

# Restructuring Citizenship in Bolivia: *El Plan de Todos*\*

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The dominant international development paradigm simultaneously promotes western-style democracy and 'free' competitive markets (Williamson, 1993; 2000; Gore, 1995; World Bank, 2000). This model of democracy reflects the experience of western European nations in granting a range of citizens rights, whether these were awarded by a benevolent state or demanded by the citizens themselves (Turner, 1990; Holston and Appadurai, 1999a).<sup>1</sup> In the process of promoting this type of market democracy, states face the contradictory need to provide a range of rights to citizens and also to allow markets a relatively free reign (Robinson, 1996; Rankin, 2001; Kohl, 2002). Policies that simultaneously promote civil and political rights associated with markets, private property and electoral politics may undermine the social rights associated with education, health and welfare (Ferge, 1996; Garcia, 1996; Roberts, 1996; Turner, 1997). As international institutions like the World Trade Organization remove barriers to capital mobility, perhaps the largest threats to social citizenship rights come from firms that increasingly are awarded the property rights of citizens, yet are required to fulfill few of the social responsibilities associated with citizenship (Sassen, 1995).

In this article I look at how policies implemented during the 1993–7 administration of Gonzalo Sánchez de Lozada, have affected the practice of citizenship in Bolivia. Laws passed during Sánchez de Lozada's four years in office ushered in a new 'citizenship regime' (Jenson and Phillips, 1996; Yashar, 1999) that reflects changes both in the conception of citizenship and in differential access to certain types of citizenship rights. These issues are of particular interest to urban studies scholars and planning practitioners in a range of settings as innovations in Bolivia have been widely cited as a model for other developing and transition economies (Bauer and Bowen, 1997; Peirce, 1997). The article has four major sections. The first comprises a brief review of T.H. Marshall's classic 1949 work on citizenship (Marshall, 1964) as well as some of the ways scholars have built on his work (Turner, 1990; 1997; Sassen, 1995; Garcia, 1996; Shafir, 1998). The second section forms an analysis of the evolution of citizenship rights in Bolivia from independence to the beginning of the Sánchez de Lozada administration. The third section focuses on how the individual programs introduced after 1993 affected citizenship. The final section considers the combined effect of the *Plan de Todos* on citizenship.

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1 While the exact nature of the rights varies, the substantive exercise of these citizenship rights reflects the demands that individuals make on government's allocation of resources (Roberts, 1996).

## Citizenship

Much of the recent discussion of citizenship begins with T.H. Marshall's (1964) classic essay that traces the granting of citizenship rights in England. Marshall identifies three 'elements' or dimensions of citizenship — civil, political and social — and shows how these were gradually awarded to the general population over the course of three centuries. According to Marshall, civil rights include individual rights to freedom of speech, property and equality before the law; political rights include the right to participate either directly or indirectly in local or national government; and social rights include 'the right to a modicum of economic welfare and security to the right to share to the full in the social heritage and to live the life of a civilized being according to the standards prevailing in the society' (*ibid.*: 71–2). Marshall shows how the award of civil rights, guaranteeing property and free speech, provided the foundations for later citizen demands for political rights. Citizens built on the extension of political rights to the general population to demand social rights from the government.

Marshall recognized that in England inequality persisted even as citizenship rights were awarded to increasingly large sectors of the population. The conflict between the civil right of individuals to hold property and the social rights to basic economic security led Marshall to ask whether 'basic equality, when enriched in substance and embodied in the formal rights of citizenship, is consistent with the inequalities of social class?' (1964: 70). He argued that 'our society today assumes that the two are still compatible, so much so that citizenship has itself, in certain respects, become the architect of legitimate social inequality' (*ibid.*: 72). For Marshall, it was impossible for 'basic equality [to] be created and preserved without invading the freedom of the competitive market' (*ibid.*: 71). He recognized that the inherent tensions between the civil rights to private property and the social rights to 'live the life of a civilized being' (*ibid.*: 72) have served to legitimate inequality and the British class structure.

Marshall's analysis has provided a common starting point for much of the subsequent discussion of citizenship. Turner (1990; 1997) and other authors (Ferge, 1996; Garcia, 1996; Roberts, 1996; Sieder, 1999) criticize Marshall's approach for being evolutionary, analytically vague and ethnocentric. Roberts (1996: 38) observes that despite the existence of the formal rights Marshall identifies, 'rights attached to citizenship have [...] often been of little practical value to the inhabitants' of Latin America. Garcia (1996: 11) is troubled that Marshall neglects the ways that limiting citizenship on the basis of race or religion has led to the exclusion of Afro-Americans in the United States and of Muslims in eastern Europe. Fraser and Gordon (1998) point out that social citizenship as Marshall defines it was never fully gained in the United States.

