

Contested Sovereignties: Indigenous disputes over plurinational resource governance

EPE: Nature and Space

2023, Vol. 6(1) 556–577

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DOI: 10.1177/25148486211068476

journals.sagepub.com/home/ene**Isabella M. Radhuber**

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Abstract

Indigenous organizations in the Andean countries of Ecuador and Bolivia originated novel proposals to pluralize sovereign arrangements through plurinational statehood. Reflecting diverse Indigenous groups' relations with postcolonial states, these proposals created a unique basis for re-negotiating (sovereign) resource governance. Despite the constitutional endorsement of the plurinational state model however, the latest empirical evidence confirms growing state control over subsoil resources that excises Indigenous peoples from decision-making over resources. In this paper, we trace the emergence of novel agendas for sovereignty-multiplicity, showing how Indigenous agendas had anticipated the need to go beyond their rights over subsoil resources and autonomous territories. These agendas implied re-negotiating national sovereignty in light of the countries' internal ethno-political and epistemic heterogeneity. Under nominally plurinational states however, resource governance outcomes perpetuate and normalise longstanding epistemic and power differentials between rights-bearing political subjects and Indigenous subjects. We highlight the colonial-modern bases of current sovereignty arrangements, identifying the presumptions and legal parameters that shape the dynamics between states, people and Indigenous people. Situating resource governance in relation to the concept of modernity/coloniality, we propose to (re)think sovereignty arrangements in the colonial present in light of internal heterogeneity.

Keywords

Sovereignties, modernity-coloniality, plural resource governance, indigenous peoples, Latin America

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Introduction

In the Latin American countries of Ecuador and Bolivia, Indigenous organizations originated unique agendas to pluralize (sovereign) resource governance. Multiple Indigenous groups have argued against state sovereignty arrangements over subsoil and surface resources that override their interests and territories. Rather than aiming to secede from existing nation-states, their proposals envision the multiplication of arrangements for decision-making and the pluralisation of resource governance within the national territory. These novel proposals put claims for ancestral territories rooted in distinctive sociocultural priorities with respect to livelihood, environment and economy on new bases. In this sense, Indigenous organisations view resource governance as integral to wider state transformation. Well-grounded proposals from major Indigenous organisations for a plurinational state were incorporated into new constitutions in 2008 (Ecuador) and 2009 (Bolivia). However, the marginalization of Indigenous peoples in resource governance over the past decade demonstrates that including plurinationalism in constitutions is insufficient.

This paper traces the emergence of novel agendas for what we term sovereignty-multiplicity and examines the extent to which national sovereignty has been renegotiated in Bolivia and Ecuador. We believe that these dynamics are of urgent concern given the large-scale, intensive and territorially expansive patterns of exploitation of mainly non-renewable natural resources known as 21st century extractivism (Svampa, 2015: 66; Ciccantell and Patten, 2016; Andreucci and Radhuber, 2017). Activists and scholars have examined the reasons for stymied political-territorial transformation (see, for example, Anthias, 2018; Billo, 2015; Gustafson, 2010). Yet the *ways* in which the constitutions distribute legal responsibilities and rights for sovereign resource governance have not received due attention so far. In this paper, we analyse the politico-legal status and discursive rendering of diverse subjects, the state and its institutions, tracing anti-plurinational provisions embedded in the new magna cartas. These ultimately reflect and reproduce colonial-modern conceptions of singular, rather than plural, state sovereignty. Drawing on modernity-coloniality-decoloniality approaches highlights how ‘there is no modernity without coloniality, with the latter being constitutive of the former’ (Escobar, 2007: 185; Mignolo, 2011). This sheds light on how colonial-modern forms of state sovereignty can be re-made and normalized under constitutions that proclaim themselves to be plurinational. In light of rising resource nationalism (Laing, 2020; Marston, 2019; Riofrancos, 2020), we raise questions about the scope for contestation and transformation of colonial-modern bases of resource governance.

While resource governance is widely recognised as a relational configuration of resource control and use, more remains to be understood in relation to colonial-modern power and resource disputes (cf. Pulido and De Lara 2018). Resource governance mediates, according to Perreault (2006: 151), “the metabolic relationships between nature and society and in doing serve[s] to stabilize environmental and social regulation within a given regime of accumulation”. Paying attention to colonial-modern Indigenous-state relations with resource governance, the paper extends our understanding of how the governance of nature is a highly contested field, in which multiple claims over, and conceptualizations of, resources are continuously negotiated (De Castro, Hogenboom and Baud, 2016: 4). This contributes to existing analysis of resource governance in settings with colonial histories, confirming that international and transnational players significantly intervene in resource control and wider sovereignty arrangements (Emel, Huber and Makene, 2011; Billo, 2015). These arrangements are often contested from below, “embedded in shifting state regimes, colonially and postcolonially, and changing global markets and connections” (Mehta, Leach and Scoones, 2001: 7). Indigenous organisations in Ecuador and Bolivia have sought to remake resource governance from the ground up (Bulkeley, 2005; Himley, 2008; 2013), negotiating within existing territorial and sovereign power relations (with diverse strategies and underlying structures) (Mehta, Leach and Scoones, 2001: 5f.; Agrawal and Lemos, 2006). Such relations result in contingent

configurations of resource governance over time and space, which perpetuate or interrupt historical and geographical continuities, especially in countries with a colonial history.

To challenge what they perceive as the colonial modality of resource governance and extraction, diverse Indigenous organizations came together to build momentum for re-negotiating sovereignty arrangements in Andean states. In light of the relational, historical and geographical contingency of what it means to be Indigenous (Radcliffe, 2017), this paper refers to Indigenous organizations, people and territories, particularly focusing on the representative Indigenous organizations that unified under Bolivia's Unity Pact, or the diverse groups and civil society movements belonging to Ecuador's largest indigenous confederation CONAIE. Despite ethnocultural, linguistic, location and class differences across the countries, the Unity Pact and CONAIE independently articulated their proposals to pluralize (sovereign) resource governance (CONAIE 1994, 2012; Garcés, 2010). At the core of plurinational proposals were aspirations to establish what we call plural sovereignties – meaning that various groups would hold sovereignty rights over resources within highly diverse societies, in order to secure the material basis of their livelihoods (Unity Pact 2006: art. 5 in Garcés, 2010: 169; CONAIE 2012: 36; also Chávez, Mokrani and Tapia, 2008; Jameson, 2011; Gustafson, 2010; Radhuber, 2012; Tockman and Cameron, 2014; Schavelzon, 2015). In this respect, Bolivian and Ecuadorian indigenous organizations framed resource governance in terms of colonial-modern cleavages and divergent conceptions of territory-sovereignty-decision-making, resulting in a hitherto unprecedented design. Effectively, they proposed the decolonizing of territorial-governance arrangements under plurinationalism to render heterogeneous Indigenous groups decision-makers over resources.

