

The discourse of civil society and current decolonisation struggles in South America

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Introduction:

In this paper I will attempt both to characterize some broad historical problems in reference to Latin American debates and experiences related to democracy, citizenship and civil society, as well as present highlights of current conflicts related to these issues, with examples from Venezuela, Ecuador and Bolivia.

Latin American critical debates about democracy, civil society and citizenship have historically occurred mainly in two, at times separate and at times more interrelated, dimensions or levels. One level can be seen as contained within the limits of “modern” western democracy, confrontations and debates that can be described in general terms as struggles within the political spectrum from *left* to *right*. It is the realm of the struggle for inclusion, for equality, for citizenship, for individual rights. This has traditionally been the domain within which political parties have been involved. Within this overall framework, the most radical perspectives lead to the rejection of liberal democracy characterized as a capitalist democracy that serves to reproduce and legitimize class domination.

The other level can be best described as *civilizational confrontations*, or *cultural wars*, that is, the historical struggle between the modern/colonial modes of life, and the multiple expressions of both resistance and the practical construction and reconstruction of other cultural alternatives. This is the realm of the struggle for the *decolonization of societies* which have become particularly salient in recent years. Here the *colonial* and *Eurocentric* nature of the liberal nation-state in the continent is the central issue.

The relations between these two dimensions have been complex, intertwined in different uneasy combinations in diverse times and places in Latin American history. I would argue that it is not possible to understand Latin American political history, or the multiple meanings of *democracy*, *civil society* and *citizenship*, if any one of these two dimensions is ignored. I will deal with some of the issues at both spheres.

The colonial imprint of democracy in Latin America: The Eurocentric grammar of modern politics in the continent

A critical understanding of civil society, democracy and citizenship in Latin America requires the recognition of the colonial imprint that these political categories have in Latin American History. It was of course to be expected that during the three centuries of Iberian colonial rule over what is today known as Latin America there would be extreme limitations on political participation and inclusion. Privileged positions in all realms of society, be it in civil service, the church, education, professions, etc., could only be occupied by white Europeans or their “pure blood” descendants.¹

What is more striking is the fact that, in most of the continent, not much changed with political independence in the first decades of the nineteenth century. In what Aníbal Quijano has characterized as *a process of political independence without a social revolution*, the basic patterns of the *coloniality of power* were preserved.² The main component of the colonial structure of power, before and after independence, was the hierarchical classification of the population according to their so-called *race*, that is, their phenotypical characteristics, specially the colour of their skin.³

In spite of its universalistic pretensions, liberal democracy should be understood as one of many possible historical options. It constitutes a distinct cultural alternative that does not exhaust the possibilities of the construction of plural and democratic coexistence between the human beings. It is the product of a specific historical experience, of a particular mode of production.

It is not possible to separate this institutional model of the liberal democracy - with its model of citizenship- from the process of construction of capitalist market societies. The political subject, the citizen (originally masculine), is the other side of the constitution of the “free” productive subject, of the economic man who is “free” to sell his labour for a salary. Liberal democracy is not conceivable without these productive transformations: it constitutes, on the contrary, its usually conflictive, political expression.

The American and French Revolutions are the paradigms of the political transformations that lead to the creation of the modern democratic nation-state, which at least in theory, offered equal political rights and freedoms to **all** in spite of the slave system and the huge economic disparities that continued to exist.

The historical process that lead to the Industrial Revolution and European and American social revolutions has its roots in the so-called *discovery* of America more than 500 years ago, that lead to the creation of the *modern colonial world system*. The difference -that

is the *colonial difference*- in the historical experience of modernity between the imperial North, and the colonized South is the best way to approach the very divergent experiences between contemporary Western Europe and Latin America in relation to liberal democracy.

As has been argued by Aníbal Quijano, Enrique Dussel, Walter Mignolo and others that have been working within the *modernity/coloniality perspective*, the experience of modernity has meant something radically different for the North and the South.⁴ What has been characterized as the *luminous nature* of modernity by the philosophers of the enlightenment, by Kant, by Hegel, and more recently by Habermas, is only the bright side of a worldwide historical process that has its dark underside in the existence of the colonies without which the bright side would not have been possible. In the North, *modernity* eventually lead to material abundance, citizenship, democracy, science and modern technology. For the majority of the planet's population living in the colonized, subjugated South, modernity has been an experience of imperial and colonial domination, genocide and slavery. This dark underside is as modern, as essential a component of the modern experience as the experience of the North. *Colonialism, genocide and slavery were not in any way pre-modern. They are constitutive of the global modern experience.*

What does all this have to do with the discussion of democracy in Latin America?

Given that the wars of independence were fought in the name of "liberty" and the values of the Enlightenment, it is interesting to take a look at the continent's new independent republics and see who were defined as citizens, as participants in the political process. In the founding constitutions very strict limits were placed on who could be considered as part of the new nation-states. The huge majority of the population was excluded. Most of the criteria for this exclusion were made explicit in the constitutional texts. With some degree of variation from country to country, exclusions were defined in terms of religion (exclusion of non-Catholics); education (exclusion of non-literate); income (certain thresholds of regular income levels are usually defined as a prerequisite for citizenship); marital status (the requirement that citizens be married); occupation (citizenship was denied for "dependent" professions such a household servants). That women and most of the non-white population were not citizens was considered so obvious that there was no need for these exclusions to be formally established. In any case, in societies characterized by a well established systematic racial hierarchy, the sum of all the other criteria all but guaranteed the exclusion of nonwhites. In most countries this limited citizenship to a small elite of urban educated, well off, white

males, which meant that the great majority of the population, basically women, nonwhites (Indians and blacks, “mixed-blood”), as well as the poor whites, were not conceived as citizens of the new republics.

