. In ancient Athens, citizens were directly involved in legislative and judicial affairs; they were the public officials. There are two implications of the Greek form of democracy: 1) political systems functioned

around cities instead of nation-states, thus the constituency was smaller and more manageable and 2) all citizens were equal before the law. This made it possible for all to assemble on a regular basis and decide their affairs in a sovereign manner. The citizenry, of course, did not include women, slaves or those of foreign descent. Consequently, as Frances Hagopian (2007, 21) points out, the challenge to democracy beyond ancient Greece has been “to devise ways to make citizens out of people who are not truly free and equal, to constitute a democratic form of rule in societies so large and complex that ‘direct democracy’ is not technically possible.” This has been a key problem for democracy in Bolivia specifically, where the majority of the population belongs to a historically marginalized group, and indigenous autonomy constitutes a method of integrating these excluded peoples and bringing them closer to the state system.

Starting in 1952 with the implementation of universal suffrage, the Bolivian state has sought to improve the quality of the country’s democracy by extending full citizenship rights to marginalized citizens, specifically indigenous peoples. This larger struggle, which also includes the 1994 Law of Popular Participation, is meant to make citizenship more inclusive and meaningful. A democracy cannot exist without the input of its citizens. Therefore, in order for democracy to be meaningful, citizenship must be meaningful for all. Eric Hershberg (1999, 292) states: “For democracy to flourish, individuals must be capable of articulating political preferences, organizing collectively in civil society, and participating, both individually and through civic associations, in the political process.” Hence, a democratic government that unevenly allows its citizens to exercise their citizenship, or does not allow them to do so at all, loses legitimacy as a democracy.

Historically, community systems of governance have existed parallel to state systems in Bolivia. Within the community, these systems have been recognized as the supreme moral authority, but they have been ignored as much as possible by the central government. This has greatly marginalized indigenous peoples, resulting in a crisis of citizenship and a weakened democracy. As a means to address this, the current government of Evo Morales has granted indigenous communities the right to autonomy and declared Bolivia a “plurinational” state, which constitutes “a recognition of the existence of a parallel community within the polity” (Brysk 2000, 62), specifically the myriad indigenous nations within the country’s borders. Since indigenous autonomy incorporates pre-existing political institutions—institutions that are already seen as legitimate sources of authority by community members—into the larger political system of the state, indigenous autonomy, in theory, gives power to previously ignored actions and decisions within indigenous communities. This power makes the exercise of citizenship rights locally by indigenous peoples within their communities more meaningful. By legitimating institutions in which indigenous peoples already participated on the national level, indigenous autonomy allows indigenous peoples to articulate their political preferences through customary practices, organize collectively in civil society through community-level political meetings, and participate in the political process by both representing their fellow community members or selecting a fellow community member to represent them before the state. In turn, this should fortify democracy at all levels of the state. The central government’s focus on broadening and enriching the definition of citizenship should, ideally, have a positive impact on democracy in the country.

One argument that supports the case that indigenous autonomy serves to deepen democracy is the recognition of indigenous autonomy as part of a longer process of decentralization that seeks to make citizenship more meaningful (Blanes 2003; Prats 2006). Another argument is expressed by Wilfredo Plata (2010, 257), who proclaims that the Bolivian process towards autonomies is “a ‘positive innovation’ that deepens popular participation...in territories traditionally inhabited by indigenous peoples” (author’s translation). Thus, by allowing meaningful participation to previously marginalized groups, indigenous autonomy has the potential to deepen democracy. Brysk (2000, 285) also makes a case in support of indigenous autonomy when she states, “Self-determination is the legitimating rationale of democracy, which modern republics provide through indirect representation in national decision-making bodies. But if such representation is systematically inadequate for distinct nationalities within the state, democracy must provide supplementary forms or face chronic delegitimation.” In Bolivia’s case, indigenous autonomy serves as a supplementary form of representation and, according to Brysk’s argument, helps to legitimate democracy.

I label these arguments that indigenous autonomy aids decentralization, promotes popular participation or creates a supplementary form of representation for marginalized peoples “citizenship arguments.” Citizenship arguments assume that the recognition of indigenous autonomy leads to  $X$ , and  $X$  makes citizenship more meaningful, thus, deepening democracy. Citizenship can be considered meaningful when the exercise of citizens’ rights is efficient. By “efficient” I mean that, when citizens make a request or demand, their voices are heard and the government is responsive to the needs and desires citizens express. If a group of citizens’ voices are not heard because of lack of

representation, insufficient mechanisms for participation or because authority is too centralized, causing local concerns to be overlooked, citizens are unable to exercise their civic rights in an efficient way, the idea of citizenship becomes empty, and democracy becomes superficial. Though citizenship arguments make sense logically, they fail to take into account the meaning of *citizenship* within indigenous communities. Ideas of citizenship, democracy and the state within these communities tend to be at odds with liberal democracy, which I will discuss in the following section.

### **The Counterargument**

Though some scholars argue that indigenous autonomy leads to more meaningful citizenship, in turn, deepening democracy, others suggest that citizenship is not meaningful for all members of indigenous communities under *usos y costumbres* political system. As Eisenstadt (2007, 63) notes with respect to Oaxaca, Mexico's *usos y costumbres* municipalities, "18 percent allow no participation by women whatsoever, and 21 percent are known to systematically forbid the participation of citizens living outside of the *cabecera*, or municipal "seat," where decisions tend to be made." This constitutes the exclusion of sections of the citizenry within the community, limiting the citizenship of these members. Instances of minority exclusion can also be cited in Bolivia and a few will be explored later in this paper using the case of Jesús de Machaca.

Minorities may not only be denied participation; they are also often denied sufficient representation. Because of the way that *usos y costumbres* function, indigenous autonomies suffer problems in representing all relevant sectors (i.e., women, youth, and

Spanish-speaking monolinguals) (Brysk 2000, 298). Women are especially underrepresented in Guaraní communities that utilize the *capitanía* system since communal and intra-communal leaders can only be men. On a national level, the central government has taken great strides in improving gender equality in the political sphere. Not only is gender equality mentioned generally throughout the constitution, the Electoral Code (Law N°. 1984) also sets gender quotas for the positions of senator, deputy, prefect, mayor, town council and *agente cantonal*. The Electoral Code requires that at least one out of every four candidates for senator in each department be female, one out of every three candidates for deputy in each department be female, and that 30 percent of the lists for prefects, mayors, town councils, and *agentes cantonales* in their totality be comprised of female candidates. Therefore, existing indigenous political systems are not only in opposition to liberal democracy for excluding women, they are also in violation of the national Constitution and laws.

Although the recognition of indigenous autonomy by the central government may promote the rights of indigenous peoples as a group, within this group more than half of its members continue to be excluded, in some cases. Because of discrimination against minorities and women (a disadvantaged majority rather than a minority), citizenship is not deepened for these sectors and they remain disenfranchised. For this reason, the implementation of indigenous autonomy in Bolivia is unlikely to improve the quality of democracy in the country.

## The Decentralization Argument and Counterargument

Another argument in support of the theory that indigenous autonomy deepens democracy relies on the previously discussed argument that indigenous autonomy aids in the decentralization of the state and contends that “political forms that permit or encourage acting locally are more democratic” (Brysk 2000, 286). Indigenous autonomy encourages acting locally by making local elections of indigenous authorities, employing *usos y costumbres* or other customary practices, significant and official channels of participation and, hence, following this theory, should be more democratic. Larry Diamond (1999, 121-122) argues that decentralization improves the quality of democracy in five ways: (1) it aids in the development of democratic values and skills among the citizenry; (2) it heightens the accountability and responsiveness of politicians to local interests; (3) it “provides additional channels of access to power for historically marginalized groups and this improves the representativeness of democracy,” which is especially pertinent in the case of indigenous autonomy; (4) it improves political checks and balances; and (5) it increases political competition.

Nevertheless, Donna Lee Van Cott (2008) makes a strong counterargument against the claim that decentralization necessarily improves the quality of democracy. This argument applies to the Bolivian case, specifically. Van Cott (2008) posits that decentralization can improve the quality of democracy vis-à-vis democratic institutional reforms. However, this is only true when “the impetus for their adoption comes from municipal actors” (Van Cott 2008, 4). This is in contrast to a top-down dynamic, “in which national-level leaders initiate decentralization and design and impose uniform



subnational institutions throughout the territory” (Van Cott 2008, 4). Van Cott (2008, 5) argues that a top-down approach is not effective in improving the quality of democracy because “[c]itizens are less likely to identify with imposed institutions... [a]nd imported institutions are less likely to address the particular governance problems of a locality without the input of local actors.” For these reason, top-down decentralization reforms are unlikely to result in the deepening of democracy.

Bolivia’s decentralization process represents a strictly top-down approach, beginning with the 1994 Law of Popular Participation (LPP) designed and implemented by President Gonzalo Sánchez de Lozada and which imposed a rigid, universal model on Bolivia’s then-327 diverse municipalities. This top-down approach has continued with the implementation of indigenous autonomy, which was originally conceived of by intellectuals of the MAS party and, thus, is a “proposal *born outside of the [indigenous] social movement*” (Zibechi 2010, 118, emphasis original). It was then written into law in the *Ley de Autonomía y Descentralización* by a MAS-dominated Congress, giving indigenous groups little if any input on the details of indigenous autonomy, as I will explore in greater detail in the fifth chapter. Thus, because of the way that it has been implemented, indigenous autonomy is unlikely to deepen democracy, regardless of the inherent problematic elements present in different forms of customary, indigenous political systems.

### **Additional Tensions Between *Usos y Costumbres* and Liberal Democracy**

Most important for the purpose of this section are the democratic conditions of free and fair elections, the right of all adults to vote, the right to run for office, and the right to form independent organizations and associations (especially political parties). Indigenous communities that employ *usos y costumbres* generally violate a combination of these conditions. One of the greatest sticking points in the international debate over indigenous autonomy is the use of public voting in many *usos y costumbres* systems. Eisenstadt (2007, 63) states that, of the indigenous municipalities in Oaxaca, “81 percent violate the secret ballot.” Public voting is also employed in Bolivia’s indigenous communities. This practice is seen to violate the condition of free elections.

