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**Redefining the concept of property in Latin America:
the Cochabamba Water War of 2000 and the Gas War of 2003 in
Bolivia**

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ABSTRACT

In recent years, the Western European concept of private property has been questioned, and the use of land has been at the center of a new redefinition of property and power relations.

In Latin America, this challenge has assumed a particular form of struggle, developed along ethnic and cultural lines. In particular, the study is focused on the use and customs of the Indigenous people present in the territory, with a reconstruction of their conditions throughout Latin American history.

This thesis describes, on the one hand, the development of private property and, on the other hand, the development of an alternative way of conceiving possession, namely the communal form of ownership. In particular, two cases of study are presented: the Cochabamba Water War of 2000 and the Gas War of 2003, both in Bolivia. With reference to these two cases, the work analyses the concrete possibility of redefining the power and property relations in a multicultural context.

Key words: Property, Cochabamba Water War, Gas War, Latin America, Indigenous people.

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Introduction

Historically, the concept of property has always been linked to power relations in society. The European and Western concept of private property has been developed along with the modern conception of history, linear and universal. According to the Western view, space has to be controlled, determined, classified, and exploited. The same happens to the conception of time and history, defined through modernity. This view is opposed to a more diversified and decentralised conception of space, time, and ownership. This thesis focuses on this last vision, put forward by the Indigenous communities of Latin America, and analyses the possibility of redefining the concept of property through communal, collective, and participative governance. Two case studies are described, namely the Cochabamba Water War of 2000 and the Gas War of 2003 in Bolivia, in which the modern capitalist view is opposed to the communal popular one, with the attention on the special relationship between the indigenous people and nature. The objective of this work is wondering if a possible alternative of conceiving property can be possible, along with the redefinition of power relations, trying to end the dialectic of "dominant" and "dominated" people, or at least transforming it. The research question focuses on the possibility of putting the attention to alternative ways of conceiving space and time, inside and within the capitalist and modern world. This level of analysis can be possible because it is the capitalist system itself that has created the integration of different cultures and subjectivities.

The first chapter presents the historical background of the Latin American territory, from the colonial period to independence. It is important to provide a historical context because, as it will be seen, the dynamics of power based on hierarchical, ethnic, and cultural assumptions, finds their origin in the colonial period. In addition, there is a focus on the Indigenous people and the recognition of their identity and rights, at the domestic and international levels. It can be assumed that the indigenous people see in the capitalist system the replication of the colonial system, since the White people, at the top of the social scale, can still dominate and subjugate the indigenous people, at the margins of the society. Specifically, the first part is characterised by a general and historical reconstruction of the decolonial process, particularly focusing on the influence that the Spanish regime has had even when the independence has finally occurred, in economic

and social terms. The influence of race in power relations is analysed, along with the concept of "coloniality of power" developed by Quijano, namely the structures of power that have origins in European colonialism. The second part gives an overview on the evolution of the indigenous term from the original definition of *Indios*, to a more comprehensive and specified classification, through the work of the International Labour Organisation (ILO). In particular, the International Labour Organisation has provided for a legal instrument for the recognition and protection of indigenous rights. The passage from "*Indigenism*" to "*Indianism*" is signed with the direct participation of the indigenous people in the decision-making process and the building of local movements and local institutions. In the present situation, the Indigenous struggle in Latin America is linked with the struggle against neoliberal policies, and is aimed to social justice and self-determination.

The second chapter is characterised by the conceptualisation of the relation between land and property, confronting the Western European vision and the particular Indigenous connection to the natural environment. Locke's theory on private property, with the appropriation of the land aimed at improving it through labour, constitutes the basis of this chapter. Following, the anarchist thinking is outlined, summarised in the slogan: "Property Is Theft!". The anarchists have discussed the relation and the association between property and exploitation. A critical theory is presented, beginning with the contribution of Marx to the development of the so-called "dispossession" process, that transformed nonproprietary relations into property ones. Moreover, there is a section on private accumulation and on land grabbing, strictly related to privatisation and the displacement of certain social groups in order to fulfill exclusive private property rights. The last part introduces the intersectional character of Indigenous resistance, that stimulates the scholars, in particular the critical race theorists, and debates among the concept of self-appropriation develop. The focus is on Latin America: once the indigenous people put themselves against the colonial power, nowadays they are against the capitalist and globalised system.

The third and final chapter presents the two case studies: the Cochabamba Water War of 2000 and the Gas War of 2003. Both conflicts have occurred in Bolivia, a plurinational State situated in the Andean region of Latin America, and a fertile ground for indigenous

rebellion from different sectors of the society. These cases have been selected for the active participation of the indigenous people. With their growing political power organized through association, indigenous people protested against the privatisation of natural resources, and in favour of a common management of the public good, as in the two case studies presented. In addition, protests are linked to the defense of culture and indigenous tradition, as the coca-growers in Bolivia. In the last part there is a little introduction towards the presidency of Evo Morales, called "El Indio", underlining how his indigenous origins have influenced his policies.

In the conclusion, the main characteristics of the actual Bolivian indigenous struggle are summarised, depending on the element of territoriality (local or regional), identity (defense of culture, and use and customs) and popular base (rural, urban). Finally, it is explained how the Indigenous struggles can represent an alternative to the modern capitalist system, analysing them through the optic of the Bloch's *multiversum*. The capitalist system has favoured the meeting of different cultures, producing multiple conceptual frameworks in connection one to another. The conception of space, according to the indigenous perspective, is put in relation to the European one, underlining the differences, and trying to find a possible solution of coexistence between the two, as happened in Cochabamba Water War of 2000 and the Gas War of 2003.

Chapter I: The historical roots of decolonisation in Latin America

1.1 Relations of power in coloniality

To understand the linkage between the different social realities of Latin America and to deal with the redefinition of the concept of property, it is necessary to provide historical background. In the following subchapters, it will be analysed how the colonial period has influenced the present society, as conceived through ethnic and hierarchical lines.

José Guadalupe Gandarilla Salgado, in “Two Decades of Aníbal Quijano’s Coloniality of Power, Eurocentrism and Latin America” (2021), argues that Latin America is fragmented along historical lines, traced back to pre-Columbian traditions and the influence of the European colonisers. This historical lines operate in:

“a dual static structure but that of a shifting magma of relationships in permanent fusion, a relational complex which results in ‘the juxtaposition in a given country, by colonial actions in particular, of two technical-economic worlds at an infinite distance from each other’ (Medina Echavarría 1976: 46-47).”¹

1.1.1 Colonial period: relationship with the motherland

As Loris Zanatta pointed out in his book, “Storia dell’America Latina contemporanea” (2011), even if it is geographically located in the Americas, the history of Latin America is closely linked to the European one, primarily since the conquest on the part of the Crown of Spain and the Crown of Portugal.

For nearly three centuries, Latin America has been exploited and controlled with the ultimate goal of creating a society inspired and unified by Christian values.

Under the colonial regime, the relationship between the Crown and its *Reinos* was a contractual one: the King, who was the guarantor of political and spiritual unity, granted autonomy to the local elites in exchange for obedience and loyalty to the regime.

At that time, society was deeply divided and hierarchically organised by corporativism: rights and duties depended on the social group to which one belonged. It was a system that legitimised and institutionalised inequalities among the population, with the people of European origins on the top of the social hierarchy. Among this group, there were the

¹ José Guadalupe Gandarilla Salgado, María Haydeé García-Bravo, Daniele Benzi, “Two Decades of Aníbal Quijano’s Coloniality of Power, Eurocentrism and Latin America”, *Contexto Internacional* vol. 43(1), Jan/Apr 2021, p. 204, <http://doi.org/10.1590/S0102-8529.2019430100009>.

peninsulares from the Iberian Peninsula who arrived in the Americas as civil servants of the Crown, and the Creoles, born in the Americas from parents with European origins.

As underlined by Jaime E. Rodríguez O. in his book “La Independencia de la América Española” (2006), both the Spanish people from the motherland and the Creoles were linked by economic and family ties. This author compared the society of Latin America under the Spanish colonial regime to the French one of that time and, according to him, this privileged group shared the same benefits of the French aristocracy.

The Indians were separated from this dominant group, freed from enslavement but confined to serfdom. One mission of the Spanish Crown was evangelisation, so their communities were allowed to self-organise following their customs and traditions, provided that they were not in contrast with the laws of the Crown and Christianity.

At the lowest level of the social pyramid, there were the African slaves, working in the fields or at the service of the Creole élite as domestic servants.

Therefore, social classes were not only determined by richness but also depended on ethnic and cultural considerations. Following the logic of worldwide colonialism, race was a determining factor in the distinction between dominant and dominated people.

The Peruvian sociologist Aníbal Quijano perfectly conceptualised this condition through the category of “coloniality of power”, namely the structural form of power.

As Quijano underlined:

“The racist distribution of new social identities was combined with a racist distribution of labour and the forms of exploitation of colonial capitalism.”²

A new association automatically came out, that of race/labour. The whiteness, and fact of having European origins, gave access to wage-labour, while Indians and mestizos³ were confined to unpaid serfdom, and slavery in the case of the people with African origins.

White supremacy was expressed not only in labour exploitation but also in the seizure and appropriation of land. Both contributed to considering “Whiteness” as a privilege and a basis for economic advantages and property rights. Professor Cheryl Harris discussed

² Aníbal Quijano, Michael Ennis, “*Coloniality of Power, Eurocentrism, and Latin America*”, *Nepantla: Views from South*, Volume 1, Issue 3, 2000, pp. 533-580 (Article), published by Duke University Press.

³ “*mestizo*”: someone who has one Hispanic parent and one Native American parent (Longman Dictionary), <https://www.ldoceonline.com/dictionary/mestizo>.

this concept focusing on the United States, but her considerations can be applied also to the situation in Latin America at that time. As stated in the paper “Whiteness as property”:

“Whiteness defined the legal status of a person as slave or free. White identity conferred tangible and economically valuable benefits and was jealously guarded as a valued possession, allowed only to those who met a strict standard of proof. Whiteness - the right to white identity as embraced by the law - is property if by property one means all of a person's legal rights.”⁴

From the European colonial perspective, Latin America was a fertile ground for the development of civilisation in social as well as economic terms.

The domestic market was aimed to develop according to the European demands, in particular the Iberian ones. The economic pressure, combined with the fiscal one, contributed to the erosion of the colonial pact.

1.1.2 Towards independence

A premise for the future independence of the American territories was the bourbon reforms in the Eighteenth century, which aimed to centralise the power of the Crown in all fields. Economically speaking, as mentioned above, the motherland took advantage of the colonies’ raw materials, by collecting more taxes in the meantime.

With the potential threat of the other European powers, the power of the royal army was intensified.

“To encourage recruits, militia members were admitted to the *fuero militar*, a status which gave to Creoles, and to some extent even to mixed races, the privileges and immunities already enjoyed by the Spanish military”⁵.

The progressive increase of American soldiers, led by Spanish military officials, would have led to the creation of the troops involved in the wars for independence.

“Moreover, as imperial defence was increasingly committed to the colonial militia, officered in many cases by Creoles, Spain designed a weapon which might ultimately be turned against her”⁶.

Given the power of the Church, the reforms aimed to safeguard the secular clergy, subject to the Crown, at the expense of the religious orders, responsible for education and

⁴ Cheryl Harris, “*Whiteness as property*”, Harvard Law Review, volume 106, number 8, June 1993, p. 20.

⁵ Leslie Bethell, “*The Cambridge History of Latin America, From Independence to c. 1870*”, Volume III, Cambridge Histories Online, Cambridge University Press, Cambridge, 2008, p. 11.

⁶ *Ibidem*.

independent from the royal influence. Finally, the jurisdiction of the so-called *Intendencias* was established, with the aim of limiting the autonomy of the Creole élite and consequently preventing corruption and improving efficiency.

The bourbon reforms gave birth to resentment among the Creole élite, aware that they were no longer subject to the link with the Crown in equal conditions.

Essentially, the subordination of the Americans to the white Europeans was tightened up and the inferiority of the local population was remarked upon.

1.1.3 Independence step by step

As underlined above, contrary to what is usually affirmed, the bourbon reforms have not been the direct cause of the independence, but they have prepared the ground.

The real cause of the independence of the colonies has to be searched for in the events that occurred in the European territories since, as said before, Latin America was under the influence of Europe. The Napoleonic invasions of Portugal in 1807 and Spain in 1808 brought to an end the Iberian catholic and universalistic Empires, favouring an autonomous but slow growth of the Latin American territories.

There were differences in the way independence was achieved.

Regarding the Portuguese empire, the King maintained his legitimacy because the dynasty of Braganza fled to Rio de Janeiro, before the arrival of Napoleon. This event guaranteed easier independence to the colony of Brazil in comparison with the case of Spain. The King, John IV of Portugal, did not lose his authority, and when he turned in Lisbon, he left the regency of Brazil to his son Pedro I. The latter proclaimed a Constitutional monarchy, meeting the expectations of the locals.

On the contrary, the fate of the Spanish colonies was neither linear nor peaceful.

The Spanish King Charles IV and his successor, the son Ferdinand VII, were imprisoned and Napoleon brought to power his brother Giuseppe. Without the King, also the pact of obedience lost its effectiveness. A problem of legitimacy arose. To overcome that situation of uncertainty, in the American territories the so-called *Juntas* were created, as happened in the territories of the motherland. They were institutions entitled to exercise political and administrative power, to temporarily replace the figure of the King.

Initially, the Creole élite of those *Juntas* did not act in order to achieve independence from the motherland, but they acted in the name of the King that they considered the

legitimate one, Ferdinand VII. At that moment, the Creole élite could resume some space of autonomy.

Another important occasion for the Creole élite to claim their rights was the allowed participation in the election launched by the *Junta* of Cadiz for the creation of the assembly, the *Cortes*, tasked with drawing the Constitution.

At that point,

“sovereignty no longer resided in the monarch or the *Juntas* that had claimed its deposit, but in the «nation»”.⁷

The Constitution of 1812 was liberal, it put aside absolutism in favour of a constitutional monarchy and it recognized citizenship rights to mestizos and Indians.

“The Constitution of 1812 was not a Spanish document; it was a charter for the Spanish world. Indeed, the Constitution of Cádiz would not have taken the form it did without the participation of the representatives of the New World, particularly novohispanos.”⁸

In addition, it provided for the elimination of tribute for Indians and forced labour. Beyond that, for the Creole élite the centralising spirit was maintained, especially regarding the access to official positions. So, although some spaces were granted to the Americans, it was clear that the Spanish did not leave their position of superiority.

The constitution elections of 1812-13, were the first popular elections in the Hispanic world, with active participation of the Indian communities, although, as said before, political involvement was still among the élite.

“Ironically, the new Hispanic political system forced many insurgent governments to enhance their legitimacy by drafting constitutions and holding elections.”⁹

After the fall of Napoleon and the return of King Ferdinand VII in 1814, all the spaces conquered vanished and the Constitution was nullified. The repression started in the American territories and consequently, the real war for independence began, with the final Battle of Ayacucho in 1824.

⁷ Federica Morelli, “*L’indipendenza dell’America spagnola: Dalla crisi della monarchia alle nuove repubbliche*”, Mondadori Education, 2015, p.88. Translation is mine.

⁸ Jaime E. Rodríguez O., “*The Hispanic Revolution: Spain and America, 1808-1826*”, *Ler História*, 57 | 2009, 73-92, Online since 01 June 2016, connection on 26 February 2022. <http://journals.openedition.org/lerhistoria/1848>.

⁹ *Ibidem*.

The protagonists of the independence process were:

- Simón Bolívar, for the liberation of Columbia, Venezuela, Ecuador;
- José de San Martín, the Argentinean general that was responsible for the liberation of Chile.

The two leaders had the same objective, consisting in putting down the last Spanish bulwark, Peru. Finally, Bolívar succeeded, taking advantage of the cleavages between the royal army and the Creole élite. His idea was the creation of a confederation, to overcome the instability and the political segmentation in such a wide and varied territory.

The liberal principles expressed in the Constitutions of the first wave, with extensive voting rights, a weaker executive, and a limited ecclesiastical power, did not fulfill the real necessities of the local populations and did not actually represent the plurality of the new independences established. Latin America could not be conceived as a single organism, since it was composed by numerous societies, in search of their sovereignty.

The second wave instead focused more on the stabilisation of the social order.

The absolute and centralising power was in the hands of the *caudillos*, military and political leaders, and it was carried out in accordance with descent and personal loyalty, showing the still predominant vision of the society based on corporations.

The economic instability was interrelated with the political one. The ruling class was missing and the national markets suffered as a result of the conflicts and the detachment from the motherland.

Socially, the results were more satisfying. Slavery was no longer productive and slowly disappeared. The same happened to the Indian tribute, as mentioned before. The Indian communities were no longer subject to an oppressive regime, but the pressure on their possessions and their lands would continue. This theme will be developed in the second chapter and the third one, referring to the case of the indigenous communities of Bolivia.

1.1.4 The liberal age

In the mid-nineteenth century, a new generation of liberal intellectuals made its way, intending to eradicate the Spanish colonial past with its Catholicism and commercial closure.