The notable exception was the revolution in Haiti which was simultaneously *anti-colonial*, *anti-slavery*, and *anti-racist*. The Constitution of 1816 is in this sense a remarkable historical document. It starts by prohibiting slavery (Article 1). The rights of men are declared to be: *liberty, equality and property (Article 6)*. “Equality does not admit any distinction based on birth, and power inherited.” (Article 8)⁵ That was much more than the colonial powers could tolerate. This unique historical experience had to be squashed. The people of Haiti are still paying the consequences.

In the supposedly illustrated liberal order of the rest of the new independent republics, there was no recognition of formal political equality for all members of these highly unequal societies. The exclusion of most of the inhabitants from any notion of citizenship was not solely a question of constitutional doctrine or design. It both expressed and consolidated the pre-existing *colonial structure of the power*.

The basic difference between the centre and the periphery (or North and South) is their position within the *colonial-imperial order* of the *modern system-world*. Without taking into account this *colonial difference*⁶, it is impossible to explain neither the historical experience of citizenship and the democracy of some countries of Western Europe, nor the experience of the colonized countries of the South. The way in which the deeply unequal appropriation of the resources of the planet occurred, thanks to the colonial-imperial order, established the material bases for *capital accumulation*, the Industrial Revolution, for the expansion of *wage-earning labour, citizenship and the democracy* in the central countries. The limits to the construction of universal (liberal) citizenship and the democratization of the peripheral societies find their basic explanation in the history and the permanence of their subordination to the hegemonic colonial-imperial order, and in the preservation of the structures of colonial power (*coloniality of power*), which, among other things, limited the expansion of “free” salaried labour.

The development of capitalism in both Western Europe and in Latin America produced profound civilizational transformations that can be described as cultural wars that led from one historical mode of life to another. The *colonial difference* explains why the outcomes of these extraordinary ruptures were so fundamentally divergent. In Western Europe, in spite of the traumatic experience suffered by most of the labouring population, the Industrial Revolution, at the same time that it destroyed the old economic and social order, created new

modalities of economic insertion and social inclusion, that is, the expansion of the wage-earning labour and later, as a result of prolonged popular struggles, of democratic citizenship.

The civilizatory wars of capitalism/liberalism in Latin America against all the other cultural and/or civilization options occurs in absence of two basic historical conditions of the liberal democracy: a *social revolution* (or the destruction or significant weakening of the old order), and in the absence of *sovereign states*. This cultural war against the pre-existing patterns of life occurs without there being -for the great majority of the population (mainly the poor and nonwhites)- the possibility of other forms of inclusion in a new economic and political order. Neither wage labour nor citizenship with democratic rights were accessible for most.

The consequences of these processes have been particularly severe for the indigenous peoples and Afro-descendants, but not only for them. The fact that in most of the Latin American countries approximately half of the population is today part of the so-called informal sector of the economy and that every year more than a million Latin Americans opt for (mainly illegal, highly repressed) migration toward the United States or the European Union as their only possibility of improving their living conditions, gives an idea of the permanence of those historical levels of exclusion.

The Latin American political systems from their republican beginnings in the early nineteenth century were constructed on the basis of a deeply entrenched *colonial and eurocentered grammar of politics*. This grammar set precise limits on who were recognized as social or political subjects, what demands could be legitimately formulated, and what forms of organization and representation were possible for these subjects. This political grammar established rules that clearly limited what could be legitimately expressed and who could legitimately speak. Voices and demands outside of the limits of this grammar were not only considered as illegitimate, but basically as nonsensical. In this colonial political grammar the social classes and the social sectors and actors characteristic of what was considered to be the “normal”, “universal” historical experience of the western European industrial society (bourgeoisie, land owners, middle-class, working class, and peasants) were recognized, at least potentially, as legitimate agents of the political and social action. Their demands and aspirations if not always accepted, were at least comprehensible. The eurocentered themes and patterns of this “modern” polity, (left/right political spectrum, state/market conflicts, etc.) and their organizational forms (political parties, labour unions, guilds or corporations, and, later, pressure groups and civil society, NGOs) have acted as strait jackets that have recognized only certain parts of these societies (the so-called “modern” sectors), while making the rest invisible, or nonexistent. This in societies with high levels of *structural heterogeneity*, that is, societies with very diverse histories, that are *pluriethnic* and

pluricultural and continue to have highly differentiated forms of production, language, knowledge, organization, authority and social norms.

Based on a lineal universalistic eurocentered conception of history, the model of citizenship constructed by this modern liberal political grammar has been deeply unilateral. Denying the profound cultural/historical heterogeneity in these societies, this *monocultural* - and thus authoritarian- political grammar has been part of a systematic cultural or civilizational war against those *others* whose very existence is either ignored, or placed in the past as “backward” or “premodern”, and thus assumed to have nothing to contribute to the present or future of the nation states where they live.⁷

For the excluded majority, but especially for the indigenous peoples and Afro-descendants, to aspire to the inclusion in this model of citizenship implied giving up their own culture, identity, community and history. To become a full citizen in this official political order required the assumption of the patterns of liberal individualistic citizenship with its corresponding cultural values. In these conditions, the historical expulsions from their own territories, the denial of their access to the *commons*, due mainly to the expansion of large scale agricultural production and extractive activities, have implied a systematic double-edged pattern of violence: *destruction of the material conditions of their own culture, and the simultaneous denial of the possibility of full incorporation into the dominant “modern” lifeworld.*