Public voting in indigenous political systems makes it impossible to ensure free elections. Voters may be influenced by the long line they see behind a candidate, even though they had not yet decided for whom to vote. Additionally, voters may feel pressured or even threatened to vote with their friends, family members, or employers, since everyone present will be a witness to their vote, rather than being able to cast their vote for the candidate of their choosing in secret and later claim to have voted in solidarity with the others. Finally, if voters resist such influences and stand behind an unpopular candidate, they may later be marginalized by the community or punished by the winning candidate. In Oaxaca, Mexico, for example, high levels of post-electoral conflict are noted in *usos y costumbres* municipalities and may be due in part to the use of public voting (Eisenstadt 2007).

The importance of the secret ballot for democracy has been recognized for more than a century in the United States. Scholars argue that the Australian ballot, as the secret ballot form of voting is often called, prevents vote buying (Anderson and Tollison 1988; Converse 1972; Crook and Crook 2007; Heckelman 1995; Rusk 1974; Wigmore 1889) as well as voter intimidation and coercion (Crook and Crook 2007; Heckleman 1995; Wigmore 1889). Coercion could come from landlords, trade unions, employers, family, friends, or clients (Wigmore 1889). There are even stories of voters being threatened, kidnapped and killed under democratic public voting systems (Harris 1929; 1934). The secret ballot eliminates the ability to verify how a voter cast his or her vote, thereby removing the temptation of bribery or intimidation and violent reactions to voters' decisions. The secret ballot allows the voter to express his or her personal interests at the polls without interference or fear of reprisal. In that way, the secret ballot "secures...a free and honest expression of the convictions of every citizen" (Wigmore 1889, 32). In other words, the secret ballot aids in ensuring that elections are truly free.

Nevertheless, two counterarguments can and have been made. First, scholars have argued that the secret ballot can exclude illiterate minorities (Crook and Crook 2007; Heckelman and Yates 2002). This argument is especially pointed at the exclusion of black voters during the United States' transfer to a secret ballot system starting in 1884. However, this issue is especially concerning in a country where 13.2 percent of the population is illiterate (Census 2001). This figure is even higher in Bolivia's autonomous districts, only three of which score better than the national average. In the indigenous autonomy of Tarabuco, for example, illiteracy is extremely high at 52.7 percent (Census 2001). Another counterargument, which is made by many of Bolivia's indigenous groups

specifically, is that the secret ballot allows for fraud, while public elections are more transparent since no one person can physically be in two lines at the same time (making voter fraud impossible) and everyone is present to witness which candidate receives the most voter support. Furthermore, some communities argue that they are not protected from external pressures by the secret ballot. This is because many communities seek patronage projects collectively and, thus, if the majority of the community votes against the target candidate, the results will be published in the electoral tallies and the community will be punished as a unit, even though the choices of individual voters remain anonymous.

The right of all adults to vote in elections is also frequently breached in *usos y costumbres* communities. As discussed earlier, in Oaxacan indigenous municipalities, women and those living outside of the community seat may be banned from voting. This is clearly in tension with liberal democracy, which term cannot be conceded today without universal suffrage. If indigenous political systems are to exist within the modern Bolivian state, any limits on suffrage to community members would need to be lifted. However, since these limits would have likely been put into place for logical reasons on the part of community authorities and members, this would likely be a contentious adjustment for affected communities.

The right of nearly all adults to run for eligible offices has been the topic of much heated debate in Bolivia. Because indigenous political systems often require community authorities to pass through a series of positions before arriving at the ranks of supreme authority and real influence, educated young adults are blocked from posts for which they would otherwise be qualified. In Aymara communities, this system is called the *thakhi*,

literally path, which a person passes through during the course of his life, fulfilling various responsibilities in both the communal and familial spheres (CEBEM 2009, 30).

In effect, this system not only violates democratic rights of citizens, it can also create a kind of human capital flight, where those most qualified for high ranking positions in the community leave to seek positions with the central government, since there is little opportunity in their own communities. As Eisenstadt (2007, 66) describes it,

Young people with university educations rarely return to their *usos y costumbres* villages... because they will have to spend up to one third of their lives serving in generalist cargos rather than utilizing professional training, and in extreme cases, young accountants and lawyers may have to serve as errand-runner topils for semiliterate and illiterate mayors who are unable to fill out municipal expenditure spreadsheets or interpret local ordinances, but who patiently spent decades scaling the hierarchy of cargos.

This results in the deterioration of democracy locally, since candidate options are limited. The hierarchical emphasis of the system is something else that will have to be changed if *usos y costumbres* are to be incorporated into Bolivia's larger democratic system. It will also be a polemic change since indigenous communities have strong reasons for adhering to *thakhi*-like systems, principally that experience with the community is important for building a base of moral authority and understanding the internal working of the community's political system.

Finally, the right to form political parties in indigenous political system has been an issue specific to Bolivia. This has been an issue in both Bolivia and Mexico, where parties were prohibited from operating in *usos* municipalities with less than 5,000 people (Hiskey and Goodman Forthcoming). Though there is no state-imposed law in Bolivia, some indigenous communities in that country (most notably Jesús de Machaca, where the

ruling MAS party has previously had hegemony) seek to eradicate political parties. The authorities of Jesús de Machaca publicly state their intentions and their reasons behind these intentions: “we cannot and should not continue sharing the process of our own autonomy with other political parties in light of the fact that, even if the councilors are our own Machaqueño brothers, they obey and will always obey their political party bosses” (CEBEM 2009, 75, author’s translation). Eisenstadt (2007) makes an additional relevant argument surrounding political parties. To compare the Mexican case to the Bolivian case again, Eisenstadt (2007, 66) claims that “parties... need to continue to operate if usos y costumbres municipalities are to influence state-wide and national races where customary law does not apply.” Therefore, eradication of political parties, though possibly enriching democracy at the local level, may be detrimental to democracy at the national level by restricting indigenous peoples from gaining national representation.

Many scholars recognize the importance of parties for democracy (Alcántara Sáez and Freidenberg 2001; Levitsky 2001; Mainwaring 1999; McGuire 1997; Van Cott 2008). A weak party system is associated with “high levels of electoral volatility, the rise of personalistic or neo-populist leaderships, policy instability, low accountability, and poor representation of popular sector interests” (Mainwaring 1999 via Levitsky 2001, 96). This is because parties act as a channel of participation in democracies. Thus, when parties are weak, fragmented or altogether absent, elites may choose to subvert democracy rather than preserve it in order to fulfill their interests (McGuire 1997). Additionally, in the absence of parties, “[i]ndividual politicians bec[o]me the main vehicle for representation; this pattern favor[s] powerful elites with connections to those politicians” (Mainwaring 1999, 6). This leads to a loss of representation for the majority

of the citizenry, leaving democracy hollow. Moreover, without functional parties, political leaders must resort to patronage in order to gain political support (Mainwaring 1999), thus eroding the quality of democracy. The importance of parties for democracy in the face of some indigenous communities' desire to exclude parties from the political process implies a fundamental tension between indigenous autonomy and liberal democracy.

A final argument showing the tension between *usos y costumbres* and liberal democracy is the frightening observation that voter turnout for national elections has dropped for *usos y costumbres* municipalities in Mexico in recent years (Eisenstadt 2007, 66; Hiskey and Goodman Forthcoming). There are several reasons for this voter decline in Mexico. Hiskey and Goodman (Forthcoming) blame both clientelism on the part of the state and specific features of indigenous political systems that demote citizen participation on local and national levels. First, with reference to state clientelism, the dominant PRI party in Mexico historically offered indigenous municipalities clientelistic benefits and the right to maintain their traditions, motivating voters to participate in elections and to vote for the PRI (Hiskey and Goodman Forthcoming). Thus, voters in indigenous municipalities were motivated to vote for non-democratic reasons and, when the PRI was no longer able to provide the same economic benefits and *usos y costumbres* were formally recognized, indigenous citizens had no incentive to go to the polls.

Second, on a local level, certain features of *usos y costumbres* systems in the Mexican case suppress participation, including exclusion from the political process based on age and gender (Hiskey and Goodman Forthcoming). This exclusion becomes customary and is replicated on the national level simply because certain groups have not

developed a habit of participating in the political system. Finally, certain features of *usos y costumbres* systems isolate citizens from national-level politics, even though they might not discourage participation on the local level. One cause of isolation is the absence of political parties in many *usos* municipalities. As mentioned before, in Mexico, political parties are banned in *usos* communities of less than 5,000 people, a law that affects 85 percent of all *usos* municipalities in Mexico (Hiskey and Goodman Forthcoming). Without any political organization tying local political systems to national systems, indigenous citizens become isolated and disengaged with national-level politics, eliminating their democratic voice on the national stage.

The same phenomenon of reduced voter turnout in indigenous autonomies could result in Bolivia due to exclusionary practices on the local level or due to the eviction of political parties from indigenous autonomies. Bolivia's highland autonomies are especially at risk for this latter possibility. The risk that the pattern of decreased voter turnout in Mexico could repeat itself in Bolivia is worrisome since it would ultimately be damaging to the quality of democracy in the country.

In the same vein, this exclusion from national politics can lead to authoritarian enclaves at the local level. As Allyson Benton (2006) explains, local leaders may be able to perpetuate their authoritarian control over their communities through political isolation and by undermining universal suffrage and/or the secret ballot in order to exclude opponents and manipulate electoral outcomes in their favor. This has been especially problematic in *usos y costumbres* municipalities in Mexico, as demonstrated by the exaggerated winning margins of first-place parties and candidates in these communities (Benton 2006). This has the potential to repeat itself in Bolivia's indigenous autonomies



if political parties are eliminated, voting is public and the eligibility rules for candidacy remains strict. By reducing political competition at the local level, political hegemony under a select few individuals could easily result in indigenous autonomy undermining democracy in these communities and provoking greater exclusion from the national democratic system for a group of citizens that has already suffered political exclusion across Bolivian history.

### **Conclusions**

In this chapter, I argued that indigenous autonomy in the Bolivian case has two sets of fatal flaws that prevent this reform from deepening democracy in the country. The first set of flaws is inherent to indigenous political systems. The second set of flaws comes from the way in which indigenous autonomy was implemented in Bolivia by the central government.

In order to formulate my claims, I examined several scholarly arguments in agreement and in disagreement with the theory that indigenous autonomy serves to deepen democracy. Arguments in support of this idea are based on two separate tenets: (1) indigenous autonomy makes citizenship more meaningful, in turn deepening democracy, or (2) indigenous autonomy aids in political decentralization, which improves the quality of democracy. Each of these arguments was accompanied by its respective counterargument. The first argued that intrinsic features of indigenous political systems erode citizenship rights and power. The second argued that the top-down approach to

decentralization and indigenous autonomy in Bolivia has undermined the ability of this process to deepen democracy.

