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LOCAL GOVERNMENT, EFFECTIVENESS AND HUMAN RIGHTS: THE CASES OF MIZQUE AND TIQUIPAYA MUNICIPALITIES IN BOLIVIA

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INTRODUCTION

1. Decentralization is considered by some theoreticians as favourable to human rights. Will this be the case in a country like Bolivia, where up to a few years ago it lived in a centralized State, and started a decentralization process, trying to enlarge democracy? Will theory be confirmed by reality? This is what we will try to find out, examining the behaviour of two local governments in relation to two human rights: health and education. In other words we will verify if the people in these two municipalities enjoy, after ten years of decentralization, a better access to health and education; we will also verify if the historical discrimination against women and indigenous people, in reference to these two issues, has been reduced.
2. On the other hand, theory also states that human rights are better protected when there is larger civil society participation, greater transparency, and more accountability from the authorities. In Bolivia, many laws on participation and social control have been passed, trying to make the authorities' actions more transparent, as fundamental elements to municipal management on health and education. Will these laws be applied? Will their application confirm theory? And consequently, are the rights to health and education more protected now? These are questions that we will try to answer in this work

¹ This text is a **draft** and presents the results of a research made by Manuel De La Fuente and Graciela Vasquéz. This research was requested by the **International Council on Human Rights**. Graciela Vasquéz gave a lot of input for the writing, especially on the first chapter. Edmundo Alandia collaborated for the editing of the English version. But the final responsible for the writing and content for all the text is Manuel De La Fuente. We would like to mention that in the making of this text we reviewed many documents that were generously lent to us by employees of the municipalities we visited, by the People's Defence Office, and by some non-governmental organizations. We also interviewed different local, departmental and national actors, as well as, social analysts on human rights and on decentralization, to whom we thank for their kindness in giving us their knowledge. In an annex we will list our interviews. **Please do not quote.**

3. The existence of local governments is a recent reality; it started when the process of decentralization began in the mid 90's. Municipalities at that moment became important, because they have more competencies, including in the fields of health and education. But municipalities are quite different regarding their population, among which outstands the municipality of Santa Cruz with more than 1 million inhabitants. On the other hand, there is a significant number of Municipalities that have less than forty thousand people, like Mizque and Tiquipaya, in Cochabamba. These municipalities are the object of this work. Let's also say that most of the population of these small municipalities is dispersed and live in communities of less than 2000 people².
4. Dispersion and the fact that are small populations make the distribution of services costly. But the difficulties do not end there. In some regions, like those we are going to study, geography is particularly complicated, because of the diverse altitudes and climates that possesses. Lets remain that Bolivia is a country of contrasts. There are snow capped mountains that are around 6000 meters above sea level, cities such as La Paz (where the government is), and Potosi (famous for its silver mines) that are over 3600 meters in altitude, valleys that have a healthier climate, where Cochabamba is, and the eastern lowlands (less than 600 meters in altitude), that have hot climate.
5. But its geography does not explain why these regions are so poor, with out services. Another source of explanation is found in the lack of governmental presence, and of favourable public policies that would help to the enforcement of the rights written in the State Political Constitution, in many other laws of the Republic, and in Internationals Treaties that Bolivia is part of. This situation is slowly changing, and we are going to see in this report the circumstances that are helping to accomplish this goal.
6. In the first chapter, we will examine the condition of human rights in Bolivia. And we will do this from October 1982 on, a time when democracy is regained, after a long struggle against military regimes, during which human rights were consistently violated. We have lived in democracy ever since, and we have made significant progress, as we shall see in this chapter, in relation to the promotion and respect of human rights. We will also examine the constitutional norms, we will point out the international agreements that Bolivia subscribed, and we will see the different institutions in charge of human rights, particularly we will examine the People's Defendant role. Finally we will present a brief description of two municipal institutions in charge of the promotion of certain human rights
7. In the second chapter, we will observe the context in which the municipalities work. It should be mentioned, that in a parallel way, the democratization of the country, and some Human Rights preservation, Bolivia has entered a decentralization process. In fact, the country, like many others in Latin America and in the world, is immersed in a decentralization process that started with the adoption of the Popular Participation Law in 1994. Many other measures have been taken in order to consolidate the municipal governments. All these laws will be examined in an attempt to highlight the possibilities they offer to greater respect of the second generation Human Rights.
8. In chapter three, we will observe the social situation in Bolivia, but we can already say that it is one of the poorest countries in America, and it is in the 114th. position according to the Index on Human Development (PNUD: 2004a), slightly above Honduras, Guatemala, Nicaragua and Haiti. However, in recent years a lot of efforts have been made to improve this condition, especially to endowing services. This is why we will analyze, in this chapter, such efforts, particularly done in the field of education and health, where important reforms have taken place,

² Let us also say that Bolivia is located in the centre of South America; it has an area of more than 1 million square kilometres, which is the double of the area of France. But it has a population, according to the 2001 census, of only 8.2 million inhabitants.

which have been contributing to a higher participation, transparency and accountability of the authorities.

9. After having introduced the current situation in Bolivia, and the general context in which municipalities function, we will concentrate, in chapters four and five, on the functioning of the Mizque and Tiquipaya municipalities. First, we will explain why we selected them, then we will describe qualitatively and quantitatively what is happening to health and education in these municipalities, and finally, we will extract some lessons from each of these local processes.
10. In the conclusion, we will try to come up with a general balance of the theoretical possibilities that the laws offer. Then we will contrast such possibilities with the praxis and local reality, of the two municipalities studied here.

LEGAL INSTITUTIONAL CONTEXT FOR HUMAN RIGHTS IN BOLIVIA

History and Advances on Human Rights in Bolivia

11. People talk about advancements on Human Rights in Bolivia since 1982, because prior to that, most governments, particularly in the seventies committed a series of human rights violations through torture, confinements, exile, assassinations, disappearances and closing of universities.
12. Despite the adverse political circumstances stated previously, it is paradoxical that Bolivia shared the international community's efforts to establish a new world order on human rights, being part of the creation of the United Nations, therefore, following the Universal Declaration of Human Right. This shows the distances that sometimes occur between the norm and the concrete praxis.
13. In Bolivia, as well as, in other Latin American countries, the popular, religious, non governmental, and human rights organizations have played an important role in the denouncing of the violations of fundamental rights and of freedom, leading to the recovery of democracy in 1982. From then on, as proof of the existence of a democratic state, there is freedom of expression, there is a multiparty political system; and presidential and municipal elections have been held periodically, where the president, the vice-president, congressmen, city councilmen and mayors have been elected.
14. But democracy does not solve everything; the defence of human rights still is an unavoidable endeavour where institutions such as the Bolivian Human Rights Permanent Assembly (APDHB in Spanish) still play an important role³. For instance, it should be mentioned that the APDHB along with other institutions such as the Catholic Church and the People Defender's office have performed as "mediators" among the social movements and the state in the last important social conflicts, their participation was significant to avoid a major massacre in the "gas war of 2003".
15. The Bolivian Chapter of Human Rights, Democracy and Development, is another organization that works with human rights issues, as well as, in the education for democracy. It is an organization⁴ made up of many diverse non governmental organizations. One of its outstanding works in 2000 was the making and presentation of an alternative report to the one presented by the government on the application of the International Convent on Economic, Social and Cultural Rights in Bolivia (ICESC). This document was presented at the evaluation meeting of the United Nations Committee on Human Rights in Geneva, Switzerland. This document

³ For a more detailed analysis of the APDHB see Mercado: 1999.

⁴ The organization is part of a Pan American Platform on Human Rights, Democracy and Development. The Platform was made up of Brazil, Peru, Chile Colombia, Bolivia, Ecuador and Mexico up to 2001.

denounces the fact that Bolivia has just submitted its first report after 17 years of being an ICESCR member.

16. About the public institutions that work with the issue of human rights, we have: The Ministry of Justice and Human rights, The Ministry of Governance, The House of Representatives Commission on Human Rights. The Office of the People's Defender and The Constitutional Court, these last two have recently started dealing with the issue, and we will see its role later on, due to its importance, but let's notice what the Bolivian Constitution says.

Constitutional Foundations for Human Rights

17. The constitutional foundations for human rights in Bolivia are found in the first articles of the State Political Constitution. The Constitution recognizes that every person has the following fundamental rights: to life, health and safety; to express freely; to meet and associate for legal purposes; to work; to get instruction and acquire culture; to teach under the State surveillance; to move freely, to petition; to own private property; j) to fair remuneration; to social security (C.P.E. Art 7).
18. Thus, of the entire economic, social and cultural rights registered in the IESCR, the American Convention on Human Rights and the San Salvador Protocol, the Constitution has gathered four: right to life, to social security, to work and education. It is also interesting to mention that the Constitution shows the connection and interdependence from social and civil rights when it mentions in article 7 the right to life, health and social security. In reference to the civil rights, they are more widely recognized on arts. 9 through 35.
19. Considering again the right to health we can underline that Article 158 mentions that: "The State has the obligation to defend the human capital protecting the population's health". In the case of education the Constitution considers that: **"education is the highest function of the State"**, that it should be free and mandatory at a primary level. It also confirms that literacy is a social need and that the State will rescue those students in economic need, so that they will have access to higher learning instances.
20. But the validity and protection of human rights does not only depend on the domestic framework, the international conventions and agreements play an important role. To this matter, it should be mentioned that according to the "Progress Map on Human Rights" data, Bolivia has ratified 25 international instruments on human rights; out of which the International Convention on Economic, Social, and Cultural rights (1982) outstands to meet this work's ends the International Convention on Economic, Social and Cultural Rights (1982). On the other hand, at an American Level, Bolivia has ratified the following treaties: American Convention on Human Rights (1979) (Instituto Interamericano de Derechos Humanos: 2003).
21. On the other hand, with the 1994 Constitutional Reform a great step towards the no discrimination and inclusion is taken. Its first article recognizes the indigenous communities, and establishes that the Nation has a multiethnic and pluricultural character, and through its 171st. article, the indigenous people's social, economic and cultural rights are expressly recognized. Under this constitutional coverage, some laws, such as the Popular Participation Law, and the Law of Educational Reform, as we shall see, allow a greater peasant and indigenous people participation that were up to then legally excluded of the local and national development process, to a more normative equity.
22. At the same time, within the constitutional context of Article 6 advocates for freedom and equality for all people without distinguishing sex, the Law against Domestic Violence (1995) is

passed, following the ratification of the Agreement against any Form of Women Discrimination, through the October 11th 1989 Law and through other international instruments.⁵ The Law on Quotas (1999) promotes the political participation of women. That same year, the Law to Protect Victims of Crime against Sexual Freedom (1999), finally, the Law that Norms Paid House Work (2003) was passed. This set of norms help women exercise their political, economical and social rights.

23. Also, in the framework of the last constitutional reforms (2003), the political rights are enlarged through Article 4, which states: “The people deliberate and govern through its representatives **and through the Constituent Assembly, the Citizen Legislative Initiative and the Referendum**”. At the same time, the possibility of citizens to present candidates, even for the presidency of the republic, without political parties’ participation is added to art. 224. With these measures, the political system opens up, and gives space to a more participative democracy.