The paper draws on qualitative research between 2008 and 2018, resulting in 63 interviews with state company and state institution representatives at national, departmental and municipal levels in Ecuador and Bolivia, with Indigenous leaders of Andean and Amazonian lowland organizations, as well as various local producers and staff at environmental NGOs in several highland areas and Amazonia.¹ In-depth (semi-structured) interviews and participant observation were embedded in a collaborative and dialogical approach with participants (Ndlovu-Gatsheni, 2017; Zavala, 2013; Tuhiwai-Smith, 1999). Close analysis of legal and constitutional documents complemented interviews, while economic data from international institutions and Central Bank databases was analysed.

The paper proceeds as follows. Section II lays out the conceptual basis for understanding resource governance and disputes from below in terms of colonial modernity, highlighting the ways in which colonial-modern distinctions between Indigenous and non-Indigenous subjects and interests retain power and force. Section III introduces the Andean context of resource governance and contextualizes the origin and urgency of Indigenous work on alternatives to existing arrangements. Section IV traces Indigenous agendas for changes in resource governance, and highlights how the innovative plurinational proposal went beyond existing provisions for designated Indigenous rights and autonomous competences to create novel agendas for sovereignty-multiplicity in plurinational states. In the following Section V, we argue that longstanding colonial-modern status distinctions between Indigenous groups and national peoples were reworked and reinserted into constitutional law, even as plurinationalism as a general principle was adopted. Closely tracking the texts and implications of constitutional legal provisions, we find elements that thwart plural (including Indigenous) sovereignties in resource governance.

Understanding sovereignty in colonial-modern resource governance

Understanding sovereignty

Before analysing Indigenous proposals and new constitutional provisions, it is useful to unpack the nature and practice of sovereignty prevalent in these postcolonial states. Understandings of

sovereignty have undergone considerable reformulations over recent years, as the bundling of a singular state territory with extensive control in a state-based international system is increasingly interrogated in critical geopolitics, political geography and postcolonial literatures (McConnell, 2016).

Beyond critical international relations' and political geography's recognition of the socially constructed nature of sovereignty, the discussion has moved on to "questions of who and what is sovereign and where sovereignty lies" (McConnell, 2016: 6). Sovereignty's actively constructed nature is widely considered to constitute a fundamental feature of political power, and "territorial sovereignty still remains the hard kernel of modern states" (Hanson and Stepputat, 2005: 1). Political geographers however are moving away from a focus on territory to tease apart the spatial features and contingency at play in sovereignty arrangements. Discussion in this respect has focused particularly on international geopolitics and contingent geographies of influence and control. Popular geopolitics accounts highlight how diverse actors imagine, represent and act upon multiply scaled power away from political elites, while feminist geopolitics challenges masculinist presumptions, and anti-geopolitics decentres from formal state structures (Sharp, 2011: 271).² Likewise, feminist and postcolonial/popular accounts have explored the contingency and exclusionary formulations of sovereignty in relation to the nation-state in international geopolitics (Hyndman, 2019).

By contrast, decolonizing accounts offer an opportunity to think of the national not merely in relation to the international but also in relation to internal heterogeneity, in which colonized groups, hybrid political cultures and arrangements, and overlapping territorial jurisdictions (to varying degrees *de facto* and *de jure*) create multi-sovereign arrangements (McConnell, 2016: 8). Sovereignty comes into being and is enacted on distinctive bases in former colonies, alerting us to non-state territories and powers and moreover making visible the existence of relational, hybrid and plural understandings of political space (Randaria 2007). In settings with colonial histories, Indigenous populations have specific claims to sovereignty and territory within states, which are recognized to varying degrees under national and international law (Engle, 2009; Simpson, 2014). In the Andean region³, Indigenous movements have claimed more locally-meaningful governance arrangements within nation-states for many decades (Anthias, 2018: 10; Laing, 2015; Postero and Fabricant, 2019).

Scholarly work sheds light on everyday rule making and territorial practices that enact resource governance. Hommes and Boelens (2018) argue that local sovereign arrangements around water not only inform struggles against hydropower plants but also reveal contested histories in the Rímac watershed in Peru. In Ecuador, Hidalgo et al. (2017) show how Indigenous struggles for water access and control in rose production involve pleas for a new governance practice based in co-decision to nurture multiple livelihoods (culture and identities). In highland Bolivia, pro-Indigenous water policies and governmentalities are reconfiguring hydrosocial territories, while formalized territories contribute to unequal power relations (Seemann, 2016). Regarding land and forest management, Goodwin (2017) analyses how increasing commodification of land and resources has led to contested claims for social and political control over land. Tensions arise between and within communities in Bolivia and Tanzania over practices of community forestry (Gross-Camp et al., 2019). Scholars have also analysed contested sovereign arrangements in the context of shrimp-farming and other forms of agrobusiness extractivism, which however are beyond the scope of this paper. In this paper we build on contributions that addresses Indigenous sovereign struggles over subsoil resources, particularly minerals and hydrocarbons (Laing, 2020; Marston, 2019; Anthias, 2018; Andreucci and Radhuber, 2017; Billo, 2015; Emel et al., 2011).

As the remainder of this paper documents, multiple meanings of sovereignty (Postero and Fabricant, 2019; McConnell, 2016) become visible in Ecuador and Bolivia as Indigenous proposals clash with states' retention of subsoil rights over resources (Postero and Fabricant, 2019; Fontana, 2014: 13f.; Jameson, 2011). Scholars have called for more work on Indigenous peoples'

sovereignty, and on sovereignty disputes over natural resources in light of the developments outlined above (McConnell, 2016: 17). Further work is urgently required as sovereignty arrangements favourable to Indigenous peoples come up against colonial-modern forms of state sovereignty. In this paper, we analyse how resource governance dynamics make visible foundational distinctions between extractivist state claims and Indigenous claims for multiple sovereignty over resource governance.

Negotiating sovereignties: Contingent configurations of colonial-modern resource governance

In settings with colonial histories, states' incomplete reach over territory has given rise to the uneven expression of sovereignty's diverse meanings and practices. Neither colonial administration nor postcolonial rule could achieve uniform capacity (Hanson and Stepputat, 2001). This lack of sovereign capacity has been historically explained through corporate or third country enclaves and de facto semi-autonomous areas – some occupied by societies to varying extent oriented away from Euro-Americanism. Scholars also point to Indigenous resistance to and bypassing of state sovereignty, whereby nested sovereignties have prevailed “within and apart from settler governance” (Simpson, 2014: 11) in some cases.

In part, recent patterns of uneven and unrealized central state sovereignty led to the rolling out of national legislation that recognizes Indigenous territory and awards some degree of administrative devolution. This has been the case in Bolivia's TCOs and Ecuador's municipal decentralization from the mid-1990s. The specific legal status that Indigenous people have been endowed with extended indigenous territorial rights and made free prior informed consent (FPIC) to infrastructure development or resource exploitation projects in their territories obligatory. In the 21st century, resurgent resource nationalisms of nation-states have informed measures to enforce a centralized postcolonial sovereignty (on Bolivia, see Gustafson, 2010; Perreault and Valdivia, 2010). As a response, bottom-up contestations have defended territorial claims that converge with diverse socio-economic relations to natural resources in terms of “competing expressions of popular sovereignty” (McNeish, 2017: 1129).