Ferge (1996: 104) demonstrates that the conception and evolution of citizenship rights followed a fundamentally different pattern in the UK than in the transition to market economies in eastern Europe. In socialist societies during the twentieth century, civil rights to property and political rights to democratic representation were essentially void, while social rights to education and health services were typically universal. Ferge shows that with the transition from socialist states to market democracies, civil and political freedoms were won at the expense of rights to social services, a fundamental reversal of the pattern described by Marshall. While the processes they describe differ, Ferge and Marshall both identify a fundamental tension between civil and social rights. The attacks on government-funded social programs over the past two decades are one indication of this tension (Turner, 1990; 2000; Benería, 1998), although it is only recently that scholars have specifically examined their impacts on citizenship rights (Roberts, 1996; Schild, 1997; 1998).

Given the international push to promote market-democracies, Marshall's understanding of how the allocation of citizenship rights actually reinforces inequitable social structures has proved useful to scholars seeking to expand socio-economic citizenship rights (Sassen, 1995; Smith and Blanc, 1996; Turner, 1997; Holston and Appadurai, 1999a; 1999b). Sassen argues that an 'emerging body of scholarship and political analysis posits that rights to economic well-being, to economic survival, should be

added to the social rights that came with the welfare state' (1995: 38). Other authors have suggested that identity or cultural rights be considered as additional elements of a still evolving set of citizenship rights (Kymlicka, 1995; Triadafilopoulos, 1997). Turner (1997: 16) argues that as citizenship historically emerged within the structure of the city-state where rights were based in a defined territory, in a completely globalized economy the challenge will be to substitute human rights — basic rights regardless of nationality — for citizenship rights.

Within the context of these debates, the following analysis of the changes in Bolivian citizenship aims to do more than simply locate a developing country on an evolutionary continuum. My goal is to show how economic and political restructuring affects the composition of citizenship rights. I concur with Marshall and Ferge that free markets and substantive social citizenship rights are at odds and that policies favoring free markets and property rights of firms have increasingly taken precedence over the social and economic rights of individuals. Yashar (1999: 84–7) refers to this process as the spread of neoliberal citizenship regimes, which, she argues, has occurred throughout Latin America.

## Evolution of citizenship rights in Bolivia

When Simón Bolívar drafted Bolivia's first constitution in 1826 he set out to create a unitary state on the ruins of a Spanish colony, and promised that the country would have 'the world's most liberal constitution' (Felix Trigo, 1958: 40). Until 1945 all constitutions made a distinction between being a Bolivian — a person born in the country or married to a Bolivian — and being a citizen — a status restricted to the literate. Earlier constitutions also limited citizenship to male property or business owners, professionals, or those who had a certain level of income. Domestic servants, regardless of income, although employed, were specifically excluded from citizenship. Citizens were allowed civil rights to property, although other civil rights, such as freedom of speech and assembly, were limited in practice. Political rights to representation were limited constitutionally to male citizens, although the common rule of de facto military governments made this of questionable value.

Felix Trigo points out that Bolivia has been better at writing constitutions — sixteen constitutions and five constitutional reforms since 1826 — than living by them. During much of the past 175 years, rule has rotated between a series of de facto governments (Klein, 1982; de Mesa *et al.*, 1999). Felix Trigo writes of a banquet hosted by General Melgarejo, '*el caudillo barbaro*' (literally the barbarian chief or leader) (Morales, 1992: 43), de facto president from 1864 to 1870: 'Melgarejo, who mocked the law, said that the 1861 [constitution] was good and put it in his left pocket. He took the 1868 [constitution], which according to the lawyers who accompanied him at dinner was better, and put it in his right pocket, making the point that he ruled Bolivia with nothing other than his will' (Felix Trigo, 1958: 59, my translation).

The granting of broad citizenship rights is a comparatively recent phenomenon in Bolivia. Whereas in England citizenship rights evolved over the course of 250 years, in Bolivia these same rights were won as the result of the 1952 revolution that transformed a semi-feudal state into a 'modern' nationalist state (Malloy, 1970; Dunkerley, 1984; de Mesa *et al.*, 1999). Responding to pressure from the majority indigenous and working-class populations, as well as middle-class women, the new government, led by the National Revolutionary Movement (MNR) party, extended suffrage, previously limited to literate property owners, to all Bolivians and broadened social rights through the establishment of national education and health care systems. The social right to a 'reasonable living', however, was not addressed and the exercise of the new rights in practice was limited. Although literacy rates rose from 31% (Klein, 1982: 227) to around 80% (World Bank, 2000: 270) between 1950 and 1990, the government did not have the resources to build schools for all children. Similarly, universal health care was

promised, not provided. The revolutionary government implemented policies that both broadened political and social citizenship rights and also curtailed certain civil citizenship rights — specifically the ownership of property by the country's richest families — as they nationalized the mines and legitimized *campesino*<sup>2</sup> land invasions with the 1953 agrarian reform.

