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Publication date:
2006

Document Version
Publisher's PDF, also known as Version of record

[Link to publication from Aalborg University](#)

Citation for published version (APA):

Andersson, V. (2006). *Is Water a Human Right or a Commodity? Globalization, Privatization and Social Movements in Bolivia*. Paper presented at Globalization and the Political Theory of the Welfare State and Citizenship, Aalborg University, Aalborg, Denmark.

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Water: a Human Right or a Commodity?

Indigenous people and the fight for rights in Bolivia

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Introduction:

In 1999 the Bolivian government granted “Agua de Tunari” a branch of the Bechtel Corporation, a 40 years contract of water privatization in the city of Cochabamba, Bolivia, which gave the company control over the water, on which more than half a million people survive. This led to increasing water prices, and made the people of Cochabamba take to streets in massive protests. In April 2000 Cochabamba experienced a four day general strike over the water price increases, which was organised by a coalition of community, labour and human rights leaders (la coordinadora). This strike left the city at a total standstill¹.

Bolivia’s new president, Evo Morales, came into office in January 2006 after a period of social turmoil. This turmoil was based on dissatisfaction expressed by a large part of the population with corrupt leaders and years of neo-liberal policies, among these privatization of natural resources like oil, gas and water. In the mid-eighties the World Bank and IMF introduced a structural adjustment program in collaboration and agreement with the Bolivian government in office at that time. This created massive cut-downs in the social sector and increasing poverty in the Bolivian society as such. This paper discusses the processes, which led to the massive protests and the overthrowing of two presidents as a result of the objection against privatization of natural resources, especially water. Neo-liberal policies and privatization have been implemented by different governments since the mid-eighties. The question is, then, why the protests became very strong during 2000-2005 with the consequence that governments actually had to change these policies²? One of the outcomes of the protest is that a new left-wing government won the elections in 2005. The factors behind this development are many. Here we shall touch upon Bolivia’s historical background, the effect of a majority of the population being indigenous, the economic situation in the country since the mid-eighties, new privatization *and* social reforms in the mid-nineties and the effects of the influence of foreign donor assistance on the Bolivian governments’ “room for manoeuvre”. Related to the latter is the growing focus internationally on indigenous people and indigenous people’s rights. Privatisation of natural resources is disputed. Regarding water and privatization of water the core question is whether water is regarded as a commodity or as a human right. The World Bank and the IMF tend to regard water as a commodity, whereas the activists of Cochabamba, led by the organisation “la coordinadora” regard water as a human right³.

Water

“Water is a limited natural resource and a public good fundamental for life and health. The human right to water is indispensable for leading a life in human dignity. Water, and water facilities and services, must be affordable for all”

(UN Committee on Economic, Social and Cultural Rights, November 2002)

¹ Public Citizen, 2003:5

² The contract with Bechtel was annulled in 2000, and in 2005 the president annulled a contract with the Suez Corporation, which was in charge of water supply to the city of El Alto.

³ Evo Morales has initiated a proces of ”de-privatization” of water “ya que es un derecho humano y debe ser para el servicio público” (because it is a human right and must be a public good) La Razón, 1. Feb. 2006.

More than 116 million people in Latin America do not have adequate sewage and sanitation services⁴. In Bolivia one out of every ten children dies before she or he turns five. Water-related diseases are a major cause of these deaths⁵.

Water is a scarce resource, which will be the reason for conflict in a variety of places and societies around the globe. In the Andean areas in Latin America, water has always been scarce, and the use of water has been surrounded by customary law and regulations which has been linked to social organisation. People living in many rural areas are dependent of an irrigation system, which has been established centuries ago, and which require collaboration in using. The use of water in Andean rural communities is in many areas linked to the social organisation in the “Ayllu”⁶. This social organisation including its common use of land is persisting in contemporary Bolivia, and is in fact regaining importance, since many ayllus are being reconstructed/revitalised under the new land reform called INRA, which gives rights to land (territory) to groups of indigenous people, both in the Andean area and in the Amazonian lowlands of Bolivia.

