

Bolivia Under the MAS: A Case Study for Assessing Proto-Democratic Characteristics in Hybrid Regimes

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INTRODUCTION

More than six years have passed since Evo Morales was elected president of Bolivia. Under the leadership of Morales and his party, the Movement to Socialism, the Bolivian government nationalized gas, legalized coca, and created a new constitution. Perhaps most importantly, the rise of the MAS, an ethnic party with strong linkages to indigenous and *campesino* (peasant) organizations, signaled a new era of political inclusion of indigenous people. Despite the inclusion of formerly marginalized groups, the MAS also exhibited authoritarian characteristics. The government aggressively prosecuted the opposition, sometimes for minor offenses, and Morales referred to the media as “enemy number one.” After six years it is now possible to assess the effect of the Morales administration and the MAS on Bolivia democracy. The constitution is in full effect, and regional, presidential, and judicial elections have all occurred under the MAS. A study of democracy in Bolivia is particularly apt now that attention is turned to the Andean region in the wake of Hugo Chávez’s death.

The attention to democracy in the Andes is valuable. International scrutiny can promote political and human rights in Latin American regimes. For example, the 2012 decision of Bolivia's Constitutional Tribunal to remove the criminal charge of defamation from the penal code cited international treaties that protect freedom of expression.¹ International observation of elections contributed to at least minimally

¹ Mery Vaca and Freddy Lacio, “Eliminan el desacato y ablandan Ley Quiroga Santa Cruz,” *El Deber* [Santa Cruz, Bolivia], October 24, 2012,

competitive, if not fully fair elections, in almost all Latin American regimes after 1990. Democracy in the region also merits attention because scholarly analysis of the causes and consequences of democracy rely on accurate classification of regime-type and assessment of the level of democratization. Finally, attention to democracy in the region contributes to a constructive discussion about the meaning of democracy and how it should be assessed. According to Ton Salman, “ongoing experiments with alternative forms of democracy [in Bolivia and Ecuador] and the efforts to forge democracies that bolster civil, social, cultural, and participation rights make Latin America a fascinating laboratory for ‘reinventing democracy’ today.”² Although democracy has not been ‘reinvented’ in either Bolivia or Ecuador – harassment of the media and other violations of civil liberties are sufficiently pervasive to justify classifying these countries as nondemocracies – the achievements that these regimes have made in inclusion and participation should encourage us to more critically evaluate regimes in which the poor and minorities are marginalized from the political process.

Citizens and activists often appeal to democracy as a normative goal that is always just out of reach. This appeal to a democratic ideal has contributed to important gains in civil rights and other reforms. For the sake of comparative analysis, however, it is important to define democracy not as an ideal standard but as a minimum set of institutions that differentiate modern republics that can reasonably be considered “democratic” from non-democracies. A democracy is a regime that has free, fair,

<http://www.eldeber.com.bo/eliminacion-del-desacato-y-ablandamiento-de-la-ley-qui-roga-santa-cruz/121024002647>

² Ton Salman, “Reinventing Democracy in Bolivia and Latin America,” *European Review of Latin American and Caribbean Studies* 84 (April 2008), 87.

inclusive, and decisive elections and protection for civil liberties and basic human rights.³ Between 2006 and 2013, Bolivia had regular elections which were judged “free” and “fair” by international observers,⁴ but the political regime did not meet the minimum threshold for democracy. Harassment of the opposition through frequent investigations and prosecutions limited decisiveness of elections. Between 2010 and 2012, Bolivian law held that any regional government official formally accused of a crime was required to temporarily leave office even if they had not yet been convicted.⁵ Violations of civil liberties and basic human rights were also pervasive. Some of these violations were due to lack of resources and inefficiency in the judiciary, while others, such as the investigation of three media institutions for allegedly misquoting a speech by Morales,⁶ seemed to be targeted attempts to harass critics of the government.

Bolivia did not meet the minimum threshold for democracy between 2006 and 2012, but it also did not resemble even remotely the military dictatorships and full-authoritarian regimes that plagued Bolivia’s history prior to 1985. Bolivia, instead, fell somewhere in the “gray” zone between democracy and full-authoritarianism. Bolivia is

³ This definition is a variation of Robert Dahl’s criteria for polyarchy. Robert Dahl, *On Democracy*, (New Haven, CT: Yale University Press, 1998): 85-86.

⁴ “2010 Human Rights Report: Bolivia,” U.S. Department of State, April 8, 2011, <http://www.state.gov/j/drl/rls/hrrpt/2010/wha/154495.htm>

⁵ According to Law O31, “Governors, mayors, maximum regional authorities, departmental and regional legislators, and councilors of autonomous territorial entities will be temporarily suspended in the exercise of their charge when a formal accusation is dictated against them.” *Léy Marco de Autonomías y Decentralización ‘Andrés Ibáñez’*, Article 144, (July 19, 2010), <http://www.ine.gob.bo>.

⁶ “Fiscalía no fijó fecha para la presentación del informe sobre el proceso contra ANF, Página Siete y El Diario,” *Agencia de Noticias Fides* [La Paz, Bolivia], January 4, 2013. (<http://www.noticiasfides.com/g/politica/fiscalia-no-fijo-fecha-para-la-presentacion-del-informe-sobre-el-proceso-contra-anf-pagina-siete-y-el-diario-8553/>).

hardly alone in this gray zone: “hybrid regimes” – regimes that combine characteristics of democracy with characteristics of authoritarianism⁷ – may outnumber both liberal democracies and full authoritarian regimes in the world.⁸ Numerous scholars have written about how to classify hybrid regimes.⁹ Despite the proliferation of hybrid regimes and the valuable scholarship on identification and classification of these regimes, there exists little guidance on how to assess the balance between democratic characteristics versus authoritarian characteristics in hybrid regimes. On the contrary, scholars have cautioned against evaluating the quality of democracy in regimes that do not meet the minimum threshold for democracy.¹⁰ The metrics we use to assess democracies, such as voter-turnout, are often meaningless or even counter-productive in regimes where elections are not free or fair. The prevalence of hybrid regimes and the variety among these regimes, however, argue for the establishment of some framework with which to evaluate them.

Guillermo O’Donnell argues that modern democracy is formed from traditions of

⁷ Larry Diamond, “Elections without Democracy: Thinking About Hybrid Regimes,” *Journal of Democracy* 13:1 (2002), 23.

⁸ Andreas Schedler, “The Menu of Manipulation,” *Journal of Democracy* 13:2 (2002), 48; Diamond, “Elections without Democracy,” 26.

⁹ Schedler, “The Menu of Manipulation,” 36-50; Diamond, “Elections without Democracy,” 21-35; Matthijs Bogaards, “How to Classify Hybrid Regimes? Defective Democracy and Electoral Authoritarianism,” *Democratization* 16:2 (2009), 412; Steven Levitsky and Lucan Way, “Elections without Democracy: The Rise of Competitive Authoritarianism,” *Journal of Democracy* 13:2 (2002), 52.; Scott Mainwaring, “Classifying Political Regimes in Latin America,” *Studies in Comparative International Development* 36:1 (2001), 37.

¹⁰ David Altman and Aníbal Pérez-Liñán, “Assessing the Quality of Democracy: Freedom, Competitiveness, and Participation in Eighteen Latin American Countries,” *Democratization* 9:2 (2002), 87.

liberalism, republicanism, and popular sovereignty: “democracy.”¹¹ These proto-democratic characteristics also exist to varying degrees in hybrid regimes and form a useful framework by which to assess nondemocracies as well as democracies.

Liberalism argues that the government should respect a set of basic liberties.¹² In both democratic and hybrid regimes, liberalism is manifested in protection of civil liberties and basic human rights. Republicanism holds that virtuous leaders should serve the public interest and submit to the rule of law.¹³ In democracies, republicanism is manifested in low levels of corruption, rule of law, obedience to the constitution, and checks and balances that hold leaders accountable to the rule of law. Many of republicanism’s demands—leaders must follow the rules that they create and no branch of government should violate the law and encroach on the authority of other branches—are especially relevant in hybrid regimes where power is often concentrated in an executive with authoritarian tendencies. Popular sovereignty holds that people should determine the laws under which they live.¹⁴ In democracies, popular sovereignty is manifested in high voter turnout, equality before the law, and accountability of the government to the people. In hybrid regimes, high voter turnout in elections only serves as an indicator for popular sovereignty so long as elections are relatively competitive and reflect the will of the people.

An assessment of the quality of liberalism, republicanism, and popular

¹¹ Guillermo O’Donnell, “Horizontal Accountability,” *Journal of Democracy* 9:3 (1998), 113.

¹² *Ibid.*, 114.

¹³ *Ibid.*, 113.

¹⁴ *Ibid.*, 114.

sovereignty is useful for judging whether Bolivia under the MAS is a closer to democracy or authoritarianism. A qualitative analysis of these proto-democratic characteristics is sensitive to nuances that might go ignored by more assessments that give a regime a numerical rating. For example, republicanism declined in Bolivia under the MAS, while popular sovereignty increased. Although liberalism did not clearly increase or decrease, the group most affected by government violations of civil liberties changed. Many criteria that assess democracy along a single axis would not capture the fact that one characteristic of democracy increased, one declined, and one remained at a stable level even though it changed in its effects. Republicanism declined under the MAS due to executive encroachment and attacks on the judiciary. A strong judiciary is necessary to hold public officials accountable to the rule of law, but the MAS weakened judicial independence. The level of liberalism remained stable: civil liberties for indigenous people increased, while opposition leaders and some members of the media found themselves facing harassment, prosecutions, and other violations of civil liberties. Popular sovereignty increased during this time period. Direct election of judges to the high courts, increased participation in elections and civil society, and internal party democracy within the MAS increased popular sovereignty.

The MAS differs from other governing Latin American political parties due to its strong connections with a social movement base of indigenous and *campesino* organizations. These social movement organizations provide the structure for internal party democracy within the MAS. Internal party democracy, in turn, improves popular sovereignty at the regime level because it increases participation and provides a

mechanism by which citizens may hold elected leaders accountable between election cycles. Although the MAS still has a high level of participation from social movement groups, an increasing concentration of political power within Evo Morales and other top party officials has weakened the MAS's internal party democracy. To the extent that internal party democracy has diminished within the MAS, popular sovereignty may diminish at the regime level.

This thesis makes several unique contributions to the theoretical literature on democracy. First, it applies Guillermo O'Donnell's theoretical work on the three components of democracy – popular sovereignty, liberalism, and republicanism – to a case study. It then argues that these characteristics of democracy can be used to evaluate not only democracies but also hybrid regimes. Many hybrid regimes are stable and unlikely to become democracies in the near future. The relevant question for these regimes is not “how far along are they in the process of democratizing?” but rather “what democratic characteristics exist in these regimes now and how do they affect the political rights and freedoms experienced by citizens?” In analyzing the quality of popular sovereignty under the MAS, this thesis also advances the argument that internal party democracy improves regime-level popular sovereignty. Although internal party democracy improves popular sovereignty in fully democratic regimes, it is an even more important source for vertical accountability in hybrid regimes.

The first chapter of this thesis establishes standards by which to classify regime type. This chapter sets forth the minimum criteria for democracy, as well as the features of three regime-types that fall below the minimum threshold for democracy. This

chapter also proposes a framework to evaluate proto-democratic characteristics within hybrid regimes. The second chapter applies the framework for classifying regimes and assessing the quality of proto-democratic characteristics within non-democracies to the case of Bolivia. The purpose of this chapter is to classify Bolivia's regime-type and analyze the effect of the MAS on liberalism, republicanism, and popular sovereignty. The third chapter further explores the effect of the MAS on popular sovereignty by analyzing the effect of the MAS's internal party structure on regime-level popular sovereignty. This chapter examines how the internal party structure of the MAS changed over time. Finally, the concluding chapter suggests avenues for future research on Bolivia and the potential for using the framework set out in the first chapter to classify other hybrid regimes.

CHAPTER I: CLASSIFYING REGIMES AND ASSESSING THE QUALITY OF DEMOCRACY

Has Evo Morales “expanded” democracy, or pushed Bolivia into competitive authoritarianism?¹⁵ The answer to this question depends both on interpretation of the actions of the Morales administration and disagreement over the criteria for democracy. To assess whether a regime is a democracy requires explicit criteria for a minimum threshold for democracy, as well as for the quality of democracy in regimes that rise above the threshold, or alternatively for judging the quality of freedom, popular sovereignty, and other proto-democratic values in regimes that fall below the threshold. The use of the prefix “proto” refers to the fact that values, such as republicanism, popular sovereignty, and liberalism, have a long history that predates modern democracy. Although these values contributed to the rise of modern democracy, a regime may have certain proto-democratic values without meeting the full institutional requirements for the minimum threshold for democracy. “Proto-democratic” is not meant in this paper to carry a teleological connotation. Regimes may have some proto-democratic values but never reach the minimum threshold for democracy.

A wave of authoritarian regime collapses spread across Latin America from 1972 to 1992, in a dramatic expansion of democracy. This expansion, part of the third wave of democratization, led to the adoption of relatively free elections. Not all countries that

¹⁵ The former view is that of Martín Sivak, “Evo Morales Through the Prism of Wikileaks,” *ReVista: Harvard Review of Latin America* (Fall 2011) <http://www.drclas.harvard.edu>; that latter view is that of Steven Levitsky and James Loxton, “Populism and Competitive Authoritarianism in the Andes,” *Democratization* 20:1 (2013), 118.

adopted elections, however, surpassed the minimum threshold of democracy. Some never reached the minimum threshold, while others, such as Venezuela, reached it but then regressed below it.

Hybrid regimes, which combine elements of democracy and authoritarianism, are a challenge for regime classification. To meet this challenge requires us to set clear standards for a minimum threshold for democracy and for the quality of proto-democratic characteristics in regimes that do not meet the minimum threshold. Regimes that have free, fair, inclusive, and decisive elections, and which protect civil liberties and basic human rights, are democratic, and more democratic to the extent that their proto-democratic components of popular sovereignty, republicanism, and liberalism are more firmly grounded. The quality of political freedom and popular sovereignty in hybrid regimes may be judged, on the one hand, by how close or how far the regime falls short of meeting the minimum threshold for democracy and, on the other, along the dimensions of popular sovereignty, republicanism, and liberalism. Many, although not all, of the standards used to judge the quality of democracy may also help determine the extent to which valuable political freedoms, accountability, and popular sovereignty exist in hybrid regimes.

1.1 DEMOCRACY IN LATIN AMERICA, 1972-2013

Between 1972 and 1993 the number of democratic or almost democratic political systems in the world increased from 44 to 107.¹⁶ Samuel Huntington used the term “democracy’s third wave” to describe the expansion of competitive elections throughout Latin America, Eastern Europe, and the Asia Pacific from the 1970s to the early 1990s.¹⁷ By 1992 Freedom House, an independent watchdog organization, classified more than half of the countries in the world as electoral democracies.¹⁸ The transformation in Latin America was profound. In 1978 less than 20 percent of Latin Americans lived in a democracy or near-democracy; by the mid-1990s more than 90 percent lived in a regime with competitive elections.¹⁹ International norms, diminished polarization between left-wing and right-wing parties, and positive attitudes toward democracy among elites and within the electorate each contributed to the demise of military dictatorships and authoritarian regimes in Latin America.²⁰ Many scholars at the beginning of the third wave of democratization predicted that the new competitive

¹⁶ Bruce R. McCollm, as cited in Doh Chull Shin, “On the Third Wave of Democratization: A Synthesis and Evaluation of Recent Theory and Research,” *World Politics* 47:1 (1994), 136.

¹⁷ Samuel Huntington, “Democracy’s Third Wave,” *Journal of Democracy* 2:2 (1991), 12. According to Huntington, the first wave of democratization between the 1820s and 1926 with the widening of suffrage in the United States and the emergence of 29 democracies worldwide. The second wave of democratization began with the Ally victory in 1945 and reached its peak in 1962.

¹⁸ Freedom in the World: Electoral Democracies,” Freedom House (2013) <http://www.freedomhouse.org/report-types/freedom-world>.

¹⁹ Scott Mainwaring and Aníbal Pérez-Liñán, “Latin American Democratization since 1978: Democratic Transitions, Breakdowns, and Erosions,” in Frances Hagopian and Scott Mainwaring, eds., *The Third Wave of Democratization in Latin America Advances and Setbacks* (Cambridge: Cambridge University Press, 2005), 16.

²⁰ *Ibid.*

electoral regimes would revert to military dictatorships or to some other type of democratic breakdown.²¹ Others forecast that the fledgling competitive electoral regimes would undergo a process of democratic deepening until they fully evolved liberal institutions, checks and balances, and other hallmarks of Western democracies.²² Neither prediction came true.

Although several new democracies in Latin America, such as Uruguay and Chile, went through a process of democratic deepening, many others did not. In 1994 Guillermo O'Donnell described regimes that surpassed the minimum threshold for democracy, but fell short on holding fairly elected leaders accountable once they had assumed office, as *delegative democracies*. Such regimes, although minimally democratic, persisted without the republican and liberal institutions that prevent executive encroachment on the prerogatives of legislatures, judicial institutions, and subnational governments, and which allow other state institutions to hold the president accountable between elections.²³

²¹ Although Robert Dix in 1992 called the prospects for democratization in Latin America a "bit" better than it was in the 1960s, he pointed out, "threats abound both to many of the fledgling democratic regimes and to the several older ones derived from the 1950s: among them economic depression, social dislocation, antiregime violence, and a military not often fully content with an apolitical role." John Higley and Michael Burton were also pessimistic about the prospects for enduring democratic consolidation. Robert Dix, "Democratization and the Institutionalization of Latin American Political Parties," *Comparative Political Studies* 24:4 (1992), 489; John Higley and Michael Burton, "The Elite Variable in Democratic Transitions and Breakdowns," *American Sociological Review* 54:1 (1989), 29.

²² Thomas Carothers, "The End of the Transition Paradigm," *Journal of Democracy* 13:1 (2002), 6.

²³ Guillermo O'Donnell, "Delegative Democracy," *Journal of Democracy* 5:1 (1994), 55-69.

Many regimes that adopted competitive elections arguably never even achieved the minimum threshold of democracy, even though Freedom House classified some as “electoral democracies.” These regimes remained hybrid regimes with a mixture of democratic and authoritarian elements.²⁴ Scholars debate whether hybrid regimes are a subset of authoritarianism or a lesser form of democracy.²⁵ Hybrid regimes have free elections and real competition between parties and candidates, but fail to surpass the minimal threshold for democracy because they do not sufficiently protect civil rights or because their elections are not fully fair. Steven Levitsky and Lucan Way propose the concept of a “competitive authoritarian” regime to describe a hybrid regime that holds elections but nevertheless falls below the minimum threshold of democracy.

Competitive authoritarian regimes often violate the freedom and fairness of elections, which leads to an uneven playing field between the government and the opposition.²⁶ For example, a competitive authoritarian regime might mobilize state resources to campaign in elections, might ban a major opposition leader, might use legal means (ie. licensing and contracts) or threats to punish opposition media, or might imprison journalists of opposition politicians.²⁷

²⁴ Larry Diamond, “Elections without Democracy: Thinking About Hybrid Regimes,” *Journal of Democracy* 13:1 (2002), 23.

²⁵ Steven Levitsky and Lucan Way, “Elections without Democracy: The Rise of Competitive Authoritarianism,” *Journal of Democracy* 13:2 (2002), 52.

²⁶ *Ibid.*, 53.

²⁷ Steven Levitsky and Lucan Way, *Competitive Authoritarianism: Hybrid Regimes After the Cold War* (Cambridge: Cambridge University Press, 2010), 365-370.

Mainwaring and Pérez-Liñan argue that the period after 1992 revealed an “impasse in democratization.”²⁸ Hybrid regimes like Guatemala, Honduras, Nicaragua, and Paraguay failed to progress toward democracy, Cuba and Haiti remained authoritarian, and some other Latin American regimes, like Venezuela, regressed from democratic to hybrid status.²⁹ Many scholars count Bolivia as a democracy after 1985, but it was not. Labor leaders were exiled in 1985,³⁰ human rights were violated in coca-eradication programs,³¹ and the government put obstacles before indigenous parties attempting to register to compete in elections.³² Despite some possible bias in the oversight of elections, Bolivia prior to 1985 fell below the threshold for democracy due to violations of civil liberties and basic human rights rather than due to violations of electoral freeness or fairness. Rather than making a sudden transition below the democratic threshold under Morales, Bolivia was only dubiously democratic between 1985 and 2006, although 2006 to 2013 marked a further regression in republicanism, as manifested by greater executive encroachment. Of the trends that Mainwaring and Pérez-Liñan identify as part of the impasse in democracy, the most worrisome to

²⁸ Mainwaring and Pérez-Liñán, “Latin American Democratization since 1978,” 14.

²⁹ Scott Mainwaring, “From Representative Democracy to Participatory Competitive Authoritarianism: Hugo Chávez and Venezuelan Politics,” *Perspectives on Politics* 10:4 (2012), 955.

³⁰ James Malloy, “Democracy, Economic Crisis and the Problem of Governance: The Case of Bolivia” (Paper presented at the Latin American Studies Association’s 15th International Congress, September 21-23, 1989 San Juan, Puerto Rico), <http://www.springerlink.com/index/4611R5045627H611.pdf>.

³¹ “Bolivia Under Pressure: Human Rights Violations and Coca Eradication,” *Human Rights Watch* 8:4B (May 1996), <http://www.hrw.org/reports/1996/Bolivia.htm>.

³² Donna Lee Van Cott, “From Exclusion to Inclusion: Bolivia’s 2002 Elections,” *Journal of Latin American Studies* 35:4 (2003), 764.

scholars, as well as to American politicians, is the possible regression of democratic regimes and deficient-democracies into competitive authoritarianism.

Political leaders in Bolivia, Ecuador, and Venezuela championed “participatory” democracy and often increased support for democracy³³ but also undermined other characteristics of democracy, such as checks and balances in government that are important to republicanism and protections of free speech that are important to liberalism.³⁴ Evo Morales in Bolivia, Rafael Correa in Ecuador, and Hugo Chávez in Venezuela emerged as part of the tide of leftist candidate success that began in with Chávez's electoral victory 1998 and resulted by 2009 in more than two-thirds of Latin Americans living under left-leaning governments.³⁵ Unlike the more pragmatic social democratic leaders of Chile and Brazil, however, Chávez, Morales, and Correa all engaged in harsh criticism of the United States, befriended Fidel Castro, made populist-style appeals that pitted masses against elites, and called for extensive state intervention in the economy. Scholars have referred to these leaders as the “contestatory,” “radical,” “bad,” or “carnivorous” left, as opposed to the “moderate,” “good,” or “vegetarian” left.³⁶ One of the accusations leveled against these regimes is that they undermine

³³ Latinobarometro 2011 cited in Mainwaring, “From Representative Democracy to Participatory Competitive Authoritarianism,” 960-1; “Cultura Política de la Democracia en Bolivia 2012: Hacia la igualdad de oportunidades,” Latin American Public Opinion Project (2012), <http://www.vanderbilt.edu/lapop>.

³⁴ Levitsky and Loxton, “Populism and Competitive Authoritarianism in the Andes,” 107-108.

³⁵ Steven Levitsky and Kenneth Roberts, “Latin America’s ‘Left Turn’: A Framework for Analysis,” in Steven Levitsky and Kenneth Roberts, eds., *The Resurgence of the Latin American Left* (Baltimore, Maryland: Johns Hopkins University Press, 2011), 1.

³⁶ Steven Levitsky and Kenneth Roberts list these names as some of those used to refer to the two types of leftist leaders, although they call into question the dichotomy. They

democracy. A 2007 cable from the U.S. embassy in La Paz, published through Wikileaks, claimed that Morales had “antidemocratic tendencies” and that Bolivian democracy was “in danger.”³⁷ Some scholars also suggest that these regimes are best characterized as competitive authoritarianisms.³⁸ Venezuela, which Freedom House does not classify as an electoral democracy and which Polity IV labels an “open anocracy,” a type of unstable authoritarian regime with some, limited democratic characteristics, clearly falls below the minimum threshold for democracy.³⁹ Bolivia too, it will be argued below, fails to surpass the minimum threshold for democracy.

Neither Venezuela nor Bolivia resembles the military-authoritarian and hegemonic party regimes that were prevalent in Latin America from the 1940s to the 1970s. In part because international actors have more legitimacy when they act against the outright breakdown of a democracy than against the gradual erosion of its democratic character, slippage from high- to low-quality democracy has become more likely than rapid breakdown.⁴⁰ Even regimes that violate political rights or compromise

cite the terms “moderate” and “radical” in Weyland 20009, the terms “moderate” and “contestatory” in Weyland, Madrid, and Hunter 2010, the terms “good” and “bad” in Castañeda 2006, and the terms “carnivorous and vegetarian” in Vargas Llosa 2007. -- Levitsky and Roberts, “Latin America’s ‘Left Turn,’” 11.

³⁷ “Próxima Reunión del Secretario Adjunto (Depsec) con el VP [Vicepresidente] de Bolivia,” United States Embassy in La Paz (August 29, 2009), <http://wikileaks.vicepresidencia.gob.bo/PROXIMA-REUNION-DEL-SECRETARIO>. [Originally released by Wikileaks].

³⁸ Levitsky and Way, “Elections without Democracy,” 52.

³⁹ “Freedom in the World 2013: Venezuela,” Freedom House (2013), <http://www.freedomhouse.org/report/freedom-world/2013/venezuela>; “Authority Trends, 1946-2010 Venezuela,” Polity IV Project (2011), <http://www.systemicpeace.org/polity/ven2.htm>.

⁴⁰ Larry Diamond, “Elections without Democracy: Thinking About Hybrid Regimes,” *Journal of Democracy* 13:1 (2002), 25.

the fairness of elections are likely to retain many democratic elements. In Venezuela Chávez faced significant competition in the 2012 elections, and the media often criticized the government.⁴¹ Competition was not fair in Venezuela, but it was a real threat to Chávez's rule. International observers have deemed elections free and fair in almost all Latin American countries, and the military everywhere has ceded control to civilian leaders.

The presence of regimes in Latin America that fall short of liberal democracy yet look nothing like closed authoritarianism contributes to substantial confusion about the number and type of democracies in Latin America. Larry Diamond argues that the advantages of adopting at least some features of democracy led to an "unprecedented growth in the number of regimes that are neither clearly democratic nor conventionally authoritarian."⁴² In his classification of regimes in 2001, he found seventy regimes that fell short of liberal democracy but nevertheless did not qualify as closed authoritarian regime, and a remarkable 14 others that were too "ambiguous" to be classified reliably as electoral democracies or competitive authoritarian regimes. Although the definition of democracy can and should be debated, consistent labeling of regimes is important for scholarship on the causes and consequences of democracy. In an international environment where a high value is placed on democracy, the classification of regimes

⁴¹ Scott Mainwaring, "From Representative Democracy to Participatory Competitive Authoritarianism: Hugo Chávez and Venezuelan Politics," *Perspectives on Politics* 10:4 (2012); "Freedom of the Press 2012: Venezuela," Freedom House (2012), <http://www.freedomhouse.org/report/freedom-press/2012/venezuela>.

⁴² Larry Diamond, "Elections without Democracy," 25.

affects international relations, foreign aid, and the demands made by domestic actors who can draw on domestic and international scholarship to lobby for greater freedoms.