The movement towards these broader and deeper citizenship rights, which had substantially raised the population's expectations, was curtailed in 1964 when the military overthrew the MNR government and the country began 18 years of military rule (Malloy, 1970). Between 1964 and 1982, de facto governments refused to honor certain rights, most notably civil (free speech and assembly) and political (democratic elections) rights (Barrios de Chungara, 1978; Dunkerley, 1984; Malloy and Gamarra, 1988). During this time, however, the right to access to education and health care, although not universally provided, was not questioned. The return to democracy in 1982 signaled the return of civil and political rights, yet this had little impact in the realm of social rights as the country experienced a profound economic crisis throughout the 1980s. Economic restructuring, marked by the introduction of International Monetary Fund economic policy in 1985 increased pressure for the government to reduce social spending, which, of course, reduced the possibility for government-provided services associated with social citizenship rights.

### *El Plan de Todos*

In 1993, four decades after the 1952 revolution, a new generation of MNR leaders, this time neoliberals under Sánchez de Lozada, again reinvented the Bolivian state. They restructured much of the government through 'The Plan for All' (*El Plan de Todos*) (MNR-MRTK-L, 1993) and in doing so reinterpreted many of the rights the 1952 revolution had sought, with uneven success, to establish. The changes wrought by Sánchez de Lozada's administration included seven principal components: (1) constitutional reform; (2) privatization through the Law of Capitalization; (3) administrative and fiscal decentralization through the Law of Popular Participation and the Law of Decentralization; (4) a 'second agrarian reform' through the Law of the National Institute of Agrarian Reform (Ley INRA); (5) reform of the judicial system; (6) Education Reform; and (7) restructuring of the pension system and the introduction of social insurance payments for Bolivians over the age of 65. These reforms continued the restructuring processes that began with the neoliberal New Economic Policy (NEP), introduced at the International Monetary Fund's (IMF) behest, which ended the period of hyperinflation in 1985. More than just economic and political restructuring, the changes represented a conscious attempt to create a new relationship between the Bolivian government and its citizens (Bedregal Gutierrez, 1994; Mesa, 1997).

An innovative privatization plan, the Law of Capitalization, sold 50% of the state industries, which had provided 60% of government revenues, to multinational corporations (CEDIB, 1994; 1995a; CEDLA, 1996; Bauer and Bowen, 1997; Brada and Graham, 1997). The Law of Popular Participation broadened political participation by giving municipalities 20% of national government revenues and a new set of powers while also mandating participatory planning and citizen budget oversight (Molina Monasterios, 1997). A new 'land reform' law, the National Agrarian Reform Institute Law (INRA Law), guaranteed ownership to those who paid taxes on the land, thus

2 Following Hahn (1992: 3), I differentiate between the rural indigenous population, peasants and *campesinos* – literally people who live in the countryside. *Campesinos* as a category didn't form until after the 1952 revolution, when *indios*, non-citizen indigenous people, were transformed into citizen *campesinos*. Before 1952, citizenship rights were denied to *pongos*, bonded agricultural laborers, and *piqueros*, free peasants who owned some land but also sold their labor. These labels, however, only pertain to residents of areas controlled by *haciendas*, large, semi-feudal estates. Currently, *campesino* refers to a range of Bolivia's rural population, typically of Quechua, Aymara, or Guarani origin. See Albó *et al.* (1990) for more detail.

replacing the basic tenet of the 1953 land reform, which granted ownership to those who worked the land (Berríos Gosvález, 1995; Flores, 1997). The Education Reform Law and laws to decentralize health devolved responsibility for education and health to 'local' control by municipalities (CEDIB, 1993; Anaya, 1996).

Taken together, the Plan de Todos (hereafter Plan) changed the role of the state and shifted the focus of national development. Whereas the 1952 revolution promoted government ownership of Bolivia's immense natural resource base as the path to national development, the Plan aggressively pursued international capital. In doing so, the state awarded new rights to international firms (Kohl, 1999). Guillermo Bedregal Gutierrez (1994), one of the leading MNR intellectuals, explains how the 1952 vision of a modern, culturally unified nation was replaced by a vision of a postmodern, decentralized, multicultural state that would mediate global access to Bolivia's low-cost natural and human resources. This approach added cultural pluralism to a 'Washington Consensus' style of neoliberalism (Williamson, 1993; 2000; Gore, 1995), which advocated the shift from state- to market-directed development. Bolivia, while certainly not the only country to adopt neoliberal policies in Latin America (Beaucage, 1998; Phillips, 1998; de Almeida and Sanchez, 2000), has done so more completely than any country in the region (Jorgenson *et al.*, 1991; Brada and Graham, 1997; Veltmeyer *et al.*, 1997; Korzeniewicz and Smith, 2000).