The first modern States began to be constructed, with the exercise of the legal monopoly of violence, the professionalisation of the national army, and a national tax, judicial and educational administration. This was favoured by the gradual opening of trade and technological innovations. Latin America was officially entering the modern and capitalist West, specializing in the export of raw materials.

In the already mentioned book on the history of Latin America, Professor Zanatta (2011) specified that some historians have seen in this economic development the replication of new colonial domination since Latin America became dependent on the necessities of the foreign powers.

With the Latin American economy under expansion, European immigration increased. The White Europeans were well received among the élite since they brought with them a work ethic, considered absent among the local population. On the contrary, Asian and African immigrants were abused in the fields and never seen in the optic of long-standing citizens, as Vincent C. Peloso and Barbara A. Tenenbaum specified in “Liberal, Politics, and Power: State formation in Nineteenth-Century in Latin America” (1996). The society was still divided on a racial basis, and the élite was usually white and well educated.

1.1.5 The crisis of the liberal order and the advent of populism

The link with the West, and in particular the influence of the US, provoked political and economic destabilization that finally resulted in the crisis of the liberal age in Latin America. Regarding the political domain, nationalist sentiments and consequently the resentment towards the US, and demands for political participation grew. The political and public domains were in the hands of the élite (oligarchic regime) and the majority of the population was excluded.

As underlined by Carlos De La Torre in “The Oxford Handbook of Populism” (2017):

“These estate-based societies had relations of domination and subordination characterized by unequal reciprocity”¹⁰.

In the economic sphere, Latin America suffered and stagnated between the years of the Great War and the Wall Street Crash of 1929.

¹⁰ Carlos De La Torre, “*Populism in Latin America*” in Cristóbal Rovira Kaltwasser, Paul Taggart, Paulina Ochoa Espejo, Pierre Ostiguy, “*The Oxford Handbook of Populism*”, Oxford University Press, 2017, p. 196.

The crisis of the liberal order gave space to populist regimes that began to develop in the 1930s and 1940s.

“Populist leaders refused to accept the constraints and limitations of liberal constitutional principles that served to constrain state power, guarantee the political autonomy of civil society, and assure pluralism”¹¹.

On the one hand, populist regimes economically and politically integrated those parts of the populations before then excluded and, on the other, took authoritarian positions against pluralism.

“Springing from an age-old organic and quasi-religious vision, Latin American populism proclaims the principle of unanimity. It is inclusive, but may turn totalitarian in the people’s name”¹².

They wanted to distance themselves from foreign-oriented élite and a new protectionist economic model emerged, the Import Substitution Industrialization (ISI), oriented towards the internal market.

In the meantime, the relationship with the US was controversial.

Initially, its interventionism, as said before, increased the hostility among Latino Americans. The Protestant, individualist, and materialist Anglo-American society was in opposition with the communitarian, organicist, and catholic Latin America. Militarily or through dialogue and discussion, the hegemony of the US was constant. For contrasting those nationalist currents and receiving support, Roosevelt replaced military intervention with a new strategy based on the same principles, free market and democracy, but with a different method, that of discussion, in the perspective of pan-Americanism.

1.1.6 Revolutionary horizon and transition towards democracy

The Sixties and the Seventies were important years for revolutions, beginning with the Cuban Revolution in 1959. Democratic institutions proved to be inefficient and the social fragmentation persisted. The social scale began to be more diversified.

¹¹ Carlos De La Torre, “*Populism in Latin America*” in Cristóbal Rovira Kaltwasser, Paul Taggart, Paulina Ochoa Espejo, Pierre Ostiguy, “*The Oxford Handbook of Populism*”, Oxford University Press, 2017, p. 197.

¹² Loris Zanatta, “*Populismi di sinistra? Il caso dell’America Latina*”, Teoria politica. Nuova serie Annali [Online], 7 | 2017, Online since 26 May 2020, connection on 03 December 2021. URL: <http://journals.openedition.org/tp/514>.

At the lowest level there was not the urban proletariat, but the young, rural and, uneducated generation that composed what was called the informal sector¹³. Mostly, Indians and Mestizos remained at the margins of the society. And that was then Indianism took root, particularly in Bolivia, where the case studies that will be analysed took place. The Indigenous population began to directly handle their struggle for emancipation and the promotion of their rights, especially the access to the land.

Essentially, industrialisation increased the polarisation between cities and the countryside. Local populations perceived democracy as a social concept, regardless of the shape given and the method used. The revolution was seen as the only solution and took the form of *guerrilla*.

As assumed by Dirk Kruijt, Eduardo Rey Tristán, and Alberto Martín Álvarez in “Latin American Guerrilla Movements: Origins, Evolution, Outcomes” (2019), revolutionaries referred to Marxism, seeking a national path to socialism.

The revolution was characterised by a mixture of socialism and nationalism, with the conception of the social order as a total unity.

In the meantime, the Church suffered from the effects of modernisation and secularisation. At that point, a conflict arose in the clergy between conservatives and progressists. A conflict that not only affected the religious sphere, but also the social and political ones. In particular, the conservative clergy accused the progressist one of cooperating with the Marxist revolutionaries.

To stop the revolutionary wave, US President Kennedy launched the “Alliance for Progress” in 1961. It was a package of economic and financial aids, with objectives concerning not only the economic sector but also the social one. The plan failed. The American expectations turned out to be too ambitious for a highly unstable territory.

In those years, the protagonists were also the military, who carried out the counter-revolution. They had two objectives: development and security. Indeed, they believed that only the push for social and economic development would have allowed the spread of

¹³ The informal sector is broadly characterised as consisting of units engaged in the production of goods or services with the primary objective of generating employment and incomes to the persons concerned. These units typically operate at a low level of organisation, with little or no division between labour and capital as factors of production and on a small scale. Labour relations - where they exist - are based mostly on casual employment, kinship or personal and social relations rather than contractual arrangements with formal guarantees. (International Labour Organization (ILO) Resolutions Concerning Statistics of Employment in the Informal Sector Adopted by the 15th International Conference of Labour Statisticians, January 1993, para. 5.); <https://stats.oecd.org/glossary/detail.asp?ID=1350>.

democracy in the political field. The US military influenced them, for academic formation and ideologically, in the fight against communism. For this reason, they relied on the support of the middle class, excluded from the populist movements. They were proponents of “revolutionary authoritarianism” and considered themselves guardians of the political and ideological cohesion of the community.

The violence and the repeated violations of human rights perpetrated by Latin American dictatorships in the Seventies gave way to the transition towards democracy, even if the economic context was adverse. The fire of the revolution was gone and the dictatorship did not have the support of the middle class anymore.

Nonetheless, the military, in some cases, preserved space of influence, overcoming their internal divisions. As underlined by Loveman,

“They were regimes founded on the notion of ‘protected democracy’ and military guardianship. But significant variations existed in the extent to which military guardianship was overtly manifested and in the degree to which leadership leaders successfully (re)established civilian control over most areas of policymaking.”¹⁴

The transition in Central America happened later, following a series of civil wars. The violence was especially focused on the Indian rural population, as in the case of Guatemala.

In that unstable and conflictual context, the US influence was constant but US Presidents reacted in two opposite ways. Reagan made a distinction, in the optic of the Cold War:

- the authoritarian dictatorships, likely to evolve in democracy;
- the totalitarian Communist ones, that have to be repressed.

Bush, and then Clinton, put away the ideological factor, trying to tackle the economic issues.

1.1.7 The social context in the Nineties

In the Nineties, Latin America officially entered the globalised world, with export growth and flow of foreign capital. However, the economic growth did not result in an equal distribution of resources and benefits. Social inequality increased at the expense of that

¹⁴ Brian Loveman, “*For la Patria: Politics and the armed forces in Latin America*”, Chapter 7, Scholarly Resources Inc, 1999, p. 212.

part of the population that had always been at the margin of the society, the Indians. There were two main social conflicts: that around the class and that around ethnicity.

What the Indigenous people claimed was the right to self-government according to their communitarian customs, as happened with the Zapatistas in Chiapas, Mexico. It was in that period that the Indigenous movement became a real political current, pushing the debate around the possible alternatives to development, distant from the neo-liberal order. As stated by Monni and Pallottino,

“Buen vivir, originally based on the cosmovisions of Andean indigenous peoples, has also been expressed at political and institutional level in countries such as Ecuador and Bolivia, thus contributing to the opening of a positive perspective in social categories that had long been marginalised”¹⁵.

1.1.8 Contemporary situation

This historical background will be concluded with a brief line of the present situation.

This century has been characterised by the development of a more or less stable representative democracy all over the territories of Latin America.

The situation has been less balanced and more tumultuous in the Andean region, where the power is too concentrated in the hands of the President, and the civil society resorted to protests.

Concerning the role of religion, as affirmed in the entire first part of this chapter, Latin America has been influenced by the Catholic faith and morality since the colonial period. In the last years, a transformation has occurred in this sense, with a progressive secularisation among the urban and well-educated population.

From an economic point of view, the social gap has not been remedied yet. The female and the youngest population remain at the margins of society, favouring the spread of the informal sector. The resources are not equally distributed, due to strong clientelist practices. An example in this sense is Bolivia, with the two cases that will be developed, the Cochabamba Water War of 2000 and Gas War of 2003.

1.2 Focus on Indigenous people

¹⁵ Salvatore Monni, Massimo Pallottino, “*Beyond growth and development: buen vivir as an alternative to current paradigms*”, International Journal of Environmental Policy and Decision Making, Vol. 1, No. 3, Inderscience Enterprises Ltd., 2015.

The second part of this first chapter refers to the most marginalised part of the Latin American population, the indigenous community.

First of all, it is important to give a definition of the term “indigenous” and the evolution of its use in Latin America. Secondly, in order to understand the current situation, it is necessary to know how the so-called “indigenous question” has been tackled over the years. In particular, the passage from “Indigenism” into “Indianism” will be analysed.

1.2.1 Evolution of the term

Indigenous derives from the Latin noun *indigena* (meaning "native"), which was formed by combining Old Latin *indu* (meaning "in" or "within") with the verb *gignere* (meaning "to beget").¹⁶

Internationally, the term “Indigenous” has become to be used for indicating people who have:

“historical connection with pre-Conquest populations, identify themselves and are recognized by their communities as indigenous, (often) speak a non-Latin language, and are (usually) socially marginalized”.¹⁷

The International Labour Organisation (ILO), the international forum that provides for a legal instrument for the protection of the rights of indigenous people, in June 1989, approved the Convention 169 on Indigenous and Tribal Peoples.

In Article 1, it can be find a comprehensive list of the people to which the convention is applicable:

1. This Convention applies to: (a) tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations; (b) peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.

¹⁶ “*indigenous*”, Merriam-Webster, 2021, <https://www.merriam-webster.com/dictionary/indigenous>.

¹⁷ Alison Brysk, “*From Tribal Village to Global Village: Indian Rights and International Relations in Latin America*”, Stanford University Press, 2000.

2. Self-identification as indigenous or tribal shall be regarded as a fundamental criterion for determining the groups to which the provisions of this Convention apply.¹⁸

Regarding Latin America, the word “Indigenous” started to be used in the Nineteenth century, when the process of independence occurred, to replace the word “Indio”, dating back to the colonial period. Referring to the colonial past, the Crown accepted the uses and the traditions of the indigenous community if not contrary to the laws of the Crown and Christianity, as already mentioned.

Despite all the ethnic differences and origins, the social system was essentially composed of two different and autonomous republics, the Indigenous and the Spanish one, with their relative organisation.

As summarised by Laura Giraudo in “La questione indigena in America Latina” (2009), the indigenous government was hierarchically organised, headed by the *cacique*, charged with the dialogue with the Spanish society and exempted from tribute to the Crown.

With the Constitutions of the Nineteenth century, the term “Indio” and the tribute were abolished, in a liberal and egalitarian optic. However, people of indigenous origins were seen as an obstacle to the creation of the nation, and, consequently, they continued to be marginalised and excluded from society.

The countries of the South developed the Eurocentric idea that the modern nation-state should have been formed through a process of racial homogenisation:

“not by means of the decolonization of social and political relations among the diverse sectors of the population, but through a massive elimination of some of them (Indians) and the exclusion of others (blacks and mestizos)”.¹⁹

1.2.2 Indigenism

The term Indigenism (or Indigenismo) refers to all discourse about the status of indigenous people in Latin America, and it involves politics, social sciences, literature, anthropology, and arts.²⁰ As underlined by Henri Favre (“El Indigenismo”, Fondo de Cultura Económica, 1998), it was a current of ideas and thoughts elaborated around the figure of the Indians.

¹⁸ ILO, Indigenous and Tribal Convention n. 169, June 1989.

¹⁹ Aníbal Quijano, Michael Ennis, “*Coloniality of power, Eurocentrism, and Latin America*”, *Nepantla: Views from South*, Volume 1, Issue 3, 2000, Duke University Press, pp. 533-580 (Article).

²⁰ Estelle Tarica, “*Indigenismo*”, *Oxford Research Encyclopedias*, article published online: 3 March 2016.

In the Twentieth century, Indigenism began to develop as a national policy in the Latin American territories, especially in Mexico, Peru and Bolivia, where it assumed revolutionary nature.

It emerged as a discourse of “defense”, as underlined by professor Estelle Tarica:

“Simply put, indigenismo emerges to defend indigenous peoples against the dispossession and discrimination they have suffered since the conquest and that have remained enduring features of Latin American societies”.²¹

Indigenism was closely linked to anthropology in the definition and formulation of the local policies and the building of indigenous organisms, with the contribution of intellectuals and historians. Different institutions were created at the national level, for example in Mexico and Peru, with the promotion of development policies for the integration of indigenous communities.

With the creation of the Inter-American Indian Institute in 1940 in Pátzcuaro, Mexico, a new stage began, defined as “continental” by Laura Giraudo in “La Questione Indigena in America Latina” (2009). At this point, there was the awareness that the “indigenous question” was a common problem in all the American continent. The Institute was in charge of the dissemination of academic writings on the indigenous people and the cooperation with the different national agencies.

Modern Indigenism found its rising from 1910 to 1970 and, as mentioned before, the indigenous discourse was held by intellectuals and people at the top of the society who had no direct link with the indigenous communities. It was a discourse on national identity that was not held directly by indigenous people.

Jean-Pierre Lavaund and Françoise Lestage in the article “El indianismo en la América hispánica. Una nebulosa política equívoca” (2006), underlined the fact that Indigenism developed due to national and international networks. Different actors and agencies were involved: the Catholic Church, representatives of social science for cultural and literary materials, and specialised offices of United Nations and international agencies, such as the European Union and the World Bank, providing a legal and political framework.

1.2.3 The growth of Indianism: the protagonism of the indigenous

²¹ Estelle Tarica, “*Indigenismo*”, Oxford Research Encyclopedias, article published online: 3 March 2016.

After the Seventies, there was the passage from “Indigenism” to “Indianism”.

The main difference between the two terms was the direct participation of the indigenous people in the decision-making process and the building of local movements and local institutions. The central objective of the new movement “Indianism” was self-determination. What the indigenous people claimed was a space of autonomy and, in particular, the right to self-determination and self-government, with the exercise of their collective rights and recognition of their institutions.

With the meeting and Declaration of Barbados in 1971 anthropologists criticised the intervention of the international agencies and the action of the missionaries as a replication of the colonial domination, that finally failed.

In the second meeting of 1977 there was also the participation of the indigenous representatives that,

“while claiming their ethnic specificity, affirmed their indianity, colonial heritage that today serves to mobilize the defeated of yesteryear and that was the emblem of their common struggle for liberation”.²²

New local associations were formed by Indigenous leaders.

One of the first was the Bolivian Katarism, that denounced the “cultural” oppression and the economic exploitations suffered by Indians.²³

“The goal of indigenous self-determination as a distinct ‘indigenous nation’ within the pluri-national Bolivian State. This political effort assumed that selfidentification coincided with communal indigenous practices and experiences, which were distinct in time and place from Spanish-descended and European-inspired urban Bolivia”.²⁴

Laura Giraud, in her book “La Question Indigene in America Latina” (2009), underlined that one of the most influential leaders, Jenaro Flores, was elected secretary of The Unified (or Sole) Syndical Confederation of Rural Workers of Bolivia (*Confederación Sindical Única de Trabajadores Campesinos de Bolivia*, CSUTCB) of

²² Françoise Morin, “*Introduccion. Indio, indigenismo, indianidad, Indianidad, Etnocidio e Indigenismo En América Latina*”, Instituto Indigenista Interamericano, Centre d’Études Mexicaines et Centraméricaines, 1988, OpenEdition Books (online). Translation is mine.

²³ Cécile Casen, Translated from the French by Ethan Rundell, “*Bolivian Katarism: The Emergence of an Indian Challenge to the Social Order*”, *Critique internationale* 2012/4 (No 57), p. 23-36.

²⁴ Robert Albro, “*The Indigenous in the Plural in Bolivian Oppositional Politics*”, *Bulletin of Latin American Research*, Vol. 24, No. 4, pp. 433–453, 2005.

1979, that would become the social base of the Pachakuti Indigenous Movement, led by Felipe Quispe.

In the Eighties and in the Nineties, the discourse was developed around “ethnicity”, and against the *desarrollistas* and neo-liberal policies.