On the ground, negotiating diverse sovereign meanings and practices entails the management of equivocation, that is negotiations between radically different worlds and ways of being that clash at all scales of government (Postero and Fabricant, 2019: 105; de la Cadena 2015). Relational distinctions between Indigenous and diverse non-Indigenous subjects structure the negotiation between differing conceptual and practical meanings of sovereignty. Currently, the political challenge for diverse Bolivian and Ecuadorian Indigenous peoples has been how to negotiate non-colonial-modern conceptions of political sovereignty. Such negotiations occur against the fact that indigeneity is constituted in the broad power dynamics of the colonial present, heterogeneously articulated with capitalism and modernity-coloniality (Perreault and Green, 2013; Radcliffe, 2017: 1, 2020).

Under plurinational arrangements, Indigenous movements attempt to transform the epistemic and material sovereign arrangements in accordance with their plural visions for subsoil and surface resources (Gustafson, 2010; Jameson, 2011; Radhuber, 2014). Yet the possibilities for Indigenous peoples to effectively benefit from plurinational autonomous arrangements has been limited considerably (Vega, 2010, 2012; Prada, 2010; Bolivia, 2009; Ecuador, 2008). Once again, control over non-renewable resources has been retained by the state, as research has documented (Schilling-Vacaflor, 2017; Ernst, 2015; Schavelzon, 2015). As the argument below makes clear, FPICs and existing arrangements for Indigenous autonomies reflect a sanctioned ignorance of non-Eurocentric political ontologies.

Analysing multiple meanings of sovereignty/-ies, this paper examines the domain of resource governance in constitutional texts and foundational legal provisions. Switching the analytical focus onto the legal parameters for resource governance sheds light on the differentiating norms around sovereignty and resource control. Attending to plurinational countries, we focus on how indigeneity plays out as resource controlling groups are identified and relationally defined with regard to sovereignty in the period 2008–2018. The analysis suggests that plurinationality as a novel framework including plural sovereign arrangements is limited by foundational legal settlements that retrench colonial-modern sovereignty on new bases.

Context: Plurinationality, resource nationalism and sovereign arrangements

Plurinationality as an attempt to pluralize sovereign resource arrangements continues to clash with extractivist structures that have been maintained and adapted since colonial times. This section takes plurinationality as a starting point to lay out key historical moments of relations between state administrations and extractivism up to the Morales' and Correa' administrations and the ways in which these were able to incorporate those social organizations' proposals under scrutiny in this paper.

Proposals for plural sovereignties come up against longstanding legacies of politically managed extractivism since colonialism, and they continue to conflict with reinforced national sovereignties in the 21st century. Plurinationality as a disputed framework has been Constitutionally recognized under then presidents Evo Morales, governing from 2006 to 2019 with the party Movement towards Socialism MAS⁴, and Rafael Correa, governing from 2007 to 2017 with Alliance PAIS⁵. Following years of deep political crisis in both countries, Bolivia now has a renewed MAS government, while in Ecuador a conservative president came into office in May 2021.⁶ Plurinationality has been clashing with extractivism during and after the Morales and Correa governments (Riofrancos, 2020; Gustafson, 2020), revealing enduring sovereign arrangements that have their origins in the 15th century.

Since colonial times, state administrations and resource extraction have been intimately linked in Latin America. Throughout the continent and other colonised regions of the world, “[m]ost colonial administrations were designed to exercise forms of governance and control of populations and territory that often were crudely extractive and much less fine-grained and less intensive than in the European homelands” (Hanson and Stepputat, 2001: 11). The extraction of natural resources played a determining role, alongside the extraction of Indigenous labour and knowledges. The unprocessed silver shipped from Latin America to Europe between 1503 and 1660 totalled 16 million kilograms, three times then European reserves (Hickel, 2015). Such politically mediated extractivist structures have been maintained and adapted throughout the centuries, while in the 20th century resource nationalist tendencies that strongly influence current conflicts gained importance.

In the 20th century, resource nationalist policies advanced with ambivalent and contested outcomes. In Ecuador, an increased capacity for oil rent capture was combined with promoting national development and an identity as an oil-producing country since the 1970s (Rosales, 2017). In Bolivia, Standard Oil properties were nationalized shortly after the Chaco War in 1936, and mining was nationalized after the National Revolution 1952 following strong resource nationalist narratives (Kohl and Farthing, 2012). The benefits generated through nationalization did not benefit the majority of people and set the scene for indigenous inclusion/ exclusion. These tendencies were strongly contested through the 1990s leading to contradictory achievements such as decentralization, recognition of Indigenous land, and free prior and informed consent. In

Latin American countries, resource extraction infrastructures have moulded the scope for transformational politics (Gustafson, 2020; Riofrancos, 2020).

Resource nationalism has (re)emerged globally amidst changing geopolitics, as sovereign power relations have been re-negotiated in 21st century extractivism (Ciccantell and Patten, 2016). Global constellations have transitioned, as emerging powers intervene in third states for resources. At the forefront of new South-South business-state alliances, China positions itself as a guardian of Westphalian sovereignty and proponent of international non-interference (Gonzalez-Vicente, 2017). In parallel, the revival of resource nationalism occurs, with “tendencies for (nation) states to assert economic and political control over natural resources found within its sovereign territory” (Childs, 2016: 4). Consequently, power over the subterranean is assigned to the state and a distinction made between subsoil and surface resources, opening up a range of questions (Marston, 2019), including most urgently “*who* gets to speak in the name of the state or the nation, [and] where, at what scale sovereignty or autonomy is claimed” (Koch and Perreault, 2019: 617). Thus, changing geopolitics goes along with enhanced state control over subsoil resources.

Moreover, socio-environmental effects from growing resource exploitation are particularly pernicious in areas not previously fully encompassed by state sovereignty, which in turn generate bottom-up claims for territorial sovereignty and participation, as power relations of extractivism exacerbate existing social division and discrimination against minorities (Haarstad, 2012: 2; Radhuber et al., 2021). The Bolivian and Ecuadorian states continue to heavily rely on extractivism. Mining-dependent for centuries, Bolivia today relies mainly on hydrocarbon exports and agribusiness (soy production). In Ecuador, agrarian extractivism (cacao, bananas, and later shrimp, etc.) was the political economic staple, before the rise of hydrocarbon extraction since the 1970s and large-scale mining since 2012 (Larrea Maldonado, 2013). In both countries, nationalization of extractive activities – especially hydrocarbon industries – reinforced the state’s industrial role. In-depth research on ‘neo-extractivist’ governments documents the discursive and institutional links between increased resource extraction and social redistributions of resource revenues. Linking intensifying extractivism to redistributing revenues carved out, too, a stronger state role in taxation and revenue control,⁷ with nationalized companies becoming key channels for state income directed towards redistribution. In Bolivia and Ecuador, this has resulted in resource nationalism increasingly clashing with Indigenous claims under the Morales and Correa administrations.