Additionally, I included arguments against public voting practices and the limitation of suffrage in some indigenous political systems. I showed that the right of nearly every adult citizen to run for office and the right to form political parties, both crucial for effective democratic representation, are often violated in indigenous political systems. Finally, I shared Allyson Benton's argument that *usos y costumbres* systems can exhibit authoritarian tendencies, weakening political competition and democratic legitimacy at the local level.

In the following chapter, I will use two case studies to exemplify the inherent characteristics of indigenous political systems that conflict with liberal democracy. Then, I will move on to explore the problems with the implementation of indigenous autonomy in Bolivia.

## CHAPTER IV

### COMMUNAL DEMOCRACY VS. LIBERAL DEMOCRACY: A TWO-CASE STUDY

Indigenous political systems in Bolivia do not exist unchanged since pre-Colombian times. Rather, they have been shaped by the course of history. As with all human organizations, they have been subject to the same evolutionary processes. Though indigenous groups have often been painted as “timeless,” they are very much the product of time’s passage. Before the conquest by the Spanish, several indigenous groups within Bolivia’s contemporary borders were conquered by other indigenous nations. The Aymara assimilated most of the Uru nation; the Guaraní enslaved the Chané people; and the Inca expanded their empire deep into the valleys of Cochabamba. The arrival of the Spanish resulted in the eventual breakdown of traditional indigenous political systems in most parts of Bolivia.

In the 18<sup>th</sup> century, the *kurakas* (Quechua) and *caciques* (Aymara) suffered a crisis of legitimacy (see Stern 1993). These leaders became the middlemen between indigenous populations and *encomenderos* seeking to collect tribute. However, indigenous peoples received nothing in return from their leaders or from the *encomenderos*, and *kurakas/caciques* began to abuse their positions of power for personal benefit. Eventually, with the advent of required labor in the mines, the situation came to a breaking point. Indigenous peoples refused to recognize their traditional leaders’ authority and Andean political visions imploded. The result in Aymara and Quechua communities was a shift towards elected leadership rather than inherited leadership and a

new belief that the people should be the ultimate authority in a community rather than a royal family. The renovated system was then overlaid by the *sindicato* system introduced during the 1953 Agrarian Reform (see Orta 2004). All of these events have formed current indigenous political systems across the Bolivian highlands. Indigenous political systems in the lowlands have likewise been changed by historical situations and external actors. Nevertheless, indigenous communities have maintained parastatal forms of government and have fought to have those systems recognized by the central government as part of their right to self-determination.

Until now, I have mainly discussed indigenous autonomy in broad terms, without paying specific attention to Bolivian forms. In this chapter, I will provide two case studies of indigenous communities in Bolivia, both of which have now declared and been granted indigenous autonomy. I will begin by outlining the *usos y costumbres* political system of Jesús de Machaca, an Aymara indigenous autonomy at the western extreme of Bolivia. Then, I will move to the other side of the country to discuss a very different form of indigenous government called the *capitanía* as it is employed by the Izozog-Guaraní. In each case, I will highlight specific features of these political systems that are contentious for democracy as I defined it in the previous chapter. Then, I will explore possibilities for reducing the tensions between liberal democracy and these two systems. Ultimately, I believe that the marriage between liberal democracy and indigenous political systems will be difficult at best.

## The Machaqueño Experiment

### *Historical Background of Jesús de Machaca*

Jesús de Machaca is a municipality located within the Ingavi province, in the department of La Paz, near Lake Titicaca. According to the 2001 Census, 13,427 people reside within its borders and 95.7 percent of them claim indigenous identity, with 94.4 percent claiming Aymara indigenous identity, specifically (Plata 2010, 251). Jesús de Machaca was originally composed of twelve *ayllus* (now twenty-four) plus two *cacical* haciendas: Chhijchha, which is communal land for use by the twelve *ayllus*, and Qurpa, which serves to sustain those in service to Jesús de Machaca's church.

Jesús de Machaca is historically important for being the site of the killing of neighboring Caquiaviri's *corregidor*<sup>8</sup> in 1771 and additional uprisings, culminating in the massacre of 1921 (e.g., see Thomson 2002; Orta 2004). In 1921, the Aymara cacique of Jesús de Machaca, Faustino Llanqui, had already appealed in vain to the prefect of La Paz protesting the selection of the abusive and excessive Lucio T. Estrada as *corregidor*. Llanqui finally decided to take a more aggressive stance with the support of community members. On March 12, 1921, the *ayllus* of Jesús de Machaca organized under Llanqui to resist the abuses of their *corregidor*, burning him and his family in their home and killing twelve other non-indigenous community members. Though the actions of the Machaqueños in this instance were extremely violent, the incident constituted a push for greater autonomy from the central government on the part of Jesús de Machaca's indigenous population in terms of the community's right to decide its own political

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<sup>8</sup> The *corregidores*, usually creoles or *mestizos* assigned by the state, replaced the caciques during the Republican era.

representation. Additionally, the massacre symbolized the resuscitation of the supreme authority of the Aymara cacique, who was seen as more legitimate than the *corregidor's* by indigenous peoples.

Demands for greater community autonomy were finally answered in 2002 when President Gonzalo Sánchez de Lozada established Jesús de Machaca, previously incorporated with the municipality of Viacha, as a state-sanctioned municipality. This granted the new municipality state funding and greater control over local politics. In the 2004 municipal elections, taking advantage of its greater level of autonomy, Jesús de Machaca's *Cabildo* decided to carry out elections for the mayor and municipal councilors using *usos y costumbres* prior to the state-sanctioned elections. Community members were expected to then respect the decision of the community when casting their secret ballot in the state-based election. The *Cabildo* especially sought to exclude political parties from the process, since political parties would undermine the autonomy the community was trying to create (Cameron 2009; CEBEM 2009).

The *Cabildo* divided the 24-*ayllu marka*<sup>9</sup> into 5 regions of similar population size. Each region would then elect one candidate for municipal council and each person would confirm his or her region's vote in the official elections. Residents were not to vote independently after a community-wide decision had been made. Moreover, candidates who lost in the *usos y costumbres* elections were not to run on the state-sanctioned ballot. This system would ensure that each region was represented equally, something that was not guaranteed by Bolivia's system of municipal elections. The *Cabildo* would select the candidate for mayor, and community members were, once again, expected to uphold this

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<sup>9</sup> The *ayllu* is a collection of communities and the *marka* is the territorial whole, which includes all of the *ayllus* of that territory. Jesús de Machaca is a *marka* comprising 24 *ayllus*.

decision in the official elections regardless of their personal opinions.

The *Cabildo* set strict eligibility requirements for potential municipal councilors and mayors. Municipal council candidates were required to have held the position of *mallku*<sup>10</sup> in their community, and candidates for the position of mayor had to have held the position of *jiliri jach'a mallku* of the *marka*, the highest authority of the *marka* and the leader of the *Cabildo*. Though the *Cabildo* stressed the necessity of generational and gender equality in the elections, the requirements for mayor excluded women, youth and non-members of the community (Cameron 2009, 167). The exclusion of women as potential candidates is noticeably anti-democratic. However, in this case, the *Cabildo* was obligated to allot for two female candidates due to the state's requirement that a proportion of all candidates be women.

Jesús de Machaca's *usos y costumbres* for candidate selection consist of community members publicly lining up behind the candidate of their choice. This public method is used because it is seen as more transparent and less prone to fraud than the secret ballot, though some critics assert that it can lead to voter intimidation as already discussed. The votes are then counted by a commission, consisting of the Municipal Mayor, the President of the Municipal Council, and the Surveillance Committee, each with the help of two aids.

In 2004, "the carefully negotiated process for the pre-election of candidates within MACOJMA was undermined by the entrance into the electoral competition of two community members who were unhappy with the candidate selection process and who asserted their individual rights to contest elections in affiliation with the MAS party"

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<sup>10</sup> In this case, *mallku* denotes the head of a community.

(Cameron 2009, 167). These two members appeared on the official ballot in the state-sanctioned elections as candidates from the MAS party. They gained enough votes in that election to win positions on the municipal council. As a result, two of five of the *ayllu* regions had no representation in the municipal council. The MAS councilors were punished by expulsion from the *Cabildo* and marginalization within the municipal council. In spite of these problems, this was a major step for Jesús de Machaca in staking claim to its *de facto* autonomy from the state. This autonomy was legitimized on December 6, 2009, when Jesús de Machaca became among the first indigenous municipalities to elect a system of autonomous government.

### ***Points of Contention***

Jesús de Machaca's experience of trying to exercise autonomy within the nation reflects several minor divergences between the community's political vision and liberal democracy. These more minor issues can be solved without disrupting the integrity of Jesús de Machaca's traditional political system, but they must be cleared up for Jesús de Machaca as an indigenous autonomy to be fully compatible with the Bolivian democratic system.

The first tension has already been discussed at length and it is that of gender inequality. Though authority in Jesús de Machaca revolves around the idea of *chacha-warmi* (the male-female unit) and men lead in conjunction with their wives, according to one *ex-jach'a mallku tayka* (the wife of the supreme authority of the *marka*), the *mallku taykas* (as the female authorities are called) rarely participate in meetings or are not paid any attention (Tapia 2009, 46). Jesús de Machaca also emphasized gender equality



during the 2004 municipal elections, but *machismo* is still the rule, and women are expected to serve the food rather than take an active role in leadership meetings.

In addition to the gender issue, there is also the problem of the Iruhito Uru<sup>11</sup> minority in Jesús de Machaca, an Aymara indigenous autonomy that also includes a small non-Aymara indigenous group. The Urus make up just a single *ayllu*, Hiroito Urus, and constitute no more than 1.31% of Jesús de Machaca's population (as deduced from tables provided in Plata 2010). Historically, the Urus became more and more concentrated onto smaller and smaller parcels of land of what is today Jesús de Machaca by Aymara encroachers. Finally, part of the Uru population opted for integration with the Aymara and became part of the Janq'u Jaqi *ayllu*. The remaining Urus resisted integration at the cost of marginalization. As a result, the Iruhito Uru *ayllu* "has never come to integrate itself into the twelve-*ayllu* system on equal conditions"<sup>12</sup> (Ticona 2009, 55, author's translation).

