



### COUNTRIES AT THE CROSSROADS 2011: BOLIVIA

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#### INTRODUCTION

Bolivia has continued to experience significant political conflict in recent years, although the dramatic tensions of 2007 and 2008 subsequently diminished in scope and intensity. The approval of a new constitution in January 2009 defused many of the underlying conflicts—particularly over regional autonomy—and set the country on more stable footing. Nevertheless, significant problems remain, most notably highly polarized politics, weak rule of law, and rising sectoral demands.

Since winning the December 2005 presidential election, President Evo Morales and his Movement toward Socialism (MAS) party have ridden a wave of popular discontent against the political establishment that had governed Bolivia since 1985. That frustration peaked with the October 2003 “gas war,”<sup>1</sup> when several weeks of bloody protests forced the resignation of Gonzalo Sánchez de Lozada. The turbulent two years that followed were remarkable in that constitutional order was maintained, often against difficult odds. Sánchez de Lozada’s vice president, Carlos Mesa, assumed the presidency, and although he was successful in partly neutralizing the core issue of the October 2003 by holding a public referendum on gas export policy, Mesa could not forge consensus on other key issues. In the face of protests he too resigned, in June 2005. Because of widespread rejection of the next two figures in the line of succession—the leaders of the Senate and the Chamber of Deputies—the presidency was turned over to Eduardo Rodríguez Veltzé, chief of the Supreme Court. Last in the line of succession, he was constitutionally mandated to hold new elections. Through it all, the police and military remained committed to the constitutional order—itsself a remarkable feat.

Morales’s election was a milestone on the order of the anti-oligarchic, civilian-led 1952 National Revolution and shares much of its policy orientation: anti-imperialism, state capitalism, and agrarian reform. The first indigenous president in the country’s history, Morales’s presidency represents an unprecedented achievement for Bolivia’s historically marginalized indigenous majority. Morales was also the first presidential candidate to win an absolute majority (54 percent) of the vote in a free and fair election. Previous presidents failed to win at the polls,

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leading to legislative election. This “parliamentarized presidential” system produced multiparty coalition governments and ensured political stability for nearly two decades, but led to erosion in confidence in the political establishment. That party system collapsed in the wake of the 2005 election, leaving opposition to Morales diminished and disorganized.

Bolivia in 2008 and 2009 was marked by intense conflict. The constituent assembly elected in June 2006 stalled amid regular clashes between pro- and antigovernment groups. A key issue was the demand for increased regional autonomy from the so-called “*media luna*” departments (Santa Cruz, Beni, Tarija, and Pando). A majority in each had voted for autonomy in a June 2006 referendum, but the government viewed the nationwide vote rejecting the proposal as the only binding result. According to the constituent assembly referendum’s terms, the new charter was obliged to incorporate autonomy for any department in which voters had voted in favor—even as departments would be required to accommodate their autonomy statutes and governments to the new national constitution. The decision by the MAS to leave the question of whether to grant autonomy to any departments up for debate within the assembly violated that understanding and contributed to the assembly’s stagnation, as did general opposition intransigence. Bypassing the opposition, which had initiated a boycott of the proceedings, progovernment delegates met separately and approved a draft constitution in December 2007. After nearly a year of confrontations over that text’s legitimacy, a compromise facilitated by the Catholic Church and international intermediaries was reached between leaders of MAS and principal opposition parties in October 2008. The final constitutional text, significantly modified to appease the opposition, was approved by voters in January 2009. In line with the new constitution, new presidential and legislative elections were held in December 2009 (in which Morales won reelection), followed by regional and municipal elections in April 2010.

By April 2010, with the close of the electoral cycle, tensions declined significantly. There was a marked decline in Morales’s efforts to mobilize social movements against his opponents due to the absence of high-stakes electoral conflicts; the reality of a cowed, fractured, and ineffective opposition; and the growth of conflicts within Morales’s own constituency. In 2010 and early 2011 Bolivia experienced a spike in protest activity by key sectors typically aligned with the MAS, including a general strike by the Bolivian Workers’ Federation (COB), the country’s main labor federation, in May 2010.<sup>2</sup> The incident that most dramatically set the tone for 2011 occurred in late December, when Vice President Álvaro García Linera, in charge while President Morales was out of the country, announced that gasoline subsidies would end. The government’s policy rationale, that the smuggling of subsidized fuel to Bolivia’s neighbors represented an unsustainable burden on the budget, was sound, but the suddenness of the move reflected a surprising inattention to the need to consult with outside groups before taking action on such a sensitive issue. The government also argued that it was pairing the move with wage increases, but this was of little comfort to the many Bolivians laboring in the informal sector. Wide-scale, locally violent protests erupted throughout the country, prompting President Morales to return to the country and announce, on December 31, that the decree would be rescinded.

The economic climate has been favorable throughout Morales’s two presidencies, facilitating implementation of the government’s ambitious social agenda. Gross domestic product growth has been robust, reaching more than 6 percent in 2008, driven by high prices for gas and mining exports that produced fiscal surpluses throughout Morales’s first term. Although the government used the windfall to counter the effects of the global recession,<sup>3</sup> commodities price declines contributed to slower GDP growth rates of 3.4 percent in 2009 and 4.2 percent in 2010.<sup>4</sup> As Bolivians turn from electoral politics after five years of nearly constant campaigns, day-to-

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day pocketbook issues, which remain a primary concern for most Bolivians, take on greater salience. Despite impressive gains, Bolivia remains quite poor and expectations are high. This contributes to Morales's decline in public approval polls, which dipped severely in early 2011 and recovered only to 42 percent by midyear.<sup>5</sup>

Bolivian officials and citizens have made progress on overcoming thorny problems: a new constitution that represents a legitimate compromise has taken effect, the issue of regional autonomy has been (mostly) resolved in ways that favor checks and balances, and significant advances have been made in poverty reduction. Other obstacles remain, however: politics remain highly polarized, government attacks on the press continue, gender rights remain underprotected, citizens' trust in the judicial system remains weak, and political conflicts continue to be primarily addressed outside the formal mechanisms of democratic politics.

### ACCOUNTABILITY AND PUBLIC VOICE

The rise of the MAS brought formerly excluded groups into the political system and therefore represents a significant change from the previous era. But the magnitude should not be overestimated. While the MAS brings together social movements of long-marginalized subaltern social sectors, much of the national-level leadership comes from middle-class intellectuals and technocrats invited to stand for election or serve in cabinet posts.<sup>6</sup> The symbolic power of an indigenous president at the helm is significant, as are the government's concerted efforts to increase the role of social movements as legitimate channels for popular grievances and to expand indigenous rights. Nonetheless, many reforms that increase the public's ability to participate in politics remain untested. In 2004, citizens gained the right to initiate legislation and referendums, yet no such proposals have emerged at the national level. The legal autonomy granted to indigenous communities in 2009 remains, in practice, closely dependent on the MAS party hierarchy, which serves as the conduit between grassroots demands and the presidential palace.