To this historical experience, a new awareness has been added more recently: *a recognition both of the ecological limits of planet Earth, and of the limits of liberal democracy in the age of neoliberal globalization.*

The promises of the modernization -particularly over the last half century- have been associated with offers of material abundance and the consumer patterns of the middle classes of the United States as portrayed by Hollywood and the global media. It has, however become increasingly obvious that these destructive consumption patterns cannot be generalized to all of the world’s population. They are not sustainable even with the immense current inequities of access to the *commons* of the planet where hundreds of millions don’t have enough food or access to clean water. These destructive patterns pose a direct and immediate threat to life on Earth. It has also become evident that in spite of the fact that the poor in the South have contributed much less to climate change and other destructive life-menacing processes, they will bear the most serious negative impacts and have the least resources with which to deal with them.

Today this raises many challenges for the continent, especially for the excluded indigenous peoples, Afro-descendants and peasants. The European cultural wars by which

liberal industrial society became dominant, societies based on the ideas of progress and never ending growth, was a new historical process. Its global outcome could not be then predicted. Today the consequences of those cultural wars are well known. The global expansion of an unregulated growth-oriented market economy, with its accompanying large scale technology are systematically destroying the very conditions that make life on Earth possible. Many peasant, indigenous and Afro-descendant peoples and communities, now realize that resistance to the pretensions of inexorable imposition of the rapacious hegemonic civilizational model of the West, a resistance rooted in their own identities, cultures and modes of being *in* and *with* nature, is not just a cultural preference, but a question of survival. Their own survival and that of life on planet Earth.

At the same time, the historical promises of liberal democracy, especially the model represented by post-war Western European social democracy during the brief period between the fifties and the seventies, no longer seem attainable. During that period liberal democracy achieved, in a small privileged part of world, what now seems to be its maximum historical possibilities. However its democratic and equalitarian accomplishments were severely undermined in the age of neoliberal globalization, starting in the 1970s. The welfare state and its accompanying social and economic rights have been systematically losing ground even in the richest countries of the North. The potentialities of the liberal democratic order in terms of its promise of freedom and political, social, and economic inclusive citizenship for all no longer appear as a real historical possibility for most of the South. As a consequence of these ecological and political/economic limits, the incorporation of the majority of this population into “modern” high quality wage-earning jobs no longer seems like a plausible future. The promises of “modernization” as represented by the consumption patterns of the North, the models of “economic well-being” in the name of which the need to leave behind *backwardness* and *community* have been argued, have become less and less credible.

All this has contributed to enormous cultural and political displacements in popular political consciousness, discourses and struggles in Latin America over the last two decades.

The left and democracy in Latin America

The Latin American left has been traditionally very critical of liberal democracy, seen as a class regime bound to preserve the privileges of the bourgeoisie. Historically for most of the left the limits in liberal democracy have not been seen in its colonial character, but in its class nature. It has been characterized as a formal, process-based model of democracy which privileged *negative rights* over *positive rights*, that is, formal political rights, over social, economic and cultural rights. This critical perspective was particularly prominent during the 60s and 70s of the last century when for many organizations and intellectuals in the left, a socialist revolution seemed to be a short term possibility.

However, after the experience of the vicious military dictatorships, especially in the Southern Cone of the continent in the 70s and 80s, a new more positive evaluation of the so-called “formal” aspects of liberal democracy was assumed in a wide spectrum of the left. These military dictatorships, were the result of right wing reactions or counterrevolutions against waves of popular movements and organizations that were struggling for the transformation of Latin American societies. Brutal repression coupled with neoliberal economic “structural adjustment” policies characterized these military regimes. In those conditions, democracy and basic human rights became banners for the left.

In Latin American social sciences the discourse about *revolution* gave way to a discourse about *democracy* and the *transition to democracy*. A whole new academic discipline emerged: *transitology*.⁸ This new discourse privileged the ideas of *negotiation*, *human rights*, *civil society*, *social movements* and *NGOs*. The critique of the class character of liberal democracy all but disappeared in much of this transformed “democratic left”. The colonial character of this model of democracy remained as a non-issue.

However, it did not take very long for things to start to change. In spite of the initial emphasis on human rights and the need for a negotiated and peaceful transition to democracy, there were nonetheless wide popular expectations in relation to alternatives to the neoliberal economic policies that had been imposed by the right wing military dictatorships. These proved to be baseless expectation. In some countries, the transition to democracy was part of a negotiation which included guarantees that the basic orientations of the economic model would not be altered. In the case of Chile the new Constitution left by the Pinochet regime made it next to impossible to depart in any significant way from neoliberal policies. In other countries, the military dictatorships left huge foreign debts as well as debt agreements with the IMF and the World Bank which implied that the basic content of neoliberal economic policies could not be altered. The new democratic governments had to act according to the dictates of these international financial institutions, even if this went against the will of the population that had elected them based on their promise to drastically

change these policies. The severely limited character of these democracies became obvious. This soon led to widespread frustration.