The reforms implemented during Sánchez de Lozada's four-year administration were largely the creation of Bolivian lawmakers, yet they could not have been implemented without the support of international development assistance institutions. In general, like much in Bolivia, the programs were largely financed through loans and concessional aid from multilateral and bilateral agencies.<sup>3</sup>

## Deepening citizenship rights: constitutional reform

The constitution of 1994, the sixteenth since 1826, redefined the range of citizens' rights and the role of the state. The 1994 constitution aimed to create a 'postmodern, multicultural and pluriethnic' (Bedregal Gutierrez, 1994: 4) state with a market-directed economy. Article 171, one of the most significant new articles of the constitution, recognizes the rights of indigenous communities to limited self-government:

I The government recognizes the social, economic and cultural rights of indigenous peoples who live within the national territory, especially those relating to the communal origin of their lands, guaranteeing the sustainable use of natural resources, their identity, values, language, customs and institutions [...]

III The traditional authorities of indigenous and campesino communities may exercise administrative functions and apply their own norms that conform to their customs and procedures to find solutions to conflicts, as long as they do not conflict with the Constitution and other laws (Article 171, my translation).

These additions to the constitution clearly represent important formal gains in the areas of civil, political and cultural citizenship rights for Bolivia's rural and indigenous people, yet it is not clear to what extent they have led or will lead to substantive changes in the practice of citizenship.

Finally, the reforms instituted new civil protections, which represent important advances in the expansion of civil rights and equal citizenship, through the creation of

3 In 2000 total foreign loans and development assistance, at about 16% of GDP, equals the national budget. The World Bank approved US\$357 million in credits to support the reforms. The National Secretariat of Popular Participation (SNPP) and the Sub-Secretariat of Ethnicity, Gender and Generational Affairs (SAEGG) were primarily funded by Dutch bilateral aid during the first Sánchez de Lozada administration. The United States paid for judicial and regulatory reforms; the Germans paid for administrative decentralization.

an independent legal office of the Public Advocate, mandated to protect citizens 'in relation to administrative actions of the public sector. It shall also serve to defend, promote, and publicize information on human rights' (Article 127, my translation). While the Public Advocate was to represent an advance in civil rights by protecting Bolivians from abuses by government officials, these powers are limited as the Public Advocate cannot intervene in cases of those arrested under the draconian, US-authored antidrug Law 1008 (Farthing, 1997). Equally significant, the existence of a formal right to representation has not translated into a fully funded and staffed bureaucracy equipped to ensure that the rights are awarded in practice.

### Civil rights: agrarian and judicial reform

The 1996 Law of the National Agrarian Reform Institute (INRA Law) offers an excellent illustration of the contradictory impacts that policies promoted by Sánchez de Lozada's administration have had on citizenship rights. The law claims to protect campesino and indigenous landholdings while simultaneously promoting the redistribution of agricultural land through the creation of 'efficient' land markets.<sup>4</sup> The law seeks to guarantee the rights of campesino and indigenous communities through: exempting subsistence farmers and indigenous communities from paying property taxes; granting titles to eight indigenous territories (*Disposiciones Transitorias* Article 2, para 3); allowing women equal rights in the inheritance and ownership of property, regardless of their civil status (Article 3, para 5); allowing only campesino and indigenous communities and individuals who colonized land in the tropics to be eligible for future donation of public land (Article 43);<sup>5</sup> and demanding that land parcels that have been abandoned revert to government ownership (Article 51).

The new law, however, offers a fundamental protection to large landowners who can only lose their land if they 'abandon' their property. Previously, the government considered idle land to be abandoned while the new law considers land abandoned when the owner fails to pay taxes on it. This has allowed absentee landowners to protect their holdings by paying annual taxes of 1% of the value that they themselves establish.<sup>6</sup> Critics claim that this 'self-assessment' provision of the INRA Law has turned one of the fundamental principles of the 1952 revolution on its head, changing the rallying cry from 'Land to the tiller!' to that of 'Land to the taxpayer!' (Solón, 1997). The law also requires that indigenous and communal lands be titled, which has created two kinds of risk. First, many communities have not met titling requirements because of lack of resources or community leadership. Second, as Postero reports (2001), communal lands have been sold without the consent of community members. In the latter case, the very existence of title creates a type of property that can be sold.