Differences in language (the Uru speak Uchumataqu), traditions and culture between the Aymara and the Uru isolate the latter from the rest of the municipality as a group. This inevitably affects their possibilities for representation at the municipal level, although through the rotational system a representative from the *ayllu* becomes *jach'a mallku* every 19 years.<sup>13</sup> Jesús de Machaca could minimize the marginalization of the Urus by allowing them overrepresentation within the *marka*. For example, a spot on the

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<sup>11</sup> Alternatively spelled *Hiroito Urus* (from Jesús de Machaca's *Programa Operativo Anual 2008*, found in CEBEM 2009, 102)

<sup>12</sup> Here, the 12-*ayllu* system refers to what is today the 26-*ayllu* system. Originally, Jesús de Machaca was composed of 12 *ayllus* only.

<sup>13</sup> In reality, Jesús de Machaca is composed of two *markas*. The Arax Suxta consists of 7 *ayllus* and the Aynacha Suxta consists of 19 *ayllus*, one of the 19 being the *ayllu* Hiroito Urus. *Jach'a mallkus* for each *marka* are rotated every year, so each *ayllu* of the Aynacha Suxta is represented at the highest level of the *marka* every 19 years.

municipal council could be reserved for an Uru councilor. If it is necessary to have only five councilors on the municipal council, the other 25 *ayllus* could be broken up into four regions, similar to what was done in the 2004 municipal elections.

Another tension emerges from Jesús de Machaca's desire to eradicate the influence and existence of political parties within the municipality. In a lengthy report produced by Jesús de Machaca's municipal government and *Cabildo*, one indigenous leader argues that the presence of political parties in community elections would jeopardize the authority of the people over their leader, putting the interests of "political party bosses" over those of the community (CEBEM 2009, 75). Though it is understandable that the indigenous authorities of Jesús de Machaca may want to limit external forces from intruding in local politics, since this could be seen as a threat to indigenous autonomy, the *Cabildo* should not suppress the organization of community members. Theoretically, there is no reason why local political parties should not exist. In fact, the formation of community-based political parties may help to promote a more active civil society and better-informed citizens within the indigenous autonomy, who can make an impact on local and national democracy.

It is vital to note that Jesús de Machaca's experience with autonomy also reveals some irreconcilable differences between the community's political system and the Bolivian state's political system. These differences are more serious because they are such that, in order to ease the tension between these two systems, one would have to change fundamentally, and it would mostly likely be indigenous political systems that suffered rather than the national political system. These are the problems that make indigenous autonomy not just democratically questionable, but in fact result in an

incompatibility where indigenous autonomy and liberal democracy may be unable to coexist in their pure forms.

The first issue is actually a problem of democratic governance and has to do with leadership rotation. Leaders at all levels of the Jesús de Machaca *marka* are rotated annually. Even though the regular replacement of leaders is essential to democracy, the frequency with which it occurs in Jesús de Machaca makes it impossible for executive and legislative bodies to acquire any institutional memory from which they may draw upon and improve future leadership. It is also limiting for individual leaders since they are unable to accumulate the experience necessary to be effective in their negotiations with government and non-government bodies beyond the communities. With this system, not only is the quality of democracy degraded by preventing individual from becoming effective, democratic leaders, but without the hope for re-election within a decade or two, leaders are likely to be less responsive to citizens' demands and may abuse the system when it is their turn, instead of promoting communal well-being.

Additionally, a lack of experience and technical understanding leads to confusion and ineffectiveness in the communication between leaders and community members. Autonomy brings with it state regulations, for example, which require legal knowledge to be fully understood. Because the issues discussed at the *Cabildo* meetings are becoming more complex with greater autonomy, it makes it more difficult for leaders to keep their communities informed. John Cameron (2009, 162) argues that this breakdown in communication "is problematic when viewed through the liberal lens of participatory democracy, which places high value on the active involvement of individuals in decision-making." Therefore, ill-informed citizens lead to a weak democracy.

While the previous system of communication between leaders and citizens has functioned in the past, now that the community's traditional authorities come into continuous contact with the state, one of two things will have to change. The methods for disseminating information may need to change, perhaps by hiring a highly educated community member to keep the minutes at *Cabildo* meetings and then distribute copies throughout the community to keep citizens informed. Otherwise, the community will have to change the experience and education requirements for those eligible to be *Cabildo* members. If one of these changes does not occur, indigenous autonomy in the context of the state system will result in weak local-level democracy.

Finally, the entire *thakhi* system is troublesome for democratic ideals. This system stresses the importance of hierarchy, as described early, and requires community members to progress through a series of increasingly influential positions during the course of their lives. No amount of technical knowledge exempts an individual from the obligation to start at the bottom of the ladder. This excludes young people from decision-making position at all levels of the *marka*, regardless of their achievements in formal education or their political experience outside of the *marka*. A negative side effect of this exclusion, which already goes against basic conditions for liberal democracy, may be a weakened democratic system at the local level if high-level leaders do not have the necessary technical knowledge to effectively respond to citizens' demands.

Because these latter tensions are institutional and integral to Jesús de Machaca's political system, the system will be distorted by its incorporation into the Bolivian democratic state. What changes must occur for *usos y costumbres* systems to be acceptable within a democratic context? What will these changes mean for indigenous

autonomy? I now turn to answer these questions.

### ***Making Indigenous Autonomy Fit***

In order for Jesús de Machaca's indigenous political system and liberal democracy to coexist harmoniously within the same state, some changes must occur. Xavier Albó, a resident of Jesús de Machaca himself, argues that "the *ayllu*-based system of governance needs to adapt to the new political context created by municipal decentralization" (Cameron 2009, 169). This adaptation would mainly include changes to the *thakhi* and rotational systems. The *thakhi* would need to open up to the possibility of leadership based on expertise and merit, and not just hierarchy and rotation. This would help to liberalize democracy within Jesús de Machaca by allowing all members the equal right to run for eligible offices and, ideally, providing the community with higher quality leadership.

Additionally, the system of rotation would have to be altered to allow community leaders to hold their posts for longer periods of time. Jesús de Machaca's experience during the period following the 2004 elections demonstrated that the annual rotation of leaders was counter-productive to the acquisition of technical knowledge and the experience necessary for effective democratic leadership. Moreover, it created a challenge to the *Cabildo*'s ability to oversee the municipal council, where councilors have a 5-year mandate, compared to *cabildo* members' yearlong mandate (Cameron 2009, 168-169), and where outside political parties may have a presence and would need to be held accountable by the *marka*. In order to resolve this issue, the *marka* could allow leaders to assume their responsibilities for the same amount of time as the

municipal councilors.

A special dilemma arises when proposing this change; Jesús de Machaca's political system requires that "leaders assume the financial costs associated with their positions as a mechanism for slowing socio-economic differentiation" (Cameron 2009, 170). While this practice may reduce economic inequality in the community, it greatly limits the possibility for extended periods of leadership by one individual or family. The *marka* would need to generate sufficient funds to ease the financial burden of leadership in order for leaders to assume longer mandates and resolve the problems resulting from annual rotation.

### ***The Capitanía Of The Izoceño-Guaraní***

The Izoceño-Guaraní Indians, also known as Chiriguanos, are part of the Tupí-Guaraní linguistic family. They constitute 24 communities in the Izozog region, composed of approximately 9,000 people (Hirsch 1999, 64), on the banks of the Parapetí River in the indigenous autonomy of Charagua, located in the department of Santa Cruz. Within eastern Bolivia, the Tupí-Guaraní are united under the Confederation of Bolivia's Indigenous Peoples (CIDOB) along with numerous other lowland indigenous groups. The former indigenous leader of the Izoceño-Guaraní, Bonifacio Barrientos Iyambae, founded the organization and it is now widely recognized, nationally and internationally, as the representative organ of Bolivia's lowland indigenous peoples. The Guaraní as a collective unit tend to be more united in their decision-making processes than the

Aymara.<sup>14</sup> This strength of theirs has been key in advancing the fight for indigenous autonomy nationally and has created the largest indigenous autonomy to date in Bolivia (Charagua), even though only 55 percent of the municipality's population identifies as indigenous (*Ministerio de Autonomía*).<sup>15</sup>

*Haciendas* and non-governmental organizations have greatly shaped the politics of the Izoceño-Guaraní. First, the Izoceños suffered from land invasions by white ranchers during the nineteenth century and were then forced to work on the newly created *haciendas* for lack of their own land. Therefore, the recuperation of land rights has been extremely important in the Izoceño-Guaraní's push for autonomy. In addition to non-indigenous ranchers, NGOs have been present in the region for decades now. The Izoceño-Guaraní have used these organizations to their benefit, making contact with them and then manipulating their relationship with the NGOs to obtain necessary resources for themselves.

### ***The Structure of the Hierarchy***

The political system of the Izoceño-Guaraní, along with other Guaraní groups, is known as the *capitanía*. This system is a result of interaction with colonial powers and the modern-nation state and, thus, it is not a "traditional" institution (Hirsch 1999). Nevertheless, it is based on indigenous political practices and was designed by the Guaraní people. The system is based on hereditary and elected leadership and, like Jesús

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<sup>14</sup> In the interviews I conducted in Bolivia in June, July and August 2010, citizens and scholars alike duly noted that the Guaraní vote in bloc, while Aymara communities suffer from internal factions.

<sup>15</sup> This figure is significantly lower than all but one other autonomy (Huacaya, Bolivia's only other Guaraní indigenous autonomy, is only 50 percent indigenous). The populations of most indigenous autonomies are upwards of 95 percent indigenous (Tarabuco, Mojocoya, Charazani, Jesús de Machaca, San Pedro de Totorá, Chipaya, Chayanta).

de Machaca, decisions are made communally (Hirsch 2003). Unlike Jesús de Machaca, the *capitanía* does not rely on a rotative system of leadership. Within eastern Bolivia there are multiple *capitanías*, each uniting dozens of Guaraní communities. The Izoceño-Guaraní specifically belong to the Capitanía de Alto y Bajo Izozog (CABI). Each *capitanía* is slightly different in its political norms, but Izozog has been lauded as a model of “traditional” organization (Postero 2007).