The role of Human Rights Public Institutions in the Protection of Human Rights. People’s Defender and Constitutional Court

24. The **People Defender** was created in the framework of the 1994 constitutional reforms and consequently exerts its mission according to the State Political Constitution and Law 1818 (1997). The former people’s Defender, Ana Maria Romero de Campero, resumes its function in two: the promotion and protection of Human Rights in Bolivia. By protection, she means the “magistrate of persuasion”, which final objective is the use of the persuasion power rather than the judicial. However, he considers that the coercive jurisdictional device to be an important complement of the Institution’s attributions⁶.
25. It performs its duties, basically, through three Adjunct offices: First, the Adjunct office that handles Complaints, that is in charge of the reception and solving of complaints of human rights violations. Within this framework, the People Defender’s 5th. Annual Report to the National Congress (2002) shows that out of the total of admitted complaints of Rights violations, the main ones dealt with Political violations (38% of the cases), Civil rights violations (28%), and violations to Economic, Social and Cultural rights (24%) (Defensor del Pueblo: 2003a). In the case of the complaints for the violation of the rights to education and health there is no data. However, according to Ana Cruz⁷, the complaints on health are related to public hospitals that deprive freedom to patients that cannot pay their bills, deny information to the patients’ relatives and do not take adequate measures for the recovery of patients. In reference to education complaints, these are geared against SEDUCA⁸ which does not process the parents’ complaints against the schools, which charge them improperly for infrastructure improvements; that mistreat students; that do not register students that do not have high grades or to students that do not live in the neighbourhood where the schools are located.
26. Second, the Adjunct office in charge of Special Programmes and Urgent Actions is in charge of the surveillance and accomplishment of international instruments and of the building of a monitoring system to protect the economic, social and cultural rights in vulnerable communities, such as women, children and youth, elderly, disabled people, and people deprived of freedom.

⁵ According to the Griselda Sillerico this law is an advancement on the issue of human rights, because it is devoted to the physical, psychological and sexual integrity of the family members, as a legal good to be protected. Interview held on August 2nd. 2004.

⁶ Interview held on August 2nd. 2004.

⁷ Entrevista realizada a la Responsable de Atención de Quejas del Defensor del Pueblo de Cochabamba, el 10 de agosto del 2004.

⁸ SEDUCA is the Departmental Education Board

27. Third, the Promotion and Analysis Adjunct office is in charge of promotion and spreading of human rights through the media; radio, television, newspapers and informative workshops in neighbourhoods, municipalities, and schools. Due to its characteristics it turns out to be transversal to the other two adjunct offices and to the different areas of work of the People Defender's office.
28. When there is a violation of a human right the People Defender tries to solve the problem taking advantage of its reputation and of its power of moral persuasion; it also has the faculty to use the legal system through four constitutional resources: the habeas corpus, the constitutional protection, the direct resource of nullity, and the abstract resource of unconstitutionality. The institution gave notice of appeal, between 1999-2001, in eight Constitutional Protection acts, out of which six were related to the right to life, health and social security, against the National Social Security office. Eight Direct or Abstract Resources of Unconstitutionality, out of which, one was for the right to life (people with terminal illness); and three resources of habeas corpus (Defensor del Pueblo: 2003b). Out of the eight constitutional resources for the right to life, and related rights, seven had favourable sentences.
29. The People Defender legal foundation in the constitutional resources was based not only in the constitutional norm and other domestic norms, but in each of the lodgings of appeal the American Convention on Human Rights was mentioned (San Jose de Costa Rica Pact), that Bolivia ratified through a Law of the Republic. To this legal foundation, the Constitutional Court as a Human Rights surveillance entity responded with positive sentences. However when the institution gave notice of appeal of Direct or Abstract Resource of Unconstitutionality in the case of terminal sick people, the sentence was not favourable, which shows a clear case of jurisprudence inconsistency⁹. Therefore, it seems that the Constitutional Protection is the Human Rights defence resource by excellence.
30. In reference to the **Constitutional Court**, the majority of cases presented to it are in direct relation to the person's fundamental rights protection, and with the citizen's guarantees¹⁰. According to Asbun Rojas this court has drawn a clear jurisprudence line in relation to where the Human Rights treaties are in the national judiciary system, and it mentions four sentences, out of which, one is fully presented in this work, as an example. In the Constitutional Sentence of January 31st. 2001 the court states: "the right to appeal a sentence to a higher judge or court, cannot be denied, this right is not only expressly recognized in adjectival norms that rule every process, but in international instruments such as the American Convention on Human Rights, that is valid in our judiciary system". Therefore, we can deduce that, for the Constitutional Court, treaties constitute an element that enlarges and complements the constitutional content on rights and guarantees (Defensor del Pueblo: 2003b).

The right to information as base for Transparency

31. To account for one's actions, lies on transparency in society's right to information. It is not possible an adequate citizen participation in the public management without the exercise of the fundamental right to information. Something that does not happen in Bolivia, as Guerrero (2003) points out; there has always been the "culture of secrecy". Privacy should limit itself to state security matters and to private situations related to family issues in some areas of law, and there is not any justification for the violation of the right to information in other cases.

⁹ The Constitutional Court in its constitutional protection resources on the right to life, health and social security, took into account all the national and international instruments that protect human rights; however, in the case of direct resource or abstract of unconstitutionality on people with terminal diseases took into account basically one, actuarial and budgetary.

¹⁰ Refer to Tribunal Constitucional: 2002

32. With the perspective of a full participation, and an adequate social control, information should be: clear, vast and timely; because it would be difficult to demand for the accomplishment of an unknown right. The right to public information is not included in the constitutional legislation's catalogue of fundamental rights, however, the decentralizing legislation, through the law of Popular Participation, and law of decentralization in an implicit way, through the account of one's actions, establishes the right to information given by social organisms on prefecture and municipal management.

Institutional legal channels that facilitate the exercise of economic, social and cultural rights at a local level

33. There are certain instances in the judiciary power that citizens can go to, when they feel their rights have been violated. At a National and at the level of the Departments we have the Court of Justice, the District Superior Courts, and the Supreme Court of Justice. At a provincial level, we have, theoretically, the Judicial District Courts, and at a municipal level we have the Courts of Instruction. But like Gonzalo Vargas¹¹, states “one of the worst problems for the institutionalization in Bolivia, is the absence of the Judiciary Power at a municipal, and provincial levels”. In despite of the effort made to increase its judicial offices. In 1994 there were 507 offices in Bolivia, six years later the number increased to 1080 offices (Instituto Interamericano de Derechos Humanos: 2003). Vargas also feels, that another fundamental problem of the judiciary system is the fact that the appointing of its members is done under political influence of the executive and legislative powers. Thus, it is hard to talk about a “mutual control”, at any level, among the different State powers¹².
34. On the other hand, in the last few years, at a municipal level, and not getting into the analysis of decentralization yet, the municipalities, by mandate of the Law of Municipalities, the Law of Domestic Violence, the Children's and Adolescent's Code, should have acquired the following Municipal Services to protect and promote human rights for certain vulnerable sectors.

Chart 1
Municipal services

Instance	Objective
Children and Adolescent Defender's Municipal Office	Promotion and protection of children and adolescents in the corresponding municipality
Municipal Integral Legal Services	Promotion and protection of women's rights in the corresponding municipality.

Source: Own elaboration.

35. The **Municipal Integral Legal Services** (SLIM in Spanish) have the duty to promote and protect women's rights. But there is also the Decree No. 24864 that obliges the ILS to look for equal opportunities for men and women in health, education and communication programmes. According to Betty Pinto, “this decree is barely known, which makes women's rights to be postponed”¹³.
36. According to information from the People's Defender's office, up to 2003, out of the 44 municipalities in Cochabamba, only 14 have implemented an SLIM. Tiquipaya was one of these municipalities; but, like the others, it did it in a precarious way. It had only one employee that did not even have an office of his own, but had a space in the surveillance committee's office.

¹¹ Interview held on July 25th.

¹² During the present government of Carlos Mesa, the recent appointment of judicial authorities was made through a Supreme Decree. In this context these appointees have the “president's trust”.

¹³ Interview held on August 2nd, 2004.

Mizque did not even implement them. The reasons given for this were related to the municipality's lack of political willingness to comply with this normative. It also blames on the little women's participation, and the lack of enough information on the SLIM. (Defensor del Pueblo: 2003c).

37. **The children and adolescent Defenders' Municipal Office** function a bit better than the SLIM. For the People Defender, the implementation of the Municipal Defenders was of capital importance, because the municipality is the closest instance to the civil society. According to Griselda Sillerico¹⁴, this was the reason to make a meticulous follow up through the Defender's Resolution No. 78/00, that dealt with the implementation and functioning of those children's human rights local instances. A follow up to this resolution gave as a result, that the reasons for a defective functioning of these Defender's offices were: economic, because it did not have the needed and enough budget; political, because they did not accomplish with the institutionalization recommendation; and social, because it was still deep rooted in the adult centrist culture, that is a culture that takes adults as the centre, "as the reason for administrative, judicial, political, and the like decision making instance".
38. Summarizing, we can say that in Bolivia significant steps towards the protection and promotion of human rights were taken. However, despite of it, there are still pending themes, specially related to the vulnerable population. For example, under the United Nations Human Rights System Committee's recommendation Bolivia has the duty to stop children and adolescent labour exploitation, high mother's mortality rate, unfair women's treatment, security forces mistreatment of indigenous people in the coca interdiction districts, the existence of a large number of street children, etc.(Comité del Sistema de Derechos Humanos de las Naciones Unidas:1977),

THE DECENTRALIZATION CONTEXT

Background¹⁵

39. The decentralization processes are everyday events in many countries and regions in the world. Bolivia is no exception, and is immersed in this process since April 1994, when the Law of Popular Participation was passed.
40. To have a better comprehension of this law it is necessary to understand the situation before this law was passed. At that time, Bolivia like the majority of Latin American countries was an extremely centralized country where "prefectures" and municipalities were mere appendixes of the central government.
41. The state in those days, although a bit weakened by 8 years of neoliberalism, was still powerful, and was the owner of the mines, industries, oil, railways, electricity and communications, among others. It was also the main investor that determined the "references of development", favouring certain regions and some social groups that obviously progressed, leaving the rural areas, the indigenous and peasant communities abandoned. This is so true that the word municipality was reserved only to urban areas. The country side was no one's territory, without any local government.

¹⁴ Interview held on August 3rd. 2004.

¹⁵ This section and the following one partly retake what we wrote in the introduction of a book on Popular Participation (De La Fuente: 2000).

42. On the other hand, it is worth mentioning that small cities did not have municipalities either, and the worst part was that provincial municipalities did not have any funding to function, even though this was happening, the Mizque municipality tried to carry on certain kind of activities in favour of local development.
43. As a response to centralization high levels, regional movements tried to get a greater control over development policies and to remove the centralism obstacles. (Romero: 1983). To achieve the decentralization, regional movements, organized in the Civic Committees, put together a series of demonstrations, protests, regional stoppages and also proposed changes to national laws. The impact made by the Civic Committees was remarkable, specially the Santa Cruz one, thus the idea of decentralization gained more and more space.
44. On the other hand, peasant and indigenous movements, its organizations such as The Confederación Sindical Unica de Trabajadores Campesinos de Bolivia (CSUTCB), The Confederación Indígena del Oriente de Bolivia (CIDOB), many other NGO's, such as CIPCA and political parties related to these movements, such as, Movimiento Revolucionario Tupak Katari (MRTK), and the Movimiento Bolivia Libre (MBL) suggested changes to the current situation, that was extremely unfair to the rural area inhabitants. These suggestions, as was expressed by Urioste (2002) were other source of inspiration for the upcoming Law of Popular Participation.
45. The Movimiento Nacionalista Revolucionario (MNR), a right wing political party that follows a neoliberal current, won the 1993 presidential election, not only because of its charismatic leader, Sánchez de Lozada, but because, it understood the need for change that was being demanded through the regional movements, and through the indigenous and peasant organizations. Its alliance with Victor Hugo Cárdenas, an Aymara rural area leader of the Katarismo, gave the MNR a significant number of votes that encourage it to make numerous reforms, among which are the decentralization and capitalization¹⁶.
46. Two measures that apparently are not connected, but they are weakening the central government capabilities. The state with the privatization is no longer the owner of the mines, of the industries, of the communications, of the railways, and with the decentralization it has transferred part of its power, part of its competencies to the regions¹⁷. Through the capitalization, Bolivia fully becomes part of the globalization. Two phenomena, and in this we agree with Moncayo (1995), that seem to be the new common sense of the Occident.
47. And since the country, in 1985, adopted the neoliberal economic model, under the control of the World Bank and of the International Monetary Fund, a model that demands as state policies the commercial and financial opening, the deregulation, and the privatization, policies that are important elements to "be accepted" in the globalized world. But the neoliberal model also demands for decentralization, and Bolivia so dependant of these international organizations, had to adopt this policy. There for, decentralization is the result of external impositions, although, there were some internal factors, as well, involved in this process
48. Decentralization, which was the main claim of the regional movements, is now accepted by governments and international organization. The differences arise in reference to the depth with which the process is implemented, in other words the "quality and quantity" of power that is going to be delegated to the regions. In Bolivia's particular case, the discussion was centred on

¹⁶ Capitalization was the name give to an "original" privatization process of the most important companies owned by the State..