1.2 A MINIMUM THRESHOLD FOR DEMOCRACY

Democracy is a difficult-to-define concept: the word has meant radically different things in Ancient Greece, in 1792 France, and in modern Latin America. Over time, democracy has come to signify not just the accountability of the government to the people, but also a liberal respect for basic human rights and civil liberties and a republican commitment to virtuous public officials and checks and balances.⁴³ People may evoke the term to call for reduced corruption, civil rights, elections, more or less accountability of the executive to other branches of government, popular referenda, or any number of other reforms. The controversy over the meaning of democracy is constructive. Instead of holding democracy to a single standard, scholars, politicians, and citizens constantly debate the meaning and value of democracy, expanding the concept and applying it to new circumstances.⁴⁴ For example, the MAS's claim that it created a democratic revolution does not hold up to strict scrutiny, but the high level of participation and deliberation engendered by the MAS party structure before 2004 calls attention to the importance of party structure in shaping democracy at the regime level. The contested meaning of democracy presents a challenge for the scholar, however, who must classify regimes for the sake of comparative analysis.

⁴³ Guillermo O'Donnell, "Horizontal Accountability in New Democracies," *Journal of Democracy*, 9:3 (1989), 112-126.

⁴⁴ James McGuire, "Democracy, Agency and the Classification of Political Regimes," in Daniel Brinks, Marcelo Leiras, and Scott Mainwaring, eds., *Guillermo O'Donnell and the Study of Democracy* (2013). Under review.

The term “democracy” may refer both to a normative horizon, an ideal goal, as well as to a particular set of institutions.⁴⁵ Democracy in its ideal form would require an informed, enlightened citizenry who participate in elections and determine the political agenda. No country has achieved full participation or a fully enlightened citizenry.⁴⁶ A second connotation describes modern democratic representative regimes, or what Robert Dahl termed polyarchies.⁴⁷ The term "democracy" will be used in this thesis to refer to polyarchies, which are regimes that have those institutions that are *necessary for* the attainment of democracy in a given country.

Robert Dahl identifies democracy as a political regime with near-universal suffrage, the right of most citizens to run for office, elected officials, frequent and fair elections, freedom of expression, and the right to join political associations and interest groups which compete in politics.⁴⁸ Guillermo O’Donnell adds the requirement that the elected officials have authority to implement the law.⁴⁹ A simpler version of the criteria set out by Dahl and O’Donnell may be stated as: (1) free, fair, inclusive, and decisive elections and (2) protection of basic civil rights.⁵⁰ The requirement that elections be

⁴⁵ Robert Dahl, *Democracy and Its Critics* (New Haven: Yale University Press, 1989), 6.

⁴⁶ Few citizens are highly informed about the complex decisions made by their leaders. Ilya Somin, “When Ignorance Isn’t Bliss: How Political Ignorance Threatens Democracy,” *Cato Institute Policy Analysis*, No. 525. (2004).

⁴⁷ Robert Dahl, *On Democracy* (New Haven: Yale University Press, 2000), 85.

⁴⁸ *Ibid.* 34

⁴⁹ Guillermo O’Donnell “Illusions About Consolidation,” *Journal of Democracy*, 7:2 (1996), 35.

⁵⁰ James McGuire points out that Robert Dahl differs from Guillermo O’Donnell because the former only requires that leaders have legal authority, while the latter argues that they must have actual authority. Dahl also restricts the civil rights required to meet the minimum threshold of democracy to the freedom of speech and association while Dahl requires more expansive human rights. McGuire “Democracy, Agency,” 3.

decisive means that unelected actors, such as the military, do not encroach on the decision-making powers of elected officials and that elected officials generally complete their terms. Although the military in Bolivia did not encroach on the powers of elected officials, protests and prosecutions meant that several Bolivian politicians in the years from 2006 to 2012 could not complete their terms.

Several concepts are notably absent from such a definition of the minimum threshold for democracy, including some institutions that advance republicanism – horizontal accountability, judicial review, lack of corruption – and others that advance popular sovereignty – roughly proportional representation, avenues for participation outside of elections, and informed political deliberation. Setting a minimum standard for democracy, however, will always exclude some elements valuable to democracy. Most regimes that grant extensive protections of basic civil rights and fair elections deserve recognition as democracies. Beyond meeting the minimum requirements for modern democratic representative government, countries may vary in the quality of their democracy. James McGuire argues that below a certain threshold governments should not be considered democracies, but above this threshold we should see democracy as a continuous measure because the quality of democracy can vary.⁵¹ In democracies that fall below the minimum threshold for democracy, scholars cannot assess the quality of democracy. They can and should, however, assess the level of democratization and the widespreadness and rootedness of the proto-democratic characteristics of liberalism, republicanism, and popular sovereignty.

⁵¹ James McGuire, *Peronism Without Perón: Unions, Parties, and Democracy in Argentina* (Stanford, California: Stanford University Press, 1999), 12.

Basic human rights and civil liberties are essential parts of democracy and must form part of any minimum threshold for democracy, but the realities of social inequality and abuse by private actors ensure that some of these freedoms are curtailed in almost all regimes, including regimes usually considered democratic. Guillermo O'Donnell argues that regimes fall below the minimum threshold of democracy only when violations of civil rights exist in law or when de facto violations of civil rights by private actors or the government occur systematically.⁵² Does this mean that the United States drops below the threshold of democracy due to de jure disenfranchisement of felons even after they leave prison?⁵³ Does the ban on headscarves in public places in France violate freedom of expression to the point where it drops France below the threshold of democracy? What does a minimum standard of democracy mean if neither France nor the United States can achieve it? The usefulness of a minimum standard for democracy is that, unlike holding democracy to an ideal standard, the minimum standard should offer a wide number of case studies with variations of the quality of democracy among these cases.

1.3 ASSESSING THE QUALITY OF A DEMOCRACY

Dahl's criteria for polyarchy provide an important point of reference and convergence for scholars of democracy, but no such convergence exists for assessments of how democratic a polyarchy has become. Quantitative metrics focus on the

⁵² Guillermo O'Donnell, "Illusions about Consolidation," 47, endnote 9.

⁵³ James McGuire criticizes the United States for setting age limits for office, for enacting voter identification laws that suppress minority votes, and for failing to franchise almost all citizens by excluding felons who had served their prison terms. McGuire, "Democracy, Agency," 10-11.

expression of popular satisfaction with democracy in opinion polls and on the level of voter turnout; qualitative metrics inquire into the quality of checks and balances, government responsiveness, equality, rule of law, horizontal accountability, and vertical accountability within a regime.⁵⁴ Debates about the institutions that improve the quality of democracy are constructive, and it is useful to analyze carefully any one of the metrics commonly used to evaluate the quality of a democracy in a regime. One of the dangers of judging the quality of democracy within a regime, however, is the risk of conflating what is good with what is democratic.

Guillermo O'Donnell argues that good democracies combine three components: popular sovereignty: "democracy," liberalism, and republicanism.⁵⁵ These components often contradict each other. Popular sovereignty holds that the people should decide the rules under which they live, but liberalism, by distinguishing a private sphere that the government should not touch, holds that there are limits on what the people can decide.⁵⁶ Republicanism is concerned with virtue in the public sphere, especially the idea that public officials should submit to the law.⁵⁷ O'Donnell argues that any of these elements of democracy, if taken to excess, could result in an undesirable political regime. Popular sovereignty in this view, can lead to tyranny of the majority; liberalism can lead to rule by the wealthy (who defend property as a private sphere untouchable by the majority), and republicanism can lead to "paternalistic rule by the self-righteous

⁵⁴ David Altman and Aníbal Pérez-Liñán, "Assessing the Quality of Democracy: Freedom, Competitiveness, and Participation in Eighteen Latin American Countries," *Democratization* 9:2 (2002), 87.

⁵⁵ Guillermo O'Donnell, "Horizontal Accountability," 113.

⁵⁶ *Ibid.*, 114.

⁵⁷ *Ibid.*, 113.

elite.”⁵⁸ According to O’Donnell any one of these components “taken to an extreme would become a threat to polyarchy, and no single one can be said to be more basic than the other two. This is fortunate, for while polyarchy is a complicated and at times exasperating mixture, it is vastly preferable to a regime based on only one of its component traditions.”⁵⁹ Basing an assessment of democracy on separate components of democracy that contradict and limit each other is unsatisfying, but it also better than an alternative that ignores the tensions within the modern conception of democracy.

Different principles and legal protections increase the quality of democracy within a regime by maximizing one or more of the three components of democracy. Table 1 outlines the principles that maximize popular sovereignty, liberalism, and republicanism and the institutions that maximize these principles. These concepts come from long and complex traditions, and it is infeasible and possibly not desirable to define them in a way that is consistent with the usage of the term throughout history. Each of these components, however, as defined by O’Donnell, makes up an essential element of democracy.

Because popular sovereignty is a component of democracy, any assessment of democracy should address the extent to which the people determine the laws under which they live. Because popular sovereignty represents a tradition with a long and complex history, however, it is hard to analyze the quality of popular sovereignty directly. Instead, certain institutions and principles that may be derived from popular sovereignty can serve as indicators of the quality of popular sovereignty within a

⁵⁸ *Ibid.*, 114.

⁵⁹ *Ibid.*, 115.

regime. A high quality democracy will ensure legal political equality, although a few minor exceptions, such as Bolivia's gender quotas for party lists and its reserved seats for representatives from minority indigenous populations, may be acceptable in order to provide some representation for historically underrepresented groups. The regime should also take measures to reduce the informal discrimination and inequality that can sometimes undermine an individual's equal opportunity of participation. A high level of participation through voting and other mechanisms indicates a high quality of democracy, as do mechanisms that make government more responsive to citizens. Party structure can also influence the quality of democracy in a regime, especially in democratic or hybrid regimes where elections are not perfectly competitive due to social barriers, high investment cost in starting a new party, or, in the case of deficient democracies, repressive restrictions on the entry of new parties [Insert Table 1].

O'Donnell traces the principle of popular sovereignty to Ancient Greece, where citizens participated in assemblies. Selection by lot for public office in Ancient Greece reflected the principle of political equality, at least among citizens, because it assumed that "all citizens [were] roughly equally qualified for those roles."⁶⁰ Modern democracies have largely abandoned selection by lot,⁶¹ but continue to be founded on the principle that every person should have an equal opportunity to influence political decisions. Robert Dahl argues that a belief in democracy presupposes that "citizens ought to be treated as political equals in governing."⁶² If people were not politically

⁶⁰ *Ibid.*, 114.

⁶¹ An exception in the United States is jury duty.

⁶² Dahl, *On Democracy*, 62.

equal, then those with greater influence would be able to rule over those with less influence, and the regime would no longer be ruled by the whole people. In modern democratic republics, the principle of political equality is manifested in the equal opportunity of all citizens to participate in elections and in the equality of citizens before the law. Political equality is an indicator for popular sovereignty. Regimes that meet the minimalist criteria for democracy may additionally maximize political equality, and thus maximize popular sovereignty, by combating economic, linguistic, and social barriers that limit the *de facto* opportunity that certain individuals have to participate in the political system.

In certain circumstances, small differences in political equality may exist in a regime without lowering the quality of popular sovereignty. For example, the Bolivian legislature has reserved seats for indigenous representatives. The representation of minority groups may well contribute to a more diverse and meaningful process of democratic deliberation, however, even if it comes at the expense of strict equality in representation. In countries where the government has historically neglected or even undermined minority rights, special representation may also help to protect the civil and political rights of minorities, which are essential for democracy. In general, however, any violation of political equality should meet with suspicion. A polity that maximizes both legal and *de facto* equality of political opportunity almost always has a higher quality of popular sovereignty than a polity that does not.

Some scholars argue that an assessment of the quality of democracy should take into consideration not just the equality of opportunity but also the actual realization of

this equal opportunity through equal participation and influence.⁶³ To apply the principle of equal participation to any current democracy, however, would likely result in the erosion of that democracy. The complexity of modern democratic regimes requires that some individuals specialize in political activism, political representation, and political communication. Individuals in the media, protesters, members of civil society groups, politicians, and activists all influence political decision-making more than does an individual who simply votes. The principle of equal political participation and the even stronger principle of equal political influence also limit the extent to which intensity of belief may affect political participation. Some laws affect a particular group intensely; it is reasonable that individuals who belong to such a group should exercise disproportionate political influence through petitioning, media appeals, and consultation with representatives. In Bolivia, for example, it was appropriate for minority indigenous groups to mobilize from 1990 to 2008 in pursuit of the constitutional right to be consulted before any national development project affected their territory.⁶⁴ These indigenous groups are often small and so their influence on public policy is disproportionate to their numbers. Thus, equal political influence is not a good metric for assessing the quality of popular sovereignty within a polity. Large disparities in the influence exercised by different groups of people, however, may

⁶³ Bart Engelen, "Why Compulsory Voting Can Enhance Democracy," *Acta Politica* 42 (2007), 24.

⁶⁴ Emily Achtenberg, "Battle of Reports Sustains Bolivia's TIPNIS Conflict," *NACLA Reports* (January 18, 2013) <https://nacla.org/blog/2013/1/18/battle-reports-sustains-bolivia%E2%80%99s-tipnis-conflict>.

indicate disparities in *de facto* opportunities for political participation, which would signal a lower quality democracy.

Although not every individual will participate equally in a polity, to maximize the level of political participation once the minimalist threshold has been met can deepen democracy. A high level of participation is valuable because it increases the extent to which the policies of a regime reflect the will of the people living under those policies. A high level of participation reduces the likelihood that a particular group will be underrepresented systematically and thus ignored.⁶⁵ Participation also has an intrinsic value for the individual engaging in the political system. Aristotle, despite rejecting democracy, argued that citizenship and participation in political discussion and decision-making were essential for humans to realize their full potential.⁶⁶

Democracy allows people to exercise practical reason by choosing the rules (or at least the rule-making leaders) that they will be obliged to follow.⁶⁷ The intrinsic value of democracy is maximized when political participation is high. Thus, broad participation as indicated by voter turnout and participation in political groups improves the quality of democracy in a regime. An increase in the depth of participation through greater political deliberation, activism, public assemblies, and other mechanisms also improves the quality of democracy.

⁶⁵ Arend Lipjhart, "Unequal Participation: Democracy's Unresolved Dilemma," *The American Political Science Review* 91:1 (1997), 2.

⁶⁶ Aristotle, *Nicomachean Ethics*, MIT Classics Database, <http://classics.mit.edu/Aristotle/nicomachaen.5.v.html>.

⁶⁷ Amartya Sen, *Development as Freedom* (New York: Alfred A. Knopf, 1999), 148.

Popular sovereignty is maximized when individuals make informed decisions. Transparency in government, education of the citizenry, and political deliberation are essential for the function of popular sovereignty. When individuals lack the information necessary to make informed decisions and instead of arbitrary judgments, then popular sovereignty is limited. In a government with no transparency, political leaders could trick the electorate, rendering meaningless the accountability to which elections might otherwise contribute. Instead of realizing a citizen's capacity to make reasoned choices about the laws one will be obliged to obey, participation in a regime without transparency is merely a bewildering guessing game. Such was the case in Bolivia both before and after the rise of the MAS in the early 2000s. A high level of corruption and political patronage gives public officials incentives to limit transparency.

Popular sovereignty requires that mechanisms of participation, most importantly elections, hold elected officials accountable. In order for elections to hold officials accountable and to influence policymaking, voters must be able to choose among candidates representing distinct political positions. Barriers to candidacy should be low so that new options emerge if the existing parties or candidates do not address issues that are important to the electorate. In Bolivia prior to the rise of the MAS, informal and formal barriers to the formation of new parties contributed to a situation in which the existing party options were insufficient to represent the diversity of opinions of the electorate.⁶⁸ When parties are less responsive to the electorate, the quality of democracy

⁶⁸ Slater, Dan and Erica Simmons. "Coping by Colluding: Political Uncertainty and Promiscuous Powersharing in Indonesia and Bolivia." *Comparative Political Studies* 20:10 (2012), 1-28.

is reduced. Substantive decision-making requires that the people influence which issues rise to the political agenda as well as the choices that are made among alternative ways of making decisions about those issues.⁶⁹ Mechanisms of vertical accountability, such as protest, petitions, participation in developing party platforms, and participation in civil society groups, help citizens influence the political agenda itself.

Liberalism conflicts with the principle of popular sovereignty because it holds that there is a private sphere that the government, even in responding to the will of a majority, should not violate. Guillermo O'Donnell traces the tradition of liberalism to thinkers such as John Locke and the Baron de Montesquieu. According to O'Donnell's definition, liberalism "embodies the idea that there are rights which no power, prominently including the state, should violate."⁷⁰ The scope of these rights is debated, but they may generally be considered to include freedom of expression, freedom of assembly, freedom of religion, and due process of law. Whereas popular sovereignty is primarily concerned with people's positive right to participate in political decision-making, liberalism is concerned with individual's private rights.⁷¹ O'Donnell argues that by limiting the range of issues on which the people are entitled to pass collective judgment, liberalism constrains popular sovereignty. On the other hand, the protection of civil rights also promotes popular sovereignty, because some basic freedoms, such as the freedom to assembly and freedom of speech, are necessary conditions for

⁶⁹ Dahl, *On Democracy*, 38.

⁷⁰ O'Donnell, "Horizontal Accountability," 113.

⁷¹ *Ibid.*, 114.

participation and political equality.⁷² Evaluation of the quality of democracy must incorporate an assessment of respect for civil and human rights because even high-quality democracies vary in the degree to which they protect these rights.

Liberalism presupposes a private sphere protected from government interference, but society has not come to any sort of agreement about what this sphere contains. At some extremes, libertarians claim that the government should not interfere with property or market activity. In Santa Cruz, Bolivia many business leaders rallied to protect their property from the MAS-led government.⁷³ A proscription on redistribution of property, however, places too strict a limit on popular sovereignty. In all modern democracies, the people in principle have the authority to make decisions about the distribution of society's resources.

The elements of liberalism that should influence the assessment of the quality of a democracy include the protection of free speech, free assembly, and due process. Although a high-quality democracy need not strictly separate church and state, people should be free from religious prosecution. The government should also strive to protect people from violations of their rights committed by private actors. The state should take measures to protect religious and ethnic minorities from discrimination and violence.⁷⁴ An effective judiciary is often crucial to the ability of the state to protect civil liberties.

⁷² Dahl, *On Democracy*.

⁷³ Kent Eaton, "Backlash in Bolivia: Regional Autonomy as a Reaction Against Indigenous Mobilization," *Politics Society* 35:71 (2007), 85.

⁷⁴ Freedom House recognizes the protection of citizen's rights to freedom of assembly, freedom of religion and conscience, and freedom of speech. Freedom House also recognizes that citizens have a civil right to protection from discrimination, state terror, unjustified imprisonment, and torture. Freedom House, "Divergence and Decline: The Middle East and the World After the Arab Spring," *Countries at the Crossroads* (2012).

Without an effective judiciary, the right to due process is often violated and individuals who face abuse and harassment often have little recourse to sue for protection.⁷⁵

The liberal tradition springs in part from a deep distrust of government. The tradition of liberalism has always expressed concern about a tyrannical government that will trample individual rights. It is this suspicion of government combined with republicanism's idea that political leaders must submit themselves to the rule of law that leads to an argument for horizontal accountability in democracy. Horizontal accountability, often termed "checks and balances" in the United States, means that actors in certain state institutions have the capacity to hold accountable actors in other state institutions.⁷⁶ Although related to liberalism, O'Donnell classifies horizontal accountability as a principle that comes from the republican component of democracy.⁷⁷

Republicanism, according to O'Donnell, is "the idea that the discharge of public duties is an ennobling activity that demands exacting subjugation to the law and selfless service to the public interest."⁷⁸ Republicanism requires that representatives act in the public good and that they separate their private interests from their actions in the public sphere. The republican component of democracy supports horizontal accountability because it maintains that virtuous politicians and leaders should submit to the rule of law. By allowing state agencies to hold other state agencies accountable to the law and constitution, horizontal accountability discourages leaders from violating the law. Republicanism also emphasizes commitment to the public sphere over private

⁷⁵ O'Donnell, "Horizontal Accountability," 113.

⁷⁶ *Ibid.*

⁷⁷ *Ibid.*

⁷⁸ *Ibid.*, 113,

interests. For this reason, republicanism makes a strong argument against corruption and clientelism, which give priority to private interests over the public sphere.

Using elements of democracy proposed by O'Donnell, this section has proposed several standards by which to judge the degree to which a regime that has surpassed the minimalist threshold of democracy has moved toward democratic deepening, and by which to assess the degree to which a regime that falls short of this threshold nevertheless approaches it. Popular sovereignty, liberalism, and republicanism are each part of the common understanding of modern representative democracy. Although these principles may at times conflict with one another, they are each essential to high-quality modern democratic regimes. As often as they conflict, they are also mutually reinforcing. A high-quality democracy should further popular sovereignty by increasing legal and de facto political equality, promoting high level of political participation, and creating a space for deliberative discussion. Decisions of the majority, however, must be limited in some way by liberalism. A government should protect the basic human and civil rights of people both from the government itself, as well as from private actors. In order to ensure that leaders uphold republicanism by submitting to the rule of law, state actors should have the power to hold other state actors accountable for violations of the rule of law through horizontal accountability. Republicanism argues against clientelism, corruption, and particularism. Thus, liberalism, republicanism, and popular sovereignty provide a basic framework for assessing the quality of democracy.

1.4. ASSESSING THE LEVEL OF DEMOCRATIZATION IN A DEFICIENT DEMOCRACY

Many regimes, arguably even some regimes generally considered to be “established democracies,” actually fall below the minimum threshold for democracy. Although scholars have proposed ways to classify such regimes,⁷⁹ few have proposed criteria for judging the quality of political freedom and electoral competition *within* such non-democratic regimes. Many scholars restrict their analysis of the quality of democracy to regimes that meet a certain minimum threshold of democracy.⁸⁰ Although hybrid regimes do not meet this threshold, they often manifest many of the same elements of popular sovereignty, liberal freedoms, and republican values that characterize democracy. Today, hybrid regimes are even more numerous than democratic regimes.⁸¹ Accordingly, it is crucial to assess the degree and resilience of such proto-democratic characteristics as *do* exist within these regimes. To determine the appropriate classification of the regime in question (e.g. competitive authoritarian or deficient democracy) aids in such an assessment, but classification alone is not sufficient to evaluate the degree to which a regime approaches or falls short of the minimalist threshold of democracy. A consideration of the strength of popular sovereignty, republicanism, and liberalism in hybrid regimes can provide a useful tool for assessing the quality of democratic characteristics in these regimes.

To maximize conceptual precision, regimes should be classified into four types: democracy, deficient democracy, competitive authoritarianism, and full

⁷⁹ David Collier and Steven Levitsky, “Democracy with Adjectives: Conceptual Innovations in Comparative Research,” *World Politics* 49 (1997).

⁸⁰ Altman and Pérez-Liñán, “Assessing the Quality of Democracy,” 187.

⁸¹ Andreas Schedler, “The Menu of Manipulation,” *Journal of Democracy* 13:2 (2002), 48.

authoritarianism. In the first category are regimes that have free, fair, decisive, and inclusive elections and strong protection of civil rights. Free and fair elections in such regimes must be based on a principle of political equality, must lack formal or informal mechanisms of voter disenfranchisement, and must allow for relatively easy entry of new political candidates. Deficient democracies, competitive authoritarian regimes, and fully authoritarian regimes are each variants of non-democracy. Deficient democracy and competitive authoritarianism both fall under the broader category of hybrid regimes – regimes that mix democratic and authoritarian characteristics.

Deficient democracies lack one or more of the features necessary to meet the minimum criteria for democracy, but do not fall far enough below the threshold to warrant labeling them a variant of authoritarianism. Although some authors have used the terms “deficient” or “defective” to refer to low-quality democracies, the term deficient can also mean “insufficient” or “lacking some element or characteristic.”⁸² In deficient democracies elections reflect the will of the people, individuals may criticize the government, and democratic institutions are the defining framework for political contestation, but free, fair, inclusive, and decisive elections and protections and civil and human rights are not fully respected.

Below the level of deficient democracies are the two regime types that are variants of authoritarianism. Competitive authoritarianism includes all authoritarian regimes in which elections represent a source of uncertainty for the incumbent. Although elections are usually not fair and incumbents often violate political and civil

⁸² “Deficient,” Dictionary.com Unabridged (Random House, 2013), <http://dictionary.reference.com/browse/deficient?s=t>.

rights in an effort to suppress the opposition, elections are still meaningful in the sense that it is possible for the opposition to win. Full authoritarianism, by contrast, includes regimes without elections, as well as regimes in which elections are so fraudulent that they have no bearing on the leadership of the country.

Hybrid regimes are best divided into subtypes of near-democracy and subtypes of authoritarianism. Such a characterization is at odds with classifications that label as authoritarian every regime that falls below a minimal threshold of democracy.⁸³ Although it may be better to mislabel a low-quality democracy as an authoritarian regime than to mislabel an authoritarian regime as a democracy,⁸⁴ authoritarianism should not be a catch-all term for any regime that partially violates one of the minimum standards for democracy. In fact, to label as authoritarian all regimes that fall below the threshold of democracy may discourage scholars from recognizing shortcomings in regimes that are generally considered democratic. The United States before 1964, for example, did not meet a minimalist threshold for electoral fairness owing to practical impediments to the voting of Blacks and Native Americans in some states, but few people would comfortably call such a regime authoritarian. Matthijs Boogards argues for a classification that provides a space for diminished subtypes of democracy and authoritarianism alike. He argues that such a “double-root” classification will “help to

⁸³ Levitsky and Way, “Elections without Democracy,” ---; Schedler, “The Menu of Manipulation,” 46.

⁸⁴ Schedler implies this argument when he says he prefers “to err on the side of authoritarianism” in classifying regimes. Schedler, “The Menu of Manipulation,” 47.

more adequately capture and differentiate contemporary regime types.”⁸⁵ The correct labeling of the root word is important because scholars ask different research questions about deficient democracies than about authoritarian regimes, and democracy promotion strategies also differ according to whether they are applied to competitive authoritarian or deficient democratic regimes.⁸⁶

Andreas Schedler also divides regimes into four categories, but he labels the regime-type between full democracy and competitive authoritarianism as “electoral democracy.”⁸⁷ By changing the term “electoral democracy” to deficient democracy, the classification system in this thesis recognizes that the quality of elections may vary without dropping a regime to the level of authoritarianism, and also avoids privileging regimes that fall below this threshold due to civil and human rights abuses over regimes that fall below the minimum threshold for democracy due to low-quality elections.

The proto-democratic characteristics of regimes may vary widely even within a particular sub-type of hybrid regime. One method for assessing the level of democratization in a hybrid regime is to assess how far it falls short of meeting the minimum threshold for democracy. An analysis of the freedom, fairness, decisiveness, and inclusiveness of elections and of the protection of civil rights within hybrid regimes can differentiate between regimes that display most of the characteristics of democracy from regimes in which civil rights abuses are pervasive and in which elections are

⁸⁵ Matthijs Bogaards, “How to Classify Hybrid Regimes? Defective Democracy and Electoral Authoritarianism,” *Democratization* 16:2 (2009), 412.

⁸⁶ *Ibid.*, 415.