The economic intervention of the State began to be more pressing with privatisations and reductions in social expenditures. These measures were unsuccessful and they mainly affected the indigenous peasant population.

The indigenous people could take advantage of new political spaces favoured by the transition towards democracy and the associations, formed on ethnic and communitarian bases, were more organised and developed at regional level.

The Catholic Church and NGOs supported these organisations. NGOs had an important role in backing the indigenous cause and bringing the discourse at an international and political level.

As an example of this type of relationship, Juliana Strobele-Gregor in her book “From Indio to Mestizo... to Indio: New Indianist Movements in Bolivia” (1994), underlined that the Confederation of Indigenous Peoples of Bolivia, born in 1982 as Confederation of Indigenous Peoples of the Bolivian East, received the backing of the NGO “*Apoyo Para el Campesinado Indio del Oriente de Bolivia*”, created by social scientists committed to the defense of the territorial rights of the indigenous people.

At the international level, the already mentioned Convention of ILO n. 169 of 1989, recognised the identity and the rights of the indigenous people, widening the debate around the “Indigenous question”.

1.3 Conclusion: the indigenous question

The first part of this chapter has been focused on a brief description of the historical process of decolonisation in Latin America.

The influence of the colonial period in today’s Latin America can be seen in different fields. In the political and economic one, official positions are mostly occupied by people with European origins or connections, and the policies are oriented towards the Western capitalist model and system or connections with the Western world, persistent social divisions, along ethnical lines.

At the social level, Indigenous people are still at the margins of the society, as under the Spanish domination, claiming their right for more political participation and social recognition.

As in the past, the land continues to be exploited for its resources and for economic purposes, at the expense of the native people. Indigenous people have a particular relationship with nature and the Earth, different from the Western and capitalist conception. This theme will be central in the second following chapter.

In the second part, the attention has been shifted on the evolution of the Indigenous discourse.

What comes out is that the Western view of society has always been predominant in the discourse around the “indigenous question”. This Western vision, as underlined by Linda Tuhiwai Smith in her book “Decolonizing methodologies: Research and Indigenous people” (1999), is characterised by the tendency of classifying time as well as space, and that does not recognise different ways of thinking.

“For the indigenous world, Western conceptions of space, of arrangements and display, of the relationship between people and the landscape, of culture as an object of study, have meant that not only has the indigenous world been represented in particular ways back to the West, but the indigenous world view, the land and the people, have been radically transformed in the spatial image of the West. In other words, indigenous space has been colonized”.²⁵

Space has to be controlled, determined, classified, and exploited. The same happens to the conception of time and history, defined through modernity.

As said before, the need of classifying can be viewed in the organisation of the social scale based on racial considerations.

As underlined by the Peruvian sociologist Quijano (2003) racial classification is a technique for organising the “coloniality of power” in postcolonial contexts, where it can be distinguished the ethnic group of the dominated and the ethnic groups of the dominating.

In analysing the work of Quijano about “Coloniality of Power”, María Haydeé García-Bravo in the already mentioned “Two Decades of Aníbal Quijano’s Coloniality of Power, Eurocentrism and Latin America” (2021), identified three principal “nodes” or “layers”:

²⁵ Linda Tuhiwai Smith, “Decolonizing methodologies: Research and Indigenous people”, Zed Books, 1999.

- “social totality”: Its source can be identified in the historical and structural heterogeneity that originated from the so-called ‘discovery’ of America, with the institution of certain hierarchical power relations; these power relations are characterised and based on two cross-cutting issues: the process of racialisation and the forms of production and labour;
- “cognitive-rational layer”: structuring the “Eurocentric dualist epistemology”;
- “capture and modulation of subjectivities”: regarding the symbolic and cultural creation and production”.

Nowadays, the inter-ethnic divisions and tensions are built around central capitalist societies and, consequently, against Western modernisation and hegemony.

The sociologist Pablo González Casanova discussed the notion of “internal colonialism”:

“With the disappearance of the direct domination of foreigners over natives, the notion of domination and exploitation of natives by natives emerges.”²⁶

Casanova analysed colonialism as a category capable of moving from international to national domain, involving conflict and exploitation.

Indigenous associations and movements were born as a form of resistance to the Western rule and this form of perpetuated domination, offering a new alternative way of living the space, time and relations.

²⁶ Pablo González Casanova, “*Internal Colonialism and National Development*”, Studies in comparative international development, April 1965, Springer, <https://link.springer.com/content/pdf/10.1007/BF02800542.pdf>.

Chapter II: Land and Property

2.1 The modern conception of history and property

This second chapter will define the relationship between land and the indigenous communities, in particular the concept of dispossession.

Before going into depth through this concept, it is important to explain the institution and the development of modern private property, along with the modern conception of history.

As underlined by Massimiliano Tomba in “*Insurgent Universality: An alternative legacy of modernity*” (2019), the modern conception of history is Eurocentric and colonial.

It is based on necessary phases and passages, namely the formation of the state, the institution of private property, and the capitalist mode of production.

“It puts European civilization at the top of the historical-temporal vector, judging the enormous variety of non-European political and economic forms as pre-capitalist or premodern.”²⁷

Western conception of history has been put forward as universal and unique, consequently rejecting alternative forms of power and practices, deeming them inferior and obsolete. Western modernity has brought to a process of unity and singularisation of concepts. As Tomba (2019) reminds, this is a recurrent phenomenon, where local experiences and histories have been subject to the centralising power of the state, and communal forms of ownership have been replaced by individual property rights.

Giving an example, it happened with the Sanculottes and the Communards that challenged the medieval institutions of the *Ancien Régime* in France, to develop participatory forms of self-government and put limitations on the right of property. Regarding this point, the French Revolution of 1789 brought a “Great Demarcation” and, to quote the words of Rafe Blaufarb,

“a radical distinction between the political and the social, state and society, sovereignty and ownership, the public and private.”²⁸

²⁷ Massimiliano Tomba, “*Insurgent Universality: An alternative legacy of modernity*”, Oxford University Press, 2019, p. 8.

²⁸ Rafe Blaufarb, “*The Great Demarcation: The French Revolution and the Invention of Modern Property*”, Oxford University Press, 2016, p. 1.

On the night of August 4th, 1789, the old feudal system of property was abolished. Along with the elimination of hierarchical property rights and feudal duties, the revolutionaries sought to abolish all the forms of privately-held public power, namely seigneurial justice, and venal office.

The Assembly wanted to remove sovereignty from the property domain, intending to deal with it separately. According to the revolutionaries, a system of independent and equal property ownership was necessary to guarantee the emancipation of the citizens.

The Civil Code of 1804, a model with great influence in European codification, enclosed the principles of the French Revolution and implemented the separation between what was called pure power and absolute property, the public and the private sphere.

As summarised by Blaufarb (2016), the Code was formulated with limited use of expressions like “national property”, preferring to use “dependencies of the public domain not susceptible of private property” (namely natural resources, such as rivers, or commercial spaces, such as ports). The principal objective of the Code was to limit the nation’s capacity to possess and deny its right to own. The property right had to be in the hands of the individuals and the state’s possession should be restricted.

The project of the revolutionaries was utopian: the achievement of full independence and equal possession was impossible to realise, in a reality where people and properties have always been entangled, in an inevitable hierarchical manner.

2.1.1 Race, use, and property: Locke’s theory

As discussed in the first chapter, in the colonisation period, the property was linked to racial identity. Brenna Bhandar (2018) points out how racial categories and property were interrelated in the colonial period and how this continues to the present day. In the settler colony, status determined the access to land and, consequently, the settler and the native were differentiated by property ownership. The association identity-property justified the appropriation of the indigenous lands and their elimination.

As underlined by the Australian historian and anthropologist Patrick Wolfe, “race is made in the targeting”, and more precisely:

“As practised by Europeans, both genocide and settler colonialism have typically employed the organizing grammar of race. (...). Whatever settlers may say— and they generally have a lot to say—the primary motive for elimination is not race (or religion, ethnicity, grade of civilization, etc.) but access to territory. Territoriality is

settler colonialism's specific, irreducible element. The logic of elimination not only refers to the summary liquidation of Indigenous people, though it includes that."²⁹

Race is a category that results instrumental and functional to the main goal of accessing land, expanding political, economic and territorial influence.

Cheryl Harris (1993) put the emphasis on the property as a concept that emerged from social relations, and in this sense it can be utilised as an instrument for domination of some, namely rural Native and Black Americans, by the others, the urban Whites elites.

In her work, Bhandar (2018) underlined how both land and its people were conceived in the logic of exploitation for economic and social improvement.

“land that was not cultivated for the purposes of contributing to a burgeoning agrarian capitalist economy by industrious laborers was, from the early seventeenth century onward, deemed to be waste.”³⁰

According to this mechanism, wasteland could be appropriated and assimilated into the civilised population through production.

The appropriation and the cultivation of land was a significant and necessary step towards the construction of a civilised state, characterised by individual property ownership. The Indians, who owned land in common, represented a premodern model, where lands were free and uncultivated. Since they lacked the practices of cultivation, they were not considered owners of their lands.

This racial regime of ownership “continues to operate as a juridical stranglehold over movements for justice and restitution.”³¹

Theoretically, John Locke has been one of the most prominent proponents of the right to private property. According to him, in the state of nature, men have property only in their bodies, having the right to self-preservation. Because they have this right, they can exploit the natural resources for the benefit of the population, and this right is provided by the labour that they exercise on the land. Improving the land with labour gives to men the right to possess it, becoming the origin of property ownership.

²⁹ Patrick Wolfe, “*Settler colonialism and the elimination of the native*”, *Journal of Genocide Research*, 8:4, 2006, p. 387-409, <https://doi.org/10.1080/14623520601056240>.

³⁰ Brenna Bhandar, “*Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership*”, Duke University Press, 2018, p. 36.

³¹ *Ibidem*, p. 50.

Locke has provided a moral justification for the unilateral appropriation of land, a natural right of men given by God.

“Though the Earth, and all inferior Creatures be common to all Men, yet every Man has a *Property* in his own *Person*. This no Body has any Right to but himself. The *Labour* of his Body, and the *Work* of his Hands, we may say, are properly his. Whatsoever then he removes out of the State that Nature hath provided, and left it in, he hath mixed his *Labour* with, and joyned to it something that is his own, and thereby makes it his *Property*. It being by him removed from the common state Nature placed it in, hath by this *labour* something annexed to it, that excludes the common right of other Men. For this *Labour* being the unquestionable Property of the Labourer, no man but he can have a right to what that is once joyned to, at least where there is enough, and as good left in common for others” (Locke 1689, II, par. 27).³²

As said before, that was colonial logic, where the value of land was determined on the basis of its use. As underlined by Calum Murray in the article “John Locke's Theory of Property, and the Dispossession of Indigenous Peoples in the Settler-Colony” (2022), Locke’s view of Native Americans as uncivilised and unproductive people provided the ground, and the justification, for settler-colonial appropriation of Indigenous lands. In seizing the Native lands, the consent of the Indigenous people was not required, since they lacked a state-centered and representative authority. They lived in the state of nature and, according to Locke, they did not have the desire nor the need of the establishment and formation of a political society.

2.2. The process of dispossession

As underlined in the book “Theft is property! Dispossession and Critical Theory” (2020) by Robert Nichols, dispossession refers to the recurrent phenomenon of deprivation of their lands for the Indigenous communities, in order to become the territorial foundation of the European settler colonial societies, as mentioned before. Essentially, dispossession transforms nonproprietary relations into property ones; it implies a transfer of control, transforming the land as a new form of property to be exploited. In this process, the “dispossessed” is considered the “original owner”, but only retroactively.

³² John Locke, “*Second Treatise of Government*”, Volume I, Chapter 16, Document 3, the Founders’ Constitution published by the University of Chicago Press, <http://press-pubs.uchicago.edu/founders/documents/v1ch16s3.html>.

In Western European political thought this appropriation of land, and consequently of properties, has been a long-standing right on the part of the sovereign power.

The term “dispossession” expanded in the late eighteenth and early nineteenth centuries, in the struggle against the feudal system and the aristocratic landowners. As said before, with cultivation and the desire for improvement and productivity, original and rural inhabitants were deprived of their natural rights and inheritance.

Over time, different terms have been used to describe this practice, namely expropriation, confiscation, eminent domain.

- Expropriation, that indicates the right of the sovereign to appropriate property for the “common good”;
- Confiscation, as the coercive seizure of property as a form of punishment;
- Eminent domain, a theory of the Dutch jurist Hugo Grotius, consisting in the sovereign power to take private property and convert it into public use, with just compensation to the individual whose property was taken.³³

Nichols points out the duality shared by all these terms: on the one hand, they are linked to the legitimate and sovereign right of land’s acquisition and, on the other, they are used to condemn the abuse of this power.

The meaning of these terms was inverted from legitimate to illegitimate acts, becoming an instrument of social criticism.

2.2.1 “Property is theft!”: Anarchist critique

The anarchists of the nineteenth century considered all the concepts defined above, from expropriation to dispossession, a theft exercised by the sovereign power, the thief; from that originates the slogan “Property is theft!”.

Substantially, the anarchists sustained that inequality derived primarily from the seizure of communal land on the part of the sovereign, a violence committed by the aristocrats against the peasantry.

In his book “What is Property? Or, an Inquiry into the Principle of Right and of Government” (1840), the French anarchist Pierre-Joseph Proudhon defined “property” on

³³ “*eminent domain*”, Encyclopedia Britannica, September, 4 2019, <https://www.britannica.com/topic/eminent-domain>. Accessed 20 February 2022.

the basis of the concept of land property that originated in Roman law, namely the right to use and abuse, within the limits of the law.

According to him, property corresponded to the exploitation of the weak by the strong, since that right was in the hands of the proprietor and not the rural peasantry, the “original owner”. The weak were excluded from the entitlement of that benefit.

Another negative consequence of the property right was the despotic regime that subsequently developed.

In Proudhon’s words:

“The proprietor, producing neither by his own labour nor by his implement, and receiving products in exchange for nothing, is either a parasite or a thief. Then, if property can exist only as a right, property is impossible.”³⁴

2.2.2 Marx’s contribution to the critical theory

As underlined by Nichols (2020), Marx has represented a turning point in the critical history of dispossession. Initially, he was affected by the anarchist arguments regarding the association and the link between property and exploitation, but ultimately he distanced himself.

For Marx, the anarchist slogan of property as a theft, and so a forcible violation, was self-refuting, since the concept of theft presupposes the existence of property.³⁵

Theft is possible only through the property and, as a result, property is, logically and chronologically, prior to and before the theft.

Furthermore, Marx has initiated the shift from the use of “exploitation through expropriation” to that of “dispossession” in the critical debates.

Primitive accumulation, privatisation, and land grabbing

In the “Capital” (1867), Marx introduced the concept of “primitive accumulation”, that is to say “the expropriation of the immediate producers, *i.e.*, the dissolution of private property based on the labour of its owner.”³⁶

³⁴ Pierre-Joseph Proudhon, “*Property is theft*” *A Pierre-Joseph Proudhon Anthology*” edited by Iain McKay, AK Press Publishing & Distribution, 2011, p. 124.

³⁵ Karl Marx, *Letter to J. B. Schweizer “On Proudhon (Feb. 1865)”*, in Karl Marx and Friedrich Engels selected Works, vol. 2, *Der Social-Demokrat*, No. 16, February 1, 1865.

³⁶ “*Economic Manuscripts: Capital Vol. I – Chapter Thirty Two*”, www.marxists.org, transcribed by Zodiac Html Markup by Stephen Baird, 1999.

According to him, this process was characterised by four main parts:

1. Dispossession: before the development of capitalism, European societies were organised along hierarchical feudal lines. The lowest social class was represented by the peasantry and the serfdom, subordinated by the feudal nobility. It was a system of exchange of benefits: they offered a part of their labour products for receiving protection from their feudal superiors. They could have access to communal lands, but this permission stopped when the process of “primitive accumulation” began. Lands were enclosed and divided, and the peasants were subjected to the so-called “dispossession”: in Nichols (2020)’s words, “they lost their immediate relation to the means of the reproduction of social life (e.g. the common lands).”³⁷
2. Proletarianisation: unable to fulfill the obligations to the feudal lords, without the access to communal lands, the peasantry transformed itself into a waged producer, selling its labour.
3. Market formation: a competitive system was created, where people were engaged in selling products setting a price, without direct access to the commons.
4. Separation of agriculture from urban industry: dispossession was also directly linked to the beginning of urbanisation, since peasants moved according to labour opportunities.

According to Marx, “primitive accumulation” determined the transition from feudal to capitalist system, in a violent way. The immediate producers, the peasants, were forcibly separated from their means of production, the communal lands, exploiting themselves. Expropriation was carried out in the White settler colonies through the genocide of the Indigenous people, along with the importation of slaves.

Therefore, Marx linked dispossession to labour exploitation and proletarianisation; according to him, it was instrumental for the development of urbanisation.

Marx was interested in knowing the forms of property, the production, and the culture of pre-colonial Indigenous people. As an example, Marx’s thought was influenced by the

³⁷ Robert Nichols, *“Theft is property! Dispossession and Critical Theory”*, Duke University Press, 2020, p. 93.

