

3-20-1998

Bolivian President Banzer's Proposal Would Lead to 'Perfect Dictatorship'

Guest Author

Follow this and additional works at: <https://digitalrepository.unm.edu/notisur>

Recommended Citation

Guest Author. "Bolivian President Banzer's Proposal Would Lead to 'Perfect Dictatorship'." (1998).
<https://digitalrepository.unm.edu/notisur/12484>

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in NotiSur by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.

Bolivian President Banzer's Proposal Would Lead to 'Perfect Dictatorship'

by Guest

Category/Department: Bolivia

Published: 1998-03-20

[The following article by Bolivian journalist Jamie Grant is reprinted with the permission of Noticias Aliadas in Lima, Peru. It first appeared in the March 12, 1998, edition of the weekly publication Latinamerica Press.]

President Hugo Banzer's administration has drafted a national-security bill that critics claim would create a "democratic dictatorship" in this Andean nation. The proposed Defense and National Security Law has drawn fire from critics who claim that it is unconstitutional and undemocratic. "The government is preparing the law to strengthen the role of the armed forces, repress social discontent, and impede freedom of speech," said constitutional lawyer Eusebio Gironda Cabrera. The draft gives the president exclusive power to declare a state of national emergency in case of war, natural disaster, subversion or internal unrest.

Under a state of emergency, areas of unrest could be declared military zones, with the military given sole responsibility for maintaining law and order. Opposition Deputy Evo Morales, a leader of the organized coca growers, said the most troubling part of the proposed law is the clause that makes "agitation" a crime. If this law passes, "it will be a crime to shout, "Down with Banzer," said Morales. "It will severely limit freedom of expression."

The crimes punishable under proposed law include: *Propaganda and agitation that incite violence and threaten the stability of the state.

*Subversion that aims to destroy the legal order and established structures, using insidious and violent actions with the intention of seizing power.

*Terrorism aimed at creating a climate of fear, insecurity, and intimidation.

*Sabotage designed to cause physical damage to government property.

*Corruption in all its forms, which is contrary to security and national defense.

*Kidnapping with violent intentions or for political or economic reasons.

*Illegal manufacture, distribution, and sale of arms, ammunition, and chemicals for military use.

*Illegal drug trafficking.

Questions of constitutionality raised

Gironda claims the measure contradicts the Constitution on three counts. The Constitution currently allows the president to declare a state of emergency only with Senate approval and for a maximum of 90 days. The draft, however, gives the president unilateral power to militarize zones and does not

place a time limit on the state of emergency. "Congress cannot give the president more authority, therefore the draft proposal is unconstitutional," Gironda said. He added that, by changing the president's powers, the draft bill also violates Article 31, which prohibits any act that usurps the Constitution.

Defense Minister Fernando Kieffer conceded that the bill could pose constitutional problems. "This is a draft, it isn't in the category of a bill," said Kieffer. Interpretation could allow human rights abuses. Beyond the legal questions surrounding the bill are concerns that it could be used repressively. Gironda worries about how the government may define "subversion" or "internal unrest" to justify sending in troops. "What is subversion?" asked Gironda. "They [the government] can define it as popular protest, but protest isn't subversion, it's legitimate." The draft also specifies a number of crimes against national security that critics say could be misinterpreted. One such crime is any "action of propaganda and agitation written or spoken, individual or collective, that incites violence and threatens the stability of the state."

Mario Maldonado, president of the Association of Journalists of La Paz, worries that the measure could lead to the suppression of freedom of speech. Sacha Sergio Lloretti Saliz, general secretary of the Permanent Assembly of Human Rights, said the bill follows the same strategy Banzer used when he was dictator in the 1970s. "This is the same logic to repress and cut back constitutional rights, such as the right to freedom of expression," Lloretti said. "If the law passes the Senate, it's going to raise the level of human rights violations and promote a culture of impunity and secrecy." Banzer, 71, was elected president June 1, 1997. He waited 19 years to return to the presidential seat, which he occupied for seven years after seizing power in a military coup in 1971.

Under the Banzer-led dictatorship, tens of thousands of Bolivians were killed, disappeared or forced into exile (see NotiSur, 08/08/97). Gironda sees the bill as the government's response to the threat of widespread protests against unpopular economic policies. In early December, Banzer announced a series of austerity measures to curb the country's budget deficit. The move was met with protests by the Central Obrera Boliviana (COB), the largest labor union (see NotiSur, 12/05/97).

Banzer is attempting to introduce the perfect dictatorship a democratic dictatorship," Gironda said. While the bill still must be finalized and passed in the Senate, Gironda, "We have to be careful, because the Senate doesn't guarantee the country's well-being and dignity." Deputy Morales said that even in its current form, the bill probably will pass once it gets to Congress. "Banzer is a general, and his followers have become like soldiers, raising their hands in support even if this goes against their principles and values," said Morales. "The majority will simply keep quiet, like obedient soldiers."

-- End --