‘Decolonizing the nation-state’: Indigenous Autonomy, Extractivism, and Consultation in Contemporary Bolivia

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In recent decades, Bolivia has become an international stage for the dynamic exchanges between indigenous communities, and an attentive nation-state. Although activist movements around the world have mobilized on multiple understandings of indigenous common struggles, this essay will focus on Bolivia's history of extraction and displacement, as a fulcrum for the emergence of movements rooted in claims to ancestral lands. It will analyze the rise of Evo Morales under *Movimiento al Socialismo,* MAS, as a party for the advancement of indigenous and peasant rights, and their constitutional promise of indigenous self-governance. By examining the present frameworks of converting to an 'indigenous autonomy', the essay will reveal some inherent contradictions between Bolivia's self-governance model, and its extractive practices on traditional lands. It will then introduce the process of consultation as an attempt to reconcile these conflicts, but demonstrate its failure due to reluctant state industries. The paper will conclude with two case studies, followed by counterarguments and a brief critique. This essay will analyze the complex process, both in national and local frameworks, of establishing an indigenous autonomy in Bolivia. It will argue that Morales' initiative for indigenous self-governance, while progressive, is incompatible with his state's extractive practices on native lands, which are executed without adequate processes of consultation.

Bolivia's indigenous peoples have had a notably difficult position in the country's colonial history. Whether depicted as recipients of displacement and exclusion, or active forces against Spanish colonization, their experiences with Western imperialism have been varied, yet routinely difficult. The active undermining of indigenous histories, customs, and ways of life, favoured the standardized Western concept of an 'enlightened' nation-state (Stewart-Harawira, 2005, p.58). Likewise, Bolivia's recent past demonstrates the continued establishment of Western ideals, as the mid-1980s comprised a period of neoliberal reform (Altamirano-Jiménez,

2010, p.194). During this time, indigenous communities were disproportionately affected by the state's initiatives. Neoliberal policies served to dismantle agricultural subsidies, minimize social spending, and overall exacerbate rural poverty (Cameron, 2009, p.69). The privatization of key natural industries allowed for increasing resource extraction on indigenous lands, and continued the displacement of many communities (McNeish, 2013, p.234). Paradoxically, this period of neoliberal reform also presented many indigenous groups with the opportunity to organize, through the aid of Non-Governmental Organizations, in favour of their distinct rights as the country's original inhabitants (Cameron, 2013, p.182). Austerity measures were thus met with the concomitant rise and strengthening of indigenous mobilization - locally as well as globally (Cameron, 2013, p.182).

Indigenous movements in Bolivia achieved a significant feat in 2005, when Evo Morales, the country's first indigenous President, ascended to power (Anria, 2010, p.101). His election, among assurances of democratic constitutional reforms, promised the government's adherence to its indigenous' demands - and ensured an attentive global audience (Anria, 2010, p.101). His promises to "decolonize… the nation-state," offered the potential to establish new forms of popular representation, and a national platform for the manifestation of indigenous rights and claims (Fabricant & Postero, 2014, p.387). In turn, Morales' party *Movimiento al Socialismo* (MAS), had been conceptualized and established as a "political instrument of the peasant indigenous movement," (Anria, 2010, p.104).

One of Morales' initial actions upon election, was the proposal for a new Bolivian Constitution. After a series of drafts and a public referendum, the Constitution was enacted in 2009, establishing Bolivia as a plurinational state - meaning one which is comprised of multiple nations (Tockman & Cameron, 2014, p.46). Under this new Charter, indigenous groups were

granted the right to establish control over their primordial territories. In this significant recognition of indigenous collective rights, the Constitution granted them the power to establish institution and political administration "in accordance with their own 'norms and procedures'" (Cameron, 2013, p.180). In order to cement the political inclusion inherent to plurinationalism, these autonomous municipalities would remain a part of the Bolivian state (Cameron, 2013, 180).

For communities in Bolivia, indigenous autonomy not only signified an emblematic feat, but offered tangible improvements to local standards of living. Firstly, regaining indigenous territorial control has been the bedrock for many transnational movements, and Bolivia's decisive step forward has provided significant legal precedence (Cameron, 2009, p.78). For local communities, authority over legal and procedural frameworks provided the ability to improve social services and infrastructure in rural areas (Cameron, 2009, p.64). Soon after the Constitution was ratified, eleven Bolivian municipalities held popular votes; each of which expressed the desire to apply for an indigenous autonomy (Cameron, 2013, p.180). In 2010, the state provided them legal framework for the application process, identifying three possible procedures (Cameron, 2013, p.180). These included municipal conversion into a First Peoples and Peasant Autonomy (AIOC), legal recognition of an Indigenous First Peoples Peasant Territory (TIOC), or the creation of an autonomous region, comprised of several AIOC (Cameron, 2013, p.180). The most common procedure undertaken has been the path towards a First Peoples and Peasant Autonomy (Cameron, 2013, p.180).