Peruvian communal and redistributive organisation of land, described in William Prescott's "History of the Conquest of Peru" (1847).

"It was on this basis that Marx and Engels from their late thirties on took the side of the various revolts of indigenous peoples throughout the world, defending their revolutions and recognizing that they represented something vital culturally and in terms of human community and property forms that went against the commodity economy of capitalism."³⁸

Rosa Luxemburg contributed to the defense of the Indigenous and primitive peasant communities, with their natural economy, and the common ownership of the land, harshly criticising the British colonial operations.

"The ancient economic organisations of the Indians – the communist village community – had been preserved in their various forms throughout thousands of years, in spite of all the political disturbances during their long history. (...) All conquerors pursued the aim of dominating and exploiting the country, but none was interested in robbing the people of their productive forces and in destroying their social organisation. (...) Then came the British – and the blight of capitalist civilisation succeeded in disrupting the entire social organisation of the people; it achieved in a short time what thousands of years, what the sword of the Nogaians, had failed to accomplish. The ultimate purpose of British capital was to possess itself of the very basis of existence of the Indian community: the land."³⁹

As underlined by Nichols (2020), the framework now shifts from temporal to spatial one: we are not dealing with the development of capital and its antecedent history, but with the separation from the core to the periphery, the coloniser and the colonised. Land is seen as a category that links and mediates human labour activity and nature, setting the spatial, territorial and proprietary relations between the two.

The Marxist geographer David Harvey, in his book "The New Imperialism" (2005), outlined the concept of "primitive accumulation" coining the expression "accumulation by dispossession". He conceptualised dispossession with reference to the enclosure of the commons, but also in terms of the privatisation of public, state-owned property, carried out through neoliberal policies.

³⁸ John Bellamy Foster, Brett Clark and Hannah Holleman, "Marx and The Indigenous", monthlyreview.org, February 1, 2020.

³⁹ Rosa Luxemburg, "*The Accumulation of Capital*", Chapter 27, Section III, marxists.org, last updated: December 12, 2008.

In addition, worldwide literature has defined “primitive accumulation” with reference to “Land grabbing”. According to Madeleine Fairbairn, land grab is “a top-down phenomenon driven by global markets and foreign states”.⁴⁰

As the other concepts, land grabbing is strictly related to privatisation and the displacement of certain social groups in order to fulfill exclusive private property rights.

It involves accumulation by extra-economic means, namely:

“the use of legal or political power and/or (the threat of) force. The people losing land may receive compensation, but there is no market transaction between a willing buyer and a willing seller.”⁴¹

Borras et al. (2011), have focused on land grabbing in Latin America.

Over time, in the unequal Latin American context, dispossession has resulted in the displacement of the rural poor and the Indigenous people. They have analysed the different impacts that land grabbing and investment had and continue to have in the society, differentiated along with gender, generation, and ethnic identity.

The global emerging land grabs literature is dominated by comprehensive terms such as “local communities” or “local people”, that do not grasp these differences.

From poor rural labourers and peasants, to local elites such as *hacenderos* in Latin America, all are part of the local communities. When a land investment comes in these local communities, it can be perceived as positive or negative, depending on the social group. Historically, civil society has been opposed to such investment, especially the indigenous people, personally involved.

Borras and Franco (2010, 2012) have introduced an alternative concept of “land sovereignty” as the rural poor and Indigenous people’s right to access to land and exercise effective control. In a counter-narrative argument, land sovereignty is a process that starts from “above” and aims to bring “people” at the center of the discourse, in contrast with the top state-centric vision and the neo-liberal land governance. It finds its place in the struggle against dispossession and the struggle for re-appropriation of land.

⁴⁰ Madeleine Fairbairn, “*Indirect dispossession: domestic power imbalances and foreign access to land in Mozambique*”, *Development and Change*, 44(3), 2013, p 335.

⁴¹ Derek Hall, “*Primitive Accumulation, Accumulation by Dispossession and the Global Land Grab*”, *Third World Quarterly*, 34:9, 2013, p.1592, <https://doi.org/10.1080/01436597.2013.843854>.

2.2.3. Alienation and preemption

When they refer to dispossession, Indigenous people make reference to the concept of “land theft” in the context of the territorial occupation by the European settler colonisers. In the colonial-capitalist system, Indigenous people do not have the right to the acquisition, use, and entitlement. They can only exercise their property rights through alienation; in other words, as defined by Nichols (2020), property is fully realized only through its negation. Alienation does not only involve the loss of land and the access to territories, but also a negation of Indigenous culture, self-value and self-ownership.

Indigenous people, assimilated into European society and development, at a lower social scale, are not considered through their cultural traditions and their own relationship with the land.

The philosopher Vine Deloria Jr (1988) made reference to the “right to sell”. Throughout history, the Indian tribes have seen their sovereignty negated and have been recognised only through the means of the land. In this sense, Indigenous people are considered the “original owners” only retroactively, going back to the process.

In the nineteenth century, the Euro-American settlers justified their acquisitions through ethnocultural motivations, namely their superiority at the religious and governmental or institutional levels. Their mission was that of civilising Native and Indigenous people, through the “first discovery”:

“The first European country that discovered lands unknown to other Europeans claimed property, commercial, and sovereign rights over the lands and the Indigenous Nations and Peoples.”⁴²

This right of discovery was then supported by the so-called “preemption”, that is to say the exclusive and prior right to buy the lands of the indigenous peoples.

Preemption was based on the “first occupancy” by the original discoverer. This is closely linked to the recognition of one of the first rights in the hands of the indigenous people, the “right to sell”, mentioned above. This right goes back to the concept of alienation, a limited form of property right. Alienation is characterised by the loss of effective control on the organisation of the society and the territory.

⁴² Robert J. Miller, “*The Doctrine of Discovery: The International Law of Colonialism*”, *The Indigenous Peoples’ Journal of Law, Culture & Resistance*, 5(1), 2019, p. 39.

To give legitimacy to this act of preemption, the measure started to be introduced in the law system, paradoxically encouraging illegal settlement. At the legislative level, there was a difference between the squatters or homesteaders, and the indigenous people.

The main difference was that homesteaders had the “right to purchase”. For example, in 1830, Congress passed and approved the “Preemption Act”, a law reforming the US policy on the acquisition of public lands, through which squatters could obtain a legal title in a territory in exchange for a reduced price, provided they had improved it.

As pointed up by Nichols, this type of legislation reminds to the Lockean vision of allowing appropriation and acquisition only when improvement and good social standing occur. The US legal system is only an example, but similar legislation occurred in Canada and New Zealand by the British colonial administration.

To sum up, it can be made a distinction between the Anglo-colonial dispossession and the European one but, as already seen, the two are intertwined:

- European dispossession: it is a conceptual tool describing and also criticising the transition from a feudal to the capitalist system;
- Anglo-Colonial dispossession: analysis of the expansion of Anglo-European systems of land ownership that worked as a tool of “legalised” theft of the Indigenous territories.

At the basis of the dispossession process, there is the assumption that the Indigenous and Native people, as a “hybrid” legal-racial category, do not have the right to fully-recognised land sovereignty and ownership.

2.3 Indigenous resistance against dispossession

After centuries of European colonisation, the terms Indigenous or Indians emerged as a collective identity of people in relation to terms such as colonisers or settlers.

By the late eighteenth and the early nineteenth centuries, Indigenous peoples began to organise in resistance and mobilisation movements. At first, there was the diffusion of pan-Indigenous spiritual movements, unified by a shared spiritual vision and form of life. They were an expression of different political, cultural, religious, and economic practices merged together in order to create a new Indian movement, despite the divisions among tribes and clans.

As pointed out by Gregory Evans Dowd in “A Spirited Resistance” (1993), pan-Indigenist movements were highly critical and opposed to those Indians that aligned themselves with the European lifestyle, the so-called “accommodationists”.

One of the first successful pan-Indigenous resistance to dispossession can be found in the Pontiac War (1763-1766) against British rule, as mentioned by Nichols (2020).

It represented the first extensive and organised Indigenous resistance to European colonization in North America, with not complete defeat for the Indians. The British government began to change its policies; with the Royal Proclamation, certain rights were recognised to the Indigenous people in their lands.

However, in the mid-nineteenth century, the pan-Indigenous movement was under pressure due to internal divisions among tribes.

After the institutionalisation of dispossession by the U.S. Congress, mentioned previously, the Indigenous opposition resorted. Indigenous differentiated themselves in two main categories:

- “accommodationists”, as those who decided to embrace some features of European societies;
- “traditionalists”, loyal to their uses and customs.

Both the categories were unified in criticising dispossession by the Euro-American settlers. In order to understand the Indian vision of this process, the quote of Chief Joseph, a leader of the Wallowa band of Nez Perce, a Native American tribe of the Pacific Northwest region of the United States, is exhaustive:

“The earth was created by the assistance of the sun, and it should be left as it was.... The country was made without lines of demarcation, and it is no man’s business to divide it.... I see the whites all over the country gaining wealth, and see their desire to give us lands which are worthless.... The earth and myself are of one mind.... I never said the land was mine to do with as I chose. The one who has the right to dispose of it is the one who has created it.”⁴³

Indigenous people have a deep connection with the land, and this latter cannot be enclosed into proprietary relations. It does not belong to one person, category or society in particular. For them, land is the ultimate expression of their cultural and spiritual identity.

⁴³ Chief Joseph, “*An Indian’s View of Indian Affairs*” (1879), in Kramnick and Lowi, *American Political Thought*, 2018, p. 930, 931, 941.

For example, the Andean population conceived water as a divine and living being; everybody can use water and, at the same time, nobody can possess it. It is an element that guarantees social reproduction and helps to maintain social relationships. This conception has given rise to the opposition against privatisation measures and the management of multinational companies in the context of the Cochabamba Water War of 2000 in Bolivia, the case-study of this work.

In the twentieth century, Indigenous mobilisation became more institutionalised and politicised. Indigenous people claimed their rights on the land, since their identity was deeply bound to it.

As underlined by Miranda Johnson in her book “The Land is our history: Indigeneity, Law, and the Settler State (2017), Indigenous communities recognised that they were fighting against a common phenomenon that they suffered, dispossession, and were aimed at restoring and re-establishing their land’s rights.

In Fenelon and Hall’s words,

“Many movements, perceived as resistance by dominant states but as revitalization by most indigenous peoples, are part of larger global processes.”⁴⁴

In recent decades, globalisation forces and neoliberal policies are under the attack of the Indigenous rebellion movements, since they are seen as new system of oppression and domination, a replication of the dynamics of the colonial past. Privatisation, put forward by the neoliberal governments, is seen as an obstacle to the indigenous vision of communal administration and governance of the land.

2.3.1 The Latin-American context

The struggle for land in Latin America has always been linked to political power and economic interests, along with social status and conditions.

The colonial elites, imposed a unilateral system of self-enrichment based on large farming estates and the exploitation of labor, laying the basis for an accumulative strategy that continues in rural Latin American societies and territories.⁴⁵

⁴⁴ James V. Fenelon & Thomas D. Hall, “*Revitalization and Indigenous Resistance to Globalization and Neoliberalism*”, *American Behavioral Scientist*, Volume 51, Number 12, Sage publications, August 2008, p.1873.

⁴⁵ Arantxa Guereña under the direction of Stephanie Burgos, “*Unearthed: Land, Power and Inequality in Latin America*”, Oxfam America, 2016, p.14.

The colonial power did not lost its influence with independence but has been consolidated by today's landed oligarchies. For this reason, in chapter one, there has been a brief but comprehensive recap of the society's organisation under the colonial period.

“Since confronting the ongoing colonization of native lands remains at the top of the agenda for indigenous peoples, many indigenous intellectuals have been reluctant to sign on to a theoretical project that appears to relegate their dilemmas to the past or an achieved ‘after’ (...).”⁴⁶

The colonial legacy continues to shape Latin American policy, simply the dominant forces have changed. Neoliberal governments with their land reforms lead to unequal distribution of resources and benefits, accentuating asymmetrical society's growth.

“On the one hand, therefore, neoliberal economic policies have eroded or threatened to erode traditional cultural practices and identities, either through depeasantizing or not repeasantizing its subjects. On the other, however, the simultaneous insistence of neoliberalism on political democracy (or redemocratization) has provided these indigenous populations with weapons enabling them to resist these same economic policies.”⁴⁷

Nowadays, Indigenous people find in the general globalised system the enemy, as mentioned before. Indigenous movements distance themselves from the profit-logic system, based on privatisations, the primacy of private property over the communal organisation, and exploitation of natural resources.

In the present context, capitalism represents an “impersonal domination”, nourished by alienation, the loss of effective control of territory and society organisation, and diremption, that is to say, domination of some by the others, through forcible or violent separation.

Fenelon and Hall (2008) cite some examples of resistance to capitalist domination: the Zapatistas in Chiapas (Mexico), where the value of women is more respected and higher than the patriarchal colonial system; the Aymara coca leaf growers in the Bolivian highlands, collectively organized with unions. The Zapatista case also shows the intersection between different social causes and critical theories. The Zapatista movement

⁴⁶ Jodi A. Byrd & Michael Rothberg, “*Between Subalternity and Indigeneity*”, interventions, 13:1, Taylor & Francis Online, published online: February 23, 2011, pp. 1-12, <https://doi.org/10.1080/1369801X.2011.545574>.

⁴⁷ Jean-Pierre Reed Assistant Professor, “*Indigenous Land Policies, Culture and Resistance in Latin America*”, Journal of Peasant Studies, 31:1, 2003, published online: August 5, 2006, p. 153, <https://doi.org/10.1080/0306615031000169152>.

has some in common with the Black Feminist theories, especially in the struggle against racism and sexism, as perpetuated by neocolonialism.

Generally speaking, Latin America is the region of the world where the greatest progress has been made in the field of constitutional and legal official recognition of the rights of Indigenous people.

As a case in point, the Constitution of Bolivia, promulgated in 2009, recognises the plurality of the State. Article 2 states that:

“Given the pre-colonial existence of nations and rural native indigenous peoples and their ancestral control of their territories, their free determination, consisting of the right to autonomy, self-government, their culture, recognition of their institutions, and the consolidation of their territorial entities, is guaranteed within the framework of the unity of the State, in accordance with this Constitution and the law.”⁴⁸

Article 3 guarantees the respect of cultural diversity:

“The Bolivian nation is formed by all Bolivians, the native indigenous nations and peoples, and the inter-cultural and Afro-Bolivian communities that, together, constitute the Bolivian people.”⁴⁹

Furthermore, Article 8 states the concept of “*Buen Vivir*”:

I. The State adopts and promotes the following as ethical, moral principles of the plural society: ama qhilla, ama llulla, ama suwa (do not be lazy, do not be a liar or a thief), suma qamaña (live well), ñandereko (live harmoniously), teko kavi (good life), ivi maraei (land without evil) and qhapaj ñan (noble path or life).

II. The State is based on the values of unity, equality, inclusion, dignity, liberty, solidarity, reciprocity, respect, interdependence, harmony, transparency, equilibrium, equality of opportunity, social and gender equality in participation, common welfare, responsibility, social justice, distribution and redistribution of the social wealth and assets for well being.”⁵⁰

However, considerable challenges and gaps remain, since paper-based rights at the regional level, particularly in relation to the processes of implementing prior, informed, and free consultation - in accordance with the dispositions of International Labour Organization Convention No. 169 - are not in line with the discriminatory, exclusive, and inferior place occupied by Indigenous peoples.

⁴⁸ constituteproject.org, PDF generated: 26 Aug 2021.

⁴⁹ Ibidem.

⁵⁰ Ibidem.

Native and Indigenous communities continue to be “exploited” under new forms of "development" capitalists, who seize their territories legally and illegally, according to their financial resources and the economic interests of the political class.

The main problem is that property ownership is still highly concentrated in the élite, with recurrent episodes of corruption. As in the past, attacks on Indigenous land rights are made in the name of commercial exploitation of natural resources, for example, with the ongoing development of extractive industries. One of the two cases that will be examined in the third chapter, the “Gas War”, is a practical example. It emerged as a social conflict in Bolivia in 2003 as a reaction against the over-exploitation of natural gas, coca eradication measures, corruption, and authoritarianism on the part of the government.

Protestors had a two-fold goal:

- Nationalisation of gas resources;
- Increased participation and consideration of Bolivia's Indigenous majority, mainly composed of Aymaras and Quechuas, in the political decision-making process.

In the present context of Latin America, a dual system of land ownership can be found:

- the rural, peasant, and Indigenous communities, with their forms of traditional ownership and production, based on communal tenure;
- the medium and large private investors, backed by the governments, aimed at concentrating the capital, taking advantage of the land resources, and promoting production and export.

Bolivia is one of the Latin American countries with the largest percentage of Indigenous and one of the most active in the struggle against privatisations and the role of multinationals in internal economic management.

Before the briefly outlined “Gas War” of 2003, the “Cochabamba Water War” of 2000 occurred, and this is also a clear example. In these two episodes it can be found the confrontation between the popular-communitarian position of the Indigenous and rural communities and the capitalist, State-centred power.

Traditionally, Indigenous people represent “the weak”, trying to rebel and proposing an alternative conception of property. They are still considered “minority” groups within the states and vulnerable to state-imposed policies, negotiated among “White” elites.