The *capitanía* is composed of two types of supracommunal chiefs (*mburuvicha*), communal chiefs, elders, advisors and mayors. The highest ruling authority is the *mburuvichaguazu* (literally the “big shadow”), or *capitán grande* (big chief) in Spanish. The *mburuvichaguazu* functions on a supracommunal level, linking various Guaraní communities. In the CABI, this position is inherited, passed from father to son, within the ruling family. This family carries the surname Iyambae, which means “without owner” in Guaraní (Hirsch 1999, 67). Though not an elected position, the *mburuvichaguazu* is expected to work on his people’s behalf as a mediator in internal conflicts and as a public representation of his people’s interests before NGOs and the state. The previous *mburuvichaguazu*, Bonifacio Barrientos Iyambae, held his position for nearly 50 years, fighting for land titles, improved socioeconomic conditions for the Guaraní people and the continuation of the *capitanía* system (Hirsch 2003). In order to be successful in his function as community representative and mediator, the *mburuvichaguazu* is expected to acquire three fundamental skills: (1) oratorical ability in order to best communicate his people’s wishes to external organizations and authorities, (2) peacemaking skills in order to act as an effective mediator, and (3) courageousness (Hirsch 1999, 68; also, Gustafson 2009b). In return for his service to the communities,



the *mburuvichaguazu* is exempt from communal labor and others must work his fields.

Second in the *capitanía* hierarchy is the *segundo capitán*, followed by the communal chiefs. Izozog has two *segundo capitanes*, one ruling over the communities of Alto Izozog and the other ruling over the communities of Bajo Izozog, and they are appointed by the *mburuvichaguazu*. Below the *segundo capitanes* are the communal chiefs, who are elected annually and may be any community member able to gain sufficient support from the community. While the power of the communal chiefs may be less than the *segundo capitán* and the *mburuvichaguazu*, it is not checked by them, but rather by the community members themselves.

The *capitanía* also relies on *yvyra ija* (mayors) to disseminate information from the leaders throughout the villages. Their main function is to inform every household in their village about the time and place of meetings, communal labor obligations and festivities. Additionally, they must ensure that the people from their village attend these events (Hirsch 1999). Elders are also important to the system as they function as counselors to the communal chiefs. However, the *mburuvichaguazu* depends on the advice of *asesores* (advisors) who are younger, bilingual and more experienced with society beyond the Guaraní (Hirsch 1999). Thus, the system recognizes the value of both age-earned wisdom and formal education.

The *mburuvichaguazu* is viewed almost like a king since his authority is inherited. However, his opinion matters no more than any other individual in Guaraní society. The Guaraní are strong proponents of individual autonomy (Hirsch 1999). Therefore, the *mburuvichaguazu* is not allowed to amass power. Instead, he is expected to make decisions based on the expressed will of his people. The people express their interests

through the *yemboati* (assembly). The *yemboati* is the most important element of the *capitanía* because it is the deliberative, judicial and executive institution of the system and it is the only authority over the *mburuvichaguazu* (Hirsch 1999). Ultimately, the *mburuvichaguazu* must “act in accordance with the decisions made by the assembly” (Hirsch 1999, 71). There are two types of assemblies: the assembly of the *capitanía* and the communal assembly. The first is attended by the chiefs of each Izozog community to discuss matters pertaining to all Izoceños. The second includes all community members who wish to attend (attendance is voluntary) and is used as a forum to discuss local matters pertaining only to a specific community (Hirsch 1999). In both assemblies, decisions are made by consensus. In other words, if any single individual is in disagreement with the decision made by the majority, the group must discuss the matter until everyone can agree.

### ***Points of Contention***

The most obvious point of contention between the *capitanía* system of the Izoceño-Guaraní and liberal democracy is the fact that the highest position is inherited instead of elected. Although this is not the case of all *capitanías*—the *Capitanía Zona Cruz* that encompasses communities in the vicinity of Santa Cruz city elects its *mburuvichaguazu* (Postero 2007)—this feature of the CABI is in violation of one of the most basic institutions of democracy: elections. Additionally, the system of inheritance excludes women at the highest level of government, since the position is passed from father to son. In the CABI, the *segundo capitán* is also an appointed position. Though appointed positions exist in democracies, appointments are made by elected

representatives, whereas in the case of the *segundo capitán*, the appointment is made by a non-elected official, the *mburuvichaguazu*. This again violates the right of citizens in a liberal democracy to vote.

Another problem that the *capitanía* suffers from generally, and it is a problem that I noted with Jesús de Machaca as well, is the public form of decision-making. Voting is public and consensual in Izozog. This means that individuals are highly vulnerable to coercion and intimidation by other community members. Since a decision cannot be finalized without the support of the entire community, dissident members are likely to be coerced into agreement. This denies citizens the right to express their political opinions and interests without the threat of harsh consequences, such as marginalization within the community, limited access to resources, and physical threats. This is a serious tension since public decision-making in the form of the assembly is at the core of the Guaraní political vision. A first step towards a more democratic *capitanía* with reference to this issue would be to base decision-making on a majority opinion instead of consensus. This would at least allow dissidents to maintain their opinions and create less incentive for other community members to harass opposing individuals into agreement. However, ultimately a secret ballot system would be important for making the *capitanía* compatible with liberal democracy.

Additionally, Charagua as a whole has a relatively large non-indigenous population, in comparison to other indigenous autonomies. Thus, it will be especially important that the *capitanía* incorporate non-indigenous minorities into the system. This could be complicated due to language barriers. Mechanisms of incorporation and accommodation will need to be created to make sure that these groups do not face

discrimination or exclusion from the political process, if the *capitanía* is to be compatible with the democratic model upheld by the state.

Finally, it is not immediately obvious from the basic structure of the *capitanía*, but this system has suffered extensively from authoritarian abuses by different chiefs. I give two examples of instances of authoritarian abuse that point to further tensions between the *capitanía* system and liberal democracy. Though these cases did not occur in the CABI, they are generalizable to the *capitanía* system. The first example involves the *mburuvichaguazu* of Gran Kaipependi from the early-1950s to 1986, Aurelio Aireju.

According to Albó (1990, 130), Aireju established a “cacique-patronage scheme” whereby he took advantage of his position of power for his own benefit instead of acting in the best interest of his people. He indulged in abuses such as forcing community members to provide free labor on his and his family’s land, charging informal taxes on community production and entering into agreements with *karai* (non-indigenous people) without consulting the community. He also charged his community for his services as *mburuvicha*, including when he would intervene with authorities on their behalf, which should have been a routine responsibility of his position (Postero 2007, 96). On top of the informal taxes and illegitimate charges for services rendered, he exploited his community members in his capacity as *capitán-enganchador*, the leader in charge of recruiting workers for the sugarcane harvest (*zafra*), by earning bonuses for each individual he recruited for the *zafra*. Finally, and perhaps the most disturbing abuse committed by Aireju was his use of colonial punishment methods, putting people in stocks or even subjecting them to the *socavón*, where the person being punished is essentially buried alive, being forced to spend 15 hours in a hole in the ground (Albó

1990, 131). This grand-scale corruption was allowed to continue for thirty years because Aireju had inherited the authority of *mburuvichaguazu* from his father, and his people were powerless to remove him.

A second example of authoritarian abuses by a *mburuvicha* comes from the Bella Flor community, part of the *Capitanía Zona Cruz*, and its *mburuvicha*, Amalio Vega. Similar to Aireju, Vega used his position for personal profit and used physical force to maintain power (Postero 2007, 101). Nancy Postero (2007) gives one example of his corrupt actions that revolves around the community's fight for land titles. Vega hired a lawyer to aid in the process without consulting the community and then forced community members to provide three months of labor in order to pay for the lawyer's fees. For those who refused, Vega had their names taken off the titles. Finally, he tried to charge a title fee to the community members when they eventually gained rights to their land.

Because of the character of the *capitanía's* voting system, Vega was able to stay in power far longer than most of the community would have wished. He abused his political and social connections to win elections through fear and intimidation. With so much power in the community in social, economic and political terms, he was able to silence opposition. In a public voting system, he would know which community members had voted against him and could then punish them socially and economically, just as he had done to his opposition in the case of the land grants. The same phenomenon had occurred in Gran Kaipependi with Airenju. The *capitanía* system seems to allow for strong authoritarian enclaves. In the example of Gran Kaipependi, this was due to the lack of mechanisms whereby the community would be able to remove the

*mburuvichaguazu* from power, specifically the absence of elections. In the example of Bella Flor, authoritarian abuses were possible due to a public voting system and the ability of communal leaders to rule without oversight from a higher authority. In the *capitanía* system, the community members are meant to be the highest authority, even over the *mburuvichaguazu*. However, if they are not free to express political dissent, that authority is meaningless. Thus, public voting, the use of coercion and intimidation in elections, and a lack of limitations on leadership create tensions between the *capitanía* system and liberal democracy.

The *capitanía* system poses serious problems for liberal democracy, just like Jesús de Machaca. If the *capitanía* is to be recognized by the state as a legitimate political system, it must exist in compliance with the larger democratic system of the state. For that to occur, these tensions must be ameliorated. However, the changes that would have to occur would most likely be less contentious for the Izoceño-Guaraní than for Machaqueños as long as they were not imposed by outside authorities. This is in part due to the fact that the Guaraní are more open to the participation of youth in positions of leadership than Jesús de Machaca and they do not follow a strict rotation of *cargos*, which has damaged governance and degraded the possibility for quality democracy in Jesús de Machaca. Finally, the Izoceño-Guaraní seem to be more open to change than some Aymara communities, as evidenced by a recent discussion surrounding the inherited position of *mburuvichaguazu* in the CABI.

This discussion began when it came time for the *mburuvichaguazu* Bonifacio Barrientos Iyambae to pass his authority on to his son. However, he was hesitant about the appointment. He felt that his son lacked the skills and experience to take on the

responsibility (Rocha Torrico 2008, 86). Therefore, the decision fell upon the chief's counselors. There was a split in advisor opinion. One side believed that the *mburuvichaguazu* should be chosen through public elections just like communal chiefs, which would break with tradition. The other side, represented by Evangelical Christians, argued that the authority should be passed from father to son as in the Bible. Interestingly, it was the more traditional advisors who argued for a break with tradition. In the end, the latter argument won out and Boni Chico (as Bonifacio Barrientos Iyambae's son is called) assumed his position as *mburuvichaguazu*. However, in occupying the highest authority, the *mburuvichaguazu* has also been converted into a mere symbol, since authorities of Evangelical bent have also prohibited Boni Chico from making incursions into political affairs. Therefore, various community authorities are now trying to do away with the *mburuvichaguazu* completely and have proposed a new political structure for the CABI (Rocha Torrico 2008, 89). This shows that the Izoceño-Guaraní are not only open to changing their system, but specifically they are open to eliminating non-democratic elements of the *capitanía* system and to expanding the use of elections to include the position of *mburuvichaguazu*, a key institution for any democracy.