⁸⁷ Schedler, “The Menu of Manipulation,” 46.

highly uncompetitive, unfair, non-inclusive, or indecisive. One advantage of assessing hybrid regimes using the criteria for the minimum threshold for democracy is that this practice helps establish whether or not certain indicators (such a voter turnout) are applicable in a hybrid regimes. For example, voter turnout serves as an important metric for assessing the quality democracy in a democratic regime. When applied to regimes that fall below the threshold of democracy, however, the use of this measure is inadvisable. In an authoritarian regime in which voters are presented with only one option, for example, high voter turnout is not only meaningless, it may also serve to add legitimacy to and perpetuate the authoritarian regime.⁸⁸

To assess hybrid regimes solely on the basis of how close they come to meeting the minimum threshold of democracy is a good starting point, but certain components of democracy that fall outside of the criteria by which the minimum threshold is determined can provide important insight into the democratic characteristics of a hybrid regime. For example, horizontal accountability is not part of the minimum threshold for democracy, but it may play in important role in increasing the republican and liberal components of democracy in a hybrid regime that fails to meet the minimum criteria. This role is especially important in regimes in which the executive is prone to extralegal political maneuvers and violations of political and civil rights.

Bolivia, for example, does not meet the minimum threshold for democracy under the

Morales administration, in part because selective prosecution of political opponents of

⁸⁸ Scott Mainwaring makes argues that high levels of participation in Venezuela under Hugo Chávez may actually contribute to the persistence of the competitive authoritarian regime. Scott Mainwaring, "From Representative Democracy to Participatory Competitive Authoritarianism."

the MAS have undermined political rights and the fairness of elections. In 2012, however, the Constitutional Tribunal limited the ability of the government to bring defamation charges against opposition leaders. The court's exercise of horizontal accountability, although limited, reveals a move toward greater democratization. Similarly, Chapter 2 will argue that even though Bolivia does not meet the minimum threshold for democracy, popular sovereignty increased between 2006 and 2012. The assessment of popular sovereignty in Chapter 2 considers metrics such as voter turnout and vertical accountability that fall outside the metrics used to assess how close or far a regime is from meeting the minimum threshold for democracy. Without assessing these metrics, it would be impossible to understand why Bolivians perceived the country was more democratic after 2006 than before this year⁸⁹. An assessment of the quality of proto-democratic characteristics, such as republicanism, liberalism, and popular sovereignty (included in which is an assessment of horizontal accountability), contribute to a more complete analysis of a regime.

The criteria used to assess the strength of popular sovereignty, liberalism, and republicanism in democracies may also be used to assess these elements in semi-democracies. A broad framework for analyzing the strength of democratic components in hybrid regimes will allow for a more nuanced analysis both of the state of political rights in that regime and of the prospects for further democratization. International watchdog agencies have already adopted an assessment of the quality of democratic characteristics that they apply to democracies as well as regimes that fall below the

⁸⁹ Latin American Public Opinion Project, "Cultura Política de la Democracia en Bolivia 2012" (2012), <http://www.vanderbilt.edu/lapop>.

threshold of democracy. Freedom House assesses the level of accountability, civil liberties, rule of law, and transparency within regimes it characterizes as less than "free,"⁹⁰ while Polity IV assess the level of executive recruitment, executive restraint, and political competition within a regime.⁹¹

Care must be taken when applying indicators used to judge the quality of democratic regimes to the assessment of hybrid regimes. For example, greater respect for the rule of law improves the quality of democracy in regimes that meet the minimum threshold for democracy. Greater respect for the rule of law in competitive authoritarian regimes, however, may mean enforcing repressive laws that do not reflect the popular will. Likewise, a high level of voter turnout increases the quality of democracy in fully democratic regimes, but may well serve to legitimate an authoritarian regime and thereby reduce its chances of democratizing. Despite these challenges, if approached with caution, the assessment of popular sovereignty, liberalism, and republicanism in hybrid regimes can advance the understanding of their nature and possible futures.

⁹⁰ Freedom House, "Divergence and Decline."

⁹¹ Polity IV, *The Polity IV Country Report 2006 Series: Explanatory Notes*, <http://www.systemicpeace.org/polity/keynew.htm> (2006).

CHAPTER II: DEMOCRACY IN BOLIVIA, 2006-2012

In an interview with Jorge Ramos on the U.S. channel Univisión, Evo Morales called Fidel Castro a “democratic” leader.⁹² The description of Castro as a democratic leader concerns many critics who worry Morales conflates popular support and actions on behalf of the “masses” with the institutional structure of democracy and competitive elections. Sometimes it seems as if Morales is willing to invoke his popularity and his close relationship with indigenous people and the poor to justify his political program, without actually going through the long and combative process of political compromise and negotiation with opposition parties. Reacting to Morales’s at-times inflammatory comments—his description of Castro as democratic, his description of the MAS as a “Leninist-Stalinist” party,⁹³ and his labeling of the media as “the number one enemy”⁹⁴—many scholars concluded that the MAS destroyed democracy in Bolivia and is well on the way to consolidating power through Chávez-like authoritarianism. Douglas Farah describes the MAS as “antithetical to liberal democracy” and titles his paper about Morales’s reelection “Into the Abyss.”⁹⁵ In a somewhat more even-handed analysis, Levitsky and Loxton argue that Morales’s attacks against horizontal

⁹² “Tensa entrevista de Evo Morales,” *El Mundo* [Madrid, Spain], February 2, 2006, *El Mundo*, <http://www.elmundo.es/>

⁹³ Evo Morales quoted in Douglas Farah, “Into the Abyss: Bolivia under Evo Morales and the MAS,” International Assessment and Strategy Center (2009), <http://www.strategycenter.net>.

⁹⁴ U.S. Embassy in La Paz, Bolivia, “Attacks against freedom of the press in Bolivia,” Cable sent to the Secretary of State. *Wikileaks*, March 24, 2008, <http://wikileaks.org/cable/2008/03/08LAPAZ647.html>

⁹⁵ Farah, “Into the Abyss.”

accountability have dropped the regime below the threshold of democracy and into the realm of competitive authoritarianism.⁹⁶

A significant number of scholars, however, classify the MAS not as a vehicle for the destruction of democracy but rather as an agent of democratic salvation. According to Nancy Postero, “Morales and his government...may be working toward perfecting, or vernacularizing, liberalism to make it more democratic and more relevant to Bolivia’s indigenous populations.”⁹⁷ Although Donna Lee Van Cott was critical of many elements of the MAS government, she argued that indigenous parties, including the MAS, “offer a coherent alternative to elite-dominated democratic institutions” and can work to diffuse “innovative democratic institutions.”⁹⁸ Supporters of the MAS contend that the 2005 elections ushered in a democratic revolution where the majority of Bolivians, the indigenous and poor, finally exercised independent political authority over the country.

International watchdog agencies have not sided either with the evaluation of the MAS as a death-knell for democracy or with the interpretation of the MAS as a radical democratic reformer. Freedom House classifies Bolivia as a “partly free,” “electoral democracy.” The classification of electoral democracy designates the presence of “free and fair” elections, while the classification of “party free” reflects that Bolivia received a

⁹⁶ Levitsky and Loxton, “Populism and Competitive Authoritarianism in the Andes,” 117.

⁹⁷ Nancy Postero, “The Struggle to Create a Radical Democracy in Bolivia,” *Latin American Research*, 45 (2010), 59.

⁹⁸ Donna Lee Van Cott, “Radical Democracy in the Andes: Indigenous Parties and the Quality of Democracy in Latin America,” Kellogg Institute Working Paper #333 (2006), 28. www.plataformademocratica.org/Publicacoes/6850_Cached.pdf

score of 3.0 or higher (on a scale in which one is the most free and seven is the most authoritarian) on an averaged rating of political rights and civil liberties. With an average score of 3.0 Bolivia barely falls under “partly free” rather than “free,” the cutoff for which is anything above 3.0 by Freedom House’s rating.⁹⁹

Freedom House dropped Bolivia from the classification of a “free” country to a “partly free” country in the 2004 report covering the events of 2003, which included numerous protests, the ouster of a democratically elected president, and violent police and military action.¹⁰⁰ The change in classification occurred before the MAS took power, although critics of the MAS argue that Morales and associated peasant organizations reduced the quality of democracy even before they entered the government through destabilizing protests between 2003 and 2005. Morales and his supporters were only a component of the widespread protests, however, so the more relevant critique is not that Morales caused the decline from “free” to “partly free” but that the rating has not improved from where it was in Freedom House’s analysis of 2003, a year in which an

⁹⁹ “Freedom in the World 2012: Methodology,” Freedom House (2012), <http://www.freedomhouse.org/report/freedom-world-2012/methodology>.

¹⁰⁰ Freedom House, “Freedom in the World Comparative Data,” Freedom House: Freedom in the World (2013), <http://www.freedomhouse.org>. Freedom House rankings primarily reflect an analysis of events that occurred in the previous year. Thus, the 2004 report covers events that occurred in 2003. In referring to changes in the rating of Bolivia, this essay refers to the year in which the report was published. The change in Freedom House’s rating from “Free” to “Partly Free” is not as dramatic as it might appear: the rating for political rights remained the same between 2003 and 2004, and the rating for civil liberties increased from two to three points on a scale from one to seven in which seven represents the highest level of civil rights violations. Between 1998 and 2002, Bolivia received a rating of one on political freedom, the best possible rating. Between 1982-3 and 1996-7, however, Bolivia consistently received a rating of two on political freedom and was classified as Free; thus, the increase to a rating of two in 2003 and then to three in 2004 does not represent a dramatic shift from previous evaluations of democracy in Bolivia.

elected president was forced out of office by street protests and eighty people died as a result of a crackdown on often-violent protests.¹⁰¹ In comparison to Bolivia's Freedom House score of 3.0, Venezuela in 2013 received a score of 5.0 and was not classified as an "electoral democracy."¹⁰² Thus, under Freedom House's rating Bolivia does not make the cut-off for classification as a fully democratic country, but it does not fall significantly below the threshold for a classification of "free," nor is it clear that the decline in its rating was caused by Morales, although the lower rating has persisted under his administration.

The Polity IV Project rates Bolivia in 2010 as a democracy with a score of seven points out of ten, ten being the most democratic. Similarly to Freedom House, the Polity IV Project registers a small decline in democracy in 2004 (from 9 to 8 points). Another small drop (from 8 to 7) occurs in 2009, the year in which Morales was reelected and the new constitution was passed.¹⁰³ The ratings from Polity IV and Freedom House suggest that the MAS had a slightly negative effect on democracy, but they do not agree either with the interpretation that the MAS has dramatically hurt the level of political freedom in Bolivia or with the interpretation that it has deepened and expanded democratic practices. As useful as such quantitative democracy ratings may be in cross-country analysis, their coding schemes are insensitive to some aspects of free, fair, inclusive, and

¹⁰¹ "Freedom of the World 2004: Bolivia," Freedom House (2004), <http://www.freedomhouse.org/report/freedom-world/2004/bolivia>.

¹⁰² "Freedom of the World 2013: Venezuela," Freedom House (2013), <http://www.freedomhouse.org/report/freedom-world/2013/venezuela>.

¹⁰³ Monty Marshall and Keith Jagers, "Polity IV Country Report 2010: Bolivia," Center for Systemic Peace: Polity IV Project (2010), <http://www.systemicpeace.org/polity/polity06.htm#sam>

decisive elections and basic human and civil rights, and they do not encompass some of the criteria, such as horizontal accountability, that establish the quality of regime.

Opinion polls of the Bolivian people reveal appraisals of the quality of democracy that diverge significantly from the assessments of international watchdog agencies. According to the Latin American Public Opinion Project, the proportion of Bolivian respondents who classified their country as “very democratic” or “somewhat democratic” increased significantly between 2004 and 2006, suggesting that the many people saw the entry of the MAS as a sign of democratic progress. This proportion fell slightly from the 2006 level in 2008, likely due to the high level of conflict in anticipation of the constitutional referendum, but then rose again from 2009 to 2010. Subsequently, however, the share of respondents agreeing that Bolivia is a democracy fell between 2010 and 2012, and this decline was associated with a decline in support for Bolivian institutions.¹⁰⁴ Thus, public opinion data suggest that many Bolivians reacted with enthusiasm and optimism in the years in which the MAS won elections, but that during periods in which the MAS actually had to govern, perceptions of democracy dropped. Significantly, the proportion of Bolivian respondents who classified the country as a democracy in 2012 was only slightly below the proportion in 2004.¹⁰⁵ Unlike the Freedom House and Polity democracy ratings, public opinion registers significant variation between 2006 and 2012 in the share of the population who classify Bolivia under the MAS as a democracy. Public opinion data is important but insufficient for

¹⁰⁴ Latin American Public Opinion Project, *Cultura Política de la Democracia en Bolivia 2012: Hacia la igualdad de oportunidades* (Ciudadanía and LAPOP, 2012), <http://www.vanderbilt.edu/lapop>.

¹⁰⁵ *Ibid.*

assessing the quality of democracy in a country. Opinion data may portray whether people's subjective experience of their positive liberty to participate in the polity, but opinion polls may be insensitive to minority rights, checks and balances in government, and other components of high quality democracy. The people most negatively affected by non-democratic practices are often the least able to respond to opinion polls.

Scholarly analysis, international ratings, and public opinion all lead to different conclusions about whether Bolivia is a democracy and, if so, whether it is a high or low quality democracy. By supplementing elements of each of these modes of evaluation with interviews with Bolivian politicians and community leaders, however, it is possible to show that Bolivia has fallen below the minimum threshold for democracy under Morales but has not yet reached the level of abuse characteristic of competitive authoritarian regimes. This chapter will begin by providing evidence that Bolivia between 2006 and 2012 did not meet the minimum threshold to qualify as a democracy. A minimum democracy must have free, fair, and inclusive elections, reasonable protection of civil rights, and authority to elected officials. Selective prosecutions have reduced the freeness and decisiveness of elections, and the failure to protect civil liberties in Bolivia justifies a classification as a deficient-democracy. The second part of this chapter will evaluate the quality of democratic characteristics within the same period, focusing on popular sovereignty, liberalism, and republicanism.

2.1 CLASSIFICATION OF BOLIVIA REGIME-TYPE, 2006-2012

In order to meet the minimum threshold for democracy a regime must meet two requirements: (1) free, fair, inclusive, and decisive elections, and (2) protections of civil liberties and basic human rights.¹⁰⁶ Many regimes that may be classified as democracies arguably partially violate these criteria. For example, long lines at the polls and voter identification laws in American cities may be thought to violate inclusiveness in elections. Such a strict application of these standards may be normatively useful and important for propelling countries towards improved democracy, but a standard for democracy that excludes the United States from the *minimum* standard of democracy may be overly selective. Even if one were to argue that the United States is exceptional (in, for example, its high rate of incarceration and the supervision of elections by partisan officials) and should not meet any minimum standard of democracy, an extremely strict interpretation of these standards would arguably exclude most poor countries, which often violate rights to speedy trials due to resource constraints and judicial overload. Thus, I will adopt a standard of reasonableness, judging whether violations of these requirements are sufficiently systematic to drop Bolivia below the minimum threshold of democracy. I will analyze each requirement in turn.

¹⁰⁶ Robert Dahl, *On Democracy*, 85.

2.1.1. FREE, FAIR, INCLUSIVE AND DECISIVE ELECTIONS

International observers and watchdog organizations deemed Bolivia's elections free and fair between 2005 and 2012,¹⁰⁷ but harassment of opposition leaders and deficiencies in the decisiveness of elections during the same period pushed the regime below the minimum threshold for democracy. Voting in Bolivia was free from coercion, and the election proceedings themselves, although subject to some irregularities due to resource constraints, were valid representations of the popular will. The deficiencies in Bolivian elections occurred not on election days but in the period before election day when the government's harassment of the opposition and unfair use of state media reduced the freeness and fairness of elections and in the period after elected officials take office when criminal charges forced some politicians out of office before the end of their terms. Recent decisions by the Constitutional Tribunal may improve the freeness and decisiveness of elections, but it is unclear whether the executive will comply with the spirit of these decisions.¹⁰⁸ Deficiencies in the quality and decisiveness of elections under the MAS are serious, but they are not systematic enough to justify labeling Bolivia as a variant of authoritarianism rather than a deficient democracy. Elections are still competitive, as demonstrated by the success of the opposition in many of the 2010

¹⁰⁷ "Freedom in the World 2012: Bolivia," Freedom House (2012), <http://www.freedomhouse.org/report/freedom-world/2012/bolivia>; "Freedom in the World 2007: Bolivia," Freedom House (2007), <http://www.freedomhouse.org/report/freedom-world/2007/bolivia>.

¹⁰⁸ Vaca, Mery and Freddy Lacio. "Eliminan el desacato.," Iván Paredes, "Vicepresidente anuncia que el desacato sera sustituido," *La Razón* [La Paz, Bolivia] (June 13, 2012), http://www.la-razon.com/nacional/Vicepresidente-anuncia-desacato-sustituido_0_1631836849.html.

regional electoral contests.¹⁰⁹ The effect of the MAS on elections has not been purely negative: the inclusiveness of elections increased dramatically under the MAS.

Suffrage in Bolivia is inclusive. The Bolivian constitution grants all Bolivian citizens over the age of eighteen the right to vote and grants most citizens over the age of eighteen who are registered members of a political party the right to run for office.¹¹⁰ The constitution restricts presidential and vice-presidential candidacy to citizens over the age of thirty who have resided in the country for five years; more restrictive professional and age limits apply to candidates for positions on Bolivia's high courts.¹¹¹ In 2009 Bolivia granted citizens residing outside of the country suffrage in presidential elections for the first time. Bolivia has compulsory voting, although actual voter turnout has ranged between 65.2 and 85.6 percent of the voting eligible population since the return to democracy.¹¹² All citizens between the ages of eighteen and seventy years of age are required to vote. Voting is optional for citizens over the age of seventy. After voting or paying a fine for failing to vote, individuals receive a suffrage certificate, which they must present in order to receive pay for public sector jobs, apply for a passport, or make bank transactions.

¹⁰⁹ Miguel Centellas, "Bolivia's Regional Elections: A Setback for Evo Morales," *Americas Quarterly* (April 2010), <http://www.americasquarterly.org/bolivia-regional-elections-april2010>.

¹¹⁰ Additional restrictions on the right to run for office limit whether members of the Constitutional Tribunal and other high level judiciary officials can run for office. *Constitución Política del Estado Plurinacional de Bolivia*. Article 26. (2009).

¹¹¹ *Ibid.*

¹¹² These statistics represent voter-turnout in the only or the final round elections. IDEA, "Voter Turnout Data for Bolivia," International Institute for Democracy and Electoral Assistance (October 5, 2011) <http://www.idea.int/vt/countryview.cfm?id=29>.

Compulsory voting is not well enforced in Bolivia, which is evidenced by the fact that over the last five parliamentary elections, only two-thirds of the eligible voting population voted on average.¹¹³ Despite the fact that compulsory voting did not lead to near universal participation in Bolivia before 2009, it probably contributed to higher turnout. Comparative studies have found that compulsory voting raises turnout by seven to sixteen percent, and compulsory voting contributes to higher turnout even when penalties are low.¹¹⁴ Voter turnout in Bolivia and other South American countries that have compulsory voting is higher than turnout in Colombia, the only country in South America where voting is not compulsory.¹¹⁵ Citizens should have a right *not* to endorse any candidate in an election, but compulsory voting does not interfere with this right because voters can turn in a blank or destroyed ballot. In the judicial elections in Bolivia in 2011, for example, blank and destroyed ballots outnumbered ballots selecting a particular candidate.¹¹⁶

The new biometric voter registry is likely to improve the quality of elections and enhance civil rights. The new registration expanded the voter roll from 3,891,397 to 5,139,554 people.¹¹⁷ According to the Carter Center, an U.S. based organization that observed the registration for the 2009 constitutional referendum and general elections, the registration process was met with “large and enthusiastic participation” and was

¹¹³ IDEA, “Voter Turnout.”

¹¹⁴ Arend Lijphart, “Unequal Participation: Democracy’s Unresolved Dilemma,” *The American Political Science Review*, 91:1 (1997), 1-14.

¹¹⁵ IDEA, “Voter Turnout.”

¹¹⁶ Amanda Driscoll and Michael Nelson, “The 2011 Judicial Elections in Bolivia,” *Electoral Studies* 30 (2012), 4.

¹¹⁷ Andrés Santana Leitner, “General Elections in Bolivia 2009,” Analysis of the Real Instituto Elcano (2009), <http://www.realinstitutoelcano.org>.

“generally conducted in accordance with Bolivia’s international obligations.”¹¹⁸ The Center raised some concerns, however, about the lack of a standard procedure for allowing voters to register as a particular ethnicity, about citizens voting outside of the department in which they live, and about technological difficulties in transferring local rolls to regional and national registries.¹¹⁹ The biometric registry was created under short time constraints. Some of these problems would have been reduced by an extended time period for registration. The time constraints also meant that there was little time or capacity to review and correct the rolls. Overall, however, the biometric registry improved the reliability and inclusivity of elections.¹²⁰

Although Bolivia saw a dramatic increase in the inclusiveness of elections under the MAS government, the effect of the MAS on the level of freedom and fairness in elections was mixed. International observers declared the 2009 elections in Bolivia to have been “conducted in accordance with international standards for democratic elections,”¹²¹ but the freedom, fairness, and decisiveness of Bolivian elections were of low quality. Harassment of opposition leaders through aggressive prosecution and charges of defamation is the most worrisome threat to electoral freedom, although opposition leaders facing accusations competed successfully in elections.¹²² The at-times illegal use of state resources by both the central government and by opposition-

¹¹⁸ “Observation Mission of the Bolivia Voter Registration 2009: Final Report (The Carter Center, 2009), <http://www.cartercenter.org>.

¹¹⁹ *Ibid.*

¹²⁰ *Ibid.*

¹²¹ “General Elections and Autonomy Referenda – 2009: Preliminary Statement,” European Union Election Observation Mission Plurinational State of Bolivia (December 8, 2009), http://eeas.europa.eu/eucom/missions/2009/bolivia/index_en.htm.

¹²² *Ibid.*

dominated departmental governments to campaign during elections and referendums reduced the fairness of elections.¹²³ The Supreme Electoral Tribunal (TSE), which replaced the National Electoral Court in 2010, may have partisan sympathies because the members were selected by a MAS-dominated legislature, and the one election overseen by the TSE was subject to controversy.

Harassment of the opposition, primarily through selective prosecution and charges of defamation, contributed to unfair competition by potentially discouraging opposition leaders from competing in elections and by making it more difficult for them to successfully compete. During the 2009 elections, Manuel Reyes Villa, the candidate who won a distant second place behind Morales, faced thirteen investigations during the campaign period.¹²⁴ Although he was able to campaign relatively freely, he was not able to leave the country, and an accumulation of court summons placed a burden on his ability to campaign.¹²⁵ Leopoldo Fernández, the vice-presidential candidate of Villa Reyes, was in preventive detention on charges of corruption, violating a state of emergency, and genocide.¹²⁶ Reyes Villa portrayed the charges against Fernández as politically motivated. A report by UNASUR on the other hand, although it did not mention Fernández by name, suggested that there was some evidence that

¹²³ "Bolivia Final Report: Constitutional Referendum," European Union Electoral Observation Mission, European Union External Action (January 25, 2009), http://eeas.europa.eu/search/index_en.htm.

¹²⁴ "General Elections and Autonomy Referenda – 2009: Preliminary Statement," European Union Election Observation Mission Plurinational State of Bolivia.

¹²⁵ *Ibid.*

¹²⁶ *Ibid.*

departmental authorities were implicated in the Pando massacre.¹²⁷ Although the National Electoral Court ruled that Fernández could campaign from jail, the MAS sought to limit his ability to do so.¹²⁸ The second place candidate in the 2005 elections, Jorge Quiroga, may not be able to compete in the 2014 elections due to a two-year sentence for defaming Union Bank, although some opposition leaders have urged him to run.¹²⁹

Bolivia does not resemble Venezuela where more than 300 candidates were disqualified.¹³⁰ Elections in Bolivia are generally highly competitive. The high wins for the MAS seem to reflect the popular will and opinion. Although the MAS has prosecuted opposition leaders with a seemingly biased vigor, many leaders who have faced charges are still in office and a candidates facing accusations during the 2009 elections campaigned lawfully. The MAS-led legislature has also dismissed some of the more outlandish charges against opposition figures and previous presidents; other charges, although not all of them, are valid.¹³¹

¹²⁷ Union of South American Nations. "Informe de la comisión de UNASUR sobre los sucesos del Pando: hacia un alba de justicia para Bolivia. (UNASUR, 2008). www.cedib.org/bp/Infunasur.pdf.

¹²⁸ "General Elections and Autonomy Referenda - 2009: Preliminary Statement," European Union Election Observation Mission Plurinational State of Bolivia.

¹²⁹ It is worth noting that the charge against Quiroga was brought directly by Union Bank rather than the government. The decision by the Constitutional Tribunal to eliminate the charge of defamation may help Quiroga's case should he decide to run for public office in the future, although he may face additional charges. "Quiroga Conviction Controversy," Andean Information Network, September 6, 2010, <http://ain-bolivia.org/2010/09/bolivia-quiroga-conviction-controversy/>.

¹³⁰ "Freedom of the World 2013: Venezuela." Freedom House.

¹³¹ "Quiroga Conviction Controversy," Andean Information Network (September 6, 2010), http://ain-bolivia.org/2010/09/bolivia-quiroga-conviction-controversy.

The central and departmental governments' use of state resources and personnel to advocate for particular policies and candidates reduced the fairness and legality of election campaigns. The use of state resources, however, did not prevent the MAS and the opposition from competing on a reasonably equal footing. The state owned media, including the newspaper *El Cambio* [The Change], is typically biased in favor of the Morales administration and the MAS. A 2011 law that requires radio stations to broadcast biannual presidential addresses also met with controversy.¹³² The privately owned, commercial media that makes up the majority of media in Bolivia is often highly critical of the government and close to opposition groups, however,¹³³ so the presence of a biased state-owned media did not significantly reduce the fairness of elections between 2005 and 2012. The MAS, and to a lesser extent the opposition as well, violated campaign regulations and violated the rules of the 2009 constitutional referendum and 2009 presidential election. During the referendum on the constitution, a number of government ministries were directly involved in campaigning in favor of the new constitution, and some public employees reported significant pressure to participate in rallies in favor of the new constitution. Departmental administrations also used resources to unfairly influence the referendum, usually in opposition to the central government.¹³⁴ The Prefecture of Chuquisaca, for example, funded a T.V. spot against the new constitution and may have held back part of employees' salaries as

¹³² "Bolivia," Reporters without Borders, September 2012, <http://en.rsf.org/report-bolivia,168.html>

¹³³ *Ibid.*

¹³⁴ "Bolivia Final Report: Constitutional Referendum."

contributions to the “vote no” campaign.¹³⁵ Several lowland departments used state resources to fund autonomy referendums, which they hoped would pressure the government into including autonomy in the Constitution. Although the National Electoral Court ruled the autonomy referendums legal, several departments held referendums in violation of this ruling¹³⁶

Concerns about the impartiality of the Supreme Electoral Tribunal (TSE), which replaced the National Electoral Court in 2010, are valid. One of the seven members of the TSE is appointed directly by the president, and the others are chosen with a two-third vote of the legislature. Because the MAS controls more than two-thirds of the legislature, it can appoint “members who are sympathetic to its aims.”¹³⁷ Although the 2011 judicial elections under the TSE were plagued by controversies over the selection of judicial candidates and the media coverage of the candidates, it is not clear that these problems were the fault of a biased TSE. Even if the TSE is biased, the precursor to the TSE, the National Electoral Court, may have been prone to bias under previous administrations. The Political Instrument for the Sovereignty of the Peoples, the precursor to the MAS, was unable to inscribe directly in the 2002 elections due to technical violations. When the IPSP took on the insignia of the defunct MAS party, the organization was able to compete in the elections, but supporters of the MAS contend that the National Electoral Court attempted to split the indigenous vote by allowing

¹³⁵ “Bolivia Final Report: Constitutional Referendum.”