The two cases of Bolivia, that will be tackled in depth in the third chapter, are interesting because they outline, in an evident and manifest manner, the Indigenous and rural communities' point of view about the control of the commons:

“We don't want private property nor state property, but self-management and social ownership.”⁵¹

They are also proof of an organised and powerful resistance, capable of making decisions that can actively change government's policies.

2.4 Conclusion: From Dispossession to Self-possession

The objective of this chapter is to give an explanation of the connection between the phenomenon of dispossession and the creation of the property, with its rights and limits. As developed throughout the paragraphs, dispossession is the act of taking away territories from a determined group of people, in this case of the Indigenous people, transforming them into properties. This phenomenon can be traced back to the European and Western tradition of colonisation, with the conception of the white European or American as superior in culture, history and tradition, allowed to exploit and conquer territories, with the mission of “civilising”. Then, it evolved throughout the global capitalist system, aimed at taking the best advantage of the resources.

Several Indigenous intellectuals tried to shift to focus the discourse from dispossession to “desecration”. The Indigenous people believe in a special and deep relationship between nature and man. They are interconnected and land has a high-value, but not in economic or property terms.

“Every part of nature contains sacred knowledge, and the relationship of man to every creature and place is one of kinship. The entire earth is sacred; it is the source of life.”⁵²

They underline that this relationship is characterised by responsibility, respect and reciprocity, with the absence of exploitation or dominance.

⁵¹ Alexander Dwinell* and Marcela Olivera, “*The water is ours damn it! Water commoning in Bolivia*”, Oxford University Press and Community Development Journal, Vol. 49, 2014, p. 47.

⁵² Robert Charles Ward, “*The Spirits Will Leave: Preventing the Desecration and Destruction of Native American Sacred Sites on Federal Land*”, Ecology Law Quarterly Vol. 19, No. 4, University of California, Berkeley, 1992, pp. 800-801.

In the context of colonisation before and global capitalism after, the Earth is the real target and it is considered the first victim. Since it is sacred and worshipped, Indigenous intellectuals talk about “desecration” when it is abused, forcibly appropriated and occupied, and when its resources are exploited for individual, exclusive purposes.

As mentioned in the initial passages of this second chapter, John Locke in his work “Second Treatise of Government” (1689) stated that every man has property in his body, a precondition and the foundation of the liberal notion of private property.

“Since the body is considered to be the subject’s first property prior to any contractual exchange, its ownership legitimates self-mastery and the possession of objects.”⁵³

A key concept for Indigenous people is self-determination, along with self-appropriation. They are interested in the recognition of their rights, their culture, and their traditions. They aim to put forward their own definitions of what they are as a group, and what they believe in. They want to distance themselves from the conception of them as “a minority” that should be assimilated into the majority culture. They are legitimate masters of themselves.

The body seen as ownership has developed into the critical discourse of Black feminist theories. Indigenous struggle can be seen as intertwined with the basic concepts put forward by critical race theorists, in particular the Black Feminist ones.

Patricia J. Williams, an American scholar and representative of critical race theory, has focused on the concept of “Black (or brown or red) Antiwill”. The Antiwill is referred to the treatment of Black or Indigenous people by the White dominant class in the law.

Furthermore, in the “Alchemy of Race and Rights” (1991), Williams sustained that “White” people have always been characterised by a “total or pure” will, while the “Black” ones lacked total control. This “pure or total” will has given sovereign powers and full right of ownership and property.

Cheryl Harris defined “the Property Functions of Whiteness”:

“Its attributes are the right to transfer or alienability, the right to use and enjoyment, and the right to exclude others.”⁵⁴

⁵³ Ewa Plonowska Ziarek, “Rethinking Dispossession: On Being in One’s Skin”, *Parallax*, 7:2, p. 3, 2001, <https://doi.org/10.1080/13534640110037778>.

⁵⁴ Cheryl I. Harris, “Whiteness as property”, *Harvard Law Review*, Vol. 106, n. 8, June 1993, p. 1731.

Charles W. Mills, in his “Racial Contract” (1997), deals with the concept of race and the historical Western political and philosophical thought. He began with the definition of “Racial Contract”. Western political theory has assumed the existence of a social contract, but not everybody is involved, only “the White” people that count. Non-Whites are not recognised in their personhood, they are considered as objects or subpersons. White personhood, that is taken for granted, is set up simultaneously with Indigenous, non-White subpersonhood. The concept of subpersonhood is an inferior category, with limited rights, because of racial and considerations in the scheme of “Racial Contract”.

“It is no accident, then, that the moral and political theory and practical struggles of nonwhites have so often centered on race, the marker of personhood and subpersonhood, inclusion within or exclusion from the racial polity.”⁵⁵

As emphasised before, the struggles of Indigenous, Native and Black Americans have been centered on the racial supremacy system developed by the colonialism before, and capitalism after.

This abstract social contract operates and characterises European space since pre-sociopolitical reality (recalling the Lockean concept of “state of nature”), developing in the “locus of civil society”. On the contrary, non-European people and spaces are wild, uncivilised, savages, ready to be abused. As underlined by Greer (2012), this ontological division between society and nature humanity is at the basis of the discourse about property:

- on one hand, civilised communities that can own lands, in a communal or individual and exclusive form;
- on the other hand, uncivilised and pre-modern communities with land open to all.

In a Lockean perspective, what is conceived in “common” is open to appropriation and acquisition by all, in order to improve, without one’s permission. In his “Two Treaties of Government” (1689), he made a distinction within legitimate common property and the commons of pre-colonial America:

⁵⁵ Charles W. Mills, “*The Racial Contract*”, Cornell University Press, 1997, p.111.

“Legitimate common property is local/particular, and it is instituted in law, whereas pre-colonial America knows no law, and its lands constitute a commons of universal scope: it corresponds to nature itself.”⁵⁶

The management of the commons is central in the Indigenous resistance.

Over time, Indigenous peoples have denounced and challenged the hyper-privatisation and enclosure of public commons. At the conceptual level, they put themselves against the theories that advocated to privatisation and abuse of common resources, for example the work of Garret Hardin, “The Tragedy of the Commons” (1968). In particular, this work has been criticised because failed in the distinction between open-access common and the socially regulated commons.

In Latin America, the Indigenous struggle is linked with the struggle against neoliberal policies, and is aimed to social justice and self-determination.

Privatisation has been put forward since the mid-eighties, but from the first years of 2000s, the measures became more stringent, with a general cut-down and increasing poverty, especially among the rural and Indigenous communities, favouring the raising of popular protests. New left-wing governments oriented the economy towards this privatisation mainly through the pressure of the World Bank and the International Monetary Fund, according to structural adjustment programs.

A fertile ground for this active and direct reaction against the government and the authorities is Bolivia, namely because “the protests have been a mixture of indigenous peoples’ fight for rights and poor peoples’ fight against neoliberal policies.”⁵⁷ It is precisely Bolivia the theater of the two cases presented in the third and last chapter, already mentioned: the Cochabamba Water War of 2000 and the Gas War of 2003.

⁵⁶ Allan Greer, “*Commons and Enclosure in the Colonization of North America*”, *The American Historical Review*, Volume 117, Issue 2, April 2012, published online: April 1, 2012, pp. 365–386, <https://doi.org/10.1086/ahr.117.2.365>.

⁵⁷ Vibeke Andersson, “*Is Water a Human Right or a Commodity? Globalization, Privatization and Social Movements in Bolivia*”. Paper presented at Globalization and the Political Theory of the Welfare State and Citizenship, Aalborg University, Aalborg, Denmark, 2006, p. 10.

Chapter III: Winds of Indigenous Revolution in Bolivia

3.1 Why a focus on Bolivia?

The precedent chapters have described the peculiarity of the Indigenous communities regarding their relationship with the land and their struggle against the modern system of property. Over time, they have fought against States controlled by people having European origins and Western connections. This happened also in Bolivia, the country that will be analysed as a case study in this third and last chapter.

It has been chosen because Bolivia is one of the Latin American countries with the highest percentage of people with Indigenous origins. According to the most recent census of 2012, elaborated by the National Institute of Statistics of Bolivia (2012), the Bolivian population is composed mainly of Quechua (45.6 %) and Aymara (42.4%), with minorities including 37 Indigenous groups (0.3% per group). Along with Spanish, Quechua, Aymara, Guarani, and other 34 native languages are recognised as official languages of the country. For this reason, the issues raised by Indigenous people are more sensitive, and resulted in collective and concrete actions, collecting the interests of the majority of the population.

Towards this chapter, it will be described the insurrectionary cycle, beginning with a focus on the Cochabamba Water War of 2000 and the Gas War of 2003, and finally describing the influence of the presidency of Evo Morales, the Bolivian President who resigned following allegations of electoral fraud in 2019.

3.1.1. Historical background of the socio-political struggles

As already mentioned, the neoliberal reforms of the 1990s promoted by the State favoured the rise of indigenous rights in the political discourse, introducing the idea of multiculturalism in Bolivia. Over the course of Bolivian history, the socio-political struggles have involved different actors: the indigenous community, the social movements, the coca-farmers, the political parties, and the government.

Since the colonial period, Bolivian resources have been exploited, with the expropriation of the indigenous lands by the Spanish rulers. Bolivia was the first country to organise the counter-insurgency against the Spanish, European and white elites; the figure of Simón Bolívar has already been described, the leader who led Bolivia towards

independence, founding the “Bolivian Republic”. As seen in the first chapter, exploitation continued in the era of the *caudillos*, white military landowners. The liberal age of the twentieth century did not improve the condition of the indigenous and rural communities. The worsening of their social and economic conditions led to a series of conflicts, both at local and regional level.

In the period between 1932 and 1939, Bolivia was involved in the “Chaco War” against Paraguay, for the access to natural resources and the access to sea. It was won by Paraguay, but it is important to cite this war because different ethnic and social groups fought for the Bolivian side. As underlined by Nicholas Richard in “Mala Guerra. Los indigenas en la Guerra del Chaco, 1932-1935” (2008), in the Chaco War the Bolivian troops recruited “*chulupí*” (nowadays *Nivaclé*) units, indigenous people of the territory. This recruitment raised political awareness and involvement of the indigenous people in Bolivia. After the war, the “indigenous question” emerged, along with the gender issue. Protests raised not only among the indigenous rural communities, but also among the urban female workers, protagonists of labour unions and feminist movements.

Social movements influenced the Bolivian 1938 constitutional convention.

“If the post-Chaco War governments replicated oligarchic discourse in their angle on the Indian question, they clearly parted company in their approach to gender and the family. Convention delegates denounced the war’s ill effects on gender norms and family life, and linked the regulation of the family with state power. The family, like Indians, became a target of state intervention. Still, if gender became an arena of political preoccupation, it did not occupy the same place as ethnicity in the legislators’ reflections.”⁵⁸

Ethnicity played a central role in the rural mobilisation and uprisings, beginning with Cochabamba peasant unions, active in the years between 1930s - 1940s.

“The hacienda colonos of Cochabamba’s central valleys occupy a leading place in the literature on the post-Chaco War countryside, for they created Bolivia’s first peasant union (in the village of Ucareña), in 1936.”⁵⁹

In the 1940s, the politics of “*mestizaje*” began to occupy the centre of the themes put forward by the oldest Bolivian revolutionary political party, *Movimiento Nacionalista Revolucionario* (MNR), along with the President Gualberto Villaroel.

⁵⁸ Laura Gotkowitz, “A REVOLUTION FOR OUR RIGHTS: Indigenous Struggles for Land and Justice in Bolivia, 1880–1952”, Duke University Press, 2007, p. 128.

⁵⁹ Ibidem, p. 132.

The term “*mestizaje*” indicates the “Interbreeding and cultural intermixing of Spanish and American Indian people (originally in Mexico, and subsequently also in other parts of Latin America).”⁶⁰

“The MNR gave social and political form to miscegenation through the reconstitution of a notion of “Bolivian people” in national history. The national/anti-national dialectic placed the popular classes in the national community by recasting them as a pan-ethnic and multi-class coalition united in a common struggle against the oligarchy.”⁶¹

By identifying the Indians with the “*pueblo*”, all the indigenous elements were cancelled, and the Indians were relegated and subordinated to the Creoles and *mestizos* leading roles. Assimilation began to be a legal tool for the involvement of indigenous people in the national economy.

The “indigenous question” became to be more relevant in the political agenda of the government with the Indigenous Congress of 1945, with the initial work of Indigenous Committee, demanding rights and guarantees.

The priority was the land: the indigenous and rural communities denounced the abuses of the landowners in the *hacienda* system.

“The most influential outcome of the Indigenous Congress was an unintended one: a powerful association between the government, the land, the end of hacienda duties, and a law against servitude.”⁶²

However, Villarreal did not legislate a land reform. After his overthrow, and his public assassination in 1946, the 1947 was a year of social unrest in the Bolivian territory.

One of the most significant was the Ayopaya uprising, with attacks on properties by the colonos (labor tenants in the *hacienda*), aiming to the distribution of the largest estates and to respect the decrees proclaimed at the Indigenous Congress, with the consent of the President. Ayopaya is province of the Cochabamba department, a real unstable territory, as will be seen.

⁶⁰ “*Mestizaje*” meaning in UK English, <https://www.lexico.com/definition/mestizaje>.

⁶¹ Matthew R. Gildner, “*La historia como liberación nacional: creando un pasado útil para la Bolivia posrevolucionaria*”. *Rev Cien Cult* [online]. 2012, n.29 [citado 2022-02-27], pp.103-122, <http://www.scielo.org.bo/scielo.php?script=sci_arttext&pid=S2077-33232012000200006&lng=es&nrm=iso>. ISSN 2077-3323. Translation is mine.

⁶² Laura Gotkowitz, “*A REVOLUTION FOR OUR RIGHTS Indigenous Struggles for Land and Justice in Bolivia, 1880–1952*”, Duke University Press, 2007, p. 225.

“For the rebels of Ayopaya, the refusal of the landlords to heed the law implied much more than the imposition of outlawed duties. The denial meant that the owners had violated their rights and were holding them in a kind of bondage. The Villarroel decrees in turn conjured up freedom from a form of labor that colonos equated with slavery. The laws also meant liberty to graze their own animals, consistent legal norms, and an end to the abuse of women. For the insurgents, Villarroel’s laws heralded the end of the hacienda system itself—the end of an unlawful system of racialized and gendered domination.”⁶³

The Ayopaya rebellion represented the growing power of the *colonos*, that sought to eliminate the *hacienda* system, having recognised their own property rights. Through the decrees of the Indigenous Congress they tried to establish local power, according to the sense of freedom and community.

After the overthrow of Villarroel, Indians were subjected to violent repression, since they were considered responsible for the murder of the President. As could be expected, the repression was mainly directed towards Ayopaya.

The Bolivian Revolution of 1952 was only the climax of an ongoing and already initiated revolutionary process of land and labour. It was characterised by assaults on property and strikes against the social order, based on hierarchical and ethnic lines. In the meantime, the Indian communities petitioned their communal lands, proclaiming the restitution of the land to the “original owners”.⁶⁴

Three main outcomes of the revolution:

- Universal suffrage: there was the elimination of restrictions such as gender and literacy; as underlined by Laura Gotkowitz (2007), the notion of “citizen” was linked to land union membership and land distribution;
- Nationalisation of the tin mines: it was restricted to this sector, since its union was one of the most combative labour federations; private or foreign ownership continued to be acceptable;
- Agrarian reform: latifundium, large estates and the *pongueaje* were abolished, providing for the restitution of the expropriated communal lands. In particular, the

⁶³ Laura Gotkowitz, “*A REVOLUTION FOR OUR RIGHTS Indigenous Struggles for Land and Justice in Bolivia, 1880–1952*”, Duke University Press, 2007, p. 240.

⁶⁴ Carmen Soliz; “*Land to the Original Owners*”: *Rethinking the Indigenous Politics of the Bolivian Agrarian Reform*”. *Hispanic American Historical Review* 1 May 2017; 97 (2): 259–296. doi: <https://doi.org/10.1215/00182168-3824065>.

elimination of the *pongueaje*, consisting in the “domestic service which Indian tenants are obliged to give free”⁶⁵, was an important step forward. The land was organised in communal properties, small or medium farms and also cooperatives. Nevertheless, private property remained the preferred system of ownership. Even if the *pongueaje* was eliminated, more spaces of autonomy were not granted to the Indians, in line with the Lockean vision of land property, according to the labour and the work exercised.

The 1952 Bolivian Revolution recognised the *colonos* and the labour union as national political forces, including their claims in the political agenda of the government.

As underlined by Silvia Rivera Cusicanqui, one of the founding member of the research institute “Taller de Historia Oral Andina”, focused on the role and the perception of the Aymara and Quechua populations, trying to rethink and describe the revolution from the bottom-up, analysing their participation in the socio-political struggles of the 1970s and 1980s.