The political system remains open, and voters have a number of choices. A 2004 reform allowed "citizens' groups" and "indigenous peoples" to compete in elections, ending the monopoly held by formal parties.<sup>7</sup> That reform had mixed results: the number of organizations contesting municipal elections exploded, from 18 in 1999 to 425 in 2005, but most were micro-local organizations limited to narrow communities. The result was a highly fragmented political landscape that privileged the largest organizations—principally MAS, but also some opposition vehicles. In 2010 only 191 political organizations contested local elections, but in several municipalities only the MAS presented candidates, or a two-party contest pitted the MAS against a micro-local organization. Opposition figures have successfully used "citizens' groups" as electoral vehicles to challenge Morales, but these have not lasted beyond a single election, remaining transitory political vehicles for populist leaders. The result is the absence of a viable, institutionalized opposition party, which has made it difficult for voters to identify a credible alternative to MAS or hold the opposition accountable from one election to the next; this in turn emboldens Morales and his supporters, allows them to treat opponents dismissively, and provides little incentive to institutionalize the MAS (which remains a loose coalition of social movements held together by the personality of President Morales).

The December 2009 presidential and legislative elections resulted in the consolidation of a dominant-party system. Constitutional reforms allowed Morales to run for reelection, which he

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won easily, with 64 percent of the vote, carrying the MAS to supermajorities in both legislative chambers.<sup>8</sup> None of the traditional parties that had dominated Bolivian politics since 1985 stood for election in 2009. The main opposition party, Progress Plan for Bolivia (PPB) was a “borrowed” political vehicle led by two former departmental prefects with longstanding ties to conservative political sectors; it took 26.5 percent of the vote.<sup>9</sup> Two centrist opposition candidates split most of the remaining votes. Overall, the MAS won 88 out of 130 seats in the Chamber of Deputies, to only 37 for the PPB. Benefiting from changes to the Senate’s composition and seat allocation rules, the MAS won 26 of the 36 upper house seats; the PPB took the remaining 10.

The April 2010 regional and municipal elections continued this pattern. The MAS again emerged as the single largest party, winning governorships in six of the nine departments, as well as 231 of 337 mayoral contests. This electoral sweep was aided by the fragmented electoral landscape: only the MAS put up candidates in each municipality while the next two largest parties, the Movement without Fear (MSM) and the Movement for People’s Sovereignty (MSP), competed in only 176 and 53 districts, respectively. MSM is an established, and growing, center-left party that until recently was allied with the MAS; the MSP was a new movement formed by MAS dissidents. Nevertheless, the anti-Morales opposition scored key victories as opposition incumbents won reelection as governors in Tarija, Santa Cruz, and Beni. Opposition candidates also won mayoral races in seven of nine department capitals and nearly captured the mayoralty in El Alto, a traditional MAS base. Yet the opposition’s disorganized, fractured nature remained evident, as Beni was the only department in which the same party won both the governorship and the mayoralty of the department capital. Moreover, the PPB did not win a single office in the April 2010 regional and municipal elections.

The April 2010 elections revealed growing tensions within the governing coalition. The MSM’s decision to campaign independently led to bitter public attacks by Morales against Juan Del Granado, the MSM leader and incumbent mayor of La Paz. The social-democratic MSM was a key coalition partner and had helped secure middle-class electoral support for Morales. In addition, a number of key MAS defectors formed new parties, offering left-indigenous challenges to Morales at the local level. One example was the MSP, which won six mayoralties in the Aymara heartland. Tensions also mounted in 11 indigenous municipalities that had been granted autonomy through an autonomy referendum attached to the December 2009 election. They expected to use traditional customs to choose officials, but found themselves forced to use standard elections—in which traditional community leaders faced challenges from official MAS party candidates.

Nonetheless, elections in Bolivia meet the standard of “free and fair,” despite irregularities on the margins. Between December 2005 and April 2010, voters went to the polls six times in a range of national-level elections and referendums.<sup>10</sup> Each saw voter turnout levels far surpassing levels in the 1985-2002 period, peaking at 95 percent in the 2009 general election. Throughout the period, the National Electoral Court (CNE) remained professional and impartial, despite intense criticism from both government and opposition supporters and strains on its capacity. Prior to the 2009 general election, the CNE also undertook an overhaul of the voter registry, adopting a biometric voter identification system. While the system required all voting-age Bolivians to re-register to vote, which was a logistical challenge, the process marked a major step forward in reducing voter fraud and increasing transparency. However, CNE was not able to harness new reforms to increase transparency in campaign finance, a longstanding problem in Bolivia. Though parties were ostensibly required to provide the CNE with accounts of their

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campaign spending, compliance was halfhearted and sanctions were minimal. The new law eliminated public funding of political campaigns but did not include any regulations on independent campaign finance.<sup>11</sup>

Another milestone was the creation of seven indigenous electoral districts. These were reserved for small indigenous communities otherwise unable to elect representatives to the national legislature. Ironically, these elections were not won by “indigenous peoples” (*pueblos indígenas*, as defined by the CNE), but by political parties (one from the PPB, the rest from the MAS). The MAS is a broad political coalition that includes many (though not all) indigenous organizations, and several indigenous candidates were recruited by and won electoral office through MAS, both in “at large” and special indigenous districts. However, the electoral law for special indigenous districts does not allow for the seats to be filled through a separate mechanism (such as traditional customs). More importantly, candidates in single-member districts must belong to a party with national presence, meaning that local indigenous organizations cannot run candidates without “invitation” from a national party. This gives tremendous power to the parties (government or opposition) to select indigenous representatives who will support their interests.

Achieving effective separation of powers remains a problem in Bolivia. From 1985 through 2002, presidents enjoyed legislative majorities because they governed through “pacted” coalitions. This effectively made legislatures rubber stamps for government policies, though these policies were crafted through interparty consensus. During his first term, Morales faced an opposition-controlled Senate, prompting frequent attempts to bypass the body through reliance on the MAS-controlled lower house and popular mobilizations designed to intimidate opposition legislators. Opposition legislators continue to exercise important oversight functions through legislative committee appointments, but in general, opposition fragmentation and the MAS’s supermajorities in both chambers allow Morales to govern freely. Laws are often passed with little substantive debate, a situation not unlike the 1985-2002 pattern. Efforts to strengthen parliamentary autonomy are also hindered by the executive’s tight control over the MAS, including expulsions of dissident voices within his own party. Although grassroots-level dissension within Morales’s constituency has increased, MAS legislators remain highly dependent on their relationship to Morales and the central party hierarchy loyal to him.

A system of checks and balances is emerging in the evolving relationship between the central government and autonomous departments, regions, municipalities, and indigenous communities. Throughout his first term, Morales faced intense opposition from opposition prefects in six of nine departments. Prefects were popularly elected in December 2005 for the first time, as a compromise on regional autonomy; although the previous constitution empowered him to dismiss and appoint prefects, Morales refrained from exercising that right. After the MAS prefect of Chuquisaca resigned in 2008, Morales appointed an interim replacement and called for a special election—which was won by an opposition candidate. The formal recognition of various kinds of subnational autonomies with devolved powers will likely strengthen this process.