## **Conclusions**

This chapter has provided detailed case studies of two indigenous communities in Bolivia: Jesús de Machaca (Aymara) and the Izoceño-Guaraní. I have used these case studies to highlight various features of indigenous political systems that are in tension

with liberal democracy or damage the possibility for high quality democracy in these communities. I have argued that in order for indigenous autonomy to be compatible with liberal democracy, these features must be modified. Though the possibility of this occurring without major conflict seems feasible for the *capitanía* system, in Jesús de Machaca, this discussion has already provoked a major split between MAS supporters and proponents of the *usos y costumbres* system.

At their core, the problems that arise from incorporating *usos y costumbres* systems into modern democracy result from the requirement that traditional practices (*ayni*,<sup>16</sup> leadership rotation, and others) be placed into a state structure, greatly distorting them from their original *community* context. According to Bolivian Vice President García Linera, *usos y costumbres* systems “could be articulated within the ‘modern’” (cited in Zibechi 2010, 119), including the state and the national democratic system of government, but Zibechi (2010, 119) ponders, “would not such a proposal promote the subordination of the traditional to the modern?” In the case of the affirmative, which is implied, the result would only be the further marginalization of indigenous peoples by the state. This would be damaging to democracy at both the local and national levels.

This gets at the heart of the issue. *Usos y costumbres* systems cannot be inserted as is into a larger democratic system because the former is contentious for the latter and vice versa. In order for the state to recognize indigenous autonomy, indigenous political systems must first be tweaked. However, this process must be approached in a delicate manner. Changes should be born out of serious dialogue between the central government and representatives from various indigenous communities, instead of being imposed from

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<sup>16</sup> *Ayni* is a system of mutual aid between families of an *ayllu*, employed in Aymara communities.



above without heeding the observations of indigenous actors. In the case of the latter, alterations to indigenous political systems would represent a disregard for indigenous political visions, further marginalizing indigenous peoples, alienating them from democratic civil society, and eroding their quality of citizenship. Unfortunately, in Bolivia, this has been the case and the recognition of indigenous autonomy has come to represent a renewed imposition of the state upon indigenous peoples due to the process the state employed for recognizing indigenous peoples' right to autonomy. Principally, it has been a top-down process of defining acceptable social, economic, judicial and political practices within indigenous communities, without significant input from indigenous peoples. In the following chapter, I will explore the process of granting indigenous autonomy in Bolivia. I will argue that this process silenced indigenous voices in defining indigenous autonomy and, therefore, has eliminated any possibility that indigenous autonomy in the Bolivian case might serve to deepen democracy by either fully incorporating historically marginalized peoples into the state political system or making local government more meaningful for indigenous peoples.

## CHAPTER V

### **DEMOCRATIC ENDS THROUGH NON-DEMOCRATIC MEANS? *LA LEY MARCO DE AUTONOMÍAS Y DESCENTRALIZACIÓN***

*“Todos somos iguales!”*  
*-Andrés Ibáñez, 1877*

In a stroke of irony, the Law of Autonomy ratified by the Bolivian Congress in July 2010, is dedicated to the revolutionary Andrés Ibáñez who fought for the installation of an economic and political structure that would bring Bolivia out of its state of inequality and injustice. He believed in the equality of all Bolivians and the Preamble to the Law of Autonomy declares that his fight is “inseparable” from the “process of change that ensures... the inclusion and participation of all the diverse parts that constitute us” (author’s translation). However, the law that begins with these words was ratified with minimal input from Bolivia’s (arguably) most excluded group, the country’s indigenous population, which also happens to be the sector most directly impacted by the law.

In the previous two chapters, I have argued that indigenous political systems are incompatible with liberal democracy because they contain non-democratic features or elements. As a result, indigenous autonomy will not deepen democracy in Bolivia. In order for this reform to improve the quality of democracy in the country, several fundamental elements of indigenous political systems would need to change. In this chapter, I argue that, in addition to the inherent tensions between indigenous rule and Western-style democracy, the processes of ratification and implementation of indigenous

autonomy in Bolivia made its effect on democracy even worse. The top-down process of defining and implementing indigenous autonomy in Bolivia excluded indigenous voices to the extent that the process was alienating rather than inclusive of indigenous peoples. Moreover, the definition of indigenous autonomy that emerged is in stark opposition to those envisioned by indigenous communities and organizations. As a consequence, the local political systems that result from this process will seem foreign and imposed, rather than natural systems stemming from communal consensus. The process of implementing indigenous autonomy in Bolivia has compounded one of the greatest pre-existing problems faced by Bolivian democracy: the incomplete inclusion of indigenous peoples into the national political system.

I will begin by outlining the details of the Law of Autonomy, highlighting specifically the most contentious articles for indigenous communities and organizations. Then, I will discuss the way in which this controversial law was developed and ratified, largely without indigenous input, and the implications of this exclusionary policymaking process. I also examine the conflicts that arose between indigenous groups and the central government surrounding the details of the Law of Autonomy. Ultimately, I argue that due to the exclusionary way in which the Law of Autonomy was defined and implemented and due to indigenous groups' ensuing rejection of the Law, indigenous autonomy is unlikely to improve the quality of national-level democracy in Bolivia or to make local-level democracy more meaningful. To the contrary, the process of implementation has more likely had a negative impact on the quality of democracy in Bolivia since it reinforced the political exclusion of indigenous peoples in a highly

publicized way and caused citizens to question the democratic legitimacy of their president.

### **Content of the Framework Law of Autonomy and Decentralization**

Though the Constitution makes sweeping statements that define indigenous autonomy broadly and seems to grant generous rights of self-government to indigenous peoples, the Framework Law of Autonomy and Decentralization puts greater demands on indigenous political systems for change and is much more limiting with respect to the freedoms of indigenous communities. Although it is necessary for indigenous political systems to change in order to become more democratic, this change must be impelled from below. If they are simply imposed from above, without compromise or agreement with affected indigenous groups, these changes will likely meet with resistance at the local level. Below, I outline some of the more controversial articles of the Law of Autonomies. Some of these articles partially incorporate the observations of indigenous groups. In others, there is a clear eschewal of indigenous input.

The Law applies not only to indigenous autonomies, but also to departmental, municipal and regional autonomies. However, a large proportion of the document is dedicated to defining the rights and limitations of indigenous autonomy. After a general introduction (Art. 1-29), departmental (Art. 30-32), municipal (Art. 33-36) and regional autonomy (Art. 37-41) are briefly outlined. Then Articles 42 through 48 focus on indigenous autonomy. The remainder of the Law defines the specifics of declaring autonomy, the rights an autonomy enjoys, the responsibilities an autonomy must assume,

the provision of economic resources, the relationship between an autonomy and the state, the creation of mechanisms of social control, and the suspension of corrupt authorities.

According to the Law of Autonomy, indigenous communities may declare indigenous autonomy at the territorial level of TCO (First Peoples' Communal Territory), municipality or indigenous region (Art. 44). However, autonomous regions are not granted legislative powers by the Law. Originally, the Law did not allow for TCOs to convert to indigenous autonomies. The state-defined territory within which a TCO lay (most likely a municipality) would have to declare indigenous autonomy for a TCO to enjoy the benefits of this status. After protest by CIDOB, TCOs were included as eligible territories. However, the Law demands that TCOs have a population of at least 10,000 in the highlands and 1,000 in the lowlands to become indigenous autonomies (Art. 58). This has already negatively impacted 85 recently titled TCOs in Potosí that have too few inhabitants to declare autonomy (Fundación Tierra 2010). As I will discuss in greater detail later, population restrictions were fiercely contested by indigenous opposition since many TCOs in eastern Bolivia have small populations,<sup>17</sup> but the MAS party refused to eliminate these limitations from the Law.

Once a territory or community decides that it wishes to declare indigenous autonomy, it must draft a statute of autonomy and then approve it through popular referendum. The exception to this rule is in TCOs, where statutes can be approved through customary procedures, such as in an open assembly. This exception was conceded after much debate between CIDOB protesters and government officials, since TCO status represents prior intention by the community to adhere to indigenous

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<sup>17</sup> Some TCOs in the department of Santa Cruz have as few as 100 inhabitants.

practices, such as communal landholding. Communities wishing to become indigenous autonomies must then certify the ancestral lands they currently occupy, they must guarantee that their system of governance is viable, and they must present administrative and financial systems for their territory (Art. 56).

Indigenous autonomies may modify current municipal limits under certain conditions to recover ancestral lands or to include within the indigenous autonomy ancestral lands lying outside of the territorial jurisdiction defined by the state. However, the larger territory to be created must have a minimum demographic base of 10,000 inhabitants (Art. 15). In the case of indigenous communities that cross departmental boundaries, both communities must first obtain status as Indigenous First Peoples Peasant Territories (*Territorios Indígena Originario Campesinos*, TIOC), a newly created territorial distinction.<sup>18</sup> Then, as TIOCs the communities must individually declare indigenous autonomy (issues of population size in a divided community instantly become obvious) and, finally, the two indigenous autonomies may form a *mancomunidad* (commonwealth), whereby they maintain their administrative and demographic unity (Art. 29). The Law becomes so complicated on this matter that the reality of communities being divided along state-defined boundary lines will become problematic for indigenous autonomy.

The most controversial section of the Law allows for the suspension of elected authorities following a formal accusation by the Public Prosecutor (Art. 144). While Evo Morales himself has adamantly upheld this section of the Law, the governor of Tarija has gone so far as to propose a repeal of this stipulation in the Law of Democratic Guarantees

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<sup>18</sup> This status is a newer version of TCO status. The main difference is in terminology, which the MAS party felt was more politically correct.

