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**POLITICS AND INTERNATIONAL RELATIONS**

# Self-Governance in Bolivia's First Indigenous Autonomy: Charagua

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The UN Declaration on the Rights of Indigenous Peoples recognizes Indigenous peoples' rights to self-determination and to maintain their distinct institutions. This article investigates how those rights are being exercised in Charagua, which became Bolivia's first "Indigenous autonomous government" when the municipality's Guaraní majority approved conversion in 2015. We explore the construction of novel institutions of self-government to assess how local Guaraní leaders are negotiating autonomy, both externally and internally. The result of those negotiations is a hybrid political system in which power is balanced between an executive organ (as required by Bolivian law) and a deliberative assembly (the Ñemboati Guasu, which operates according to Indigenous custom). The prominence of the assembly expresses a significant form of autonomy that promotes intercultural political participation and enacts Indigenous self-government in ways that are important to Guaraní people. Yet, because the new political unit does not control subsoil rights and thus cannot determine the sorts of development that take place in its territory, we cannot yet say the Guaranís are exercising full and robust autonomy as expressed by the UN Declaration's provisions for self-determination.

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La Declaración sobre los Derechos de los Pueblos Indígenas de la ONU reconoce que pueblos indígenas tienen el derecho de auto-determinación y mantención de sus instituciones propias. Este artículo investiga cómo se ejerce estos derechos en Charagua, que fue el primer "gobierno autónomo indígena" en Bolivia, después de que la mayoría de la población aprobó conversión en 2015. Exploramos la construcción de nuevas instituciones de auto-gobierno para evaluar como los líderes guaraníes están negociando autonomía, tanto externamente como internamente. El resultado de estas negociaciones es un sistema político híbrido en donde el poder es equilibrado entre un órgano ejecutivo (mandado por ley boliviana) y una asamblea deliberativa (el Ñemboati Guasu, que opera bajo normas indígenas). La prominencia de la asamblea expresa una forma significativa de autonomía la cual promueve participación política intercultural y pone en práctica auto-gobierno indígena de manera importante para el pueblo guaraní. Sin embargo, porque el municipio no tiene control sobre los usos del subsuelo, and por eso no puede control las formas de desarrollo en su territorio, todavía no podemos decir que están ejercitando una autonomía tan plena y robusta como se entendió en la Declaración de la ONU.

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## Introduction

Building on decades of activism by Indigenous peoples around the world, in 2007 the United Nations approved the Declaration on the Rights of Indigenous Peoples (UNDRIP). Recognizing historic injustices faced by Indigenous peoples as a result of colonization and dispossession of lands, the declaration establishes that Indigenous peoples have the right to full enjoyment of the human rights and freedoms established under international law, and the right to be free from discrimination. Of highest importance to Indigenous activists are those sections recognizing Indigenous peoples' most fundamental demands: the rights to self-determination, to autonomy, and to maintain their distinct institutions (UNDRIP Articles 3–5). Here, UNDRIP follows other international agreements, especially the International Labour Organization Convention 169, which, since its adoption in 1989, has been a central organizing tool for Indigenous groups making demands on the nation-states in which they live.

This article investigates how those rights were exercised in Bolivia, a country with a large majority of self-identified Indigenous people<sup>1</sup> during the administration of an Indigenous president, Evo Morales, who came to power vowing to enact Indigenous rights.<sup>2</sup> Morales and his MAS (Movimiento al Socialismo, or Movement Towards Socialism) party presided over a 2006–2007 Constituent Assembly of popularly elected delegates, many of them Indigenous people, who rewrote the Constitution to refound Bolivia as a new “plurinational” state. The resulting 2009 Constitution declares the fundamental goal of the state to be decolonization, recognizes Indigenous peoples and their cultures and values as central to the new state, and grants them important new rights, echoing the language of the UNDRIP. For instance, Article 2 declares: “Given the precolonial existence of the Indigenous originary peasant nations and peoples and their ancestral dominion over their territories, their self-determination is guaranteed within the framework of the unity of the State, and consists of their right to autonomy, to self-government, to their culture, to the recognition of their institutions, and to the consolidation of their territorial entities, in conformity with this Constitution and the law.”

This article demonstrates the deep tension that underlies the emancipatory ideas of self-determination: empowering local institutions based on Indigenous customs, practices, and *cosmovisiones* (worldviews) within “unitary” nation-states founded in notions of liberal government. Can Indigenous autonomy embedded within the liberal nation-state produce self-determination? To think through this question, we examine the case of Charagua, which became Bolivia's first “Indigenous autonomy”—*autonomía indígena originaria campesina*, or Indigenous originary peasant autonomy (AIOC)—when the municipality's Indigenous Guaraní majority approved conversion in September 2015. The Charagua case helps us analyze how the relationship between state sovereignty, Indigenous self-determination, and territorial control has evolved since the adoption of the UN Declaration. We show how the Guaranís of Charagua have established their new governance structure through negotiations in a complex political field. Internally, they must find balance between the diverse sectors making up Charagua (including overtly hostile white-mestizos<sup>3</sup>) and between institutions based on Indigenous norms and those of liberal origins. Externally, the Charagueños' system of self-government finds itself nested within both departmental autonomy at the subnational level and state sovereignty at the national level. We ask: To what extent is Charagua's new government enacting self-determination? That is, is this, as some assert, a “*municipio con poncho*,” a liberal municipal government dressed in Indigenous garb, or have the Guaranís' decades of struggle produced a new form of intercultural democracy?

We analyze the first three years of Charagua's functioning as an Indigenous autonomy.<sup>4</sup> Examining the new institutions functioning today in Charagua, we find a distinctly Guaraní form of decision-making, in which the deliberative assembly has emerged as the dominant branch of local government. We argue that in its initial stages, at least, Charagua expresses a limited, hybrid form of autonomy, which, while not fulfilling the robust type of self-determination envisaged by the UN Declaration, is allowing local leaders to enact Indigenous forms of governance and promote intercultural political participation. We suggest that its relation with the central state may still trouble its ability to exercise full self-determination. Yet, the form of Indigenous autonomy in Charagua in which the deliberative assembly plays such a prominent role in decision-making challenges the oft-heard lament that the central government has limited the practice of Indigenous autonomy in Bolivia, including by restricting the scope of what self-government can entail. While manifold state limits on the design of self-government remain, the case of Charagua illustrates that Indigenous norms and practices can be exercised in significant and meaningful ways under the novel legal framework.

This article begins by exploring the meaning of autonomy in the Bolivian context, which emerged as a demand by social movements long before it was taken up by the state. It then turns to the case of

<sup>1</sup> While most demographic assessments show that the majority of Bolivians identify as belonging to one or more Indigenous nation—for example, the 2001 census found the country to be 62.2 percent Indigenous—the controversial 2012 census indicated that only 40.6 percent self-identify as Indigenous.