Civil society is highly active in Bolivia. Channeling social demands through legitimate, democratic institutions remains a key challenge. Neither Morales nor his opponents show much interest in boosting public confidence in Bolivia’s feeble political institutions. The MAS remains weakly institutionalized; it defines itself as a “social movement” and remains a loose alliance of sectoral organizations held together by Morales’s charismatic leadership.<sup>12</sup> To supporters, this “democracy from below” represents an appealing alternative to party-based representative democracy; skeptics point to a record of such movements becoming dominated by their

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leadership, rendering them little more than patron-client relationships.<sup>13</sup> The MAS is not alone: most political actors rely on mass mobilization, rather than working through formal institutions. This applies equally to community groups, unions, business federations, and nongovernmental organizations (NGOs). This produces a vicious cycle: the failure of the state and formal institutions to address social demands leads to social protests, which further erodes confidence in institutions. Moreover, the tendency of political actors to measure their power in the streets leads to frequent clashes, fostering a climate of simmering political tension in which the next confrontation is always ready to burst to the surface.

Nongovernmental organizations (NGOs)—whether private sector, state sponsored, or blended—remain active in Bolivia. Regulations remain loose, which has encouraged the proliferation of organizations dealing with social, political, and economic issues. However, the Morales government has repeatedly criticized several NGOs and intellectuals, particularly those with ties to the United States Agency for International Development (USAID), as being engaged in “political” activity or serving foreign interests.<sup>14</sup> While several cases have involved relationships between opposition political figures, NGOs, or think tanks with ties to USAID, others have involved progressive organizations critical of Morales, such as the Table 18 workshop that was excluded from the April 2010 People’s Climate Summit because it criticized the Morales government’s promotion of resource extraction-based development.<sup>15</sup> This pattern of accusing NGOs that voice criticism of the government or its policies was repeated when Human Rights Watch criticized the procedures under which prosecutions of all former heads of state are being conducted.<sup>16</sup> Nevertheless, despite frequent threats to impose strict legal guidelines on NGO activity, no such law has yet been approved, and sanctions against critical NGOs remain mostly confined to hostile rhetoric.

Despite polarization and attacks against journalists, press freedom in Bolivia remains relatively strong. Morales maintains an antagonistic relationship with the media, but there has not yet been any concerted effort to censor the press or hinder public access to information. In general, the highly-concentrated private media is critical of the government and often launch personal attacks on Morales, while the government controls a number of state-run television and radio networks, and in 2009 launched a daily newspaper, *Cambio*. Attacks against journalists spiked along with general political ferment in 2008 and 2009; watchdog groups registered 111 physical and verbal assaults on journalists and media outlets in the second half of 2009 alone.<sup>17</sup> While such attacks are rarely carried out by government or security personnel, but rather by independent social groups, they are also rarely investigated or resolved. This is complicated by the fluid relationship between Morales—and some opposition figures—and theoretically independent social movements. Civil society watchdog organizations have called on both Morales and opposition prefects to cease their verbal attacks on reporters who criticize them.

Online and other electronic media access is not restricted. The Bolivian government does not engage in censorship of online media or limit the distribution of independent print media. Libel and slander remain criminalized, but rarely lead to exorbitant fines or prison sentences. An October 2010 law against racism and discrimination included provisions to punish media outlets that print or broadcast racially derogatory material. The law was controversial and elicited concern from groups such as Reporters Without Borders because of vague wording that suggested individual journalists and media outlets could be held liable for any comments viewed as racist, even if expressed by a third party and not meant to reflect the reporter’s or outlet’s position.<sup>18</sup>

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### CIVIL LIBERTIES

Bolivia has ratified the major UN human rights conventions, as well as most regional and global treaties and conventions protecting civil liberties and prohibiting torture, genocide, and forced labor. The 2009 constitution is consistent with international human rights norms, and protects a wide range of civil and political rights. Nevertheless, the human rights situation on the ground remains worrisome.

Reports of systematic human rights violations have declined in recent years, primarily because the Morales government rejected forced eradication as the primary means to limit illicit coca production (the cause of most human rights abuses in previous years) in favor of “social control” by local communities in areas where coca cultivation is permitted.<sup>19</sup> However, it is now difficult to reliably catalog human rights abuses in Bolivia, since the nongovernmental Bolivian Permanent Assembly for Human Rights (APDHB)—which was instrumental in reporting human rights abuses through 2005—virtually ceased functioning after many of its members joined the Morales government. International organizations have criticized the government’s own human rights monitors for not aggressively investigating cases of government repression of legitimate protests.<sup>20</sup> One example is the slow investigation of two shooting deaths during a May 2010 police crackdown on a protest in Caranavi. That August, the APDHB issued a report condemning the Morales government for violating human rights in the case, and assigned specific political responsibility to Morales’s government minister, Sacha Llorenti—a former APDHB director.<sup>21</sup>

There is significant concern that social control—which has no formal institutional oversight—frequently relies on corporal punishment, often in violation of due process rights. While the government’s touting of social control has focused on the enforcement of restrictions on illicit coca cultivation, the term is informally applied to a wide variety of forms of community justice. Because social control measures are imparted outside the formal legal system and its regulations, its manifestations vary considerably. One method used in the Chapare region of coca production is the “palo santo,” whereby alleged offenders are tied to a post infested with fire ants for several minutes.<sup>22</sup> Attacks on antigovernment opponents have at times been justified as applications of community justice. In March 2009, pro-MAS demonstrators forcefully seized the home of former vice president Víctor Hugo Cárdenas, injuring his wife and son in the process.<sup>23</sup> That attack prompted a communiqué from Human Rights Watch calling on Morales’s government to unequivocally condemn mob violence.<sup>24</sup> Similarly, in April 2009, Marcial Fabricano, a lowland indigenous leader critical of Morales, was whipped until losing consciousness.<sup>25</sup> In these and other cases, local residents justified their physical attacks as acts of social control against individuals who betrayed the interests of their communities; in neither case were perpetrators charged by government prosecutors.

Between 2007 and 2009, frequent clashes between government and opposition supporters negatively affected the human rights situation in the country. International organizations have frequently urged the government to investigate incidents of abuse and take concrete steps to protect human rights, while also calling on opposition forces to show restraint. Because both government and opposition forces use mass mobilizations deliberately to intimidate their opponents or to disrupt institutionalized political activity (such as by forcing shutdowns of legislative deliberations), the climate is often ripe for violence. A key problem is the lack of trust in intermediaries: Morales supporters are skeptical of organizations with ties to Western countries; the opposition is skeptical of organizations seen as friendly to Morales, especially if

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they are perceived to be aligned with Morales's ally, Venezuelan president Hugo Chávez. In 2009 the United Nations Office of the High Commissioner for Human Rights (OHCHR) established an office in Bolivia because of concerns about the political climate, but its work is hampered by Morales's frequent accusations that UN representatives act in complicity with American interests. Since early 2010, however, there has been a fundamental shift: government and opposition struggles are now more likely to be centered in courtroom battles, while street protests (such as those in Caranavi) more frequently involve citizen grievances or disputes between factions within the MAS coalition.