By the end of the 1980s a new cycle of struggles and popular resistance against the devastating effects of neoliberal structural adjustment policies begins throughout the continent. *The Caracazo* in Venezuela (1989), the *levantamiento indígena* (Indigenous uprising) in Ecuador (1990) and the Zapatista rebellion (1994) were only the most visible expressions of the beginning of this new phase of struggles of popular resistance. In successive years these spread to all of Latin America. Perhaps the most significant characteristic of this stage of popular struggles has been its extraordinary diversity. The collapse of Soviet socialism led to the demise of its powerful historical influence on anticapitalist struggles in Latin America.⁹ It became easier to go beyond the eurocentered demarcations and cleavages that the political projects led by Marxist parties had managed to impose on many popular struggles based on the central role of the proletariat and a particular (eurocentered) conception of history. In the new political context after the fall of the Berlin Wall, the new cycle of struggles in Latin America is characterized by the great multiplicity of subjects and organizations involved: indigenous peoples and communities, Afro-descendant communities and organizations, peasants and landless rural workers, environmental groups, industrial workers in defence of their wages and labour rights, women's organizations, struggles for the rights to sexual diversities, continent-wide struggles against Free Trade Agreement of the Americas (FTAA) and other free trade agreements, opposition to the privatization of public services and enterprises, students in defence of public education, and a plurality of human rights organizations.

In these diverse movements there is no privileged subject, no overall single issue that is predefined as more important than others or as the main axis in the struggle for a better society. In this collective experience new forms of politics are created, learned and shared. The diversity of subjects, and the plurality of issues far from being seen as a distracting obstacle for a common struggle, is now celebrated as a virtue. These diversities are seen enriching the potential for a plural and genuinely democratic alternative social order. No pre-designed model of the future alternative society is assumed. The construction of alternative social relations is not thought to be a task to be postponed for some remote future, but as a day-to-day challenge incorporated in the present: the pre-figuration of other forms of sociability, other productive practices, other knowledges, other conceptions and practices of gender relations and other subjectivities. The World Social Forum process, enriched this process facilitating face to face debates, creating and strengthening regional and global

social and political networks as well as giving campaigns against the war in Iraq, free trade and water privatisations, etc., an international scope.

In the first decade of the XXI century these movements achieved significant levels of organization, mobilization and coordination and were able to obtain important victories such as the defeat of the FTAA, and blocking or reversing processes of privatization of public services as was the case in the *water war* of Cochabamba in Bolivia.

A new historical moment: Socialism and/or decolonization

Given the extraordinary hegemony of the colonial-eurocentered grammar of politics even in countries where the majority of the population is indigenous, until fairly recently most of the struggles against the established order have in many ways remained within the limits imposed by this colonial political grammar. The privilege that organizations and movements of Marxist or socialist inspiration in the continent gave the industrial workers and rural wage workers (urban and rural proletariat) as the principal subjects of the struggle for social transformation, contributed to the political invisibility of others: “traditional” peasants, indigenous peoples and Afro-descendants. Neither those *other* subjects and their demands, nor alternative forms of social or political organization could be incorporated to the logic of that eurocentered political grammar.

A classic example of the difficulties faced by the left when confronted with realities that do not fit into the eurocentered grammar of the modern policy, was the case of the Bolivian Revolution of 1952. In the world view of the leaders of this revolutionary process there was no clear space for Indian subjects or their demands. For that reason this empirical subject, that happened to be the majority of the Bolivian population, had to be translated into the language, the grammar, of modern politics. The Indian peoples were assumed to be peasants, their demands for ancestral territories were translated into demands for agrarian reform and, their traditional communal organizational forms, were translated into peasant workers’ unions. Only decades later were the Aymaras, Quechuas, Guarani and other Indian peoples and communities in Bolivia able to rid themselves of these colonial translations and struggle for their rights as Indian peoples. This meant different identities (the right to be Aymaras, Quechuas, Guaranis, etc.), different demands (the right to their own cultures and languages, control over ancestral territories, and the reconstruction and/or strengthening of traditional basic community political units: the Ayllú in the case of the Aymaras. This signals a new moment in Latin American politics, specially in the Andean region, one that can no longer be confined within the historical boundaries of the dominant liberal grammar. In the

case of Bolivia and Ecuador today the struggle is for the overhaul of the *monocultural colonial-liberal state* and the creation of pluricultural and plurinational state.¹⁰

A very significant aspect of current Latin American political projects of social transformation are the new and complex relations between: a) struggles carried out in the name of democratization and inclusion for all as citizens in a liberal capitalist order; b) anti-capitalist struggles aiming at the goal of constructing what has been called “XXI Century Socialism”; and c) struggles that explicitly aim at the decolonization of society. These different conceptions of the desirable directions for the future of society are present in diverse forms of articulation/tension in the different countries.¹¹ Frequently these apparently contradictory perspectives coexist in the same discourse or political project.

The current so-called leftist governments in Latin America today are very diverse in their political projects. In some countries like Chile, Uruguay, Argentina and Brazil, the governing parties, even if led by “socialist” or “workers” parties are not questioning the confines of capitalist liberal democracy and have basically abandoned any appeal to radical social change. They have combined neoliberal macroeconomic orientations, based on exports of agricultural and/or mineral commodities, with limited social democratic welfare-state policies, aimed at improving the standard of living of the poorer strata of their populations. Neither socialism nor decolonization are today part of their political agenda.

However in three countries, Venezuela, Ecuador and Bolivia attempts are presently being made to go beyond the limits of liberal democracy and colonial eurocentered grammar of politics. In each of these countries anti-capitalist and anti-colonial proposals have a central role in current debates and governments’ vision of the future of these societies. In this context there are new struggles over the meaning of *the public, the private, democracy, participation, citizenship and civil society*. These are confrontations at all levels: theoretical, political, cultural, practical. These are struggles between attempts to question and subvert, both the class content and the universalistic colonial eurocentered meaning (and practice) of these categories on one hand, and the attempt to reaffirm precisely these meanings as universal. These are not however clear cut confrontations between clearly defined theoretical or political conceptions, but a diverse practical, political and theoretical search for alternatives.