<sup>2</sup> Evo Morales left office in 2019 after public protests over allegations of electoral fraud in the October 2019 presidential elections.

<sup>3</sup> Mestizos are people descended from the mixture of Indigenous and Spanish forebears. While *mestizaje* became the dominant paradigm for Bolivia, as in other Latin American countries, the status of mestizo continues to be blurred with whiteness and often is articulated with class and education. We use the term “white-mestizos” to refer to non-Indigenous Bolivians who may be seen by Indigenous people as whites, but may see themselves as mestizos (see Postero 2017, 9).

<sup>4</sup> The authors are an anthropologist and a political scientist who have carried out multiple field research trips in Charagua over the past decade. Postero visited four times since 2009: in 2011, observing the assembly at which delegates wrote their autonomy statute; in 2012, observing the run-up to the 2012 referendum; in 2015, during the regional meeting prior to the final referendum; and in 2019, to observe the functioning of the new government. Tockman visited Charagua in 2012 and 2017, observing the design and implementation of the new institutions.

Charagua and looks at how autonomy has been negotiated there, both internally and externally. Those discussions lead us into a closer empirical analysis of the creation of the new institutions of the country's first Indigenous autonomous local government, Charagua Iyambae, and the unfolding power relations among the Indigenous autonomy's various sectors. We then briefly highlight the first substantive policy issue Charagua Iyambae has considered—the right to prior consultation—and discuss what entering this field might entail. We conclude by assessing the implications of this study for Bolivia's intercultural democracy and the UN Declaration's rights to self-determination.

### **Autonomy in the Latin American Context**

What does autonomy mean? Since colonial times, Indigenous peoples in Latin America have sought to be free from the yoke of government regimes that seized their lands and tried to assimilate them. Beginning in the early 1990s, as Indigenous social movements organized across the region, activists began to push for territorial autonomy as the central expression of self-determination (González 2015, 10). Because this could be seen as a clear challenge to national sovereignty, most autonomy projects were not articulated in terms of “nations” but rather as a form of self-determination to be institutionalized within the juridical and political limits of the existing state (González 2015, 10). Such projects required negotiations with states to reform the state to guarantee group rights, as well as to establish autonomous political-administrative regimes that allow for self-government (Sieder 2002). Miguel González suggests four reasons for the rise of territorial demands in this period. First, autonomy demands were part of a platform of rights necessary to preserve natural resources and communal lands from the onslaught of neoliberal globalization and decentralized governance. Second, recognition of Indigenous autonomy was in some cases the outcome of negotiations between the states and increasingly radicalized Indigenous groups, often in the context of armed conflicts or crises of state legitimacy. Third, Indigenous groups were increasingly part of transnational networks, both promoting and benefiting from international standards such as those found in ILO Convention 169. Finally, demands for autonomy emerged as a form of natural resistance, an inward turn “aimed at reconstructing community-based forms of self-governance” (González 2015, 13–14).

This turn toward self-governance was also part of the larger push for participatory and deliberative democracy across the continent. In “conventional” or “normative” democracies, citizens vote in competitive elections organized by political parties, electing representatives who then shape public policy through control of the state (Cohen and Fung 2004, 23; Nugent 2008). Cohen and Fung (2004) describe a suite of emerging alternatives to conventional democracy, which they and others call “radical democracy” (see also Grisaffi 2013). The two fundamental elements they identify are broader citizen participation and expanded deliberation. “The ambitious aim of a deliberative democracy, in short, is to shift from bargaining interest aggregation and power to the common reason of equal citizens as a dominant force in democratic life” (Cohen and Fung 2004, 23–24). Indigenous activists have built on this movement for radical democracy, pushing for a system of governance that recognizes their customs and practices. Donna Lee Van Cott (2006) described the models of intercultural participatory government that Indigenous movements and parties in Bolivia and Ecuador put forward during this period. Rejecting a Western, liberal model of representative democracy, Indigenous notions of radical democracy encompassed an “emphasis on direct participation (as opposed to representation); the incorporation of voluntary associations into the spheres of government decision-making, oversight, and implementation; the provision of spaces for public deliberation; and a call for economic redistribution” (Van Cott 2006, 19).

This strong political and discursive drive for self-governance and cultural recognition did yield some results: in several countries, as part of multicultural reforms, Indigenous groups began to receive collective title to their lands. However, for the most part, there was a marked “implementation gap” between the rights demanded and those nation-states were willing to grant (Stavenhagen 2007). As Charles Hale (2002) has pointed out, multicultural reforms recognized Indigenous cultural and territorial demands as long as they did not pose substantial challenges to the working of capitalism or the sovereignty of the nation state. Yet, as Nancy Thede (2011) has argued, during the neoliberal era, decentralization efforts provided some avenues for the expansion of local participation, which Indigenous groups were able to exploit, modifying or “hybridizing” them to include Indigenous customs and practices (see also Tockman, Cameron, and Plata 2015).

During the last decade, Indigenous activists have begun to push beyond multicultural inclusion to make new demands for self-government and self-determination. Couched in terms of autonomy, these demands envision a different division of power between the central state and local communities. This is essentially about decision-making; Indigenous peoples want to make their own decisions about what sorts of development are carried out in their communities and who benefits from them, and they want to exercise those decisions

based on their own practices (see Walsh 2007, 49). Moreover, they imagine an intercultural democracy that is not based on the state's recognition of multicultural "others" but on an understanding that all forms of knowledge should be placed in dialogue. Thus, argues Catherine Walsh (2007, 48), interculturality is both a political practice and an epistemological demand. Its transformative potential, she argues, is in creating new spaces that incorporate and negotiate both Indigenous and Western knowledge, which will transform forms of government (Walsh 2007, 52). Interculturality takes a particular political form: plurinationality, in which the state shares power with multiple nations that practice non-liberal worldviews and understandings of citizenship (Tapia 2011, 38).

These new visions of Indigenous autonomy and self-determination have begun to take form in Bolivia and Ecuador, where Indigenous delegates to constituent assemblies inserted these demands into new constitutions, and in the continuing international efforts to push autonomy, especially international debates around UNDRIP. Accelerating natural resource extractivism across the region has made autonomy ever more important (González 2015, 16). Autonomy, in this new era, is more than territorial titles or participation in liberal political institutions; it means governing oneself according to one's own logics and customs and meaningfully exercising rights to self-determination—which often includes control over the natural resources present on and under Indigenous territories.