In Andean countries, the tendencies of resource nationalism and expanding state sovereignties into new territories became clear over the past two decades, at the cost of negative social and environmental effects on rural marginalized groups (Martínez-Alier and Walter, 2015; Gudynas, 2015; Lang and Mokrani, 2013).⁸ International legal protections for Indigenous populations have proven to be insufficient in these contexts. ILO Convention No 169 from 1989 and UNDRIP Declaration on the Rights of Indigenous People from 2007 formally recognise Indigenous self-determination and collective rights, yet the hypervisibility of Indigenous and vulnerable groups often in practice restricts rights and constrains agency in Eurocentric and capitalocentric ways (Engle, 2009; Radcliffe, 2020). As a result, Indigenous populations do not receive sufficient legal protection vis-à-vis socio-environmental impacts of extractivist activities, which leads them to refine strategies for enhancing territorial control and protecting livelihoods. Diverse claims for popular sovereignty (McNeish, 2017) range from resource nationalist visions for re-centring hydrocarbon governance within national sovereignty (Perreault and Valdivia, 2010) to Indigenous demands for territorial recognition, sovereignty and citizenship captured by the term “hydrocarbon citizenship” (Anthias, 2018; also Horowitz et al., 2018).

Yet it was primarily state-led extractivism that reconfigured resource governance since the mid-2000s, intensifying contests over resource nationalism’s diverse practices. In both countries, reinforcing primary export structures under resource nationalism has been justified by national wealth redistribution that is financed from recently nationalized strategic sectors. Mineral and

hydrocarbon resources' average share of exports was 77.81% in Bolivia and 57.56% in Ecuador from 2008 to 2014–2015 (BCE 2016; BCB 2016), compared with averages for the preceding period 1998–2008 of 57.45% in Bolivia and 47.56% in Ecuador. In the first years of the Correa government, a spokesperson for the National Secretariat of Development and Planning (SENPLADES) explained in reference to Ecuador's national development plans:

“Since the beginning of the [Correa] government, 14 productive sectors were identified as central, which were selected on the basis of greatest profitability, [for] having comparative advantages.... But many of them were nevertheless primary sectors, along with some industry and things like that - basic industry (...) it is fundamental that this income is used for redistribution.” (interview, 2012; also Ecuador PND, 2007)

Similarly, Bolivia; (2007) National Development Plan committed to maintaining the competitiveness of primary exports:

“Bolivia is currently experiencing an excellent national and international conjuncture. Internally we have a massive support from the population, as well as a special endowment of natural renewable and non-renewable resources, along with significant hydrocarbon reserves. These permit us to build an important economic surplus for use within the country, oriented towards economic diversification and social development. Externally, we evidence a favourable world economic cycle due to rising international commodity prices related to hydrocarbon, mining, agriculture and livestock.” (Bolivia PND 2007: vii; on economic diversification cf. interview with Superintendent of Popular and Solidary Economy SEPS 2012; Acosta, 2013)

Under Andean resource nationalism, strategic primary sectors (ie., renewable and non-renewable resources) were to provide the basis for creating economic surplus⁹, and materialize state control over resources.

Yet Indigenous movements pursue decolonizing aspirations that go beyond nationalization in the 21st century. Andean Indigenous agendas have continued to politicize colonial-modern statehood and resource governance, placing particular emphasis on indigenous groups' heterogeneity (Jameson, 2011; Rivera Cusicanqui, 2012; Fontana, 2014). Plurinationalism represents a broad and contested agenda to shift political structures, social relations, and epistemic diversity away from colonial-modern forms towards a plurality of sociocultural, material, epistemological and ontological positions (Blaser, 2014; Jameson, 2011; Gustafson, 2010; Rivera Cusicanqui, 2012; Radcliffe and Radhuber, 2020). For the purposes here, plurinationalism can be understood as a proposal to connect diverse people and organisational forms, generating diverse processes and decision-making practices around resource governance to suit plural societies. In this way, resource governance would be reconfigured around what Bolivian scholars identify as motley societies. Motley (or *ch'ixi* in Aymara) refers to the parallel existence and juxtaposition of multiple differences and the coexistence of overlapping societies (Chávez, Mokrani and Tapia, 2008) – including diverse Indigenous and non-Indigenous (mestizo, Afro-Latin) life worlds without blending them (Rivera Cusicanqui, 2012).¹⁰ Hence motley resource governance implies that plural subjects hold decision-making competences and sovereign rights operating within a pluralized set of arrangements rather than a binary distinction between a single 'national' regulatory regime containing identical Indigenous territories. Bolivia's (2009) and Ecuador's (2008) Constitutions declared the countries to be plurinational after decades of struggle to reconcile social diversity and political frameworks (De Sousa Santos, 2010). This changed the terrain for political struggles over resource governance, which is crucial for understanding ongoing disputes.

In summary, Andean 21st century extractivist regimes have re-defined relations between states, transnational corporations and metropolitan countries, as nationalization processes were launched in strategic resource sectors, and sovereignties were reinforced at national scales. Hence 21st century extractivism changes the positioning of Andean nation states in the international context, while linking extractivist activities to social development at sub national scales. Resource governance under the Morales and Correa governments re-oriented the national-international interface by establishing nationalized extractive corporations. Nationalized companies (mainly in the hydrocarbon sector) were entrusted with exercising state control over resources and channelling incomes from extractive sectors, under the ‘extractive imperative’ (Svampa, 2015). As the power over subterranean resources is assigned to state nationalized companies, the political significance of distinctions between subsoil and surface arrangements is reaffirmed, reinforcing the exclusionary patterns of Andean resource nationalism. Consequently, as Marston (2019) notes, strong contradictions persist between state-led resource extraction and the plurinational aim to pluralize the nation. National resource sovereignties are re-configured in international markets, but leave little space for changing resource governance arrangements internally except to the extent that resource export revenues are now distributed more widely (and for this reason garnered considerable public support, including from various Indigenous organisations in both Ecuador and Bolivia).

Beyond resource sovereignty: Indigenous demands for sovereignty-multiplicity in plurinational states

We now come to analyze Indigenous claims on resources and the plural sovereignty arrangements within which governance of resources could occur. The notion of ‘resource sovereignty’ (McNeish, 2017) broadens the debate to sovereign claims brought forth by diverse groups, among them peasants and Indigenous populations. Shifting focus away from state monopoly control over territory, resource sovereignty speaks to competing expressions of popular sovereignty, “the bracketing together of territorial claims and socio-economic relationships to natural resources” (McNeish, 2017: 1129, 1140). In Ecuador and Bolivia, Indigenous notions of resource sovereignty inform their demands for “territorial sovereignty over natural resources” (Laing, 2020: 159, 36) under self-determination and autonomy arrangements. In this section, we provide evidence to show that claims for integrating Indigenous resource sovereignties into Bolivia’s and Ecuador’s legal-constitutional provisions have been most firmly rejected when it comes to control over subterranean resources in their territories. Most strikingly, however, we show how Indigenous claims suggested and focussed on a more plurally articulated resource governance grounded in sovereignty-multiplicity.