(*Ley de Garantías Democráticas*), which he presented as a citizens' petition in September of 2010 (*El Diario* 2010). Notably, the possible suspension of authorities provoked outcries from all sides, both before and after the Law of Autonomy was ratified. This is because this capability represents not only the possibility of the central government to breach the sovereignty of autonomous sociopolitical units but also the possibility of non-democratic intervention within the political affairs of the autonomies, which could lead to democratic breakdown in affected communities.

### **Ratification of the Framework Law of Autonomy and Decentralization**

How was it possible for the national government to produce and ratify such a polemic piece of legislation? The ratification of the Law of Autonomy was democratic in technical terms. It was drafted and passed by the national Congress in a two-thirds majority vote. However, the Congress has limited indigenous representation, while indigenous peoples were disproportionately impacted by this law. In Bolivia, the Senate is composed of 36 senators, four representing each of Bolivia's nine departments. Currently, 26 senators belong to the MAS party, giving MAS the necessary two-thirds majority to pass any legislature unopposed in the Senate.<sup>19</sup> The House of Representatives is composed of 130 representatives. Seven slots are reserved specifically for indigenous

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<sup>19</sup> While MAS purports to represent indigenous interests, within Bolivia's indigenous communities, agreement with this claim is limited mostly to a single faction within Aymara communities. Evo Morales' strongest support base continues to be the *campesinos* and the urban poor, many of which do identify as indigenous but are not associated with any indigenous community with a defined territorial and social organization, such as the inhabitants of Bolivia's TCOs or indigenous municipalities are.

representatives.<sup>20</sup> In addition to these seven positions,<sup>21</sup> the MAS party holds 82 seats in the House, again giving Morales' party the two-thirds majority necessary to pass any piece of legislation unopposed. Therefore, MAS is able to pass legislation without having to compromise with the opposition.

During the ratification of the Law of Autonomy, six of the seven indigenous representatives withheld their support due to the central government's refusal to attend to the demands and suggestions made by the indigenous organizations (*La Razón* 2010b). However, ultimately, indigenous groups did not have the necessary presence in the Congress to effectively oppose proposals by the MAS party.

In the process of ratifying indigenous autonomy, indigenous peoples were denied any expanded formal participation. Their only input came from what little influence the indigenous representatives had on the Congress and organized protests that drew attention from the central government. However, these protests were only marginally successful in convincing MAS to incorporate indigenous demands into the Law. Instead of making a genuine effort to address indigenous demands made through CIDOB, the central government (specifically President Morales and Vice-president García) implicated the group with USAID and the right-wing opposition, undermining the legitimacy of the protest.

Moreover, when the central government agreed to meet with the leaders of CIDOB, the purpose seemed to be more to dissuade the march, rather than to reach compromises with the indigenous representatives. CIDOB's María Sarabia claimed that,

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<sup>20</sup> A main argument by Bolivia's indigenous communities is that they are entitled to more seats in the House. Conflict has arisen between indigenous communities because there are far fewer seats available than indigenous communities wishing to be represented. Indigenous representatives have demanded 18 seats, but MAS has refused these demands (*La Razón* 2010f).

<sup>21</sup> All seven indigenous seats are also represented by the MAS party.



during one meeting between her organization and representatives of the central government, “[t]he whole time they [the government officials] were telling us not to march” (quoted in *La Razón* 2010e). Ultimately, dialogue between the two sides broke down and the Law of Autonomy was passed without agreement between the two sides. One leader of CIDOB, Johnny Rojas, remarked as he returned home after the organization’s momentous march was finally called off, “[W]e are aware that you cannot always win and we are going to complain to the whole world that, as indigenous citizens, we are not attended to, in spite of having an indigenous government” (quoted in *La Razón* 2010d). As a result of the lack of agreement between the two sides, the Law has been unsatisfactory for many indigenous groups, who feel that their visions of indigenous autonomy have been perverted by the state and, more specifically, the MAS party.

### **Indigenous Backlash**

Many articles in the Law of Autonomy were unpopular amongst indigenous peoples and, because they were unable to communicate their discontent through formal channels (such as in the Congress), they turned to organized protest, culminating in the *Septima March Indígena por el Territorio, la Autonomía y la Defensa de los Derechos de los Pueblos Indígenas* (Seventh Indigenous March for Territory, Autonomy and Defense of the Rights of Indigenous Peoples). Organized by CIDOB, the march began in Trinidad (in eastern Bolivia) on June 21, 2010, with the intention of arriving to La Paz on foot, in an act of protest against the Law of Autonomy. As 1,000 marchers progressed across the department of Santa Cruz, many were hospitalized due to exposure to the elements.

Furthermore, *cocaleros* in the Chapare region (lying between Santa Cruz and La Paz) threatened to violently halt the march before it could reach the capital (*La Razón* 2010a). As the scene became more dramatic, the central government agreed to negotiations with the protesters. However, talks caused a divide between the indigenous organizations involved in the march, specifically the APG and CIDOB, and the march concluded on July 23, 2010 without having obtained several of its objectives.

The indigenous platform of demands contained 16 points, divided into 6 categories: land, indigenous autonomy, right to consultation, productive development, legislative development, and political participation and representation (Sotomayor Cuéllar, 2010). Amongst their demands within the category of indigenous autonomy CIDOB demanded that autonomy statutes be approved using the customary methods of each community. While the government agreed to recognize this form of approval in TCOs, municipalities that wish to convert to indigenous autonomy must do so through popular referendum, which is seen as a state imposed form of decision-making.

Another demand made by CIDOB, and of special interest to this chapter, would require that the central government include the representative organizations of indigenous peoples in the elaboration process of the Law of Autonomy (CIDOB 2010b, 3). Prior to drafting a final version of the Law, several draft bills were presented before the Congress. CIDOB demanded that indigenous groups should be consulted and given revisionary power over these bills before they were brought before the country's legislative organ. On this point, CIDOB cites the Constitution, which states that indigenous peoples have the right "to be consulted by appropriate procedures, and in particular through their institutions, in anticipation of any legislative or administrative measures likely to affect

them” (Art. 30.2.15). This demand is especially important because it was never fulfilled by the central government and it is the principal reason why indigenous autonomy in Bolivia has merely served to further alienate indigenous peoples from the central state apparatus.

Additionally, CIDOB demanded that the government respect indigenous autonomy and refrain from intervening in the fundamental structures of the indigenous peoples and in their representative regional organizations, such as CIDOB itself (CIDOB 2010b, 3). This is a power that the government has maintained, ignoring CIDOB’s wishes. Because the government has the power to audit and suspend autonomous indigenous authorities, thereby annulling the decisions of the community, indigenous autonomy becomes more or less meaningless. Many groups have argued that this right will allow the central government, more specifically the MAS party, to censor its opposition within indigenous communities (*La Razón* 2010c). On the other hand, Sabino Mendoza from the Ministry of Autonomies reflected the general MAS position on the suspension of autonomous authorities when he informed me that indigenous leaders who were fighting against this section of the Law of Autonomy were corrupt and sought to concentrate their power within the communities (personal interview, La Paz, 10 August 2010). However, a more transparent method of suspending authorities would be through local proceedings. In other words, community members would be responsible for denouncing corruption, and civilian committees would determine guilt and punishment, rather than having an organ created by the central government hold jurisdiction for such affairs.

CIDOB also wanted indigenous autonomy to be applied without regard for

existing municipal and departmental boundaries (*BBC Monitoring Americas* 2010). Though the Law of Autonomy was later altered to address this issue vaguely, the ability of indigenous communities to maintain territorial and demographic unity still relies on state bureaucracy and the authority of the central government. The government may have been hesitant to allow indigenous autonomies to transcend state-imposed territorial boundaries due to the risk that indigenous autonomies might amass power exceeding that of the central government. One government employee suggested to me in an interview on July 5, 2010 that the government was trying to combat eastern departments' demands for autonomy by granting regional, municipal and indigenous autonomy as well, an argument that has been upheld by the media (see *BBC Monitoring Americas* 2010, for example). This would result in autonomies within autonomies, effectively undermining departmental sovereignty. If this allegation is true, it makes sense that the central government would be averse to allowing indigenous autonomies to transcend state-defined territorial limits. In this light, indigenous autonomy represents a way for the central government to curb competing sources of power that threaten its authority in important matters. If MAS surrendered to pressures of indigenous groups on this point then, the state's plan for autonomies could potentially backfire.

Ulterior motives on the part of the MAS party (i.e., the desire to maintain control in the face of challenges from sub-national government actors) may also explain the state's general disregard for incorporating indigenous opinion into the Law of Autonomy. If the central government had been genuinely concerned about indigenous demands it should have ensured proper representation of indigenous groups in the drafting of the Law of Autonomy, at least with regard to the sections dealing specifically with the rights

and limitations of indigenous autonomy. For instance, using the Constitutional Assembly as an example, the state could have called for the creation of a special committee composed of indigenous representatives selected through the principal indigenous organizations of the country, such as CIDOB and CONAMAQ, to draft a section of the Law of Autonomy referring to indigenous autonomy. However, the government did not take proper steps to uphold indigenous peoples' constitutional right to prior consultation on matters affecting them.

This has led the National Council of Ayllus and Markas of Qullasuyu (*Consejo Nacional de Ayllus y Markas del Qullasuyu*, CONAMAQ), representing the greater part of Bolivia's highland indigenous peoples, and CIDOB, representing Bolivia's lowland indigenous groups, to declare unanimously that the Morales regime used the promise of indigenous autonomy as a political banner, while it has no intention of granting indigenous communities full autonomy. Moreover, the two organizations accuse MAS of even working to obstruct indigenous communities from gaining autonomy (*Erbol* 2011). Political analyst Ricardo Paz supports the notion that the government's promise of indigenous autonomy had electoral ends (*BBC Monitoring Americas* 2010). The government proposed the idea of indigenous autonomy shortly before the most recent presidential elections in December of 2009. Therefore, there has been widespread speculation that the suggestion was aimed at winning votes and the central government now wishes to renege on its promise, seeing that its power might be threatened by the presence of full autonomies.

## Possible Democratic Outcomes

In the worst-case scenario, indigenous autonomy will result as harmful to democracy. Indigenous voices were excluded, with intense media coverage, from the process of drafting and ratifying the Law of Autonomy. Thus, from the start, the process of defining and legalizing indigenous autonomy has reinforced indigenous marginalization within Bolivia's political system. Indigenous peoples may now feel more alienated from the central government than before, which could lead to disillusionment with the democratic system and withdrawal from public life. This could be lethal for democracy since participation is "the hallmark of active citizenship, which in turn [is] required for democracy's success and extension" (Hagopian 2007, 38).