There are varying definitions of autonomy, and they are constantly changing as proponents bring their centuries-old understandings into relation with national political systems. González (2015, 17) proposes the following definition: "an autonomous regime entails, though is not limited to, the following attributes: (i) a significant transfer of independent decision-making capacities and administrative competencies to local—Indigenous or multiethnic—elected authorities; (ii) the creation of self-governing political structures within a recognized legal jurisdiction; and finally, (iii) the delimitation of a territory in which collective rights to land and natural resources are granted and they can be exercised." This is a helpful definition in that it calls attention to the need for the transfer of decision-making and the establishment of new structures of government. González's three prongs also echo UNDRIP, which holds that Indigenous people have the right to maintain and develop their own political systems (see Articles 5, 18, and 20). Article 18 says: "Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions."

Yet, González's three-pronged definition does not entirely serve our analysis here, because it assumes the delimitation of territory. As we describe below, in Bolivia, Indigenous communities may pursue autonomy based on territory, but they may also seek autonomy based on the country's decentralized municipal system, converting their municipality into an autonomous entity. We also want to build on the third part of his definition to think more about natural resources. Following Luís Tapia (2011) and Fernando Garcés (2011), we also suggest that full autonomy for Indigenous peoples would entail not only the control over natural resources within the territory or municipality but also the right to consent to or withhold consent to external excursions into the territory. This again follows UNDRIP, which makes clear that Indigenous peoples have the right to use, develop, and control their lands, and that states have the duty to obtain Indigenous peoples' free, prior, and informed consent prior to any measures that may affect them (see Articles 19 and 26). As we point out near the end of this article, this fuller notion of autonomy is very difficult to achieve, given the challenges it poses to national sovereignty. Finally, we want to make clear that the definitions of autonomy only take real meaning in practice in particular places and times. In the next section we describe the genealogy of the concept in Bolivia, and specifically in Charagua.

## Indigenous Autonomy in Bolivia

In Bolivia, Indigenous groups began to demand the right to collective territory in the 1980s, culminating with the spectacular 1990 March for Territory and Dignity. Throughout the multicultural era, territory was a rallying point for Bolivia's Indigenous organizations, and many thousands of hectares were granted as Tierras Comunitarias de Origen (TCOs) through the 1996 agrarian reform law (Ley INRA). Yet, as in other countries, these multicultural reforms did not satisfy the Indigenous desire for self-determination through self-government according to Indigenous norms and institutions. While they held title, the uses they could make of their territories were limited by national regulations. The central state continued to hold exclusive jurisdiction over subsoil rights. Moreover, a large number of Indigenous people live outside of these territories, in municipalities controlled by white-mestizo political parties.

At the 2006–2007 Constituent Assembly, the Pacto de Unidad, an alliance of highland and lowland Indigenous and peasant groups, called for a reform of the state to allow for a decolonized form of sovereignty

they called plurinationalism. Central to their proposals was a demand for local autonomy for Indigenous communities that would allow Indigenous peoples to “define our communitarian politics, social, economic, political and juridical systems,” and “reaffirm our structures of government, election of authorities, and administration of justice, respecting different ways of using space and territory” (Garcés 2010, 145). This new structure was to be based in the idea of plurality: the plurinational state should respect diverse forms of government and democracy. Thus, liberal notions of participatory and representative democracy should coexist with Indigenous practices of communitarian democracy and mechanisms of participation such as assemblies and *cabildos* (mass meetings). Leaders should be elected either by universal vote or through traditional mechanisms called *usos y costumbres* (Garcés 2010, 147). The other important axis of the Pacto's proposal was shared decision-making. The signatory groups describe a form of government in which autonomous Indigenous originary and peasant communities govern themselves at the local level and are actively involved in the state's decision-making about national issues, where they are to “co-administer and co-manage” resources. The plan to share decision-making is especially notable in the sections on natural resource exploitation, where local peoples will “participate in the making of decisions about exploration, exploitation, industrialization, and commercialization of non-renewable resources in their territories” (Garcés 2010, 153). They would be consulted in advance about such development, and this consultation would be binding (see Postero 2017).

The Pacto was not alone in pushing for autonomy: lowland elites also pushed their long-held agenda of regional, or departmental, autonomy (Fabricant 2009; Fabricant and Postero 2015). Lowland departments had long chafed at the central state's control, arguing that the profits from natural resources exploited in the lowlands should stay there instead of flowing to the highland capital. After Morales's election in 2005 these demands took on a racist tone, as lowland elites fought what they saw as an Indigenous takeover of the country. At the Constituent Assembly, they pushed for a type of autonomy quite distinct from the Indigenous version, and, after a contested and at times violent process, their strategy was successful: the new Constitution granted the country's nine departments important new powers of self-governance. The Constitution also established a form of municipal autonomy that could serve as the basis for conversion to Indigenous autonomy, but its form was watered down substantially compared to what the Pacto had proposed (Garcés 2011). Instead of the far-reaching self-determination that Indigenous groups had proposed under the new Constitution, the “Indigenous autonomy” that was implemented is a local administrative entity within a liberal centralized state. Qualifying local communities can enact their traditional forms of government as long as they do not pose challenges to the central government's jurisdiction, and they receive resources directly from the state. The enabling laws required municipalities (and then later TCOs) desiring to convert their status to follow strict and often onerous administrative guidelines established by the central state (Tockman 2014). Moreover, starting in 2009 the MAS government began to grow ambivalent toward Indigenous autonomy; consequently, the central state offered minimal support for AIOC conversion beyond the Ministry of Autonomies, which was downgraded to a vice-ministry with fewer offices and a dramatic cut in personnel in January 2017.

## Multiple Levels of Negotiating Autonomy

Charagua's conversion to Indigenous autonomy commenced in mid-2009, after the central government issued a decree elaborating the procedures by which municipalities could convert to AIOCs (Decree 231). Charagua's Guaraní *capitanías* (regional territorial units of Guaraní peoples) quickly undertook the necessary requirements to hold a referendum, which took place on December 6, 2009, and was approved by 55.7 percent. An autonomous assembly of fifty-nine members was then elected to draft an autonomy statute, which occurred over the course of fifteen to twenty plenary sessions; the statute was approved on June 17, 2012. This new legal framework for Charagua Iyambae was presented for constitutional review to the Plurinational Constitutional Court (Tribunal Constitucional Plurinacional, or TCP), which issued a declaration of constitutionality on December 6, 2013; however, the TCP required the assembly to modify twenty-one articles.<sup>5</sup> Those changes were incorporated into a final draft and the municipality approved the revised statute in a second referendum in September 2015 by a narrow 53.3 percent, affirming conversion to AIOC. The new authorities of Charagua Iyambae were selected and installed on January 8, 2017.