The common use of the water and the scarcity of the supplies have forced communities in many Andean areas to be very careful about using water. This habit the villagers often bring along, when they migrate to the cities. In El Alto, the poorer neighbourhood in the high plateau (Altiplano), above the capital of La Paz, water was privatized by the international corporation, Suez. The corporation complained then that people did not use “enough” water for the company to profit from the sale⁷. Most of the people that inhabit El Alto are migrants from the rural Andean areas: “Accustomed to Andean peasant life, they were extremely careful with water, never wasting a drop, and they continued to be so even after they had taps installed in their homes. This was good conservation, but it was bad for Suez’s bottom line, and the corporation was disappointed in its return on its investment.”⁸

Fighting neoliberalism in Latin America:

New left- wing governments are appearing in Latin America these years – recently also in Bolivia. This trend has a connection to the popular protests against the neoliberal policies which have been imposed in many Latin American countries since the mid-eighties, and foreign acquisition of domestic firms has increased⁹. In fact “privatization” - key element of neoliberal policy – was presented as the solution in Latin America, mostly due to a pressure by the World Bank and the IMF. In the mid-eighties the economic policies went under the label of “shock therapy”, and structural adjustment programs were initiated in different countries. Later privatization of oil, gas, electric and other major industries have done little to help the 65 percent of the Bolivian population who live below the poverty line. Privatization seems to have impoverished many Latin American countries. In Bolivia the average Bolivian is now poorer than his grandparents were fifty years ago¹⁰. Privatization agreements between states and private companies might make fast cash for the government, which is then spent on paying off debts to foreign lenders, for example the World Bank and IMF, but in the end the people of the developing states loose due to bad deals and corruption¹¹. Even so, the World Bank claims all the best intentions when they want to implement

⁴ Public Citizen, 2003a

⁵ UNICEF

⁶ An ayllu is a form of social organisation which dates back to pre-inca periods in the Andean areas. Members of an ayllu own and cultivate land in common, and the ayllu has its own social organisation connected to the cultivation of the land. Before the Spanish conquest, the ayllus had access to land in different ecological zones.

⁷ Finnegan, 2002:11

⁸ Ibid.

⁹ De Mello, 2003:2, Vilas, 2005

¹⁰ Evatiar, 2006:2

¹¹ Public Citizen, 2003:5.

privatization in developing countries. The Bank has argued that poor governments are often too plagued by local corruption and too ill equipped to run public water systems effectively. Therefore handing over water concessions to private companies opens the door to needed investment and skilled management¹².

In Bolivia a structural adjustment program was initiated in 1985, after the Bolivian economy collapsed in 1982 with the drop in the tin prices on the world market. The structural adjustment program cut back state expenditures and led to an increasing impoverishment of a large part of the poor people, unemployment tripled and infant mortality rose. The protests against neoliberalism among the Bolivian population were many and loud. The people did not benefit from the structural adjustment programs. In fact “the modernity they promised only came to the banks, the telecommunications industry and the petrol companies¹³” says one economist.

It was not the people of Bolivia who chose to privatize natural resources. This policy has been forced on them by the World Bank. Being a poor country, Bolivia is relying heavily on foreign economic assistance for its survival, and therefore Bolivia is not in a position to say no to pressures from external donors like the World Bank and IMF. In September 1998 IMF approved a \$ 138 million loan for Bolivia. A precondition was that Bolivia agreed to sell off all remaining public enterprises, including Cochabamba’s water company SEMAPA¹⁴. The World Bank said that there should be given no subsidies to modify the increasing prices of water in Cochabamba. “Countries receiving loan assistance from the World Bank and IMF are often discouraged from heavily subsidizing public services, as such expenditures counteract World Bank and IMF formulas for reducing debt, controlling inflation and attracting foreign investment”¹⁵.

There is an argument that multinational water corporations will save governments money because private companies are more cost-effective and efficient in maintaining and repairing water and sanitation services. This is often not so. On the contrary privatization of water and sanitation shows “increases in consumer water rates, public health crises, weak regulation, lack of investment in water infrastructure, jobs and trade unions threatened, pollution and other environmental catastrophes, secret deals and social turmoil.”¹⁶ Even so the World Bank argues that governments in poor countries are often too effected by local corruption and too badly equipped to run public water systems properly¹⁷. According to the Bank, handing over water to private companies creates possibilities for needed investments and skilled management. The privatization of water is contested among many users, and in Cochabamba (and El Alto) this has led to protests. Social organisations have a strong tradition in Bolivia and have been able to mobilise people to protest against government policies, in this case against the privatization of water.

New governments in Latin America have not only been elected as a protest against neoliberal policies. In Bolivia this mixes with a demand from the indigenous population to be part of the governing process. They have been excluded from this process for years due to among other things difficulty in being registered as voters (Van Cott, 2005:24), excluding the indigenous population from taking part in the political process in the country. This has changed in 2005 with the election of Evo Morales as president, since Morales has a double goal for Bolivia: Fighting neoliberalism and inclusion of the indigenous majority in the political processes.¹⁸ Morales winning the election

¹² Shultz, 2005:2.