The Judicial Reform, another major piece of civil rights legislation, aims to correct some of the worst problems of the legal system and strengthen Bolivians' civil rights. The laws streamlined judicial procedures, created a special court to hear constitutional

4 The 1953 Agrarian Reform disbanded most of the large valley and highland farms and transferred ownership of land to those who actually worked it. Land reform, however, affected only a minority of the country. Government or large property-owners controlled the lowlands, and the inequality of land distribution grew even more pronounced as the agricultural frontier expanded to the east and north. The National Commission for the Agrarian Reform (CAN) became a vehicle for the concentration of land in the hands of a few, as land grants were awarded to military personnel during dictatorships or in exchange for political favors during democratic rule (AOS/AIPE, 1996: 11; Arrieta, 1996). By 1989 1.8% of property owners owned 85.3% of the country's privately-owned land (Flores, 1997).

5 Since the 1960s various administrations have promoted the colonization of tropical lands allotting between 25 and 125 acres of land to individual families in an attempt to expand the agricultural frontier. This was done to reduce population pressure on the highland plateau and valleys, to promote economic growth and a denser physical occupation of the tropics (Hess, 1980).

6 For example, owners of a 50,000-hectare ranch could assess their own land at US\$20,000 and therefore pay an annual tax of only US\$200 to protect their title (Solón, 1997: 19).

issues and established some degree of social protection for the rights of women, children and the disabled. The legal protections embodied in these laws have largely remained as abstract recognition of the responsibilities of the government (Arrieta, 1996). In practice, those with resources to hire lawyers or use social connections to make their demands heard achieve what the law guarantees in theory for all.

### Political rights: the Law of Popular Participation

The 1994 Law of Popular Participation (LPP) restructured domestic politics through three significant innovations (MDH-SNPP, 1996). First, and most important, the national government doubled the share of the national budget specifically directed to municipal governments from 10% to 20%.<sup>7</sup> The increase came at the expense of the Departmental Development Corporations, which had been responsible for the construction and maintenance of infrastructure.<sup>8</sup> Second, neighborhood and indigenous organizations gained legal status through Grassroots Territorial Organizations (*Organizaciones Territoriales de Base* — GTOs), which became vehicles for participatory planning at the municipal level. Finally, Oversight Committees (*Comités de Vigilancia* — OCs), comprising representatives of these GTOs, were given veto power over municipal budgets as well as the responsibility to ensure that municipal funds were well spent (Booth *et al.*, 1996, Ayo Saucedo, 1999).

Along with the new financial resources, municipalities were given complete control over and responsibility for investing in construction and maintenance of health, education, roads, micro-irrigation and sports facilities. In fact, revenue-sharing funds can only be invested in these five areas, making increased local autonomy a mixed blessing. Popular Participation also limits the use of funds for maintenance and administration to only 15%. This, of course, will lead to a crisis of maintenance as each year infrastructure is built in areas with little proven fiscal capacity for maintenance. Related legislation, however, awards municipalities the right to raise revenue through property, vehicle and transfer taxes. The political restructuring also had the goal of creating a new class of 'citizen taxpayers'. Early critics of the Law of Popular Participation pointed out that perhaps its greatest impact would be to introduce a local bureaucracy whose principal role is to collect taxes.

The new institutions introduced by Popular Participation have had both formal and substantive impacts on political and social citizenship. The ability both to participate in local government by electing municipal councils and to set priorities for local spending during the planning process represents a significant expansion of political rights. The substance of these rights, however, varies greatly between municipalities (Booth *et al.*, 1996; VMPPFM, 1998a; 1998b; Ayo Saucedo, 1999). In some, local elites have occupied the new democratic spaces (Booth *et al.*, 1996; Blanes Jiménez *et al.*, 2000); while in others, GTOs have participated in the planning process but political parties have controlled the spending (Kohl, 1999: 205–8). Some municipalities, especially those with strong indigenous organizations, have been able to take advantage of Popular Participation and institute their own development agenda on the local level. In the tropical Chapare, representatives of well-organized, coca-producing campesinos have won control of municipal governments and equitably divided municipal resources between urban and rural areas throughout the region (*ibid.*: 189–94). In parts of the department of Santa Cruz, leaders of the largest indigenous group in the area, the Guaraní, also won municipal elections and aggressively, although sometimes not efficiently, promoted an indigenous development agenda (Beneria-Surkin, 1999).

7 Before the LPP the amount targeted for cities and departments, 20%, was split between municipal capitals (10%) and the regional development corporations (10%). The LPP did not generate new funds for municipalities but rather changed the mechanism for distributing them. (Kohl, 1999: 146)

8 While this represents a relatively large commitment in terms of the share of the national budget, in 1997 it translated to only US\$28 per person.

The transfer of authority to municipalities achieved through the Laws of Popular Participation and Administrative Decentralization left one characteristic of Bolivia's centralized political structure intact as the president still appoints departmental prefects. Laserna points out the problems inherent in strengthening political representation at the municipal level while ignoring it at the departmental level:

... if there is not a movement to form departmental governments, then, in the near future, we will have a system that is open [to participation] at the bottom, but also very far from the center of power. This will give the central powers a large space to maneuver that will only be contested through social conflict ...

