

# The Hidden Politics of Bolivia's Constituent Assembly

By Dunia Mokrani and Raquel Gutierrez | September 5, 2006

The results of Bolivia's elections sealed the right wing's defeat as a powerful political force while demonstrating just how well established the Movement toward Socialism (MAS, for the Spanish initials) has become. However, the procedures established for the new Constituent Assembly severely restrict the exercise of majority power and strategic alliances will have to be made to pass major reforms.

A large number of national and local political organizations participated in the Assembly elections on July 2, many of them organized only recently and representing a wide range of types of organizations and ideologies. Of this mix, 14 parties and political groups managed to secure representation in the future Assembly.

Before analyzing the representation of each of these organizations in quantitative terms, it is worth noting that the electoral terms established in the "Law to Convoke the Constituent Assembly" last March stipulated that the assembly will be made up of 255 constituent deputies: 210 directly elected (the three top candidates for each of the 70 electoral districts) and 45 proportional representatives elected by relative majority (*plurinomial*)—five from each of the nine departments.

However, in each electoral district the party or organization that comprised the relative majority could only send two representatives, according to a curious "minority protection" rule included in the Law to Convoke the Constituent Assembly. In accordance with this resolution, even if a party secures over 75% of the votes in its district, as long as one of the minority parties receives more than 5%, this latter party will get the "third" minority representative. This clause assured not so much the "plurality" proclaimed at the time, as a means to assure representation for a small minority of *ad hoc* right-wing organizations with some local clout. Without this clause, these groups would not attain representation in the Assembly.

The election results reveal how this system has functioned:

Composition of the Assembly by Party

PARTY OR POLITICAL ORGANIZATION	UNI-NOMINAL	PLURI-NOMINAL	TOTAL	DESCRIPTION
1. Movement toward Socialism (MAS)	119	18	137	President Morales' party. Originally the party of the coca growers, today it is the strongest national party.
2. PODEMOS	49	11	60	Group of Tuto Quiroga, vice president of the ex-dictator Banzer. He served as interim president after the death of Banzer in 2001.
3. Nationalist Revolutionary Movement (MNR)	13	5	18	The premiere party of Bolivia's political life during the 20th century. Created after the nationalist democratic revolution of 1952, it later implemented neoliberal reforms. Sanchez de Lozada (Goni)'s party.
4. National Unity (UN)	5	3	8	This party was founded in 2003 by the influential entrepreneur and cement company owner in Bolivia, Samuel Doria Medina. His five uninominal representatives are from the La Paz district.
5. Free Bolivia Movement (MBL)	7	1	8	Defunct party of institutional intellectuals. A left-wing schism of the MIR with social democracy positions. Five of its uninominal representatives are from Cochabamba where it formed an alliance with MAS.



## Composition of the Assembly by Party (continued)

PARTY OR POLITICAL ORGANIZATION	UNI-NOMINAL	PLURI-NOMINAL	TOTAL	DESCRIPTION
6. <i>Social Alliance (AS)</i>	5	1	6	<i>Organization from the Potosi region.</i>
7. <i>Concertación Nacional (CN)</i>	3	2	5	<i>Christian evangelist party. Has a presence in Oruro, La Paz, and Chuquisaca.</i>
8. <i>Autonomies for Bolivia (APB)</i>	2	1	3	<i>Business community party of Santa Cruz, created after the Meeting for Autonomy in January 2005.</i>
9. <i>Patriotic Social Alliance (ASP)</i>	1	2	3	<i>This group nominated David Vargas, Chief of National Police who made social demands resulting in the confrontation known as "Black February" in 2003.</i>
10. <i>Movement of Popular Origin (MOP)</i>	2	1	3	<i>Regional organization based on the Potosi region's popular ex-mayor.</i>
11. <i>AYRA</i>	2	0	2	<i>Organization founded in July 2005 by Fernando Untoja, an "indigenous" ally of the right-wing Banzer followers.</i>
12. <i>Leftist Revolutionary Movement (MIR)</i>	1	1	2	<i>Traditional organization with center-right tendencies, noted for its opportunism. It was allied with all factions of the Bolivian oligarchy: Banzer's and Sanchez de Lozada's.</i>
13. <i>Citizen's Movement of San Felipe of Austria</i>	1	0	1	<i>Recently created organization from the Oruro region.</i>
14. <i>Alliance Andrés Ibáñez (AAI)</i>	1	0	1	<i>Organization created by Hormando Vaca Díez's, who one year ago attempted to assume the presidency by virtue of the fact that he was president of the Senate when interim ex-President Carlos Mesa resigned.</i>

Source: Based on information from journals and the National Electoral Court.