Since it is not possible to go into a detailed discussion of the main aspects of these three political processes, I will highlight what I consider to be some of the most important theoretical and political issues in the constitutional debates and texts of these three countries. These debates can be best understood as confronting the challenges of creating new political grammars, new forms of state organizations, alternative modes of production and of relations

between humans and the rest of nature. This in small countries within the constraints of the present world system, the historical reality of the current configuration of national states, and within societies characterized not only by a high degree of structural heterogeneity, but also with a well-organized opposition to the proposed changes by its most privileged strata. More than well rounded, polished or systematic proposals for the future of society, what one can find are very diverse attempts to go beyond the confines of the dominant eurocentered grammar of politics.

One initial political and theoretical thread that can be highlighted in these different attempts to decolonize the idea and practice of democracy is a radical questioning of the separations that liberalism has constructed between **nature and society**, as well as the conception of the **political**, the **economic**, and the **social/cultural** as basically autonomous spheres of society. Democracy is thought as referring to the whole of life: ways of being part of nature, in production, in cultures, in knowledge, in languages, in diverse forms of decision making and constituting forms of public authorities. These efforts seek to decolonize the eurocentered dominant conception of democracy -as limited to the political arena and the state- and assume democracy as implying all spheres of existence.

The discussion that follows is mainly based on the new constitutional texts that were approved in national referenda in Venezuela (1999), Ecuador (2009) and Bolivia (2009). A few main issues illustrate the direction of these efforts. No attempt is made here to explore the likely outcome of these political processes or to evaluate the political viability of these proposals. The purpose of this final part is to characterize the main contents of these decolonizing efforts.

Beyond the limits of liberal representative democracy: Participatory and communal democracy

One first area of confrontation with the inherited model of liberal democracy refers to what is seen as the very limited nature of *representative democracy*. In the 1999 Venezuelan Constitution the road towards deepening democracy is seen through the introduction of many modalities of *participatory democracy*. Participatory democracy is not seen an overall substitute or alternative to representative democracy, but as an instrument directed at expanding the limits of representative democracy. According to article 70 of the Constitution:

“Participation and involvement of people in the exercise of their sovereignty in political affairs can be manifested by: voting to fill public offices, referenda,

consultation of public opinion, mandate revocation, legislative, constitutional and constituent initiative, open forums and meetings of citizens whose decisions shall be binding, among others.”

The idea of participatory democracy is not limited to the political arena. The same article establishes diverse modalities of participation in social and economic affairs.

“...citizen service organs, self-management, co-management, cooperatives in all forms, including those of a financial nature, savings funds, community enterprises, and other forms of association guided by the values of mutual cooperation and solidarity.”

Over the last ten years this has led to a very significant expansion of multiple forms of popular organization and participation across the country. Most of these deal with local issues (water, health, education, housing and land tenure, etc.). Since 2007 the most important new spaces of popular organization and participation are the *Communal Councils*. In these, the communities self-organize on a territorial base in order to deal with their common problems. These communal councils carry out a diagnosis of the communities' most urgent needs and establish priorities that lead to a collective formulation of projects. These projects receive financing directly from the national government without much bureaucratic hassle. The councils are in charge of carrying out or supervising the projects and may be also responsible for the administration of these funds.¹²

The idea of participatory democracy is equally present in the Constitution of Ecuador:

“Sovereignty belongs to the people, their will is the foundation of authority, which is exerted through the organs of the public power and forms of direct participation.” (Article 1)

In the Bolivian constitution, three forms of democracy are present:

- I. The State adopts as its form of government **participatory, representative and communitarian** democracy, with equal conditions for men and women.
- II. Democracy is exerted through the following forms, that will be developed by the law:
 1. Direct and participatory, by means of referenda, citizens' legislative initiatives, recall referenda, assemblies, town hall meetings and previous consultation, among others. Assemblies and town hall meetings shall have a deliberative character.
 2. Representative, by means of the election of representatives by universal, direct, secret vote, among others.
 3. Communitarian, by means of the election, designation or nomination of authorities and representatives according to their own norms and procedures

by the aboriginal Indian nations and peoples and peasants, among others.”
(Article 11)

However, both in the Ecuadorian and the Bolivian constitutions, the fundamental aim is not to increase participation within the existing state structures, or to add new forms of participation to the existing ones. The aim is to create other forms of participation within a radically transformed state. That is, going beyond the *monocultural* liberal state towards the construction of an *intercultural, plurinational* state based on the plurality of peoples and cultures existing in these countries. In this sense these constitutional texts are conceived as part of a new alternative historical project, not only for the indigenous and Afro-American peoples' and communities, but for the whole of the population.

These aims are expressed in many ways in these texts. In the case of Bolivia's constitution:

“The Bolivian people, of plural composition, from the depth of history, inspired by the struggles of the past, in anti-colonial indigenous revolts, in independence, in popular struggles for liberation, in indigenous, social and union mobilizations, in the water wars (...) in struggles for land and territory and with memory of our martyrs, have constructed a new state.”

“A state based on the respect and equality for all, with principles of sovereignty, dignity, complementaries, solidarity, harmony and fairness in the distribution and redistribution of the social product, where the search for **living well** predominates; acknowledging the economic, social, legal, political and cultural plurality of the inhabitants of this land; in collective coexistence with access to water, work, education, health and housing for all.”