A key demand of Indigenous resource sovereignty has been the right to veto extractive activities and gain full control over resources in their territories. In Ecuador, Indigenous rights to consultation to ensure to ensure ‘free prior and informed consent’ – already recognised in ILO Convention 169 – are now constitutionally guaranteed. The rights exist as one part of the collective rights of Indigenous *comunas*, communities, peoples and nationalities with regards to plans to prospect, exploit and commercialize non-renewable natural resources (Ecuador, 2008: art. 57–7). Likewise, the Bolivian state is constitutionally required to consult with ‘Indigenous Originary Peasant’¹¹ peoples, whilst respecting their norms, procedures and institutions, when the exploitation of non-renewable natural resources takes place within their territories (Bolivia, 2009: art. 30-II-15).

Nevertheless, the right of Indigenous people to veto extractive activities in their territories as demanded in their agendas (Schavelzon, 2015) has been negated in both countries. This exemption is most explicitly laid out in Bolivia’s Electoral Law:

“[t]he conclusions, agreements and decisions made within the framework of prior consultations are not binding, but should be considered by the corresponding authorities and representatives in all spaces of decision-making.” (Ley del Regimen Electoral, 2010: art. 39)

As a result, extractive projects can continue despite local opposition, as long as such projects are considered to be in the national interest (cf. Resina, 2015; Schilling-Vacaflor, 2017). In Ecuador, it is constitutionally determined that the national administration ultimately has the power to decide whether an extractive project will proceed or not in the case of majority opposition to an extractive project, as expressed by Indigenous communities in a prior consultation (Ecuador, 2008: art. 398; 407; also see art. 56, 57). This stance is reflected in political practice, as noted by a representative of Ecuador’s National Secretariat of Planning and Development (SENPLADES):

“[t]he policies related to strategic natural resources sectors and extraction are central to the state’s and the executive’s politics – of course, with the possibility and obligation to carry out prior and non-binding consultations. That is to say, the population can articulate a position for or against a process ... and so on, but in the end, it is the executive that defines the policy, whether to go ahead or not with an extractive policy, or a specific project.” (Interview, 2012)

Hence legal frameworks and political practice foreclose consent, control or veto for Indigenous people with regard to the extraction of subsoil mineral and hydrocarbon resources in their territories.

The second key dynamic restricting Indigenous resource sovereignties is the delimiting of autonomous territorial rights with respect to non-renewable resources. Scholarly research documents how Indigenous autonomies were reduced in scope during the Andean constituent assemblies and subsequent Constitutions.¹² In Bolivia, the constitutional process began with the Indigenous proposals brought forth by the Unity Pact comprising five major civil society organizations.¹³ These organizations articulated key claims regarding land tenure, natural resource control and customary justice which, however, were only partially recognised in the constituent assembly and subsequent constitution (Romero et al., 2010).¹⁴ Under Bolivia’s (2009) Constitution, Indigenous autonomies and Originary Communitarian Territories (TCOs) – later renamed Indigenous Originary Peasant Lands (TIOCs) – are deliberately and explicitly identified as having no jurisdiction over non-renewable natural resources. Indigenous autonomous areas solely have a right to

“[t]erritorial Indigenous autonomous management, and to exclusive use and harnessing of renewable natural resources that exist in their territories without prejudice to legitimately acquired rights by third parties” (Bolivia, 2009: art. 30-II-17, emphasis added)

In Ecuador, Indigenous organisations’ demands for autonomy formulated by the Confederation of Indigenous Nationalities of Ecuador CONAIE (1994, 2012) were simplified and narrowed during negotiations over the 2008 Constitution and the 2010 Organic Code of Territorial Organisation, Autonomy and Decentralization COOTAD (*Código Orgánico Organización Territorial Autonomía Descentralización*) legislation. The Constitution (2008: art. 60, 257) states that ancestral, Indigenous, Afro-Ecuadorian and montubio peoples can constitute territorial circumscriptions that will be regulated by law. Yet Ecuador’s Indigenous territorial circumscriptions (CTIs) have no jurisdictional rights to strategic natural resources, with the COOTAD legislation determining that:

“[Strategic sectors] are those that the state in its diverse governmental levels reserves all its competences and powers for, given their decisive economic, social, political or environmental influence. The steering

power and the definition of the management model of each strategic sector correspond exclusively to the central government.” (Ecuador, 2010: art. 111)

Hence autonomies over resource governance were successively delimited and circumscribed during the course of writing the new Constitutions, particularly with respect to non-renewable resources (see also Schavelzon 2015). Paraphrasing Resina (2015), plurinationalism has become reduced to precisely containing the extent of territorial autonomy and foregrounding prior consultation. In this way, the Andean countries define the terms of plurinational participation in decision-making over resource appropriation and use.

Yet Indigenous populations went beyond these more limited understandings of resource sovereignty to demand the strengthening of resource governance rights and autonomies. Most strikingly, Indigenous organizations’ bottom-up proposals aimed at introducing a ‘pluralism paradigm’ to secure the equal treatment of diverse groups involved in negotiations over resource extraction, whereby resource governance should be co-administered by local forms of government (cf. Jameson, 2011; Tockman and Cameron, 2014). At the core of Indigenous proposals were aspirations to establish ‘plural sovereignties’ – meaning that various groups shall hold sovereignty rights within highly diverse societies, in order to secure the material basis of their respective livelihoods. The proposal of Bolivia’s Unity Pact states:

“Sovereignty resides in the bundle of indigenous, originary, peasant, and Afro-descendent nations and people, and the culturally-diverse people from rural and urban areas; it is inalienable and imprescriptible and from it emanate the functions and attributions of public authority; it is exercised in direct form and through representatives under the terms established in the Constitution. The functions of the executive, legislative, judicial and social plurinational powers cannot be concentrated in one sole institution. Constitutional power resides in indigenous, originary, peasant and Afro-descendent people, and in all culturally-diverse people from rural and urban areas; it is ... not delegable to any other public power, and it is exercised in direct form in defence of the unity of the interests of the unitary plurinational communitarian state” (Unity Pact 2006: art. 5 in Garcés, 2010: 169).

Likewise, CONAIE’s 2007 proposal for the Constituent Assembly in Ecuador understood sovereignty as intrinsically heterogeneous and plural (cf. Jameson 2011):

The plurinational state will guarantee the political and economic, cultural, spiritual and territorial rights of all peoples, nationalities and originary nations, *vis-à-vis* the states in the Andean region, in Abya Yala [Latin America], and at the international level, in pursuit of peace, harmony, equality and solidarity as well as cooperation and development. Plurinational sovereignty will substitute the current exercise of sovereignty which is based upon the hegemonic interests and instruments of the dominant sector, in order to establish a new conception of sovereignty based on the power and political will of originary, *montubio*, Afro-Ecuadorian and mestizo people, nationalities and nations, [and thereby] will permit the full realization of life in plenitude or *Sumak Kawsay* (CONAIE 2012: 36).