The gravest outbreak of violence in recent years occurred on September 11, 2008, when supporters of Pando's prefect, Leopoldo Fernández, clashed with Morales supporters near the town of Porvenir. According to Human Rights Watch, hundreds of Morales supporters traveling to the departmental capital for a protest encountered a roadblock, initiating a confrontation that escalated to indiscriminate gunfire by armed opposition supporters and the death of 16 protesters.<sup>26</sup> The government responded quickly, militarizing the department and arresting the prefect, Leopoldo Fernández, who was held for more than a year without formal charges. Fernández was formally charged with genocide for his alleged role in the Porvenir massacre, and as of mid-2011 remains in prison awaiting trial. From prison, Fernández remained a prominent figure in the opposition (he ran in 2009 as the vice presidential candidate for the chief opposition party), which portrayed him as a political prisoner.

More generally, while most conflicts in recent years were politically motivated, a growing number are sectoral or intercommunity disputes. For example, conflicts between cooperative and government-employed miners in Potosí left two dead in March 2008, and left significant tensions in the region.<sup>27</sup> Such differences would ideally be resolved through institutional channels, but because those channels are absent, the vacuum is filled by grassroots organizations. Thus far, aspirations to mass mobilization-based grassroots democracy in Bolivia have done little to promote pluralist dialogue, protect minorities, or prevent the emergence of traditional political caudillos. Thus, a critical task for Morales's government—but also for the opposition—is to seek ways to channel political grievances away from spontaneous political activity and towards strong, legitimate institutions that can provide both horizontal and vertical accountability.

Criminal violence has increased, though crime rates remain low by regional standards. Still, the ineffectiveness of police and law enforcement officials in addressing crime has contributed to increases in vigilantism, including lynchings that are frequently by the perpetrators—though emphatically not by the government—as acts of community justice, which is recognized in the 2009 constitution but remains undefined in law. Police reported 53 lynching attempts, and media reported 14 episodes that resulted in death in 2009.<sup>28</sup> Such acts are rarely investigated or prosecuted, both because communities defend perpetrators and police and prosecutors fear retribution. A public outcry against lynchings emerged after a criminal band, under the protection of an indigenous community, killed four police officers near the rural town of Uncía in May 2010.<sup>29</sup> The Morales government was harshly criticized over its handling of the affair, particularly the lengthy period required to recover the officers' bodies and the state's inability to guarantee the safety of prosecutors attempting to visit the zone to investigate the incident.

Prison conditions continue to be poor, plagued by violence and inadequate sanitary and dietary standards. Overcrowding remains a serious problem, with over 7,000 inmates in facilities designed for 4,700.<sup>30</sup> The judicial system is also notoriously slow. Although the law promises timely due process, more than 75 percent of inmates are being held in pretrial detention, often in

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the same facilities as convicts.<sup>31</sup> Ostensibly, Bolivian citizens possess the right to challenge state authorities when their basic constitutional rights are violated through the official ombudsman's office (Defensoría del Pueblo). Current ombudsman Rolando Villena, in office since May 2010, has taken a much more proactive role than his predecessor in publicizing and denouncing rights abuses committed by both the state and private actors.

Gender equality continues to improve. The Morales government has taken concrete steps to increase female representation in government, including filling half the current cabinet posts with women, though most key ministries continue to be dominated by men. Government efforts to improve conditions for women include an increased role and training for female police officers and government cash transfers to new and expecting mothers. Nevertheless, women, particularly if poor or indigenous, continue to face discrimination and abuse. Rape continues to be a serious and underreported problem. According to the Inter-American Commission on Human Rights (IACHR), 70 percent of women have suffered some form of abuse.<sup>32</sup> Through November of 2009, the police Family Protection Brigade handled 19,182 cases, but lacked resources to follow up on most cases.<sup>33</sup>

Not surprisingly, the greatest advances have been made in the realm of assuring the rights of Bolivia's indigenous peoples. The 2009 constitution explicitly recognizes 36 national or communal languages within the country's territory. In addition, the state now also grants a special category of autonomy to municipalities that define themselves as "original communities" (*pueblos originarios*) and reserves seven seats in the legislative assembly for representatives of indigenous minorities. The Morales government's autochthonous rhetoric is symbolically important for the country's indigenous majority, which has long been marginalized socially, politically, and economically. Nevertheless, indigenous peoples continue to face significant discrimination in society. Bolivians who self-identify as indigenous make up more than half of the country's population, yet they are disproportionately more likely to be poor, unemployed, illiterate, or lack access to basic services than non-indigenous Bolivians. Race has been a frequent, though not dominant, subtext during the tumult of recent years. The most notorious instance of racial undercurrents rising to the surface in recent years occurred during Sucre's anniversary celebrations in May 2008, when a group of indigenous Morales supporters were attacked by opposition forces. The men were taunted with racial epithets, stripped, made to march to the city square, then kneel while apologizing for the behavior of other Morales supporters.

Beginning with multicultural educational reforms during the mid-1990s, indigenous-language education has expanded. Educational and professional training opportunities for indigenous peoples has expanded in recent years, including the creation of a new state university in El Alto in 2000—although effective access to higher education remains limited to rural populations. In addition to symbolic recognition of language, traditions, and dress, the Morales administration passed a law requiring that (eventually) all public officials and functionaries to be proficient in at least one indigenous language. This has sparked significant interest among middle class Bolivians to learn an indigenous language (less than 30 percent of Bolivians speak an indigenous language as a "maternal" language). In October 2010, a new Anti-Racism Law was signed into law that outlaws racism and discrimination, with particularly harsh penalties for public servants who violate its provisions.<sup>34</sup> The law was accompanied by implementation plans drafted by several ministries. However, the potentially positive aspects of the law were overshadowed by concerns regarding its effect on freedom of expression (see Accountability and Public Voice).

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In the arena of religious freedom, Bolivia has made important advances. The 2009 constitution makes Bolivia a secular state; previous constitutions recognized special roles for the Catholic Church. Freedom of religion continues to be the norm. A wide variety of religious denominations have churches, and the state allows religious schools to operate at all levels.

The situation of organized labor remains complex. Unions remain free to organize, and Bolivia retains an active, vibrant, and diverse labor movement. The COB, while a powerful force, has never regained the status it held prior to the neoliberal reforms of the 1980s, in large part because the vast majority of Bolivians work in the informal sector. COB leaders played key roles in the 2003 gas war, but they maintain an uneasy relationship with Morales (whose core supporters are rural organizations and informal laborers). Individual sectoral labor unions remain strong (particularly transportation workers) and frequently challenge government regulations. The same is true for labor cooperatives (especially mining cooperatives), which have increasingly come into conflict with state-employed miners.