¹⁷ Kohl (1999) in his PhD dissertations states that capitalization could not be possible if the LPP did not pass at the same time. With this law, the government avoided a more important opposition, which in other occasion did not permit the privatization of public enterprises.

the direction that the decentralization process was to take. On the one hand, Carlos Hugo Molina, or Ivan Finot¹⁸, proposed the decentralization to be established via the municipalities, while the Civic Committees wanted it to be done via the departments. Finally, both roads to decentralization have been taken; however, the departmental has shown some limitations.

49. Before moving on, let's state that Bolivia is divided in 9 departments, each department is divided into provinces, and each province is divided into sections and cantons. With the decentralization process being implemented, the main levels of government that remain are: the Central Government, the Prefecture at a Departmental level, and the Municipal Government, that has the provincial sections as territorial base.

The Popular Participation Law

50. The decentralization process started with the approval, in 1994, of the Law of Popular Participation (LPP, from now on). In the **first place**, the law produces the “**municipalization**” in all the country. Before this, the rural areas did not have any local power. Now they have the municipality as a reference, peasants included, since the municipal territory, urban and rural areas of a determined geographical space. Space that many times has had its border limit determined under the pressure of the local elites, which has caused conflictive situations between bordering municipalities. On the other hand, given the geographical size of the municipalities and in some cases the existence of set areas, such as, the indigenous people's territories, in such cases, the law allows the creation of indigenous districts that have their own authority, the sub-mayor. This figure we shall see later, Mizque has used this figure.
51. **Secondly**, the LPP confers **new competencies** to the municipalities, in the fields of health, education, culture and sports. To do this, the Central Governments transfers to the municipalities all the existing infrastructure, which includes: sanitary posts, health centres, hospitals, schools, cultural centres, libraries, museums, and sports centres, that belonged to the Central Government.
52. Once the transfer was done, the municipalities are in charge of administering them, better them, and their maintenance. They should, as the commanded, also build new infrastructure, and provide them with: equipment, furniture, didactic material, supplies, which include medicine, and food in the case of health services. They should also supervise the personnel in the areas of education and health, and they can suggest, to higher instances, the justifiable remotion of certain employees that they see adequate. Finally, in education, they should provide with complementary nutritional service to students, such as, breakfast.
53. On the other hand, the municipalities now are in charge of the development of its territory¹⁹, and to promote policies that have to include women's needs. Likewise, they have to protect and defend children and adolescents, creating Children and Adolescent's Defender's offices.
54. **Thirdly**, The LPP redistributes State resources in a new way, granting the municipalities a certain **economic capacity**. Now municipalities count on resources given by the National Government, called “tributary co participation”, that come from the transfer of 20% of the national tax collecting, this depends on the number of inhabitants the municipality has. This is a striking modality, before, money only reached the department municipalities, and some middle size municipalities, as opposed to now, that every municipality gets its share. This represents quite a significant change from before. In fact, in 1990, departmental capital cities received 90% of the co

¹⁸ See Molina: 1994 and Finot: 1990.

¹⁹ For more details see PADER COSUDE: 1998.

participation income, while in 1996 they only received 38%. Which means that the remaining 61.2% is shared by the rest of the country's municipalities (SNPP: 1996).

55. The municipalities also handle their "own resources", that come from municipal tax collecting, such as, vehicle's tax, urban real state tax, rural property tax, except properties that belong to peasant and indigenous communities.
56. The fact that municipalities have their own resources (which could have increased in a good year), plus the resources given by the central government, allow them to use this funds to try to get additional funds from the national development fund, or from international cooperation. With all this money, they could obtain a greater action capacity, improving the municipality development opportunities. However, in face of the size of the problems they have to solve, these funds still are not enough.
57. **Fourthly**, The LPP promotes the **popular participation** through the recognition of the Grass Roots Territorial Organizations (Organizaciones Territoriales de Base, OTBs in Spanish), which could be: neighbourhood organizations, peasant communities, indigenous communities, or agrarian unions. In reality every OTB (that represents the population of determined territory), can get organized, according to the uses and customs of every place, reconfirming, this way, the cultural diversity in Bolivia.
58. In reference to their actions, OTBs have to propose, ask, control, and supervise the municipal investment and services, according to the community needs. They also have the power to ratify or propose the change of education or health authorities. In reference to their obligations, they have to identify and prioritize the execution of jobs, especially of those related to formal and informal education, and the care and protection of health. They also have to participate with solidarity work in the jobs and administration of public services.
59. Finally, the LPP establishes **social control**, through the surveillance committee (Comité de Vigilancia, CV in Spanish), elected by the OTBs. The CVs that are the link between authorities and the civil population, they should specially control that the municipal resources are evenly shared between the rural and urban communities; they should also have a word on the budget and on the honest handling of the Popular Participation resources. A negative report from the CV could mean the freeze of the Central Government economic resources going to a municipality.
60. Summarizing, with the LPP a decentralization process is started, that has certain peculiarities in relation to other Latin American realities. In every decentralization process, first, certain competencies are given to lower rank governments, trying to improve the State efficiency, it is also expected that the Local Government will play a more active role, becoming an articulator of development. This is more or less common to on going decentralization processes in Latin America. In order for local governments to take on their new competencies, certain economic resources are assigned to them, which are generally not enough²⁰.
61. A greater social control is also expected, since getting the state closer to the civil population, it is expected that the population could run more efficiently the public institutions. And finally, decentralization should increase the participation possibilities. The difference in the decentralization processes between Bolivia and others experiences is in these last two aspects, given that in our country, concrete mechanisms of participation and social control were legally created, that seem to be quite unique in the region. Although it is good to mention that in other

²⁰ Martinic (1997,98) going over to what happened in Latin America and more specifically in Chile, he states that municipalities spend their budgets "in 'managing problems' such as: poverty, education, and health, and do not have the opportunity "to actively lead local development, except in a few cases".

parts, like in the city of Porto Alegre, under the leadership of Workers Party, very important experiences on social participation and distributive justice are taking place²¹.

Administrative Decentralization Law.

62. In spite of the progress on the decentralization issue; the Civic Committees, specially the Santa Cruz one, kept on demanding more advances in the process and forced the National Government to approve another measure, in July 1995, the Administrative Decentralization Law (LDA in Spanish) was passed. Its main objective is to improve and strengthened the efficiency and effectiveness of the Public Administration. To do this LDA foresees the reorganization of the Executive Power structure at a departmental level, mainly increasing the Prefect's authority and establishing the Departmental Council. The LDA is also after the municipal strengthening and the promotion of the popular participation.
63. This law has been highly criticized and now there is a strong discussion on the future of this mid-rank power²². In this text we are not going to go into this debate, we only want to mention that the main criticism to this law is in reference to the way departmental authorities are selected. The Prefect is still appointed by the President of the Republic, and the Departmental Council members are appointed by the Municipal Council. On the other hand, the critiques aim at the fact that the LDA only disperses certain authority and competencies of the Central Government, transferring them to the prefectures, particularly the duty to manage, supervise and control human resources and the budgeted money assigned to the functioning of the health and education personal services.

Municipalities Law

64. The Municipalities Law was passed in 1999 which, according to Centellas and Navarro (2004), adjusts or polishes up the LPP. Through this law some additional competencies are conferred to the Surveillance Committees, giving them among others, the responsibility to support the municipal participative planning, the formulation of the Municipal Development Plan (PDM in Spanish), and of the Annual Operative Plan (POA in Spanish).
65. The Municipalities Law makes mandatory the municipal participative planning. A few months after the LPP becoming a law, in 1994, the National Participative Planning Unit was made responsible of elaborating methodologies in participative planning. But the most important aspect is that this Unit backed, in its first period (1994-1995), the making and execution of municipal plans in 94 municipalities. Later on, from 1996 to 1998, it was in charge of supporting the evaluation and adjustment of the many existing PDM's, and the elaboration of new ones. It also looked for a greater execution of the PDM's in the municipal POA's. With this backing, some 100 municipalities out of the 314 existing ones acquired a Municipal Development Plan²³. Once the law was approved, the national government made mandatory for all the remaining municipalities to acquire a PDM.
66. The participative planning, represents an important social mobilization process, which tries to gather all the actors specially from the OTB's and SC, who along with municipality technicians and with supporting entities, have to elaborate a municipal diagnosis to determine mainly the problems and the most important needs of the population. From this diagnosis and from the

²¹ See De Souza (1997, 98). On the other hand, analysis on social participation in many Latin American countries is found in the book published by DIAKONIA and OXFAM (1999).

²² For additional details refer to: FES-ILDIS 2003.

²³ For larger details on the work and outcome of the Participative Planning National Unit, see MDSyP: 2000a.

people's demands, a municipal development strategy is developed, and even more concretely, jobs and projects are accomplished by the municipality, which are totally included in the PDM that has a 5 year horizon, except the ones that have been given a priority by the POA, which as its name implies, are annual .

67. Through participative planning, the Municipal Government actions are notoriously modified, we go from one management, where the decisions and the importance of projects is determined by the municipality unilaterally, to a management where the stage is greater, "made up of many actors (public, private, and volunteers) that interrelate among themselves to negotiate and commit themselves to the policies and local projects" (Centellas y Navarro: 2004).

Dialogue Law

68. Bolivia as one of the poorest countries, with a heavy external debt, and making continuous efforts to apply structural reforms, patronized by the World Bank and by the International Monetary Fund, has benefited of debt reduction programmes. Thanks to HIPC I, Bolivia have reduced its debt by 1,137 million dollars, and thank to HIPC II it will reduce it by 1,543 million dollars²⁴.
69. To participate in the HIPC II, the National Government organized a National Dialogue, complying with the international organizations requirements. This Dialogue's main objective was to build a strategy to fight against poverty, and particularly to define how the HIPC II funds were to be spent. The Dialogue should have had the participation of different business organizations, of the civil society, as well as, municipal, departmental and national authorities.
70. The international financing organizations, according to Molenaers and Renard (2002), were pleased with the civil society's level of participation in the National Dialogue. They consider that the elaboration of the Bolivian Strategy to Reduce Poverty (BSRP) has been quite successful, and that other countries can learn from it, if not by imitation, then at least by adaptation. However, these same actors are critical of the process, proposing that "serious misgivings about the assertions that the civil society participation will trigger off better political performance, more accountability, more ownership, and increased effectiveness"²⁵.
71. In this text we are not going to make an appreciation of the BSRP nor of the Dialogue participative process, we only want to mention that its results were institutionalized by the Dialogue Law, which was passed in December 2001. Among the most important aspects of this law is the fact that it provides municipalities with additional resources from HIPC II, this time not only based on criteria related to the municipalities population, but in function of the poverty level of the municipality, benefiting this way the poorest municipalities. This law establishes that 20% of this additional funds should be used to improve public education, 10% should be invested in improving the quality of health services. The rest should go to productive and social infrastructure projects.
72. Summarizing, the LPP starts a consolidation process of the municipal regime, where the participation and social control are important in order to improve efficiency and transparency in the municipal government actions. These municipal governments are forced, by law, to organize participative planning processes, and to offer the population quality local services, particularly in

²⁴ The HIPC I initiative is approved by the G7 (The United States, Japan, Germany, France, The United Kingdom, Canada and Italy) in its 1996 summit meeting in Lyon and made larger in 1999, which outcome is HIPC II (Dirección General de Financiamiento Externo: 2001)

²⁵ For another critic analysis of this process see CEDLA. 2003.

health and education. But these are not the only actors in this commitment. As we shall see in the cases of this study

SOCIAL SITUATION IN BOLIVIA.