“We leave the colonial, republican and neoliberal state in the past. We assume the historical challenge of collectively constructing a united, social, communitarian plurinational state that Integrates and articulates the aims of advancing towards a democratic, productive Bolivia, that inspires peace, and is obliged with the goals of integral development and the free determination of the peoples.” (Preamble)

“Bolivia is constituted in as unitary social state with the rule of law, plurinational, communitarian, free, independent, sovereign, democratic, intercultural, decentralized and with autonomies. Bolivia is founded on political, economic, legal, cultural and linguistic pluralism, within the integrating process of the country.” (Article 1)

“Given to the pre-colonial existence of the original indigenous nations and peoples and their ancestral dominion over their territories, their free self-

determination is guaranteed within the framework of the unity of the state. This consists of their right to autonomy, self-government, their own culture, the recognition of their institutions and the consolidation of their territorial organizations, according to this Constitution and the law.” (Article 2)

In the case of Ecuador:

“People have the right to construct and to maintain their own cultural identity, to decide if they belong to one or more cultural communities and to express such options, (the right) to aesthetic freedom; the right to know the historical memory of their own cultures and (the right) to have access to their cultural patrimony; to divulge their own cultural expressions and to have access to them.” (Article 21)

Indigenous, Afro-Ecuadorian and Montubio communities, peoples and nationalities are guaranteed the right to freely keep, and strengthen their own identity, sense of belonging, ancestral traditions and their own social organization. They likewise have the right to preserve and develop their own forms of co-existence, as well as the right to their own communitarian forms of authority and ancestral territories. Their communal lands cannot be divided, their ownership is secured. They have the right to recover and keep their ancestral lands and territories without any cost. (Article 58)

“Ancestral peoples, indigenous, Afro-Ecuadorians and Montubios can create territorial circumscriptions for the preservation of their culture. The law will regulate its conformation. The communes that have collective land property, as an ancestral form of territorial organization, will be recognized.” (Article 61)

The construction of a plurinational and pluricultural state is assumed to have as one of its conditions of possibility, the recognition that different peoples and communities within the nation speak different languages. In the case of Ecuador two indigenous languages the *kichwa* and the *shuar* are official languages for “intercultural relations”. The other ancestral languages are official languages for the indigenous people in zones where they live, and the state has the responsibility of protecting and promoting their conservation and use (Article 2). The state will guarantee freedom of education and the right of people to learn in their own language and in their own cultural setting.

The Bolivian constitution goes further. A total of 36 different languages, apart from Spanish are recognized as official languages. Every level of government must use at least two official languages, one of them being Spanish. (Article 5).

All this is assumed as part of a deep cultural transformation that profoundly questions the individualist and destructive hegemonic patterns of western/capitalist civilization. It proposes a radical divergent path from that of the ideas of *progress* and *development* that have been dominant in the modern world. These are not conceived as imaginary utopias, but as alternatives that are deeply rooted in the rich plural cultural diversities and traditions existing in these countries, all subsumed under the idea of *sumak kawsay buen vivir*, or a *good life*.

In the case of Bolivia, this is expressed in the following way:

“The state assumes and promotes as ethical-moral principles of the plural society: *ama qhilla*, *ama llulla*, *ama suwa* (don't be lazy, don't be a liar, don't be a thief), *suma qamaña* (to live well), *ñandereko* (a harmonious life), *teko kavi* (a good life), *ivi maraei* (earth without evil) and *qhapaj ñan* (a noble way or life). The state is sustained in the values of unity, equality, inclusion, dignity, liberty, solidarity, reciprocity, respect, complementaries, harmony, transparency, balance, equality of opportunities, equal social and gender participation, common well-being, responsibility, social justice, and the distribution and redistribution of social goods and services in order to live well (*vivir bien*).” (Article 8)

In the Ecuadorian text:

“The development regime is the organized, sustainable and dynamic set of economic, political, social, cultural and environmental systems that guarantee the attainment of living well (*buen vivir*), of *sumak kawsay*.” (Article 275)

The idea of *sumak kawsay buen vivir* implies not only solidarity amongst humans, but equally living in harmony with and in nature. In the words of Alberto Acosta, who presided the Ecuadorian Constitutional Assembly during most of its debates: “living well ' or *buen vivir*, is born out of the collective life experience of the indigenous peoples and nationalities. It seeks a harmonious relation between human beings, and these with nature. ... It is a fundamental element to think a different society, a society that rescues popular knowledge and technologies, solidarity-based forms of organizing, of creating one's own answers...”¹³

In the case of Ecuador, and perhaps for the first time in a constitutional text, nature is conceived as a subject of rights.

"The nature or Pachamama, where the life is created and reproduced, has as a right that its existence is integrally respected as well as the right of the maintenance and regeneration of its vital cycles, structures, functions and evolutionary processes. Every person, community, people or nationality can demand from the public authority that these rights of nature are fulfilled..." (Art. 72)

The role of the existing state

The historical project of the construction of an intercultural, plurinational state has as a condition for its possibility a radical redistribution of power relations within the state, as well as a significant redistribution of access to wealth and to the common goods in society as a whole. Otherwise the recognition of the plurality of exiting cultures would be limited to a multicultural recognition or even celebration of a diversity of unequals. Thus these historical projects necessarily have redistribution of wealth and access to common goods and the democratization of power relations as one of its central challenges. The role of the state is considered crucial.

This has meant that side by side with the aims of transforming and decolonizing the state, there is the contradictory requirement of, at the same time, strengthening that very state.