¹³ BBC News, 21. Jan. 2006

¹⁴ Frontline World, 2002

¹⁵ Ibid.

¹⁶ Public Citizen, 2003:1.

¹⁷ Shultz, 2005:2.

¹⁸ A large number of the new government representatives have indigenous background.

come after years of social turmoil and protests from many different groups and interest in Bolivian society. One of the major protests in recent years occurred in Cochabamba in 1999-2000.

The Cochabamba Water War.

In 2000 the city of Cochabamba in the subtropical valleys of Bolivia experienced a social uprising from a variety of people, who had one thing in common: they protested the skyrocketing water prices implemented by the foreign owned private water company, which had taken over the distribution of water in Cochabamba. In 1999 the Bolivian government sanctioned a contract lasting 40 years for “Aguas de Tunari” to take over SEMAPA, the public owned company, which had run the Cochabamba water system. Aguas de Tunari was a firm created under the London-based International Water Ltd and San Francisco-based Bechtel Corp. The water contract was very lucrative for the foreign investors. It guaranteed an average profit of 16% per year in the 40 years the contract was valid for. To be able to finance this profit, however, Aguas de Tunari demanded an increase in local water bills.

Handing over the contract to a private corporation was part of a strategy from the Bolivian government of selling state owned enterprises like the phone company and the electricity company. Aguas de Tunari now had the rights of water distribution in the Cochabamba region, including rights over commonly owned neighbourhood wells, which people themselves had constructed and financed. This expropriation of the small suburban wells and structures of drinking water was done in order to ensure monopoly of water for the Aguas de Tunari Company. Also peasants of the rural areas of Cochabamba were deprived of their access to water resources of which they had user rights for centuries.

A large part of the city outskirts did not have access to water, and as a whole, water is very scarce in the Cochabamba region. After the privatization of the water supply, the prices skyrocketed to three or four times former prices and many citizens of Cochabamba took to the streets to protest. The foreign controlled water company did not have much knowledge of the social situation which the consumers of water were facing. Neither did they have a sense of the “history” of protest mobilisation which Bolivia has experienced. The “Cochabambinos” arranged a civil strike and marched to the central plaza, chanting outside the windows of the local governments’ office, creating fear inside that they might break down the doors. The local government negotiated with local leaders. For two days, while government officials and local leaders negotiated, police fired tear gas and rubber bullets at protesters. Police injured 175 protesters and one was killed. To be able to maintain order, the central government sent in police and troops from other areas of Bolivia¹⁹. After four days of public uprising and massive protests, the Bolivian government declared that it was breaking the contract with the Bechtel Corporation. Bechtel threatened to make the government compensate for cancelling the contract and in 2001 Bechtel filed suit against the Bolivian government. The company demanded \$ 25 million in compensation. This claim was later dropped by the company.

The government and the corporation at one point tried to put the blame for the uprisings on Bolivia’s coca leaf producers. This way they were trying to link the Cochabamba water protests to the instability following from the “war on drugs” which the Bolivian government was fighting in the lowlands of the Cochabamba region assisted by American armed forces. Trying to turn attention from the skyrocketing water bills and the protests it provoked to the ongoing social conflict with the coca leaf producers of the lowland did not succeed. It was the people of Cochabamba who protested: Poor families with a monthly income of \$ 60 and with water bills rising to \$15 a month

¹⁹ If only the local police were sent in, they might spot family members and friends among the protesters, and the government feared that their response therefore might have been less loyal.

had no other opportunities than to go to the streets protesting. Accusations of some groups bringing in people from the outside to help the protesters also proved false, since the city of Cochabamba was paralysed during the general strike. No cars, busses or planes entered or left the city due to road blockades and blockade of the airport. The president, Hugo Banzer (a former military dictator in the 1970's) proclaimed martial law, arresting protest leaders and shutting down television stations. The strike continued, however, and on April 10th 2000 Bechtel officials fled the country.