Social indicators

73. The social situation in Bolivia is shocking. However, these advancements have been minor in the rural areas, where poverty still is a problem. In 2002, more than 75% of the rural population did not have an adequate housing; it did not have basic services such as water and sewer, either, not to mention electricity. Education is insufficient in 70% of the cases, and the majority of the families in the rural area have inadequate health services (see chart 2).

Chart 2

Bolivia: unsatisfied basic needs indicators.

Year	Inadequate housing materials	Insufficient house space	Inadequate water and sewer services	Inadequate energetic inputs	Insufficient education	Inadequate health services
2001 total	39.1	70.8	58.0	43.7	52.5	37.9
2001 rural	75.7	76.3	78.9	91.2	70.9	54.5

Source: INE: 2002, own elaboration.

74. These inequalities between rural and urban areas in the country can also be seen in the cities: Thus, the poorest 40% of the urban population receives 14% of the income, while 10% of the wealthiest population receives 37%. This situation, which has got worse since 1994, makes Bolivia one of the most unfair countries in the continent, with a 1997 Gini index of 0.455 (CEPAL 1999).
75. Looking at the health issue, we can see some advances, but we can see some touching situations. In reference to life expectancy, at the beginning of the 70's Bolivians life expectancy was 46 years old, now is almost 64; six years less than the Latin American, and Caribbean average. The death rate in children less than 5 years of age, in 1970, was in the order of 243, while in 2001, this figure went down to 77 deaths for every 1000 children born alive. On the other hand, 23% of the population was undernourished, and 116 cases of tuberculosis for every 100,000 inhabitants, were attended. Indicators that are above the Latin American average (see chart 3).

Chart 3

Health

	Life expectancy 2000-05	Children death rate (per 1000 born alive) 2001	Undernourished persons (% of the total population) 1998/2000	Tuberculosis cases (per 100 thousand inhabitants) 2001
Latin America and the Caribbean	70.4	34	12	41
Bolivia	63.9	77	23	116

Source: PNUD: 2004a, own elaboration.

76. In terms of education, the illiteracy rate is still high, especially in the rural areas of the country, affecting particularly women (see chart 4).

Chart 4

Illiteracy rate, as a percentage of total population

GEOGRAPHICAL AREA	1992	2001
BOLIVIA	20.0	13.3
Male	11.8	6.9
Female	27.7	19.4
URBAN AREA	8.9	6.4
Male	3.8	2.5
Female	13.5	10.0
RURAL AREA R	36.5	25.8
Male	23.1	14.4
Female	49.9	37.9

Source: INE, 1992 and 2001 Census, own elaboration

77. If we add to this picture, functional illiteracy, the situation turns even worse. On the country, in 1992 more than 55% of the population was illiterate (Capítulo Boliviano de Derechos Humanos, Democracia y Desarrollo: 2004). We could not find any data for the year 2000, but we can probably say that the situation had not changed much, as far as functional illiteracy is concern, because policies to improve this situation had not been implemented.
78. Between 1992 and 2001 the number school children increased. However, only half the population, between the ages of 14 and 17, attended secondary school. Access to pre-school was even lower, only one fourth of the children between 4 and 5 years of age attended school. Again, the situation in rural areas is worse; school enrolment is lower than in urban areas. To this unfavourable situation, we can add the fact that a good majority of children and adolescents that start primary or secondary school never finish their studies. The drop out rate is higher in the rural area, where the quality of education is worse than in the cities.
79. Summarizing, although, there is a lot left to do, we must admit that there have been changes that benefited health and education, and they have a lot to do with the new public policies on health and education that we will see next.

Health management

80. Without having to go too far back in time, and in a simplified manner we can say, that before the decentralization process started, the public health was made up of hospitals and health centres where people could go paying an insignificant amount of money. At the same time, there was an inefficient social security system that covered up to 25% of the population, which were in its majority state workers or people that had worked for the government and their families.
81. On the other hand, the majority of the health infrastructure was located in a few cities. The rest of the country, specially the rural area was, practically, abandoned. However, this vacuum was filled by NGO's, and other private health institutions, that developed interesting health programmes, and organized regional health systems, such is the case of Mizque, that made a local health coverage system possible. This system reached peasants and indigenous of that region, far from the country's political centres.

82. The organization of the country public health system, and the role of every component of its structure, have suffered continuous changes, and it would be long to explain. Thus, we will concentrate on the changes that have taken place in the last few years. Presently, the Ministry of Health and Sports (MHS)²⁶, is the institution that norms and regulates health management at a national level, it is responsible of formulating strategies, plans and national programmes, as well as, of dictating norms that rule the National Health System.
83. At a departmental level, we have the Departmental Health Service (SEDES in Spanish), which is the highest health instance of technical management at departmental level, which articulates national policies and the municipal government; it coordinates and supervises the health services in the department, in direct and permanent contact with the municipal governments. It is a decentralized organization that technically depends from MHS, administratively depends from the Prefecture, and from the Social Development Director. It should look after the quality in health services, evaluating them permanently; it has to coordinate with corresponding organizations, the promotion of health and the prevention of illnesses, it should promote the community and the private sector participation in the health administration. It should also have an integral vision, fighting the elements of the health illness process, and it should establish common ground with other sectors such as education, housing, etc.
84. At a municipal level, we have the Health Local Directory (DILOS in Spanish), an institution that becomes relevant only recently. Its presence suggests an interesting change of health concept. Theoretically, taking up the MHS words “the state recognizes its obligation to guarantee the right to health to all the population and to guarantee the space for this population to defend this right, along with all its social rights”. The DILOS is the instrument whose role is to change the exaggerated medicalized mentality that the renders and demanders of this service have, so that everything will contribute to solidify health as a right. It is interesting to consider health as an exclusive function of the sanitary authorities, since, the decision making responsibility is shared, in the same conditions, between the municipal government, and the grassroots territorial representatives. In fact, the DILOS is made of the Municipal Mayor or his/her representative who is the head of this body, the Technical Director of SEDES or its representative, and the Surveillance Committee representative. This instance is the highest authority, at a municipal level, that should guarantee all the health services, the development programmes of integral service, and the Universal Mother –Child Insurance. (SUMI in Spanish)
85. The SUMI insurance, created in 2002, replaces the Health Basic Insurance (1999), which replaced the Child-Mother Insurance (1996). The SUMI tries to improve quality and to increase the free service for women during her pregnancy and six months after birth. It also provides free attention to children under 5 years old, in an attempt to reduce the infant mortality rate. Another insurance that we have now is the Free Medical Insurance for the Elderly. The creation of all these insurances since 1996 has been an important advancement for the accessibility to health. Before this, only a few Bolivians had some kind of health insurance.
86. However, studies have shown serious difficulties in the implementation of these insurances. For example, in the case of the Basic Health Insurance, many patients were asked to pay for the service rendered that supposedly was free (Gatti and others: 2003). In the case of the Elderly Insurance there was lack of information and spreading of its existence. Its financing is not the most adequate, and opportune, besides there is no institutional framework of control and supervision. At a national level, one out of three municipalities refuse to the application of this

²⁶ This part is based on MHSP official such as “The National Health Policy” and the Supreme Decree on the “Management Model and Health Local Directory”. See www.sns.gov.bo. We have also consulted “Municipal Management for the Provision of Health Services”, MDSyP (2000b).

norm, while in the department of Cochabamba the situation is worse, 75% of the municipalities do not comply with the Elderly Insurance²⁷ (Defensor del Pueblo: 2003d).

87. Going back to the DILOS, it is important to mention that it has other responsibilities as well, particularly, in reference to the transparency in the use of funds by authorities. It can request audits and support inspection processes of the use of Health Municipal Accounts, producing periodical reports for city councils and for the community. It is also in charge of the organization of “participative planning”; to do this “municipal negotiation work teams” will be established, with the participation of OTB’s representatives, and of institutions connected to health. The outcome of this work will enable the making of the health POA, which, at the same time, should be included in the more general processes of municipal participative planning.
88. In its functioning the DILOS lean on the “health network”, which is another mechanism that should be built, at a smaller geographical level, around the communities’ OTB’s. Its objective is to establish community social control, making sure that the health services programmes have human quality, reporting providers to the DILOS in case of mistreatment, gender, cultural or class discriminations, or for any other valid reason. At this level, the network should identify the obstacles that make difficult the population’s access to these services, such as service hours, or due to cultural reasons, etc.
89. The network active participation in the DILOS negotiation processes is assumed. It should also be present in the making of local health plans and projects, based on community epidemiology. Finally, it has to promote social mobilization to defend health, and it has to include women in the identifying of problems and proposal processes in order to improve sexual and reproductive health care, and integral children’s development.
90. The mother-child binomial has received the most attention, through vaccination campaigns or through the creation of insurance programmes. There are also other types of programmes that try to eradicate some endemic illnesses in Bolivia, such as malaria, tuberculosis, chagas, or trying to prevent nutritional anaemia’s.

Education management

91. The education management like the health one has gone through important transformations. The most important ones are registered in the framework of the 1994 Popular Participation and Education Reform laws.
92. The Education Reform²⁸ is implemented on the constitutional principles basis that defines it as the State highest function and declares it universal, free and mandatory in primary school. But, the reform also gives education a democratic, integral, co-educative, active, progressive, and scientific character. These characteristics had already existed in the 1995 Bolivian Education Code. The novel in the reform is the fact that education, from now on, will be intercultural and bilingual, taking into consideration the country’s socio-cultural heterogeneity.
93. But, as Gonzalo Vargas points out, that it is relevant the fact that the reform has introduced bilingual education, showing the cultural magnitude of the indigenous communities, clearly trying to improve children’s education by including their mother tongues in the educational system.

²⁷ Another problem that this insurance has is its exclusiveness, reserving itself only for Bolivians and excluding foreigners. With this attitude the Bolivian state affects among other international instruments, the International Convention on Refugee Status.

²⁸ This part is inspired by Cajias 2000.

94. As far as objectives, the reform mainly looks for:
- The organization of a flexible intercultural and participative Educational System.
 - The improvement of quality, efficiency and autonomous learning.
 - The democratization of the system, through a greater access of everyone, achieving full coverage in primary school, and a significant increase in secondary school.
95. To assure its intercultural character, participation mechanisms such as Education Councils of the Indian communities are created, such as: ayмара, quechua, guarani, and amazonic. These councils should participate in the making of education policies, and in the supervision of an adequate execution. This intercultural aspect should take into consideration “the cultural codes of the origin communities”, valuing the insights and knowledge of each one of the ethnic, cultural, and linguistic realities that exist in the country.
96. In reference to the improvement of quality, efficiency and autonomous learning, these are issues that have to do with a larger grading of the teachers, and with curricular and pedagogic changes, which we are not going to deal with in this report. These improvements also have to do with the progress at an infrastructure, and pedagogic equipment levels. To meet these objectives, it is necessary to have the needed funds. We will touch on this issue further on.
97. In respect to the democratization of the system, The Education Reform, besides looking for more coverage, is after greater community participation. The same as the popular participation law, the Education Reform establishes new participation channels for the civil society as well as for the local organizations (see chart 5).

Chart 5
Education participation organizations

Participation organization	Characteristics	Jurisdiction
School assembly (Juntas Escolares)	Made up of OTB's members and school children's parents.	School
Area assembly	Made up of representatives of each school assembly corresponding to a determined Area.	School area
District assembly	Made up of Area assembly presidents in a specific district.	School district

Source: own creation

98. The “Juntas Escolares” stand out for their important participation in the service to education management. Among their duties we have: the evaluation of the quality of education, present community demands to the school, the supervision of the school staff, of the good use given to the infrastructure, and to its resources, the participation in the formulation of curricular activities and of the education project. These last functions, more of a pedagogic type, according to Vargas, are not executed, but rather the school assembly is acting more as a social control mechanism, by checking teachers' attendance, checking on the classes taught, and checking on the attitude teachers have towards students. As Vargas continues, the applications of these participation channels pay more attention to social control, rather than to support the management of education.
99. All of these popular participation organizations, have a direct participation in the decision making process of the education management at their corresponding levels, although many times

they have difficulties trying to comply with their duties, due to disagreements with teachers, administrative staff, and other public employees in charge of education.