Francis Hagopian (2007, 38) labels "the oversupply of 'passive citizens'" as a key problem in Latin America. However, this has not traditionally been a problem for Bolivia, where the citizenry is actively involved in civil society. According to the 2010 round of AmericasBarometer<sup>22</sup> surveys, Bolivia boasts some of the highest levels of civic participation in the region. Bolivia has the fourth highest score of countries surveyed in the Americas in terms of participation in parents' associations and community improvement groups. It falls second in participation in professional associations and third in participation in women's' organizations. Moreover, Bolivia had the fourth highest voter turnout rate for the previous presidential elections at 89.4 percent (Seligson and Smith 2010). Therefore, Bolivia does not suffered from passive citizens. Rather, as Hagopian (2007, 41) points out, Bolivia has suffered from "a lack of connection between

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<sup>22</sup> The AmericasBarometer is a project that is designed and executed by the Latin American Public Opinion Project (LAPOP).

well-organized civic associations and political institutions.” One example of this is indigenous peoples’ intense participation in unofficial indigenous political systems or indigenous organizations like CIDOB, which until now have been disconnected from state-recognized political institutions. Granting indigenous communities autonomy is one way of connecting indigenous, local-level politics with the national-level system. However, if this results in the disillusionment of indigenous citizens and their withdrawal from public life, then Bolivia has simply traded one problem for another.

Finally, as I earlier, Van Cott (2008) argues that top-down processes of decentralization are ineffective in deepening democracy. In Bolivia, the implementation of indigenous autonomy is clearly a top-down process and the local political systems that result are unlikely to be viewed as organic, communal systems, since they will be an altered version of what has traditionally been viewed as legitimate. Since indigenous autonomy is so new to Bolivia, it is impossible to verify what impact it has had on national level-democracy or what indigenous peoples’ reactions have been to the ensuing local political systems in their communities. However, given the strong reaction of Bolivia’s indigenous groups against the initial Law and its limitations on autonomy, it is probable that indigenous peoples will be unhappy with the changes that occur in their customary indigenous systems.

If indigenous communities feel that their new communal political systems are foreign, and not a continuation of the systems they have fought to adapt and maintain for centuries, if they feel that the changes are imposed rather than born out the realities of the communities and the desires of its members, they will not view the reformed systems as legitimate sources of authority. Participation will likely decrease at the local level, since

community members in indigenous autonomies will not feel inclined to participate in a system they view as illegitimate. As a result, these communities will become further disenfranchised and continue to be estranged from the state political system. Without local channels for articulating their demands, indigenous peoples will find themselves in a perpetual state of political marginalization. In this case, possibilities for improving Bolivian democracy will be bleak.

### **Conclusions**

This final chapter has examined the process by which indigenous autonomy was defined and implemented in the Law of Autonomy. While the process through which the Law was drafted and ratified was democratic, it failed to give sufficient influence over the Law's content to the sector of Bolivian society most impacted by it, indigenous peoples. By ignoring indigenous voices, the MAS party reinforced the political exclusion of the country's indigenous peoples, which has historically been a problem for democracy in Bolivia. Moreover, indigenous groups expressed intense dissatisfaction with the content of the Law. The limitations externally imposed upon indigenous autonomy will likely render indigenous political systems illegitimate and unfamiliar in the eyes of community members. The eventual outcome might even be a decrease in democratic quality in Bolivia as indigenous peoples disengage from their local political systems and become embittered with the state democratic system, which clearly failed them in the case of indigenous autonomy.



Indigenous autonomy presented the central government with the opportunity to incorporate indigenous peoples as major players in state policymaking and, thus, create an equalizing power shift in the country's democracy. If the government had taken a different approach in defining and implementing indigenous autonomy, giving greater voice to indigenous peoples, this would have constituted a major step in including a historically marginalized people in the national political process in a real way. Moreover, by creating a space for negotiation and compromise, reasonable changes to indigenous political systems may have been conceived and applied in a natural, non-intrusive way.

However, the central government (dominated by the MAS party) failed to do so and indigenous representatives were ignored instead. Thus, the process toward indigenous autonomy has become one more example, further proof, of the indigenous population's perpetual exclusion from the nation and democracy. Ultimately, indigenous autonomy has not improved democracy in Bolivia at the local or national level. Rather, it has served to reinforce problems of Bolivian democracy and caused indigenous citizens, if not citizens generally, to question the democratic legitimacy of the president and the leading MAS party.

## CHAPTER VI

### CONCLUSION

In this thesis, I have argued that indigenous autonomy has failed to deepen democracy in Bolivia because of inherent tensions between indigenous political systems and liberal democracy, and due to the top-down manner in which this reform was introduced. I defined indigenous autonomy as the formal recognition of indigenous peoples' right to freely determine their political, economic, social and cultural norms and institutions, processes of development, and systems of justice at the community level within their defined territories and when not in violation of the laws of the national government. In Bolivia, this has translated to special rights to land, autonomous political systems, culturally appropriate mechanisms of social control, and control over natural and economic resources. Though demands for indigenous autonomy have come from below, in Bolivia, the concept of indigenous autonomy was formed primarily by intellectuals, many of which are now government officials under the MAS party and took part in formalizing this concept.

I then moved on to a discussion of arguments by scholars that indigenous autonomy aids in deepening democracy. I refuted these claims, especially in the Bolivian case. With the support of a series of scholarly counterarguments, I argued that indigenous political systems at their core are at odds with liberal democracy, which I defined using the basic conditions outlined by Dahl (1989). Moreover, I pose that, in Bolivia, the top-down approach to implementing indigenous autonomy has undermined

the ability of this process to deepen democracy.

I next offered specific examples of the tensions between indigenous political systems and liberal democracy using the *usos y costumbres* system of Jesús de Machaca and the *capitanía* system of the Izoceño-Guaraní. Moreover, because indigenous political systems in many ways are incompatible with the larger democratic system of the Bolivian state, certain features of indigenous political systems must be modified. However, these modifications must be agreed upon in a process of dialogue between the state and indigenous communities. If changes are imposed upon indigenous political systems from above without regard for indigenous opinions, the effect will be the marginalization of indigenous peoples and their alienation from democratic civil society, which will be damaging for the quality of democracy in Bolivia.

In my final chapter, I argued that this worst-case scenario has been realized in Bolivia with the implementation of indigenous autonomy. Since indigenous autonomy was theorized and imposed from the top down with minimal indigenous input, it forces indigenous peoples to change their political systems in order to conform to the structure of the state and state political visions. This results in the subordination of indigenous forms of government to state forms, further marginalizing indigenous peoples, their values and ideals. Unfortunately, this is harmful for the quality of democracy in Bolivia, and the country has struggled with the problem of marginalized sectors when trying to liberalize its democracy in the past.

Indigenous autonomy presented a prime opportunity for the central government to incorporate indigenous peoples as major players in state policy making, thus, creating an equalizing power shift from the political elites to marginalized sectors. However, the

state failed to incorporate indigenous representatives and ignored them instead, in spite of attempts by indigenous representative organizations to express indigenous demands and opinions. If the government had taken a different approach in defining and implementing indigenous autonomy, giving greater voice to indigenous peoples, this would have constituted a major step in including a historically marginalized people in the national political process in a real way. The result may have been a more meaningful democratic system at the national level.

Moreover, by creating a space for negotiation and compromise, reasonable changes to indigenous political systems may have been conceived of and applied in an organic, non-intrusive way. Instead, the recognition of indigenous autonomy has had quite the opposite effect. In recognizing indigenous political systems in such a way, the government has also stripped indigenous peoples of these systems. By formalizing such systems without input from indigenous citizens, the central government has redefined these systems and allowed for greater state control over them. Furthermore, in distorting them, they are no longer the political systems of the country's indigenous peoples. The great paradox of indigenous autonomy has revealed itself in Bolivia to be that indigenous peoples have fought for decades to have their political systems recognized as legitimate sources of authority, and now that they have achieved their goal, they have also lost control over the definition and functioning of their political systems. Thus, in gaining autonomy in theory, indigenous communities may very well have lost it in actuality.

Nevertheless, all hope for an improved democratic system in Bolivia is not lost. There still exists strong support for democracy by the population and clear policy attempts (however unsuccessful they may be) at deepening its democracy. In the 2010

round of AmericasBarometer surveys carried out by the Latin American Public Opinion Project (LAPOP), Bolivia scored 70.3 points on a 100-point scale of support for democracy as the best form of government. This figure is practically unchanged from the 2008 round of surveys and places Bolivia in the top third of the 25 countries in the Americas surveyed on this measure (Seligson and Smith 2010). Therefore, there is still strong support for democracy in the abstract in spite of the democratic reality in Bolivia. Furthermore, decentralizing reforms show a clear attempt to improve the quality of democracy in the country. Indigenous autonomy represents one such reform. However, indigenous autonomy has failed to achieve this effect. Therefore, other options for deepening and liberalizing Bolivian democracy should be explored.

Bolivia is an ethnically divided nation, so perhaps inducing crosscutting cleavages in the population would be helpful for overcoming these divides that Evo Morales is currently reinforcing. Federalism is an idea that has been proposed by several Bolivian departments and represents a way of dividing the country along regional lines. The exploitation of natural resources in a way that benefits a community or department is one of the principal concerns of both the Media Luna and CIDOB. This, for example, could be a key uniting characteristic of the inhabitants of Bolivia's eastern departments, indigenous and non-indigenous alike. Instead of recreating itself as a plurinational state, Bolivia could reinvent itself as a federalist state, much like the U.S. This could potentially effect the same decentralization that the central government was trying to achieve with the formalization of indigenous autonomies, deepening democracy without fragmenting the nation along ethnic lines.

Ultimately, the equitable inclusion of all sectors of Bolivian society into the democratic system is vital to deepening democracy in the country. Opportunities for incorporating the marginalized indigenous population into the state system or for promoting this sector's formal participation in the local- and national-level political systems must be further explored by scholars and government officials. Though indigenous autonomy appeared to be a promising reform that might provoke such incorporation, it has failed to do so in Bolivia. Unfortunately, indigenous autonomy—although it undeniably has value in other realms (specifically in terms of cultural preservation and respect for human rights)—is not the answer for improving the quality of democracy in Bolivia.

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