### The Debacle of the Three Strong Parties: ADN, MIR, and MNR

Reviewing these results, the first obvious fact is the electoral disaster suffered by Bolivia's right wing, although it was not completely wiped out as a political force.

The table shows that the presence of right-wing political organizations has been drastically reduced, especially when viewed in comparison with the influence the right had until 2005 when it was the majority force in both the executive and legislative branches. The years of massive indigenous and popular mobilization in Bolivia between 2000 and 2005 managed to topple the monopoly over party and institutional representation held by economic and political elites.

ADN, ex-dictator Banzer's party and a staunch supporter of neoliberal policies, was the first or second most powerful party over a period of 15 years. According to these results, it has simply fallen off the political map of the country. A good portion of its supporters switched over to PODEMOS, led by Banzer's former vice president, Tuto Quiroga. Much of the fractured remains of the right wing

and business community have regrouped to join or form some of the political organizations mentioned above.

MNR, on the other hand, which has a number of alliances with local groups—Tarija city Mayor Zamora's FRI party among them—managed to maintain its presence, distributed in the following fashion:

	UNI-NOMINAL	PLURI-NOMINAL	TOTAL
<b>MNR</b>	5	3	8
<b>MNR-A3</b>	1	1	2
<b>MNR-FRI</b>	7	1	8

The FRI, an old local party with "maoist" leanings from the southern region of the country and a longtime ally of MNR, contributed seven deputies from the department of Tarija. A3, a group led by former Chief of Police in Santa Cruz, Colonel Freddy Soruco, is infamous for having violently evicted 500 families of Bolivia's Landless Movement from the Yuquises estate during the summer of 2005.

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In summary, the right's political representation in the Assembly comes to 99 seats out of the 255 total, or 39% of the Assembly. This percentage is not enough to pass an article proposed for the new constitution, which requires a two-thirds majority, but it is sufficient to veto the changes proposed by other factions, which requires only 33% of the vote.

To address this issue, MAS recently decided during an extended meeting to impose an internal rule for conducting the assembly that allows decisions on each specific article to be made by a simple majority, while conserving the two-thirds rule only for approving the final text of the constitution. This decision has been bitterly criticized by the right and MAS is bound to face accusations by the traditional political establishment of being "anti-democratic" and imposing its majority on the Assembly.

On the other hand, MAS has been actively seeking alliances since July 3 in order to increase its number of votes in the Assembly. Its strongest partner so far has been MBL, with whom it ran joint candidates in Cochabamba; the MOP of the Potosi region; and the Oruro region's San Felipe of Austria Movement. With these agreements in place, MAS can rally a total of 151 representatives, a significant simple majority, but still not enough to constitute two-thirds, for which 170 votes would be necessary.

According to government spokesperson Alex Contreras, "MAS alliances with the traditional parties are out of the question, lost," with traditional parties defined as PODEMOS, MIR, MNR and their allies.

## **The Right's Failed Attempt to Rebuild through Small Organizations**

The strategy of the right for rebuilding has consisted of organizing small organizations. AYRA, led by Fernando Untoja, is a good example. In spite of the string of indigenous *Aymara* names he utilizes to veil his intentions, Untoja is clearly a western-style "career politician." An old ally of Banzer during his reign (1997-2002), he supposedly represents the indigenous version of neoliberalism.

Another example is Autonomies for Bolivia, which has three Assembly representatives from the business community of Santa Cruz. Its small number of

representatives clearly shows that the popular support supposedly displayed by the right in the department in January 2005, when it managed to place the issue of autonomy on the political agenda, did not translate into electoral representation. The Santa Cruz Civic Committee, the National Association of Oil and Plastic Producers (ANAPO), and other business-minded organizations have considerable capacity to influence the public agenda as well as the political climate of Santa Cruz. In spite of this, it is interesting to note the right's difficulty breaking onto the political scene as a force to be reckoned with in the region.