### **[Editor's Note: The Rosza Case**

On the morning of April 16, 2009, Eduardo Rósza-Flores was killed during a police raid on his hotel suite in the city of Santa Cruz. Two other men, Árpád Magyarosi (a Hungarian citizen) and Michael Dwyer (an Irish citizen) also died during the raid; two others, Mario Tadic (a Croatian citizen) and Elöd Tóásó (a Hungarian citizen) were arrested. The five men were suspected of planning to assassinate Bolivian president Evo Morales and were implicated in various other antigovernment conspiracies. Pictures taken immediately after the raid showed the three corpses surrounded by heavy caliber weapons. A dual citizen of Bolivia and Hungary, Rósza-Flores had lived in exile for most of his life after his father, a communist activist, fled Bolivia in 1972. Rósza-Flores's complex personal biography featured stints as a member of the Soviet-era Hungarian intelligence service and Hungary's Communist Youth Organization, as well as a journalist for Cuba's *Prensa Latina* and, eventually, a special forces commander in the Croatian National Guard. A few days after his death, Hungarian television broadcast a September 2008 interview with Rósza-Flores, in which he stated that he had been invited to return to Bolivia to help organize a regional militia in Santa Cruz, a bastion of anti-Morales sentiment.

At first, the case seemed a clear indictment of the most reactionary elements within the Santa Cruz regionalist opposition movement. Morales and other government officials were quick to link several prominent Santa Cruz business and political figures to the would-be terror cell. However, videos later emerged in which Rósza-Flores also declared his intention to assassinate the opposition prefect of Santa Cruz, Rubén Costas, and the president of the Santa Cruz Civic Committee, Branko Marinkovic. A European Union commission also raised questions about whether the two men arrested had confessed under torture and requested further information about the deaths of Magyarosi and Dwyer amid allegations that the forensic evidence did not fully back the government's description of a firefight. Other problems in the case involve irregularities in the initial warrant and other technical flaws in the legal handling of the case, which as of April 2011 had yielded no formal charges. A total of 39 people have been implicated as co-conspirators in the case, including 22 who fled the country (Marinkovic among them). The combination of a polarized political climate and mishandling of the case has fueled a number of conspiracy theories, including claims that Rósza-Flores was duped by Bolivian intelligence services in a deliberate attempt to discredit the Santa Cruz regionalist movement. Even as the

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case finally began to move forward in spring 2011, the odds that the legal process will answer the episode's many outstanding questions remain in doubt.]

### RULE OF LAW

Assessing the democratic quality of Bolivia's judicial system is particularly thorny. Strictly speaking, the rule of law is often circumvented—both by the government and by the opposition. A key problem is that the judiciary has historically been weak, inefficient, and subject to political manipulation by various actors. But even outside the judiciary, the legal “rules of the game” also often hinder accountability and consolidation of the rule of law.

One example is the conflict over the constituent assembly elected in 2006. After failing to win a supermajority, MAS delegates used their absolute majority to overturn the rule requiring a two-thirds vote of approval for any constitutional text. Morales and MAS delegates also reinterpreted the 2006 referendum on regional autonomies as nonbinding, contradicting the special election law that ensured autonomy for departments in which voters backed the measure. This prompted clashes between government and opposition supporters, which stalled the assembly's deliberations and contributed to a highly volatile political climate. A constitutional text was then hastily approved in a session with no opposition delegates present. This text was in turn overturned by a legislative compromise between party leaders from MAS and the key opposition party at the time, Social and Democratic Power (PODEMOS), that significantly rewrote the draft. This was the text approved by 61 percent of voters in the January 2009 constitutional referendum. Thus, the final constitutional text represents a legitimate compromise between the major political players—and was approved by voters—but was the result of a series of extralegal circumventions.

Another example is the series of “wildcat” autonomy referendums held in media luna departments in May and June 2008, following MAS delegates' refusal to incorporate departmental autonomy in the constitutional text. After a series of sharp clashes, both rhetorical and in the streets, the prefects announced their own referendums to approve local autonomy statutes. Both the government and the CNE declared the votes illegal, but took no steps to prevent them. After voters approved the statutes by wide margins, a compromise settled the issue: the government recognized the autonomy of the media luna departments and the electoral systems stipulated in their existing statutes were used in those departments in the 2010 gubernatorial and regional assembly elections. Voters in the country's five other departments voted on, and approved, regional autonomy in a 2009 referendum attached to the general election; they used electoral systems modeled on Santa Cruz in the 2010 regional assembly elections. Again, the final result held the government accountable to demands for regional autonomy—but did so in an extralegal, circuitous fashion.

In terms of the judicial system, Bolivia continues to face substantial problems, which have been further aggravated by the recent political climate. In addition to longstanding endemic corruption and inefficiency, the courts suffer from a large number of vacancies that have created a growing backlog of cases. The Morales government has frequently criticized the judicial system, accusing it of obstructionism and incompetence and giving tacit support to demonstrations aimed at pressuring judges. A number of judges whose tenure pre-dated Morales's election or who had arrived on the bench with opposition support responded by resigning; throughout most of 2009 and into 2010, the Supreme Court functioned with only 7 of its 12 positions filled, leading to a backlog of more than 5,000 pending cases.<sup>35</sup> The

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Constitutional Tribunal, a separate chamber, ceased functioning in May 2009 after its last remaining magistrate resigned under pressure.<sup>36</sup> The vacancy crisis prompted Morales to request a law from congress, which he received, allowing him to appoint judges to vacant Supreme Court and Constitutional Tribunal seats pending upcoming popular elections for judges. The election of judges—a new feature in the 2009 Constitution—to these two key institutions may further complicate matters. On one hand, the move may help establish public confidence in and legitimize the institutions; on the other hand, elections for judges may further politicize the judicial process.

Citizen rights within the legal system remain deficient, especially with respect to due process issues such as the right to a timely trial (see Civil Liberties). The Morales administration has continued to make progress in promoting alternative venues for legal redress initiated in 2004 with the Mesa government's introduction of neighborhood justice centers. The new 2009 constitution also expands the rights of indigenous communities to establish their own systems of local courts and systems of arbitration. However, much of the legal framework to integrate this with the regular justice system remains to be implemented. In the meantime, although defendants have the rights to presumption of innocence and independent counsel, resource constraints mean that very few public defenders are available—according to the Inter-American Commission on Human Rights, as of 2009 only 3 percent of Bolivian municipalities had a public defender.<sup>37</sup> Prosecutorial independence also remains inadequate, and in recent years investigations and judicial processes targeting former officials and opposition supporters have proceeded with greater vigor than those involving government supporters.