¹³⁶ Simon Romero, “Clashes in Bolivia Over Fight for More Autonomy,” *The New York Times*, May 5, 2008, <http://www.nytimes.com>

¹³⁷ Madrid, *The Rise of Ethnic Politics*, 182.

Aymara Felipe Quispe to register for the elections easily even though he fell 10,000 signatures short of the required number.¹³⁸

The 2011 elections for judges to the high courts, the first such elections in Bolivia and the first election under the TSE, were plagued by politicization and controversy. From among the 581 applicants who submitted their applications to be reviewed by legislative commissions and the assembly, the legislative assembly selected 118 candidates to compete in the 2011 elections for 56 positions on the high court.¹³⁹ Because the MAS controlled two-thirds of the legislature, the party could select candidates partial to the party. Candidates were not allowed to campaign, and media coverage of the candidates was limited, ostensibly to avoid politicization of the judicial branch. The Plurinational Electoral Organ (of which the TSE is a component) was charged with providing information about the candidates, including previous experience and interests, to voters.¹⁴⁰ Many voters, however, felt uninformed before the elections.¹⁴¹ The constitution banned candidates who were current members of political parties, but several candidates had previously been affiliated with the MAS.¹⁴² Claims abound that the MAS violated the prohibition against campaigning and that MAS leaders

¹³⁸ Donna Lee Van Cott, "From Exclusion to Inclusion: Bolivia's 2002 Elections," *Journal of Latin American Studies* 35:4 (2003), 764.

¹³⁹ Betilde Muñoz Pogossian, "Informe Verbal del Jefe de Misión," Verbal report presented on behalf of Martín Torrijos, Organization for American States Electoral Observation in Bolivia (November 10, 2011), http://www.oas.org/en/media_center/press_release.asp?sCodigo=E-052/12.

¹⁴⁰ Constitución Política del Estado Plurinacional de Bolivia, Article 182 (2009).

¹⁴¹ Driscoll and Nelson, "The 2011 Judicial Elections," 2.

¹⁴² *Ibid.*

distributed to affiliated organizations the names of desirable candidates.¹⁴³ Some irregularities appeared in the electoral process, including allegations of premarked ballots and a last-minute change to abandon the use of indelible ink,¹⁴⁴ but the Organization of American States declared that the results of the election was generally completed in accordance with legal norms and reflected the will of the people.¹⁴⁵ The opposition, for its part, further politicized the judicial election by campaigning for the null vote. Across the judicial election the null votes outnumbered valid votes 42.9 percent to 42.1 percent, which revealed the lack of confidence in the election.¹⁴⁶

Bolivia fell below the minimum threshold for democracy between 2006 and 2012 because elections were not sufficiently decisive. Decisive elections require that upon taking office elected officials are able to complete their terms, barring serious criminal convictions, and fulfill their constitutionally vested mandate. Although political authority in Bolivia is constitutionally vested in elected officials, the high rate of removal of elected officials from their positions due to selective prosecution, referendum, charges of defamation, or violent protest all undermined democracy. Threats to elected officials have not come from the military but rather from other politicians in the government, prosecutors, and civilians. In a country with a long history of coups, the military's deference to civilian power is an achievement for democracy. Although violations of authority through executive encroachment and

¹⁴³ Interview with former member of the Morales administration, February 15, 2013 (via Skype)

¹⁴⁴ *Ibid.*

¹⁴⁵ Betilde Muñoz Pogossian, "Informe Verbal del Jefe de Misión."

¹⁴⁶ Driscoll and Nelson, "The 2011 Judicial Elections," 4.

power struggles between politicians are preferable to violations by the military, the failure of officials to complete their terms and the failure of elected officials to fulfill their mandated authority is sufficiently pervasive to harm democracy.

The Andrés Ibáñez Autonomy and Decentralization Framework Law, passed by a MAS-dominated legislature in 2010, required elected authorities accused of a crime to leave office even if they had not yet been convicted.¹⁴⁷ Although the Supreme Court ruled the relevant part of this law unconstitutional in 2013,¹⁴⁸ between 2010 and 2012 the law had the effect of undermining political rights and the authority of elected officials. The Andrés Ibáñez Law violated due process by depriving politicians of their position before convicted, and also violated the decisiveness of elections. Under this law, at least two governors and a mayor were suspended from office, and another governor faced charges but as of early 2013 was not removed from office.¹⁴⁹ Removal of authorities passed through regional assemblies or local councils rather than the central government, and decisions to remove authorities did not always come unilaterally from the MAS.¹⁵⁰ Nevertheless, when elected leaders can be removed from office for an extended period of time without proof of guilt, then the elections that selected these leaders are not decisive. The government agreed to comply with the Constitutional

¹⁴⁷ Láy Marco de Autonomías y Decentralización 'Andrés Ibáñez,' Article 144.

¹⁴⁸ "Gobierno acepta fallo que anula la suspensión de autoridades," *La Opinión* [Cochabamba, Bolivia] (February 7, 2013), <http://www.opinion.com.bo/opinion/articulos/2013/0207/noticias.php?id=85581&calificacion=4>.

¹⁴⁹ *Ibid.*

¹⁵⁰ "Economist Wrongly Reads 'Rough Justice' into Bolivian Judicial Reforms," Andean Information Network (January 10, 2011), <http://ain-bolivia.org/2012/01/economist-wrongly-reads-%E2%80%9Crough-justice%E2%80%9D-into-bolivian-judicial-reforms>.

Tribunal's ruling that the provision of the Andrés Ibáñez Law allowing for suspension of regional and local leaders facing criminal accusations was unconstitutional, although a minister in the Morales's administration argued that the ruling should not be applied retroactively, presumably to return politicians who are already suspended to office.¹⁵¹

The provision in the Andrés Ibáñez Law that allowed for the removal of politicians facing formal accusations was particularly worrisome due to the aggressive investigation and prosecution of opposition leaders. By 2007 at least twenty high profile opposition figures and members of previous administrations faced legal charges.¹⁵² From 2010 to 2011 at least 30 elected officials faced criminal accusations.¹⁵³ Although some government figures also faced charges of corruption, opposition leaders seemed to have faced more aggressive prosecution. For example, when the minister of the presidency under the MAS was accused of corruption, he resigned his post, only to be appointed to head a new agency to oversee rural development and customs in 2010.¹⁵⁴

Protests also undermined the decisiveness of elections because on some occasions protests blocked the entrance to government buildings and prevented legislators or members of the constitutional assembly from voting.¹⁵⁵ Both the government and the opposition incited protests that limited the ability of

¹⁵¹ "Gobierno acepta fallo que anula la suspensión de autoridades."

¹⁵² Centellas, "Countries at the Crossroads."

¹⁵³ "Country Reports on Human Rights Practices for 2011," U.S. Department of State (2011).

¹⁵⁴ Centellas, "Countries at the Crossroads."

¹⁵⁵ Fabrice Lehoucq, "Bolivia's Constitutional Breakdown," *Journal of Democracy* 19:4 (2008): 118-119.

democratically constitutional assembly members to participate in the constitutional assembly.¹⁵⁶

Referenda have also been used to remove elected officials from office. The opposition party PODEMOS pushed for a recall referendum on the president. Morales accepted the challenge on the condition that departmental prefects also submit to recall referenda. The referendum was a resounding defeat for the opposition: more than two-thirds of voters affirmed their support for the president. Two opposition prefects and one MAS prefect lost their seats, and Morales was able to appoint their replacements.¹⁵⁷ Recall referendums do not directly violate the requirement that authority be vested elected officials because recall elections represent electoral input. In fact, the opportunity to recall politicians who abuse their authority or engage in corruption may be regarded as an important element of vertical accountability. Frequent recall elections in the absence of serious abuses of authority, however, undermine the authority of elected leaders and decrease the predictability of democratic institutions.

Elections in Bolivia were relatively fair and voters were free from coercion. The large number of prosecutions under the MAS weakened the quality of elections. There is no clear-cut case of selective or illegitimate prosecutions prohibiting a major candidate from competing in elections, however. The MAS probably did not fall below the threshold for freedom of elections. Although some violations of fairness occurred, the media coverage of electoral candidates was relatively even with the state media

¹⁵⁶ *Ibid.*

¹⁵⁷ Simon Romero, "Recall Vote in Bolivia Seen as a Win for Morales," *The New York Times* (August 11, 2008), <http://www.nytimes.com>.

showing bias toward the government and the larger private media tending to support the opposition. The composition of the Supreme Electoral Tribunal has the potential to reduce the fairness of elections. Overall, violations of freedom and fairness of elections reduce the quality of elections but are not sufficient on their own to drop Bolivia below the minimum threshold for democracy. The weak quality of freedom and fairness in elections in conjunction with a decline in the decisiveness of elections, however, does cause Bolivia to fall below the minimum threshold for democracy. The effect of selective prosecutions and prosecutions for defamation constituted a sufficient challenge to the decisiveness of elections to justify labeling Bolivia as a “deficient democracy.”

2.1.2. PROTECTION OF CIVIL LIBERTIES AND BASIC HUMAN RIGHTS

Civil liberties in Bolivia are generally protected under the law, but violations occur in practice. Although some violations of civil liberties may result from political persecution and attacks on the media, the vast majority of violations arise as the result of poverty and poor institutional structure, which lead to such abuses as prisoners left for long periods to languish without trial and the shoddy enforcement of laws against domestic abuse.¹⁵⁸ Violations of civil liberties are systematic enough to justify classifying Bolivia as a deficient-democracy rather than a full democracy. Civil liberties were poorly protected in Bolivia before the rise of the MAS, however. The Freedom House rating for civil liberties in Bolivia remained stable since 1983, except for a slightly higher rating for 1994. The MAS decreased many violations of human rights and civil

¹⁵⁸ “Country Reports on Human Rights Practices for 2011, U.S. Department of State (2011); “Freedom in the World 2013: Bolivia,” Freedom House (2013).

liberties by increasing protection of indigenous people and subsistence farmers even as some harassment of the media and opposition leaders under the MAS have amounted to violations of free speech and due process.

The law in Bolivia protects the right to a free press,¹⁵⁹ and the majority of media outlets are privately owned and critical of the government.¹⁶⁰ Despite a critical and active media, some laws limited the press's freedom of expression. Media organizations protested the passage of an antiracism law in 2010, which made it an offense to publish racist comments or comments that incite racism. In 2012, the public prosecutor initiated an investigation into three media sources for violating the antiracism law based on an accusation by Morales that these media organizations distorted the language of a speech he gave.¹⁶¹ Even though prosecutions have been rare, some members of the media argue that the law encourages self-censorship.¹⁶² The press was also initially prohibited from unauthorized reporting on the 2011 judicial elections because these elections were to take place without campaigning. Journalists argued that this prohibition violated the right to free speech and compromised the media's duty to educate voters about political processes. After protest by the media and opposition, however, Congress and the TSE allowed for some interviews with candidates for the

¹⁵⁹ Constitución Política del Estado, Article 106.

¹⁶⁰ "Freedom in the World 2012: Bolivia."

¹⁶¹ "Fiscalía no fijó fecha para la presentación del informe sobre el proceso contra ANF, Página Siete y El Diario," *Agencia de Noticias Fides* [La Paz, Bolivia], January 4, 2013, <http://www.noticiasfides.com/g/politica/fiscalia-no-fijo-fecha-para-la-presentacion-del-informe-sobre-el-proceso-contra-anf-pagina-siete-y-el-diario-8553/>

¹⁶² "Freedom in the World 2012: Bolivia."

top judicial positions.¹⁶³ The state media appears to be biased in favor of the Morales administration, and the 2011 telecommunications law was slated to raise the state's share of broadcasting licenses to 33 percent.¹⁶⁴ Although this division of the media between state media and private media is not uncommon in Latin America, some members of the media worry that the redistribution of broadcasting licenses will present an opportunity for the government to place pressure on the media. The government reserves seventeen percent of broadcasting licenses for community and indigenous radio, a stipulation that could provide a greater voice to marginalized communities as long as these broadcasts can avoid falling under government control.¹⁶⁵

Although Levitsky and Loxton argue that harassment of the media in Bolivia justifies a classification of the regime as competitive authoritarian,¹⁶⁶ harassment and violence towards the media, although serious and under-prosecuted, are not more severe in Bolivia than in many neighboring countries. Civilian and police attacked or harassed reporters in several instances, especially in the context of violent protests.¹⁶⁷ Attacks on the media were especially severe between 2008 and 2009 in the turmoil leading up to the constitutional assembly: watchdog organizations logged more than

¹⁶³ "World Report 2012: Bolivia [Events of 2011]," Human Rights Watch (2012), <http://www.hrw.org/world-report-2012/bolivia>.

¹⁶⁴ U.S. Department of State, "Country Reports on Human Rights Practices for 2011."

¹⁶⁵ "Freedom in the World 2012: Bolivia."

¹⁶⁶ Levitsky and Loxton, "Populism and Competitive Authoritarianism in the Andes." 118

¹⁶⁷ "Country Reports on Human Rights Practices for 2011," U.S. Department of State (2011).

111 instances of media harassment.¹⁶⁸ Few instances of media harassment are linked to the central government, but the government did not aggressively prosecute verbal or physical attacks on the media. Although one journalist was detained briefly in 2011 for insulting Evo Morales,¹⁶⁹ the use of defamation charges to suppress the free press was ruled unconstitutional in 2013. Freedom House scored the freedom of the press in Bolivia in 2012 as 47 out of 100 with 100 being a completely unfree press, which is similar to Brazil (44) and better than Argentina (50), Colombia (55), and Mexico (62).¹⁷⁰ The government has not sufficiently protected the press from harassment, Morales often criticizes the media harshly, and the government violated freedom of the press on several occasions, but these abuses do not constitute a systematic attempt to censor the press.

Charges of defamation undermined free speech between 2006 and 2012, although the Constitutional Tribunal ruled defamation charges unconstitutional in 2013.¹⁷¹ Several major opposition leaders faced defamation charges between 2006 and 2012, and it is unclear how the ruling will affect individuals already charged or sentenced with defamation.¹⁷² The Union Bank brought a defamation suit against Jorge Quiroga, the candidate who came in second place to Morales in the 2009 elections, after Quiroga called the bank a “laundering [service] for Chávez’s resources, for corruption and ill-

¹⁶⁸ “Freedom of the Press 2010: Bolivia,” Freedom House (2010), <http://www.freedomhouse.org/report/freedom-press/2010/bolivia>.

¹⁶⁹ “Freedom in the World 2012: Bolivia.”

¹⁷⁰ “Americas,” Freedom House, 2013, <http://www.freedomhouse.org/regions/americas>

¹⁷¹ “Eliminan el desacato y ablandan Ley Quiroga Santa Cruz.”

¹⁷² *Ibid.*

obtained money for this administration to use.” Because he was unable to prove his claim but also refused to apologize for it, he was sentenced to two years in prison, none of which he will serve due to a provision that allows some individuals with sentences under three years and no prior convictions to forgo prison.¹⁷³ Some opposition members and Quiroga himself contend that the defamation charge, although a private initiative, is politically motivated, and the sentence for defamation could prevent Quiroga from running for president in 2014.¹⁷⁴ At least six opposition leaders including Rubén Costas, the governor of Santa Cruz, and Roger Pinto, the former governor of the Pando, and Luis Revilla, the mayor of La Paz, have faced charges of defamation, many of which came from accusations made by members of the MAS.¹⁷⁵ The Morales administration did not create the law that outlaws defamation, which became Bolivian law in 1972 under the dictatorship of Hugo Banzer. The MAS’s application of the law to charge multiple opposition leaders, however, led to controversy and contributed to the court’s decision to declare defamation unconstitutional. The abolition of Bolivia’s law against defamation reflects a trend in several Latin American countries to weaken or abolish laws that criminalize defamation.¹⁷⁶

¹⁷³ Andean Information Network, “Quiroga Conviction Controversy.”

¹⁷⁴ *Ibid.*

¹⁷⁵ Baldwin Montero and Mariana Perez, “El fallo de TCP extinguiría juicios por desacato contra al menos seis líderes de la oposición,” *La Razón* [La Paz, Bolivia], http://www.la-razon.com/nacional/TC-extinguiria-desacato-lideres-oposicion_0_1711628891.html.

¹⁷⁶ Ezra Fieser, “IPI: Archaic Defamation Laws Pose a Threat to Freedom of the Press,” *Infosur Hoy* [Port of Spain, Trinidad and Tobago] (June 27, 2012), http://infosurhoy.com/cocoon/saii/xhtml/en_GB/features/saii/features/main/2012/06/27/feature-02.

The right to assembly is protected, but protests often turn violent. Although the law requires permits for demonstrations, most protests occur without permits, and blockades of major highways are common.¹⁷⁷ The unofficial nature of protests in Bolivia can paradoxically conflict with the right to assemble because it undermines the security of those assembling, who may suffer injury from fellow protesters, counter-protesters, or police. The nongovernmental Bolivian Permanent Assembly for Human Rights condemned the Morales government for a slow investigation into the police shooting of two protesters in Caranavi in [give year].¹⁷⁸ Police used excessive force to repress an indigenous protest against the construction of a highway through the Indigenous Territory and National Park Isiboro Sécore in Yucumo in 2009. The indigenous protesters had detained the Foreign Minister sent to negotiate with them and forced him to march with them the previous day. In the police action, a number of protesters were injured. The resulting outcry and protests about this instance of repression led to the resignation of Government Minister Sacha Lorenti and to the arrest of Police Commander Oscar Munoz.¹⁷⁹

Politically motivated mob violence resulted in injury in Bolivia and is unevenly prosecuted. In March 2009, a mob forcibly seized the house of former vice-president Victor Hugo Cárdenas, injuring his wife and son in the process. The MAS sent mixed messages about its stance on the violence: Morales condemned the violence but seemed

¹⁷⁷ "Country Reports on Human Rights Practices for 2011," U.S. Department of State (2011).

¹⁷⁸ Centellas, "Countries at the Crossroads."

¹⁷⁹ U.S. Department of State, "Country Reports on Human Rights Practices for 2011."

to justify it at the same time, saying, "The people do not tolerate or forgive traitors."¹⁸⁰ The next month pro-government supporters beat Marical Fabricano, a lowland indigenous leader critical of Morales, until he lost consciousness. The government did not bring charges against the perpetrators in either case.¹⁸¹ In Cochabamba, MAS supporters set fire to the governor's palace amidst violent protests.¹⁸² Both MAS supporters and opposition supporters committed violence in the context of protests about the autonomy referendum and the new constitution. The most shocking act of violence occurred near the town of Porvenir in the department of Pando on September 11, 2008. Morales supporters traveling to the departmental capital to protest the autonomy referendums encountered a blockade organized by opposition supporters. The confrontation escalated, and the opposition supporters opened fire, killing at least 16 protesters.¹⁸³ The government immediately initiated an investigation and controversially charged the prefect of Pando with "genocide" for alleged involvement in the massacre. Immediately following the massacre, Morales declared martial law in the Pando for over a month but complied with the National Electoral Courts demand that martial law be lifted by November 23rd in order for the constitutional referendum to proceed.¹⁸⁴

¹⁸⁰ "Rechazan agresión a Cárdenas y vice sugiere <<expropiación legal>>," *Los Tiempos* [Cochabamba, Bolivia] (October 3, 2009), <http://www.lostiempos.com>.

¹⁸¹ Centellas, "Countries at the Crossroads."

¹⁸² Madrid, *The Rise of Ethnic Politics*, 180.

¹⁸³ Centellas, "Countries at the Crossroads."

¹⁸⁴ Jonathan Levin, "Bolivia's Morales to End Martial Law in Pando Province Tomorrow," *Bloomberg* (November 22, 2008), <http://www.bloomberg.com>.

The most pervasive violations of civil liberties occur due to the unreliable and resource-constrained judicial and prison systems. The constitution guarantees the right to due process and the right to a speedy trial. Because the judicial system lacks capacity, these rights in many cases go unfulfilled. Pervasive delays in trials result in an estimated 75 percent of defendants being held in detention longer than the legal limit.¹⁸⁵ Conditions in prisons do not protect basic human rights: violence is common, food is insufficient, and healthcare is inadequate.¹⁸⁶ One commendable trend stands out, however. The Bolivian government has charged individuals involved in the 2003 killing of sixty protesters with human rights abuses.¹⁸⁷ Although some of the charges against previous officials are politically motivated, the investigation into the 2003 killing is a necessary and important step to reduce impunity in human rights abuses.

Some of the individuals charged with crimes under the MAS government are in the opposition, and those who oppose the MAS accuse the government of politically targeted prosecutions. The government has filed charges against at least four past presidents, as well as against numerous opposition figures. Some of the charges are based on legitimate grounds for investigation, but others appear to be politically motivated.¹⁸⁸ The government passed a law banning officials who had been charged with a crime from serving in public office even if they had not yet been convicted. This

¹⁸⁵ Fundación Construir cited in U.S. State Department, "Country Reports on Human Rights Practices for 2011."

¹⁸⁶ U.S. State Department, "Country Reports on Human Rights Practices for 2011."

¹⁸⁷ "Freedom in the World 2012: Bolivia."

¹⁸⁸ Madrid, *The Rise of Ethnic Politics*. 179-181.

law represents a deprivation of employment without due process and contributes to politically motivated prosecutions.¹⁸⁹

According to Miguel Centellas the nongovernmental Bolivian Permanent Assembly for Human Rights (APDHB) reported fewer human rights abuses under the MAS relative to previous governments in large part because of the abandonment of forced eradication of coca, a practice associated with a significant number of human rights abuses and deaths under previous governments.¹⁹⁰ The APDHB, however, lost political clout after many of its members left the organization to join the government, which may have reduced the reliability of human rights violation reporting.¹⁹¹ Some opposition members accuse the government of human rights violations in the killing of Eduardo Rósza-Flores, Árpád Magyarosi, and Michael Dwyer. According to the government, these men were conspiring to assassinate the president: A September 2008 Hungarian television interview showed Rósza-Flores saying that he intended to return to Bolivia to organize a regional militia. Some observers and members of the opposition, however, have pointed out inconsistencies in the government's testimony and the initial warrant. Because of the lack of information, it is hard to know whether the government acted appropriately to a threat of treason or whether they violated human rights and due process.¹⁹²

The MAS made some strides in protecting human rights of women and minorities. Discrimination against indigenous people declined under the MAS, except

¹⁸⁹ Centellas, "Countries at the Crossroads."

¹⁹⁰ *Ibid.*

¹⁹¹ *Ibid.*

¹⁹² *Ibid.*

in the lowlands where high political tension contributed to racial violence. The increase in the share of legislative seats and cabinet posts held by women under the MAS may contribute to an advancement of civil rights for women.¹⁹³ Discrimination and violence against women is still common, however, and domestic abuse is rarely prosecuted effectively.¹⁹⁴ The increase in civil rights for minorities, the reduction of human rights abuses as a result of coca eradication, and the increase in political seats held by women mark major achievements of the Morales administration. Despite some achievements in protecting the civil liberties of minorities, civil rights abuses between 2006 and 2012 were sufficiently severe, widespread, or systematic to drop Bolivia below the threshold of a minimalist democracy. Certain civil rights abuses, such as the failure to provide speedy trial, are pervasive and significant deprivations of human liberty. The fact that some abuses of due process and free speech have targeted opposition leaders also justifies labeling Bolivia as a non-democracy.

Conclusion

Bolivia did not meet the minimum threshold for democracy between 2006 and 2012. Harassment of opposition leaders through frequent criminal investigations and decreased the freeness and fairness of elections. Violations of the decisiveness of elections dropped Bolivia below the minimum threshold for democracy between 2006 and 2012. A judicial decision in 2013 ruled unconstitutional a law that mandated removal of public officials from office based on a formal accusation. Because this ruling

¹⁹³ *Ibid.*

¹⁹⁴ *Ibid.*

is in the process of being implemented, it is not possible at this time to evaluate the decisiveness of elections in 2013. Even though the decisiveness of elections is of sufficiently low quality to justify labeling Bolivia a deficient democracy, elections still represent the will of the people. Elections are also highly competitive at the regional level, and the opposition frequently wins positions as mayor or governor. Bolivia also failed to meet the minimum threshold for democracy due to systematic violations of civil liberties and basic human rights, especially violations of due process. The following section will consider the quality of three proto-democratic characteristics, liberalism, republicanism, and popular sovereignty. An assessment of these characteristics provides support for the classification of the MAS as a deficient democracy rather than a competitive authoritarian regime.

2.2 THE QUALITY OF LIBERALISM, REPUBLICANISM, AND POPULAR SOVEREIGNTY IN BOLIVIA, 2006-2013

According to Guillermo O'Donnell, liberalism, republicanism, and popular sovereignty are fundamental characteristics of democracy. The previous chapter argued that these proto-democratic characteristics provide a useful framework for assessing both democratic and hybrid regimes. An assessment of liberalism, republicanism, and popular sovereignty provides insight into some characteristics of a regime to which the criteria for the minimum criteria for democracy are often insensitive. For example, an assessment of republicanism takes into account corruption, adherence to the constitution, and horizontal accountability. An assessment of popular sovereignty takes

into account voter turnout, participation, and internal party democracy. Only liberalism overlaps almost completely with a minimum criterion for democracy. Because some proto-democratic characteristics may contradict each other, an assessment of these characteristics is particularly useful for identifying tensions within a regime's democratization. It is not possible to tally up a score for each characteristic and compute a total score for democratic characteristics in a regime. Such an exercise would sometimes require both adding and taking away points for the same institution and would gloss over the most interesting aspects of the MAS's effect on proto-democratic characteristics.

2.2.1. LIBERALISM

Liberalism holds that there is a sphere of rights that no actor, especially not the government, should violate.¹⁹⁵ The previous section argued that the government violated freedom of speech, freedom of assembly, and freedom of the press, although these violations did not appear to be a systematic attempt to censor opposition opinions. The police used excessive force in suppressing an indigenous protest against the construction of a highway through indigenous territory¹⁹⁶ but avoided the extreme brutality that characterized the suppression of protests under the Sanchez de Lozada administration in 2003. The most frequent violations of civil and human rights occurred due to violations of due process. Many individuals accused of crimes spend years in the

¹⁹⁵ Guillermo O'Donnell, "Horizontal Accountability," 114.

¹⁹⁶ U.S. Department of State, "Country Reports on Human Rights Practices for 2011."

dangerous prison system awaiting trial.¹⁹⁷ The government also appeared to prosecute the opposition more aggressively than it does members of the MAS.¹⁹⁸ Prior to 2013, regional and municipal officials were removed from office based on formal accusations a measure that violates the principle of due process.¹⁹⁹

The previous section concluded that violations of civil and human rights were sufficient to justify labeling Bolivia a deficient democracy, a regime-type that falls below the minimum threshold for democracy. Liberalism was weak under the MAS but the quality of liberalism did not increase or decrease under the MAS compared to previous regimes. Violations of civil rights prior to the rise of the MAS (1985 – 2006), however, also pushed Bolivia below the minimum threshold for democracy. Before 1995 discriminatory laws prohibited the practice of traditional indigenous medicine and the wearing of indigenous clothing in government buildings.²⁰⁰ Violations of basic human rights in coca-eradication efforts between 1985 and 2005 also decreased liberalism.²⁰¹ The government banished labor leaders for a period of time in 1995 and declared states

¹⁹⁷ “Country Reports on Human Rights Practices for 2011,” U.S. Department of State (2011); “Freedom in the World 2013: Bolivia,” Freedom House (2013).