100. Finally, looking at the financial aspect, in both health and education, it comes from different sources. Resources from the General National Treasury (GNT) are used for principal, teachers, doctors, nurses, and administrative staff salaries in the different, education and health centres. The HIPIC funds can be used for the same purpose, or they could be used to better the infrastructure or to buy equipment. These duties should be taken care of with municipal resources.
101. The municipalities can also increase their financial capacity by introducing health or education projects to the many development state agencies, now unified in the Sole Directory of Funds. The infrastructure improvements could come from support obtained by the municipalities from international cooperation agencies, from NGO's or from the community itself, and it could be in money or in labour. Getting larger resources would depend on the municipal authorities' diligence or on the civil society dynamism.

THE CASE OF TIQUIPAYA

Background

102. Our first case of study is the municipality of Tiquipaya. We have chosen this municipality because in the last few years, it has improved health and education. Therefore, we want to analyze if this betterment has been caused by the impact of the LPP and other decentralization measures. More precisely we would like to know if this progress was due to the municipal management or if it was due to other causes. Before we come up with conclusions, we will present some basic data about this municipality.
103. Tiquipaya has an area of 343 square kilometres. Like Bolivia, it has different ecological floors, it has territory that is part of the central valley of Cochabamba, it is part of the Tunari mountain range, and of the subtropical climate in the Chapare region.
104. In 1992, the municipality of Tiquipaya had a population of 13,371²⁹ inhabitants, the majority were bilingual Quechua and Spanish; about 15% of its population spoke only Quechua, and lived in the highlands of the municipality. In 2002, its population went up to 37,791 inhabitants, which shows a considerable increase, by far superior to the Department of Cochabamba, and Bolivia's rate of growth (see chart 6).

Chart 6
Population

	1992	2001	Annual rate of growth 1992-2001, in %
TIQUIPAYA	13.371	37.791	11.2
COCHABAMBA	1.110.205	1.455.711	2.9
BOLIVIA	6.420.792	8.274.325	2.7

Source: INE, 1992 and 2001 census, own elaboration.

105. This growth happened because Tiquipaya is practically joined to the city of Cochabamba, and it is part of the city's extension area, with much urbanization. Due to its closeness to the city, there

²⁹ According to CERES (2000) in 1992 population was underestimated, because many were not taken into account.

was kind of invasion of its agricultural land, and new urban settlements, small industries, schools, and recreation centres were established³⁰.

106. Therefore, there is a strong urban area that has drastically changed its population distribution in urban and rural areas. In 1992, 77% of the people lived in the countryside (CERES: 2000), while in 2001, only 30% remained in the rural area (INE: 2001 census), producing agricultural products, usually for their own consumption. In the last few years, they have also started to produce flowers for export.

107. People with high economic resources also live in the countryside. Some former big landowners and other wealthy people from Cochabamba prefer to live in the outskirts of the city, where they have greener and less contaminated areas. There is no doubt that the presence of these people has contributed, the municipality of Tiquipaya, to have one of the highest HDI (0.677) in Bolivia. (See chart 7)

Chart 7
Human Development Index

	HDI value 2001	National ranking level
CIUDAD COCHABAMBA	0.741	1
TIQUIPAYA	0.677	17
ARQUE	0.311	314

Source: PNUD 2004b, own elaboration.

108. Next to the wealthy people live 40% of the municipality population, which are poor (according to the unfulfilled needs index, made from the 2001 census data). It is worth mentioning that in 1992 a little more than the 74% of the municipality population were poor, which shows, that the municipality social infrastructure was not adequate. Some 74% of the people did not have drinking water, nor a sewer system, and 60% did not have electricity. These pointers have got better at the Quillacollo province level, and without a doubt, although, we do not have the exact data, we can infer that this improvement also took place in Tiquipaya. (See chart 8).

Chart 8
Poverty index

	Incidence (% poor homes)	Inadequate Housing materials	Insufficient Home space	Inadequate Water and sewer systems	Inadequate energy input	Insufficient Education	Inadequate Health service
Quillacollo 1992	67.3	35.8	69.8	76.2	44.7	63.1	53.5
Tiquipaya 1992	74.1	44.9	72.2	74.0	60.2	72.9	48.9
Quillacollo 2001	37.7	20.8	70.9	49.8	27.7	45.6	1.6

Source: CERES: 2000 and INE: 2002, own elaboration.

Health

109. The health indexes in the municipality of Tiquipaya are above the national average, and have got better with time. In the case of life expectancy, it went up from 57 years in 1992 to 65 years in

³⁰ For a more detailed description refer to Gobierno Municipal de Tiquipaya:1999 and CERES :2000

2001. In spite of this improvement, the children mortality rate is still high. Thus, 57 out of 1000 children die before reaching the age of one (INE: 1992 and the 2001 census)
110. Respiratory infections and acute diarrhoea were the main mortality in the municipality. These could be avoided, if the drinking water and sewer systems along with the environmental situation, poverty conditions, housing, and access to basic services, etc. were improved (Gobierno Municipal de Tiquipaya: 1999)
 111. The medical staff, in 2001 was made up of 20 professionals, among doctors, nurses, aids and administrators, and there was the expectancy of hiring another professional in 2002, with HIPC resources. The municipality had a ratio of 1.32 doctors for 1000 inhabitants (Ministerio de Desarrollo Sostenible y Planificación: 2002). This ratio does not account for the existing inequalities. The majority of the medical staff works in the municipality urban area, leaving a few in the rural areas. The doctors and the peasant communities' health promoters do not want to remain in the rural areas (According to Dr La Fuente³¹): These health promoters were trained by public health units, or by some NGOs. The non-existence of good roads does not help in this case, making difficult for doctors to pay visits to these regions.
 112. The majority of the infrastructure was recently built. According to Adi Rivero³², before the Popular Participation Law (LPP), the whole municipality had only one medical centre, without the proper capacity and equipment. As time went by, the municipality made improvements, and equipped this centre, and converted it into the hospital we have today. It also built a medical centre in Linde, and other in rural areas. The fact that the municipality built new medical centres, and that these are better equipped, is due to a municipal term with good coordination between the local personnel in charge of health, and the Social Development Departmental Service. Institutional agreements with national and international entities were also signed. According to Dr. La Fuente, the fact that the mayor was a doctor, and that he remained in office for more than 10 years, was another important factor.
 113. The recent change of mayor (2003) was not well seen by the Tiquipaya Hospital director, who now recognizes that the good relationship he used to have with city hall, is deteriorating. The present municipal administration is trying to exert more control over the health centres, getting into domains that are not within his jurisdiction. On the other hand, city councilmen³³ feel that doctors want to do without people participation, under the pretext that health is a matter that only concerns professionals. They insist on a greater control of the working personnel in the health centres, and feel that the HLD should function fully. Opinions over the HLD are divergent, on the one hand, doctors feel that it does its function, and city councilmen feel that its participation is not adequate yet.
 114. These tensions show the lack of clarity in terms of the responsibilities and attributions that each sector has. In many areas it is not well defined what the MHSP, the DHS, the prefecture, city hall, or the municipal council should do. Due to the lack of time, we are not going to analyze this issue.
 115. Going back to the larger infrastructure issue, we can add another explaining factor. Tiquipaya besides having had a sensitive and favourable municipal administration, in terms of health, it has an increasing well organized population that demands for its rights. As an example, at the beginning of the popular participation, the population, particularly from the highlands, did not

³¹ Interview held, on July 20th, with Dr. La Fuente current Tiquipaya Hospital Director.

³² Interview held, on July 21st. with Adi Rivero, who was Tiquipaya Hospital Director for more than 12 years.

³³ Interviewed held with Axel Jové, Tiquipaya Municipal Council vice-president and with Elena Miranda, Carmen Rosa Rivera y Rufo Medrano, Tiquipaya council members, on July 20th.

demand for anything, as time sent by, it gradually exerted pressure to have a health centre, obliging he municipality to build one.

116. This new infrastructure is making health more accessible. Therefore the sanitary coverage is larger and a little more equitable than before. Also, health insurances, such as UMCI, have made health more accessible. However, infrastructure still is inadequate. PDM says that the Tiquipaya Central Hospital, in 1999, had a fair infrastructure, but did not meet the population demand. And, it also says that the medical centre in Linde had a rustic and precarious infrastructure, and its capacity is less than the needed (Gobierno Municipal de Tiquipaya: 1999).
117. This same document also pointed out that malnutrition habits among pregnant women, especially in rural areas, determined significant under weight rates in newly born children. The lack of a proper nutritional education in the countryside, the limited access to health, the lack of economic resources (due to the limited size of the land, land erosion, the poor soil fertility, the precarious production means, and the high climate risk), explained the high levels of malnutrition. (Ibid.)
118. Another problem that rural area people face, particularly the ones that live in the highland, is discrimination. Since infrastructure and personnel are insufficient, women that come from the countryside, according to Mirtha Lavayen³⁴, are asked to wait longer than what they should, are mistreated, and are inefficiently served. Other women, because of the above, do not even go to these public health centres. In reality, many peasant women, and even poor women do not know their rights, therefore, they do not demand their enforcement.

Education

119. Education in Tiquipaya has gone through some progress. The illiteracy rate has gone down, especially among men, women's case is different, and 21% of them remain illiterate (see chart 9). The municipal government, according to Lavayen, has not done much to solve this problem. Basically, there are not municipal programs, nor political will to work on women's illiteracy. A few NGOs are trying to substitute this state weakness. We have the case of Infante that has organized literacy courses, and is training women on their rights.

Chart 9
Illiteracy rate

	1992	2001
Total illiteracy	17.5	9.5
Women's illiteracy	26.2	21.4

Source: Quiroga: 1999, and INE: 2001 Census, own elaboration.

120. The average years of education in Tiquipaya, is relatively high, if we compare it with other municipalities in Bolivia. Although, we do not have precise data³⁵, it would seem that the situation has got better, although, it is difficult to determine the causes for this improvement. Probably, the effort made to make school more accessible, has something to do with this situation. Maybe, the increase in the establishment of private schools, and the creation of the University del Valle, has to do with the average increase of years in school attendance. Or maybe, the increase in population has to do with this phenomenon, because most of these people belong to the middle or upper classes, which generally have a high level of education. However these

³⁴ We interviewed Infante's director, an NGO that works in Tiquipaya, on July 20th.

³⁵ In 1992, the only data that we have is the scholar median at that year was of 4 years.

advancements have not been equitable, and women’s average years of schooling is less, especially among women that live in the countryside (see chart 10)

Chart 10

Average years of schooling

	2001
Average years of schooling. Total Tiquipaya population	7.97
Average total women’s years of schooling	7.15
Average years of schooling for women in rural areas	5.08

Source: INE: 2001 census, own elaboration.

121. The population growth has brought along an increase in the number of children and adolescents attending school. In 1997, the student population reached nine thousand four hundred students, and in 2002, this number increased to eleven thousand five hundred students. (Ministerio de Educación: 2004).
122. If, on the one hand, there are more students, the rate of coverage still is not motivating, except in primary school. And the remaining 5% does not go to school, because there are not many schools near their houses. In many places, children have to walk, long distances, in order to get to school. At secondary level, only 57% of the adolescent population in school age attends school effectively. The rest does not attend school. The situation at initial level is more critical, only 43% of the children in that age range, is registered in school.
123. And not all of the students that register in schools finish their studies, the following chart 11 shows that school dropouts make up a significant number. In the countryside, due to economic reasons, children, at an early age, contribute to the household economy, and cannot study without interruptions.

Chart 11

Ending rate in 2001 according to grade and level of education.

	6th grade	8th grade	12th grade
TIQUIPAYA	82,9%	63,8%	35,8%
TOTAL CBB.	81,9%	59,2%	32,6%

Source: Ministerio de Educación 2004, own elaboration.

