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LADB Staff

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Bolivian Government Begins to Implement New Constitution

by LADB Staff

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Bolivian President Evo Morales knew that the new Constitution, approved in a plebiscite Jan. 25 and promulgated Feb. 7 in a huge grassroots celebration (see NotiSur, 2009-02-13), rather than calm the turbulent political waters, would rekindle the dangerous climate of confrontation instigated by the right since the indigenous president proposed "refounding the state."

The press reported that Morales said as much to allies and collaborators the day that almost two-thirds of Bolivians said "yes" to a Constitution that strengthens the state's economic role, gives powers to the indigenous peoples, and recognizes departmental, municipal, and community autonomies. La Paz daily La Razon said Morales told members of his Movimiento al Socialismo (MAS), "We have to remain alert because, lacking a political program and a unity figure that represent it, the right will launch a new and virulent destabilization campaign, this time to sully the Dec. 6 presidential elections, delegitimize the popular vote, or, at the least, block my candidacy."

In the few weeks since the grassroots fiesta, the government has shown signs of its determination to implement the new Constitution without delay. And the right, with its foreign allies, as Morales refers to the US, seems desperate to lay the groundwork to come up with an attractive campaign platform.

Opposition governors block dialogue

A dialogue is necessary to reconcile the new constitutional norms with the vote last year in four departments that gave them "autonomy statutes." The government is looking for a dialogue, but the governors of Santa Cruz, Pando, Beni, and Tarija who can best be described as secessionist rather than pro-autonomy continue employing delaying tactics, as they try to impose conditions that belittle or ridicule the figure of the president. To concentrate on dialogue and on running the government, the Morales administration must be free from other, secondary concerns.

The opposition, therefore, demands the impossible. For example, it insists that Morales be present at all meetings between the two sides or demands the release of a governor and various collaborators who are being held by judicial authorities for instigating the killing of 18 campesinos. In this situation, the government has alleged that US Central Intelligence Agency (CIA) agents are participating in destabilizing actions, and the US State Department has accused the government of violating human rights, allowing drug trafficking, and participating in laundering drug money.

Part symbol, part substance

The new Constitution contains much symbolism but also concrete norms. As the document requires, Morales named a new plurinational and pluricultural Cabinet that includes academics, university students, trade unionists, campesino leaders, intellectuals, and middle-class, indigenous, and

"mestizo-criollo" representatives. Because, as of Jan. 25, there is no state religion and Catholicism is now just one of many religions, crucifixes and statues of Jesus and the Virgin Mary have disappeared from public offices, ministers no longer swear the oath of office on a Bible but on the Bolivian Constitution, and bishops no longer occupy seats of honor.

The few clergy who attended the fiesta celebrating the new Constitution mingled with the rest of the people rather than watching from a box seat. Cardinal Julio Terrazas, used to officiating at the Te Deum masses marking official ceremonies, did not participate in the grassroots fiesta when, right fist raised and left hand on heart, tens of thousands of men and women swore allegiance to the Constitution that refounded the Bolivian state. Since that day, all government offices display the new patriotic symbol, the whipala, the multicolored ancestral flag of the Andean peoples that right-wing governors do not recognize and refuse to raise.

Symbolism aside, the government also said it was abiding by the new Constitution when it nationalized four power companies and expropriated 17,000 hectares of productive land, giving it, on March 14, to Guarani communities. The land belonged to five large landowners, among them US citizen Ronald Larsen, who had promised to resist the expropriation but ended up accepting the decision, also based on the plebiscite vote, setting 5,000 ha as the maximum amount of land that can be owned by one person. Bolivia, which has nationalized gas and oil, is now proposing that all electricity companies be taken over by the state.

Under the new Constitution, access to the services provided by public utilities water, gas, sewers, telephone, electricity, etc. is considered a human right. Thus, it is vital that the government be in charge of transporting and providing electricity. One of the richest countries in energy resources, Bolivia has just discovered that its large deposits of the very scarce lithium give it 40% of the world's reserves, while only 33% of rural homes have access to electricity.

Opposition splits on call for impeachment

After losing the plebiscite vote that approved the new Constitution, the opposition has been left without a political response and is using its economic power to instill a dangerous climate of confrontation. In response to calls for dialogue, it has only made demands that often border on the inadmissible.

In a good-faith gesture, Minister of Autonomies Carlos Romero asked to meet with the opposition governors. He got no answer. After the government had accepted every one of their suggestions, and when there were no arguments left to delay the dialogue on how to apply the autonomies, the governors said that they would only agree to dialogue if UN and the Organization of American States (OAS) representatives participated, not as observers but as guarantors.

When the two organizations offered to act as arbitrators between the two sides, representatives of the right presented a list of seven new demands, among them the release of several people detained on charges of crimes against humanity and acts of terrorism, including occupying airports and blowing up gas pipelines that carry gas for export to southern Brazil and northern Argentina. And they decided to initiate impeachment proceedings against the president based on a corruption case uncovered at the state-owned Yacimientos Petroliferos Fiscales (YPF). At that point, the opposition split.

Senate president Oscar Ortiz and 10 other Podemos legislators separated from the bloc, which dominates the legislature, and rejected the call for impeachment. Had it been approved, Morales would automatically have been excluded from the December presidential elections.

Opposition plan: run an Indian against the Indian

Ortiz was the first senator for the department of Santa Cruz, whose governor is the visible head of the opposition. After the rift, they lost their principal candidate. Without unity, without any political program other than "throw out the Indian," a pro-coup slogan that refers to an eventual overthrow of Morales, and without a consensus candidate, the right is convinced that the only way to get rid of the indigenous government is to "oppose the Indian with another Indian," in the words of Santa Cruz Gov. Ruben Costas.

The phrase shows that the opposition does not seem to realize that "Evo Morales' political charisma has no precedence in Bolivian history," as political analyst Carlos Cordero told the AFP. And constitutional scholar Carlos Alarcon added, "The president is even stronger and, for now, he is an indestructible figure." To "oppose the Indian with another Indian," the right has three options. Rene Joaquin, a Quechua indigenous mayor for a party that defines itself as leftist, Alejo Veliz of the small group Pueblos por la Libertad y la Soberania, and Victor Hugo Cardenas, an Aymara like the president who was vice president from 1993 to 1997.

The three were put in the spotlight after Costas made his remarks, but "it would be suicidal for whichever Indian agrees to play the game; there will be no viable opposition candidate while Evo maintains this extraordinary leadership that has changed Bolivia's image in the world," Kathryn Ledebur, an activist with the Cochabamba-based Andean Information Network (AIN), told AP. In the climate, the government declared two US Embassy employees *personae non grata*, accusing them of being CIA agents. They had to leave the country.

In September 2008, former ambassador Philip Goldberg was expelled, and in November the US Drug Enforcement Administration (DEA) mission was asked to leave (see NotiSur, 2008-09-19). The State Department responded by publishing a report accusing Morales of promoting drug trafficking and offering the small and weak Bolivian banking structure for laundering drug money. "It surprised us that after the election of President Barack Obama, who came to the White House full of good intentions, US diplomacy still maintains the myopic stubbornness of the anti-drug bureaucracy of the [former President George W.] Bush administration," said the Bolivian foreign minister.

Morales continues watching the movements of "the foreign allies of the domestic right," he has called on the public to be alert, and he met with his top government officials to tell them that "they have to pay attention to the movements of the CIA agents that the Obama administration is keeping in the embassy in La Paz."

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