There is a clear recognition of the fact that the national states that were established in Latin America were colonial states that responded more to the logic and interests of the colonizers and their descendants than to the cultures, territorial occupations or needs of the majority of the population. These states are seen as monocultural (and thus) authoritarian structures that have imposed the dominant western culture on very culturally and structurally heterogeneous societies. In both Ecuador and Bolivia it has become clear that the process of transformation of these societies can no longer be seen as part of the liberal tradition of inclusion and universal homogenizing citizenship within the existing state structure, but, as a transformation of that state. This means the creation of a plurinational and pluricultural state.

However, at the same time, these national states are considered to be necessary instruments of any possible transformation in these societies. Representatives of the movements and parties that were pushing for radical changes in these countries were elected to lead their governments. The majority of the population decided via a national referendum that a constitutional assembly should be convened. When elections for these assemblies were carried out, a huge majority of its members were in favour of significant or radical changes in the established order. These new constitutions were backed by a significant

majority of the voters.

In these three political projects, along with the aim of transforming their respective states, there is also the perceived need to strengthen the state so that it can serve as an instrument for processes of social transformation that have -as expected- confronted very severe internal and external oppositions.

Three decades of neoliberalism significantly weakened most of the Latin American states. As a result of the policies of structural adjustments many public services were abandoned or privatized, the main state corporations -particularly, but not only, in the energy sector- were sold to transnational corporations. Decentralization led to a significant weakening of the national states' capacity to deal with the external pressures from global financial institutions, governments of the North, and transnational corporations. These states were equally weakened in their capacity to meet the demands of their own population. Recovering control over the countries' oil and mineral resources and income, for example, is thus considered a precondition for the transformation of these societies, only possible with stronger national states. This is equally the case when the possibility of redistributive policies is the issue. Fractured national states with very little taxing capacity, where the privileged sectors of the population have controlled regional resources at the expense of the rest of the nation, as has been the case of Bolivia, have also led to the demand for strengthening the central national state. In the constitutions of all three countries, the strategic sectors of the economy, basic natural resources and main public services are reserved for the central or federal state.

This is of course also related to the fact that the imaginary of socialism -and with it the central role of the state- is present in different degrees in these three political processes.

Resistance to change and the defence of colonial privileges

After more than 500 years of monocultural patterns of political organization that have basically ignored the existence of this rich plurality of cultures and peoples, the white and mestizo urban middle and upper classes see all this as a threat to their historical privileges and denounce these processes as un-democratic, authoritarian.

The Latin American right and far right, as well as the US government and the global corporate media which felt perfectly at ease with the military regimes of just two decades ago, now see these trends as serious threats to "democracy". After more than 500 years of a monocultural (and thus authoritarian) political model, attempts to recognize the pluricultural heterogenous character of these societies is characterized as *Indian fundamentalism*.

Right wing think tanks -in Latin America, in the United States and in Europe- use a self-defined “universalistic”, eurocentered paradigm of western liberal democracy as a standard template with which to evaluate and discard every attempt to construct any other possible alternative, other historically and culturally rooted forms of political participation and organization, or any other conception of the state. Thus attempts to go beyond the historical patterns of limited democracy in Latin America are disqualified as *populist*, *authoritarian* or “ethnic fundamentalist” and thus, serious threats to “democracy”.

In these confrontations over the meaning of these concepts the Venezuelan case is quite typical. The stability of the Venezuelan democratic system established after 1958 was based on the country’s oil wealth and on the basic social democratic content of the 1961 constitution. However this national consensus started to come apart with the economic, political and institutional crisis that began in the late seventies. One of the most significant consequences of this crisis was the emergence of a neoliberal discourse that questioned the prevailing role of the state and political parties in Venezuelan society. With a very radical anti-political content, this discourse led to a Manichean contrast between the *public* and the *private*. The state (as well as political parties) were seen as the source of all evil, whereas *civil society*, was considered the source all virtue. The state was characterized as corrupt, paternalistic, inefficient, non-democratic. Civil society was characterized as creative, honest, efficient. Corporate media -which have become main political right wing actors in most of Latin America- are seen as part of this virtuous civil society. Public policies that seek to include the excluded or expand access to health services and education are characterized as populist.

A new conception of citizenship emerged with this political discourse: *from a democracy of parties to a democracy of citizens*. This “modern citizen” is identified with middle class and upper middle class urban white Venezuelans. These citizens constitute “civil society”.¹⁴ There was no space for the majority, the excluded popular strata of society, in this new polity. Ever since Chávez became President, as popular participation and organization increased and the society has become more politically polarized, the confrontational use of the concept of civil society became more frequent. Two meanings that up to that moment had been more or less latent came to the forefront: the association of civil society with the idea of being *civilized*, and an overt *racist* content. In this discourse white, educated, middle and upper class, modern and civilized Venezuelans were threatened by primitive, uneducated, black and Indian hordes.

In current Venezuelan political discourse “civil society” means middle and upper class opposition to the Chávez government. The left and popular social movements and

organizations have about given up on any attempt to recover the concept of civil society for a different meaning. An appeal is made instead to *el pueblo* (the people), popular movements, popular organizations, etc.

Likewise, resistance to the new constitutions in Bolivia and Ecuador is made in the name of “civic” sectors, “civic organizations”, and in an association between democracy and decentralization, between democracy and regional autonomy. At the very moment when, for the first time in history, there is an attempt to use the administrative capacities and resources of the national state to increase national autonomy, popular participation and redistribution of wealth, the discourse of the political opposition appeals to a weaker decentralized state in the name of *democracy* and *civil society*. The idea of civil society, and with it, appeals to the *civilized*, the *civic*, has become a powerful political instrument in the hands of an opposition that, appealing to the supposedly universal character of liberal “modern democracy”, question the current constitutional processes as “primitive” and “premodern”.

