10-14-2005

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Distribution of Congressional Seats to Set Back Election

by LADB Staff
Category/Department: Bolivia
Published: 2005-10-14

Bolivian elections scheduled for December are facing a setback regarding the distribution of seats in the lower house of Congress, with several provinces fighting not to lose representatives. Efforts in the Congress to negotiate a settlement failed repeatedly in the first weeks of October, opening the possibility that elections would not take place on Dec. 4. Transitional President Eduardo Rodriguez said in a television interview that he would accept a setback of a number of days for the election date, backing down from previous statements, made shortly after he was sworn into office last June, that the general election needed to take place on the date scheduled.

Tribunal Constitucional orders redistribution of seats

The Tribunal Constitucional (TC) on Sept. 22 ordered Congress to redistribute the seats according to a new national census completed in 2001. Under the changes mandated by the TC, the western departments of La Paz, Oruro, and Potosi would see a decrease in the number of deputies representing them. The revision of the Codigo Electoral 88 would force La Paz to yield two deputies, Oruro one, and Potosi three. The eastern, more conservative department of Santa Cruz would gain seats, as would Cochabamba.

The Bolivian Congress has 130 deputies, assigned according to demographic criteria, and 27 senators, three for each of the country's nine departments, or provinces. Rather than add new seats to the House of Deputies, the TC-ordered redistribution is a zero-sum affair, with the three western departments having to lose seats in order for Cochabamba and Santa Cruz to gain. The TC determined that Santa Cruz should increase its number of representatives from 22 to 26, and Cochabamba from 18 to 20. Conversely, La Paz would go down from 31 to 29, Oruro from 10 to nine, and Potosi from 15 to 12.

Members of Congress, charged with implementing the change, have resisted the TC's edict without finding a compromise, particularly in the parts of the country that stand to lose deputies. Civic and political leaders from departments facing the loss of deputies threatened protest mobilizations, while Santa Cruz responded with threats that it would not participate in the December vote if the Congress did not implement the TC ruling.

One proposed formula, the "+3-3" scheme, would remove one seat each from the provinces of Oruro, Potosi, and La Paz and hand them over to Santa Cruz. Representatives from Oruro, Potosi, and La Paz were unwilling to countenance a scenario in which they lost a single seat, and Cochabamba delegates, who would gain nothing in such a plan, called the formula a conspiracy against them, but daily newspaper La Razon reported on Oct. 12 that there was a growing consensus for the plan. President Rodriguez threatens to resign Rodriguez has threatened to resign if elections do not go through on time, a possibility that would leave a power vacuum in Bolivia.
In a broadcast on radio and television the evening of Oct. 2, Rodriguez made an ultimatum to the Congress, saying he might quit Oct. 15 if December elections were set back. "As soon as the Corte Nacional Electoral (CNE) determines [that there is] a material impossibility of the ballot taking place next December, I will return without delay to my judicial duties," said Rodriguez. He took over the presidency from his role as head of Corte Suprema de Justicia (CSJ) in June after the heads of the two chambers of Congress withdrew from the succession list.

Rodriguez said that his term as president was precisely defined "in work and time" since he had to complete the job of transition within 180 days after his June 9 inauguration. The ultimatum was reportedly a surprise and placed pressure on the Congress to resolve the seat-distribution crisis, but it has yet to heed Rodriguez’s call. Prolonging elections could increase unrest in Bolivia.

The blockades and mass protests that forced President Carlos Mesa (2003-2005) to resign mostly subsided once Rodriguez took office. The promise of new elections has staved off the perennial conflicts that mark Bolivian political and social life, apparently delaying the emergence of mass movements against the government until there is a new, elected president.

Analysts fear that the power vacuum that might result following a Rodriguez resignation could provoke a greater crisis. The armed forces have stated that they will not allow any coups, with the general commandant of the Army Gen. Marcelo Antezana saying, "We assume the responsibility of being proactive in regard to cooperating with the persistence of the democratic system."