Although the model of [popular] participation has a decentralizing dimension, it is so marginal and dispersed that we can anticipate that the final result will be greater centralization (1995: 223–4, my translation).

Laserna's comments echo the perspective of politicians in the Department of Santa Cruz, who have called for decentralization for the last 25 years. They argue that Popular Participation is designed, in part, to keep the dynamic economy of Santa Cruz shackled to the seat of government in La Paz (ILDIS, 1994; Mariaca Bilbao, 1995). Administrative decentralization in Bolivia has effectively formalized political citizenship rights (the populace directly elects representatives of Departmental Councils) while stripping them of substance (the president may effectively annul their actions by appointing a departmental prefect with the power to ignore the vote of the Departmental Council) (Arrieta, 1996).

### Social rights: Education Reform

Universal public education, a key component of the 1952 revolution, came relatively late to Bolivia. Before the revolution only 31% of the population was literate (Klein, 1982: 227) and 60% had no access to schools (Anaya, 1996: 4). The 1955 Education Code followed legislation that abolished bonded labor, recognized the agrarian reform and allowed universal suffrage. The Education Code was to provide universal access to education as part of a citizen-creating, nation-building project that would 'incorporate into national life the great majority of campesinos, craft workers and the middle class, with the full enjoyment of their rights and duties through mass literacy and a basic education' (Berríos Gosálves, 1995: 10, my translation). The preamble to the 1955 Education Code, influenced by the ideology of 1952, called for an educational system that was 'UNIVERSAL, FREE AND OBLIGATORY, as well as national, democratic, revolutionary, anti-feudal, anti-imperialist in nature; progressive, co-educating, globalizing and scientific' (Serrano Torrico, 1995: 19, emphasis in the original, my translation). Despite these lofty aspirations, Bolivia still has the highest adult illiteracy rate in South America (17%). Women's illiteracy overall is two and a half times that of men, with the figure much higher for rural women (World Bank, 1997: 227).

While the 1955 Education Code saw education as a means to create citizens, the 1995 reform saw education as a means to prepare Bolivians to become workers, in some cases upon finishing primary school at the age of 10 or upon completing middle school 'technical' training at 14.

The Education Reform aims to profoundly transform the educational system so that it may be capable of satisfying learning needs by training human resources to meet the development demands of the country.

Under the reform, students will acquire the basic skills and technical knowledge to develop their capacities to be able to place themselves most appropriately in the labor market (GOB, 1994: 27, my translation).

The Education Reform, like other parts of the Plan de Todos, had international as well as national components as it was shaped in large part by the 1990 UN-sponsored World Conference on Education for All in Jontien, Thailand. This conference led many low-income nations to undertake educational reforms similar to those in Bolivia with



financial support provided by multilateral and bilateral aid agencies (World Bank, 1995; Martínez, 1995).

The Education Reform included a bilingual, multi-ethnic educational program, which called for a change in the basic pedagogical style and curriculum used in the schools. The old model, based on rote learning of nationally standardized materials in teacher-centered classrooms, was to be supplanted by a new model based on student participation, a continuous (rather than graded) curriculum, parental participation in the evaluation of teachers and curriculum design, culturally appropriate materials and a focus on learning processes as much as on curricular content. In short, the reform aimed to transform a traditional educational system into a participatory system based on a progressive western educational philosophy with a multicultural component (CEDIB, 1994; 1995a; Berrios Gosálves, 1995; Anaya, 1996; Arispe, 1996). In theory, this type of education could serve to increase cultural citizenship rights (Kymlicka, 1995; Triadafilopoulos, 1997). In practice, the Education Reform has not been able to implement the program as designed in part due to a lack of human and material resources. Additionally, teachers, who mostly come from the cities, have resisted adopting the new educational model for political as well as cultural reasons (CEDIB, 1995b; Luykx, 1999).

Marshall (1964) recognized that equal access to education would broaden social citizenship rights by extending equality of opportunity to individuals of different class backgrounds. He also realized, however, that education is only one of a number of determinants of class and opportunity and that not all education is equal. The stark reality of the Bolivian public education system shows that the right to universal access to quality education is woefully unrealistic. Income and place of residence, among other factors, effectively limit substantive access to schools that were meant to serve as social leveling institutions. In addition, the Education Reform affected only public schools. Bolivia, as in many poor countries and large US central cities, has a two-tier educational system: public schools serve those who cannot afford private schools, which remain the first choice of middle- and upper-class families.