124. In reference to teachers, there has been an increase in the last few years, which decreased the teacher/student ratio from 27 to 25 Ministerio de Educación 2004.
125. Another achievement that we can mention is the establishment of school assemblies in almost all the schools. This takes place at levels, nucleus and district. These school assemblies, according to school parents, are functioning quite well. School Parents and OTBs are pretty well organized, particularly in the highlands. Therefore, popular participation instruments are being implemented, which overall, allows principals and teachers to be “accountable” for their actions to school parents.
126. Since the passing and spreading of the LPP and of the Education Reform, the relationship has changed. Now people, according to Axel Jove³⁶, feel themselves more rightful, they demand better quality work from principals and teachers, they ask for reports, and when there is an act of bad handling of economic resources, they demand the firing of the person that acted in a corrupt manner.

³⁶ Interview with Axel Jove, vice president of Tiquipaya Municipal Council.

127. Mistreatment of students or abuse of students by teachers was very common, according to Valentin Guevara³⁷, Now, thanks to parent's participation, children's rights are respected, and there is neither "ear pulling" anymore, nor hitting children. In reality, education has changed from being rigid and verticality to be horizontal, now children can be heard. It should be clarified that these changes are taking place in schools where parents have identified the need of changes. In many schools parents do not trust the new educational system, and do not say anything when their children are physically punished, they still feel that this behaviour is necessary. In some cases, still according to Guevara, parents do not report children abuse, because they are afraid this could be counterproductive to their children. Teachers could take revenge, and fail students whose parents complain³⁸.
128. The school parents, besides exerting this social control, worked to improve the schools. A good part of the existing infrastructure was built thanks to the parent's³⁹ donation of their hand labour. In some schools, they are also in charge of getting and preparing breakfast for the students
129. Many schools were built after the LPP and the Education Reform were approved. Thanks to the pressure exerted by the OTBs, some schools were built, because they wanted to have a school in their communities. According to what we were able to appreciate in our visits to the municipality, 12 to 15 out of the 43 existing schools were built after 1995. Another interesting aspect is that the majority of them (37) are under transformation, having adopted recently the Education Reform. In reference to the language of instruction, in spite of having a large Quechua majority, so far 6 schools have adopted the bilingual system of education. (See chart 12).

Chart 12

Schools under the Education Reform.

Municipality	Curricular programme		Language Modality		Total
	Transformation	Improvement	Bilingual	Monolingual	
TIQUIPAYA 1997	6	34	4	36	40
TIQUIPAYA 2002	37	6	6	37	43

Source: Ministerio de Educación 2004.

130. Some of these schools had infrastructure and equipment deficiencies. According to PDM, many of the schools do not have drinking water, or bathrooms. This situation gets worse in schools that are far, in the highlands, where as a general rule, schools do not have any of the basic services.
131. The municipality due to the described peculiarities welcomes a good number of the so called "schools of agreements", meaning educational complexes that were built, and that are administered by certain religious organizations (catholic and Adventist), but, that at the same time, they have some State items. The management of some of these educational centres is under the state control, and is under the surveillance of the municipality; therefore, such schools are accountable to the different state instances in charge of education.
132. Among these schools, some have special programmes, such is the case of the school in Chillimarca, administered by MAP International⁴⁰, and tries to offer a more integral education,

³⁷ Interview made on 19th. July.

³⁸ An additional piece of information given to us by Guevara, in some school assemblies violence in the family is spoken about and it is tried to be avoided.

³⁹ In some cases they also make monetary donations.

placing health as a central component of the school, that is why, it looks for a more appropriate infrastructure, for example, building bright and airy classrooms, that should be kept clean. They also have regular control of the children, keeping a registry of the children's weight and vaccinations. That is why this NGO built a sanitary post next to the school.

133. But looking after the physical health of the children is not the only objective of this school. They are also concerned with the psychological and affective well being of the children. To do this, they hired psychologists that follow up on the children. Another aspect is the way children are taught, trying to improve the children's self-esteem, and their capability to learn in an autonomous way, but creating a comradeship environment. Its curriculum is put together in function of these objectives, looking for a greater horizontality between teachers and students. Participation is another important issue that is why they created a student's council. Parents at the same time participate in school committees and the NGO's administrators try to involve parents in all the functioning of the school.
134. Finally, this project has some farm land, where children learn to produce some food. Legal assistance is also provided through some lawyers and family counsellors that intervene in cases of family violence. They are also making the effort to train health promoters, who are after an improvement of health conditions in their neighbourhoods and communities.
135. But this is not the only experience. There are other NGOs that have settled in this municipality, such as Infante, Aldeas S.O.S., and Tiquipaya Wasi that devote themselves to defend women in risk and children's human rights.

Lessons

136. From the exposed data, we can infer that the decentralization process, as well as, the new policies on health and education have allowed the municipality government to offer children and adolescents more accessibility to education, and a larger health services coverage, particularly, to women and children.
137. The access to these two services has been possible through the building of more schools and more health centres, even in rural areas. These new buildings were built, thanks to the considerable increase in municipal resources. Likewise, the co participation resources have been an important supplement. (See chart 13)

Chart 13

Municipal Resources Tiquipaya (in thousands of dollars)

	1995	1998	2000
Own income	497	752	703
Resources from co participation	287	427	392

Source: Ministerio de Desarrollo Sostenible: 2002, own elaboration.

138. The municipal government has been able to take advantage of these resources, because it already had an organized municipal structure, with a certain number of trained employees. This municipality has some 80 employees, which is about twice as many as the Mizque municipality has.

⁴⁰ The information presented comes from a visit made, July the 20TH. Also see, MAP Internacional: 2001

139. The municipal authorities have been able to use larger resources from the Central Government, and from International Cooperation Agencies. In addition in 2001, the municipality will get 80 thousand dollars and in 2002 around 191 thousand dollars, from the HIPC program. It was also able to mobilize the population to support, with either money or hand labour, to the building of new infrastructure in the municipality.
140. However, the services “universalised” is still limited, because the rural areas and women continue being segregated and discriminated against. The rural area population had to struggle a lot to have projects admitted, in the municipal POAs, thus, having funds invested in their communities. The municipal management has been tarnished by political manoeuvring, which privileged certain districts, where a lot of work was done in detriment of others. The privileged districts were those that voted for the mayor’s political party, or/and where the mayor tried to enlarge its political platform. These districts are generally in urban or very populated areas.
141. In terms of participation, the LPP and the reforms in the management of education and health have been fundamental for the population to feel more rightful and to become more active in the participation organizations created by law. This new laws had an impact in the existing ones. Thus the peasant unions and the neighbourhood organizations had to adapt and adjust their in their agendas new themes, which in many cases strengthened them. Therefore, it has been easy to establish the school assemblies in all the schools, with large parent participation, although with some limitations, especially when referred to content and school curriculum making. However, when it comes to health services, people participation is still limited.
142. We said that people feel more rightful, which allows them to propose demands and exert an increasing control of authorities. Tiquipaya has made many changes of education authorities because of OTBs complaints. The mayor himself was obliged to resign, because there was a lack of transparency in his term, and because of mishandling the issue of drinking water service. This shows more authorities’ accountability.
143. Many people still do not know of their rights, because city hall does not do anything to spread information about their rights. The case of SUMI, probably is the most dramatic case, because many women do not know of its existence. Therefore, they do not use it.
144. In terms of efficiency and quality in rendered services, there still are notorious deficiencies. Public schools and public health centres are not among the best, but this is not only the municipal government responsibility, teachers and doctors have their share. Social organizations that try to make changes and improvements do not know how to proceed.
145. Presently, Tiquipaya is discussing a Social Development Plan, and if it reaches consensus and is implemented, it would help a lot in the strengthening of the education and health services.
146. Finally, answering this chapter’s initial question, it could be said that the advancements achieved in certain social indicators are due to multiple factors: a stable municipal management, sensitive to the health issue, a phenomenal urban growth caused by the migration, in part, of middle and upper class people, to the establishment, in Tiquipaya, of many private enterprises, which accelerated the economic activity of the municipality, to the establishment of NGOs that have interesting promotion and human rights implementation programmes, and last but not least, that social organizations have strengthened themselves and developed actions to ensure their rights, particularly in the area of education.

THE CASE OF MIZQUE

Background

147. Mizque, as opposed to Tiquipaya, does not show high health and education indicators. It is a poor municipality that has not progressed, as its data shows. However, we have chosen Mizque because its Municipal Government tried radically to change this situation relying on CEDEAGRO, an NGO, and on the local social organizations participation and mobilization. Mizque had between 1989 and 1999, a very dynamic mayor, Orlando Soriano, who introduced some original solutions to improve the education and health services.
148. Secondly, why Mizque even before the adoption of the LPP, was experimenting participation and planning strategies, that were close to what the MNR and other political parties had in mind for the rural area development? The Mizque experience made worth Gonzalo Sanchez de Lozada's visits and influenced in the making of the LPP. (Arrieta and De La Fuente: 1999)
149. Thirdly, why other social organizations from the highland of the Mizque Municipality, that were not part of the Soriano administration, Rakaypampa, also developed a worth to mention education experience.
150. The municipality of Mizque is 180 Kmts. away from the city of Cochabamba. It has an area of 1,859 Sq. Kms. It has a great variety of ecological floors. Thus, while the town of Mizque is at 2,000 meters above sea level (m.a.s.l.), there are communities at 3,700 m.a.s.l.; such is the case of Kewiña K'asa.
151. Mizque, in 1992, had a population of 20,176 inhabitants, mostly quechua speaking. In 2002, this population increased to 26,659 inhabitants, which gives us a population growth of 3%. Just a little higher than the country's or the Department of Cochabamba's growth rate (see chart 14).

Chart 14

Population

	1992	2001	Annual Growth Rate 1992-2001, in %
MIZQUE	20.176	26.659	3.0
COCHABAMBA	1.110.205	1.455.711	2.9
BOLIVIA	6.420.792	8.274.325	2.7

Source: INE, 1992 and 2001 Census, own elaboration.

152. In terms of its location, the majority of its population lives in the rural area in communities far apart from each other, due to the distance, and the lack of good roads. This dispersion makes quite difficult to provide services. Besides this, the land in some areas is quite dry, and not appropriate for farming. That is why, the human development index in Mizque is among the lowest in Bolivia (0.460), placing its municipality in position 284 out of the 314 municipalities that Bolivia has (see chart 15).
153. Poverty is a norm, and this situation, as opposed to what takes place in Tiquipaya, has not changed much. In 1992, 95% of the population lived in poverty, while in 2001, the poor people was around 92% (INE, 2001 census).

Chart 15
HDI

	HDI value 2001	Ranking at a national level
City of COCHABAMBA	0.741	1
MIZQUE	0.460	284
ARQUE	0.311	314

Source: PNUD: 2004b, own elaboration.

Health

154. Life expectancy among Mizque's citizens was 51 years of age, according to the 1992 census. Ten years later, this figure changed very little, in 2001 life expectancy was 52 years (INE: 1992 and 2001 census)
155. The high mortality rate among children (112 children out of 1,000 die before the age of one), contributes to this low results. The causes for child mortality are the low quality and low quantity of basic services provided (drinking water⁴¹ and sewer services), the lack of latrines that increase the morbi-mortality risk among children. They die due to gastrointestinal (diarrhoea), respiratory and malnutrition illnesses. The last one accounts for 37% of death among children under 5 years of age (Gobierno Municipal de Mizque: 2002).
156. Mortality among adults is also associated to diarrhoea, acute respiratory infections, and gastrointestinal illnesses. Women also die because of childbirth complications. Many people also pass away because of malaria and chagas.
157. This situation, 10 years ago, was as complicated as is now, with the exception that 10 years ago, there were no health centres in the peasant communities, and the only hospital in Mizque had serious limitations. To improve the health condition in the population, according to Martha Garcia, CEDEAGRO and city hall (institutions that had always worked together in the Soriano administration) looked for assistance from national and international organizations, at a time when the municipality did not have any economic resources. After a few unsuccessful attempts, an agreement with a Spanish NGO, "Médicos sin Fronteras" (MsF), was reached, which organized, managed, and financed, for many years the health care system in the municipality. This NGO made some improvements in the existing health centres, and built and equipped many other health centres in the municipality. These new constructions were already made after the LPP with municipality funds, and with MsF funds. Besides the personnel assigned to Mizque by the Health Ministry, MsF hired additional doctors and other necessary personnel to run efficiently all the health centres in the Municipality.
158. While MsF was there, access to health got better, specially for the valley population, while the highland peasants excluded themselves, or were excluded (depends who tells the story) from many of the activities and benefits offered by MsF⁴². On the other hand, the MsF tried to be participative, when it tried to get the Central Campesina de Mizque (Head Peasant Union)

⁴¹ In Mr. Soriano's term as mayor, CEDEAGRO built 42 drinking water systems, that unfortunately; the majority of them are not working properly (Gobierno Municipal de Mizque: 1999). Due to the lack of time we will not see this other face of the health issue.

