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‘Plurinationality’ in the new constitutions in Latin American

The Chilean case in comparative perspective

Applicants

Supervisor Name	Discipline
Dr P. Isla Monsalve	Law studies (constitutional and political law), Chile specialist
Dr S. Valdivia Rivera	Cultural Anthropology (indigenous social movements), Bolivia specialist

Project description

Plurinationality is the political project that emerged at the turn of the century as a result of long-term indigenous movements struggles for state recognition in Latin America. Understood as the product of an amalgamation between western political theory and the indigenous knowledges, it seeks to overcome the historical indigenous subordination (Mignolo 2005). Plurinationality requires the monocultural national state to be transformed for the normative recognition of multiple nationalities and shared sovereignty (Madrid Tamayo 2022, Merino 2021) and, as such, is inserted in the larger framework of decolonization (Aman 2014, Englert and Schau-Englert 2019, Ranta 2022). On the other hand, in the recent cycle of constitutional reform in the region, known as the ‘New Latin American Constitutionalism’ (Couso 2004, Martínez Dalmau 2008, Gargarella and Courtins 2009, Nolte and Schilling-Vacaflor 2012), the cases of Ecuador and Bolivia new constitutions, promulgated in 2008 and 2009 respectively, stand out as they fundamentally redefined these states as ‘plurinational’.

More recently, deep political and social crisis in Chile initiated a constitutional process in 2021, to break with the neoliberal and militaristic remnants of the dictatorship of Augusto Pinochet. The first draft proposal – rejected at the plebiscite of September 2022 – also attempted to redefine the Chilean State as ‘plurinational’, an element that emerged amongst the most controversial in the public debate. Notwithstanding this first rejection, it is expected that a following constitutional draft will seek again to introduce ‘plurinationality’ into the state legal framework. In this way, the Chilean case takes seat in the emerging debate on Latin American Plurinational Constitutionalism (Fahimi et al. 2022, Mazariego Rodas 2022) that starts to combine discussions on social and cultural societal mobilizations and indigenous struggles, with the legalist discussions on constitutionalism.

Inserting itself in that discussion, this project seeks to provide a first exploration on the role of plurinationality in the recent Latin American constitutional reforms, with the aim to develop a research project that will assess the role of this concept in the Chilean constituent process in comparative perspective.

Research Trainee Profile

The project envisions the identification, recollection and systematization of primary bibliographic and secondary sources (of predominantly the last two decades) to form the base for a more comprehensive investigation.

The two research trainees will be mainly two:

- (1) The **recollection** of primary and secondary sources (including oral sources such as interviews)
- (2) The **systematization** of these sources (including creating a data base of primary sources) for the elaboration of a Literature Review and Research Proposal

1. Recollection of data: This part of the traineeship will provide the opportunity to practice and enhance the skill of seeking relevant data and sources. The projects aims to produce a state of the art of the debate on the so called 'New Latin American Constitutionalism' and the debate on the recognition and integration of indigenous peoples and rights through a state transformation as 'Plurinational'. Bolivia and Ecuador are cases in point, due to their recent introduction of new constitutions (2008 and 2009) that have incorporated the concept of 'plurinationality' as a defining element of their statehood. The trainees will have the task to identify the most relevant academic publications in Spanish and English in this regard. The trainees will also have a direct experience in the recollection of primary data. We expect this to be predominantly digital sources such as legal documents (constitutional drafts), parliamentary debates, press reports, opinion surveys. But we also foresee the collection of audio-visual material such as recordings of the Chilean convention deliberations and media productions of the political campaigns. In addition, we project the support of the research trainees in the preparation and conduction of a preliminary set of semi-structured interviews with key respondents (such as convention members, experts, scholars, specialized journalists, think tanks).

2. Systematization: The trainees will have the task to systematize the data and sources that are being compiled. For the elaboration of the Literature Review, the trainees will elaborate a bibliographic report of the secondary sources that will form the base for structuring the Literature Review. The bibliographic report consists of an alphabetical register of bibliographic sources, followed by an abstract and the respective keywords. The trainees will also create a database of the primary sources, helping to come up with the (thematic and categorial) labels (e.g. 'constitutional drafts', 'legal documents', 'interviews', 'testimonies') that will organize it.