The “water war” was a struggle that the cochabambinos was fighting against rising water prices. But it was also about building a social movement to resist privatization and neo-liberal policies. Oscar Olivera, who was a key organiser of the protests and member of la coordinadora²⁰, has been quoted saying:

“You have to realize, this wasn't just April, it was November to April. It was the building of a movement. So there were people who brought food, brought water into the streets, people who came with vinegar for people to help them with the teargas. There were intellectuals and campesinos, a mix of people that knit together to form a whole around the issue of water. I think people sometimes forget this wasn't only about throwing Bechtel out, throwing out an international company. There was a second part going on here. A water law that was to be passed in congress, that is a law that affects all of Bolivia. For that reason, campesinos and people outside Cochabamba got involved, called our attention to the fact that this law would make all water saleable. In fact, what people said is they would even be able to sell the rain”²¹

The popular resistance forced the international corporation away from Bolivia, and distribution of water was given back to SEMAPA. The question is how this will affect the poorer neighbourhoods of Cochabamba, which continue to be without steady water supply. No pipes run through these neighbourhoods, and people are dependent on collecting rain water from rooftops or buying expensive barrels of drinking water from trucks coming to the area. The problems of poor neighbourhoods, poverty in general and inequality is not new in Bolivia²². The history of the country can give one explanation to why this is so, but ineffective national governments have also been to blame, even though new social reforms were introduced in the mid-nineties.

History:

The majority of the Bolivian population is indigenous²³. Due to marginalisation and racism (Urban & Sherzer, 1991, Van Cott, 2005), indigenous people have had no political power in the Bolivian society. After the revolution in 1952, where the MNR (Movimiento Nacional Revolucionario) came to power, the unions have played an important role in Bolivian society, especially the union for the workers in the mines gained strong political influence. With the economic collapse of especially the tin industry in the beginning of the 1980's the mining industry lost its importance for Bolivian economy, and the mine workers were fired and massive migration to the lower areas of Bolivia began. Many mine workers moved to Chapare, the tropical western part of Bolivia. In Chapare many of them became coca farmers.

Traditionally the larger part of the Bolivian population has inhabited the high plateau – the “Altiplano”, which is situated in between two Andean mountain ranges. The reason why a larger part of the population has lived here is displacement due to different “invasions” of their original territories since the times of the Incas. The more systematic displacements of the indigenous

²⁰ The organising committee behind the protesters

²¹ Quoted from Watson, 2003:4.

²² Bolivia is one of the poorest countries in South America.

²³ . Indigenous people are the original inhabitants of Latin America. Around 65% of the Bolivia population are indigenous (Van Cott, 1994)

population was initiated by the Spanish conquerors in their “reducciones”, where the Spanish colonial administration moved people away from their traditional villages, organised in ayllus, and into towns located around newly established haciendas, which were in need of workers. Many indigenous people thus became landless slave workers on the big haciendas owned by the Spanish conquerors and their descendants. The ayllus used to have territory in different ecological zones but now this was split up. Having plots of land in the high plateau, the valleys and the tropical lowlands, secured the members of the ayllus many different products: potatoes and quinoa²⁴ from the high plateau, wheat, cotton and corn from the valleys and tropical fruits from the lowlands. The ayllus persisted after the reducciones, but now they were only having territory in the altiplano, which excluded them from growing the diverse products in the different ecological zones, and also it altered the social organisation, which was tying together the extended ayllu. Nevertheless the social organisation connected to the technology of cultivating the land commonly in the high plateau persisted.

A large part of the indigenous population continued to live in the altiplano while other parts of the lower areas of Bolivia were sparsely populated. Being members of a social organisation also strengthened the indigenous population internally, and organising and uniting has been a trend in the Bolivian social movements over the centuries. After the 1952 revolution organising in unions became common since to be granted a piece of land after the land reform, the person had to be member of the peasant union. In the cities workers formed unions and the mine worker union gained great powers within the central workers union, COB (Central Obrera Boliviana). This power diminished after 1982 when Bolivia’s economic problems increased due to a fall of tin prices on the world market. Tin was Bolivia’s main export good. In 1985 then President Paz Estensorro introduced law number 21060 (structural adjustment program). This began the process of the structural adjustment policies. The objective of the law was to stop inflation, which was accomplished, but also the law was a blow to social organisations and unions, depriving these of influence in Bolivian society by privatizing state-owned industries. Before 1985, the Bolivian unions were very strong and the State provided at least 60% of the country’s employment. Among the state-owned industries were petroleum, telecommunications, airlines, railroads and mines. The mining sector was very important, and four mines produced 25 percent of the states’ total revenue²⁵. Many of these industries have been privatized, others have been closed down due to economic crisis, and the unions have lost their importance and strength.