If the intent of the conversion was to enact autonomy, or self-government, what do the practices and institutions of the AIOC tell us about the possibility of self-determination in the context of national sovereignty? They illustrate the various ways that Charagua's autonomous government is a hybrid political

<sup>5</sup> Tribunal Constitucional Plurinacional (TCP), Declaración Constitucional Plurinacional 0013/2103, Sucre, Bolivia, August 8, 2013.

system produced through multiple levels of negotiation. By referring to the Charaguan system as “hybrid,” we call attention to ways that local leaders have adapted the limited form of autonomy enacted under the new plurinational Constitution to their ends, modifying it to maximize its potential for self-determination. The Guaraní leaders who have guided this process have shown enormous patience and flexibility as they kept their long-term strategy and historical demands in view while acting tactically on every possible opening they saw. Here we can see how the Guaranís use the term “autonomy” to express several distinct but interlocking dimensions or meanings, as Pere Morell i Torra (2013) has argued. First, he says, autonomy is an already existing set of practices that has emerged over hundreds of years, as differing groups (or *capitanías*) of Guaranís have maintained independence from each other; even when operating within a collective territory, they have carefully protected independent local decision-making power. In this, the Guaranís fit within a pattern of Amerindian political organization that Pierre Clastres ([1974] 1989) calls “a society without a state,” whereby societies invest little power in leaders, preferring to diffuse power to the entire group. Second, autonomy is a political discourse used by Guaraní leadership to create a united Guaraní nation out of a traditionally fragmented collectivity. In Charagua, there are two “bands” of Guaranís, the Avas (in the *capitanías* of Charagua Norte and Parapitiguasu) and the Izozeños (in the *capitanías* of Alto y Bajo Izozo, where many also draw their ancestry from Chané peoples), and long-standing tensions between them continue to the present. Yet, political leaders have used the political openings over the last decades to form a coherent movement for self-government that led to the successful autonomy bid. Finally, autonomy can be seen as a status of juridical recognition by the state, through the AIOC process described above. This is the sort of autonomy understood by most scholars, as we can see from the definition offered above by González. To weave together these intersecting notions of autonomy, the Guaranís have undertaken delicate negotiations both internally and externally.

Externally, the new AIOC is situated in a liberal governmental structure that Tapia (2011, 157) calls a “constitutional hierarchy,” which grants overarching powers to the central state and some limited powers to a secondary rung of entities such as the regional and Indigenous autonomies. As a result, the AIOC was forced to conform its structure and institutions in accordance with the Bolivian Constitution, which declared the newly refounded state to be plurinational but maintained most aspects of liberalism intact. When Bolivia's Plurinational Constitutional Court performed its review of the constitutionality of the AIOC's draft statute, it obligated Charagua to alter twenty-one articles. Most notably, the court found that the broad powers granted to the deliberative assembly, the *Ñemboati Guasu*, to oversee the legislative and executive organs violated the Constitution and the 2010 Autonomies Law, ruling that the statute must more clearly delimit the reach of that oversight. The court also objected to the legislative organ's capacity to instruct the executive authority to implement projects, reasoning that the granting of such a power to a legislative body violates the “institutional logic” of the Constitution.<sup>6</sup> Thus, Charagua was forced to amend the statute to make it more consistent with liberal notions of government, including a more conventional separation of powers. This is one example of how the form of autonomy in place now is both limited and hybrid: a fuller form of self-determination would not have to face this kind of state imposition of liberal values. Yet, as we show, the Guaranís have managed to overcome this imposition in practice, at least in part.

A second external tension has to do with national-level political parties and institutions. Throughout our research, we have heard Guaranís repeatedly assert that they wanted autonomy so they did not have to be involved with traditional political parties, since party-based clientelism has often divided their communities. Yet, they have been very agile in their negotiation with parties. In the run-up to the second autonomy referendum, for instance, Guaranís allied with Morales's Movement toward Socialism (MAS) party to elect local city councilors under the MAS banner. This allowed them to take control of the city council and use its resources to promote the referendum. They also worked with the Ministry of Autonomies to push the referendum, attracting national-level attention to their effort. At the same time, the Guaranís worked with the conservative Verde Party to have Indigenous autonomy inserted into the Santa Cruz departmental Constitution and to obtain important development projects in the region (Postero 2017). This was a controversial move, as the MAS expected these Indigenous allies to continue to support the government. Moreover, the Verde Party is made up of the landowner class, who were long the *patrones* (bosses) who exploited Indigenous labor on their lands. Guaranís have historically been skilled at forging temporary alliances with different groups to ensure their survival but not disappearing in the process. Francisco Pifarré (1989, 294–297) has characterized this as “Guaraní diplomacy,” a strategy that enabled them to “make pacts without selling themselves to the

<sup>6</sup> TCP, *Declaración Constitucional Plurinacional*, p. 59. For additional details on the changes the TCP required of Charagua's draft statute, see Tockman (2014, 181–184).

*karais* (whites).” Playing between these two larger entities and political parties—building blocks of liberal governance—they were able to win the referendum, moving one step closer to their longer strategic goal: self-determination. Yet, as we show below, the Charagua AIOC continues to be part of the larger hierarchical structure and is financially dependent on the central state and, to a lesser degree, the department.

Internally, the leaders of Charagua's autonomy movement had to negotiate local conflicts. On the one hand, they had to maintain the balance between competing factions of Guaranís, the Avas and Izozeños, who each feared the other would take control of the municipality and its resources. The Avas were strong proponents of autonomy and the most active in the assembly that drafted the statute, while the Izozeños were more skeptical and supported statute approval by only 51 percent. Izozeños had often supported the Verde Party in the past, and some feared they would lose these connections and benefits. On the other hand, Charagua's leaders had to confront the hostility of the white-mestizo elites living in the urban center of Charagua Pueblo and the Andean migrants living near the railway terminus, called Estación. These two groups opposed the conversion and what they saw as the takeover of the municipality by the Guaranís. The white-mestizos were especially hostile, often asserting their opposition in racist terms. Relying on the classic trope of the backward Indian, or *indio*, they decried the possibility of being governed by a group they saw as inept, uneducated, and potentially corrupt. A shopkeeper in Charagua Pueblo, who asked not to be named, characterized Guaranís as friendly but lazy and lacking good business sense. A cattle rancher called the idea of Indigenous autonomy “retrograde, it takes us back to ancestral times” using ancient customs. “Imagine, our grandchildren living in an Indigenous municipality.... This is a dark and uncertain future, because I know them. They have lots of land, but they do not know how to produce.” These white-mestizo leaders could not imagine ceding or even sharing power with their Indigenous neighbors. To assuage these concerns, as we describe next, the drafters of the autonomy statute established a hybrid, decentralized structure that would guarantee each of the six sectors a form of local autonomy, with the goal of creating an intercultural democracy. The key to this was allowing each sector the right to elect their representatives according to their own customs and norms, and to rotate the executive organ between sectors.