“the collective memory of the 1952 revolution signifies only a partial break with the past, in the face of the evident continuity you leave behind practices of discrimination and “political *pongueaje*” and in the face of the persistent exercise of cultural and organisational “otherness” of the Aymara communes. The Indian identity is therefore fundamental in its self-preservation, and has only been qualified by the revolutionary event of 1952. But mainly, it is reinforced by exclusion, that is by the subtle re-edition of the forms of stately discrimination of the pre-52 past. These manorial practices, of colonial origin, are reconstructed despite the revolutionary wave, and remain as diachronic contradictions not overcome by the revolution (cf. Bloch, 1971).”⁶⁶

In 1984 “Oprimidos pero no vencidos”: Luchas del campesinado aymara y qhechwa 1900-1980”, Rivera argued that the political character of the Cochabamba indigenous and peasantry communities is only associated with the revolutionary state and the process of rural unionization. But, the 1952 revolution with the predominance of unions, controlled by the MNR, Hispanicizing schools, and private property represented the antithesis and suppression of the anticolonial vision of Aymara activists.

⁶⁵ “*Pongueaje*” meaning in UK English, <https://www.collinsdictionary.com/dictionary/spanish-english/pongueaje>.

⁶⁶ Silvia Rivera Cusicanqui, “*Oprimidos pero no vencidos*”: *Luchas del campesinado aymara y qhechwa 1900-1980*” (1984), Editorial: La Mirada Salvaje, Fourth edition: December 2010, p. 214. Translation is mine.

Silvia Rivera, in the same work of 1984, examined the evolution of “*Katarismo*”, a movement that unified the struggle around ethnicity and class-organisation of the society. Initially born as a cultural movement in defense of the identity of the Aymara and indigenous population, in the 1970s Katarism developed into a political force in the “The Unified (or Sole) Syndical Confederation of Rural Workers of Bolivia” (CSUTCB), the largest peasantry union in Bolivia. It operated both in rural and urban contexts, constituting an ideological movement and current in opposition to the anti-democratic characters of the official union system.

The movement developed around different ideological issues, stated in its first public document, “*Manifiesto de Tiwanaku*”. It defended the Indios culture and its past, denouncing the homogenisation process of creoles-mestizos put forward by the MNR and its education form, considered as an alienating and discriminatory practice.

Two aspects of the katarista movement, underlined by Silvia Rivera, are important and functional to explain the redefinition of property and power relations:

“Katarism as a symbiosis between a perfect ethical order, embodied in the Inca moral code (“*ama sua, ama Hulla, ama q'ella*”) and the anti-colonial struggle that seeks to restore it, embodied in the figure of Tupaq Katari and other Indian leaders. Katarism as awareness of the hero’s return, multiplied in thousands: “Nayaw jiwtxa nayjarusti waranqa waranqanakaw kuttanipxani.”⁶⁷

In these conceptions, the colonial heritage of oppression and the importance of numbers at the political level, in order to organise the response.

“Despite achieving citizenship after the Revolution of 1952, Bolivia’s indigenous majority – as Indians – has continued to be systematically excluded from direct access to the nation’s public political life. For the kataristas of the late 1970s,¹ an earlier incarnation of Bolivia’s contemporary indigenous movement, the solution was to embrace the goal of indigenous self-determination as a distinct ‘indigenous nation’ within the pluri-national Bolivian State.”⁶⁸

Throughout the 1970s and the 1980s, the opposition to the governing elites was mainly on the part of the unions, while in the 1990s the opposition was organised among

⁶⁷ Silvia Rivera Cusicanqui, “*Oprimidos pero no vencidos*”: *Luchas del campesinado aymara y qhechwa 1900-1980*” (1984), Editorial: La Mirada Salvaje, Fourth edition: December 2010, p. 211-12. Translation is mine.

⁶⁸ Robert Albro, “*The Indigenous in the Plural in Bolivian Oppositional Politics*”, Bulletin of Latin American Research, Vol. 24, No. 4, pp. 433–453, 2005.

indigenous movements that, as said in the first chapter, began to be more institutionalised and internationally recognised.

The rise of political parties of New Left encourage these movements, and in Bolivia Evo Morales played a key role, moving from protests and mobilisation to the formation of an institutionalised political party, “*Movimiento al Socialismo*” (MAS).

The Popular Participation Law of 1994 created new space for indigenous influence and involvement at the local level. Indigenous people could be elected as local officers in the municipalities, reinforcing their political control and power, especially in some regions, as Robert Albro (2005) underlined, the coca-growing Chapare region of Evo Morales. The coca-growers identified themselves as both *campesinos* (peasant, farmers) and heirs of the indigenous tradition. They stressed the indigenous heritage in the protests against globalisation, with Andean symbols, for example women using the *pollera*, the Andean traditional skirt, and the use of native language.

In the neoliberal era, the indigenous issue was connected to the national one. The MAS of Evo Morales imposed itself as a social and political movement, as an indigenous alternative in politics, especially through the involvement in the Cochabamba Water War of 2000 and the Gas War of 2003, claiming the indigenous rights.

3.2 The Cochabamba Water War of 2000

In order to explain this event, it is necessary to describe how the commons are conceived in Bolivia. Alexander Dwinell and Marcela Olivera, the sister of Oscar Olivera who led “Coalition for the Defense of Water and Life”, in their article “The water is ours damn it! Water commoning in Bolivia” (2014) sustained that the commons operate by its uses and customs, that is to say according “to who use it and how they have been used historically”.⁶⁹

Historically, the Bolivian social organisation was conceived around the concept of autonomy and horizontalism.

As stated by Marcela Olivera,

“Together, they constitute an alternative way—one that is real, practical, and quotidian—of understanding what we mean by “lo publico” (publicness), and what

⁶⁹ Alexander Dwinell and Marcela Olivera, “*The water is ours damn it! Water commoning in Bolivia*”, Oxford University Press and Community Development Journal, 2014, pp. 44-45.

it means to practice living, participatory democracy at the margin of the state and the governments that hold power.”⁷⁰

In the Andean territories of Latin America, the water supply has always been scarce, with an inadequate sanitation system, and its use “has been surrounded by customary law and regulations which has been linked to social organisation.”⁷¹ This organisation takes origins in the pre-Inca period in the Andean regions, called “*ayllu*”: the cultivation and the organisation of the land was in common.

Rural immigrants of Quechua and Aymara origins, that suffered the neoliberal policies of 1980s, reached the urban centers of Cochabamba, as well as La Paz. They brought with them an indigenous cultural heritage, putting forward the Andean tradition and common way of living, in opposition to the paternalistic and hierarchical view of the white elites and foreign organisations.

The water war can be seen in the context of the opposition towards neoliberal policies, namely privatisation, that implied structural reforms in order to attract foreign investment. Before privatisation, the water supply in Cochabamba was under the state agency Municipal Drinking Water and Sewerage Service (*Servicio Municipal de Agua Potable y Alcantarillado*, SEMAPA), but the World Bank, that had influence in Latin America since the debt crisis of the 1980s, made pressure for privatisation:

“the Bank proposes policies of "full cost recovery," meaning that consumers should pay the costs of supplying water, and implying that the government must not subsidize water rates.”⁷²

In 1999, the government decided to privatise the Municipal Drinking Water and Sewerage Service (*Servicio Municipal de Agua Potable y Alcantarillado*, SEMAPA) and, to give a legal basis to the process of privatisation, the Bolivian government under Hugo Banzer passed the “Law 2029 on Potable Water and Sanitary Drainage”, thus “eliminating any

⁷⁰ Marcela Olivera, “*Water beyond the State*”, NACLA Report on the Americas, 47:3, 2014, pp. 64-68, 2014, published online in 2016, <https://doi.org/10.1080/10714839.2014.11721837>.

⁷¹ Vibeke Andersson, “*Is Water a Human Right or a Commodity? Globalization, Privatization and Social Movements in Bolivia*”. Paper presented at Globalization and the Political Theory of the Welfare State and Citizenship, Aalborg University, Aalborg, Denmark, 2006, p. 2.

⁷² Manuel de la Fuente, “*A Personal View: The Water War in Cochabamba, Bolivia: Privatization Triggers an Uprising*”, Mountain Research and Development, Vol. 23, No. 1 (Feb., 2003), pp. 98-100, <https://www.jstor.org/stable/367454>.

guarantee of water distribution to rural areas and allowing outside companies to lease exclusive access to water.”⁷³

The government named the sole bidder of the contract the consortium “*Aguas del Tunari*”, composed of the main global enterprises in the water management. The contract was welcomed among the local elites, while the rural communities, forced to enter in the system, perceived it as a complete, private monopoly.

In Oscar Olivera’s words:

“Because the company has exclusive rights to water distribution, they announced the confiscation of all the water networks. As a result, many people could only get access to the water for about two hours a day. There was no water pressure. The people had to use buckets to take a shower. In some cases, the cost of water went up as much as 400 percent.”⁷⁴

According to the Word Bank, the government and the private sector, water was seen as a commodity, and people should pay for the supply and the service, also the communities with no access to water.

The resistance was organised among both rural and urban population, that protested for the increase of the water bills, with the greater influence of the water committees.

The mobilisation was unified under the “Coalition for the Defence of Water and Life” (“*Coordinadora de Defensa del Agua y de la Vida*”).

The coalition involved people from different sectors, water committees, and cooperatives.

The core and the coordination of the resistance of the movement was composed by:

- the new *Federación Departamental Cochabambina de Regantes* (FEDECOR) led by Omar Fernandez and made up of local professionals; it was the first to oppose to the law;
- the federation of peasant irrigators (*regantes*) and farmers, for which irrigation was fundamental;
- the confederation of factory workers' unions led by Oscar Olivera, that gave a political line to the movement.

⁷³ Alexander Dwinell and Marcela Olivera, “*The water is ours damn it! Water commoning in Bolivia*”, Oxford University Press and Community Development Journal, 2014, p. 46.

⁷⁴ Oscar Olivera, “*The Fight for Water and Democracy: An Interview with Oscar Olivera*”, Journal of Public Health Policy, Vol. 22, No. 2, 2001, pp. 226-234, published by Palgrave MacMillan Journals, <https://www.jstor.org/stable/3343461>.

All these federations wanted the elimination of the contract and, more in general, they opposed to neoliberal and capitalist policies that encouraged the exploitation and the social inequality among workers. The organisation recollected their demands: they wanted to eliminate tariffs, they were against exploitation of the workers, and the businessmen management of their resources.

Protests with strikes and blockades were organised along with meetings and the violent repression on the part of government.

“For two days, while government officials and local leaders negotiated, police fired tear gas and rubber bullets at protesters.”⁷⁵

As long as the government refused to lower the water rates, the protestors refused to pay the bills. The protests were also joined by the coca-growers, led by Evo Morales, that opposed to the United States-sponsored program of coca eradication of their crops.

In April 2000, popular assemblies were organised calling for a referendum, with a high participation of the people.

As underlined by Alexander Dwinell and Marcela Olivera in “The water is ours damn it! Water commoning in Bolivia” (2014),

“When this popular mandate was not recognized by the authorities and the government refused to break the contract and return water management to the public, the people responded by initiating a new far-reaching street blockade.”⁷⁶

At this point, the government proclaimed the State of Emergency, and imprisoned the leaders of the Coalition.

At the final stage, the government surrendered and accepted the demands of the resistance movement:

- elimination of the management of *Agua del Tunari*;
- restoration of the public direction of Municipal Drinking Water and Sewerage Service (*Servicio Municipal de Agua Potable y Alcantarillado*, SEMAPA);

⁷⁵ Vibeke Andersson, “*Is Water a Human Right or a Commodity? Globalization, Privatization and Social Movements in Bolivia*”. Paper presented at Globalization and the Political Theory of the Welfare State and Citizenship, Aalborg University, Aalborg, Denmark, 2006, p. 4.

⁷⁶ Alexander Dwinell and Marcela Olivera, “*The water is ours damn it! Water commoning in Bolivia*”, Oxford University Press and Community Development Journal, 2014, p. 47.

- rewriting of the law.

For Bolivia, this was the first popular victory against the neoliberal policies of the government, with a broad consent among anti-globalist groups at the international level. Rural population demonstrated the capacity of making proposals with a successful change at political level while, traditionally, the law was in the hands of the “white” elites. It was a victory against the dominance of the elites that once were represented by the white colonialists, now by the domestic and capitalist forces. In the past exploitation derived from colonialism, now from globalisation and capitalism.

Bolivian people claimed for self-management and self-ownership and, at a broader level, this popular struggle sought to expand the participation in the decision-making process, as in the Coalition deliberative process.

Rocio Bustamante in “The water war: resistance against privatisation of water in Cochabamba, Bolivia” (2004) underlined the positive impact of direct democracy, with decisions taken collectively in public spaces, gave legitimacy to the resistance movement.

In Oscar Olivera’s words:

“Out of all this, there were basically three lessons. First, after much time, it's the common people who brought justice. Second, I think that all the sense of individualism, the isolation and the fear of the unemployed disappeared under the spirit of solidarity. This is what came out of the self-mobilization of the people. During the worst fighting, there were people who provided water, who provided food, who provided transportation, communication, all the elements of a well-coordinated resistance. People were afraid of the bullets, but not anymore. The third thing is we want democracy. We want a government that takes our opinion seriously. We want a government that doesn't just take into account the interests of international financiers and their neoliberal agenda.”⁷⁷

As underlined before, the Andean rural population has a particular relationship with the Earth. Water, in this case, is seen as a divine living being that cannot be enclosed, restricted, or forcibly possessed, it is “the foundation of reciprocity and complementarity”.⁷⁸ The committees contributed to implement these concepts in the urban population of the country.

⁷⁷ Oscar Olivera, “*The Fight for Water and Democracy: An Interview with Oscar Olivera*”, *Journal of Public Health Policy*, Vol. 22, No. 2, 2001, pp. 226-234, published by Palgrave MacMillan Journals, <https://www.jstor.org/stable/3343461>.

⁷⁸ Marcela Olivera, “*Water beyond the State*”, *NACLA Report on the Americas*, 47:3, 2014, pp. 64-68, 2014, published online in 2016, <https://doi.org/10.1080/10714839.2014.11721837>.

In Cochabamba Water War of 2000, people fought not only for water supply in the strict sense, but for their vision of self-organisation and collective decision-making, having the right of implementing the conditions of their own lives. As underlined by Marcela Olivera (2014), today the committees are involved in different matters, from local security to local activities, with growing independence.

However, the paternalistic view of controlling lands, facilities, and resources continued under Gonzalo Sánchez de Lozada Bustamante presidency, forced to resign after the Gas War of 2003, and the Evo Morales presidency.

Finding its origins in the colonial period, the enclosure of lands and the access to property have continued throughout the Bolivian history.

3.3 The Gas War of 2003

In 1994-1996, under the first presidency of Gonzalo Sánchez de Lozada Bustamante, known as Goni, the government launched a series of neoliberal reforms, aimed at attracting foreign investments to gas and oil sector, privatising industries and improving the exports (Law of Capitalisation).

The United States, the Inter-American Development Bank and above all the World Bank, promoted the liberalisation of the hydrocarbons sector through lobbying activities, loans and structural programs, facilitating private and foreign investments.⁷⁹

Among the goals of Goni's neoliberal reforms, there was also the recognition of the uses and customs of the indigenous community, with bilingual programs and the acceptance of communal land titling (Law of Popular Participation).⁸⁰

It was the management of gas resources, beginning with the Law of Capitalisation in the first mandate of Goni, that brought to the Gas War of 2003, in the second and last Goni's presidency.

At the beginning, people from different country's Andean cities protested against the government plan to export natural gas resources from the largest country's gas field, the Campo Margarita, to the United States and Mexico.

⁷⁹ Thomas Perreault, *"Natural Gas, Indigenous Mobilization and the Bolivian State"*, United Nations Research Institute for Social Development, Identities, Conflict and Cohesion Programme Paper Number 12 July 2008, p. 8.

⁸⁰ Ibidem, p. 6.

In order to exploit and transport the natural gas via pipeline to a Pacific port, the Pacific LNG was formed. It was a consortium of transnational corporations: the British Petroleum Company, the Spanish Repsol YPF, and the British Gas and pan-American Energy.

The gas was transformed into liquefied in a base in the Chilean coast, and this was not possible for the Bolivian population, since natural resources had to be managed nationally.

“Bolivia lost its coast to Chile in the War of the Pacific in the 1870s, and its landlocked status has been a contentious issue between the two states, as well as a symbol of Bolivian nationalism, ever since (Klein 1992). Given that gas (like other strategically important natural resources before it) is widely thought of as national patrimony, plans to export it through Chile were simply unacceptable to most Bolivians.”⁸¹

The protests against the exploitation of natural resources and privatisation reached the peak in October 2003, with road blockades, hunger strikes and military response.

Different actors were involved in the protest: the El Alto Federation of Neighborhood Associations (FEJUVE), Aymara and Quechua campesinos from the Altiplano and Cochabamba, Aymara and Quechua miners from Oruro and Potosí, factory workers, the MAS and other activists aimed by anti-neoliberal sentiments.

It is important to underline that the factory workers were led by Oscar Olivera, the leader of the Cochabamba Water War of 2000, that also in this case contributed a lot in sustaining the cause of the struggle.

The protest moved from the rejection of the export of natural resources to the general neoliberal policies of the government, such as the coca eradication policies.

The indigenous population accused the Goni’s government of favouring the US “war on drugs”, with the aim of eliminating illegal drug trade and discouraging its production. For the indigenous, the cultivation of coca leaf is an ancestral and cultural heritage. It has always been used as a medicine, and chewing coca represents a ritual and a form of social belonging to the community.