The US State Department, through its National Endowment for Democracy and the US Embassy in Caracas have given financial and political assistance to Venezuelan so-called civil society organizations like Súmate that not only act as opposition political organizations, but also played an active role in the failed *coup d'état* against the Chávez government in April 2002.¹⁵

In Bolivia decentralization and regional autonomy has become a war cry by the right in order to control the resources of the richest regions in the country and oppose the government's policies. There is a particularly violent opposition to any central state policies destined to control oil resources for re-distributional purposes. The so-called statues of autonomy seek to strip the central state of much of its powers. This has the express backing of the business community in the so-called *Media Luna* region of Bolivia as well as foreign land owners and transnational corporations involved in agribusiness and the energy sector. The threat of separatism, that is completely breaking away from the rest of Bolivia if their demands for autonomy are not granted, is permanently in the background. The United States Embassy has been directly involved in these processes.

Ecuador, the right wing/liberal opposition in Guayaquil -the richest part of the country- is claiming “full” autonomy from the central government.¹⁶ A similar, but weaker movement, the Committee for Liberty and Regional Autonomy has been created in the oil producing state of Zulia in Venezuela.¹⁷

As part of continental effort to coordinate struggles for regional autonomy, a new transnational organization has been created, the International Confederation for Liberty and Regional Autonomy (CONFILAR). For this organization, decentralization and regional

autonomy go hand in hand with ultra-liberal policies and a minimal -Milton Friedman style- state. It has the backing of international liberal organizations and right wing think tanks like the Cato Institute in Washington.¹⁸ One of the most radical leaders of the Bolivian right wing opposition in Santa Cruz, Carlos Dabdoub was named as the first president of this organization.¹⁹

Endnotes

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1. For a detailed analysis of the case of Nueva Granada, see: Santiago Castro Gómez. *La hybris del Punto Cero. Ciencia, raza e ilustración en la Nueva Granada (1750-1816)*, Instituto Pensar, Pontificia Universidad Javeriana, Bogotá, 2005.
 2. Aníbal Quijano, "Colonialidad del poder, eurocentrismo y América Latina", en Edgardo Lander (editor), *La colonialidad del saber: eurocentrismo y ciencias sociales. Perspectivas latinoamericanas*, UNESCO, Universidad Central de Venezuela, Caracas, 2000.
 3. Aníbal Quijano, "Colonialidad del Poder y Clasificación Social", in *Journal of World-Systems Research*, Vol. XI, No. 2, Summer-Fall, 2000.
 4. See their essays in: Edgardo Lander (editor), *La colonialidad del saber: eurocentrismo y ciencias sociales. Perspectivas latinoamericanas*, UNESCO, Universidad Central de Venezuela, Caracas, 2000.
 5. *Constitution D' Haiti (1816)*, in *El pensamiento constitucional hispanoamericano hasta 1930 (III)*. Biblioteca de la Academia Nacional de la Historia, Caracas, 1961.
 6. Walter Mignolo, "Diferencia colonial y razón postoccidental", en Santiago Castro-Gómez (editor), *La reestructuración de las ciencias sociales en América Latina*, Instituto Pensar, Pontificia Universidad Javeriana, Bogotá, 2000.
 7. This is what Johannes Fabian has characterized as "denial of coevalness". See: *Time and the Other. How anthropology makes its object*, Columbia University Press. New York, 1983.
 8. Edgardo Lander, *La democracia en las ciencias sociales latinoamericanas contemporáneas*, Colección Bibliográfica FOBAL-CS, Instituto Autónomo Biblioteca Nacional. Universidad Central de Venezuela, Caracas, 1997.
 9. Edgardo Lander, "Sujetos, saberes, emancipaciones", en *Reforma ou Revolução?*, Fundação Rosa Luxemburg y Laboratório de Políticas Públicas da UERJ, Editora Expressão Popular, São Paulo, 2004.
 10. Catherine Walsh, "Interculturalidad y Plurinacionalidad: Elementos para el debate constituyente", Universidad Andina Simón Bolívar, Sede Ecuador, Quito, abril 2008.
 11. These last two are usually identified with as anti-capitalist struggles.
 12. A discussion of some of the main political issues related to the experience of the Communal Councils, such as the vital question of their autonomy viz-a-viz the central government are beyond the scope of this paper. See: Edgardo Lander, "El Estado y las tensiones de la participación popular en Venezuela", *Observatorio Social de América Latina (OSAL)*. Consejo Latinoamericano de Ciencias Sociales (CLACSO), Buenos Aires, VIII, No. 22, September 2007.

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13. Quoted in: Magdalena León T, "El 'buen vivir': objetivo y camino para otro modelo", ILDIS-FES Análisis: *Nueva Constitución*, Quito.
14. See: Edgardo Lander, "Urban Social Movements, Civil Society and New Forms of Citizenship in Venezuela", *International Review of Sociology /Revue Internationale de Sociologie*, Volume 6, number 1, 1996.
15. See: Edgardo Lander, "El papel del gobierno de los EE.UU. en el golpe de estado contra el Presidente Chávez. Una exploración preliminar", OSAL, Observatorio Social de América Latina, CLACSO, Buenos aires, junio 2002; and Eva Golinger, *El código Chávez. Descifrando la intervención de los Estados Unidos en Venezuela*, Editorial de Ciencias Sociales, La Habana, 2005.
16. Gabriela Calderón, "Guayaquil con autonomía plena", *El Universo*, lunes, 15 de octubre de 2007. In Instituto Ecuatoriano de Economía Política.
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