

Case Study: Ecuador

Ecuador: Unfinished Business. The Political Participation of Indigenous Women

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Out of a total population of about 500 million, Latin America has some 40 million indigenous people. Among the countries with a predominantly indigenous population are Guatemala, Bolivia and Ecuador. In Guatemala, the indigenous population has been estimated to account for anywhere from 43 to 70 percent of the population; in Bolivia 80 percent of the population are indigenous, most of them living in poverty. In Ecuador, approximately 45 percent of the population are indigenous, and also suffer profound inequities. Of the rural population, 90 percent are indigenous and almost all are living in extreme poverty.¹

In Latin America, political participation by indigenous women is a recent phenomenon. While there are cases that show that women in general have advanced according to both quantitative and qualitative measures, such progress is very tentative where indigenous women are concerned. In general in Latin America, and in Ecuador in particular, the history of the encounters and clashes that the indigenous peoples have had with the political system has provoked harsh discrimination against indigenous women and led to their exclusion.

In the early 1980s, the women's movements in Ecuador focused on proposing legislation that would be favourable to women without taking into account the ethnic and cultural reality or the growing need for gender-sensitive approaches. It was thought at that time that a change in legislation would translate into concrete and immediate results in the actual situation of women. Experience, however, has shown otherwise. While there have been changes in the civil, labour, criminal, electoral and even constitutional laws, a major democratic deficit remains, with repercussions for the process of constructing national citizenship, especially in a multicultural setting such as Ecuador.

This case study analyses the participation of indigenous women in the Ecuadorian Congress, beginning with a general overview of the political participation of the

indigenous peoples. It also identifies some of the most important lessons learned, key challenges, and strategies for seeking the inclusion and full political participation of indigenous women in public affairs.

Background

In contrast to women who face a male-dominated patriarchal political system, the indigenous peoples find themselves face to face with a *mono-ethnic political system*² that excludes diversity of identity. Both systems, the patriarchal and the mono-ethnic, work to the detriment of indigenous women.

In general, the indigenous populations in Latin America, who are the bearers of a rich 1,000-year-old culture, have maintained their forms of social, economic, political, religious and cultural organization. During the 1990s, they began to be recognized as social actors in their own right, coming onto the political stage as part of the response to the global movement to include and vindicate the rights of indigenous populations.

At present, the indigenous peoples are recognized throughout the region as political actors who make proposals regarding not only land claims and the effective recovery of indigenous land rights but also structural changes in the model of the state and the representative political systems. In addition, the indigenous populations have called into question the formal democracy that excludes them not only from political participation but also from equitable economic development. In order to participate politically and become agents of change, the indigenous peoples have had to participate in the political life of the countries in the region under the legal and regulatory frameworks provided by the legislation in each country. In some cases, such as Ecuador, they have won reforms that have promoted their participation.

In the area of constitutional provisions, there have been two important experiences in Latin America regarding indigenous participation. A comparative analysis of the constitutions of the region reveals that only Colombia recognizes what can be called an 'ethnic quota'. Under the Colombian constitution, the indigenous peoples can have two representatives in the Senate, elected in a special nationwide electoral district by indigenous communities.³ Notwithstanding this important advance, no indigenous woman has been elected senator. In Nicaragua, the recognition and creation of the autonomous regions has led to indigenous women having access to the legislature. The political development of indigenous organizations and the legal framework that creates the current autonomous regime for some regions require the political parties to include indigenous persons on their lists, especially indigenous women.⁴

In the case of Ecuador, in 1994 the indigenous movement, through the Confederación de Nacionalidades Indígenas del Ecuador (CONAIE, Confederation of Indigenous Nationalities of Ecuador), proposed a constitutional amendment according to which there would be one additional legislator per province, to be elected by the indigenous peoples. The Congress did not accept the proposal. Later, in

1996, a proposal to allow the participation of independent movements in elections, in addition to the political parties, was approved. Ever since, the indigenous movement has channelled its electoral participation by fostering the formation of the Movimiento de Unidad Plurinacional Pachakutik–Nuevo País (Pachakutik Movement for Multinational Unity–New Country) political movement. This movement came on to the political scene in the 1996 elections, when it had eight legislators (four of them indigenous, none of whom were women) elected out of a total of 82 members. In addition, it saw 13 of its candidates, seven of them indigenous, elected to mayoral posts.