Let us turn now to how Charagua's form of Indigenous autonomy works in practice.

## Overview of the Indigenous Autonomy of Charagua Iyambae

The 101 articles of the statute of the Guaraní Autonomy of Charagua Iyambae create a decentralized system of government that vests significant power in each of the AIOC's six zones (four Guaraní capitánías and two urban centers, or *centros poblados*), and empowers deliberative assembly members elected by each zone to play a prominent role in decision-making, alongside executive and legislative organs that bear some resemblance to the ordinary bodies of government found in Bolivia's municipalities. The Ñemboati Guasu, the “organ of collective decision,” is established by statute as Charagua's highest decision-making body (Article 19); it is responsible for defining short-, medium- and long-term strategies; approving the six-year plan and reports from the other organs; ratifying the annual operating plan (POA); proposing laws to the legislative organ; and revoking the mandate of authorities in the other organs for failure to fulfill their duties. It has twenty-seven members (four from each zone, plus one representing each of three park areas), who serve three-year terms (Article 25). The executive organ includes both a coordinator (Tētarembiokuai Reta Imborika, commonly referred to as the TRI) and six zonal executives, one representing each of the six zones; while the latter six serve five-year terms, the TRI is elected for only three. The executive organ represents Charagua Iyambae in interactions with public and private entities, administers the AIOC's financial resources, proposes and executes plans and projects, executes the POA, elaborates and executes Charagua's Development Plan, promulgates laws approved by the legislative organ, complies with and enforces the decisions and mandates of the other organs, proposes laws to the legislative organ, and executes and enforces laws (Article 34). Twelve representatives make up the legislative organ, two from each zone, for five-year mandates. This organ is responsible for handling legislation, regulating procedures and decisions defined by the Ñemboati Guasu, establishing taxes, approving the POA, the development plan, the six-year plan, and the AIOC's budget, approving agreements signed by the executive organ, and overseeing the executive (Article 30).

This distribution of powers is the source of considerable debate, and there remains uncertainty around which organ is primarily responsible for some aspects of decision-making; for example, new laws may be proposed and drafted by any of the organs. However, the statute clearly states that observance of decisions made by the Ñemboati Guasu is obligatory for the other organs of government (Article 19). The statute also specifies gender parity of zonal representatives to the organ of collective decision and the legislative organ, while no such provision exists for the executive.

Since their installation in January 2017, the new authorities of the three organs of government have been working to establish the new norms of the AIOC. In April 2017, we interviewed members of the three organs and advisers supporting the process. Belarmino Solano, formerly the mayor of Charagua and in 2017 Charagua Iyambae's first TRI, told us that the first task of the new authorities is to consolidate the autonomous system of government. Therefore the three organs have prioritized the negotiation of a series of laws that interpret and add specificity to the AIOC's statute, addressing structural and technical questions of how the system of government will function. Consequently, the first laws drafted by the Ñemboati Guasu pertain to record keeping, legislative procedures, the separation and coordination of the three organs of government, the AIOC's electoral process, procedures for recall of elected officials, and internal processes of control and oversight. According to members of the executive organ and their staff, the longer-term priorities of new system of government include access to water, education, health care, infrastructure, support for productive development and ranching, and training to develop human resources.

Charagua Iyambae will continue to be financed largely as municipalities are, deriving income from three primary sources: the Direct Hydrocarbons Tax (IDH, Impuesto Directo a los Hidrocarburos), the General Treasury (TGN, Tesoro General de la Nación), and royalties from resource extraction. Sources in the executive branch explained that no major new sources of funding are anticipated, although the AIOC may pursue additional financing from international sources or through specific funds operated by the central government. The new government of Charagua Iyambae received \$28 million bolivianos from the central state,<sup>7</sup> representing the standard municipal transfer. This funding is critical for a region marked by poverty and social vulnerability. As of 2001, 83 percent of Charaguëños lack adequate access to housing, education, and health care, while food consumption is inadequate for 69 percent of households. According to the Ministry of Autonomies (Ministerio de Autonomías 2010), Charagua has a medium-high level of social vulnerability, although all of these indicators fall near the middle of national rankings. In terms of expenditures, the new authorities have designed a decentralized approach for the distribution of financial resources among Charagua's six zones. NGO advisers report that 25 percent of Charagua Iyambae's annual budget has been allocated to administrative expenses (salaries, office, and electricity), while 75 percent is distributed to the zones for projects, activities, and investment.

### Shifting Power Relations in Charagua

In various respects, the inner workings of Charagua Iyambae and power relations that shape it were evident in the AIOC's first five months, when we carried out many of our interviews. While this is a rather short amount of time to evaluate markers of success, to understand with much certainty the ways that it has or has not transcended the municipal system, or to discern distinctions in its approach to development, we can observe the new structure of government in operation and the unfolding relations between Charagua's three organs of government. Each organ has been meeting extensively, engaged in the work of governance, sometimes beyond the requirements laid out in the autonomy statute.

Various researchers who have studied the creation of Indigenous autonomy in Bolivia have contemplated the balance of power between the organs of government. In their investigation of the municipality of Jesús de Machaca in the Bolivian highlands from 2004 to 2009, Gonzalo Colque and John Cameron (2010) observed that the deliberative assembly (*cabildo*) found it difficult to exert much influence over the executive authority (*alcalde*) due to the assembly's lack of expertise and technical training, its infrequency of meetings, and the power asymmetry between a relatively well-financed and resourced executive and an unpaid assembly with limited resources. Consequently, although Jesús de Machaca's *cabildo* maintained a "high degree of legitimacy and moral authority," it was unable to effectively control or oversee local executive or legislative bodies (Colque and Cameron 2010, 197). In subsequent investigations of Jesús de Machaca since 2010, Xavier Albó (2012) and Tockman, Cameron, and Plata (2015) have observed that the *alcalde* has continued to exert influence over the *cabildo* and its decisions.

In Charagua we see a different result, with the deliberative organ exercising a significant amount of power. By statute, the Ñemboati Guasu is only required to hold ordinary meetings three times per year, although those are complemented by additional meetings (*asambleas extraordinarias*) as needed (Article 26). However, once it was installed in January 2017, the Ñemboati Guasu began meeting in "permanent assembly" almost every week from Monday or Tuesday to Thursday in the offices of the Arakuaarenda Center. One member of the assembly estimated that they had held around fifty meetings in the first year alone. Martha Morales Parandero, then president of the Ñemboati Guasu, explained that in addition to meetings of the full

<sup>7</sup> From interview with an advisor to the new authorities of Charagua Iyambae.

assembly, four commissions were established to work on specific issues. Members point out that all this labor has been done in the absence of an office, computers, or paid consultants (*técnicos*); however, the Ñemboati Guasu does receive support from the Arakuarendá Center and the Center for Research and Promotion of the Peasantry (Centro de Investigación y Promoción del Campesinado, or CIPCA, a Bolivian NGO), which contribute their labor and office space without remuneration from Charagua Iyambae. Participants in the legislative and executive organs also reported meeting weekly, although this is less remarkable considering the type of responsibilities laid out in Charagua Iyambae's statute and what is expected of salaried positions.