A significant hurdle for communities embarking on conversion to AIOC, has been the burdensome application process itself. The legal framework provided, stipulates that municipalities require "evidence of precolonial occupation of the territory" in question, and also

demand a comprehensive volume of documents (Tockman, Cameron, & Plata, 2015, p.40). The conversion process has proven to be extensively bureaucratic, and few municipalities found that they could adhere to its requirements. Many AIOC were able to undertake this arduous process through the critical support of NGOs, which aided them in successfully acquiring and submitting much of the necessary paperwork (Cameron, 2013, p.180). Nonetheless, of the eighteen municipalities that had initially sought to convert to an AIOC, only eleven were able to fulfill its prerequisites (Tockman et al, 2015, p.40). In the Bolivian department of Chuquisaca, only three of twenty-nine municipalities undertook the application process, even though in several communities, indigenous self-identification exceeded ninety-five percent (Cameron, 2013, p.195). In many cases, it is this burdensome process, and the difficult access to resources, which discourages communities from engaging with the application procedure (Cameron, 2013, p.195).

Once a First Peoples and Peasant Autonomy is achieved, communities must decide on an institution of self-governance. This process has served to highlight tensions of identity and homogeneity within, and between, indigenous communities (Cameron, 2013, p.181). While the indigenous movement presented a united front for advancing collective rights, this discourse has translated differently when taken into local practice. Firstly, the determining of self-governance structures has uncovered that neither indigenous communities, nor municipalities, represent a single indigenous identity (Sefa Dei, Hall, & Rosenberg, 2002, p.5); as such, it has been difficult for leaders to identify a unified view of the ideal autonomous framework. As Andrew Canessa (2007) analyzes, multifocal understandings of indigenous identity are present within single communities, and this diversity is only amplified in a municipal context (Canessa, 2007, p.216). In many cases, indigenous leaders have resorted to emphasizing certain historical narratives that justify their own views on the ideal governance structure (Fabricant & Postero, 2014, p.400).

Moreover, this ambiguous juncture after the granting of an AIOC has also left these communities vulnerable. The opportunity for defining governance structures has motivated rural elites without genuine ties to indigenous identity nor demands, to appropriate indigeneity for their own interests (Fabricant & Postero, 2014, p.405).

A significant limitation to indigenous autonomy in Bolivia has been that even when achieved, the extraction of natural resources on indigenous terrain remains under the central government's control (Tockman et al, 2015, p.52). This unmistakeable contradiction to the previously-granted sovereignty is exacerbated in light of the importance of land and resources to indigenous ways of life. For many indigenous communities, the natural world is the dwelling of ancestors, and is animated by omnipresent spiritual beings (Canessa, 2007, p.220). The wellbeing of indigenous land and territories is thus intricately connected to their understandings of identity, and their knowledges of the past (Canessa, 2007, p.226). Moreover, the state's retention of control over all nonrenewable and subsurface resources on traditional territories presents similar circumstances to those of colonization. Extraction for the purpose of resource accumulation has been a persistent threat to indigenous land and customs. As a measure to reconcile this evident conflict, in the event of extraction on indigenous land, the Morales government has promised the right to free, prior, and informed consultation (Tockman et al, 2015, p.48).

Bolivia's present dependence on extraction results from the country's economic history, largely reliant on the export of natural resources as a main source of domestic revenue (Kohl & Farthing, 2012, p.225). During the country's colonial period, it had been used as a supply zone by Spain, for the extraction of high-value-added materials like gold and silver (Kohl & Farthing, 2012, p.225). After Bolivia's independence, the country had been subordinately inserted into the

world economy, and been maintained as a target for market structures that allowed Europe to appropriate its surplus (Kohl & Farthing, 2012, p.226). Bolivia has since depended on natural resources for its export-oriented economy, undergoing a period of diversification during the mid twentieth-century, but forced back into extraction by neoliberal reform (Kohl & Farthing, 2012, p.226). When Evo Morales attained power in 2005, he inherited this deeply-rooted and highly unequal economic structure. In an attempt to reconcile its destructive effects - as extraction has not only decimated the environment and damaged natural life, but subverted the sustainable lifestyles of many communities - Morales nationalized the main extractive industries in Bolivia (Fabricant & Postero, 2014, p.402). The commodities of hydrocarbons and soy comprised 40 percent of government revenues in 2008 (Kohl & Farthing, 2012, p.231), and are significant pillars of Bolivia's finances. In nationalizing extractive industries, Morales effectively changed the tax and royalty systems; corporations are now required to pay an increase in royalties to the national state (Gudynas, 2010, p.3).