Civilian control over the military has remained a hallmark of Bolivia's democracy. Despite several controversial moves by the government related to military organization and appointments, the rank and file has remained loyal to the constitutionally-elected government. The same is true of the police, whose role has increased as the role of the military in security public enforcement has decreased. Another potential advance came with the early 2010 instruction by the defense minister to make public many military records related to human rights abuses by military regimes of the 1970s and 1980s—though as of early 2011 that information had not yet been released<sup>38</sup> and the government's will to force the release seemed to flag following the initial decision. Nonetheless, police corruption remains a problem, which has led to turnover in the department's upper ranks, and occasional serious human rights abuses occur. In one highly publicized case in July 2010, a robbery suspect named David Olorio was killed while in police custody; subsequent investigation indication that he may have been tortured to death by officers seeking to determine the whereabouts of money Olorio stole from a public entity.<sup>39</sup>

Property rights continue to be protected under the new 2009 constitution. As is common in Latin America, the constitution includes language stating that land must serve a “social function” in order to avoid potential seizure by the state. Despite this, even in cases where land is clearly left without use, the social function law is rarely enforced. Rather, since passage of a new land law in 2006 the state has focused its redistribution efforts on public lands and property with unclear or disputed title. Over 20 million acres were retitled between 2006 and 2009, with most titles going to small farmers.<sup>40</sup> However, land hunger remains acute, and land invasions led by organized peasant organizations occasionally occur. Both these and operations carried out by the government have at times resulted in violence, particularly in the Alto Parapetí region of Santa Cruz department.<sup>41</sup> Other property rights are also generally respected, though the government has often threatened, and occasionally carried out, seizures of property owned by foreign investors in strategic sectors such as mining and hydrocarbons. In addition, the chronic weakness of the

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Bolivian judicial system makes contract enforcement a challenge for both individuals and businesses.

### ANTICORRUPTION AND TRANSPARENCY

Corruption and lack of transparency have been pervasive and consistent problems in Bolivia for decades. Indeed, confronting graft is perhaps the single most important challenge facing the Morales administration, as improvements in social development are threatened by continued corruption and lack of transparency. The government's challenge is to achieve these gains in a climate of deep political polarization—which provides strong incentives to use anticorruption laws to attack political opponents—while ensuring that previously subaltern groups are formally integrated into the policymaking process without succumbing to the temptations of graft.

Any progress will come from a low starting point. In 2010 Bolivia received a score of 2.8 out of 10 possible points on Transparency International's Corruption Perceptions Index, placing it 110 out of 178 countries surveyed.<sup>42</sup> A number of factors contribute to the country's corruption problem. Complicated government regulations continue to make interactions with the bureaucracy confusing and unpredictable, particularly as individual bureaucrats may not consistently apply, interpret, or even understand the regulations. For decades, bureaucratic jobs were understood as *pegas* (political appointments), favors to be handed out by political parties in exchange for political support. As such, each election or political realignment meant a turnover within the bureaucracy, even at the lowest levels. There are signs that the Morales government has taken steps to professionalize the bureaucracy, but these have been hampered by grassroots demands from supporters who expect their loyalty to be rewarded.<sup>43</sup>

Another factor is that the problems typically associated with state-owned enterprises (SOEs) continue to plague Bolivia. Efforts to professionalize the state oil company (YPFB) frequently run into problems caused by corruption, as well as demands by key constituencies to have access to *pegas* in this strategic firm. An additional problem related to SOEs is that the growing role of the state in the economy has outpaced modernization and transparency efforts, thus increasing the opportunity for public graft. Indeed, four of the five heads of YPFB named by Morales between January 2006 and January 2009 were forced out by scandal.

Like previous governments, the Morales government has pursued tough anticorruption legislation. It created the Ministry for Transparency and the Fight against Corruption, which has significant investigatory powers, although prosecutions are conducted by the Public Ministry. In March 2010, Morales signed into law the Marcelo Quiroga Santa Cruz Anti-Corruption Law. Named after a respected socialist political figure who was assassinated in 1980, the law is sweeping and ambitious. While many of its provisions are positive, it also includes measures to retroactively sanction certain types of corruption, a violation of international law. Critics also worried that the law would be used for political purposes. Already in 2007, no fewer than 20 high-profile opposition figures and members of previous administrations faced legal charges.<sup>44</sup> Since then, charges have been brought against a wide range of former and current officials, including sitting opposition politicians such as Tarija governor Mario Cossío<sup>45</sup> and La Paz mayor Luis Revilla,<sup>46</sup> who explicitly claim they are being political persecuted.

A key problem is the appearance of political bias. While a range of opposition figures have been investigated for corruption and some have been forced to resign their offices, several high-profile government figures have faced few consequences. In one high-profile case in 2008,

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then minister of the presidency Juan Ramón Quintana was accused of involvement in illegal contraband following the discovery of 33 cargo trucks carrying illegal loads. Although the trucks were tied to Quintana by customs officials and the case was covered extensively in the media, it was never fully resolved; instead, Quintana resigned his post and Morales publicly admitted that corruption had infiltrated his own administration and promised to take measures to eradicate it.<sup>47</sup> Shortly thereafter, César López, the head of customs, was dismissed and charged with corruption, while in 2010, Quintana was named head of a new superagency to oversee rural development and border control—an office that supersedes border control previously in the hands of customs and department authorities.<sup>48</sup>

A major issue was a provision in the new law that allows for the suspension of elected officials at the point of formal charges rather than upon conviction. The process has been used almost exclusively against opposition mayors and governors, as well as dissident MAS figures. While there is little doubt that Bolivians want the government to tackle the plague of corruption, selective use of the law—which has been used to wrest control over municipal and departmental governments away from the opposition—has so far demonstrated a troubling political character. However, close Morales confidants have not been entirely immune. Santos Ramírez, a MAS cofounder and a trusted Morales adviser, was tried and convicted on corruption charges that came to light following the murder of an oil executive. Later investigations by the government's own anticorruption czar revealed a large number of irregularities in the contracts between YPFB and private oil companies.<sup>49</sup>

In terms of transparency, the Morales government has made significant strides. In keeping with Bolivia's access to information legislation, the government has overhauled the Official Gazette (which publishes government documents, laws, and decrees), including posting the material online. Bolivian citizens now have direct access to a significant number of government documents through websites. This contrasts with previous practice, when citizens had to appear at the Gazette offices and pay for copies of public laws. Internet usage, while increasing, remains limited in Bolivia due to lack of resources, but the focus on transparency makes it possible for activists to access, publicize, and redistribute government information.