As a result of this intensive work, the deliberative assembly of Charagua Iyambae has been able to effectively assert its vision and priorities in the new system of government. Numerous participants in a range of positions within the autonomous government asserted that the Ñemboati Guasu is the most important or influential organ of the three.<sup>8</sup> Several specified that the assembly holds greater authority because its mandate comes directly from Charagua's communities, *la base*. This was often characterized as an inversion of the previous hierarchy: when Charagua was a municipality, the executive was the maximum authority at the top of the pyramid, but in the Indigenous autonomy of Charagua Iyambae the executive sits below the deliberative assembly. In our 2017 interviews, participants highlighted specific ways that the Ñemboati Guasu can wield its power. A staff member of the executive organ stated that if executives are not completing their responsibilities, they may be removed by the assembly. He also noted that the executive organ is not the primary architect of the government's annual operating plan (POA), as is the case in a municipality; rather, Charagua Iyambae's POA is a synthesis of operating plans that each zone drafts based on their respective needs and priorities. With regard to the Ñemboati Guasu's relationship with the legislative organ, two members of the former insisted that although it is within the purview of legislators to comment on and propose revisions to articles of a law proposed by the assembly, the legislative organ does not have the authority to reject a proposed law outright. A year later, in April 2018, the dominance of the Ñemboati Guasu was confirmed by María Nela Baldeomar, the assembly's president since January 2018; she explained that over the previous few months, "the Ñemboati Guasu has reinforced its powers and we are stronger due to the mandates being issued for the respective organs from the communities [*las bases*]."

However, by 2019, there was substantial pushback from the legislative branch, which strongly asserted its power to formally draft and pass laws proposed by other branches. Its members regularly issue commentaries on proposals from other branches, causing consternation among the other bodies, who see them as being overly legalistic in order to gain power. It has also begun to oversee the implementation of laws and the spending of funds (*fiscalizar*) by the TRI and the zonal executives, requiring time-consuming reporting.

In Charagua Iyambae, despite the vicissitudes of learning to govern, there is a palpable feeling that the new authorities have undertaken a historic role in the transformation of the local system of government, which is reflected in the Ñemboati Guasu's level of activity. The assembly has been operating at a vigorous pace because assembly members, especially those of the four capitanías, view themselves as the direct and natural representatives of Guaraní communities, and perceive as extraordinary their role in the initiation of a novel and decentralized model of Indigenous autonomy. By the end of 2018, the autonomous government of Charagua Iyambae had passed twenty-one laws proposed by the assembly and formally approved by the legislative organ (CIPCA 2018). However, the assembly's sense of responsibility and accountability to *la base* does not mean that it is not also engaged in flexing its muscles as it seeks to assert power in the new political system.

## The First Years: Conflicts and Advances

What obstacles has Bolivia's first Indigenous autonomy faced during its first few years? First, in the initial months, the incipient government had difficulty in establishing its juridical status and accessing financial accounts, resulting in unpaid staff and other expenses, which interrupted the provision of health services in Charagua.<sup>9</sup> These processes were delayed, a zonal executive and an NGO staff person explained, in large part because the Ministry of Economy and Finance was not prepared to support the bureaucratic steps (*trámites*) that would enable Charagua's conversion to Indigenous autonomy. Such *trámites* now require the signature of seven people—the six zonal executives and the TRI—which will often take more time to obtain than when Charagua was a municipality with a single mayor. Local and national government

<sup>8</sup> The TRI, Belarmino Solano, asserted that all three organs are of equal rank, with none superior or inferior; however, he also emphasized that the communities sit above all three organs, and recognized that the members of the Ñemboati Guasu are spokespeople of the communities. Another participant specified that while the Ñemboati Guasu should be the most powerful organ of Charagua Iyambae according to the statute, he was uncertain whether that was occurring in practice.

<sup>9</sup> As of mid-April 2017, several members of the new government reported that employees in Charagua's health sector had not been paid and the hospital was short on supplies because the autonomous government had been unable to access its finances.

officials lamented these obstacles, arguing that it allowed opponents of Indigenous autonomy, especially those from the *centros poblados*, to present these delays as proof that the new system does not work. They said this generated confusion and stoked the fears of residents who already had reservations about conversion to AIOC.

Second, multiple sources within the different bodies revealed that a conflict emerged within the executive organ between the TRI and the six zonal executives, as each perceived that it has more authority than the other, creating a power struggle between the two. In April 2017, accusations were flying: an employee of the Executive organ described a majority of zonal executives as being “drunk with power,” while an NGO staff member criticize the TRI for acting like a mayor, contaminating the new system with that of the old. One local observer characterized the struggle with the lament, “everyone wants to be the boss.” A TRI staff member argued that underlying the power struggle is the fact that some zonal executives (and authorities of other organs from the urban centers) are reportedly hostile to the project of Indigenous autonomy itself and have sown division within the executive organ with the intent of generally impeding the process. Beyond the executive organ’s internal conflicts, some informants claimed that the TRI has not been very cooperative with the legislative organ or the Ñemboati Guasu.

In interviews in 2019, the TRI, Belarmino Solano, explained that in practice, the funding structure of the new government had serious problems. Because the funding that Charagua Iyambae’s AIOC government (GAIOC) receives is divided between the six zones, very little remains for issues of significance to all, such as managing the GAIOC’s four protected areas. Solano asked rhetorically who is responsible for the greater good of Charagua Iyambae. Additionally, there was a significant debate about who would be paid for their work. The executive and legislative authorities receive a salary, while the members of the Ñemboati Guasu do not, given that their work was not supposed to be continuous. The assembly is to be paid per diem at a rate that is significantly below the salaries of the other authorities.

Third, an interesting question is emerging about who really governs Charagua: the “organic” leaders like the *mburuvichas*—leaders of the *capitanías*—or the elected members of the GAIOC bodies described in this article. The *mburuvichas* still hold enormous moral and political power, which results from their having been named by local community assemblies. The newly elected GAIOC leaders, however, are seen by some as bureaucrats in a state entity, necessary to channel state moneys to the organic project of autonomy. This reflects a deeper and unresolvable debate about where sovereignty comes from in the first place, from civil society or from the state itself. It will be fascinating to see how these debates play out as Charagüeños gain further experience with governance.