¹⁹⁸ Madrid, *The Rise of Ethnic Politics*, 183.

¹⁹⁹ Mariana Pérez, “Tribunal Constitucional declara inconstitucional la suspensión de autoridades electas a sola acusación formal,” *La Razón* [La Paz, Bolivia], February 5, 2013, <http://www.la-razon.com/nacional/Tribunal-Constitucional-inconstitucional-suspension->

²⁰⁰ “Chronology for Lowland Indigenous Peoples in Bolivia,” Minorities at Risk Project (2004), <http://www.unhcr.org/refworld/docid/469f386b1e.html>; Nathaniel Nash, “Conversations / Victor Hugo Cardenas; Bolivia’s Vice President, First Indian in High Office, Waits for Change,” *The New York Times* (September 19, 1993), <http://www.nytimes.com>.

²⁰¹ “Bolivia Under Pressure,” Human rights watch.

of siege in 1986, 1987, 1993, 1995 and 2000 in response to protests.²⁰² From 2000 to 2003, violent protests and excessive police brutality in suppressing these protests dramatically decreased liberalism. The government could not protect people's basic right to assembly or to freedom from violence.

The rise of the MAS had a mixed effect on liberalism. With a few major exceptions, protections for the rights of the poor and indigenous improved under the MAS. One of the major improvements in human rights under the MAS came from an end to the frequent violations of human rights caused by coca-eradication programs.²⁰³ On the other hand, the harassment of the media and of opposition leaders represented serious violations of the right to free speech.

In 2012 and 2013 the judiciary emerged as an unlikely champion for liberalism by declaring it unconstitutional to charge someone with a crime that was not illegal at the time they committed it, to bring a criminal charge of defamation against someone, and to remove a public official from office based on a formal accusation rather than a trial.²⁰⁴ Because the judicial officials won their seats as a result from the 2011 elections promulgated by the MAS, the government may be less inclined to openly harass judicial officials. If Constitutional Tribunal succeeds in limiting violations of due process, the status of liberalism in Bolivia may need to be reevaluated.

²⁰² Minorities at Risk Project. "Chronology for Lowland Indigenous Peoples in Bolivia. (2004). <http://www.unhcr.org/refworld/docid/469f386b1e.html>

²⁰³ Centellas, "Countries at the Crossroads."

²⁰⁴ Pérez, "Tribunal Constitucional declara inconstitucional la suspensión de autoridades electas."; "Eliminan el desacato y ablandan Ley Quiroga Santa Cruz."

2.2.2. REPUBLICANISM

The 2009 constitution, championed by Morales, enshrines the principles of an ethical society in the Quechua language: *ama qhilla, ama llulla, ama suwa* (do not be lazy, do not be a liar, do not be a thief).²⁰⁵ To many MAS supporters, Morales embodies these principles: he wakes up at five in the morning,²⁰⁶ he campaigned on a platform of anti-corruption,²⁰⁷ and he champions indigenous values of hard work and community.²⁰⁸ Morales's image as a dedicated politician reflects the republican ideal of virtuous public servants, but republicanism requires more than hard work and appeals to the public good. Republicanism requires that public officials submit themselves to the rule of law, respect the limitations of their positions, and separate the public sphere from private interests.²⁰⁹ Morales and other central government leaders weakened republicanism by undermining the rule of law and by attacking the institutions of horizontal accountability that hold officials accountable to the law and the constitution.

²⁰⁵ Constitución Política del Estado, Article 8

²⁰⁶ Luz Mendoza, "Evo íntimo en la soledad del poder," *Eju*, September 12, 2012, <http://eju.tv/2012/12/evo-ntimo-en-la-soledad-del-poder/>

²⁰⁷ Movement to Socialism. "Diez Puntos del Programa del MAS," Instituto de Iberoamérica, <http://americo.usal.es/oir/opal/Documentos/Bolivia/MAS/>

²⁰⁸ Andrew Canessa, "Conflict, Claim, and Contradiction in the New Indigenous State of Bolivia," *DesiguALdades.net Working Paper Series 22*. The paper is a revised version of the keynote speech delivered by Andrew Canessa at the Second Annual Conference of *desiguALdades.net*, "New Differences, Persistent Inequalities? Latin American Experiences," Berlin (December 8-9, 2011).

http://edocs.fuberlin.de/docs/servlets/MCRFileNodeServlet/FUDOCS_derivate_000000001987/22_WP_Canessa_online.pdf?hosts=local

²⁰⁹ The principle in republicanism that requires public officials to submit to the rule of law is difficult to separate from the principle in liberalism that government is prone to tyranny and power should be diffuse. Although these principles are intertwined, O'Donnell argues that the idea that leaders are not above the rule of law is primarily a republican principle.

At times, the MAS even appealed to its image of “virtue” as a justification for attacking the “corrupt” opposition: Insofar as these attacks led to a decline in horizontal accountability, the MAS hurt republicanism. Corruption and clientalism remained pervasive between 2006 and 2013. The opposition to the government also hurt republicanism both by directly violating the law and by providing the central government with an argument for attacking institutions of horizontal accountability.

Republicanism requires that public officials dedicate themselves to the public good rather than private interests and is thus inimical to corruption. Although the MAS campaigned on an anti-corruption platform, corruption only decreased slightly, if at all, during Morales’s presidency. In 2006 the credibility of Morales’s anticorruption platform was weakened when reports emerged that 36 positions in the state hydrocarbon company were filled based on nepotism, monetary reward, or political favors rather than technical merit.²¹⁰ In 2010 Transparency International, a watchdog agency for corruption, gave Bolivia a score of 2.8 out of 10 with 10 being the least corrupt based on aggregated surveys or performance assessments that measured perception of corruption. In South America, only Paraguay, Ecuador, Venezuela, and Guyana scored lower than Bolivia. The MAS’s score was only slightly higher (less corrupt) than those awarded to previous governments: 2.0 in 2001 and 2.5 in 2005. The high level of corruption both before and during Morales’s presidency undermined republicanism. Efforts to combat corruption under the Morales administration

²¹⁰ Van Cott, “Countries at the Crossroads 2007: Bolivia,” Freedom House, <http://www.freedomhouse.org/report/countries-crossroads/2007/bolivia> (2007).

appeared biased to many observers.²¹¹ For example, enforcement of anti-corruption initiatives seemed to target more opposition leaders than MAS supporters between 2006 and 2012, although some MAS politicians were dismissed for corruption.²¹²

Guillermo O'Donnell argues that the separation between the public and private sphere is fundamental to the republican component of democracy. He argues, "Republicanism... holds that wholehearted dedication to the public good – not the lesser undertakings of the private sphere – is what demands and nurtures the highest virtues."²¹³ Corruption is an example of privileging the private sphere over the public sphere, but politicians may also weaken their commitment to the public sphere by maintaining positions that compromise their ability to act for the public as a whole rather than a specific sector. Throughout his presidency, Morales has continued to serve as the head of the six federations of the tropics, the coca-growers unions.²¹⁴ Not only does this represent a significant concentration of power, it also has the potential to compromise Morales's accountability to the public rather than to the interest of the coca-grower's unions.

The requirement that leaders should serve the public good is not unique to the republican tradition; instead, it is the revolutionary claim that virtuous rulers should "submit themselves to the law no less and even more than ordinary citizens" that

²¹¹ Centellas, "Countries at the Crossroads."

²¹² *Ibid.*

²¹³ O'Donnell, "Horizontal Accountability," 112.

²¹⁴ "Evo es elegido líder de los cocaleros por la novena vez," *La Razón* [La Paz, Bolivia], July 9, 2012, http://www.la-razon.com/nacional/Evo-elegido-lider-cocaleros-novena_0_1647435269.html.

distinguishes republicanism from other traditions.²¹⁵ Rule of law is historically weak in Bolivia, as demonstrated by the high levels of corruption recorded by Transparency International. Under the MAS, however, violations of the rule of law by politicians weakened republicanism. For example, the new constitution limits the presidential term to two consecutive terms in office.²¹⁶ Despite publicly stating during the 2008 constitutional negotiations that he would not seek a third term in office, Morales declared in 2013 that he would, in fact, seek a third term with the justification that in 2014, the year in which the next presidential elections are slated to occur, he will have served two full terms as president but only one *full* term under the new constitution. Morales's willingness to violate his public promise and the spirit of the term limits in the new constitution goes against the spirit of republicanism.

The creation of the constitution was itself marked by a series of extra-legal maneuvers by both the MAS-led government and the opposition. Although the initial terms for the constitutional assembly in Sucre called for two-thirds approval of every article, the MAS managed to exploit loopholes in the law, and at times ignore it entirely, in order to promote their draft of the constitution.²¹⁷ In November 2006 in a secret session with no opposition delegates present, MAS delegates and delegates supportive of the MAS voted to change the rules of the constitutional assembly so that only a simple majority rather than a two-thirds majority was required to approve the draft

²¹⁵ O'Donnell, "Horizontal Accountability," 115.

²¹⁶ Constitución Política del Estado, Article 168

²¹⁷ Lehoucq, "Bolivia's Constitutional Breakdown," 118-119.

constitution.²¹⁸ Hunger strikes, boycotts, and protests by the opposition eventually led to the reinstatement of the two-thirds requirement.²¹⁹ Tensions in Sucre remained high, however, with violent protest and extreme polarization. In 2007, citing the violence in Sucre, the MAS supporters made a controversial decision to relocate the constitutional assembly to Oruro. Many in the opposition boycotted the sudden change in location, and the MAS supporters proceeded to approve a draft of the constitution in their absence. One MAS delegate justified extra-legal tactics by arguing that the constitutional assembly was above the existing constitution because it was “an extraordinary political event that was born of social crisis.”²²⁰ The belief that the election of Morales represented a social revolution that justified undermining the rule of law weakened republicanism and also encouraged opposition leaders to also engage in extra-legal tactics.

Though the MAS contributed significantly to the decline of republicanism, the trenchant and at-times violent opposition also contributed to a weakening of republicanism. An increasingly extreme campaign for autonomy – demands ranged from near complete autonomy with separate foreign relations to mild decentralization of power – in the eastern lowland departments of Beni, Pando, and Santa Cruz resulted in massive protests, violence, attacks on government offices, illegal referendums, and other violations of the rule of law on part of opposition leaders that reached their peak in 2008. In 2008 when leaders of the lowland department found themselves

²¹⁸ *Ibid.*, 118.

²¹⁹ *Ibid.*

²²⁰ Raúl Prada quotes in Poster, “The Struggle to Create Radical Democracy,” 65.

marginalized in the constitutional assembly, they organized a series of referendums on autonomy in an attempt to pressure the government to agree to autonomy in the new constitution.²²¹ At the same time as the departments were promulgating the autonomy referendums, the central government was pushing for a constitutional referendum. The National Electoral Court declared both the autonomy referendums and the constitutional referendum illegal because they were organized without a law convoking them.²²² In response to the decision by the National Electoral Court, the Morales administration suspended the referendum on the constitution, but the departments went ahead with a series of illegal referendums in 2008.²²³ During the same time, some civic leaders and departmental public officials were implicated in the violence surrounding the constitutional assembly in Sucre,²²⁴ as well as attacks on national government offices and state owned businesses.²²⁵ The central government linked the massacre in Porvenir to the government of the Pando.²²⁶ Violence and unrest in the departments decreased substantially after an accord was reached on the constitution in the wake of the Porvenir massacre.

²²¹ Kent Eaton, "Conservative Autonomy Movements: Territorial Dimensions of Ideological Conflict in Bolivia and Ecuador," *Comparative Politics* 43:3 (2011), 297.

²²² "La CNE suspende los referendos y consultas," *Los Tiempos* [Cochabamba, Bolivia], August 8, 2008, http://www.lostiempos.com/diario/actualidad/nacional/20080308/la-cne-suspende-los-referendos-y-consultas_29492_39288.html.

²²³ "Illegal Autonomy Referendum Deepens Division in Bolivia," Andean Information Network, April 18, 2008, <http://ain-bolivia.org/2008/04/illegal-autonomy-referendum-deepens-division-in-bolivia>.

²²⁴ Nany Postero, "Struggle to Create Radical Democracy," 64.

²²⁵ "Toma de Instituciones," [Editorial], *El Diario* [La Paz, Bolivia] (September 7, 2008), http://www.eldiario.net/noticias/2013/2013_04/nt130410.

²²⁶ Informe de la comisión de UNASUR sobre los sucesos del Pando: hacia un alba de justicia para Bolivia, UNASUR (Date?), www.cedib.org/bp/Infunasur.pdf.

According to Miguel Centellas in 2011, “a system of checks and balances is emerging in the evolving relationship between the central government and autonomous departments, regions, municipalities, and indigenous communities.”²²⁷ The decrease in violent confrontations between the civic committees in favor of autonomy and pro-government supporters after 2009 allowed for a more constructive relationship. By limiting the authority of the central government, autonomy may provide more oversight to the central government.²²⁸ This oversight increases republicanism when it serves to monitor the government, prevent encroachment, and hold authorities to the rule of law. The government’s aggressive prosecution of departmental governors and mayors, however, jeopardizes the system of checks and balances. The government filed criminal charges against the prefects of Tarija, Santa Cruz, and Beni, as well as against Leonel Fernández, the former prefect of Pando.²²⁹ Some of the charges are related to the use of state funds to hold autonomy referendums that had been declared unconstitutional by the National Electoral Court.²³⁰ Although many of the charges against departmental authorities are true, other charges seem to be politically motivated and selectively applied to the opposition rather than to all politicians who may have engaged in corruption.²³¹ According to Raúl Madrid, the MAS also attempted to weaken the departmental governments, which gained an unprecedented level of

²²⁷ Centellas, “Countries at the Crossroads: Bolivia.”

²²⁸ *Ibid.*

²²⁹ Madrid, *The Rise of Ethnic Politics*, 180.

²³⁰ Iván Condori, “Sectores se movilizan en defensa de Rubén Costas,” *La Razón* [La Paz, Bolivia], http://www.la-razon.com/nacional/Sectores-movilizan-defensa-Ruben-Costas_0_1644435599.html

²³¹ Centellas, “Countries at the Crossroads: Bolivia.”

authority under the new constitution. A tax reform law, for example, took away much of the budget for prefects.²³² Although the increased autonomy of departments under the new constitutions gives departmental authorities an unprecedented ability to limit the authority of the central government, efforts by the central government to prosecute departmental authorities may decrease the ability of departmental authorities to provide a system of “checks and balances” to the central government.

Republicanism has a connotation of faith in the virtue of public officials, but in most countries, a mistrust of leaders’ natural republican inclinations is warranted. Republicanism in regimes with less-than-naturally-virtuous leaders requires that checks and balances hold leaders accountable to the rule of law. Horizontal accountability, the accountability of leaders to other state agencies, forces leaders to submit to the rule of law, and, thus, is an aspect of republicanism. By undermining horizontal accountability, the Morales administration hurt the republican component of democracy. Between 2006 and 2012, the independence of the judiciary decreased. The legislature also failed to provide a check on the authority of the executive. In 2009 the MAS won two-thirds of the seats in the legislature. Although it is not undemocratic for the legislature and the executive to be dominated by the same party, the fact that the legislature does not provide a significant check on executive authority makes the decreased independence of the judiciary all the more worrisome.

The Morales-administration weakened the independence of the judiciary. Prior to the passage of the new constitution, the government used a combination of

²³² Madrid, *The Rise of Ethnic Politics*, 182.

humiliation and salary reductions to coerce judges into resigning.²³³ In 2007 Morales requested that Congress initiate impeachment decisions against the justices of the Constitutional Tribunal. Although the Senate dismissed the impeachment charges, a number of justices resigned citing political persecution.²³⁴ Between 2006 and 2009 the Constitutional Tribunal lost justices until only one, Justice Silvia Salame Farjat, remained. Whereas the constitutional tribunal in 2004 issued 2,357 decisions, the Constitutional Tribunal in 2008 issued only 109 decisions.²³⁵ The Constitutional Tribunal was “virtually paralyzed” by 2008.²³⁶ The paralysis of the Constitutional Tribunal weakened judicial oversight in the 2009 elections because citizens and candidates could not appeal to the Tribunal to oversee election regulations.²³⁷

The judicial elections in 2011 had a mixed effect on judicial independence. In order to preserve judicial independence from partisanship, candidates were prohibited from campaigning, media was not allowed to cover the candidates, and justices were not supposed to be affiliated with a political party.²³⁸ With a two-thirds majority, the MAS dominated the selection of candidates for the judicial elections.²³⁹ Justices were not supposed to be affiliated with political parties, but several of the candidates have strong

²³³ *Ibid.*, 180-182.

²³⁴ Aníbal Pérez-Liñán and Andra Castagnola, “Bolivia: The Rise (And Fall) of Judicial Review,” Presented at the Conference of Judicial Politics in Latin America (March 4-8, 2009), <https://files.nyu.edu/jrf246/public/Papers/castagnola.pdf>.

²³⁵ *Ibid.*

²³⁶ *Ibid.*, 10.

²³⁷ European Union Election Observation Mission Plurinational State of Bolivia, http://eeas.europa.eu/euom/missions/2009/bolivia/index_en.htm.

²³⁸ Driscoll and Nelson, “The 2011 Judicial Elections,” 2.

²³⁹ *Ibid.* 2.

ties to the MAS.²⁴⁰ Although these factors suggested that the judicial elections decreased the independence of the judiciary, the newly elected judges to the Constitutional Tribunal passed rulings unfavorable to the MAS in 2012. Decisions to ban prosecutions for defamation, to declare the ex-post facto prosecutions unconstitutional, and to strike down a law that allowed regional government officials to lose their positions if they were merely accused of a crime all seem to indicate a level of judicial autonomy. The Constitutional Tribunal also sided with the government in some controversial rulings. For example they ruled legitimate the procedures of a consultation with residents of the TIPNIS over the construction of a highway through the national park, despite some questions over the reliability of the consultation.²⁴¹ In March 2013, the Constitutional Tribunal agreed to a request from the Senate to consider whether Morales can run for a third term under the constitution.²⁴² The decision of the court and the executive's reaction to the decision²⁴³ may provide additional evidence of the strength of republicanism in Bolivia.

²⁴⁰ *Ibid.*, 3-4

²⁴¹ Achenberg, "Battle of Reports."

²⁴² Yuvert Donoso, "El TCP admite la consulta sobre la repostulación de Morales," *La Razón* [La Paz, Bolivia], March 13, 2013, http://www.la-razon.com/nacional/TCP-admite-consulta-repostulacion-Morales_0_1795620480.html.

²⁴³ Morales expressed that he considered the consultation unnecessary and suggested that MAS senators had erred in requesting the opinion of the Constitutional Tribunal. According to Morales, "The consultation is out of line. I'm not a lawyer. I'm not a constitutional scholar, [but] if I want to go for reelection, I don't need a consultation...it's clear in the constitution." Evo Morales quoted in Iván Paredes, "Evo Morales dice que la consulta sobre su postulación 'está de más,'" *La Razón* [La Paz, Bolivia], http://www.la-razon.com/nacional/Evo-Morales-dice-consulta-postulacion_0_1782421775.html.

2.2.3. POPULAR SOVEREIGNTY

“Bolivia is a majority indigenous nation, but the majority has always been excluded,” Evo Morales said in an interview with Time Magazine.²⁴⁴ The rise of the MAS and the election of Morales marked the start of a dramatic inclusion of indigenous people, *campesinos*, and the poor into the political process. In 1993 the wife of the vice-president was unable to teach in a state school because she wore her hair in braids and dressed in the traditional Andean indigenous skirt and bowler hat, a type of dress that was banned for government workers.²⁴⁵ By 2006 politicians in indigenous dress were a common sight at the highest levels of government. The rise of the MAS led to increased participation and leadership among formerly marginalized groups. Between 2005 and 2013 the increase in suffrage, voter turnout, and political participation promoted popular sovereignty. The removal of social and legal barriers to the entry of new political actors meant that voters were presented with candidates who were more representative of the ethnic identity and socioeconomic status of the population as a whole. Changes in the constitution that allowed for the direct election of the president, judicial elections, and departmental autonomy also increased popular sovereignty. However, the decrease in the freeness and decisiveness of elections had a negative effect on the level of popular sovereignty in Bolivia.

²⁴⁴ Evo Morales quoted in Tim Pagett, “A Voice on the Left,” *Time Magazine* (May 28, 2006), <http://www.time.com/time/magazine/article/0,9171,1198906,00.html>.

²⁴⁵ Nash, “Conversations / Victor Hugo Cardenas.”

Popular sovereignty is concerned with suffrage and participation. A high level of participation makes elections more representative of the will of the people.²⁴⁶ In countries with low voter turnout, citizens with a high socioeconomic status are often more likely to vote; therefore, election results may represent the interests of a certain socioeconomic elite rather than the interests of all the people who must live by the laws.²⁴⁷ Popular sovereignty is also concerned with individual's positive liberty to enlightened participation in the polity.²⁴⁸ This positive liberty is increased through greater breadth or depth of participation. Under the MAS, elections became more inclusive, suffrage was expanded, and participation in elections increased. The depth of participation also seemed to increase. People exercised choices over more issues, increased diversity in politics contributed to the quality of political deliberation, and more people engaged in protests and assemblies. Forms of participation that went beyond voting helped hold the MAS leaders accountable to campaign promises between elections, although protests that became so disruptive or violent that they stifled political participation by other individuals undermined popular sovereignty. Chapter 3 will expand upon the discussion of the depth of participation by arguing that although internal party democracy within the MAS contributed to popular sovereignty, greater concentration of power within the party in 2004 decreased the positive effect of the MAS party structure on regime-level popular sovereignty.

²⁴⁶ Lijphart, "Unequal Participation: Democracy's Unresolved Dilemma."

²⁴⁷ *Ibid.*

²⁴⁸ Amartya Sen, *Development as Freedom*, (New York: Alfred A. Knopf, 1999), 148.

Elections became more inclusive under the MAS. Both the registration of new voters in the biometric voter registry and the expansion of suffrage to citizens living abroad contributed to greater popular sovereignty. The biometric registry led to the registration of approximately 1.25 million citizens greatly expanded the number of people who could exercise their right to vote.²⁴⁹ Because the constitution allowed citizens living abroad to vote in presidential elections for the first time, efforts were made to register migrants in the United States, Spain, Argentina, and Brazil. An estimated two million Bolivians live abroad, but only 125,101 emigrants voted, comprising 3.4 percent of the total vote in the 2009 elections.²⁵⁰ The opposition opposed granting suffrage to emigrants, arguing that it would favor the MAS and that the process of registration and elections abroad is difficult to monitor.²⁵¹ Some scholars argue against extending the right to vote to emigrants on the grounds that citizens living outside of a country are not subject to the laws of their country of origin,²⁵² but Bolivians living in the exterior have a stake in elections. Migration is often temporary, and emigrants often continue to have family members in Bolivia and to participate in the Bolivian economy.²⁵³ Some laws, for example those involving travel into the

²⁴⁹ Andrés Santana Leitner, "General Elections in Bolivia 2009," *Analysis of the Real Instituto Elcano*, <http://www.realinstitutoelcano.org/> (2009).

²⁵⁰ *Ibid.*

²⁵¹ *Ibid.*

²⁵² Claudio López Guerra, "Should Expatriates Vote," *The Journal of Political Philosophy* 13:2 (2005), 216-217

²⁵³ Virginie Baby-Collin, Geneviève Cortes, Laurent Faret study two Bolivian cities with a high rate of emigration found that in one city citizens frequently migrated to Argentina for short intervals of three months, while in the other city the duration of each individual trip abroad was longer, but citizens lived abroad for a total of six years or less. Only one-third of the migrants surveyed in this studied did not send any

country, affect citizens living outside of the country. Thus, the expansion of suffrage to emigrants probably increased popular sovereignty in Bolivia, although it did not contribute as significantly as the registration of citizens living within the country.

The rise of the MAS contributed to increased political participation. Turnout in the 2009 presidential election was higher than in any previous Bolivian election. An estimated 85.6 percent of eligible citizens voted in the 2009 elections, a substantial increase the average turnout in the previous five elections of 59.2 percent of eligible voters.²⁵⁴ Raúl Madrid argues that this increased voter turnout is due in part to a greater inclusion of indigenous people in the political process. In 1997, voter turnout among registered voters was 67 percent in majority indigenous provinces and 70 percent in minority indigenous provinces but by 2009 turnout was 96 percent in majority indigenous provinces and 94 percent in minority indigenous provinces.²⁵⁵ The higher level of participation among indigenous people in the 2009 elections may be due to enthusiasm for an indigenous party that represented a platform based on *campesino* and indigenous interests. The strong link between social movement organizations and the MAS may have also increased turnout as organizations encouraged fellow members to vote.

remittances home. Virginie Baby-Collin, Geneviève Cortes, Laurent Faret, "Migrant Remittances and Development in Bolivia and Mexico: A Comparative Study," in Ton van Naerssen, Ernest Spaan, and Annelies Zoomers, eds., *Global Migration and Development* (New York: Routledge, 2008), 70-72.

²⁵⁴ "Voter Turnout Data for Bolivia," The International Institute for Democracy and Electoral Assistance (IDEA), <http://www.idea.int/vt/countryview.cfm?id=29>.

²⁵⁵ Corte Electoral Nacional, cited in Madrid, *Rise of Ethnic Politics*, 170.

Increased participation led to an increase in pluralism and diversity within the government. Sixty-two percent of Bolivians identified with an ethno-linguistic category and 49.3 percent of Bolivians speak an indigenous language, according to the 2001 census,²⁵⁶ but from the time of independence until 2006, a white and mestizo elite dominated Bolivian politics.²⁵⁷ Although the white and mestizo dominated party, the National Revolutionary Movement (MNR) elected an indigenous vice-presidential candidate who served in office from 1993-1997, indigenous representation in parties and the legislature was low: "as late as the 1997-2002 congress, the traditional parties in Bolivia had no indigenous senators and only one indigenous deputy."²⁵⁸ Under the MAS, indigenous representation increased dramatically. In 2009, the MAS elected twenty-seven deputies and eight senators, approximately half of who identify as indigenous.²⁵⁹ Other parties have followed suit, recruiting more indigenous candidates in order to compete with the MAS.²⁶⁰ The entry of formerly marginalized groups increases popular sovereignty in two ways. First, the entry of new groups may contribute to the quality, depth, and diversity of political dialogue. Deliberation serves a constructive function in helping citizens to realize the full use of their reason by making informed decisions about the laws that govern their life. The entry of formerly marginalized groups also increases popular sovereignty by providing voters with a greater range of options from

²⁵⁶The 2001 census has been criticized for failing to provide the option mestizo. The results suggest, however, that the majority of Bolivians have at least some connection to an ethnic heritage. Madrid, *Rise of Ethnic Politics*, 39.

²⁵⁷ *Ibid.*

²⁵⁸ Xavier Albó 2002 cited in Madrid, *Rise of Ethnic Politics*, 166.

²⁵⁹ Madrid, *Rise of Ethnic Politics*, 167-168.