Government efforts to collect revenue through taxes, customs, and other fees is limited by rampant citizen evasion. Corporate taxes—when not circumvented—are a complex, cumbersome process that can result in a tax rate of up to 80 percent of profits.<sup>50</sup> Such onerous requirements are one reason that a significant percentage of the economy is in the informal (and untaxed) sector. The Morales government has made significant efforts to streamline the tax code and improve collection by bringing more citizens into the formal economy, but public resistance has been stiff, in some cases for reasons related to the illicit nature of some sectors. One example is the “undocumented” imported car sector, whose union has regularly protested government efforts to ensure that all automobiles sold in Bolivia are properly titled and legally imported. The government was finally able to crack down, despite significant public protests, after it granted amnesty to owners of undocumented vehicles who would pay a fine to obtain legal titles.<sup>51</sup>

Transparency efforts have improved in the past decade, but still lag behind international and regional standards. By law, political leaders must divest themselves from any outside positions—whether in the business sector or civil society—before assuming their official duties. The difficulty of abiding by the law's exacting requirements has led to a number of problems, including the transfer of assets from business leaders entering political office to family members. The law also requires government officials to step down from any civil society organization positions. Morales and several members of his government have not done this, continuing to

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serve as leaders of sectoral organizations (Morales remains president of the coca-growers federation), leading to a complicated and potentially dependent relationship between the state and specific civil society organizations.

The budgetary process remains firmly within the domain of the executive, although the legislature is expected to participate in the process. However, because significant revenues are derived from SOEs (particularly oil and gas revenues) and foreign direct assistance (which is often unreported), it is difficult to know the exact extent or nature of Bolivian government spending. The 2010 Open Budget Index gave Bolivia a score of 13 out of 100, which ranks as the 12th lowest in the index. Nevertheless, this was an improvement from 2008, when Bolivia scored a mere 7.

### RECOMMENDATIONS

- The government should respect subnational autonomy, respecting both the letter and spirit of the laws and seeking to assist subnational governing entities in developing effective institutional capacity.
- The government should refrain from demonizing the press and make concerted efforts to ensure journalists' safety and access, and prosecute those who attack or intimidate journalists.
- The government should respect and encourage legislative independence, facilitating consensus-building between progovernment and opposition legislators to ensure that the voice of all citizens is heard.
- In cases of sharp political disputes, the government should prioritize strengthening public confidence and trust in the institutions of representative democracy over the encouragement of public mobilizations to apply pressure on opponents.
- In order to ensure the long-term legitimacy of anticorruption measures, the government should refrain from using—or appearing to use—anticorruption efforts as a political tool and revise the anticorruption law to achieve compliance with international norms.

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<sup>1</sup> Although it had numerous causes, the social uprising that lasted through September–October 2003 and ultimately drove Sánchez de Lozada out of office is frequently referred to as the “gas war” because opposition to proposed gas exports to the United States through Chile became the unifying rallying cry for what was, at its core, social protest against the government’s neoliberal policies.

<sup>2</sup> “Bolivia vive jornada de protesta contra el gobierno,” *Los Tiempos*, May 4, 2010.

<sup>3</sup> Center for Economic and Policy Research (CEPR), *Bolivia: The Economy During the Morales Administration* (Washington, DC: CEPR, December 2009), 4.

<sup>4</sup> “GDP growth (annual %),” World Bank,

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<http://data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG>, accessed August 22, 2011.

<sup>5</sup> “Aprobación del Presidente sube 10 puntos de febrero a junio,” *Cambio*, <http://www.cambio.bo/noticia.php?fecha=2011-06-26&idn=48470>, accessed August 22, 2011.

<sup>6</sup> Hervé Do Alto and Pablo Stefanoni, “Las ambivalencias de la democracia corporativa,” *Le Monde Diplomatique* (La Paz), May 2010.

<sup>7</sup> “Adiós al monopolio en las candidaturas,” *El Deber*, July 8, 2004. Legally, these organizations behave like political parties. The only key difference is that the guidelines for registry as a “citizens’ group” or an “indigenous people” is much lower than for “political parties.”

<sup>8</sup> Election data from National Electoral Court (CNE), *Atlas Electoral de Bolivia* (La Paz: CNE, 2010).

<sup>9</sup> PPB was formed by José Luis Paredes, the mayor of the city of El Alto, during his bid for the prefecture of La Paz, which he won in 2005. He supported the candidacy of Manfred Réyes Villa, the former prefect of Cochabamba who had discarded his own electoral vehicle (AUN) formed for the 2005 prefectural elections, as well as the party (NFR) he founded in 1993.

<sup>10</sup> Voters in Chuquisaca went to the polls one additional time in a special election to choose a new prefect after their prefect resigned. Voters in Santa Cruz, Tarija, Beni, and Pando went to the polls in autonomy referendums organized by their regions, but not sanctioned by the state.

<sup>11</sup> “Nueva Ley Electoral olvido financiamiento,” *Los Tiempos*, April 20, 2009, [http://www.lostiempos.com/diario/actualidad/nacional/20090420/nueva-ley-electoral-olvido-financiamiento\\_3817\\_6256.html](http://www.lostiempos.com/diario/actualidad/nacional/20090420/nueva-ley-electoral-olvido-financiamiento_3817_6256.html).

<sup>12</sup> Hervé Do Alto and Pablo Stefanoni, “Las ambivalencias de la democracia corporativa.”

<sup>13</sup> This is why most political scientists are emphatic about the “indispensability” of political parties for democracy. See S. M. Lipset, “The Indispensability of Political Parties,” *Journal of Democracy* 11 (January 2000): 48–55.

<sup>14</sup> “Gobierno: cooperación de EEUU tiene ‘puertas abiertas’ para irse,” *Los Tiempos*, August 30, 2007, [http://www.lostiempos.com/diario/actualidad/nacional/20070830/gobierno-cooperacion-de-eeuu-tiene-puertas-abiertas-para\\_29024\\_36740.html](http://www.lostiempos.com/diario/actualidad/nacional/20070830/gobierno-cooperacion-de-eeuu-tiene-puertas-abiertas-para_29024_36740.html).

<sup>15</sup> “Mesa 18: Dissident Groups Host Alternative Meeting Outside World Peoples’ Climate Summit,” *Democracy Now!*, April 22, 2010, [http://www.democracynow.org/2010/4/22/mesa\\_18\\_dissident\\_groups\\_host\\_alternative](http://www.democracynow.org/2010/4/22/mesa_18_dissident_groups_host_alternative).

<sup>16</sup> “Evo Morales dice que Human Rights Watch es ‘defensora del imperio’ de EEUU,” *Los Tiempos*, May 5, 2010, [http://www.lostiempos.com/diario/actualidad/nacional/20100505/evo-morales-dice-que-human-rights-watch-es-defensora-del-imperio-de\\_69127\\_127226.html](http://www.lostiempos.com/diario/actualidad/nacional/20100505/evo-morales-dice-que-human-rights-watch-es-defensora-del-imperio-de_69127_127226.html).

<sup>17</sup> Freedom House, *Bolivia: Freedom of the Press 2010* (Freedom House, October 2010), <http://freedomhouse.org/template.cfm?page=251&country=7785&year=2010>.

<sup>18</sup> “Adopted unchanged, anti-racism law’s media clauses will need judicious enforcement,” *Reporters Without Borders*, October 11, 2010, <http://en.rsf.org/bolivia-adopted-unchanged-anti-racism-law-11-10-2010,38421.html>.