Demonstrations and protest have been a way of expressing distrust and dissatisfaction with governments over the years. The Cochabamba water war was an incident in a long line of incidents of this kind. On the other hand the protests against neoliberal privatisation of industries and natural resources is a general trend in Latin America today, where populations in many countries have expressed their protest by electing new left wing governments, which all seem to oppose to the neo-liberal policies, that have been imposed in Latin America.

Regarding the water war in Cochabamba, government officials blamed cocaine traffickers and coca leaf peasants for the protests by farmers and workers in Cochabamba²⁶. The war against drugs has created social instability in Bolivia for decades, and is a consequence of poor farmers growing coca as a cash crop in order for them and their families to survive. In fact the coca production has also

²⁴ Quinoa is a special and very nutritious type of plant which provides the Andean population with grains for multiple purposes.

²⁵ Multinational Monitor, 2000

²⁶ CNN, 2000.

increased income for Bolivia²⁷. The US led “war on drugs” in Bolivia, which includes eradication of coca plants and fields, has led to decrease in drug money – including the money which small scale peasants received by selling the coca leaves – and thereby an increase in the dependency on foreign aid and support from international financing institutions like the World Bank and other donors. The coca leaf is a plant, which has been used traditionally for centuries by the indigenous people of the region. Therefore the protests against the war on drugs also have cultural connotations as part of many indigenous people’s traditions and culture.

Indigenous People and indigenous rights

Indigenous people in Bolivia are slowly gaining rights to land as indigenous people. They are granted land rights if they can prove that they have been there since before conquest. In many cases they actually can do that, since the colonial administration was registering a lot of conflicts over land during the colonial period, and these documents are possible to find. In some ayllus they also have kept documents for 300 years or more, and are now using them to obtain the right to their ancestral – as they claim it to be – land.

Additionally this stressing culture and right of land connected to the status of being *indigenous*, has also created some new strategies to the focus on culture. Since obtaining land rights, according to the INRA land reform, in most of Bolivia’s rural areas today increasingly are being connected to a status of being indigenous, some of the inhabitants of the rural areas, which for the last 50 years have been small farmers owning their own very small piece of land²⁸, are returning to acknowledging their indigenous past and want to alter the individual ownership to land to collective ownership to territories.

After 1952 and until 1985, when neoliberal policies were introduced, the farmers union was very strong in some parts of the Andean area, and the small peasants were organised in these unions. The union fought a socialist class struggle against the Bolivian state. In this discourse there was no room for enhancing anything indigenous, and part of the rural population was redefined as “campesinos”. Today the discourse is changing again. The campesinos now see an opportunity for bettering their life by “returning” to a more indigenous mode of organisation in recreating the ayllu of their area, re-establishing the social organisation and reclaiming collective ownership to land. As a consequence a lot of discussion is going on in Bolivia about who are indigenous, and who are not. Interestingly being indigenous in this case does not have so much to do with “culture and tradition”, but with obtaining land rights. “Culture” can in this case be seen as a practice, as a political instrument in the fight for land rights.

Indigenous People on the Global Scene.

In many third world countries leaders are faced with the need for change. Decentralisation- and democratisation processes are introduced in many of these countries. Countries with large indigenous populations are faced with special challenges in getting these groups to become a part of the process.

Indigenous people have been organising in political pressure groups and social movements. This rise of indigenous political movements can be perceived from different angles:

- 1) From the point of view of the governments, the indigenous movements present a challenge to different activities needed in the Latin American countries today. Stagnant economies, large

²⁷ As former president Quiroga says: “Drugs, illegal as they may be, they were 3% of the GDP, 18 % of the exports. Bad as it was, damaging as it was, if you look at it from a purely business standpoint... it [the drug trade] was Milton Friedman heaven: all privately run, no taxation, no regulation, and in essence – if you want to look at it cynically – duty free access to markets” (Frontline world, 2002b)

²⁸ Due to land distribution in 1953, where landless peasants received plots of land on former haciendas

bureaucratic sector and traditional forces (church, military, large land-owners) are all factors that need to be dealt with along with incorporating indigenous groups in the state as well.

- 2) The indigenous leaders do not always regard the democratisation process as an advantage. They often see it as yet another example of exploitation from a government, which they are not used to offering anything interesting to the indigenous people. More often governments fight indigenous peoples' right to land and resources, so the indigenous leaders seem to have good reasons for distrusting democratisation proposals coming from the government (Van Cott, 1994).
- 3) A third angle is related to the relation between the indigenous people, governments and democratisation processes. The democratisation process can in fact be of mutual benefit to both government and indigenous groups. This requires that the democratisation laws allow the indigenous people to maintain their social organisation and land rights. Also it requires that the governments incorporate the indigenous people *as indigenous* and do not attempt to "civilize" or transform indigenous people in an assimilation process, which will attempt to eliminate the indigenous group and its culture, traditions and way of life.