²⁶⁰ *Ibid.*

which to choose. Just as banning political parties restricts popular sovereignty by restricting the electorate's choice of candidates, social, economic, and legal barriers that prevent a certain group from competing in elections also limit the popular sovereignty of the electorate.

The depth of participation in local government, political dialogue, and civic activism is harder to measure than the breadth of participation in elections. Some authors claim that indigenous parties propel a type of radical democracy characterized by equal participation with an emphasis on deliberation and depth of participation.²⁶¹ The structure of the 2006-2007 constitutional assembly represented this type of radical, participatory politics due to its inclusion of civil society groups and delegates selected by popular vote. Violent protests that blocked some assembly members from participating and private negotiations between MAS leaders and the opposition that changed the constitution after the assembly, however, limited the positive effect of the constitutional assembly on popular sovereignty. Chapter 3 will discuss how the internal structure of the MAS also contributed to a greater depth of participation before 2004, although recent changes in the MAS decreased vertical accountability within the party. Quantitative evidence for an increased depth of participation under the MAS is mixed. Surveys suggest that Bolivians have a high degree of civil participation compared to other Latin American and Caribbean countries, and the percent of respondents who participated with the community to solve a problem increased between 2008 and

²⁶¹ Van Cott, "Radical Democracy in the Andes"; Postero, "The Struggle to Create a Radical Democracy in Bolivia."

2012.²⁶² According to the 2012 LAPOP survey, the percent of Bolivians who participate in electoral campaigns and municipal assemblies, however, is slightly below the median of the other South American countries surveyed.²⁶³ Participation in informal politics seems to be higher in Bolivia than participation in formal politics. Although participation in informal politics often contributes to greater popular sovereignty and vertical accountability, the high level of participation in informal politics may suggest that formal avenues for political participation are not sufficiently open or responsive.

More Bolivians reported participating in protests in 2011 than citizens of any other Latin American or Caribbean country.²⁶⁴ The quantity of registered protests was also higher under the MAS than under previous governments. In 2000 only 400 registered protests occurred, whereas 900 occurred in 2011. The number of protests increased sharply between 2008 and 2011.²⁶⁵ Because many protests are not registered and protests may vary considerably in size, the number of protests is not always a reliable measure of protest activity. The Latin American Public Opinion project found that the percentage of respondents who said they participated in protests in the past year, however, increased from 11.4 percent in 2010 to 17.7 percent in 2012.²⁶⁶ Data on individual participation in protests before 2006 is difficult to compare with data for

²⁶² Latin American Public Opinion Project, “Cultura Política de la Democracia en Bolivia 2012” (2012), <http://www.vanderbilt.edu/lapop>.

²⁶³ *Ibid.*

²⁶⁴ *Ibid.*

²⁶⁵ *Ibid.* Two major episodes of protest occurred during this time: protests in reaction to the removal of gas subsidies in 2010 and protests against the construction of a highway through a protected indigenous territory. Other major protests included protests by health care professionals, the Workers Union of Bolivia, and the Bolivian police force.

²⁶⁶ *Ibid.*

participation under the MAS due to changes in the phrasing of the survey questions. The high level of protests under the MAS had a mixed effect on the quality of popular sovereignty in Bolivia. On one hand, protests embody the fundamental right to assembly, increase political dialogue, and invest more individuals in political participation. Protests can also disincentive public officials from completely renegeing on their campaign promises. A 2011 protest against a contract to construct a highway through the Isiboro-Sécure National Park and Indigenous Territory, for example, held the government accountable to its pro-indigenous campaign rhetoric and promises to protect indigenous territory.²⁶⁷ On the other hand, protests may signal flaws in the formal, institutional mechanisms for resolving democratic disputes. Protests also decreased popular sovereignty on some occasions: For example, protests during the constitutional assembly sometimes blocked democratically elected delegates from entering the assembly.²⁶⁸ Protests also have the potential to prevent the government from responding to the will of the whole electorate, as opposed to a small sector of the population.

The high number of decisions made via referendum increased popular sovereignty, although it had a mixed effect on other components of democracy. Between 2006 and 2012, a number of major decisions were made through referendum. Bolivians were asked to vote in referendums on the new constitution, regional autonomy, and the recall of the president and departmental prefects. An increase in

²⁶⁷ After the protest the government declared the highway illegal, although they later revised the law declaring the highway illegal and instead called for a consultation with residents in the park.

²⁶⁸ Lehoucq, "Bolivia's Constitutional Breakdown," 110.

referendums and direct democracy often occurs in response to perceived failures in traditional mechanisms of democratic representation.²⁶⁹ Referendums may increase faith in democracy as the voice of the people. Even though referendums are limited by the fact that they do not allow voters to express preferences or prioritize issues,²⁷⁰ they still increase popular sovereignty by increasing participation and the influence that the electorate has over policy decisions. Referendums are not always used as good-faith consultation on issues facing the nation, however; instead, politicians seeking leverage against the opposition or against another branch of government often use them to push through agendas. In Ecuador in 2011, for example, Rafael Correa held a referendum that would give him more influence over the judiciary and that would limit some media deemed inappropriate or discriminatory.²⁷¹ Insofar as referendums are used as a justification to undermine rule of law and checks and balances, they harm the principle of republicanism and possibly popular sovereignty in the long term.

The new constitution also contributed to popular sovereignty. Prior to 2009, the legislature determined the presidency if no candidate won more than fifty percent of the popular vote. Before 1994, the legislature voted among three candidates who received the most votes; after 1994, they voted between the two candidates with the most votes. In 2005 Evo Morales became the first and only candidate to ever to win

²⁶⁹ Monica Barczak, "Representation by Consultation? The Rise of Direct Democracy in Latin America," *Latin American Politics and Society* 43:3 (2001), 37-59.

²⁷⁰ Sherman Clark "A Populist Critique of Direct Democracy," *Harvard Law Review*, 112:2 (1998), 432-482.

²⁷¹ "Ecuadorian President Claims Key Referendum Win," *CNN Wire*, May 8, 2011, <http://www.cnn.com/2011/WORLD/americas/05/08/ecuador.referendum/index.html>

more than fifty percent of the vote. The legislature did not always consider the popular vote in determining the president.²⁷² Before 2005, accordingly, the legislature had the final say in deciding who would be president. This provision led to a practice known as “pacted democracy,” in which parties would make deals with one another about who would become president.²⁷³ The new constitution ends this practice of legislative control over the presidency. Under the new constitution, a presidential or vice-presidential candidate wins if she gains more than 50 percent of the popular vote or if she gains more than forty percent of the vote and is more than 10 percent ahead of her closest competitor. If neither of these conditions is fulfilled, then a run-off election occurs and the candidate who receives the majority of the votes wins.²⁷⁴ Although this arrangement favors the MAS and thus may be part of the party’s attempts to consolidate power, it is also increased popular sovereignty compared to the previous arrangement. Under the previous arrangement, voters were denied the opportunity to determine the president, and the legislators sometimes entered into agreements that would result in a candidate who received significantly less votes claiming the presidency. The arrangement under the new constitution is an improvement, but a system in which the winning candidate always wins more than fifty percent of the vote either in the initial election or in a run-off election would be preferable and would offer presidents a stronger claim to legitimacy.

²⁷² Eduardo Gamarra, “Hybrid Presidentialism and Democratization: The Case of Bolivia,” in Scott Mainwaring and Matthew Soberg Shugart, eds., *Presidentialism and Democracy in Latin America* (Cambridge: Cambridge University Press, 1997), 375.

²⁷³ Ton Salman, “Bolivia and the Paradoxes of Democratic Consolidation,” *Latin American Perspectives* 34:6 (2007), 118.

²⁷⁴ Constitución Política del Estado, Article 166.

Other changes in the new constitution also increased popular sovereignty. The election of judges for Bolivia's high courts contributed to popular sovereignty because it increased the direct power of citizens to determine the implementation and interpretation of laws. Controversies over the selection of judicial candidates, which was decided almost entirely by the MAS majority in Congress, and limitations on campaigning and media coverage of the judicial candidates reduced but did not negate the positive influence of judicial elections on popular sovereignty. Although the judicial elections increased popular sovereignty, they decreased republicanism by hurting horizontal accountability and had a mixed effect on liberalism.

Popular sovereignty is maximized when informed voters reach a decision based on full information and extensive deliberation. The limitation of media coverage of the judicial elections reduced popular sovereignty by restricting the information necessary for voters to make enlightened decision.²⁷⁵ Likewise, harassment of the media has the potential to decrease popular sovereignty by limiting political deliberation. The government did not engage in systematic censorship, and the private media was critical of the Morales administration between 2006 and 2013.²⁷⁶ The media fulfilled its role of providing competing opinions and promoting transparency and information. Thus, harassment of the media only had a limited negative effect on popular sovereignty, even though this harassment had a strong negative effect on liberalism. To make informed decisions, voters must be able to judge the decisions and actions of a

²⁷⁵ "World Report 2012: Bolivia [Events of 2011]," Human Rights Watch (2012), <http://www.hrw.org/world-report-2012/bolivia>.

²⁷⁶ Centellas, "Countries at the Crossroads."

candidate. Such judgment is only possible if the government is transparent and voters know what actions their elected representatives are taking. Under the Morales administration, the government published legal documents the Internet,²⁷⁷ although the overall level of government transparency remained low.²⁷⁸

Increased participation, deliberation, and suffrage are only of limited value to popular sovereignty if the opposition cannot compete with the government on a fair playing field. The most substantial critique of the popular sovereignty under the MAS is that the party decreased the competitiveness of politics at the national level.

Harassment of opposition leaders through aggressive investigations and prosecutions may have decreased the ability of the opposition to compete on an equal playing field. Before the 2009 elections, a number of opposition leaders faced investigations and numerous court summonses that may have reduced their time and ability to campaign.²⁷⁹ The decrease in the decisiveness of elections also had a negative effect on popular sovereignty, especially before 2013 when officials could be forced out of office due to a mere accusation of a crime.²⁸⁰ Between 2006 and 2012 the government had some advantages in campaigning due to the use of state media to disseminate biased information.²⁸¹ The bias of the private media in favor of the opposition, however, meant that the state media did not substantially decrease the competitiveness of elections.

²⁷⁷ *Ibid.*

²⁷⁸ *Ibid.*

²⁷⁹ European Union Election Observation Mission Plurinational State of Bolivia, http://eeas.europa.eu/eueom/missions/2009/bolivia/index_en.htm.

²⁸⁰ Pérez, "Tribunal Constitucional declara inconstitucional."

²⁸¹ European Union Electoral Observation Mission Plurinational State of Bolivia, http://eeas.europa.eu/eueom/missions/2009/bolivia/index_en.htm

Harassment of the opposition may have decreased also the number of opposition candidates who chose to compete, although there is no clear evidence of this effect. In fact, voters probably had a greater range of options after the MAS became a successful contender than they did when politics was dominated by three major parties that colluded for political patronage.

The decrease in electoral competitiveness hurts popular sovereignty, but it is probably not enough to outweigh the numerous positive gains in popular sovereignty made under the MAS. As discussed in the previous section, elections continue to represent the will of the people. At the national level, Morales is president because he has overwhelming support from the people compared to other candidates. At the regional level, many opposition candidates have been successful in many elections. Not all popular regimes that increase participation improve popular sovereignty. In Venezuela, for example, elections are not sufficiently competitive to be accurate reflections of the informed popular will. The fact that Bolivian elections are highly competitive and representative of the will of the people means that an increased participation, voter turnout, and suffrage improve popular sovereignty. Decisions by the Constitutional Tribunal in Bolivia 2012 and 2013 may improve popular sovereignty even further by limiting the executive's ability to harass politicians from opposition through aggressive prosecutions.

2.3. CONCLUSION

The rise of the MAS had mixed effects on liberalism, republicanism, and popular sovereignty. Overall, however, popular sovereignty increased under the MAS. Protections for some civil liberties and human rights increased under the MAS, while the government violated other civil liberties. The conclusion that the MAS had an ambiguous effect on liberalism, however, does not condone the low quality of liberalism in the regime; so much as it also condemns the violations of civil liberties and human rights committed by previous regimes. The MAS seemed to have a negative effect on republicanism. Corruption remained high under the MAS, the government did not consistently respect the constitution, and horizontal accountability decreased between 2006-2012. In 2012 and 2013, however, the Constitutional Tribunal made a few decisions that might indicate that the organ is more independent than expected. If the current judges on the Constitutional Tribunal challenge the Morales administration, it is unclear whether the latter will respect the decision of Tribunal. The fact that the judges were elected by a popular vote promulgated by Morales may limit his ability to directly challenge or harass the new Tribunal. The fact that the MAS increased popular sovereignty has important implications for how scholars understand the regime, and it explains why many citizens see Bolivia as a “radical” form of democracy.

**CHAPTER III: THE EFFECT OF THE ORGANIZATION OF THE MAS PARTY ON THE QUALITY OF
POPULAR SOVEREIGNTY IN BOLIVIA**

The day after Christmas 2010, the Morales administration passed Decree 748, which cut fuel subsidies and caused the price of gasoline to rise 73 percent. The very organizations that brought Morales into power blockaded highways and led massive protests against the government.²⁸² Protesters speculated that Morales, like the two presidents before him, might flee in the face of violent demonstrations.²⁸³ Less than a week after announcing the decree, Morales rescinded the order and promised to restore subsidies. "I pledged to govern by obeying the people," he said in a news conference announcing the restoration of subsidies.²⁸⁴ The "gasolinazo," as the decree and subsequent crisis came to be known, revealed that street protests and blockades continued to play a decisive role in Bolivian politics. For all the MAS's efforts to undercut the opposition, it was the party's highly mobilized and organized support base that posed the biggest threat to the administration, which raised the question: Why did the MAS, the party swept into power by a coalition of social movement

²⁸² Chris Kraul, "Bolivia Leader Restores Fuel Subsidies in the Face of Protests," *Los Angeles Times*, January 1, 2011, <http://articles.latimes.com/2011/jan/01/world/la-fg-bolivia-morales-20110101>,

²⁸³ "Román Loayza: Miedo al pueblo hizo retroceder a presidente Morales," *La Razón* [La Paz, Bolivia], January 4, 2011, http://www.la-razon.com/sociedad/Roman-Loayza-Miedo-retroceder-Morales_0_1316268379.html.

²⁸⁴ Martin Arostegui, "Bolivia Restores Subsidies for Fuel," *The Wall Street Journal*, January 3, 2011, <http://online.wsj.com/article/SB10001424052748703820904576058071716311988.html>.

organizations, not foresee that the very groups it claimed to represent would mobilize in force against the decree?

The MAS originated as the political arm of a coalition of campesino-indigenous organizations and came to power with the support of diverse social movements. Although the MAS meets the definition of a party, the organization refers to itself as a “movement” or an “instrument of the people.”²⁸⁵ Kenneth Roberts describes the MAS as an “autonomous, grass-roots social mobilization that is channeled into the electoral arena and translated into power.”²⁸⁶ Both formally and informally the MAS maintains ties with campesino-indigenous organizations, but the “gasolinazo” revealed a glitch in the MAS’s “channeling” of grass-roots social mobilizations. As the party achieved electoral success, Evo Morales and a small group of party leaders concentrated power around themselves, and the social movement base from whence the party originated lost influence.²⁸⁷ Despite this trend towards concentrated power in the party, the MAS leadership continues to coordinate closely campesino-indigenous organizations and other unions and neighborhood alliances, and when coordination fails, the social movements still have strategies to influence the policy of the MAS, as they did in the “gasolinazo.”²⁸⁸

²⁸⁵ Santos Ramírez, as quoted in Marta Harnecker and Federico Fuentes, *MAS-IPSP de Bolivia instrumento político que surge de los movimientos sociales* (Caracas: Centro Internacional Miranda), 76-77.

²⁸⁶ Kenneth Roberts, “Latin America’s Populist Revival,” *SAIS review* 27:1 (Winter-Spring 2007): 14.

²⁸⁷ Former minister of the MAS, email to author, January 15, 2013.

²⁸⁸ Evo Morales, quoted in “Estatuto Orgánico Aprobado en el VIII Congreso Nacional,” Dirección Nacional Movimiento al Socialismo – Instrumento Político para la Soberanía de los Pueblos (March 25, 2012),

This section will argue that the internal democracy of the MAS and the role of semi-autonomous social-movement organizations within the party served to improve popular sovereignty in Bolivia, especially during the early years of the MAS. The internal party democracy of the early MAS and its relationship with social movement organizations improved popular sovereignty by increasing the depth of participation. Steven Levitsky and James Loxton suggest that movement populists, such as Evo Morales, may pose less of a threat to democratic regimes because “greater accountability to the movement-party could potentially limit the concentration and abuse of executive power.”²⁸⁹ Because the MAS is the dominant party on the national level in Bolivia and may continue to be for the foreseeable future,²⁹⁰ internal democracy may provide more accountability for party leaders than competitive national elections. Unfortunately, a trend to concentrate power around Morales and a cadre of top party leaders weakened the internal democracy of the party. Although social movement organizations continued to play a role in providing vertical accountability to the executive in 2012, the movement away from internal accountability in the MAS reduced the quality of democracy in Bolivia.

The first section of this chapter will argue that internal party democracy and social mobilization enhance regime-level popular sovereignty by providing vertical accountability to party elites. Internal party democracy also increases participation and

<http://www.scribd.com/doc/112304655/Estatuto-Organico-del-MAS-IPSP>.

²⁸⁹ Levitsky and Loxton, “Populism and Competitive Authoritarianism,” 112.

²⁹⁰ Roberta Rice, “Regional Autonomy and Municipal Politics in Post-Neoliberal Bolivia,” Paper prepared for the American Political Science Association 2011 Annual Meeting in Seattle, Washington, September 1-4, 2011 (http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1901983##).

political deliberation, which improve the quality of popular sovereignty. The second section will evaluate the state of the internal democracy within the MAS and the relationship between the MAS and the campesino-indigenous organizations that initially formed the party. The origin and early years of the MAS will be contrasted with later years in which the party opened its membership to individuals who were not associated with campesino-indigenous organizations, a professional political leadership emerged in the MAS, and the central party leadership concentrated power. The third section will consider the effect of the MAS's rise to power on social movement organizations affiliated with the party and will argue that the success of the MAS has had mixed positive and negative effects on social movement organizations. The weakening of certain social movement organizations has the potential to reduce the capacity of civil society to organize and advocate for certain policies. The final section will analyze the effect of the MAS on regime-level popular sovereignty in Bolivia and will argue that internal democracy within the party exercised a positive effect on the quality of popular sovereignty in Bolivia. As the central party leadership has concentrated power, however, the positive effects of the party organization have correspondingly diminished.

3.1. THE EFFECT OF INTERNAL PARTY DEMOCRACY ON REGIME-LEVEL POPULAR SOVEREIGNTY: A THEORETICAL PERSPECTIVE

Parties play a key role in shaping modern democracies and hybrid regimes; therefore, questions about the ideal organization and structure of parties for regime democracy are crucial. Political parties may enhance popular sovereignty by informing voters and increasing participation, but they can just as easily constrain popular sovereignty.²⁹¹ Powerful parties can block out new competitors and privilege a select group of political elites. Because of the central role that parties play in channeling democratic competition, some scholars argue that democracy within parties is essential to increase democracy at the regime level. John Stuart Mill wrote that a “democratic constitution, not supported by democratic institutions in detail, but confined to the central government, not only is not political freedom, but often creates a spirit precisely the reverse.”²⁹² Internal party democracy can enhance participation and civilian deliberation and may offer avenues for individuals to influence politics between electoral cycles. Despite the appeal of responsive and internally democratic parties, some scholars assert that democracy is about competition between political parties not competition within them.²⁹³ They contend that internal party democracy could actually hurt democracy at the regime level because it might hamper party efficiency and

²⁹¹ Richard Katz, “The Problem of Candidate Selection and Models of Party Democracy,” *Party Politics* 7:3 (2001): 278.

²⁹² John Stuart Mill [Original: 1876], as quoted in, Katz, “The Problem of Candidate Selection,” 293

²⁹³ Giovanni Sartori, *The Theory of Democracy Revisted* (Chatham, New Jersey: Chatham House Publishers, 1987), 151.

privilege the preferences of radical activists over those of voters.²⁹⁴ This section will counter the claims made by opponents of internal party democracy and argue that democracy within parties improves popular sovereignty in a regime.

Although the MAS is a deficient democracy, this section will first analyze the effect of internal-party democracy on popular sovereignty in fully democratic regimes. Once it is clear that internal party democracy improves popular sovereignty in democratic regimes, it will be evident that internal party democracy is even more important in deficient democracies. One of the primary arguments against internal party democracy in democratic regimes is that free and fair elections should be sufficient to ensure that parties are responsive to voters, so internal party democracy is useless at best and inefficient at worst. Even in fully democratic regimes, however, elections are not perfectly competitive. In deficient democracies, low quality elections further reduce the competitiveness of contest between parties. Thus, the vertical accountability provided by internal party democracy is even more important in deficient democracies and other hybrid regimes. The MAS almost meets the threshold for free and fair elections, and, although not likely, recent judicial rulings could possibly push the regime above the minimum threshold for the electoral component of democracy by 2014. This section will show that internal party democracy is valuable even if Bolivia does achieve the minimally free and fair elections.

Internal party democracy may refer to a number of institutions, including democratic elections of candidates by party members, inclusive and democratic

²⁹⁴ Jan Teorell, "A Deliberative Defence of Intra-Party Democracy," *Party Politics* 5:3 (1999), 365.

selection of party leaders, and participation of party members in the formation of policy.²⁹⁵ The limited amount of literature that focuses on the normative value of internal party democracy is based primarily on the transition from mass bureaucratic parties to catch-all parties in Western Europe. In countries where informal institutions dominate party functions, such as Bolivia, determining the party structure and the level of internal party democracy may present a challenge. The formal structure of the MAS differs substantially from the structure outlined in the party's statutes,²⁹⁶ and a number of campesino-indigenous organizations exist as semi-autonomous affiliates of the party, much as neighborhood organizations functioned in the Justicialist Party in Argentina under Menem.²⁹⁷ Because these organizations at times function as part of the party structure and at other times act in opposition to the party, it is difficult to determine whether they represent institutions of "internal democracy." This section will adopt a broad definition of internal party democracy that includes the role played by semi-autonomous organizations affiliated with the party. Although this definition may limit the direct applications of literature on internal party democracy, most of which is based on the study of European parties, to the study MAS, it allows for a more in-depth analysis of the effect that various mechanisms of party democracy and accountability have on the MAS.

²⁹⁵ Internal Democracy in Political Parties, International Institute for Democracy and Electoral Assistance (March 21, 2012), http://www.idea.int/parties/internal_democracy/index.cfm.

²⁹⁶ Sven Harten, "Towards a 'Traditional Party'? Internal Organization and Change in the MAS in Bolivia" in Adrian Pierce, ed., *Evo Morales and the Movimiento al Socialismo in Bolivia* (London: Institute for the Study of the Americas, 2010).

²⁹⁷ Steven Levitsky, "An 'Organized Disorganisation and the Persistence of Local Party Structures in Argentine Peronism," *Journal of Latin American Studies* 33:1 (2001), 29-66.

Some scholars argue that competition between parties, rather than competition within parties, provides sufficient choice and opportunities for citizen hold leaders accountable. Robert Dahl, for example, claims that “if the main reason we need political parties at all is in order for them to facilitate democracy *in the government of the country*, then might not parties that are internally oligarchic serve the purpose just as well as, or maybe better than, parties that are internally more or less democratic?”²⁹⁸ Even if parties themselves are oligarchic, the fact that the electorate is empowered to decide between different parties is what is at stake in popular sovereignty.²⁹⁹ The argument assumes that elections allow voters an opportunity to vote for or against leaders, and those leaders that are subject to elections will concern themselves with the opinion of the electorate. The premise of the argument in favor of oligarchic parties can be understood through an analogy with markets: Just as firms tailor their products to the demands of consumers rather than their employees, political parties will and should respond to voters not the internal demands of party members.³⁰⁰ In order to provide a compelling account of popular sovereignty, proponents of oligarchic parties must show that voters are not just choosing between select groups of leaders but that new options will emerge if the platforms of existing parties are completely alien to the preferences of the electorate.

²⁹⁸ Robert Dahl, *After the Revolution?: Authority in a Good Society* (New Haven: Yale University Press, 1990), 5.

²⁹⁹ Sartori, *Theory of Democracy*, 151.

³⁰⁰ Although Teorell articulates this argument with a useful analogy, she herself does not endorse it. Teorell, “Deliberative Defence,” 366.

The problem with relying solely on competition between parties to ensure a high-level of popular sovereignty is that, just as markets are rarely fully rational, political systems are almost never perfectly competitive. Formal laws regulating the inscription of new parties and the heavy initial investment required for new parties to become competitive at the national level may prevent the formation of new parties.³⁰¹ In party systems with barriers for the formation of new parties, the existing political parties may not reflect the significant political preferences of the electorate. The rise of the cartel party, a party that gains power and colludes with other parties to create power-sharing arrangements that ensure the collective survival of all major parties, may also lead to dissociation between the relevant political opinions of the electorate and the platforms of major parties.³⁰² Finally, party systems may exist in which one party is dominant or even hegemonic. Although many countries in which one party is dominant do not meet the minimum threshold for democracy, democratic countries may develop a dominant party, especially in the wake of crisis when multiple opposition parties may suffer losses. When parties do not fear getting kicked out of power, then they have no incentive to concern themselves with the preferences of the voters. If voters in turn perceive that their preferences are unrelated to the political parties in power, then citizens have little incentive to participate. If a core principle of popular sovereignty is

³⁰¹ Simon Hug, "The Emergence of New Political Parties from a Game Theoretic Perspective," *The European Journal of Political Research* 29:2 (1996), 169-190.

³⁰² Richard Katz and Peter Mair, "The Cartel Party Thesis: A Restatement," *Perspectives on Politics* 7:4 (2009), 753.

that the opinions of the electorate have some bearing on leadership, then a party system that resembles an “oligopolistic market”³⁰³ may betray this principle.

The history of Bolivia demonstrates the limits of electoral competition in ensuring democratic accountability. Prior to the rise of the MAS, a system of collusion between parties limited the extent to which competitive elections made leaders responsive to the electorate. After the return to democracy in Bolivia in 1985, elections were fair and highly competitive, but political parties often made bargains with each other after elections to determine power-sharing arrangements.³⁰⁴ The system of party collusion in Bolivia resembled the model of party cartels described by Richard Katz and Peter Mair. Katz and Mair argue that political parties have become increasingly similar, and professional politicians rely on their political office for their income. Political parties may therefore try to decrease the costs of losing by colluding, directly or indirectly, with other parties to ensure that electoral defeat does not mean complete removal from power or political office.³⁰⁵ Although Bolivia’s political system may not have been fully cartelized before the rise of the MAS, collusion between political parties decreased the vertical accountability provided by elections. Parties abandoned their core constituents and their electoral promises in order to make deals among other elites.³⁰⁶ For example, the elections of 1989 saw an alliance between the leftist labor

³⁰³ Teorell, “Deliberative Defence,” 366.

³⁰⁴ Dan Slater and Erica Simmons, “Coping by Colluding: Political Uncertainty and Promiscuous Powersharing in Indonesia and Bolivia,” *Comparative Political Studies* 20:10 (2012), 1-28.

³⁰⁵ Katz and Mair, “The Cartel Party Thesis.”