As in the case of Cochabamba Water War of 2000, the “Coalition for the Defense and Recuperation of Gas” was created in April 2003, through the effort of Oscar Olivera, even if it was not as efficient as the “Coalition for the Defence of Water and Life”. Insisting

⁸¹ Thomas Perreault, “*Natural Gas, Indigenous Mobilization and the Bolivian State*”, United Nations Research Institute for Social Development, Identities, Conflict and Cohesion Programme Paper Number 12 July 2008, p. 14.

on horizontal organisation and participative initiative, Oscar Olivera called for mobilisation in favour of a “social re-appropriation” of natural resources, questioning the intervention of transnational corporations.

In an interview of 2004, Olivera declared:

“We could say that there was a strong indigenous, peasant, urban, and professional presence to establish that space, not only to promote efforts to raise awareness and to inform people on the topic of hydrocarbons but also most of all to develop a series of proposals for the recuperation of our hydrocarbons that could be undertaken through legal channels as well as through protest. This coalition announced its first call for a mobilization for September 19, 2003. We saw that as a prelude to the meaning of [the struggle in] September and October, as well as Gonzalo Sánchez de Lozada’s resignation from the national government.”⁸²

Along with Oscar Olivera and Evo Morales, another important protagonist of the Gas War was Felipe Quispe, the leader of the Indigenous Pachakuti Movement (MIP), more inclined to take action than dialogue.

The strikes and streets blockades continued, and the government imposed martial law in El Alto. After suspending the gas plan, Goni was forced to resign, as his successor, Carlos Mesa, in 2005.

Protests in favour of gas nationalisation were violently repressed by the police, with tear gas and rubber bullets, as happened in the Cochabamba Water War five years before.

The population did not trust the government’s new proposal, The 2005 Hydrocarbons Law, promulgated after a referendum, and opposed by the protestors as well. Essentially, it was based on increased contribution by the transnational corporations.

As stated by the Coalition for the Defense and Recuperation of Gas,

“This Hydrocarbons Law proposal also reveals the true nature of the referendum that Mr. Mesa himself proposed and promoted last July 18. It is a huge act of manipulation, lies, and cynicism. Propped up by institutions that have lost all democratic integrity, that are deaf to the voice of the people, and that today do nothing but block society’s mass participation to decide what is best for it, the president presented a few cowardly questions to the nation’s citizens. Twelve days later, he shows that he is not even willing to comply with that proposal for moderate and minor change in the relationship between the state and the transnational oil companies looting public resources that legally belong to us. The entire Bolivian people, and the working population from other nations in this region, affirm that we

⁸² Raquel Gutiérrez Aguilar, *“Rhythms of the Pachakuti: Indigenous Uprising and State Power in Bolivia”*, Duke University Press, 2014, p. 110.

will not tolerate any more tricks. We will not accept a conniving, cynical, and dishonest man as president.”⁸³

To sum up, there were four main arguments around the conflict between state and protestors:

- the ownership (and the associated rights), and recuperation of hydrocarbons;
- the contribution and the use of taxes on hydrocarbons extraction from transnational corporations;
- gas industrialisation;
- the re-establishment of *Yacimientos Petrolíferos Fiscales Bolivianos* (YPFB) as a state--owned oil company under “social control.”

It is important to underline that some months before the promulgation of The Hydrocarbons Law (May 2005), in January 2005, on the fifth anniversary of the Water War in Cochabamba, the population of El Alto organised mobilisation and strikes against the water management of the private company, *Aguas del Illimani S.A.*, a subsidiary of the French company Suez-Lyonnese des Eaux, with grants from the World Bank. They denounced “the poor quality of the water service and the high cost of connecting to the network.”⁸⁴ The Federation of Neighbourhood Boards (*Federación de Juntas Vecinales*, FEJUVE) was at the head of mobilisation, receiving the assistance, and sharing the experience, of Cochabamba’s Coalition for the Defense of Water and Life. In this occasion, to avoid the events of Cochabamba in El Alto, with the “Supreme Decree 27973”, Mesa defined the date for the end of the contract with *Aguas del Illimani*.

El Alto struggle of 2005 was another struggle that moved beyond the concept of state and capitalism: it was an expression of self-emancipation and empowerment.

As clearly conceptualised by Raquel Gutiérrez Aguilar (2014), Carlos Mesa

“found it excessive that El Alto’s population would want and consider feasible the transnational corporation’s immediate withdrawal from Bolivia and for the municipality to manage the water company again. That was foolish. That was unacceptable. For Carlos Mesa, it was impossible to think that things could be done any other way. He rejected everything in the category of “social control.” He

⁸³ Ibidem, p. 142.

⁸⁴ “Privatisation of water in La Paz, Suez-Aguas del Illimani, Bolivia”, EJAtlas - Global Atlas of Environmental Justice, <https://ejatlas.org/>.

affirmed that, within state regulations, the desire for “social property under collective control” simply “didn’t fit.” And he said that to the inhabitants of a city who built nearly everything they have with their own hands, personal wealth and public services, coming together and collectively erecting what they need.”⁸⁵

Mesa tried to put limits on transnational action, but in a limited, and centralised way. He re-proposed the organisation of the society along strict hierarchical lines.

3.4 The rise of Evo Morales: “El Indio”

Evo Morales was elected in 2005 with the largest percentage in the Bolivian history (54% in the first round of the elections).

Morales is the son of Aymara *campesinos*, and is grown up in the mining camps of Oruro. As being the first Indigenous President of Bolivia, all the political strategy of Morales has been constructed around his indigenous heritage and origins, beginning with wearing the traditional *chompa*, an alpaca-wool striped sweater. He has promoted indigeneity in the international forums, he has tried to approach the pan-indigenous movement, and he promulgated the “Bolivia (Plurinational State of)’s Constitution” in 2009. Some articles have been analysed in the precedent chapters, but it is also important to quote a part of the Preamble, where are expressly cited the revolutionary struggles described in this chapter.

“We, the Bolivian people, of plural composition, from the depths of history, inspired by the struggles of the past, by the anti-colonial indigenous uprising, and in independence, by the popular struggles of liberation, by the indigenous, social and labor marches, by the water and October wars, by the struggles for land and territory, construct a new State in memory of our martyrs.”⁸⁶

Morales has been the founder and the leader of the *Movimiento al Socialismo* (MAS), sustained by the *campesino*, indigenous people, the urban poor, the coca-growers, the Bolivian Left.

⁸⁵ Raquel Gutiérrez Aguilar, “*Rhythms of the Pachakuti: Indigenous Uprising and State Power in Bolivia*”, Duke University Press, 2014, p. 157.

⁸⁶ “*Bolivia (Plurinational State of)’s Constitution of 2009*”, constituteproject.org, PDF generated: 26 Aug 2021, 16:19.

On the 1st May 2006, the Labour Day, Morales finally proclaimed the nationalisation of country's natural gas and petroleum, reconstituting the national *Yacimientos Petrolíferos Fiscales Bolivianos* (YPFB).

“Surrounded by soldiers and representatives from the national and international press, Evo announced Presidential Decree 28701 from the San Alberto natural gas field in Tarija, a banner behind him declaring “Nacionalizado: Propiedad de Bolivianos” (Nationalized: Property of Bolivians). As he read the decree, the military simultaneously occupied 56 natural gas installations throughout the country.”⁸⁷

The Decree 28701 was known as the “Heroes of the Chaco decree”, recalling the concept of national sovereignty and Andean indigenous historical memory.

Regarding the precedent contested issue, the Water, Evo Morales introduced an important novelty, the Ministry of Water, instead of various state agencies.

With the agrarian reform of 2006, he redistributed the lands to the indigenous communities, in the spirit of the Constitution provisions, even if Guaraní communities denounced the labour conditions and exploitation.

However, under his presidency, the indigenous movements did not follow the same path, and did not share the same enthusiasm for Morales. Divisions and oppositions between lowland east (mainly Guaraní) and highland west Indians (Aymara and Quechua) increased and, for example, the eastern lowland department of Santa Cruz moved for autonomy.

Regarding the coca growers, as said before, Morales has always sustained the cultivation of coca leaves, recognising its traditional and cultural value among the indigenous population of Aymara and Quechua.

“In a dramatic break with the past, the MAS government has instituted a “coca yes, cocaine no” policy under the leadership of former coca growers. In contrast to previous governments, the policy recognizes the importance of the leaf's traditional role in indigenous cultures. Alongside support of joint military-police action to curb drug trafficking and economic development initiatives, an innovative community-led control scheme known as “social control” or “rationalization” works to limit the amount of coca destined for cocaine production.”⁸⁸

⁸⁷ Thomas Perreault, “*Natural Gas, Indigenous Mobilization and the Bolivian State*”, United Nations Research Institute for Social Development, Identities, Conflict and Cohesion Programme Paper Number 12 July 2008, p. 16.

⁸⁸ Linda Farthing and Benjamin Kohl, “*Social Control: Bolivia's New Approach to Coca Reduction*”, Latin American Perspectives, Vol. 37, No. 4, BOLIVIA UNDER MORALES. Part 2. NATIONAL AGENDA,

The economic recession along with a disproportionate desire of power, brought to an end the presidency of Evo Morales, accused of election fraud in 2019.

His political career has been contradictory, firstly aimed at the indigenous recognition and self-determination in order to build a multicultural Bolivian State, but then moving to populism, with his charismatic and authoritarian figure, a regular publicity campaign, subsidies and grants to the population, without the consequent improvement of the services.

3.5 Conclusion: multiple Indigenous struggles

As pointed out by Andrew Canessa (2016),

“The history of Bolivia can easily be described as the history of the oppression of the descendants of pre-European populations in the service of a white-dominated oligarchy of landowners and mine owners.”⁸⁹

In particular, the author specifies that the hostilities in Bolivia have been organised between:

- territorialised indigenous groups that develop the discourse of indigeneity around the autonomous control over the land, stressing their ancestral rights to the community land;
- deterritorialised groups, focusing on the identity of the indigenous people, challenging the white and *mestizo* elites for political power and economic resources, claiming their ancestral rights to the nation.

Between 2000 and 2005, the struggle has been put forward on two fronts:

- against transnational corporations and their foreign investments on the national territory;
- against the traditional political power of the elites.

REGIONAL CHALLENGES, AND THE STRUGGLE FOR HEGEMONY, July 2010, p. 198. Published by Sage Publications, Inc., <https://www.jstor.org/stable/25700540>.

⁸⁹ Andrew Canessa, “Paradoxes of Multiculturalism in Bolivia” in “The Crisis of Multiculturalism in Latin America”, edited by David Lehmann, Studies of the Americas, Palgrave MacMillan published by Springer Nature, 2016, p. 89, ISBN 978-1-137-50958-1 (eBook).

Indigenous heritage and recognition in Bolivia is no longer exclusively aligned with a communal Indian project. This can be seen in the popular success of the MAS, and the leader Evo Morales, with a broader electoral base, in the context of multicultural neoliberalism.

Indigenous people can resume more space of autonomy in their communal practices, and through their struggle over natural resources, have found space in taking action at political level.

Conclusion

The Latin American context is still influenced by the colonial past, with the society deeply divided along hierarchical lines, with specific ethnic groups excluded from the political domain, and negatively influenced by the economic policies. Race still embodies property in itself, for this reason the subaltern studies focused on the re-appropriation of the body, finding in it the first source of ownership.

The oppressive colonial regimes have been replaced by new, modern, and white elitism. The neoliberal governments have aimed to make profit at the expense of the rural and indigenous communities. In particular, the study has focused on the Indigenous struggle put forward in Bolivia, a plurinational State, with a high percentage of people of indigenous origins.

As we have seen, in modern times, Bolivia has faced different challenges from multiple fronts.

- local, specific, and cultural strategies of some “indigenous groups”, such as the coca growers, fighting their right of cultivation and consumption, seen as an ancient indigenous tradition;
- particular regional versions of “indigenous identity”, such as “ayllu democracy”:

“Today the discourse is changing again. The campesinos now see an opportunity for bettering their life by “returning” to a more indigenous mode of organisation in recreating the ayllus of their area, re-establishing the social organisation and reclaiming collective ownership to land.”⁹⁰

- a more urban-based, plural recognition of the indigenous heritage, with actions taken for the benefit of the entire population, based on the basic needs and access to natural resource, mainly the access to water, as happened in the Water War case of 2000, and the natural gas, as happened in the Gas War of 2003.

⁹⁰ Thomas Perreault, “*Natural Gas, Indigenous Mobilization and the Bolivian State*”, United Nations Research Institute for Social Development, Identities, Conflict and Cohesion Programme Paper Number 12 July 2008, p. 7.

The struggles of Cochabamba, El Alto, and of the coca-growers have demonstrated that a collective action to the establishment of the right of use and access to resources can be taken, from the bottom-up instead of the traditional top-down system.

As underlined by Raquel Gutiérrez Aguilar (2014), the “community-popular” perspective, and the “tributary national-popular perspective” broke the liberal paradigm and were intertwined in the Bolivian struggle begun in 2000.

“In any case what matters to the recent Bolivian struggle and this complicated play between tensions, rivalries, and displacements between two perspectives and political approaches is that they clearly demonstrated the potential for a future beyond the traditional structure. This means beyond what was already in place, from the government and its occupation, from the state and its codes, dynamics, and canons of hierarchies and exclusion. The recent Bolivian struggles again put up for debate the potential to alter social reality in a profound way to preserve, through transformation, worlds of collective and traditional life to produce innovative and fertile styles of government, social links, and self-regulation. In a way the central ideas from this path can be summarized by the following triad: dignity, autonomy, and cooperation. This constitutes the mobilizations’ most powerful and disruptive element.”⁹¹

Bolivian struggles have demonstrated that a possible alternative to the capitalist system can be conceived and actualised, namely the communal, and participative organisation. The indigenous struggles, with a broader popular support, have overtaken the strict hierarchical lines around culture, race, and class. For the first time, rural and indigenous people have acted as protagonists in defending their rights, above all the access to resources and land.

As underlined throughout the chapter, land is seen not as an object to exploit and occupy, but as a “divine” space that can be lived by everyone and that, at the same time, cannot be possessed, as we have seen in the Cochabamba Water War of 2000. The environment, with its natural resources, is not seen as property or a commodity by the indigenous people. The land, and the resources offered by the Earth, are the expression of their identity and culture, as seen in the case of the coca growers. Throughout the history, the indigenous space has been colonised and the nature exploited for profit and material outcomes.

The indigenous people, with their customs and traditions, their culture, and their struggles, offer a point of reflection on the possible existence of different conceptions of

⁹¹ Raquel Gutiérrez Aguilar, *Rhythms of the Pachakuti: Indigenous Uprising and State Power in Bolivia*, Duke University Press, 2014, p. 180.

time and space. History is not universal, and linear; modernity is not necessary progress; nature is not a property in itself. The indigenous people contested the Western idea of classifying the time, that is only linked to progress, and so modernity.

What is conceived as “prehistoric” for Western modern conception, has no place, because knowledge came after. For this reason, the indigenous struggles can be seen as emancipatory, with the self-riappropriation and the sharing of the ancestral traditions and culture.

“What has come to count as history in contemporary society is a contentious issue for many indigenous communities because it is not only the story of domination; it is also a story which assumes that there was a 'point in time' which was 'prehistoric'. The point at which society moves from prehistoric to historic is also the point at which tradition breaks with modernism. Traditional indigenous knowledge ceased, in this view, when it came into contact with 'modern' societies, that is the West. What occurred at this point of culture contact was the beginning of the end for 'primitive' societies. Deeply embedded in these constructs are systems of classification and representation which lend themselves easily to binary oppositions; dualisms, and hierarcal orderings of the world.”⁹²

At this final stage of the work, the concept of *multiversum* of the philosopher Ernst Bloch can be explained, adapting it to the question research that it has been developed during the chapters.

Bloch evidences the European tendency of perceiving the time and the space limited, directed to the centre, the core of Western modernity, without going beyond of what is not of their understanding. What and who is outside, what and who is beyond the temporal and spatial dimension of their conception of modernity, and of their knowledge, is forced to join the centre, as happened in the case of the assimilation process with the Indigenous people, or outcasted and deprived of all that contribute to construct the self-identity: culture, language, traditions, property.

Bloch underlines that the capitalist system itself has favoured the interconnection of different cultures and plural subjectivities, along with the connection of different temporalities. The concept of *multiversum* is used to represent this process of plural subjectivity, where all the cultures are intertwined, favoured by the capitalism itself, that put them together.

⁹² Smith Tuhiwai L., “*Decolonizing methodologies: Research and Indigenous people*”, Zed Books, 1999, p. 55.

The system of capitalism itself, the expression of European and Western modernity, has not a fixed line of progress. The property itself, in its broader sense, can be conceived around a type of power relationship that can constantly evolve, in a fluid, dynamic, violent or chaotic way, but it cannot be static.

The modern private property can be connected to the communal one, and be overcome, as happened in the Indigenous struggles of Cochabamba Water War of 2000 and the Gas War of 2003. Alternatives and new modes of ownership can be included in this system, in this

“process of plural subjectification oriented to a content-end that finds definition only in the process itself; a content-end so rich and deep to allow the different voices of history to find "a place in it and towards it."