<sup>19</sup> Linda Farthing and Benjamin Kohl, “Social Control: Bolivia’s New Approach to Coca Reduction,” *Latin American Perspectives* (July 2010), 197–213.

<sup>20</sup> “Using Selective Human Rights Criteria to Assign Blame,” *Andean Information Network* (AIN), May 11, 2010, <http://ain-bolivia.org/2010/05/using-selective-human-rights-criteria-to-assign-blame/>.

<sup>21</sup> “APDHB: Gobierno violó derechos humanos en Caranavi,” *Los Tiempos*, August 17, 2010, <http://www.lostiempos.com/diario/actualidad/nacional/20100817/apdhhb-gobierno-violo->

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<sup>22</sup> “Linchamientos deforman la justicia,” *Los Tiempos*, December 17, 2007, [http://www.lostiempos.com/diario/actualidad/nacional/20071217/linchamientos-deforman-la-justicia\\_25725\\_32209.html](http://www.lostiempos.com/diario/actualidad/nacional/20071217/linchamientos-deforman-la-justicia_25725_32209.html).

<sup>23</sup> “Pobladores queman la casa de Victor Hugo Cardenas y agreden a su familia,” *El Mundo*, March 8, 2009, <http://www.elmundo.com.bo/Secundarianew.asp?edicion=08/03/2009&Tipo=Comunidad&Cod=10366>.

<sup>24</sup> “Bolivia: Unequivocally Condemn Mob Violence,” Human Rights Watch, March 12, 2009, <http://www.hrw.org/news/2009/03/12/bolivia-unequivocally-condemn-mob-violence>.

<sup>25</sup> Department of State, *2010 Human Rights Report: Bolivia* (Washington, DC: U.S. Department of State, April 2011), <http://www.state.gov/g/drl/rls/hrrpt/2010/wha/154495.htm>.

<sup>26</sup> Human Rights Watch (HRW), *Bolivia: Country Summary* (Geneva: HRW, January 2009).

<sup>27</sup> “Pelea por veta deja dos mineros muertos,” *Los Tiempos*, March 27, 2008.

<sup>28</sup> Department of State, *2009 Human Rights Report: Bolivia*, (Washington, DC: United States Department of State, March 2010), <http://www.state.gov/g/drl/rls/hrrpt/2009/wha/136102.htm>.

<sup>29</sup> “Indígenas torturan y linchan a cuatro policías,” *La Razón*, May 26, 2010, <http://www.la-razon.com/version.php?ArticleId=2406&EditionId=87>.

<sup>30</sup> Commission Interamericana de Derechos Humanos (CIDH), *Follow-Up Report – Access to Justice and Social Inclusion: The Road Towards Strengthening Democracy in Bolivia* (CIDH, 2009), <http://cidh.org/pdf%20files/CAP%20V%20BOLIVIA.Seguimiento.eng.pdf>, p. 25.

<sup>31</sup> *Ibid.*, 24.

<sup>32</sup> *Ibid.*, 45.

<sup>33</sup> Department of State, *2009 Human Rights Report: Bolivia*.

<sup>34</sup> “Conflict and Consensus: The Anti-Racism and Discrimination Law in Bolivia; Part I: Content and Justification of the Legislation,” Andean Information Network, October 15, 2010, <http://ain-bolivia.org/2010/10/conflict-and-consensus-the-anti-racism-and-discrimination-law-in-bolivia-part-i-content-and-justification-of-the-legislation/>.

<sup>35</sup> Department of State, *2009 Human Rights Report: Bolivia*.

<sup>36</sup> *Ibid.*

<sup>37</sup> Commission Interamericana de Derechos Humanos (CIDH), *Follow-Up Report – Access to Justice and Social Inclusion*, p. 14.

<sup>38</sup> “Bolivia – Amnesty International Report 2010,” Amnesty International, <http://www.amnesty.org/en/region/bolivia/report-2010>, accessed August 22, 2011.

<sup>39</sup> “Confirman que 5 policías torturaron a David Olorio,” *La Razón*, <http://www.la-razon.com/version.php?ArticleId=120368&EditionId=2330>, accessed August 22, 2011.

<sup>40</sup> Doug Hertzler, “The United States Should Support Land Reform in Bolivia,” Andean Information Network, January 23, 2009, <http://ain-bolivia.org/2009/01/us-support-land-reform/>.

<sup>41</sup> Wilma Pérez, “El Gobierno Revierte 15 Mil De Los Larsen Para El Estado,” *La Razón*, August 3, 2010, <http://www.la-razon.com/version.php?ArticleId=61283&EditionId=1361>.

<sup>42</sup> Transparency International, *Corruption Perceptions Index 2010*, [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2010](http://www.transparency.org/policy_research/surveys_indices/cpi/2010), accessed August 22, 2011.

<sup>43</sup> “Campesinos piden pegas, la Gobernación los frena,” *Los Tiempos*, July 7, 2010, <http://www.lostiempos.com/diario/actualidad/local/20100707/campesinos-piden-pegas-la->

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<sup>44</sup> “Los juicios persiguen a 20 políticos opositores,” *Los Tiempos*, January 28, 2007,

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<sup>45</sup> “Cossío dice que fue sacado por ‘un golpe de estado’ de Evo,” *Los Tiempos*, December 26, 2010, [http://www.lostiempos.com/diario/actualidad/politica/20101226/cossio-dice-que-fue-sacado-por-un-golpe-de-estado-de\\_105764\\_206594.html](http://www.lostiempos.com/diario/actualidad/politica/20101226/cossio-dice-que-fue-sacado-por-un-golpe-de-estado-de_105764_206594.html).

<sup>46</sup> “Imputan a Revilla y este convoca a paceños,” *Los Tiempos*, December 16, 2010, [http://www.lostiempos.com/diario/actualidad/politica/20101216/imputan-a-revilla-y-este-convoca-a-pacenos\\_104144\\_203116.html](http://www.lostiempos.com/diario/actualidad/politica/20101216/imputan-a-revilla-y-este-convoca-a-pacenos_104144_203116.html).

<sup>47</sup> “Evo admite corrupción dentro el gobierno e insta erradicarla,” *Los Tiempos*, December 30, 2008, [http://www.lostiempos.com/diario/actualidad/nacional/20081230/evo-admite-corrupcion-dentro-el-gobierno-e-insta\\_28957\\_38451.html](http://www.lostiempos.com/diario/actualidad/nacional/20081230/evo-admite-corrupcion-dentro-el-gobierno-e-insta_28957_38451.html).

<sup>48</sup> “Quintana es el nuevo director ejecutivo de la Agencia para el desarrollo de Macro Regiones y Fronteras,” *Los Tiempos*, June 4, 2010,

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<sup>50</sup> “Doing Business: Measuring Business Regulations,” World Bank and International Finance Corporation, <http://www.doingbusiness.org>, accessed August 22, 2011.

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