³⁰⁶ Slater and Simmons, “Coping by Colluding,” 3.

party and the far right-wing party.³⁰⁷ In the wake of this alliance, voters had no way of knowing whether a vote for any particular party was a vote for or against labor. Nor could citizens vote against any particular party and expect that the party would be removed from power because power-sharing agreements served to protect politicians from complete removal from power.³⁰⁸

The system of collusion in Bolivia was only possible under conditions in which it was difficult for new political parties to emerge. For example, the leaders of campesino-indigenous organizations were unable to form their own party because the National Electoral Court “exploited minor technicalities” to reject the registration of the ASP, the precursor to the MAS.³⁰⁹ These leaders ultimately had to make a deal with the leader of a defunct party to inscribe in the elections under the MAS insignia. Once a new party with strong support emerged, the political system of collusion collapsed.³¹⁰ The MAS succeeded in part because it was able to capitalize on popular frustration with the existing system of party collusion.³¹¹ Although the MAS largely avoided collusion with other parties,³¹² its success reveals another limitation of democratic accountability through competitive elections. The MAS is likely to dominate Bolivian national politics

³⁰⁷ *Ibid.*, 17

³⁰⁸ *Ibid.*

³⁰⁹ Harten, “Towards a Traditional Party,” 67.

³¹⁰ Even in fully open political systems, however, it might be possible for parties collude. Established parties have such a monopoly on recognition, resources, and linkages with voters that successful, new parties often only emerge in the wake of crises.

³¹¹ Slater and Simmons, “Coping by Colluding,” 20.

³¹² Slater and Simmons, “Coping by Colluding,” 21.

for the near future.³¹³ Opposition parties are weak, co-ethnic linkages give the MAS a demographic advantage, and the party is in some ways harrasing competitors.³¹⁴

When a party may assume that it will win future elections because of incumbent advantage, demographics, clientalist networks, or the weakness of other parties, it may also become less responsive to citizen preference.

Competitive elections alone are sometimes insufficient to guarantee high quality democracy, but this does not necessarily mean that internal party democracy is the solution. Two other criticisms may be leveled against internal party democracy. First, internal party democracy may hurt the efficiency of party organization, which may in turn hinder the party's ability to compete effectively against other political parties. José Maravall uses survey data to argue that voters punish parties when they perceive internal division within the party.³¹⁵ Many successful parties, however, have internal divisions. For example, the Worker's Party in Brazil "always had trouble moderating internal conflicts among its diverse component movements and organizations, yet it elected its leader to the presidency in 2002."³¹⁶ One could also argue, however, that internal competition may in some cases prepare candidates for competition with candidates from other parties. Even if internal party democracy resulted in slightly more inefficiency within the party, it is not clear how this would affect the quality of

³¹³ Rice, "Regional Autonomy and Municipal Politics," 2.

³¹⁴ Levitsky and Loxton, 14.

³¹⁵ José María Maravall, "The Political Consequences of Internal Party Democracy," Juan March Institute Center for the Advanced Study in the Social Sciences Working Papers 2003/190 (2003), <http://www.march.es>.

³¹⁶ Donna Lee Van Cott, *From Movements to Parties in Latin America: The Evolution of Ethnic Parties* (Cambridge: Cambridge University Press, 2005), 69.

popular sovereignty or that, even if it did, it would come close to outweighing the participatory and accountability benefits of internal democracy. Inefficiency due to internal party democracy may seriously cause harm in the case of an emergency when decisions must be taken immediately; however, parties could have protocols for emergencies that differ from the normal party procedures.³¹⁷

The more substantive criticism of internal party democracy is the argument that internal party democracy will make parties respond to activists within the party rather than to the equal distribution of political preferences among all citizens. Some argue that party activists hold more extremist positions than the average voter, and internal party democracy could push parties to extreme positions that are removed from the preferences of the electorate.³¹⁸ One could imagine an extreme scenario in which leaders became more concerned with climbing the ranks of the party than with winning elections. In this case, leaders might become more responsive to party activists than to voters. Although these leaders would be likely to face losses in the general elections, the tendency for parties to move away from the preferences of voters could harm the quality of democracy. As argued earlier, party systems are not completely competitive and there is no guarantee that new parties will emerge to challenge existing parties that are no longer responsive to voters. The fact that political parties are not perfectly competitive seems to favor internal democracy, however. If elections were insufficient to make leaders fully responsive to the electorate, would a system in which citizen

³¹⁷ Teorell, "Deliberative Defence," 378.

³¹⁸ *Ibid.*, 365.

activists provide some vertical accountability to leaders not be preferable to a system in which there is no mechanism for accountability, transparency, or citizen participation?

There is no reason to believe that oligarchic parties are less likely to adopt extreme positions due to the personal preference of the leaders, interest group pressure, or other considerations.³¹⁹ The evidence that party activists hold more extreme positions than the average voter is limited.³²⁰ Parties must still face elections and party members and activists will have an interest in the electoral success of the party. The criticism that internally democratic parties are bad for democracy because activists will exercise disproportionate influence suggests the assumption that in a democracy all citizens should exercise equal influence.³²¹ In democratic regimes all citizens have equal rights to influence policy, just as they have equal rights to assemble in engage in a party, but some individuals participate more intensely and exercise greater control over political platforms than others. Citizens who mobilize in protest, those who contact their elected officials, those who write articles for the newspaper will all influence politics more than

³¹⁹ The influence of internal party democracy on ethnic parties may be different than the influence of internal party democracy on non-ethnic parties. More research should be done on this topic. Internally democratic indigenous parties in Bolivia, such as the MAS prior to 2004, however, did not seem to hold more extremist positions than more personalistic indigenous leaders, such as Felipe Quispe in 2003.

³²⁰ Ellen Allern and Karina Pedersen, "The Impact of Party Organization Changes in Democracy," *West European Politics*, 30:1 (2007), 75; Although the American closed primary system is often offered as an example of internal party democracy that promotes political polarization, there is little evidence that primaries are associated with partisan polarization in congressional roll call voting Shigeo Hirano, James Snyder, Jr., Stephen Ansolabehere, and John Mark Hansen, "Primary Elections and Partisan Polarization in the U.S. Congress," *Quarterly Journal of Political Science* 5 (2010), 169-191.

³²¹ Teorell, "Deliberative Defence," 365.

individuals who do not participate beyond voting, yet these are all activities characteristic of a high-quality democracy.

Party activists are more likely to improve the quality of democracy in a regime than they are to harm the quality of democracy. These activists play a central role in promoting transparency within the party,³²² which promotes vertical accountability. One of the central philosophies of liberal democracy is the belief that the dispersion of power is important to prevent corruption and abuse of power. Because elections are often not sufficient to guarantee that parties will be responsive to the preferences of the electorate's demand, internal party democracy is an important mechanism to avoid the abuse of power by leaders. According to Richard Katz, "the constraints imposed by internal party democracy (such as limiting strategic and ideological flexibility and ability to respond to changing circumstances, but also forcing leaders to attend to salient issues and forcing closer correspondence between rhetoric in campaigns and behavior in office) may result in 'better' democracy at the system level than any available alternative."³²³ Internal party democracy, although alone not sufficient to ensure high quality regime-level democracy, promotes dispersion of power and mechanisms by which citizens might hold leaders accountable both during elections and in the years between elections.

Internal party democracy also enhances regime-level democracy by expanding participation and political deliberation in the public sphere. Deliberation is important because individuals do not have pre-formed political beliefs. The process of deliberating

³²² Maravall, "Political Consequences of Internal Party Democracy," 41.

³²³ Katz, "Candidate Selection," 293-4.

about party platforms allows individuals to form their opinions in the light of discussion.³²⁴ Internal party democracy wherein an assembly of party members or citizens gather to determine a cohesive party program maximize the quality of democratic deliberation. Participation is important for popular sovereignty because it increases the extent to which individuals have the power to make decisions that affect their lives.³²⁵ A political regime in which citizens are only presented with one opportunity to affect policy every four years would be an unsatisfying form of popular sovereignty. Participation does not require that every citizen participate equally, although deeper and broader participation improves the quality of popular sovereignty.

Certain forms of intra-party democracy might enhance participation more than others, and a trade-off between breadth and depth of participation may exist.³²⁶ For example, open party primaries increase the breadth of participation in selecting party leaders but they decrease the depth of participation. Assemblies with party activists, on the other hand, may increase the depth of participation but decrease the breadth. The literature on the transformation of the European mass parties, which represent a specific societal group and have active membership outside of elections, into catch-all parties, which make broad appeals to unattached voters, reveals the tension between depth and breadth of internal party democracy.³²⁷ Mass parties usually involve highly participatory involvement of party members but may restrict membership. Catch-all

³²⁴ Allern and Pedersen, "Party Organization Changes," 80.

³²⁵ Sen, Amartya, *Democracy as Freedom* (New York: Alfred A. Knopf, 1999), 148.

³²⁶ Allern and Pedersen, "Party Organization Changes," 85.

³²⁷ Richard Katz and Peter Mair, "Changing Models of Party Organization and Party Democracy: The Emergence of the Cartel Party," *Party Politics* 1:1 (1995), 12.

parties do not always have internal party democracy, but if they do it is more likely to be highly inclusive with greater participation among the rank and file or even among unaffiliated voters. The participation in catch-all parties, however, is often limited to opinion polls or primaries rather than in-depth deliberation about party platforms as a whole.³²⁸ For example, catch-all parties only involve members to a limited extent in the formation of party programs, but “in most Western democracies elections are contested on the basis of multiple dimensions, which might be difficult to include in a single ballot every three to five years, requiring in practice mechanisms enabling communication between elections.”³²⁹ The transition from mass parties to catch-all parties in Europe had mixed and contradictory effects on the quality of democracy, which suggests that an analysis of the organizational changes may require a case by case evaluation.³³⁰

The tension between expanded participation and strong institutions of participatory democracy is relevant for the MAS because the party has incorporated new social movement organizations and affiliates, but this incorporation has diluted the influence of the peasant-indigenous organizations that originally formed the MAS and that make up the most important component of the party’s internal democracy. In the case of the MAS, an increase in breadth of participation could not compensate for a decrease in the quality of participation and the centralization of power around a small party elite, a result that arose in part from an increased inclusiveness in the party.

³²⁸ Allern and Pedersen, “Party Organization Changes,” 74.

³²⁹ *Ibid.*, 74.

³³⁰ *Ibid.*, 84.

According to Michels' iron law of oligarchy, elites will inevitably come to dominate party organization. As desirable as internal party democracy may be, Michel's iron law posits that internal party democracy is impossible, at least in the long term.³³¹ The maxim that elites dominate parties, however, fails to account for the differences between parties with a strongly oligarchic structure and parties with multiple mechanisms for internal democracy, such as the Worker's Party in Brazil.³³²

3.2. THE ORGANIZATION OF THE MAS

The MAS resembles a mass party because it originated to represent a particular social group and fostered an active membership base, but changes in the party between 2002 and 2012 led the party to adopt some characteristics of a catch-all party. Katz and Mair describe the archetypal mass party as a party in which "the fundamental units of political life and pre-defined and well-defined social groups, the membership of which is bound up in all aspects of the individual's life."³³³ Just as the traditional mass parties often maintained close ties with labor organizations,³³⁴ the MAS originated to represent a well-defined social group of campesinos and developed from syndical campesino and indigenous organizations. Affiliation with the MAS is based on solidarity incentives,

³³¹ Robert Michels, *Political Parties: A Sociological Study of Oligarchical Tendencies of Modern Democracies* (New York: Hearst's International Library, Co., 1915).

³³² David Samuels, "From Socialism to Social Democracy: Party Organization and the Transformation of the Worker's Party in Brazil," *Comparative Political Studies* 37:9 (2005), 999.

³³³ Neumann 1956, as cited in Katz and Mair, "Changing Models of Party Organization."

³³⁴ Angelo Panebianco, *Political Parties: Organization and Power* (Cambridge: Cambridge University Press, 1988), 263.

which parallels the sense of “membership” and “belonging” that Panebianco describes in the ideal mass party.³³⁵ For example, one supporter of the MAS described the party as “ours, our child.”³³⁶

Unlike the classic mass parties of Western Europe, however, the MAS lacks a clear party bureaucracy and membership is not formal but instead occurs through affiliation with semi-autonomous social movement organizations. One former leader of the MAS described the structure of the MAS: “It’s a movement whose social base are not members but rather...the social movements, whether or not they are signed up...in the MNR [in contrast] you must sign up for the party to be a member.”³³⁷ Although the party statutes describe the formation of party offices, the MAS, especially initially, relied on the local branches of the social movement organizations affiliated with the party.³³⁸ The relationship of semi-autonomous social organizations to the party resembles Levitsky’s description of an informal mass party.³³⁹ Whereas Levitsky describes many small, semi-autonomous social movement and neighborhood organizations forming the party base, however, the MAS originated from three large social movement organizations, which hold more formal influence in party decisions than the social organizations of the Justicialist Party.

The MAS may be classified as a variation of a mass party, but the party has adopted some characteristics of a catch-all party, such as appeals to a broader and more

³³⁵ *Ibid.*, 264.

³³⁶ Member of the Unified Syndical Confederation of Rural Workers of Bolivia, interview with author, April 25, 2012.

³³⁷ MAS official, interview with author, April 16, 2012.

³³⁸ Former MAS official, e-mail to author, January 7, 2013.

³³⁹ Levitsky, “An Organized Disorganization,” 30.

amorphous social base and a greater number of professionals in the party.³⁴⁰ These changes have implications for the quality popular sovereignty. Although changes in the organization of the MAS represent an increase in the quantity of participants in the party organization, they also represent a decline in the quality of participation and deliberation among party members. Most concerning, changes in the party organization have paved the way for a centralization of power around a small group of party leaders. This centralization of power undermines internal party democracy.

3.2.1. THE ORIGIN OF THE MAS AND THE ORGANIZATION OF THE POLITICAL INSTRUMENT BETWEEN 1995 AND 2002

The MAS formed as the political arm of a coalition of social movement organization, and Morales often references the social movement origin of the MAS, describing the party as the culmination of a long history of campesino and indigenous struggle for equality and democracy.³⁴¹ Scholars have also highlighted the party's social movement base, and some have suggested that parties linked to social movements have the potential to improve the quality of democracy. Jennifer Collins argues, "Political parties that emerge from and retain organic ties to social movements can serve as a democratic leavening in what appear to be sclerotic democracies."³⁴² The MAS statutes

³⁴⁰ Katz and Mair, "Changing Models of Party Organization," ----

³⁴¹ Evo Morales, quoted in, "Estatuto Orgánico Aprobado en el VIII Congreso Nacional" (March 2012), <http://www.scribd.com/doc/112304655/Estatuto-Organico-del-MAS-IPSP>.

³⁴² Jennifer Collins, "Democratizing Formal Politics: Indigenous and Social Movement Political Parties in Ecuador and Bolivia, 1978-2000," UC San Diego Electronic Theses and Dissertations (2006), <http://escholarship.org/uc/item/8hz1j6gx>.

describe a party with high participation by social movements and a strong level of internal party democracy: representatives of the bases participate in assemblies to select party leaders, and the social movement organizations affiliated with the MAS democratically select candidates.³⁴³ The *de facto* organization of the MAS does not entirely match the idealistic portrayal set out by the party leaders and enshrined in the party statutes, however. Between its origin in 1995 and 2013, the MAS transformed substantially. The electoral success of the MAS corresponded with a concentration of power around Morales and a small cadre of party leaders. Although the social movement organizations continue to have an impact on party policy, the internal democracy of the MAS has diminished, and this change in turn, hurts the quality of popular sovereignty in Bolivia.

Understanding the origin and history of a political party is essential to understanding its later development. Angelo Panebianco argues, “the characteristics of a party’s origin are in fact capable of exerting a weight on its organizational structure even decades later.”³⁴⁴ The MAS originated as the political arm of a coalition of campesino-indigenous organizations. In 1995 The Unified Syndical Confederation of Workers and Campesinos of Bolivia (CSUTCB) convoked an assembly with representation from a number of other campesino-indigenous organizations to consider the formation of a political party.³⁴⁵ In 1995 the Six Federations of the Tropics, unions of coca-growers led by Evo Morales, had a dominant influence in the CSUTCB, and the

³⁴³ “Estatuto Orgánico Aprobado en el VIII Congreso Nacional,” <http://www.scribd.com/doc/112304655/Estatuto-Organico-del-MAS-IPSP>

³⁴⁴ Panebianco, *Political Parties*, 50.

³⁴⁵ Van Cott, *From Movements to Parties*, 69.

coca-grower unions played a significant role in propelling the CSUTCB to form a political arm.³⁴⁶ Aside from the CSUTCB, the assembly included the National Confederation of Women Indigenous Aboriginal Campesinos of Bolivia – Bartolina Sisa (Bartolina Sisa), the female organization parallel to the CSUTCB and the Syndicalist Confederation of Intercultural Communities of Bolivia (CSCIB) the organization representing migrants from the Altiplano who “colonized” the eastern lowlands.³⁴⁷ The organization of the lowland indigenous people, the Confederation of Indigenous Peoples of Bolivia (CIDOB), sent representatives³⁴⁸ but played a minor role in the initial organization of the political party.³⁴⁹ The organizations at the assembly agreed to the formation of the Assembly for the Sovereignty of the Peoples, a political arm of the coalition of campesino-indigenous organizations that would seek electoral representation, and elected Alejo Véliz to lead it.

When the National Electoral Court denied the ASP’s registration on technicalities, the candidates for the ASP competed under the insignia of the United Left

³⁴⁶ *Ibid.*, 67.

³⁴⁷ For the sake of simplicity, I have referred to the organizations by their official names in 2013. In 1995, however, the Bartolina Sisa was the National Confederation of Women Campesinos of Bolivia, the CSCIB was The Syndical Confederation of Colonizers of Bolivia, and the CIDOB was the Indigenous Center of the Bolivian Orient. The changes of the organization names to include “indigenous” and “aboriginal,” as well as the CSCIB’s decision to abandon the term “colonizers,” represent an increased valorization of the indigenous ethnic identity within these organizations (Bolivian sociologist, interview with author, April 16, 2012).

³⁴⁸ Van Cott, *From Movements to Parties*, 67.

³⁴⁹ One expert explains, “The MAS is the sector *campesino*. For those from the CSUTCB, the Bartolinas the MAS is *their* instrument... Evo is *their* president. In contrast for CIDOB and CONAMAQ [National Council of Ayllus and Markas of Qullasuyu], the MAS is an allied or potentially allied sector.” (Historian and advisor to indigenous and campesino coalition during the constitutional assembly, interview with author, April 19, 2012).

party in the 1997 elections.³⁵⁰ The four candidates, including Morales, elected under the United Left-ASP alliance were all candidates from the coca growing regions of the Chapare. A conflict over leadership between Morales and Alejo Véliz led to the division of the ASP. In a meeting of the Six Federations of the Tropics, the organization decided to separate from the ASP and form a parallel organization, the Instrument for the Sovereignty of the Peoples (IPSP), which would be led by Morales.³⁵¹ The IPSP eclipsed the ASP in electoral success and organizational support. The National Electoral Court, however, refused to recognize the IPSP as a political party. In order to compete in elections, the IPSP adopted the name and insignia of a defunct party called the Movement to Socialism. Although Evo Morales and his “political instrument” adopted the insignia and name of the MAS party, they maintained the organizational structure that defined the IPSP.³⁵²

Scholars often characterize the MAS as the party of the coca-grower unions³⁵³ The Six Federations of the Tropics and coca-growers within the CSUTCB championed the idea to form a political party.³⁵⁴ Assemblies of the Six Federations of the Tropics would often include a discussion of the “political instrument” on the agenda;³⁵⁵ thus, these assemblies formed an important center of deliberation and political decision-making. The fact that Evo Morales serves both as head of the MAS and of the Six Federations of the Tropics gives the coca-growers unions substantial influence in the

³⁵⁰ Harten, “Towards a Traditional Party,” 67.

³⁵¹ *Ibid.*, 67.

³⁵² *Ibid.*, 67.

³⁵³ Harten, “Towards a Traditional Party,” 76; Madrid, *Rise of Ethnic Politics*, 53.

³⁵⁴ Van Cott, *From Movements to Parties*, 67.

³⁵⁵ Harten, “Towards a Traditional Party,” 76.

party. Other campesino-indigenous organizations, such as the CSUTCB and the Bartolinas Sisa, however, also played a significant role in the early organization of the MAS. Between 1998 and 2003, the CSUTCB was internally divided due to the rift between Morales and Véliz and a later division between the president of the CSUTCB, Felipe Quispe, and Morales.³⁵⁶ Despite the division at the national level, local branches of the CSUTCB that were sympathetic to the MAS contributed resources and a large mobilization capacity to the party prior to the 2002 elections.³⁵⁷ The MAS also made alliances with the Center of Ethnic Peoples of Santa Cruz and the Bartolinas Sisa, which selected candidates for local electoral lists.³⁵⁸ In fact, the MAS party statutes explicitly recognize the CSUTCB, the CSCIB, and the Bartolinas Sisa as the root organizations of the party.³⁵⁹ The MAS should not be understood as only a party of the cocaleros. Important decisions about the party were taken in party assemblies with representation from diverse groups. Even in the early years, the MAS incorporated the major campesino-indigenous organizations.

Membership in the MAS is indirect and based on membership in one of the social movement organizations at the party's base.³⁶⁰ According to the party statutes, "Allied individuals and members [of the MAS] participate in the different levels of the

³⁵⁶ Van Cott, *From Movements to Parties*, 92.

³⁵⁷ *Ibid.*, 91

³⁵⁸ *Ibid.*

³⁵⁹ "Estatuto Orgánico Aprobado en el VIII Congreso Nacional,"

<http://www.scribd.com/doc/112304655/Estatuto-Organico-del-MAS-IPSP>

³⁶⁰ Moira Zuazo "¿Los movimientos sociales en poder?: El gobierno del MAS en Boliva," *Nuevo Sociedad* 227 (2010), 126.

organized political structure [of the MAS] through their natural social organizations.”³⁶¹

The party statutes of the MAS and the rhetoric of the party leaders affirm that the social movement organizations affiliated with the party are supposed to direct the decision-making and candidate selection of the party. A former party minister and current official claimed that the “the maximum leadership [of the MAS] is the parent [social movement] organizations.”³⁶² Alvaro García Linera characterizes the relationship between the Six Federations of the Tropic and the MAS as the ideal relationship between the social movement organizations and the party:

“In the case of the Chapare, this logic of the electoral organization subordinating itself to the syndicate organization is completed in a systematic manner, given that there is no difference between one and the other...The priority of the *sindicalismo* over the political electoral activity is of such a magnitude that not only are candidates elected in assemblies of the six federations, but mayors, councilors, and uninominal representatives have to give account of their actions before the assembly of the federations, which occasionally places sanctions on these representatives.”³⁶³

García Linera acknowledges, however, that the level accountability of the party to the social movement organizations seen in the relationship between the party leaders and the members of the Six Federation of the Tropics was not always matched in other sectors.³⁶⁴ The campesino-indigenous organizations affiliated with the MAS are supposed to maintain autonomy from the party itself: they participate and make

³⁶¹ “Estatuto Orgánico Aprobado en el VIII Congreso Nacional,” <http://www.scribd.com/doc/112304655/Estatuto-Organico-del-MAS-IPSP>

³⁶² Former MAS official, interview with author, April 16, 2012.

³⁶³ Alvaro García Linera, *Sociología de los movimientos sociales en Bolivia: Estructuras de movilización, repertorios culturales, y acción política* (Plural: La Paz, Bolivia, 2008), 432.

³⁶⁴ *Ibid.*

decisions about the party, but other components of the party cannot make decisions about the internal structure of the campesino-indigenous organizations.³⁶⁵ So ingrained is the social movement base in the rhetoric of the MAS, Morales has expressed that a parallel party structure is not necessary for the MAS when the social movement organizations function well.³⁶⁶

3.2.2. TRANSFORMATION OF THE ORGANIZATION OF THE MAS

Between 2004 and 2013, the MAS party underwent a significant transformation in organizational structure. A professional class of politicians replaced many of the social movement leaders within the party, and the party became more inclusive, making alliances with a wide variety of urban and rural social movement organizations and neighborhood councils throughout Bolivia.³⁶⁷ Both of these changes have decreased the influence of the founding social movement organizations and party activists, which in turn may have paved the way for an increased centralization of power within the party.³⁶⁸ Morales always played an important charismatic role in uniting a broad coalition, but he has become increasingly personalistic during his administration.³⁶⁹ Several accusations have emerged that the central party leadership has indicated which candidates the organizations should endorse rather than allowing the organizations to

³⁶⁵ Former minister in the Morales administration, interview with author, January 7, 2013.

³⁶⁶ Evo Morales, as quoted in, Zuazo, "¿Los movimientos sociales en poder?: El gobierno del MAS en Bolivia," *Nuevo Sociedad* 227 (2010), 126.

³⁶⁷ Madrid, *Rise of Ethnic Politics*, 61.

³⁶⁸ Zuazo, "Movimientos sociales en poder," 120-135.

³⁶⁹ Madrid, *Rise of Ethnic Politics*, 63.

select party candidates and leaders autonomously.³⁷⁰ Although the increased inclusivity of the party may have some positive implications for democracy, the increased centralization of power around Morales and a small cadre of leaders reduced the quality of internal democracy in the MAS.

A professional class of politicians replaced many of the leaders of social movement organizations in the administration of the MAS between 2002 and 2012. Because the campesino-indigenous organizations lacked experience in government, the professional political class may provide necessary technical expertise and capacity. The increasing influence of technical advisors and professionals in the party, however, has displaced some of the influence of the social movement organizations that founded the party. Alvaro García Linera, the vice-president of Bolivia, admits,

“The electoral success and the political importance of the MAS has led to the growing formation of a space of political functionaries, relatively professionalized, that together with the parliamentary faction of the MAS occupy functions of power and decision-making many times more important than that which the agrarian syndicalism possesses....For this reason, one can speak of the existence of two organizing structures within the MAS: the syndical-communitarian and the parliamentary. Formally, the parliamentary structure is subordinated to the syndical, but in deeds and by the innate characteristics of their legislative competencies, it is not like this, generating tensions and differences between the components of one and another structure.”³⁷¹

The move towards a professionalized political force and away from the influence of the social movement organizations is a response to the technical needs for governing.

Scholars of party organization have noted a similar rise of professionals within Western

³⁷⁰ Former MAS official, interview with author, February 15, 2013.

³⁷¹ García Linera, *Sociología de los Movimientos Sociales*, 432.

European parties as the parties adapt to the necessities of campaigning and governing in the age of mass media and interest groups.³⁷² The rise of professionals in the party may improve the efficiency of the party, but it can also lead to a greater separation between party and civil society.³⁷³ The displacement of campesino-indigenous organization members by professionals in the decision-making apparatus of the MAS undermined the structure of internal party democracy, which relied on the direct role played by campesino-indigenous organizations in holding party leaders accountable.

The transformation of the MAS from a party that represented a specific coalition of campesino-indigenous organizations to a party with broad appeals to the urban poor and middle class also led to a growing dissociation between the central party and the campesino-indigenous organizations at the base. In preparation for the 2002 elections, the MAS expanded its appeal to urban sectors with a particular emphasis on attracting support from the middle classes. The MAS recruited white and mestizo candidates from the city and made alliances with urban and additional rural social movement organizations. The party established ties to associations of factory workers, artisans, small business people, truck drivers, street vendors, teachers, and urban neighborhood associations.³⁷⁴ Significant changes in the representation of the MAS in the legislature and the executive branches attest to the extent of this transformation: “in 1997 the MAS’s legislative contingent was entirely indigenous, in 2002 more than one-third of the party’s legislators were white or mestizo and by 2005 whites and mestizos

³⁷² Panebianco, *Party Organization*, 267.