Morales' strategy of appropriating extractive industries in Bolivia has followed a larger economic trend, adopted by Latin America's new progressive governments (Gudynas, 2010, p.1). Neo-extractivism, as notably discussed by Eduardo Gudynas (2010), is postulated as a novel structure for resource withdrawal, which is, in turn, heavily taxed by the state. The profits from these activities are then invested in the implementation and maintenance of social programs (Gudynas, 2010, p.8); importantly, various countries in Latin America have been able to effectively redistribute wealth through this tactic. The MAS party in Bolivia, for example, has implemented extensive programs to increase food security through agricultural reform and daily food programs, hoping to eradicate malnutrition in the country (Cuesta, Edmeades & Madrigalm 2013, p.2). It is critical to note, however, that while utilized for new ends, the means for resource

extraction remain the same (Gudynas, 2010, p.3). Although progressive governments have given a new face to extractive industries in Latin America, they have maintained the basic pillars of environmental exploitation (Gudynas, 2010, p.4). As saliently presented by scholars and activists across the globe, the venture of resource extraction remains ultimately unsustainable and is a slippery tactic, whether undergone by governments or private industries.

The virtuous ends of neo-extractivism for the funding of social programs, have thus been used to justify continued extraction on indigenous lands. With the establishment of AIOC communities, however, the government has been compelled to reconcile resource extraction with self-governance. In the 2009 Constitution, indigenous groups were promised access to free and informed consultation processes, which would take place prior to the extraction of resources (Tockman et al, 2015, p.48). This indicates that not only must communities be informed in advance of extractive planning, but the state must provide reliable and transparent information about ventures and risks on AIOC lands (Cameron, 2013, p.195). The consultation process involves an initial explanatory meeting, whereby municipalities acquire the necessary knowledge about the proposed project (Schilling-Vacaflor, 2014, p.10). Following this first meeting, the two groups - affected community and extractive party - are expected to engage in consultation. In the second phase of the process, moderated by a third party, communities are invited to present concerns, queries, and "consultation plans" (Schilling-Vacaflor, 2014, p.10). After this, the second party must offer a counterproposal, followed by a monitored deliberation period (Schilling-Vacaflor, 2014, p.10). Once the parties have reached an agreeable compromise, the established accords are integrated into an Environmental Impact Assessment, to which extractive companies are obliged to adhere (Schilling-Vacaflor, 2014, p.10). This Constitutionally, and

globally, accepted process of consultation, however, has presented numerous obstacles for indigenous communities, who often encounter reluctant second parties.

While consultation has occurred between indigenous communities and extractive parties, meetings have been staged to emphasize imbalances of power. Although the Bolivian state has provided a guideline for consultation, it has failed to establish an equal arena for open and sincere dialogue. Problematically, the government has deemed that the "competent authority" for mediating these engagements, is a government representative from the Ministry of Hydrocarbons and Energy (Schilling-Vacaflor, 2013, p.208); the very faction carrying out extractive processes. In this scenario, the selected arbitrator does not symbolize impartiality nor equity, but represents both mediator and "interested party," (Schilling-Vacaflor, 2013, p.215). In carrying out the consultation process, indigenous communities are thus more susceptible to antagonism by the other two participants. Further, international human rights institutions, and agreements like the International Labour Organization Convention 169, have also provided viable frameworks for consultation. Under their terms, the Bolivian state's choice of partisan mediator does not represent an act of "good faith," (Pellegrini & Arismendi, 2012, p.108). Rather, it creates a default platform on which indigenous concerns, demands, and expectations are disadvantaged.

Another important drawback of the consultation process has been communities' insufficient access to information regarding extractive projects. While the Constitution stipulates that its details must be readily available, this procedure has not always been abided. In many cases, indigenous communities are not provided with comprehensive plans regarding the initiatives, nor contacted by the administrating industry (McNeish, 2013, p.226). In these scenarios, AIOC representatives are forced to seek their own sources of "expert knowledge," which will determine their effectiveness in the consultation process (Schilling-Vacaflor, 2013,

p.214). On the one hand, communities that have obtained access to impartial and complete information have been able to pose strategic questions and demands, and even use the consultation process to further their communities' agendas (Schilling-Vacaflor, 2013, p.214). For example, Guaraní groups have been able to advance their rights to self-determination, and strengthen their autonomous territories (Schilling-Vacaflor, 2013, p.214). On the other hand, communities that lack the necessary sources, have limited their participation to inquire about the venture's expected benefits to their peoples (Schilling-Vacaflor, 2013, p.214).

