

Bolivia: Legitimation Crisis and State (In)capacity

In early March, the first cases of Covid-19 in Bolivia were confirmed. Shortly afterwards the government decreed a state of health emergency and adopted strict measures to avoid the spread of the virus.¹ Four months later, however, we are witnessing the increase of infections, the collapse of the health system, and a series of side effects that go beyond the health realm. Some are shared with many other countries such as the economic impacts of the quarantine on a population working mostly on the informal sector and the increase of unemployment and of gender violence, among others.

However, in Bolivia the epidemic crisis also deepened an ongoing political crisis. The country is facing the pandemic in a context characterized by the broad illegitimacy of an interim, non-elected government; intense partisanship and a fierce conflict within the political system between the executive and the legislative powers; and a controversial electoral process with the final date repeatedly postponed. It is against this backdrop that the state's actions related to the epidemic, and the reactions of other political actors and members of civil society, must be understood.

The current political crisis began with the national elections last October, which were controversial from the onset due to the incumbent President Evo Morales' decision to run for another term against the constitutionally established limits.² During the vote counting, accusations were made of efforts to rig the election in Morales' favor. Over the following three

¹ Among the draconian measures taken, were the closing of borders and the ban on internal and international movement. Schools, bars and restaurants, factories and mines, stores and market stalls selling non-essential goods were closed. The circulation of public and private vehicles was prohibited. Any kind of social gathering was forbidden. Only one person per family could leave home to make purchases from 7:00 a.m. to 12:00 p.m. once a week according to their ID number, and the use of masks became mandatory. Fines were established and arrests made where measures were not obeyed.

² Morales held a referendum asking Bolivians to approve his candidacy for another term. He lost the referendum but nonetheless claimed his human right to again be a presidential candidate. The Electoral Court validated his candidacy.

weeks, violent protests spread across the country. As a report was released by the Organization of American States alleging irregularities in the electoral process, tensions escalated. Amidst mounting societal pressure, a police mutiny and the suggestion by the military that the President should resign, Morales caved in; complied and went into exile in what has been interpreted by many as a *coup d'état*.

The crisis of the political system

Those in the constitutional succession line to replace the President also resigned.³ Jeanine Áñez, the second vice-president of the Senate and a minor political figure until then, declared herself the new President of Bolivia in a highly disputed move. She was [confirmed as the interim President by the Plurinational Constitutional Court](#), according to Article 169 of the Bolivian Constitution, which also establishes that a transitional government should call for new elections over a 90-day period. While she [initially guaranteed that this was her only goal](#) and she would not compete in the new elections, last January, she [announced her candidacy](#) for President.

What was already a very tenuous legitimacy of a non-elected government, became even more fragile. [Her decision to run was denounced](#) by different political forces and civil society actors as a betrayal of her constitutional mandate.⁴ The political crisis has been further complicated by the fact that Morales' political party, the Movement for Socialism (MAS), still holds the legislative majority, controlling two thirds of the Parliament. Thus, the political system is divided between two power blocks, both involved in the electoral competition.

The new elections were scheduled for last May but with the arrival of Covid-19 and the declaration of a national quarantine, they were cancelled. Deciding on a new date became a major cause of contention between the executive and the legislative powers. The President claimed that holding elections would be a health hazard while the opposition accused her of using the pandemic to hold on to power. The Congress passed a law setting the election date for 6 September, which Áñez initially resisted enacting on grounds related to health concerns. But

³ The vice-president, the president of the Senate, and the president of the Chamber of Deputies.

⁴ Last January, a survey indicated that 63% of respondents considered that, as interim president, Jeanine Áñez should only call for elections and not take advantage of her power to become a presidential candidate.

facing mounting pressure, she finally conceded. However, with the exponential increase of infections and medical reports predicting that the pandemic will peak in early September, the Supreme Electoral Court postponed the election once again.

The arm wrestling between the executive and the legislature is not limited to the new elections. The executive's attempt to claim unrestrained power for the repressive apparatus of the state and immunity from persecution for decisions made during the state of emergency has been counteracted by the legislature. The Congress promulgated a [law to regulate the state of emergency](#), establishing that both civilian and military officers 'will be responsible for the acts they issue, the orders they issue, and the actions they carry out in execution of the state of emergency'. The MAS wants the police and the military to adhere to the Constitution and answer for their actions even when basic rights are limited or suspended. This new law also prevents the militarization of the pandemic response, establishing that the members of the military can be summoned only if the Bolivian police fail to control possible acts of violence. The executive branch reacted by criticizing the State of Exception Law for 'tying the hands' of the armed forces and the police and accused the opposition of inciting and supporting violence with the aim to destabilize the government. Additionally, it filed an [unconstitutionality action](#) against the law at the Plurinational Constitutional Court.⁵

On the economic front, the executive sought to secure a \$327 million loan from the International Monetary Fund (IMF), but the proposed bill was rejected by the legislature. The Congress claimed that the loan was against the Constitution, as the government failed to present the mandatory supporting documentation, including the contract specifying the conditions of the loan. Additionally, it was revealed that the IMF funds were already being used to cover the financial gap brought about by the pandemic, against what is allowed by Bolivian law. The executive, in its turn, accused the MAS of being motivated by political and partisan interests and argued that in the past, loans were approved by the Congress without all the required documents. The MAS, it claimed, was [hindering emergency projects and measures](#) that were beneficial to the population. Additional attempts to secure other loans, supposedly destined

⁵ As of 5 August, the appeal was still under review.

to fight the pandemic, faced similar [obstacles due to the conflict between the executive and legislative powers](#).