Sovereignty hence was understood in terms of a bundle of plural sovereignties, which were not delegable to public authorities, except in as much as political organisations and authorities represent social diversity – and authorities are themselves motley and display the epistemological-ontological heterogeneity characteristic of Bolivia and Ecuador. CONAIE’s and the Unity Pact’s claims went beyond the negotiation of Indigenous autonomies understood as sovereign spaces and beyond what Audra Simpson (2014) describes as nested sovereignties, meaning the persistence of Indigenous sovereignties within a larger (foreign) state. Andean Indigenous-peasant organisations by contrast claimed plural sovereignties within a plurinational state to strengthen territorial control and

ultimately to decolonise resource governance. Rather than constituting completely autonomous entities to the nation state, they imagined a hitherto unprecedented social arrangement that would consist of plural sovereignties within a transformed nation state. Their decolonising struggle attempts to reconcile overlapping societies that span ethnic and geographical divisions. Accordingly, territorial organization and decision-making were proposed to function in inter-ethnic and multi-scalar ways, such as through co-management of natural resources. At the centre of their proposals, the recognition of plural sovereignties was intended to enable plural, decentred forms of resource governance.

In summary, Indigenous conceptions of autonomous territories and associated resource governance relied upon binding foundational allocations over resources as a whole within a plurinational model of resource sovereignty. Yet the respective constitutional frameworks for resource governance did not match these Indigenous designs and proposals of autonomous territories and fully informed prior consultation and veto over extractive activities. Within a critique of colonial-modern resource governance arrangements, Ecuadorian and Bolivian Indigenous movements proposed a mechanism to de-link from and break colonial-modern dynamics of resource governance by means of pluralizing sovereignty rights. Building on the *de facto* existence of longstanding plural political systems (not recognized formally), Indigenous movements linked these plural political systems into a vision for resource governance arrangements that would award plural groups' sovereign rights by breaking the singular state sovereignty. Despite these efforts, this decolonizing reworking of sovereignty was not incorporated into the constitutions, which are justified in the name of 'the people', but which in text and purpose foreclose Indigenous peoples' resource governance control, as the next section turns to address.

Constitutional provisions on sovereignty: demarcating people and indigenous peoples

In light of the above discussion, this section asks in whose name was 21st century extractivism established and implemented? To address this question, we scrutinise the legal categories and provisions regarding resource governance in the new constitutions. Despite the central role of key constitutional articles in shaping the law on prior consultations and autonomies, they have as yet not been subject to close critical analysis. By examining the constitutional texts to identify "where ...sovereignty ultimately reside[s]" (McConnell, 2016: 10) in these plurinational states, we discern the demarcation and containment of Indigenous plurinational resource governance models. A close reading of these legal-constitutional provisions reveals the reassertion of sovereignty for non-Indigenous subjects. Anticipating the argument, we present evidence suggesting that key constitutional articles constitute a sovereign subject that is relationally defined against Indigenous subjects. In this way, the constitutions perpetuate colonial-modern exclusions that structure Andean processes of resource governance and national territorializations.

According to plurinational jurisprudence, sovereignty is said to reside in society. In principle it resides with all Ecuadorians and Bolivians and includes, as explicitly mentioned, heterogeneous Indigenous groups. Each Constitution establishes in preliminary constitutional articles that sovereignty lies in the hands of 'the people'. Thus, Bolivia's Constitution states:

"Sovereignty resides in the Bolivian people; it is exercised in a direct and delegated manner. From this [sovereignty] emanate, by delegation, the functions and attributions of the institutions of public power; [sovereignty] is inalienable and imprescriptible" (Bolivia, 2009: art. 7).

Similarly, Article 1 of Ecuador's Constitution affirms:

“Sovereignty resides with the people, whose will is the foundation of authority, and it is exercised through the institutions of public power and in form of direct participation established in the Constitution” (Ecuador, 2008: art. 1, 2nd paragraph).

The people were given the right to exercise sovereignty directly and through direct participation (respectively) under these legal competences.

Indigenous people are considered to be part of the sovereign people and hold the right to participate in public policy in both countries. Indigenous groups are named as part of the Bolivian nation in article 3. In Ecuador, Indigenous nationalities are mentioned as part of the Ecuadorian nation as well as state in article 6. As such they have the right to participate in state institutions in Bolivia (art. 30-II-18)¹⁵ and to participate via their representatives in official institutions determined by law in Ecuador (as well as in defining public policies that concern them, and in the design and decisions regarding their priorities in state plans and projects) (Ecuador, 2008: art. 57–16). Despite these preliminary Constitutional articles that encompass Indigenous people within the country’s sovereign universal people however, later articles divide up sovereign spheres. These constitutional articles distinguish between the sovereignty of the state, of the national ‘people’, and of ‘Indigenous peoples’. They thereby perpetuate a colonial-modern binary and dichotomy between Indigenous and non-Indigenous subjects that was supposedly superseded by the founding of plurinational states.

The partition of sovereign spheres paves the way for withdrawing the natural resource sector from peoples’ control. Each country’s Constitution establishes a clear difference between political sovereignty residing with the (national) people and economic sovereignty guiding state action (Bolivia, 2009: art. 312; Ecuador, 2008: *capítulo cuarto*). Having been declared an issue of economic sovereignty, the management of strategic natural resources is withdrawn from the hands of the people. Each country exhaustively documents what is included in the category of strategic natural resources or sectors. In Bolivia, strategic and public-interest natural resources include minerals, hydrocarbons, water, air, soil, the subsoil, forests, biodiversity, the electromagnetic spectrum, and all physical elements and forces that can be exploited (Bolivia, 2009: art. 348). In Ecuador, strategic sectors include energy in all its forms, telecommunications, non-renewable natural resources, transport, refinement of hydrocarbons, biodiversity, genetic patrimony, the radio-electric spectrum, water, and all other resources declared as such by law (Ecuador, 2008: art. 313). Moreover, the Constitutions clearly state that the control of strategic resources is in the hands of the central state in both countries (Bolivia, 2009: art. 309–1; 316–3; Ecuador, 2008: 313). Natural resources are constitutionally proclaimed to be under the exclusive competence of the Ecuadorian central government as

“[t]he state reserves the right to administer, regulate, control and manage strategic sectors, in accordance with the principles of environmental sustainability, precaution, prevention and efficiency.” (Ecuador, 2008: Art. 313)

Strategic natural resources in Bolivia fall under central government’s exclusive competence and in the case of hydrocarbon resources, these are brought even more firmly under the central government’s control, as its “privative” (Spanish: “privativo”, that is not delegable¹⁶) competence (Bolivia, 2009: 298-II-4; art. 298-I-18). In these constitutional articles, a hierarchy of decision-making is we argue established, which – despite recent state reforms - grants the central state ultimate control over extractive decision-making.