Some argue that it is not possible to have a democratisation process, where you on the one hand strive to unify national interests *and* protect the interests of a subculture, which is here protection of the indigenous groups (Van Cott, 1994). The reforms in Bolivia did, on paper, try to do both, and these reforms actually paved the way for the election of Bolivia's first indigenous president in 2005.

New reforms

In the mid-1990's the government of Gonzalez Sanchez de Lozada introduced reforms on popular participation, agriculture, education and decentralization. These reforms were meant to include the indigenous population in the state on their terms: the indigenous population was recognized as *indigenous* for the first time²⁹. The policies of changing governments had hitherto been aimed at trying to assimilate and civilize the indigenous population to be *Bolivian* citizens. Now the State changed its rhetoric (and constitution) acknowledging, that Bolivia is a pluri national and multi cultural society, allowing for the first time that the indigenous population gained some self-determination in recognising their social organisations. This change came at the same time as the international interest on indigenous people increased partly spurred by the initiation of the decade of indigenous people under UN and the creation of the "UN Forum on Indigenous Issues"³⁰. But also in societies in the West, there was a growing interest in rights and especially, indigenous rights.³¹ The increased focus on indigenous people and indigenous peoples' rights was also part of many countries' donor policies. Since Bolivia is dependent on foreign aid, the governments have to comply with the policies favoured by the donors. As we have seen, this was the case with the privatization of water in Cochabamba: The World Bank demanded this privatization in order to support Bolivia with new loans.

Human Rights are important in the discourse of development, and receiving countries' policies have to correspond to the human rights declaration. This means granting rights to subaltern groups, among these indigenous people. Donors are thus influencing the Bolivian government policies, and the reforms of the mid-nineties were in accordance with donor policies. But there has also been a pressure from social and indigenous organisations to change policies in Bolivia³². One of the results

²⁹ Andersson, 1999

³⁰ <http://www.un.org/esa/socdev/unpfii/>

³¹ Henriksen, 2001

³² "The discourse of rights is particularly attractive for excluded groups seeking to justify their inclusion" (Foweraker & Landman, 1997: 228, quoted from Van Cott, 2005:41)

of the wishes for change has been the election of Evo Morales as president. Evo Morales is Aymara³³, former llama herder and coca leaf grower, and he has been active in the coca peasants' union for many years. Evo Morales was a representative of IPSP (Instrumento Político para la Soberanía de los Pueblos (Political instrument for the Sovereignty of the Peoples)). Due to the centralization of the political system in Bolivia, the formation of new parties is difficult. "In Bolivia political elites designed institutional rules with the intention of containing persistent party system fragmentation and to defend their space in the political system against challenger parties that emerged in the 1990's" (Van Cott, 2005:24). The IPSP was offered to run for election on the small socialist party MAS' list. Evo Morales had won constituency in the Chapare region and was elected a member of parliament on votes mainly from Chapare coca peasants, but the party MAS had large popular support in 2005, also outside the Chapare region.

Bolivia's new president.

The election of Evo Morales as new president is also in line with the protest against neoliberalism, since his rhetoric has strongly contested the neoliberal policies and the privatization deals with foreign companies on oil and gas. During the election campaign, there has been talk about nationalisation of oil and gas resources (from many candidates), but after the election these words have been "softened" some, and now Morales' government is talking about renegotiation of contracts, increased taxes to increase the state revenue on these resources and more state control over production levels and prices³⁴. A nationalisation would indicate that foreign companies would have to leave Bolivia, which on the other hand is in need of foreign investments in different sectors, for example the oil and gas sector.

The election of Evo Morales with more than 50% of the votes came as a surprise to many. Especially since he is now heading the socialist party "MAS" and also since he is a former coca peasant, a very controversial issue. The coca production in Bolivia is both for traditional use and for sale to drug traffickers, who bring the coca to Columbia for further processing. USA has a drug eradication program in Bolivia, where they send in troops in collaboration with Bolivian troops to eradicate coca fields. This is creating some controversy with the coca farmers, who are poor migrants, often from the mining areas in the Altiplano, who do not have many other opportunities than to grow coca. Coca is a cash crop and it is easy to transport and sell, as opposed to alternative products like pineapples, oranges or bananas. Evo Morales' constituency depends rather heavily on the coca farmers. His possibilities for governance lies in a mixture of meeting demands from a variety of different groups: coca farmers, poor people, indigenous people leftist middle class and intellectuals, former elites and large farmers of the Santa Cruz region, to name a few. The dependency on foreign aid and the luring of foreign investors to investing in the country also demands special policies and laws, which might clash with other interests.