Speaking of potential coup leaders, Gen. Antezana said, "In vain will they knock on the doors of the forts and in vain will they try to involve us in support for a coup because they will not accomplish their objectives. We will be faithful and respectful of the Constitution, the legally constituted power, and of the democratic system, and in this moment our complete and absolute backing is for our president of the republic."

A number of lawsuits are still before the TC, challenging the constitutionality of various presidential decrees that President Rodriguez made to set up the current general and provincial elections. The body is set to decide on the cases in the coming days. In addition to the president and prefects, the vote will name a vice president, senators, and deputies. Evo Morales takes lead in several presidential opinion polls In a number of opinion surveys, Evo Morales of the Movimiento al Socialismo (MAS) has taken the lead, although he enjoys nothing resembling majority support.

Eight candidates had entered the presidential race by the close of registration Sept. 5 (see NotiSur, 2005-09-16). Although Morales has edged out a lead against his competitors, he still falls far short of the necessary 50% plus one support he would need to win the presidency outright. Barring a clear winner, the Congress could decide who would be president following elections, meaning the fight for lower-house representation has taken on an extra urgency for the parties in the struggle. The number of deputies from right- or left-wing provinces, in combination with the party alliances made within Congress, could likely end up determining who will be the next president.

Eduardo Gamarra, professor of political science and director of the Latin American and Caribbean Center at Florida International University, noted that Morales' surge in the polls led "those who
see the Tribunal's decision as political [to] argue that it is a Santa Cruz-based attempt to change the composition of the legislature so that in the congressional round Evo Morales has less of a chance of becoming Bolivia's next president."

Eastern provinces have been pushing for greater autonomy from the central government, with the autonomy movement’s main leadership coming from Santa Cruz (see NotiSur, 2004-11-12). The region, rich in natural-gas resources, is generally perceived as whiter and wealthier, and left-wing critics have attacked the autonomist movement as "secessionist" efforts to keep more national wealth in elite hands.

Morales' lead in the polls was first signaled with a Sept. 18 survey by the firm Apoyo, Opinion y Mercado Bolivia. The survey looked at seven departments, excluding Pando and Beni, and put Morales in first place with 28% of the vote. In second place was right-wing ex-president Jorge Quiroga (2001-2002) of Poder Democratico y Social (Podemos), with 22%.

Cement magnate Samuel Doria Medina of Unidad Nacional (UN) had 19%. These three candidates received the lion's share of voter preference among the eight postulants. Another September survey from the company Encuestas y Estudios looked at the country’s nine departmental capitals, La Paz's neighboring city of El Alto, and 161 intermediate and rural communities. MAS had 26.1% of the vote in that poll, Podemos 22.6%, and the UN 12.3%.

A poll released Oct. 6 by Equipos Mori and distributed by the Unitel network showed Morales gaining even more strength. It looked at nine departments and 58 cities, towns, and rural locales. Morales came up with 33% support in that poll, Quiroga 27%, and Doria Media 13%. The three polls showed Quiroga with stronger support in the east and Morales leading western departments.

The Encuestas y Estudios poll showed Morales in first place in Cochabamba, although the Apoyo, Opinion y Mercado Bolivia poll gave the advantage to Quiroga. News that Morales is leading polls is not likely to be welcome in Washington, DC, particularly given his pro-cocalero (coca grower) stance.

During a campaign stop in the city of Sucre on Sept. 20, Morales said that US government policies have the sole objective of "eliminating coca" and "tormenting the cocaleros," the people who grow coca. Many of his supporters regard the crop as a sacred, traditional plant. Morales' closeness to Venezuelan President Hugo Chavez and avowed socialism also trouble members of the right-wing administration of US President George W. Bush.

In October, the official start of mass campaign propaganda begins. The CNE regulates the transmission of electoral advertising on mass media, placing limits on the frequency and duration of advertisements by political candidates and parties. As the date of the ballot nears, campaigners may increase the amount of advertising they purchase in broadcast and print outlets. Some parties delayed the start of their advertising campaigns in early October, for fear that the crisis regarding parliamentary seats might push back the date of elections and force them to stop advertising in the days before the vote.