Withdrawing control over natural resources from the public (literally, *en el pueblo*) is justified on developmental grounds. According to the constitutions, state control and direction of strategic natural resources shall happen for the purpose of national development in Bolivia, and for the

development of all rights as well as for the social interest in Ecuador (Bolivia, 2009: 348–2; art. 351; Ecuador, 2008: art. 313). Yet the question remains, which kind of development is being envisioned? Each country's rewritten Constitution endows the state with responsibility to redistribute national wealth and extractive rents. In Bolivia,

“[t]he state has as its highest value the human being and secures development by the equitable redistribution of economic surplus in social, health, education and cultural policies, and by reinvestment in productive economic development.” (Bolivia, 2009: art. 306-V)

In Ecuador, the state's primordial duty is

“[p]lanning national development, eradicating poverty, promoting sustainable development and equitable redistribution of resources and wealth, to achieve living well [*buen vivir*].” (Ecuador, 2008: Art.3-V)

The state's role in redistributing wealth (analysed in Gudynas 2015; Andreucci and Radhuber, 2017; Dávalos 2016) has been the main argument behind the exclusion of ‘the people’ under remodelled resource governance.

Yet crucially, whilst ‘the people’ continue to have sovereignty rights that are then delegated to public institutions and representatives in the name of the public good, the promise to redefine resource governance according to plurinational principles is explicitly countermanded in constitutional articles. This occurs because Indigenous peoples in the respective constitutions are differentiated from ‘the national people’ and endowed with a specific legal status. Although in general Indigenous people comprise an integral part of the sovereign universal people (as explained above), further constitutional articles explicitly designate Indigenous groups to be a specific legal subject. Both countries' constitutional articles on Indigenous rights explicitly establish a distinction between Indigenous decision-making powers over renewable versus non-renewable resources.¹⁷ The new Constitutions award Indigenous peoples the rights to use and administer *renewable* natural resources in territories (*en sus tierras/ territorios*) (Ecuador, 2008: art. 57–6; Bolivia, 2009: art. 30-II-17). Yet constitutional provisions for consultations and autonomy exempt these same territories and populations from any control over *non-renewable* natural resources. Unlike other groups of rights-bearers named in the Constitutions (for example women, children, the elderly, etc.), each magna carta places deliberate boundaries around Indigenous peoples' rights that shape the nature of resource governance in profound ways. Hence despite a general national inclusion of Indigenous people, Indigenous people are separated and endowed with a specific “hyper visible” status that precisely delimits their (sovereign) rights and competences. No other sub-population has their rights delimited in this way with respect to resource governance. Instead of granting (sovereign) competences to a plurality of actors and groups, a colonial-modern binary between Indigenous and non-Indigenous is explicitly and legally delineated.

In summary, examining how sovereignty is designated in relation to particular subjects provides evidence first, of the exclusion of ‘the people’ from resource governance with the justification that the state is obliged to implement wealth generation and redistribution. At its broadest, this denomination of sovereignty hints at how plurinationalism remains a mere formality. Each country's intentions to award sovereignty to the people has been supplanted by a hierarchical division between political (of the people) and economic (developmental) sovereignty. Hence territorial sovereignty remains the hard kernel of colonial-modern state design that underpins colonial-modern resource governance, despite the unprecedented plurinational principles that aimed at a different resource use model. Crucially too, the constitutional status distinctions between Indigenous and non-Indigenous populations rework colonial-modern hierarchies of power and models of resource

governance. The relational definition and designation of a sovereign subject in each Constitution is based on clear distinctions in status and sovereign claims for non-Indigenous subjects in comparison with Indigenous peoples. Cumulatively, the partition between popular, political and economic sovereignty on one hand, and Indigenous territories and subjects on the other, does important work to thwart plural (including various Indigenous) sovereignties in resource governance.

Discussion

Dynamic plurinational relations have changed the contingent configurations of resource governance in Andean countries. In Andean 21st century extractivism, however, the factors of new global powers and increasing state resource nationalism have not worked to minimize the socio-environmental costs of extractivist activities. Indeed, such effects have proven to be particularly noxious in areas previously unincorporated fully into state sovereignty. Continuing colonial-modern sovereignty arrangements, the Morales and Correa administrations introduced new institutional arrangements and category distinctions between states and transnational corporations (associated with metropolitan countries). Moreover, indigenous populations aimed at re-embedding resource governance in a decolonial plurinational state design, characterised by (sovereign) decision-making power for diverse actors within a more plural state design, and significant binding decisions over resources as a whole. Yet, 21st century extractivism has delimited Indigenous resource governance at the interface between Indigenous autonomy and state sovereignty in new constitutional articles. This raises questions about those *in whose name* resource governance is ordered under supposedly plurinational frameworks.

Most strikingly, Andean indigenous movements have situated their proposal for sovereignty arrangements within a broader project of state transformation. In these countries, Indigenous decolonial proposals sought specifically to intervene in resource governance by means of a pluralised state with innovative sovereignty arrangements. They demanded recognition of more differentiated sovereignty arrangements as part of wider state transformation, understood not as a singular homogeneous territorial authority but as a heterogeneous assemblage. Yet under the frameworks introduced by Bolivia's and Ecuador's Constituent Assemblies from 2007/2008, Indigenous resource sovereignty has been strictly and clearly delimited. Moreover, by focusing on constructions of sovereignty in the Constitutions, we find that specific articles work to thwart plural sovereignties. These articles establish binary relations between Indigenous and non-Indigenous populations, applying principles not rooted in Indigenous political visions of plurality but that contradict and foreclose them. These constitutional provisions simultaneously restrict Indigenous autonomies and leverage state priorities in consultations over resource governance, thereby reducing the scope for plurinational resource governance.

At its core, this paper analysed questions of sovereignty in plurinational states. Beyond the well-documented failures of consultation and autonomous territories, we show how agendas for plural sovereignties are being foreclosed with sovereignty arrangements articulated in binary terms of the (national) people in relation to indigeneity. The delineation in constitutional terms of colonial-modern state power further perpetuates enduring relational and materially consequential distinctions between Indigenous and non-Indigenous subjects. The allocation of state sovereignty in the name of the people over renewable (and to a lesser extent non-renewable) resources is achieved through constitutional restrictions on Indigenous rights regarding non-renewable resources. Such constitutional differentiations re-colonize resource governance and counteract more plurally articulated sovereignties even as they extend the foundations of colonial-modern sovereignty.