These are just a few examples of an ongoing clash between the executive and legislative branches. For each action there is a counteraction with mutual accusations from one party to the other. This conflict is also reproduced at different levels of government with departmental and local authorities blaming and being blamed by the central government, according to the political affiliation of its leaders. Hence, in Bolivia, there isn't a coordinated state action to deal with the coronavirus. Rather, the pandemic has been fully politicized.

Lack of legitimacy and political discontent

Initially, the government's measures to deal with the pandemic were, to a great extent, well accepted. However, corruption scandals, double standards in applying the measures and a lack of concerted action on behalf of the government gradually led to a growing sense of mistrust and a decline in public support. For instance, it was revealed that an acquisition of respirators for intensive care Covid-19 patients, financed by the Inter-American Development Bank, [was extremely overpriced](#).⁶ Additionally, experts noted that the equipment was not even suitable for intensive-care treatments. This episode, still under investigation, led to the [arrest of the health minister and other high-level officials](#) who were involved in the purchase. And whereas many citizens were caught by the quarantine away from home and unable to return due to movement restrictions within the country, the President's daughter, political allies and their relatives including a former beauty queen, were [moving around on official flights](#) of the Bolivian Air Force. International movement was also forbidden and borders closed. However, a 'selective repatriation' policy allowed middle-class and elite members to return to the country from abroad on 'humanitarian' flights. This was while hundreds of emigrant working-class Bolivians, many of them seasonal laborers who lost their jobs in neighboring countries because of the pandemic, were [denied entrance and got stranded at the border](#) for days, under dire conditions. This caused a widespread, popular controversy regarding the selective and uneven application of quarantine measures by the government.

⁶ The Bolivian government paid more than \$27,000 per respirator when its market price was around \$7,000.

Additionally, the quarantine was presented as a temporary measure aiming to ‘buy time’ by reducing the contagion curve while the government organized and enhanced its capacity for response to the pandemic. But while the quarantine keeps being extended, resulting in job losses and unemployment, the policies recommended by several international organizations for strengthening the state’s response to the pandemic were not taken up.⁷

Not surprisingly, most citizens have a [negative perception](#) of the Añez government’s management of the health crisis.⁸ As a result, and in defiance of the quarantine restrictions, massive marches, blockades and protests are being organized. In mid-July, [thousands marched from El Alto to La Paz](#) to protest the health, education and labor policies of the interim government. As the executive secretary of the Bolivian national trade union explained, while the Añez government takes measures to solve the health and economic crises caused by the coronavirus, ‘the common people’ would prefer to discuss such measures ‘[with a democratically elected government and not with one that took power in dubious circumstances](#)’. Rural and urban teachers have marched against virtual education demanding the resignation of the minister of education. In response, the government declared the end of the school year due to the lack of internet in rural areas. As the decision was highly criticized not only by a majority of the Bolivian population but also by international organizations, such as the UN, the government [backtracked two days later](#) by announcing that virtual classes would continue. This case – one among many others where the government took measures just to renounce them in the face of popular disapproval – has contributed to enhancing the perception that the interim government does not really have a plan to deal with the pandemic and that its actions are exclusively motivated by electoral considerations.

The Covid-19 pandemic in Bolivia added new layers to what is now a multiple crisis: political, economic, sanitary and social. In a cyclical way, each crisis feeds the next. Regardless of political inclinations, most Bolivians are as much concerned about the political as about the other

⁷ Such as buying medical supplies and establishing laboratories for massive testing; adopting protocols for tracking contagions; expanding intensive care capacity; building field hospitals, etc.

⁸ According to a recent poll, around 60% has a negative perception of it.

dimensions, as the current political instability is perceived as the main obstacle to an appropriate and effective state response to the pandemic (although there is no consensus on whom to blame for it). For most citizens, only a new, democratically elected government can take the necessary structural measures to fight the virus and its effects.

However, elections have been again postponed to mid-October. The MAS has denounced this delay as an unconstitutional attempt by the interim government to remain in power. Trade unions, peasant organizations and other civil society groups that support the party organized massive protests – against social distancing measures – calling for a [national strike ‘in defense of life and democracy’](#), and have started road blockades in various regions of the country. Claiming that [‘the country’s problem is not the coronavirus’](#), they demand the confirmation of an election date once and for all. Government authorities, in response, have warned about the risk of contagion in carrying out mobilizations amid a pandemic, have threatened to arrest protesters for violating the quarantine and posing a threat to public health, and have accused the blockades of impeding ambulances and trucks carrying health equipment. Citizens critical of both the current government and the MAS see the two sides as ignoring the seriousness of the pandemic, which is becoming a wild card in their electoral game.

State capacity depends on many factors, among them, legitimacy and governability. Currently, both are lacking in Bolivia. The political crisis may persist after the elections. However, without an elected government with a renewed popular legitimacy and more balanced relations between the different branches of power, there is little, if any chance that the Bolivian state will be able to control the pandemic and start addressing its long-term economic and social impacts.

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