Considering the nature of the activities described above, trainees must possess a demonstrable good level of academic skills (e.g. high grades for academic papers and written assignments) and show motivation to develop them further. Secondary sources are in English and Spanish, while most primary sources will be in Spanish. Therefore, a good (passive) command of this language is necessary (minimal B2.1 CEFR). The ability to communicate in written form and verbally in Spanish is a plus, considering the assistance in the preparation and conduction of interviews. Good knowledge of Latin American politics and culture in general is necessary, as we aim to recollect and process a relatively large amount of data in a relatively short period of time, for which understanding the Latin American context is paramount. Specific knowledge of any of the three countries (Bolivia, Chile and/or Ecuador) is a plus. Thus, our preference goes to a BA/MA Latin American Studies student or a BAIS/MAIR student with a specialization in Latin America.

Collaboration

The creation of Plurinational States through constitutional renewal in Latin America presents theoretical and empirical challenges that require multi- and interdisciplinary analysis that combine the insights of both anthropological-cultural, and political and constitutional law perspectives. First, plurinationality has emerged as a demand of indigenous peoples, which in the case of Bolivia and Ecuador has been the result of the struggle for their recognition and of their effective participation in politics and society. In contrast, in the case of Chile, Plurinational State initiatives have arisen mainly from political parties and certain experts and intellectuals. Secondly, the institutionalization of the Plurinational State has already started to show the complexity to be effective as political-constitutional structure, and coherent with its ideological purposes. From the anthropological and cultural point of view, plurinationality is directly related to identity processes concerning ethnicity, minorities and political, social and cultural rights, within the framework of human rights. In this same sense, plurinationality represents an engine of the new discourses on the nation, national society and citizenship. These discourses are also related to the point of view of political and constitutional law, since a Plurinational State intends and needs to develop an autonomous and representative structure of various territorial, cultural and linguistic instances, in order to promote participation and democracy at the local level.

From the interdisciplinary perspective outlined above, this project aims to put into practice qualitative research methods and techniques under the direction of two supervisors: Dr. Soledad Valdivia Rivera, anthropologist and Latin Americanist specialized in cultural, social and political issues of the Bolivian context, and Dr. Pablo Isla Monsalve, lawyer and Latin Americanist, specialist in social, legal and political issues of the Chilean context.

Deliverables

1. Literature review of the debates on 'New Latin American Constitutionalism' and 'Plurinationality' including the links between the two (the cases of Bolivia and Ecuador). This paper will provide a state of the art regarding the potential and limitations in the implementation of 'plurinationality' as a political project for state transformation and integration of indigenous minorities, in the framework of constitutional renewal. The aim is to present this paper for publication.
2. Research proposal on the impact of 'plurinationality', as an 'imported' political project on the Chilean constituent process and on debates, as an element of controversy and resistance, particularly in regards to the unitary imaginaries of the Chilean nation-state. The literature review will produce the base on which to formulate the research questions of a broader investigation that builds on a real overview of the sets of sources available, placing the Chilean case in comparative perspective with the previous experiences of Ecuador and particularly Bolivia.

Both products will present the necessary combination of both legal and socio-cultural theoretical approaches to comprehend the phenomenon of 'plurinationality' in the New Latin American Constitutionalism.

Planning

The following table identifies scheduled activities, participation of the work team members (Research Trainees and Research Supervisors) and the synchronization of activities (timing):

Activities	Team				Months						
	RT ¹	RT ²	RS ¹	RS ²	1	2	3	4	5	6	7
Preliminary methodological training					X						
Mapping of relevant sources					X	X					
Recollection of primary sources						X	X	X	X	X	X
Analysis of primary sources						X	X	X	X	X	X
Recollection secondary sources						X	X	X	X	X	X
Analysis of secondary sources						X	X	X	X	X	X
Midterm reflection								X			
Database								X	X	X	X
Bibliographical report										X	X
Preparing paper										X	X
Preparing research proposal										X	X

RT: Research Trainee

RS: Research Supervisor

Student Application

To apply, prospective research trainees should submit:

- A CV in Spanish, English or Dutch (including evidenced level of Spanish proficiency)
- A motivation letter (ca. 400 words) in Spanish, English or Dutch
- A transcript of recent academic records
- An example of submitted written work, which demonstrates their academic skills (the ability to work with sources and academic writing).

All documents should be merged into one pdf document under the candidate's name, and be sent by e-mail to both p.a.isla.monsalve@hum.leidenuniv.nl and s.valdivia.rivera@hum.leidenuniv.nl

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