Social movements and protests.

Many Latin American countries have witnessed social outcries during the last 10 years. Social and ethnic movements have gradually gained power in Latin America (Van Cott, 2005). One example is the Zapatistas in Mexico, who after years of social struggle now is transforming to a political organisation, trying to gain power through the political system. The new, highly politicized social and ethnic movements in Latin America can be seen as a response to the many years of neoliberal policies lead by authoritarian governments. The decline in bureaucratic authoritarianism and increasing implementation of democratisation and decentralisation policies in a number of countries (among these are Bolivia), have helped the formation of a new arena for social struggle within the

³³ One of the larger indigenous groups in Bolivia

³⁴ BBC News, 2005:2

civil society, which contest traditional power structures³⁵. New social and political movements have been formed to take the fight for social justice in poor Latin American countries. In Bolivia the protests have been a mixture of indigenous peoples' fight for rights and poor peoples' fight against neoliberal policies.

In the 70's an international indigenous movement emerged slowly by way of different international conferences held by church organisations and NGO's, which gathered indigenous groups from both North and South America. A key concept for indigenous groups is, as mentioned before: *Self-determination*.

There are two main reasons for this: Self determination has a basis in international law, where indigenous groups can define themselves as peoples, and thus claim to be protected by UN conventions (Della Porta, 1999). Another reason is that self-determination stresses the indigenous groups *own* definitions of who they are as a group inside and different from the nation state. They do not wish to be seen as minorities, who normally are seen as groups, which eventually will be assimilated into the majority society or culture.

The self definition as "peoples" is contested inside and outside the UN system. The question is whether it relates to "indigenous peoples" as well. Since indigenous people are groups with cultural, linguistic and historical ties to the territories they inhabit, they could be recognised as peoples according to UN standards. But the UN consists of nation-states, which are not willing to give too many rights to their groups of indigenous people, since this would endanger the stability of the nation-state (Van Cott, 1994). The nation-state in most postcolonial areas are, after all, arbitrary entities, where the borderlines were drawn according to power relations in the colonising states, and not according to the structures of indigenous societies, which already inhabited the areas. Therefore we see in Latin America and other parts of the third world today, members of the same ethnic groups living in different countries.

Even though indigenous people are still struggling to be recognised as "peoples" in the UN formulation, they have gained results internationally: The convention 169 of the ILO is very important for the indigenous groups, when talking about international recognition. Furthermore the UN decade of indigenous peoples (1993-2004, renewed in 2005) has had its impact.

The Human Rights Regime is another supporter of indigenous rights³⁶. Brysk (1994) presents the argument of the "international regime approach" as a useful instrument to use in understanding indigenous groups on the global scene. Especially the strategic use of information networks is useful for the indigenous groups or movements - the Zapatista movement in Chiapas was spreading news on the internet to the global civil society.

The indigenous people have begun to make use of international arenas, or regimes, because the national governments in the states they inhabit have been opposing the demands that the indigenous groups have posed regarding rights to living their life according to culture and traditions, and here especially rights to the use of land and resources. (Brysk, 1994: 33ff)

One of the places, where indigenous people's movements have tried to influence issues dealt with and decisions taken, is within the UN system, as mentioned before. The presence of political authority on international level and the existence of supranational power centres, such as the European Community and the United Nations offer new political opportunities and make way for globalisation of political protest. Through history, social movements have protested to different levels of authority. Before the creation of the nation-state in Europe, social movements had to

³⁵ Vanden, 2003.

³⁶ I define a regime as a "set of rules, which govern state action in particular areas". Jackson and Sørensen: Introduction to International Relations, 1999.

address their action on the local level to local authorities. One can hardly call these groups of discontented groups of for example peasants or merchants for social movements, as we know them today. It is not until the creation of a national level, that social movements gain influence. They organise within a nation-state on a national level, and thus are bigger and expressing more people's discontent. This shift to national collective action transformed to international collective action with the creation of supra-national organisations, like the UN.