### **Social and economic rights: privatization and the Law of Capitalization**

The 1994 Law of Capitalization partially privatized five strategic industries: oil and gas, telecommunications, airlines, power generation and the railroads (Peirce, 1997; Kohl, 1999; Roca, 2000). Before Capitalization the Bolivian government controlled these industries, which accounted for about 60% of government revenues — 80% of which came from the sale of oil and gas. Rather than privatize these industries through their outright sale, the government sold only 50% of each business through a competitive bidding process directed at private firms labeled 'strategic partners'. The remaining 50% of the firms' equity was to fund a national pension system, with 1% of this going to employees of the former state-owned firms (Brada, 1997; Calle Quiñonez, 2000; Roca, 2000).

Capitalization was to be privatization with a social content. Rather than simply selling off the nation's resources to international capital, the government kept half of the equity in the partially privatized firms under Bolivian ownership. Income generated by these shares would be used to cover a deficit in the pension fund and introduce an annual social security payment to Bolivians over 65 years old. Privatization would not only serve to guarantee social citizenship rights by providing a minimum old age pension but also to create a large constituency for maintaining neoliberal policies that allowed for the continuity of social security and pension payments. Whitehead (1997: 72) asks hopefully whether the Bolivian model of privatization could offer a strategy to legitimize a liberalized market economy and to develop a way to 'underwrite universal entitlements and substantive citizenship rights, thereby taking us beyond neo-liberalism?'

Capitalization was predicted to attract US\$4 billion in international capital that would create 250,000 new jobs, 'improve' another 250,000 by 1997, and drive economic growth from around 4% per year to 11% per year by 2001 (MNR-MRTK-L, 1993: 21).

Five of the six firms on the block found international partners who, together, made commitments to invest a total of US\$1.67 billion. In general, these firms met and, in the case of gas and oil exceeded, their investment commitments. Oil and gas production has significantly increased and Transredes, the multinational natural gas transportation consortium, plans to build a second pipeline to carry gas to Brazil. Yet the broader boom in economic growth and new jobs never materialized. GDP growth never went as high as 5%, falling instead to 2.5% in 1997 and 0.85% in 1999, with little indication that it will increase above 3% in the short term (EIU, 2001). Instead of creating a demand for labor, thousands of railroad and petroleum workers lost their jobs and by 2001 the country was in the worst economic slump since the hyperinflation of the mid-1980s (Farthing and Kohl, 2001).

The proceeds from Capitalization were supposed to bail out the national pension system, covering 300,000 workers between 35 different funds, in crisis when Sánchez de Lozada came into office. The hyperinflation of the 1980s rendered fund investments worthless and massive layoffs in major industries reduced the number of workers paying into the funds. Their estimated total obligation exceeded US\$3.5 billion and the government's debt to the pension system in 1997 was almost US\$1.3 billion (Fundación Milenio, 1994: 2). Sánchez de Lozada addressed this crisis by consolidating the plans and introducing a three-tier pension and social security system to provide at least minimum coverage for all Bolivians over the age of 65.

Drawing heavily from the experience of Chile (CEDLA, 1996; Cajías, 1996; CEDIB, 1996; 1997; von Gersdorff, 1997), the pension fund reform had three distinct agendas. It aimed to reduce the long-term cost to the government, create a national stock market and increase the national rate of savings to create a pool of investment capital that would spur economic growth (MNR-MRTK-L, 1993: 19). The government financed the pension reform by transferring its US\$1.67 billion in shares of the five firms sold under the Law of Capitalization to two pension funds. A key assumption in the plan, yet to be realized, was that international investors would flock to La Paz to buy shares of Bolivian oil, pipeline and telephone companies, and drive share prices up. In fact, the total value of government-owned shares fell from US\$1.67 billion to US\$744 million in 2001 (CEDIB, 2001: 3).

The economic restructuring has had contradictory effects on social and economic citizenship rights. On the one hand, the BONOSOL did briefly expand social rights in 1997 as all Bolivians over 65 received a US\$250 payment — an entitlement linked to their citizenship. Yet, at the same time, the loss of revenue from telecommunications and oil and gas production had devastating impacts on the national budget and, consequently, on all Bolivians. The loss of oil and gas revenues resulted in a US\$470 million public deficit (*La Razón*, 1997), which led to subsequent reductions in government spending, including important cuts in health and education. Revenue-sharing payments, the source of almost all the income for small municipalities, for 1999 were approximately 20% less than expected (*El Diario*, 2000). Along with the loss of revenues, the government also gave up much of its ability to control energy prices. Increases in energy prices led to hikes in the costs of cooking gas and public transportation, both of which disproportionately affected the poorest Bolivians. Confronting an economic crisis, Banzer's administration canceled the BONOSOL shortly after coming to office. The problem, according to Vice-president Quiroga, was that the country could ill afford to spend an estimated US\$65 million per year of government funds on a program that would 'be used for consumption and not investment'. The actions of Banzer's administration show just how fragile claims on social rights may be.