³⁷³ *Ibid.*

³⁷⁴ Madrid, *Rise of Ethnic Politics*, 60.

represented at least half of the contingent...most of the ministers in Morales's cabinet have been white or mestizo."³⁷⁵ The broadened appeal of the MAS resulted in enormous electoral dividends, increased the extent to which the party was representative of the electorate as a whole, and resulted in a more inclusive party organization.³⁷⁶ The rapid opening of the party, however, also diluted the influence of the campesino-indigenous organizations and undermined, in some ways, the clear structures of internal democracy and vertical accountability.

The expansion of the party to new organizations created challenges for the internal structure of the MAS. The MAS allowed social movement organizations to select candidates for the party, but in urban areas, multiple organizations would vie for the opportunity to elect candidates. The lack of a clear local organization to select candidates and the lack of a control mechanism to govern the entry of new individuals in the party resulted in "such scandals as the candidate who had previously been a member of congress for the ADN [a right-wing opposition party], or the one who simultaneously stood to represent another party."³⁷⁷ The party statutes and tradition also offered limited guidance as to the incorporation of supporters unaffiliated with social movement organizations. Because affiliation with the MAS is indirect through affiliation with the campesino organization, the incorporation of unaffiliated party supporters and urban party activists presented a challenge to the organization and internal democracy of the party. According to Moira Zuazo, the urban candidates and

³⁷⁵ *Ibid.*, 61

³⁷⁶ *Ibid.*

³⁷⁷ Harten, "Towards a Traditional Party, 79.

unaffiliated activists “invited” into the MAS do not have the same recognized right to engage in internal disputes and “not being organic members of the party, are situated in a relation of dependency with the president both to develop a career in the party and to maintain themselves as part of the party.”³⁷⁸ Internal party democracy is valuable because it maximizes participation and deliberation in a polity and because it provides citizens with a mechanism to hold leaders accountable between elections. Inclusion of new groups within the structure of internal party democracy is, thus, usually beneficial because it expands the breadth of participation and deliberation and because leaders are held accountable to interests more representative of the electorate as a whole. The benefits of expanded inclusion, however, are limited if the newly incorporated groups lack the ability or resources to challenge the leadership or affect change within the organization.

The expansion of the party combined with the rise of a professional class increased the quantity of citizens participating in the party, but these changes also contributed to a concentration of power in the central leadership. The founding campesino-indigenous organizations had limited oversight over the entry of new party affiliates. Instead, Morales and a small cadre of party leaders acted as the link between the campesino-indigenous organizations, urban organizations, and unaffiliated party activists. According to Jorge Komadina and Céline Geoffrey, Evo Morales’s “most important function of organization and decision-making is to relate organizations, leaders and resources; therefore, he is the only one who possesses a vision of the

³⁷⁸ Zuazo, “Los movimientos sociales en poder,” 127.

whole.”³⁷⁹ The role of Morales and his close advisors as the linkage between the campesino-indigenous organizations and urban sectors contributed to a concentration of power within the central leadership.³⁸⁰

Morales turned into an increasingly personalistic leader as the MAS gained power. People now speak of the phenomenon of *Evismo*, a personality cult surrounding the leader,³⁸¹ which is evident in the decree to turn his house in Orinoca into a historical site and in the declaration of a group of campesinos that they would create Evo Morales City in a town near the Brazilian border.³⁸² Evo Morales has concentrated power within the decision-making process in the party. One Bolivian historian and former advisor to a coalition of campesino-indigenous organizations during the constitutional assembly claimed, “Evo works until one in the morning and at five in the morning he is already meeting with the people, but meeting with the people is one thing. A different thing is establishing a link of political decision-making that originates from the bases upward, and this is disappearing already.” Alvaro García Linera acknowledged that Morales “is at the center of a network. He calls people and convinces them.”³⁸³

The concentration of power in the central party leadership undermined the internal democracy within the party. Opposition leaders, as well as former members of

³⁷⁹ Jorge Komadina and Céline Geoffrey, “El poder del movimiento político: estrategia, tramas organizativas e identidad del MAS en Cochabamba (1999-2005),” (La Paz, Bolivia: Plural Editores, 2007), 112.

³⁸⁰ Zuazo, “Los movimientos sociales en poder,” 127.

³⁸¹ Madrid, *Rise of Ethnic Politics*, 64.

³⁸² Martín Sivak, *Evo Morales: The Extraordinary Rise of the First Indigenous President of Bolivia*, (New York: Palgrave Macmillan, 2008), 210.

³⁸³ Alvaro García Linera, as quoted in, Raúl Madrid, *The Rise of Ethnic Politics in Latin America* (New York: Cambridge University Press, 2012), 63.

the party, have accused the central leadership of the MAS of interfering with the election of candidates within the social movement organizations. According to Alejandro Almaraz, the former minister of land under the MAS administration and now a strong critic of Morales, “Morales has substituted the candidates elected by the organizations with those selected by himself.” Other former party members also suggest that Morales has called social movement organizations or sent ministers to organization assemblies to request that they select a certain leader.³⁸⁴ Maximo Quisbert, an Aymara sociologist, suggests that the reason the MAS suffered losses in rural areas, the party’s traditional stronghold, in the 2010 municipal elections is because the candidates were not selected according to the internal democracy of the local organizations and, thus, were not well known in the region.³⁸⁵ Although a former MAS leader notes that there was at least one occasion when the social movement organizations succeeded in pushing the candidate of their choice in opposition to the central party leadership, the selection of candidates from above suggests a notable decline in internal party democracy.³⁸⁶

The opening of the party to a broader membership had mixed effects on the quality of democracy both within the party and in Bolivia. The broader political base allowed more people to participate in political deliberation within the MAS, and it meant that the party was more likely to represent and respond to a larger group of

³⁸⁴ Former MAS spokesperson, interview with author, February 15, 2013; Mary Luz Coimbra, interview with author, July 23, 2012.

³⁸⁵ Máximo Quisbert Q., “Elección a gobernadores: programas de gobierno y conductas de los votantes,” *Willka* 4:4 (2010), 164.

³⁸⁶ Former MAS spokesperson, interview with author, February 15, 2013.

people. If one of the values of intra-party democracy is the ability for citizens to hold leadership accountable between elections, greater expansion of the party theoretically means that more people are able to hold leaders accountable. On the other hand, an inverse relationship between quantity and quality of participation seems to exist in internal party democracy. The expansion of the party involvement to urban sectors and to individuals unaffiliated with social movement organizations weakened the institutions of internal democracy within the party because these new affiliates were dependent on the central leadership of the party. Katz argues that increased incorporation of the rank and file into party decisions is sometimes a strategy by the central party leadership to concentrate power because “the less consistently and intensively involved the participant in the candidate selection, the more he or she will be swayed by name recognition and the more likely he or she is to take cues from the highly visible central leadership.”³⁸⁷ The inclusion of new social sectors into the party was not the only cause of the centralization of power within the party; the charisma of Morales, the party’s power to distribute resources of the state after 2006, and the need to negotiate with the opposition in governing all probably encouraged some degree of concentration of power around Morales. Inclusion of new groups and the rise of a professional class within the party, however, contributed to an increased centralization of power in Morales because he acted as the link between supporters unaffiliated with a social movement organization, urban social movement organizations, campesino-indigenous organizations, and the professional party experts. The centralization of

³⁸⁷Katz, “Candidate Selection,” 291.

power within the party around Morales undermines internal democracy within the party because it reduces the extent to which members of the party can hold Morales accountable and because it diminishes the value of participation and deliberation because decisions made through member participation may be undermined by a command from the central party leadership.

Three events demonstrate a growing dissociation between the central leadership of the MAS and the social movement organizations. The first glaring exclusion of the social movement organizations from political influence occurred in the wake of the constitutional assembly. The constitutional assembly was extremely inclusive of social movement organizations. The Pact of Unity, a coalition of major campesino and indigenous organizations including the CSUTCB, CSCIB, Bartolinas Sisa, CIDOB, and the National Council of Ayllus and Markas of Qullasuyu (CONAMAQ), led the development of the first draft of the new constitution.³⁸⁸ In order to bring the constitution to a national referendum, however, the MAS needed the support of opposition leaders in Congress who felt, legitimately, that the opposition had been excluded from the constitutional assembly. The central leadership of the MAS convened a private meeting with opposition leaders to revise the constitution before bringing it to a vote and excluded the social movement organizations from input on the revisions.³⁸⁹ The second major conflict between social movement organizations and the government occurred in 2010 when the crisis over the decree to remove gas subsidies resulted in massive protests against the government led by campesino-indigenous organizations.

³⁸⁸ Postero, "The Struggle to Create a Radical Democracy," 66.

³⁸⁹ *Ibid.*

The decision to pass the decree and subsequent backlash suggest that the MAS failed to properly consult or communicate with the organizations. Julia Ramos, the leader of the Bartolinas Sisa, said, "They did not inform us...By right, they should have informed us..."³⁹⁰ Rafael Puente, the former spokesperson of the MAS, suggested that the failure in consultation was in part due to the fact that Morales had surrounded himself with uncritical leaders and placed blame both on Morales and on the social movement leaders.³⁹¹ Perhaps the most controversial clash between the government and the social movement organizations occurred between the government and CIDOB, the lowland indigenous organization that was an early and consistent ally to the MAS even though it was not one of the three most active founding organizations. When the government began construction on a highway that traversed the Isiboro Sécure National Park and Indigenous Territory, a protected indigenous territory, without properly consulting the indigenous people of the territory, CIDOB organized a march from Trinidad to La Paz in protest. CONAMAQ supported the march. The ensuing conflict between the MAS-led government and CIDOB resulted in the fracturing and weakening of the indigenous organization.

3.3. CONCLUSION: THE EFFECT OF THE MAS ON CIVIL SOCIETY AND SOCIAL MOVEMENT ORGANIZATIONS

³⁹⁰ Leader of the Bartolinas Sisa, interview with author, April 27, 2012.

³⁹¹ Former Spokesperson for the MAS, interview with author, February 15, 2013.

Campesino and indigenous organizations, as well as other neighborhood associations and unions affiliated with the MAS, have always played a pivotal role in Bolivian civil society. Because civil society is essential for democracy as a space for participation, deliberation, protest, and advocacy, changes in the autonomy and structure of social movement organizations may have implications for democracy. Little research has explored what happens to social movement organizations when they gain access to significant political power.³⁹² On the one hand, social movement organizations have considerably more influence to implement proposals once they gain power. Social movement organizations are likely to free up resources that were used for opposition and use them to formulate policy proposals, lobby, and invest in projects for their members. Despite the obvious advantages that come from greater influence and access to power, the entry to political power can pose threats for organization. Competition for power may undermine organizational unity and the best leaders may abandon the organizations to participate in politics. The access to power may also blur the lines between government and civil society and compromise the autonomy of the organization from the government. In the same way that government coercion of media or even a weakening of the independent press would likely cause a decline in the quality of democracy, the weakening, and especially to cooptation, of civil society organizations is likely to harm the quality of democracy.

³⁹² One exception is Seymour Martin Lipset who argues that when organizations gain power, material incentives replace idealistic incentives (Seymour Martin Lipset, *Agrarian Socialism*, (Berkeley: University of California Press, 1950).

The fate of Ecuador's indigenous party and that of the indigenous organization that founded it demonstrate the challenges that social movement organizations may face when they gain access to power. Ecuador's unified nationwide indigenous organization,³⁹³ The Confederation of Indigenous Nationalities of Ecuador (CONAIE), created the party Pachakutik and provided it with many of its leaders and with a network for mobilization.³⁹⁴ Pachakutik entered into an alliance with Lucio Gutiérrez's Patriotic Society Party (PSP) in advance of the 2002 presidential elections. When Gutiérrez won the presidency, he granted about 14 percent of appointed government jobs to Pachakutik activists, but he quickly abandoned the anti-neoliberal platform that he had campaigned on and embarked on policies at odds with Pachakutik's position.³⁹⁵ The turnaround in Gutiérrez's policy program led both Pachakutik and CONAIE to experience massive internal division with some members in favor of the government and others in opposition.³⁹⁶ The selective benefits that some members received through the government and Gutiérrez's use of clientalism to gain the support of some indigenous groups exacerbated this divide.³⁹⁷ According to Kenneth Mijeski and Scott Beck, the creation of Pachakutik weakened the indigenous movement because political alliances divided the party, the Quito-based leaders of the party became removed from indigenous communities, and CONAIE lost moral capital as

³⁹³ Madrid, *Rise of Ethnic Politics*, 84.

³⁹⁴ *Ibid.*

³⁹⁵ Kenneth Mijeski and Scott Beck, *Pachakutik and the Rise and Decline of the Ecuadorian Indigenous Movement* (Athens, Ohio: Ohio University Press, 2011), 91-93.

³⁹⁶ Madrid, *Rise of Ethnic Politics*, 102.

³⁹⁷ *Ibid.*, 95-96.

Ecuadoreans viewed the organization as a power-hungry political entity.³⁹⁸ CONAIE, internally divided and debilitated, lost much of its capacity to mobilize supporters.³⁹⁹ Although the MAS is extremely unlikely to enter into a political alliance with a neoliberal presidential candidate, the social movements that founded the party have also struggled to maintain unity during the rapid rise to power of their “political instrument.”

The rise of social movement organizations to power in Bolivia poses certain challenges for the organic autonomy of these movements. Some decline in the strength and cohesion of social movement organizations is natural and not necessarily bad. Social movement organizations, for example, are more likely to be united against a common threat. When at least some major social movement organizations perceive that the government is sympathetic to their needs, the lack of a common enemy may lead to divisions between formerly united organizations. The lack of a common enemy, embodied in the traditional, conservative parties, probably contributed to the divisions between indigenous and campesino-indigenous organizations after 2010.⁴⁰⁰ Another incidental cause of civil society weakening may occur when organizations experience “brain-drain” with some of their best leaders abandoning the organization to enter political careers. The leaders who have entered politics may continue to advocate for the goals of the social movement, but a decline in experienced leaders has the potential to weaken the strength of the organization itself. The increased access to political and

³⁹⁸ *Ibid.*

³⁹⁹ *Ibid.*, 99.

⁴⁰⁰ Bolivian sociologist, interview with author, April 16, 2012.

democratic avenues for issue resolution, however, may compensate for any reduction “brain drain” causes in the strength of civil society groups.

The movement of social movement leaders into politics may cause a more harmful effect to the autonomy of social movement organizations when the leaders from the social movement organizations enter politics and continue to play a directing role in the social movement organizations. The best example of this is Evo Morales, who is both president of Bolivia and leader of the Six Federations of the Tropics. Although the party statutes maintain that the social organizations of the MAS are supposed to be autonomous from the party, leaders in the MAS debate the meaning and extent of this autonomy. Leaders of the CSUTCB, CSCIB, and the Bartolina Sisa all affirm their support for Evo Morales, but they disagree about the extent to which the organization should maintain independence from the MAS. Omar Ramirez, a secretary of the CSUTCB, said in an interview, “we constructed this government. It’s ours. It’s our child, so our obligation is to defend it.”⁴⁰¹ Mary Luz Coimbra, a senator in the Departmental Assembly of Beni elected by the CSUTCB,⁴⁰² on the other hand, affirmed her support for the MAS but argued that “we [the campesinos] are organic not political.”⁴⁰³ Two tensions define the relationship between social movement organizations and the MAS party structure. The first is about whether the organizations should obey or direct the

⁴⁰¹ Secretary of the CSUTCB, interview with author, April 25, 2012.

⁴⁰² Beni is the only departmental assembly that has provisions for the special election of campesino representatives to the departmental assembly directly through the relevant social movement organizations. Other departments have these provisions for indigenous representatives.

⁴⁰³ Delegate to Departmental Assembly and member of the CSUTCB, interview with author, July 23, 2012.

party. The second is about whether the organizations are part of civil society or part of the government.⁴⁰⁴ Insofar as the social movement organizations sacrifice their autonomy and subsume themselves to the government, the vertical accountability provided by civil society in Bolivia will weaken.

Internal divisions within the indigenous and campesino organizations of Bolivia are common, but the power of the MAS may have increased the frequency of these divisions. Mary Luz Coimbra described an increase in fractions within the organization: “there have been more divisions in the campesino sector and the social movements. The divisions have been over politics...”⁴⁰⁵ Divisions are especially common when the government is perceived to interfere in the selection of organization leaders.⁴⁰⁶ The most significant division in the indigenous and campesino movement occurred when the Pact of Unity, the coalition of indigenous and campesino organizations, fractured. CONAMAQ and CIDOB left the Pact of Unity after a series of disagreements with the government, the most dramatic of which occurred when the government initiated construction of the highway through the TIPNIS.⁴⁰⁷ The Pact of Unity represented the culmination of thirty years of alliance building and cooperation between campesino and

⁴⁰⁴ Director of non-profit that coordinates with indigenous and campesino groups in Santa Cruz, interview with author, July 24, 2012.

⁴⁰⁵ Delegate to Departmental Assembly and member of the CSUTCB, interview with author, July 23, 2012.

⁴⁰⁶ *Ibid.*

⁴⁰⁷ “Conamaq abandona el pacto de unidad” (2011, December 22). *La Prensa*. Accessed online April 30, 2012 at http://www.laprensa.com.bo/diario/actualidad/bolivia/20111222/conamaq-abandona-el-pacto-de-unidad_15319_25183.html

indigenous sectors, and its rupture probably weakened the power of indigenous and campesino sectors to press the government for change.⁴⁰⁸

The conflict between CIDOB and the government over TIPNIS also led to major internal divisions within CIDOB itself and revealed a troubling tendency in the government to exploit divisions within opposition social movement organizations. The government has exacerbated existing divisions within the organization by endorsing a parallel organization to the CIDOB. According to Jurgen Riester, the co-founder of CIDOB, "In place of helping the structure of the indigenous organization...they have taken away money from CIDOB in the Indigenous Fund and given it to the others [the loyal organizations]." ⁴⁰⁹ According to Riester, the government used its ability to restrict access to funds to motivate certain leaders of CIDOB to create a parallel organization in support of the government.⁴¹⁰ After the government passed a law declaring that the government would consult residents of the TIPNIS territory before continuing construction on the highway, representatives from the government entered the indigenous territory to distribute goods in what many have labeled a clientalistic effort to ensure a favorable result from the consultation.⁴¹¹

The social movement organizations that formed or allied with the MAS are some of the most influential civil society organizations in Bolivia. The decline of autonomy in

⁴⁰⁸ Advisor to indigenous and campesino coalition during the constitutional assembly, interview with author, April 19, 2012.

⁴⁰⁹ Co-founder of CIDOB, interview with author, July 20, 2012.

⁴¹⁰ *Ibid.*

⁴¹¹ ABI. "Evo Morales entrega 11 motores en el TIPNIS," *La Razón* [La Paz, Bolivia], http://www.la-razon.com/nacional/Evo-Morales-entrega-motores-TIPNIS_0_1598840153.html; Co-founder of CIDOB, interview with author, July 20, 2012.

these organizations and their cooptation by the government would result in a decrease in the quality of vertical accountability provided by civil society. Direct interferences in the internal elections of social movement organizations and the use of clientalism to divide the CIDOB may also interfere with the right of organizations to assemble. The rise of the MAS has provided many benefits to social movement organizations in terms of resources, forums for discussion, and a better track record on avoiding violence to suppress protests than previous regimes, although there have been a couple notable exceptions. Increased access to power for social movement organizations is not unequivocally positive, however, because it may result in less autonomous civil society organizations.

3.4. THE EFFECT OF THE ORGANIZATION OF THE MAS ON DEMOCRACY

The MAS originated as the electoral vehicle for a coalition of campesino-indigenous organizations. The rhetoric of the party leaders and the formal party statutes proclaim that the MAS is the expression of the social movement organizations, which form the basis of indirect party membership, candidate selection, and formation of the party program. Between 2002 and 2012, changes in the MAS led to a distancing between the professional leadership of the party in government and the campesino-indigenous organizations. The rise of a professional class of experts and career politicians and the opening of the party to new, primarily urban groups diluted the influence of the indigenous-campesino organization that founded the party. Although the CSUTCB, CSCIB, and the Bartolina Sisa still consider the MAS as “their”

government, the organizations are no longer the primary leadership or even the primary base of the party.

The opening of the party beyond the original base may seem to contribute to the quality of popular sovereignty in Bolivia. More people participated in the party, and the party may be more representative of the country as a whole and more responsive to different groups in civil society. The benefits from wider participation are limited, however, because unaffiliated individuals and small urban associations have little ability to criticize the central leadership of the party because they depend on Morales for their position within the party. The opening of the party also undermines some of the mechanisms for internal democracy within the party. The party statutes say that candidates are selected through their social movement organizations, but some candidates in the MAS may be unaffiliated with social movement organizations, which suggests that they at least partially fall outside the structures for internal democracy within the party. One could also argue that the rise of the professional class of politicians improved democracy because experts and professional politicians enabled the party to educate voters about the party's position through media and respond to public opinion polls. Insofar as opinion polls and media coverage have diluted the influence of less intense participation and deliberation in the party, however, it is doubtful that these practices promote internal party democracy. Both the opening of the party and its professionalization contributed to a centralization of power within the central party leadership, the harms of which may outweigh any beneficial effects of broader participation through party opening and professionalization.

The centralization of power in the central party leadership has harmed internal party democracy and popular sovereignty at the regime-level in Bolivia. Morales and a core group of central party leaders concentrated power and decision-making. Morales's role as the coordinator between the campesino-indigenous organizations and other elements of the party structure provides him with a broad leadership position in the party for which there is little oversight or accountability from the party base. An increasingly personalistic Morales has also interfered with the democratic selection of candidates. Rather than allowing social movement organization to select their party candidates, the central party leadership at times pressured the organizations to select a particular candidate. The decrease in internal party democracy that this interference entails harms regime-level democracy because it reduces vertical accountability and it undermines the value of participation and deliberation by the party bases.

The centralization of power in the MAS undermined the ability of civil society to hold leaders accountable. Not only has the central leadership of the MAS interfered in the internal elections of the social movement organizations to promote certain candidates, the leadership has also promoted certain candidates for leadership positions within the organizations themselves. Leaders within the social movement organizations that founded the MAS are divided over whether the organizations should remain autonomous from the MAS. To the extent that the organizations subsume themselves to the government rather than acting autonomously, civil society in Bolivia will lose some of its largest, most influential organizations and vertical accountability may be weakened. The government seems to have engaged in clientalism that weakened

CIDOB, the organization representing lowland indigenous peoples. Government interference in the organizational structures of civil society in order to reduce opposition is harmful for regime-level popular sovereignty because it undermines vertical accountability and weakens the people's ability to assemble and deliberate political decisions.

4. Conclusion

Between 2006 and 2012 Bolivia did not meet the minimum threshold for democracy. Although elections represented the will of the people and were competitive, they were only minimally free and not sufficiently decisive. Violations of civil liberties and basic human rights further prevented Bolivia from meeting the minimum threshold for democracy. This thesis argued that Bolivia under the MAS was a non-democracy but it should also not be classified as authoritarian. Instead Bolivia should be classified as a deficient democracy, a regime-type that is closer to democracy than it is to full-authoritarianism. The four-part classification system proposed in the first chapter of this thesis is valuable because scholars ask different questions about regimes that are near democracies than they do about regimes that are classified as authoritarian. These labels not only have strong normative connotations, they also imply different research programs and different strategies for democracy promotion.

Although it is not possible to assess the quality of democracy in a non-democracy, it is useful to assess the quality of proto-democratic characteristics, such as republicanism, liberalism, and popular sovereignty, in both democracies and non-democracies. An assessment of these proto-democratic characteristics provides a multifaceted view of the democratic tendencies within a regime. Whereas previous assessments of the MAS focused on whether the MAS improved or hurt democracy, the assessment advanced in the second chapter of this thesis is based on the assumption that a regime can improve one proto-democratic characteristic without improving all proto-democratic characteristics. More research is needed on the linkages between

proto-democratic characteristics in different regime types. For example it seems like stronger republicanism in the MAS, manifested in a series of judicial decisions that checked executive authority between 2012 and 2013, may improve the competitiveness of elections, thereby improving popular sovereignty.

This thesis also argued for analyzing way in which internal party democracy contributes to popular sovereignty within a regime. Competition between parties even in full democracies is not perfectly competitive. In deficient democracies and competitive authoritarian regimes it is even less likely that elections will hold authorities accountable and responsive to the people. Internal party democracy may compensate for the inevitable fact that party systems will never resemble perfectly competitive markets. Internal party democracy also provides other benefits, such as increased deliberation and participation. The opportunity for citizens to deliberate whole party platforms as opposed to isolated referendum initiatives is conducive to their development as political citizens. There may be some cases, however, when internal party democracy might not be valid. Would internal party democracy in ethnic parties contribute to ethnic outbidding because party leaders might be more responsive to the ethnic demands of their members rather than to the more moderate demands of the electorate as a whole? The case of the MAS, an indigenous ethnic party that has not engaged in ethnically exclusive rhetoric, suggests that internal party democracy does not contribute to ethnic outbidding, but Latin American indigenous parties may be less prone to ethnic outbidding than ethnic parties in other countries. Further research

should also consider what factors contributed to the concentration of power within top party leadership in the MAS? Can party oligarchy be prevented?

Table I. Proto-Democratic Characteristics and their Indicators

Proto-Democratic Characteristic	Definition	Institutions that Maximize the Proto-Democratic Characteristic	Indicators
Popular Sovereignty	The people decide the laws under which they are to live	<p>Equality before the law and equality of representation</p> <p>Equality of opportunity to participate in politics</p> <p>High levels of participation</p> <p>Informed deliberation and participation</p> <p>Vertical accountability between elections</p> <p>Citizens have ability to determine the political agenda and to choose between multiple options</p> <p>Citizens have equal opportunities to run for office</p>	Proportional representation enshrined in law, equal protection enshrined in law and enforced in practice, high voter turnout, high levels of participation in political parties and civil society, transparency to allow informed decision-making, low barriers to candidacy for public office, political leaders are responsive to the will of the electorate, citizens can influence the political agenda, fair competition ensures that election results reflect the will of the electorate and that voters have multiple options, the media, political parties, and other democratic institutions encourage informed deliberation
Liberalism	A private sphere of core civil and human rights must be respected	<p>The government does not violate basic civil and human rights</p> <p>The government protects the basic civil and human rights of citizens from violation by private actors</p>	The rights to speech, assembly, due process, and freedom of conscience are respected, people's homes are not invaded without just cause, the government does not torture or kill people, police do not engage in brutality, laws and public efforts protect citizens from violations of civil and human rights made by private actors, a strong judiciary protects basic human and civil rights, the government acts to reduce discrimination against women and minorities
Republicanism	Public officials should obey the rule of law and serve the public interest	<p>Public officials obey the rule of law and other state agencies are empowered to hold them accountable if they do not obey the rule of law / public interest</p> <p>Public officials serve the public interest rather than private interests</p> <p>The rule of law is enforced</p>	Horizontal accountability is enshrined in a system of checks and balances that holds leaders to the rule of law and prevents encroachment by any particular leader of group of leaders, corruption is low, the rule of law is respected, linkages between citizens and politicians are not clientelistic, public office is based on merit

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