⁴² The highland peasants had a conflictive relationship with city hall on the health issue, as well as on others. According to Senovio Siles (interview held on October 5th), in those years the Central Campesina of Mizque formally represented all the Mizque peasants (all the peasants unions were affiliated to this organization), but in reality it looked after the interest of the valley inhabitants, living aside the ones of the highland peasants. We will go over this issue further on.

involved. This involvement consisted in presenting periodical reports of its plans and projects to the Central general assembly. Vaccination and malnutrition campaigns were also planned at these assemblies.

159. Again according to Garcia, the MsF by associating with the Peasant Union was trying to gain the peasant's trust as well as breaking the myth that if they went to the hospital, they would not be attended. The whole idea was to have people go to the health centres. According to the 1992 census, only 35% of the people used those services, 5% went to private doctors, and the rest were treated by naturist doctors such as, "Jampiris", "Yatiris", or natural healers. (Gobierno Municipal de Mizque: 1997)
160. To cover more people, MsF along with the Peasant Union, tried to train health peasant representatives, started many radio stations and bought vehicles. Something very important and original, at the same time, was that MsF, along with the municipality and CEDEAGRO, suggested the creation of a Peasant Medical Insurance, Thus making health services more accessible to poor people. This insurance did not do much, because it was implemented at the end of Soriano's term in office. In order to have access to this insurance, people had to pay Bs. 120, amount that was accessible to most people.
161. This MsF effort, although important, was completely insufficient, because a large number of people, due to the lack of health centres, do not have access to health, besides the lack of public transportation and the bad roads condition does not help either (let's not forget that Mizque is big, and the population dispersion is also large). Finally, because of cultural reasons many peasants still depend on traditional medicine.
162. After MsF left, almost at the beginning of the current municipal term, the situation got worse in the valleys, but not in the highlands, as we shall see further on, basically, because the economic resources that the NGO contributed were not available anymore. As a consequence, according to doctors Escobar and Calveti⁴³, sanitary personnel were laid off, and the maintenance of the equipment, ambulances, and other vehicles turned out impossible to keep up with. Besides the health centres personnel has lost strength and the enthusiasm they used to have. Before the personnel was motivated, in some cases the MsF used to give bonuses to some employees, apart from their salary⁴⁴.
163. On the other hand, the management of the health system got complicated. The relationship between the medical personnel and the municipal authorities started to deteriorate. Conflicts also arose between the Health District Director, the OTBs, and the DILOS that started to work. Instability is big, four doctors passed by the director's office of the Health District. The fifth has just been sworn in. The previous four were dismissed, with or without a reason, for economic mishandling of economic resources, and/or for negligence, and /or for political reasons. The political issue is pointed at, by many people, as being one of the most harmful factors involved in the solution finding process to Mizque's multiple problems.
164. One of the causes for conflict between the health personnel, city hall, and the surveillance committee is the fact that the later ones want to be in charge of everything related to health, without taking into account the health professionals' opinion. Also, according to Esther Soria⁴⁵, the municipality and the surveillance committee do not give the proper attention to the health issue; as an example, when new equipment is needed, the DILOS, the authorizing institution,

⁴³ Interview made to two Mizque former Health District directors. Interview made on July 28th.

⁴⁴ Ema Rodriguez, MsF nurse aid that still works in the Mizque Hospital reaffirmed in an interview made on October 8th. what the doctors had said. According to her the health system was more efficient with the MsF, the attention was better and there were sufficient medicines and the needed equipment.

⁴⁵ Interview held on October 8th.

delays the authorization unnecessarily. On the one hand, the DILOS is after greater transparency in investment on health issues, and on the other hand, it is very heavy on bureaucracy.

165. Tito Vasquez, Surveillance Committee president, on his behalf comments that the directors, doctors and the rest of the personnel in charge of health do not worry much about having things done on time; thus, there are not enough medicines in the sanitary posts, and the patients have to wait long hours before being treated. There is also some degree of discrimination against peasant women.

Education

166. The education status has improved a little, although recent data is still worrying. In 2001, around 40% of the population was illiterate. This situation is worse when it comes to women, 55% do not know how to read nor write (see chart 16)

Chart 16
Illiteracy

	1992	2001
Total illiteracy	47.2	38.6
Illiteracy among women	59.4	54.9

Source: Quiroga: 1999 and INE 2001 Census. Own elaboration

167. In reference to the number of schooling years, the people of Mizque only study three years, on the average. It is obvious that this situation has to do with illiteracy, but it also has to do with the school absenteeism rate, specially among women between 6 and 19 years old, that reaches 16% in the urban area, and 33% in the rural area (INE: 2001 census). It is also related to school desertion, or as seen from a different angle, the low school ending index. At a primary level, only 24% of the students finish the cycle. The ones that finish high school are even fewer 9% (Ministerio de Educación: 2004)
168. The same way as in health, the mayor, Mr. Soriano and CEDEAGRO, before the LPP was approved, tried to implement an aggressive policy, with the objective of improving the educational situation in the municipality. To CEDEAGRO⁴⁶ the education in the municipality was very bad; it considered it ballast, symbol of its backwardness and static, besides of using a little Spanish, it destroys its mother tongue, Quechua. In terms of the way and teaching conditions, these were not the most appropriate, because it was the cause of the high school desertion level. Besides all of these, there were not enough schools to cover the existing demand, and in many cases the schools were extremely distant from the students' homes, making them walk long distances in order to attend school⁴⁷.
169. To face this situation, CEDEAGRO suggests a policy that was after the improvement of the quality of teaching, adapting the curriculum to the population needs, especially of the quechua peasant. To do this, it introduces a series of programmes and subject contents for the different areas. Highlights in this proposal intercultural and bilingual instruction, and tries to modify the school calendar in order to adapt it to agricultural activities⁴⁸. It also tries to train teachers in the new curricular contents, as well as in the new teaching methodology. CEDEAGRO criticizes the

⁴⁶ The diagnostic and the proposal that we present comes from documents made by CEDEAGRO: 1990, 1993, and 1998.

⁴⁷ Situation that gets worse in the rainy season.

⁴⁸ The idea is to find periods that would not interfere with the planting and harvesting periods, these are times when even children work in the fields, this being one of the causes for school desertion.

vertical and authoritarian way of teaching, and proposes a horizontal education, raising the student self-esteem, respecting the children's rights and their cultural values.

170. In terms of accessibility, it proposes the building of new schools, and the remodelling and enlarging of the existing ones. It also proposes the building of school dormitories. An original idea that tries to solve the distance problem between the school and the students' homes, it also tries to solve the school desertion problem, and to improve education. These dorms that would be managed by CEDEAGRO trained personnel would also try to encourage extracurricular activities and start children in agriculture, and in the handling of small animals, to do this; the dorms would have space for vegetable gardens and farms.
171. Another aspect of the proposal has to do with literacy and women condition. Starting from the fact that women are illiterate and that their role in the peasant community is basically reduced to domestic and agricultural activities, the public and political spaces are associated with the men's world, CEDEAGRO introduces a women's literacy project, along with the promotion of more equality between men and women. The idea is to prepare adolescent and adult peasant women to organize themselves to participate actively in all the community life spaces. It also tries to increase agricultural production and train women in health related matters, and in the making of their own food and clothes, thus, the course tries to combine literacy courses with handicrafts.
172. To implement these policies, CEDEAGRO and City Hall present projects to different organizations, and obtain an important support from the Social Investment Funds (SIF). At the end of the Paz Zamora term, the SIF commits itself to give money to the municipality. Resources that started to come in during the Sanchez de Lozada government, and continued to flow in the following governments. This money, along with some other funds that came from international cooperation, permitted the municipality to build some new schools and 4 dormitories. During the Orlando Soriano term in office, City Hall invested in education a little bit less than 58 million Bolivians, out of which, 70% came from internal and external cooperation. This shows the authorities' high capacity to obtain financial resources (see chart 17).

Chart 17

Mizque's Municipal investment in education, according to financial sources.
(1994 y 1999)

	In millions of Bs.	In %
Own resources	1.2	2.1
Tributary co participation	16.2	28.0
Cooperation	40.5	69.9
Total	57.9	100.0

Source: Gobierno Municipal de Mizque: 2002, own elaboration.

173. A large portion of CEDEAGRO education alternative project was implemented, being one of its major achievements the consolidation and enlargement of the Peasant Women Training Centre "Padre Pompeo Rigón". This is a private school-dorm that belongs to a religious congregation, which has received economic support from the SIF and City Hall. In this centre, CEDEAGRO and mayor Soriano, thanks to the work done by the Congregation "Misioneras de Jesús Eterno Sacerdote", have been able to materialize their idea to train young peasant women, at the beginning, to be teachers in children's nurseries, and now, offering them high school diplomas (recognized by the Ministry of Education), that enables them to teach in regular schools, thus, breaking the popular belief that peasant women cannot perform an intellectual activity.

174. The young peasant women that graduated from this centre, according to Susana Rodriguez⁴⁹, after breaking that belief and after defeating discrimination, are now teaching in their communities, where some city trained teachers do not want to work. This centre also values the quechua culture, thus the girls become their culture values representatives. According to Martha Garcia, this centre was able to raise young women's self-esteem, and now they even wear, very proudly, their native skirts. Clothing that is discriminated against by some townspeople.
175. This centre complements its regular courses, according to Susana Rodriguez, with courses in theatre, ceramics, music, computation, cooking, sewing, agriculture, etc. This is a centre that has gained great recognition; it is a unique experience in the country that the Ministry of Education wants to establish in other places. Many of the students come from other municipalities, some come on their own, others with scholarships given by their municipalities or by labour unions. It is interesting to see the effort made by some young peasant women from distant communities to study at this centre.
176. Apart from this achievement, it is important to point out that Mizque was among the first municipalities that adopted the Education Reform. School Assemblies started to function during the mayor Soriano term, which was not a difficult endeavour, because the peasant unions had already been organized, thus, it was easy for parents to start participating in school matters. Thanks to this participation, school children abuse has decreased, and the student- teacher relationship is more horizontal.
177. Presently, under mayor Velasco administration, school assemblies are still functioning; new schools are being built, some are fixed and equipped, because as a general rule, schools do not have an adequate infrastructure, nor have the proper furniture, nor have the basic services (water, electricity, bathrooms) (Gobierno Municipal de Mizque: 2002). The number of schools that adopted the education reform, has increased, likewise those that adopted bilingual education (see chart 18).

Chart 18
Schools under the Education Reform

Municipality	Curricular programme		Language modality		Total
	Transformation	Improvement	Bilingual	Monolingual	
MIZQUE 1997	29	44	18	55	73
MIZQUE 2002	74	41	41	74	115

Source: Ministerio de Educación 2004.

178. The number of teachers, in Mizque, has increased from 175 in 1997 to 264 in 2002, which has reduced the student-teacher ratio from 35 to 28 in the same length of time. This is an average, and complaints that some schools have 50 students⁵⁰ in a classroom, continue coming in. In terms of students, they have considerably increased from 5841 in 1997 to 7027 in 2001 (Ministerio de Educación: 2004).
179. With the new administration the relationship with CEDEAGRO changed. After being very close, during the Soriano administration, now it is non-existent with the new government. This breaking apart has hit CEDEAGRO and the municipality quite hard. The municipality does not count on with the experience that CEDEAGRO has in many areas, or with the economic

⁴⁹ Interview made with Susana Rodriguez on July 27th.