Despite these tensions, as the new political system of Charagua Iyambae unfolds, our interviews across sectors show that it enjoys the support of most Charagüeños. Although opposition has diminished, some sectors of the population remain against Indigenous autonomy, especially local politicians in the urban centers of Charagua Pueblo and Estación, linked to Charagua’s Comité Cívico (Civic Committee). Following the election of authorities of the new government, which took place in August and September 2016, the Comité staged a demonstration against the local branch of the Bolivian NGO CIPCA, which had closely accompanied every step of the process of conversion and continues to support the new autonomous government. During that demonstration, Comité representatives and other protesters declared CIPCA’s office to be closed, posting placards on the outer walls of organization’s office building that accused CIPCA staff of being discriminatory outsiders; however, CIPCA reopened the office a week later. The influence and profile of the Comité have declined significantly in recent years, according to various accounts, and its leader, María Antonia Arancibia, was defeated in her bid for a legislative seat in the new government. These opposition forces have gradually had to face the fact that Charagua Iyambae is the law, with the approval of the country’s highest court. The new system allows for the different sectors of Charagua’s society to engage each other in new, deliberative institutional structures. By 2019, we see that most parties, including those who were opposed, are participating in this experiment in interculturality.

### **First Policy Issue: Prior Consultation and Consent**

We described earlier several of the areas that the new government has prioritized, highlighting the necessary work by Charagua Iyambae’s three organs to establish the norms and modalities that interpret and elaborate on the autonomy statute’s articles that lay out the structures and processes of local governance. However, the Ñemboati Guasu has already begun to look beyond these structural matters and has focused attention on an important policy area that provides observers with an indication of how Charagua Iyambae intends to engage in external negotiations—vis-à-vis the central government and private firms that want to operate within Charagua’s borders. This, as the reader will recall, is the final element in our definition of a full

and robust autonomy: the right to control and limit incursions into territory. In Bolivia's first Indigenous autonomy, the first substantive order of business is the right to consultation and free, prior, and informed consent (FPIC). This is an extremely significant issue for Charagua, which is located in the gas-rich Chaco area of Bolivia. Much of Bolivia's national income is derived from hydrocarbon extraction, and most of it comes from territories claimed by Indigenous peoples. As of 2014, over 50 percent of Bolivia's exports were hydrocarbons, while another 17 percent came from mining. Combined, these two produce 13 percent of the country's GNP, 70 percent more than any other major source of production (Arze 2016, 8).

The right to free, prior, and informed consent—and the consultative process that may lead to consent for a project or policy—is central to the exercise of Indigenous self-determination. Consent appears six times in the UN Declaration and features prominently in other international fora (e.g., the World Commission on Dams and the International Finance Corporation of the World Bank), making it a centerpiece of global Indigenous rights norms. Consequently, the concept of FPIC has arguably received “more attention” than any other aspect of the declaration (Coates and Favel 2016, 1). However, there is still no consensus as to what FPIC entails in practice (Szablowski 2010). Many countries, including Bolivia, have used this uncertainty to elide the objective of obtaining Indigenous consent and chosen instead to undertake ambiguous processes of consultation. Bolivia's Constitution recognizes the right to consultation (most significantly in Articles 30, 304, and 403), but it does not mention the right to consent, and secondary laws replicate the privileging of consultation over consent. In Bolivia and elsewhere, consultation may involve elements of coercion, often does not convey ample information to meaningfully evaluate a project or policy, and may take place after authorities have made a decision. Almut Schilling-Vacaflor studied thirty consultation agreements for hydrocarbon development on Guaraní territory in Bolivia from 2007 to 2015 and concluded that communities had little ability to grant or withhold consent for projects: “No prior consultation process carried out with the Guaraní up to the end of 2015 had seen consultation participants withhold their consent to the proposed hydrocarbon project. Under the current conditions in neo-extractivist Bolivia, opposing extraction has not been seen as a real option by the Guaraní ... they do not consider this a realistic goal” (Schilling-Vacaflor 2017, 10). Our research confirms Schilling-Vacaflor's conclusion. The Guaranís we have interviewed understand that the resources under their lands are vital national resources, and they know they have little power to end their extraction. Instead, they hope to influence the process to minimize damages to their lands and livelihoods as well as to make sure some of the profits benefit local communities. They are particularly concerned about water depletion and contamination, as their cattle and crops are often vulnerable in this region. Moreover, some, particularly men, hope the projects will provide employment.

In 2017, leaders of the new autonomous government acknowledged that in terms of consultation and consent, Charagua Iyambae remained in the position of a municipality, with processes governed by national laws and regulations and the 2009 Constitution. Building on Supreme Decree 29033,<sup>10</sup> which was the first expression of the right to consultation, Article 30 of Bolivia's Constitution includes the right to consultation regarding the exploitation of nonrenewable natural resources (see Fontana and Grugel 2016). This article is a watered-down version of the draft that Indigenous activists proposed at the Constituent Assembly; it requires the state to carry out consultations with communities that may be affected by development projects, but it does not require their consent. However, with the assistance of CIPCA and the Asamblea del Pueblo Guaraní (APG, the regional Guaraní federation), the Ñemboati Guasu drafted its own Framework Law of Consultation.<sup>11</sup> In April and May 2017, the draft law was presented in Charagua Iyambae's communities for feedback—a process called *socialización*—before coming back to the Ñemboati Guasu for approval. After receiving feedback and approval from the communities, the Ñemboati Guasu made several modifications that strengthened the consultation law,<sup>12</sup> and then approved the revised version.<sup>13</sup> In April 2018, the legislative organ approved the law (CIPCA 2018). Nevertheless, as of this writing, the executive organ has not yet elaborated the regulation required to implement the law.

<sup>10</sup> Bolivian government, Supreme Decree 29033, Regulations for Consultation and Participation for Hydrocarbon Activities, February 16, 2007.

<sup>11</sup> This point was made by five informants representing the Ñemboati Guasu, executive organ, and local NGOs. The APG has been negotiating its own domestic norms for FPIC for some time, disputing the MAS government's understandings and practices (Schilling-Vacaflor 2017).

<sup>12</sup> Following *socialización* of the draft text, the Ñemboati Guasu made several modifications to the consultation law, including (a) clarifying that prior consultation is required not only for hydrocarbon activities but also for forestry, mining, energy and road projects, and (b) extending the duration of consultation from thirty to forty-five days. Proposed Framework Law of Consultation for the Guaraní Autonomy of Charagua Iyambae, 2018, Ñemboati Guasu. Charagua, Bolivia.

<sup>13</sup> From personal communication with María Nela Baldeomar, April 27, 2018.