Bibliography

- Bethell L., *“The Cambridge History of Latin America, From Independence to c. 1870”*, Volume III, Cambridge Histories Online, Cambridge University Press, Cambridge, 2008, p. 11.
- Bhandar B., *“Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership”*, Duke University Press, 2018, p. 36, 50.
- Blaufarb R., *“The Great Demarcation: The French Revolution and the Invention of Modern Property”*, Oxford University Press, 2016, p. 1.
- Brysk A., *“From Tribal Village to Global Village: Indian Rights and International Relations in Latin America”*, Stanford University Press, 2000.
- Canessa A., *“Paradoxes of Multiculturalism in Bolivia”* in *“The Crisis of Multiculturalism in Latin America”*, edited by David Lehmann, Studies of the Americas, Palgrave MacMillan published by Springer Nature, 2016, p. 89, ISBN 978-1-137-50958-1 (eBook).
- Collamati C., Farnesi Camellone M., Zanelli E., *“Filosofia e politica in Ernst Bloch: lo spirito dell’utopia un secolo dopo”*, (edited by), Quodlibet Studio, 2019, p. 183.
- De La Torre C., *“Populism in Latin America”* in Cristóbal Rovira Kaltwasser, Paul Taggart, Paulina Ochoa Espejo, Pierre Ostiguy, *“The Oxford Handbook of Populism”*, Oxford University Press, 2017, pp. 196-197.
- Deloria V. Jr., *“Custer Died for Your Sins: An Indian Manifesto”*, University of Oklahoma Press, 1988.
- Dowd G. E., *“A Spirited Resistance: The North American Indian Struggle for Unity, 1745-1815”*, Johns Hopkins University Press, 1993.
- Favre H., *“El Indigenismo”*, Fondo de Cultura Económica, 1998.

- Giraud L. in *“La questione indigena in America Latina”*, Carocci, 2009.
- Gotkowitz L., *“A REVOLUTION FOR OUR RIGHTS: Indigenous Struggles for Land and Justice in Bolivia, 1880–1952”*, Duke University Press, 2007, pp. 128, 132, 225, 240.
- Gutiérrez Aguilar R., *“Rhythms of the Pachakuti: Indigenous Uprising and State Power in Bolivia”*, Duke University Press, 2014, p. 110, 142, 157, 180.
- Harris C., *“Whiteness as property”*, Harvard Law Review, volume 106, number 8, June 1993, p. 20, 1731.
- Harvey D., *“The New Imperialism”*, New Publisher, 2005.
- ILO, Indigenous and Tribal Convention n. 169, June 1989.
- Johnson M., *“The Land Is Our History: Indigeneity, Law, and the Settler State”*
- Kruijt D., Tristán E. R., and Álvarez A. M. in *“Latin American Guerrilla Movements: Origins, Evolution, Outcomes”*, Routledge, 2019.
- Loveman B., *“For la Patria: Politics and the armed forces in Latin America”*, Chapter 7, Scholarly Resources Inc, 1999, p. 212.
- Morelli F., *“L’indipendenza dell’America spagnola: Dalla crisi della monarchia alle nuove repubbliche”*, Mondadori Education, 2015, p.88. Translation is mine.
- Mills C. W., *“The Racial Contract”*, Cornell University Press, 1997, p.111.
- Nichols R., *“Theft is property! Dispossession and Critical Theory”*, Duke University Press, 2020, p. 93.
- Peloso V. C. and Tenenbaum B. A., *“Liberal, Politics, and Power: State formation in Nineteenth-Century in Latin America”*, University of Georgia Press, 1996.
- Proudhon P. J., *“Property is theft” A Pierre-Joseph Proudhon Anthology*” edited by Iain McKay, AK Press Publishing & Distribution, 2011, p. 124.

- Rivera Cusicanqui Silvia, *“Oprimidos pero no vencidos”: Luchas del campesinado aymara y qhechwa 1900-1980”* (1984), Editorial: La Mirada Salvaje, Fourth edition: December 2010, p. 211-12. Translation is mine.
- Rodríguez O. J. E., *“La Independencia de la América Española”*, Fondo De Cultura Economica USA, 2006.
- Smith Tuhiwai L., *“Decolonizing methodologies: Research and Indigenous people”*, Zed Books, 1999, p. 55.
- Tomba M., *“Insurgent Universality: An alternative legacy of modernity”*, Oxford University Press, USA, 2019, p. 8.
- Williams Patricia J., *“The Alchemy of Race and Rights”*, Harvard University Press, 1991.
- Zanatta L., *“Storia dell’America Latina Contemporanea”*, Laterza, 2011.

Sitography

- Albro R., “*The Indigenous in the Plural in Bolivian Oppositional Politics*”, *Bulletin of Latin American Research*, Vol. 24, No. 4, pp. 433–453, 2005. URL: <https://onlinelibrary.wiley.com/doi/10.1111/j.0261-3050.2005.00142.x>.
- Andersson V., “*Is Water a Human Right or a Commodity? Globalization, Privatization and Social Movements in Bolivia*”. Paper presented at *Globalization and the Political Theory of the Welfare State and Citizenship*, Aalborg University, Aalborg, Denmark, 2006, pp. 2, 4, 10. (Article online).
- Bellamy Foster J., Clark B. and Holleman H., “*Marx and The Indigenous*”, monthlyreview.org, February 1, 2020.
- “*Bolivia (Plurinational State of)'s Constitution of 2009*”, constituteproject.org, PDF generated: 26 Aug 2021, 16:19.
- Borrás S. M. Jr and Franco J. C., “A ‘Land Sovereignty’ Alternative? Towards a peoples’ Counter-Enclosure”, TNI Agrarian Justice Programme, discussion paper, July 2012, URL: https://www.tni.org/files/a_land_sovereignty_alternative_.pdf
- Byrd J. A. & Rothberg M., “*Between Subalternity and Indigeneity*”, *interventions*, 13:1, Taylor & Francis Online, published online: February 23, 2011, pp. 1-12, <https://doi.org/10.1080/1369801X.2011.545574>.
- Bustamante R., “*The water war: resistance against privatisation of water in Cochabamba, Bolivia*”, *REGA* – Vol. 1, n. 1, p. 37-46, jan./jun. 2004, https://www.academia.edu/36261398/waterwarREGA_pdf
- Casen C., Translated from the French by Ethan Rundell, “*Bolivian Katarism: The Emergence of an Indian Challenge to the Social Order*”, *Critique internationale* 2012/4 (No 57) , p. 23-36. URL: <https://www.cairn-int.info/journal-critique-internationale-2012-4-page-23.htm>.
- Chief Joseph, “An Indian’s View of Indian Affairs” (1879), in Kramnick and Lowi, *American Political Thought*, 2018, p. 930, 931, 941,

URL:https://www.digitalhistory.uh.edu/disp_textbook.cfm?smtID=3&psid=4054

- constituteproject.org, PDF generated: 26 Aug 2021.
- De la Fuente Manuel, “*A Personal View: The Water War in Cochabamba, Bolivia: Privatization Triggers an Uprising*”, Mountain Research and Development, Vol. 23, No. 1 (Feb., 2003), pp. 98-100, <https://www.jstor.org/stable/367454>.
- Dwinell* A. and Olivera M., “*The water is ours damn it! Water commoning in Bolivia*”, Oxford University Press and Community Development Journal, Vol. 49, 2014, pp. 44, 45, 46, 47.
- “*Economic Manuscripts: Capital Vol. I – Chapter Thirty Two*”, www.marxists.org, transcribed by Zodiac Html Markup by Stephen Baird, 1999.
- “*Eminent domain*”, Encyclopedia Britannica, September, 4 2019, <https://www.britannica.com/topic/eminent-domain>. Accessed 20 February 2022.
- Ennis M., Quijano A., “*Coloniality of power, Eurocentrism, and Latin America*”, Nepantla: Views from South, Volume 1, Issue 3, Duke University Press, 2000, pp. 533-580 (Article online).
- Fairbairn M., “*Indirect dispossession: domestic power imbalances and foreign access to land in Mozambique*”, Development and Change, 44(3), 2013, p 335 (Article online).
- Farthing L. and Kohl B., “*Social Control: Bolivia's New Approach to Coca Reduction*”, Latin American Perspectives, Vol. 37, No. 4, BOLIVIA UNDER MORALES. Part 2. NATIONAL AGENDA, REGIONAL CHALLENGES, AND THE STRUGGLE FOR HEGEMONY, July 2010, p. 198. Published by Sage Publications, Inc., <https://www.jstor.org/stable/25700540>.
- Fenelon J. V. & Hall Thomas D., “*Revitalization and Indigenous Resistance to Globalization and Neoliberalism*”, American Behavioral Scientist, Volume 51, Number 12, Sage publications, August 2008, p.1873 (Article online).

- Gandarilla Salgado J. G., García-Bravo M. H., Benzi D., “*Two Decades of Anibal Quijano’s Coloniality of Power, Eurocentrism and Latin America*”, Contexto Internacional vol. 43(1), Jan/Apr 2021, p. 204, URL: <http://doi.org/10.1590/S0102-8529.2019430100009>.
- Gildner M. R., “*La historia como liberación nacional: creando un pasado útil para la Bolivia posrevolucionaria*”. Rev Cien Cult [online]. 2012, n.29 [citado 2022-02-27], pp.103-122, <http://www.scielo.org.bo/scielo.php?script=sci_arttext&pid=S2077-33232012000200006&lng=es&nrm=iso>. ISSN 2077-3323. Translation is mine.
- González Casanova P., “*Internal Colonialism and National Development*”, Studies in comparative international development, April 1965, Springer, URL: <https://link.springer.com/content/pdf/10.1007/BF02800542.pdf>.
- Greer A., “*Commons and Enclosure in the Colonization of North America*”, The American Historical Review, Volume 117, Issue 2, April 2012, published online: April 1, 2012, pp. 365–386, <https://doi.org/10.1086/ahr.117.2.365>.
- Guereña A, under the direction of Burgos S., “*Unearthed: Land, Power and Inequality in Latin America*”, Oxfam America, 2016, p.14 (Article online).
- Hall D., “*Primitive Accumulation, Accumulation by Dispossession and the Global Land Grab*”, Third World Quarterly, 34:9, 2013, p.1592, <https://doi.org/10.1080/01436597.2013.843854>.
- Hardin G., “The Tragedy of the Commons”, Science, New Series, Vol. 162, No. 3859 (Dec. 13, 1968), pp. 1243-1248, American Association for the advancement of science, URL: <http://www.jstor.org/stable/1724745?origin=JSTOR-pdf>
- “*Indigenous*” definition, Merriam-Webster, 2021, URL: <https://www.merriam-webster.com/dictionary/indigenous>.
- International Labour Organization (ILO) Resolutions Concerning Statistics of Employment in the Informal Sector Adopted by the 15th International Conference of Labour Statisticians, January 1993, para. 5.; URL: <https://stats.oecd.org/glossary/detail.asp?ID=1350>.

- Johnson M., “*The Land Is Our History: Indigeneity, Law, and the Settler State*”, American Historical Review, Volume 122, Issue 5, 2017, URL: <https://doi.org/10.1093/ahr/122.5.xi>.
- Lavaund J. P. and Lestage F., “*El indianismo en la América hispánica. Una nebulosa política equívoca*”, 2006, URL: https://www.researchgate.net/publication/272770229_El_indianismo_en_la_America_hispanica_Una_nebulosa_politica_equivoca.
- Locke J., “*Second Treatise of Government*”, Volume I, Chapter 16, Document 3, the Founders’ Constitution published by the University of Chicago Press, URL: <http://press-pubs.uchicago.edu/founders/documents/v1ch16s3.html>.
- Luxemburg R., “*The Accumulation of Capital*”, Chapter 27, Section III, [marxists.org](http://www.marxists.org), last updated: December 12, 2008.
- Marx K., *Letter to J. B. Schweizer “On Proudhon (Feb. 1865)”*, in Karl Marx and Friedrich Engels selected Works, vol. 2, Der Social-Demokrat, No. 16, February 1, 1865. URL: https://www.marxists.org/archive/marx/works/1865/letters/65_01_24.htm.
- “*Mestizaje*” meaning in UK English, <https://www.lexico.com/definition/mestizaje>.
- “*Mestizo*” definition, Longman Dictionary, URL: <https://www.ldoceonline.com/dictionary/mestizo>.
- Miller Robert J., “*The Doctrine of Discovery: The International Law of Colonialism*”, The Indigenous Peoples’ Journal of Law, Culture & Resistance, 5(1), 2019, p. 39 (Article online).
- Monni S., Pallottino M., “*Beyond growth and development: buen vivir as an alternative to current paradigms*”, International Journal of Environmental Policy and Decision Making, Vol. 1, No. 3, Inderscience Enterprises Ltd., 2015. URL: <http://dx.doi.org/10.1504/IJEPDM.2015.074300>.

- Morin F., *“Introduccion. Indio, indigenismo, indianidad, Indianidad, Etnocidio e Indigenismo En América Latina”*, Instituto Indigenista Interamericano, Centre d’Études Mexicaines et Centraméricaines, 1988, OpenEdition Books (online). Translation is mine. URL: <https://books.openedition.org/cemca/6315?lang=it>.
- Murray C., *“John Locke's Theory of Property, and the Dispossession of Indigenous Peoples in the Settler-Colony”*, American Indian Law Journal: Vol. 10 : Iss. 1 , Article 4. 2022. URL: <https://digitalcommons.law.seattleu.edu/ailj/vol10/iss1/4>.
- National Institute of statistics, Bolivia, URL: <https://www.ine.gob.bo/>
- Olivera M., *“Water beyond the State”*, NACLA Report on the Americas, 47:3, 2014, pp. 64-68,2014, published online in 2016, <https://doi.org/10.1080/10714839.2014.11721837>.
- Olivera O., *“The Fight for Water and Democracy: An Interview with Oscar Olivera”*, Journal of Public Health Policy, Vol. 22, No. 2, 2001, pp. 226-234, published online by Palgrave MacMillan Journals, <https://www.jstor.org/stable/3343461>.
- Perreault T., *“Natural Gas, Indigenous Mobilization and the Bolivian State”*, United Nations Research Institute for Social Development, Identities, Conflict and Cohesion Programme Paper Number 12 July 2008, pp. 6, 7, 8, 14, 16 (Article online).
- Plonowska Ziarek E., *“Rethinking Dispossession: On Being in One's Skin”*, Parallax, 7:2, p. 3, 2001, URL: <https://doi.org/10.1080/13534640110037778>.
- *“Pongueaje”* meaning in UK English, <https://www.collinsdictionary.com/dictionary/spanish-english/pongueaje>.
- *“Privatisation of water in La Paz, Suez-Aguas del Illimani, Bolivia”*, EJAtlas - Global Atlas of Environmental Justice, <https://ejatlas.org/>.
- Proudhon P. J., *“What is property? An Inquiry into the Principle of Right and of Government”*, 1840 (retrieved on April 21, 2010 from etext.lib.virginia.edu), URL:

<https://theanarchistlibrary.org/library/pierre-joseph-proudhon-what-is-property-an-inquiry-into-the-principle-of-right-and-of-government>.

- Reed J. P. Assistant Professor, “*Indigenous Land Policies, Culture and Resistance in Latin America*”, *Journal of Peasant Studies*, 31:1, 2003, published online: August 5, 2006, p. 153, URL: <https://doi.org/10.1080/0306615031000169152>.
- Rodríguez Ordóñez. J. E., “*The Hispanic Revolution: Spain and America, 1808-1826*”, *Ler História*, 57 | 2009, 73-92, Online since 01 June 2016, connection on 26 February 2022. URL: <http://journals.openedition.org/lerhistoria/1848>.
- Soliz C.; “*Land to the Original Owners*”: *Rethinking the Indigenous Politics of the Bolivian Agrarian Reform*”. *Hispanic American Historical Review* 1 May 2017; 97 (2): 259–296. doi: <https://doi.org/10.1215/00182168-3824065>.
- Strobele-Gregor J., “From Indio to Mestizo... to Indio: New Indianist Movements in Bolivia”, Research article online, Sage Journals, first published: April 1, 1994, <https://doi.org/10.1177%2F0094582X9402100207>.
- Tarica E., “*Indigenismo*”, Oxford Research Encyclopedias, article published online: 3 March 2016, <https://doi.org/10.1093/acrefore/9780199366439.013.68>.
- Ward R. C., “*The Spirits Will Leave: Preventing the Desecration and Destruction of Native American Sacred Sites on Federal Land*”, *Ecology Law Quarterly* Vol. 19, No. 4, University of California, Berkeley, 1992, pp. 800-801 (Article online).
- Wolfe P., “*Settler colonialism and the elimination of the native*”, *Journal of Genocide Research*, 8:4, 2006, p. 387-409, <https://doi.org/10.1080/14623520601056240>.
- Zanatta L., “*Populismi di sinistra? Il caso dell’America Latina*”, *Teoria politica. Nuova serie Annali* [Online], 7 | 2017, Online since 26 May 2020, connection on 03 December 2021. URL: <http://journals.openedition.org/tp/514>.