The last example is Hormando Vaca Díez, a native of Santa Cruz, former militant of MIR, and until 2005, the president of the Senate, who attempted in May 2005 to take over the presidency after interim President Carlos Mesa resigned. During the months of May and June, a general transportation blockade swept across the nation, successfully preventing a partisan maneuver to keep general elections from taking place. The defeated Vaca Díez served out his term in the Senate and then formed "Alliance Andres Ibañez" in his hometown of Santa Cruz. Having garnered less than 1% of the total vote, he only managed to gain a spot in the Assembly as a proportional representative. This is perhaps the most emblematic case of the radical deflation of Bolivia's traditional politicians: from head of the Senate and presidential hopeful to, in just one year, a modest local member of the Assembly who represents a virtually unknown party. At the same time, this example also demonstrates how the Law to Convoke the Constituent Assembly was manipulated to include self-preservation mechanisms reserved for the most adept of the traditional politicians.

## **Where Do MAS's Representatives Come From?**

The form of representation closest to grassroots is the direct election or "uninominal." These so-called "uninominal circumscriptions" are in fact "tri-nominal" due to the clause that guarantees "minority protection." Depending on the party makeup of the so-called directly elected representatives, two parallel processes can take place:

- 1) The direct election of Assembly members reflects the strength of the formal political forces in each region. The case of MAS, for example, is particularly interesting: it swept Cochabamba where it had so many candidates it lent some to the MBL, and also La Paz. In

other places, MAS's strength isn't so evident: its deliberate decision to exclude autonomous representation of social movements has been discussed in a previous article.<sup>i</sup> What is clear is that in these elections MAS has represented, on the one hand, the wall of contention to prevent part of the autonomous force of the social movements from representing itself in the Assembly, thus presenting the party as the only possible option for representation—both legally and in terms of the public discourse. But MAS also functions as an institutional mechanism that gives expression to and channels the discontent present in places where the local movement is more isolated and perhaps weaker. This is the case in Santa Cruz, where a wide array of groups and local movements voted for MAS and its allies, which consisted of either the “natural” local leaders, or local candidates hand-picked based on partisan calculations.

2) In terms of formal popular representation, the electoral results, in spite of the (self-) imposed limits set by the Law to Convoke the Assembly clearly show MAS as the foremost political force on the national level. This can only be explained, first, by the existence of a massive base of popular support, and second, by the discredit suffered by practically every right-wing political force. In seven of the nine departments, MAS captured the popular vote in July's elections, in most cases by significant percentages over the traditional right-wing forces.

MAS's Electoral Results		
by Provincial Constituency		
DEPARTMENT	PERCENTAGE WON BY MAS	PERCENTAGE WON BY CLOSEST RIVAL
<i>Chuquisaca</i>	54.40%	15.05 % (PODEMOS)
<i>La Paz</i>	63.89%	12.49% (UN)
<i>Cochabamba</i>	60.37%	16.08% (PODEMOS)
<i>Oruro</i>	60.85%	9.29% (CN)
<i>Potosí</i>	54.83%	13.34% (AS)
<i>Tarija</i>	40.80%	31.36% (MNR-FRI)
<i>Santa Cruz</i>	26.42%	24.77% (PODEMOS)
<i>Beni</i>	21.36% (runner up)	40.58% (PODEMOS)
<i>Pando</i>	48.38% (runner up)	37.22% (PODEMOS)

The following are some of the principal characteristics of MAS's Assembly members:

- Sixty-four of MAS's 135 representatives are women. Having won the majority of the circumscriptions, MAS was able to include the second candidate on its list, who, by the “criteria of alternation” established in the Law to Convoke the Assembly, tended to balance the demographics in terms of gender. As a result, Silvia Layza, an indigenous Quechua woman who migrated to Santa Cruz will most likely be the president of the Constituent Assembly, according to official sources.
- MAS representatives belong, generally, to diverse social sectors that can be divided into five groups for purely analytical purposes:
  - 1) Recognized MAS party leaders from various sectors.
  - 2) Professionals in general: primarily lawyers, many associated with NGOs.
  - 3) Intellectuals invited because of their political and social experience: Raul Prada Alcoreza and Carlos Romero, among the most notable. Also deserving mention is a woman named Loyola Guzman, a seasoned individual with a long track record of leftist activism, former militant of Che Guevara's guerrilla group, and president of the Association of Disappeared Family Members during the Dictatorship (ASOFAMD).
  - 4) Leaders and ex-leaders of peasant organizations and women's rural groups, and of unions of professors, artisans, street vendors, transportation workers, construction workers, small business owners, university students, neighborhood councils, mining cooperatives, and coca growers.
  - 5) Those who identify themselves as belonging to an *ayllu* or school, an indigenous group or Territorial Base Organization.

For the last two groups, the criteria for selecting candidates are unclear: in some cases, the social leaders picked as candidates don't necessarily represent an “alliance” with the social sector. In fact, unofficial sources from MAS have commented that the selections, in large part, have not purported to make alliances, and that at least “from the outside,” there is no evidence a policy

was in place to make open alliances when MAS was putting together its list of candidates. The procedure consisted instead of a tense and ambiguous process of co-opting leaders and various individuals with influence in the social movement, even though many of them maintain specific connections and hierarchical relationships with mobilized social segments and the structure of MAS.

In any case, due to the social fractures that took place during the most intense period of social struggle, the incorporation of representatives from various social sectors to participate within an organized party is necessary but not sufficient to continue to open up the spaces and forms of political participation and articulation that mobilized civil society has gained. The political reform hoped for from the Constituent Assembly could incorporate forms of collective action in the deliberation process and in the new political order it establishes. However, this became clearer following events after the installation of the Assembly at the beginning of August.

### **Autonomy: What's next?**

In addition to electing the constitutional representatives on July 2, the Bolivian voters also voted on an "Autonomy Referendum" where they chose "yes" or "no" to a confusing question regarding the process of decentralizing national power through what is called an "autonomy regime."

The results of the autonomy referendum by department were as follows:

DEPARTMENT	NO	SI
Chuquisaca	62%	38%
La Paz	73%	27%
Cochabamba	63%	37%
Oruro	73%	27%
Potosí	75%	25%
Tarija	39%	61%
Santa Cruz	29%	71%
Beni	26%	74%
Pando	42%	58%

As one can observe, in four states the "yes" vote won a majority, while in the other five, "no" prevailed. Overall, on the national level "no" won, with 57.6% of the votes, while "yes" had 42.4%.

This result has been interpreted in various ways and contains a future source of conflict. Although the majority of the citizens voted not to install a department-level autonomy regime in the country, votes in favor were high numbers in certain departments and provide a powerful weapon to regional elites to fight for their political proposal in the Assembly, backing themselves up with the defense of the "will of the people." It can be expected that the representatives of the right in the four states where "yes" won, the petroleum producers Santa Cruz and Tarija, and the Amazon states of Beni and Pando, will demand a measure of autonomy for their regions, where their desire to secede has already been made known.

The new deputies began Assembly sessions on August 15 in Sucre, in the state of Chuquisaca. The first confrontations in this new realm of deliberation will be, without a doubt, questions of procedure. The fundamental discussions, such as agrarian reform, expanding the nationalization of hydrocarbons, and in general, the type of political system that will guide Bolivia in the coming years, will begin at the end of next year. The Bolivian social movements will surely mobilize during the remaining months of 2006 in Sucre, as they already did during the inauguration of the Assembly on August 6, and will pressure to ensure that what they have achieved in their movements is reflected in the regulation of a new social pact. The political process in Bolivia, now taking shape in the discussions in the Constituent Assembly, will be the scene of the persistent confrontation that paralyzes several countries on our continent and is at the root of the current conflict in Mexico.

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## END NOTES

<sup>1</sup> Raquel Gutiérrez Aguilar y Dunia Mokrani Chávez, “Asamblea Constituyente en Bolivia: ¿reformular o refundar el Estado?,” Programa de las Américas (Silver City, NM: International Relations Center, 1 de julio de 2006), <http://www.ircamericas.org/esp/3338>.

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