It is not surprising that this provocative law has not yet been implemented. The law not only has strong and quite detailed provisions for free, prior, and informed consultation but also requires community consent. In Articles 7 and 8, the law states that for projects or policies that would affect communities of Charagua Iyambae, prior consultation “shall be obligatory, binding and of unavoidable compliance, and that all actions that fail to abide by this obligation will be null and void.... The results of prior consultation must be applied immediately, without any excuses, by the state and private entities, under penalty of being prosecuted by competent authorities” (Ley Autonomica No. 015/2018, in CIPCA 2018). Article 5(G) establishes the principle of “Consent as an essential [*imprescindible*] condition” of consultation (Ley Autonomica No. 015/2018, in CIPCA 2018). This language is considerably stronger than Bolivia's relevant national laws but is fully consistent with international Indigenous rights standards, including those recognized by UNDRIP. As Victor Gonzales of CIPCA explained, the law specifies that a project cannot advance in Charagua Iyambae without the consent of the people of an affected zone. Then president of the Ñemboati Guasu Martha Morales Parandero clarified that under the consultation law communities have the right to say yes or no to a project, such as the new seismic exploration activities (to locate natural gas deposits) that are already occurring over a significant area of Charagua Iyambae.

## Conclusions

Can we conclude from this first period that we are witnessing Indigenous autonomy in Charagua Iyambae? Returning to González's definition, we can say that we see evidence of the first two elements: a significant transfer of independent decision-making capacities and administrative competencies to local (Indigenous or multiethnic) elected authorities; and the creation of self-governing political structures within a recognized legal jurisdiction. The Guaranís of Charagua have instituted a form of self-government that allows them to make decisions according to their traditional forms of governance, such as consensus forged in decentralized public assemblies. As we have shown, this is a hybrid structure reflecting the need to balance the conflicts between Indigenous and non-Indigenous residents. As a result, while it incorporates many traditional Guaraní norms and procedures, it also includes aspects of liberalism, such as an independent executive authority and voting by secret ballot in the urban centers. Yet, despite these compromises, we assert that Charagua Iyambae is not merely a *municipio con poncho*. Our data show instead that the practices of this new structure reflect a distinctly Guaraní form of decision-making. According to Guaraní traditions, leaders should ideally not assert personal power; instead they should act as representatives of the collective will, as expressed by the assembly (Albó 1990, 97–98). Thus, we find it significant that the deliberative assembly, the Ñemboati Guasu, has become, for many, the most significant governing body, offsetting a degree of the executive's power. Moreover, the executive body itself is now divided between the TRI and the six zonal executives, illustrating the Guaranís' traditional distrust of giving power to one leader. Thus, despite the push from the Constitutional Court to give the executive branch more power, Charagua's Guaranís seem to have retained their own balance of power, privileging the collective assembly over the individual representative leader. This is truly historic for Bolivia. If we define Indigenous autonomy as the ability of Indigenous peoples to govern themselves according to their own logics and norms, as in the first two prongs of our definition, then we can tentatively say that Charagua Iyambae is exercising a form of autonomy.

Moreover, while there are ongoing contestations that will need to be sorted out, Charagua Iyambae appears to be a functioning intercultural democratic form of government. By this, we mean that the system in place allows the possibility of constructive political relations between Indigenous and non-Indigenous residents, who are treated as equals. Each sector is recognized according to its political culture; given voice, rights, and obligations; and has the opportunity to participate in direct deliberative processes. While there continue to be some disputes between sectors, it appears that the new system is being embraced with enthusiasm by the majority of the population.

Externally, however, there are larger questions. As we have shown, Charagua Iyambae exists in a broader liberal hierarchical structure and is dependent on the central state for both legal recognition and funding. Can we say this is the sort of self-determination the UN Declaration calls for? Is this true interculturality, in which Indigenous peoples are considered nations equal to the Bolivian nation-state? What can be said of the third prong of our definition: the delimitation of a territory in which collective rights to land and natural resources are granted and can be exercised? Moreover, as we have expanded on González's definition, are the Indigenous communities of Charagua Iyambae able to exercise the right to free, prior, and informed consent over policies and projects in their territory? The answers to these questions range from “partially” to “not yet.” We cannot yet say they are exercising full and robust autonomy until they have the power to determine the sorts of development that take place on their lands. But while these Indigenous communities are certainly not independent from or equal to the central state, they are forging new relations with it. The

Guaranís of Charagua are asserting the jurisdiction to control the municipality and its resources. The new consultation law could mount a substantial challenge to the central state, considering the precedent that it would set for AIOCs' control of underground natural resources. The extent to which the central government accepts Charagua's consultation law's binding provisions for consultation and free, prior, and informed consent will also provide an important indication of Bolivia's compliance with UNDRIP.

Over the last ten years, the MAS government moved steadily away from its commitments to Indigenous peoples, establishing new laws that have eaten into the rights granted in the Constitution (see Tockman and Cameron 2014). The 2014 Mining Law sharply reduced prior consultation rights and allowed mining within protected areas and forests. Presidential decrees have further weakened prior consultation. One reduces the time for consultations from sixty to forty-five days (Decree 2298, 2015); a second allows hydrocarbon exploitation in the entire Bolivian territory, including within those areas designated as protected, making no mention of the need for consultation (Decree 2366, 2015); and a third limits possible compensation for local populations affected by such projects (Decree 2195, 2014); see also *La Razón* (2015). In June 2015, Morales issued a statement that any NGOs that object to the government plans to explore for natural resources in forest reserves or Indigenous territories would be subject to being thrown out of the country. Morales also declared that prior consultation with Indigenous peoples was unnecessary and a "waste of time" (*Erbol* 2015). In response, Indigenous groups have mounted massive and repeated protests over extractivist development projects imposed by the state over community objections. The most widely publicized were the 2011–2012 marches opposing the government's plan to construct a highway through the TIPNIS national park and multiethnic Indigenous territory (McNeish 2013). The government's violent response to the TIPNIS marches produced international criticism, but Morales continued to show little concern for Indigenous opposition. In 2015, government forces attacked Guaranís protesting a plan to extract oil in the community of Takova Mora. This shows why consent is such a critical question for Charagua. The consultation law could force a showdown on this central question of self-determination, and this might lead to further violence.

Despite all the fanfare around Bolivia's 2009 Constitution and its declarations of decolonizing Bolivia, Charagua Iyambae offers us the first glimpse into what the new system of Indigenous self-government looks like in practice. Our research into the practices and institutions of Indigenous autonomy in Bolivia illustrates the hard work and political flexibility Indigenous leaders need to negotiate the enactment of the UN Declaration's norms, and shows that the principles established in UNDRIP may only take a limited form in local communities. Meanwhile, the question of natural resource extraction continues to bedevil Indigenous efforts toward full self-determination.

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