The organisation of the UN has allowed other actors than states to take part in its work, but with a different position, since only member states have the right to vote. Even so, and especially since the Rio conference, 1992, the number of social movements organisations allowed to participate in UN activities has grown. In the case of indigenous people's movements, they have been challenging the nation-state for years concerning local matters of resistance against invaders who have claimed their territories and tried to change their culture and way of life. The indigenous people have through history put up resistance against this, first by armed conflict with the invaders, next by trying to negotiate with the local bosses. At the end of the 19th century the indigenous issue reached the national level. Indigenous people began to address their demands to the governments. But due to lack of results on this national level, the indigenous people have more recently addressed their demands to international organisations, hoping that this would help them in their fight against the national governments and local bosses, since governments are compelled by for example UN conventions and declarations.

The UN elaborates normative rules (Passy, 1999). The UN is thus an important actor for the indigenous people's organisations to deal with in order to obtain rights globally and within the nation state, in which they live. One major role for the UN is to create a forum, where: "Nation-states can build an international regime, that is, governing arrangements that affect every participant in the negotiation by creating norms and procedures that regularize their behaviour on specific arenas"(Della Porta (ed.): 1999:151).

This normative role of the UN is very important to the indigenous groups, since UN is not only an assembly of nation states. It is also a centre, where organised groups from civil society can address their demands and challenge decisions. The UN has from the beginning been open to social movements' organisations. This is stated in the article 71. The UN realised from the beginning the importance of collaborating with actors from civil society, especially within the Economic and Social Council (ECOSOC). Different groups can make oral and written statements during the meetings at different levels, but they cannot vote. And only trans-national social movements can participate and be granted consultative status.

"In the Indigenous peoples' area, human rights and indigenous peoples' organisations have taken on an increasingly important role within the UN, as their number grows year by year and, above all, as they play a more active role. Since the start of the negotiations on the Universal Declaration of the Rights of Indigenous Peoples, they have influenced the Declaration by drafting it, in collaboration with the UN administration, though the process is very slow."(Della Porta, 1999:157).

The growing importance of indigenous issues in Bolivia and the protests against neoliberal policies seem now to be parallel processes. Both processes build on the strong tradition in Bolivia for organisation and social protest, and can not always be held apart. The election of Evo Morales is at the moment the strongest example of the two processes uniting in one political project of securing indigenous people influence on government policies and controlling former neoliberal policies initiated by former governments and redirecting these policies towards new goals.

People in Cochabamba fighting for the right to clean and affordable water supplies and indigenous groups marching and demonstrating for the right to growing coca legally are two parallel trends in

contemporary Bolivia. They both are related to fight for rights, and they both contest the human rights regime and the contents and limits of human rights. Is access to water a human right? Do indigenous people have a claim on special rights? These are questions which are constantly contested and discussed within the UN, in nation-states and in different social organisations and movements.

Conclusion.

In January 2005 the inhabitants of the poorer La Paz satellite city, El Alto, took to the streets to protest over increasing water prices and demanding that the water system, which had been privatized in 1997, would be handed over to public hands. The water concession held by the French Corporation Suez, was cancelled by the president three days later.

Neoliberal policies are not always what they are supposed to be: beneficial for the world's poor. In the case of water privatization in Bolivia, the water supply to the inhabitants of Cochabamba and La Paz was not improved. On the contrary water prices increased to a level which was intolerable to the people, who then took to the streets. The international companies, Bechtel and Suez were forced from the agreements, and these were cancelled by the Bolivian government, pressed by the reactions from its own population. Privatization and neoliberal policies were on the agenda for the election campaigns in autumn 2005, and the newly elected president, Evo Morales, has promised to do something about the privatization. He has been talking about nationalization, but has lately "softened" his rhetoric to saying, that companies and corporations must pay higher taxes, and the states' revenue from Bolivia's natural resources must be higher.

In his rhetoric Evo Morales will not see the countries' natural resources as commodities, which should be sold on market conditions. On the contrary the natural resources and their richness belong to the Bolivian people, and access to for example water is seen as a common right.

To regard water as a commodity is still the position of international organisations like the World Bank and IMF. They have pushed for their policies to be implemented in poor countries around the world. Most (poor) people and UN's ECOSOC, on the other hand, regard water as a human right. This conflict between perspectives and policies will continue and the US has for example not yet ratified the international covenant on economic, social and cultural rights (ECOSOC).

However the indigenous population does use the international organizations, for example the UN, to make their demands being heard, also within the state, where they live. The Human Rights - to water or indigenous people's rights – is a platform from which the poor people can achieve some rights, which until recently they have been denied.

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