⁵⁰ This would be the case of Pedro Ignacio de Ribera school, according to the school assembly president, Mr. Lucio Orellana, in an interview made on July 29th.

support that this organization offered. In the case of the dormitories, CEDEAGRO lost the administration and had to remove its personnel, therefore, the dorms remained without an administrator, a psychologist, and without an agronomist.

180. Latter on, city hall had problems finding permanent personnel; this is the case of the Tintin dorm, which has had three different directors. The current head master, Ismael Herbas⁵¹, said that the dorm under CEDEAGRO administration was in a better situation, it had more students and the food was more plentiful. Also audio-visual equipment was in working condition, which allowed the playing of educational videos. Now the agricultural experimental programme that was established in the dorms, and the psycho pedagogical follow up that was done on the dorm students, is all gone, and now the dorms have become simple lodgings.
181. The only dorm that still functions is the Peasant Women Training Centre, which we talked about earlier, although the relationship with CEDEAGRO has also stopped. Comparing what happened before, and what happens now, according to sister Esperanza⁵², the relationship with mayor Soriano was good, they received support for feeding the interns, they coordinated activities with City Hall and with other institutions in the Provincial Council for Development, and looked for and obtained financing in a joint manner. The relationship with the current administration has broken up. The Centre has functioned without the municipality support for the first four years of the Velasco administration, only; recently, the food delivery was re-established.

Raqaypampa

182. Although breaking up with CEDEAGRO, and with other institutions, the new administration has a better relationship with the highland peasants, which represent 40% of Mizque's population. At this point, it is worth mentioning the effort made by the Raqaypampa peasants in order to obtain greater autonomy and introduce an educative project according to their expectations.
183. A greater regional autonomy was obtained in 1997, when the highland peasants got city hall to create the Indigenous District of Raqaypampa (Distrito Indígena de Raqaypampa). That same year, with the affiliation of all the highland peasant unions, the Central Regional Indígena de Raqaypampa was created. Now, all united, they have a better negotiation leverage in the Central Campesina de Mizque.
184. On the other hand, at the beginning, when the participative planning started, called by mayor Soriano, the highland peasants did not take part; therefore, little investment was done in the region. According to Teresa Hosse⁵³ unhappy by the situation and in disagreement with city hall's planning proposal methodology, they decided to prepare, along with CENDA⁵⁴, but without city hall's participation, their own regional development plan. With the plan⁵⁵, already made, the highland peasants demanded, from city hall, the execution of the projects developed in it. At the same time, the community peasants mobilized to obtain other resources and contact

⁵¹ Interview made on October 8th.

⁵² Interview made with Sister Esperanza Andia, director of the centre, on July 27th.

⁵³ Interview made on October 8th.

⁵⁴ CENDA is an NGO that has been working along side the highland peasants since the 80's. It has a different conception from CEDAGRO. For greater analysis for this differences and rivalries between these two NGOs refer to Kohl: 2001.

⁵⁵ Refer to Plan Distrital de desarrollo Indígena de Raqaypampa, published by the Gobierno Municipal de Mizque: 1999.

international cooperation agencies. As a result, for example, they got the support of the “Mano a Mano” NGO, to build a hospital in Raqaypampa (this century).

185. In terms of education, the community’s struggle to have control over the existing schools in the highlands starts at the beginning of the 90’s. This struggle sets as goals: primarily, the elaboration of a curriculum more according to the indigenous culture, a school calendar more according to the agricultural one, and an intercultural and bilingual education. On the other hand, school assemblies in all the schools were created. At Area Assembly level, Education Community Assemblies were created, and at District Assembly level, the Highland Education Regional Council was created. These organizations have allowed more community involvement in the education issue, trying to meet the goals set in the 90’s. Although, they are still trying to overcome some serious problems, such as, the lack of adequate teachers willing to implement the new curriculum and the bilingual and intercultural education⁵⁶.
186. On the other hand, at alternative education level, like in many other parts of Bolivia, literacy courses were taught, and leaders were trained. The interesting thing about Raqaypampa is the creation, in 1997, of the Native Highland Formation Centre (Centro de Formación Originaria de las Alturas, CEFOA). The persons that attend this centre are the young and adult union leaders that were not able to complete their secondary education. At this Centre they not only finish their secondary education, but they also become indigenous teachers, and are trained to handle administrative and territorial management of their indigenous district. Among the centre’s accomplishments, we have the students’ active participation in the elaboration of indigenous development district Plan, and its first graduation of 14 persons, most of which are working in key posts at the regional peasant Central, as well as, at the Quechua Nation Education Council (Consejo Educativo de la Nación Quechua).

Lessons

187. The effort made by mayor Soriano and CEDEAGRO, did not accomplish the expected results, and not only in the health and education areas, but it went further trying to modernize agriculture, start a small food industry, improve the irrigation methods, and improve the roads. This happened because the municipal social indexes did not suffer a significant improvement.
188. Although there are more sanitary units, and there are more schools, these are not sufficient yet. The fact that it started from a considerable backwardness, without enough human resources, did not help in doing the task. Let’s point out that Mizque before the LPP, practically, did not have qualified personnel, and in 2001 it only had 44 city employees, while other municipalities the size of Mizque, had double number of city employees, such is the case of Tiquipaya, that has 83 city employees (MDSyP: 2002). In terms of economic resources city hall was able to gathered important amounts of money that at the end were insufficient to cope with the municipality’s needs.
189. In reference to the participation processes, these have been partial; the division between the valleys and the highland peasants did not help to accomplish a full participation. On the other hand, the participation processes in the Soriano era were limited; it had mostly the participation of some peasants unions and of the Central Campesina leaders that were closed to CEDEAGRO. Maybe now, that there is a better equilibrium at the Central Campesina, and that the grass roots participation is greater, real participative planning processes could be accomplished.

⁵⁶ In the document prepared by the Equipo Técnico CETHA (2003) there is a history and a diagnosis of the formal and alternative education status. Also refer to Regalsky: 2003.

190. On the other hand, the Surveillance Committee, according to David Montes⁵⁷, did not accomplish with its role, because the majority of its members were not trained properly to perform their jobs. They did not have the resources, and the worst part was that it was under the municipal authorities' control. We can say that starting 2004, the CV functions adequately.
191. On the other hand, the lack of continuity given to the Soriano administration interesting effort has worsen the situation in the case of health, and in the case of the school dorms in education. Politics, and a deep rooted tradition in the country, that what was done by the outgoing administration is deficient, therefore, it has to be redone from scratch, has provoked this situation.
192. Another negative aspect is the fact that some issues that was not well handled in the Soriano administration nor is treated properly by the current administration. This is the case of transparency. The handling of municipal accounts, of external economic donations, of CEDEAGRO contribution and remuneration, to some, such as the Neighbours' Association president⁵⁸, was not very clear. Presently, the situation seems worse; there are corruption complaints against city hall employees, and against health centres administrators. If there has not been so much corruption, the municipalities would be in a much better situation, according to the Neighbours' Association president.

CONCLUSION

193. The possibility of having human rights respected, especially the rights to health and education, has increased, given the Decentralization process characteristics in Bolivia. A process that transfers responsibility to the municipalities in these two areas, it gives them resources, and obliges them to participative planning, that could turn into the population demand for the respect of human rights. Parallel to this process, important changes have taken place in health and education. The newly approved laws also aim at a greater respect of health and education rights, because they are after quality betterment, a larger population participation in these services, and a greater transparency in their handling.
194. Many times legislation, the management models and the institutions in charge of these services are in agreement with the respect of human rights, but it is possible that in praxis these may not be respected. This is not the case of the municipalities under study, people's access to these services in Tiquipaya and in Mizque is made easy through the enlargement and building of new health and education centres. This new infrastructure helps to decrease discrimination particularly against peasant women that existed in the rural communities. Discrimination has not been completely eliminated. Hospitals in these two municipalities, particularly in Tiquipaya, still mistreat this group of people, In reference to education, the highest levels of illiteracy, and the lowest levels of education are found among women that live in rural areas.
195. At the same time, other efforts, to improve the peasant women condition, are being made. In the case of Tiquipaya, these are private institutions initiatives; such is the case of Infante or Chillamarca projects. In the case of Mizque, the situation is different, the projects and concrete actions to improve women's condition, originated in the municipality and CEDEAGRO, being able to mobilize public institutions, and the few existing private ones, such as MsF and the Peasant Women Training Centre religious Congregation.
196. In theory, the coordination between the private and the public boosts local development, however, for this hypothesis to become true, it is necessary to count with the fair contribution of

⁵⁷ Interview made on October 7th.

⁵⁸ Interview made on July 28th.

resources from both sides. In the case of Mizque, private resources are practically inexistent. City hall situation was precarious, at the beginning of the 90's, it did not have financial means, nor had adequate professional personnel. The LPP arrived with resources, and the municipality, thanks to its capability to present sound projects, obtained additional financing, that were not enough in face of the problems size

197. In Tiquipaya the starting condition was a bit better, City Hall had a budget and it had some professionals. What really benefited Tiquipaya was its closeness to the city. This was the reason, along with the dynamic built around this issue that allowed an interesting qualitative boost. Private investment, especially in education has improved the education quality, but it is worth asking, who is taking advantage of this situation? Surely are not the municipality's poor that continue sending their children to public schools, where education is not good. Private schools are expensive and only the middle and upper class can afford to pay important amounts of money for their children's education.
198. However, it is left to analyze these private investments indirect effects, and the Education Reform direct impact of its application. The latter pretends to improve the quality of education, introducing a new curriculum and more appropriate teaching methodologies, in consequence, it is proper to ask ourselves: Has this objective been met in praxis? It would be difficult to answer this question without further investigation. The only thing that we can show, for the time being, is our agreement with a document published by the Gobierno Municipal de Mizque (2002) that says that the Education reform is under way with some difficulties, because there are not enough teachers trained in the new pedagogical methodologies. Although, the Education Reform is taking its time to be implemented, it has achieved in many parts of Tiquipaya and Mizque to have a more horizontal type of education, giving more autonomy to children to learn by themselves. It has also made education less authoritarian, making physical punishment almost disappear.
199. In terms of participation, both municipalities are applying with serious deficiencies, participative planning processes. The surveillance committees after been under theses authority's control begging to have greater independence and begin to excerpt the controls that they should have performed. The DILOS are starting their activities, and the School Assemblies presence in all the schools is felt. All of these institutions have got to mobilize part of the population and interest in the public affairs has increased. The peasant communities are now forcing their municipal authorities to look after them, accomplishing the projects they request
200. However, there is a lot left to do. The population has to better itself in terms of quality, and the health personnel, particularly doctors, have to change their attitude, and learn to share health management with the common citizen. Teachers should prepare themselves better, and accept the challenge of implementing a creative curriculum, an intercultural and bilingual education, and to change their teaching methods. Finally, the municipal authorities have to think, and overall they have to change their ways, without manipulating the people's will, or pressuring the OTBs, or the surveillance committees; situations in which the Tiquipaya and Mizque mayors fell into. The municipal authorities are not used to having people participate and they even think that they can achieve better efficiency by acting by themselves. It is not easy to change this mentality in a country where authoritarianisms is deep rooted. It is not always easy to share responsibility in the handling of municipal affairs.
201. But the laws are clear and should be enforced. Besides, they prevent for accountability mechanisms that permit greater efficiency and transparency. Both municipalities have shown signs of efficiency. However, Tiquipaya and Mizque have shown that transparency mechanisms, unfortunately, could not prevent corruption, causing the Tiquipaya mayor to be overthrown, and having some of the Health District directors fired, in Mizque.

202. Finally, we can only wait and hope that these situations were transitory, because these mechanisms were recently created and put into effect, therefore, we can hope that such mechanisms and the ones that should be created would allow greater access to information, particularly to municipal accounts, eradicating corruption from municipalities and from the country as a whole.

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