The lack of success in establishing meaningful dialogue between industries and communities, has propelled protest against the Bolivian state. A significant example of this, is the case of the *Territorio Indígena y Parque Nacional Isoboro Sécure*, or TIPNIS, in 2009 (McNeish, 2013, p.221). Following the new Constitution, indigenous communities in TIPNIS underwent the application process for AIOC, and were granted their request in 2010 (McNeish, 2013, p.226). Soon after the establishment of this autonomy, the Bolivian state proposed to erect a highway between the cities of La Paz and Trinidad; a trajectory which would traverse the width of TIPNIS territory (McNeish, 2013, p.225). In accordance with the Bolivian Constitution, in turn, the government was required to engage in consultation with the AIOC. Despite this, members of the TIPNIS community assert that "no effort was initially made by the government" to begin consultation (McNeish, 2013, p.226). With planning for the road underway, the residents of TIPNIS decided to stage a six-hundred kilometer march between Trinidad and La Paz (McNeish, 2013, p.224). Making use of their connections to other indigenous movements, TIPNIS residents were joined by thirty-four indigenous groups and allies, in a demonstration against the Bolivian state (McNeish, 2013, p.226). Their boisterous efforts, in turn, led to a

positive resolution. Soon after the march, TIPNIS leaders were invited to a meeting with Evo Morales, where it was determined that the proposed road would not be built on their land.

Another notable instance of friction was the state's exploration for oil in Lliquimuni, a district in northern La Paz (Pellegrini & Arismendi, 2012, p.105). In 2009, this area was granted conversion to an Indigenous First Peoples Peasant Territory (TIOC); little before this, the government had initiated an oil extraction plan in the area, since it was suspected to house "sizable oil deposits" (Pellegrini & Arismendi, 2012, p.105). Although in this case, the state did initiate consultation, the meetings were not made accessible to indigenous communities. As a result, the important stages of information and deliberation were only attended by a few local leaders who were "contacted directly" by the Ministry of Hydrocarbons and Energy (Pellegrini & Arismendi, 2012, p.111). Over half of the indigenous groups in Lliquimuni, feeling rightfully excluded from participation, expressed concern that they were not adequately represented by their indigenous organizations (Pellegrini & Arismendi, 2012, p.111).

The examples of TIPNIS and Lliquimuni serve to highlight the Bolivian state's contradictory practices. These cases, as well as others, have brought much global scrutiny to Morales' promises of "decoloniz[ing] the nation-state," (Fabricant & Postero, 2014, p.397). His severed communication with indigenous communities, has in turn been largely understood as a reluctance to adhere to his progressive promises. Once again, indigenous mobilization has directed its concerns at the nation-state, and identified it as an obstacle to, rather than an ally for, indigenous autonomy.

Contemporary observers have also argued, however, that the rise of discontent can be attributed to "overly optimistic" expectations, that exceeded realistic opportunities for reform (Cameron, 2013, p.196). Due to the country's deeply embedded economic structure and its role

in the global division of labour, it has been argued that absolute indigenous self-governance is not a viable option (Cameron, 2013, p.196). Although this critique presents insight as to the Bolivian state's difficult position, it fails to understand the role of social unrest in the advancement of new models of governance. Even though Morales' promises were numerous, it was not disregarded that his ascent to power would be limited by his inheritance from previous administrations (Anria, 2010, p.102). His role as the main agent of change and transition was understood as a difficult one. However, Morales' complicated position in reconciling two incompatible models, has not excused him from public scrutiny. In fact, it is the consistent attention to contradictions that has mobilized communities to demand higher standards and new concessions from the state. Morales' proposal for indigenous self-governance was not believed to be ideal, but a step in the right direction. In order to perfect the process and outcomes of the creation of a truly plurinational state, criticism to the government's inadequacies must be rampant and visible.

The granting and practice of indigenous autonomy in Bolivia has not been a flawless process. This essay has argued that Morales' simultaneous adherence to indigenous self-governance and extractive practices have proven incompatible, and have caused the former's erosion. This contradiction, in turn, has been exacerbated by the failure to carry out free, prior, and informed consultation, thereby disadvantaging indigenous communities. In light of these new obstacles to the reclamation of traditional territories, mobilization in the country has maintained its dynamic momentum. Like its many previous successes, including the election of an indigenous President, the movement is set to continue its fixed trajectory, picking up new allies along the way.

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