### Effects of the Plan de Todos on citizenship rights

Laws may theoretically strengthen citizenship rights yet do little to improve daily life. Decreeing an Education Reform that calls for bilingual education may increase cultural citizenship rights, yet there is little evidence to date that bilingual education will either lead to improved public schools or increased opportunities for the children who attend

them. Moreover, some critics of the Education Reform suggest that the role of bilingual education is to slow the entry of indigenous Bolivians into Spanish-speaking society, thus inhibiting rather than promoting the full citizenship of indigenous Bolivians (Berríos Gosálves, 1995). This argument reflects the reality that while Bolivia may be a multicultural nation, access to resources and opportunities are still linked to the ability to negotiate the dominant Spanish-speaking urban culture.

When Popular Participation transferred political power to grassroots organizations and financial resources to municipalities, the central government also transferred fiscal responsibility for services. Unfortunately, as with unfunded mandates in the United States, they did so without ensuring that funds would be available to pay for the services. This has put the existing, very limited social rights to health and education services at risk as Bolivia, like many small countries, lacks the decentralized administration and municipal tax collection capacity that are necessary to ensure the continuity of decentralized programs.

For every action designed to enhance rights for one group, a reaction occurred that diminished rights for others. The Education Reform was designed to respond to the needs of indigenous students, yet it was implemented in such a way as to attack the rights of teachers and their unions. Capitalization was designed to award private firms unhindered control of property, yet it led to massive firings as new private-sector management reorganized the firms. International firms won a broad range of civil rights at the expense of workers' rights to economic security. Moreover, even though Capitalization did allow payment of a social wage to the elderly in 1997, the accompanying budget deficits affected all citizens as the government not only reduced social spending nationally but also canceled the BONOSOL, the social component of privatization.

The contradictory impacts of the administrative decentralization simultaneously promoted democratic participation at the municipal level and weakened the potential for effective representation at the departmental level. This turns out to be key as, in Bolivia, strong departmental governments are better equipped to make demands on national governments and have the technical capacity to administer resources.

While the components of the Plan de Todos had mixed results in the areas of civil and political citizenship, they appear to be most negative in the realm of social and economic citizenship — the rights to 'a modicum of economic welfare and security' (Marshall, 1964: 72). Capitalization, the most important economic program within the Plan, aggravated the economic crisis (Farthing and Kohl, 2001) and will continue to shape the economy in the foreseeable future (Villegas Quiroga, 1997). The economic crisis also makes it increasingly difficult for the government to create institutions like a public advocate's office needed to guarantee the civil rights of the majority of Bolivians.

The economic crisis also affects broader social, civil and political citizenship rights. In Cochabamba an increase in water rates in January 2000 led to 'water wars' — a social revolt that was violently repressed by the government (Schultz, 2000; Farthing and Kohl, 2001). The government response — imposing a state of siege and calling out the army to quell the uprising — included the violation of civil rights to free speech and protection from government violence as well as political rights of representation. Until the government ceded to citizen demands and rescinded the contract with the international consortium that bought Cochabamba's government-owned water company, social rights to basic services — if we can agree that access to water should be an entitlement and not a luxury — were also threatened.

Many of the civil and political rights, rights that have been recognized by the government have not been fully implemented in part because the economic crisis brought on by Capitalization has left the country bankrupt. The process of reducing the size of government, a key goal of the neoliberal model, has severely limited government's ability to provide substantive attempts to broaden citizenship rights. This leaves the new rights as legal abstractions with few possibilities for their realization.

At the same time, civil property rights have been awarded to firms at the cost of the

social rights of the majority of Bolivians who are neither wealthy nor well educated. Few are likely to take advantage of the new laws protecting their rights. Multinational corporations, however, have the resources necessary to benefit from the civil property rights that denationalization and privatization have extended to them. In the case of the Cochabamba water wars, the international consortium, Aguas de Tunari, controlled by the Bechtel Corporation, announced that it would sue Bolivia for \$20 million for breach of contract in the international courts (Shultz, 2001).

Marshall's study of citizenship rights in Britain revealed inherent tensions between civil and social rights that, he argued, served to legitimize class inequality. The Bolivian case shows how this tension unfolds in a neoliberal citizenship regime in which a market-based development agenda pits civil against social citizenship rights. Bolivia is not unique; these processes are visible around the world, perhaps most clearly in countries making the transition from socialist to market economies where striking increases in inequality have resulted as services are slashed and control of wealth is concentrated (Ferge, 1996). As Marshall (1964) suggests, this inequality is legitimized as the result of competition within a democratic state in which market systems are expected to create winners and losers. Given the structural inequalities that emerge in such settings, perhaps the only path for citizens to assert their rights will be through the types of massive action that led to the return of Cochabamba's water company to public control.

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