In this context, multiple meanings of sovereignty became evident as Indigenous claims came up against the hard kernel of colonial-modern states. This kernel is materialized as centralized and monopolized sovereignty arrangements over resource governance, which are defended in

discourses of resource nationalism. By contrast, Indigenous claims went beyond a re-ordering of sovereign arrangements at the national-international interface. Demanding re-negotiation of internal national sovereignty to reflect internal heterogeneity, Indigenous groups attempted to decolonize resource governance. Targeting a specific feature of the colonial-modern state, their agendas aimed to delink from the centralized and monopolized sovereignty rights of a homogeneous national people. In Ecuador and Bolivia, these decolonial concerns arose in settings where incomplete sovereign capacity over territory provided fertile grounds for thinking about diverse sovereign practices. Accordingly, this paper suggests the need to (re)think sovereignty arrangements in postcolonial settings against the background of internal heterogeneity.

Conclusions

Indigenous organizations in Bolivia and Ecuador brought forth unprecedented claims for *pluralising* (sovereign) resource governance. In this paper, we examine legal and constitutional foundations of Andean resource governance to explain how and why sovereignty arrangements ‘from below’ were excluded within plurinational states. Specifically, we argue that the decolonial features of Indigenous proposals have been excluded for being antagonistic to colonial-modern forms of state and resource governance.

In the context of rapacious and expansive 21st century extractivism, what is particularly significant is the plurinational state’s double move that seeks national sovereignty in resource control vis-à-vis international actors, at the same time as foreclosing interruptions to internal control over strategic resources. Sovereignty in this sense is re-asserted over national territory from within a 21st century colonial-modern configuration of power as Indigenous sovereignty is (yet again) denied, albeit under modified constitutions and legal texts. Resource governance under the new Andean Constitutions represents sovereignty as a question of national sovereignty vis-a-vis international threats to the nation-state, thereby bypassing the scope for redefining resource governance in plural and heterogeneous sub-national spheres. By contrast, Indigenous organizations’ proposals for plurinationalism sought to de-link from colonial-modern power, and establish resource governance Otherwise. These decolonial agendas were ultimately constrained by the very constitutions that proclaimed themselves plurinational. Examining resource governance through the lens of coloniality-modernity extends our understanding of why - despite action from below - resource governance outcomes remain so destructive and unequal. While the Andean area offers a unique context for such analysis, it is unlikely to be the only one where colonial-modern geolegalities, meanings and practices are inscribed into legislation. We conclude that taking into account colonial-modernity in relation to sovereignty unveils enduring colonial-modern patterns as well as the variegated politics of decolonizing Radcliffe and Radhuber 2020, which shape the contingent configurations of resource governance over time and space.

Acknowledgements

We wish to thank all our research participants and interlocutors for ongoing conversations and assistance. Isabella Radhuber’s research, and the writing of this paper, were made possible through a Marie S. Curie/ Erwin Schrödinger Fellowship and project “Intercultural Democracies: Power and Resource Flows” funded by the Austrian Science Fund (FWF Number: J-3726). We gratefully acknowledge this funding.

Funding

The author(s) disclosed receipt of the following financial support for the research, authorship, and/or publication of this article: This work was supported by the Austrian Science Fund (Marie S. Curie/ Erwin Schrödinger Fellowship, grant number J-3726).

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Notes

1. Interviews were carried out, amongst others, in La Paz, Uyuni, Huanuni and Santa Cruz in Bolivia; and Quito, Puno, Otavalo, Intag and Sarayaku in Ecuador.
2. In this context, the state is understood as a social relation that condenses changing balances of forces among societal groups (Jessop 2007).
3. In Bolivia, 62% and 41% of the population self-identified as indigenous in the country's 2001 and 2012 national census respectively, while in Ecuador 71.9% self-identified as *mestizo* ('mixed' race, often Europe-oriented groups), 7% as indigenous, 7.2% as Afro-Ecuadorian, and 7.4% as *montubio* in 2010 (CEDIB 2013).
4. The Spanish acronym for *Movimiento al Socialismo*.
5. The Spanish acronym for *Alianza PAIS (Patria Altiva i Soberana)*.
6. Bolivia – after a coup d'état non-elected president Jeanine Áñez governing on an interim basis from 2019 to 2020 – now has a renewed MAS government under president Luis Arce Catacora who was former Minister of Economy and Public Finance under President Morales, and Vice President David Choquehuanca who was Foreign Minister. In Ecuador, Correa was followed by President Lenín Moreno (2017–2021) with Alliance PAIS. Ex-banker Guillermo Lasso won the 2021 elections with the Movement CREO.
7. By contrast, classical extractivism does not rely upon a central role of the state or an explicit linkage between extractivism, social development and redistribution (Svampa 2015; Brand et al., 2016).
8. Research documents how the Chinese owned Mirador mining project in Southern Ecuador expands into new, particularly Indigenous, territories (Gonzalez-Vicente 2017). Likewise, the mega-infrastructure highway project through Bolivia's Isiboro Secure Indigenous Territory and National Park (TIPNIS) causes social disintegration and environmental damage simultaneously (Hope 2016; Laing 2015).
9. The economic surplus was diverted to social policies and income redistribution measures as documented elsewhere (eg. Andreucci and Radhuber 2017; cf. Bridge and Jonas 2002).
10. Motley political terrains furthermore may encompass both human and more-than-human agents such as *Pachamama* (nature or Mother Earth), *apus* (mountains) and other earth beings.
11. The 2009 Bolivian Constitution labels lowland groups as Indigenous, and highland Aymara and Quechua groups as *originary*.
12. Indigenous organizations in both countries have placed emphasis on achieving (full) control over natural resources in their territories and autonomous entities, respectively (on Ecuador, see CONAIE 1994, 2012; Gustafson 2010; Schavelzon 2015 and interview with CONAIE 2012; on Bolivia, see Garcés 2010, Schavelzon 2015 and interview with CONAMAQ 2013). These proposals were handed to the countries'

- Constituent Assemblies in 2006 and 2007, respectively, and have provided groundwork for the new Constitutions promulgated in 2008 and 2009 (Ecuador 2008; Bolivia 2009; Schavelzon 2015; also see Tockman and Cameron 2014; Jameson 2011). Yet subsoil resources have been explicitly exempted from Indigenous sovereign control in all relevant articles as shown throughout this paper.
13. National Council of Ayllus and Markas of Qullasuyu (CONAMAQ), the Confederation of Indigenous Peoples of the Bolivian East (CIDOB), the Unified Confederation of Bolivian Peasant Workers Union (CSUTCB), the Syndicalist Confederation of Intercultural Communities of Bolivia (CSCIB) and the National Confederation of Peasant Native Women of Bolivia “Bartolina Sisa” (CNMCIOB-BS).
 14. Bolivian provisions for Indigenous autonomy have resulted in only a few communities achieving autonomy status under the 2009 Constitution (cf. Ernst 2015).
 15. Other articles specify sovereignty residing in the Bolivian people that participates (as organized civil society) in the design of public policies (Bolivia 2009: art. 3, art. 7, art. 241; on Indigenous autonomies art. 304).
 16. That is, competences whose legislation, regulation and execution cannot be transferred or delegated; they are reserved for the central state. By contrast, regulative and executive functions can be transferred and delegated to other authorities.
 17. This is also despite constitutional recognitions of Indigenous rights to political participation and prior consultation.

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