In other countries such as Bolivia, Peru and Guatemala, the indigenous peoples have participated in elections by forming alliances with political parties. Support for the cause of indigenous peoples has run counter to the agenda of the political parties. In the 1990s, in an effort to overcome these difficulties, indigenous groups formed short-term and issue-based alliances with political parties. In Bolivia, for example, the indigenous political party Túpak Katari established a programmatic alliance with a neo-liberal political party, and was able to have an indigenous vice-president and approximately three indigenous legislators, including an Aymara woman, elected.

In general, experience of the participation of indigenous peoples in politics is a recent phenomenon. Not all experiences have been positive, but they have made it increasingly possible to develop new perspectives that promote regional and social transformation that affords indigenous women an increasingly prominent role.

Women's Political Participation

The Ecuadorian constitution of 1929 was the first in Latin America to give literate women the right to vote. Ecuador has a unicameral legislature, and since the return to democracy in 1978 it has elected, in the first round, 'national' and 'provincial' deputies using closed lists and the secret, universal and direct ballot. In 1998, the members of the National Constitutional Assembly (established in 1997 as a result of the overthrow of the then president, Abdalá Bucaram) amended the constitution (article 99 on the electoral system) to incorporate a proportional representation (PR) system with open lists.

The past decade has seen a significant increase in women's participation in all spheres of Ecuador's political life. From 5.3 percent in 1998, women's overall representation at different levels jumped to a high of 24.8 percent in 2000.⁵ Of the members elected to Congress in the 1998 elections, 13.2 percent were women (16 of 121 legislators), and this number increased to over 20 percent in 2000 as more women alternates replaced principal legislators, either permanently or intermittently. In addition, it should be noted that for the 1998–2000 term, one indigenous woman was elected vice-president of the Congress, and in August 2000, for a brief period, a woman who was not indigenous was elected president of the National Congress. In the 2002 elections to Congress, 17 of the (now) 100 legislative seats (17 percent) were won by women, with 19 women alternates.

This change in the level of women's participation in Congress reflected in part three legal reforms advocated by the women's movement:

- the Ley de Amparo Laboral, or Quota Law, of 1997, which established a minimum quota of 20 percent women on the party lists for electoral districts in which more than one person was to be elected (applied in the November 1998 elections);
- the constitutional reform of 1998, which provides for the equitable participation of men and women in elections (article 102); and
- the reform of the electoral law, or the Political Participation Law of 2000, which set quotas for women on political party lists. The quota is to increase by 5 percent with each successive election, from a minimum of 30 percent and up to the point where equitable representation is reached, at 50 percent. Article 102 of the constitution guarantees the political participation of women in the following terms: 'The State shall promote and guarantee the equitable participation of women and men as candidates in the elections, in the directing and decision-making bodies in the public sphere, in the administration of justice, in the oversight organs, and in the political parties'. Under this constitutional guarantee, amendments were made to the electoral law in February 2000. Article 58 of the Political Participation Law now states: 'The lists of candidates in the elections in which more than one person is to be chosen shall be submitted with at least 30 percent women for the candidates for office and 3 percent for the alternates, on an alternating and sequential basis; this percentage shall be increased in each general election, by an additional 5 percent, until equality of representation is attained. Ethnic-cultural participation shall be taken into account'. Other provisions of the same law specify the details of the process of registering candidates, ensuring that the spirit of the provision is respected.⁶

While the electoral law was a real legal gain and presented challenges regarding the equal participation of women—insofar as it requires all the parties and political movements to include a certain percentage of women in the lists on an alternating and sequential basis—in practice the Tribunal Supremo Electoral (TSE, Supreme Electoral Tribunal) hindered its proper application by issuing an instruction for the local and provincial elections of May 2000 regarding the placement of women candidates on the lists. As a result, women were relegated to the last positions, thus contradicting the law's mandate on 'alternation and sequencing'.⁷ Ahead of the 2004 provincial elections, the TSE handed down a decision on how electoral lists should be made up to the leaders of the political parties and the candidates. However, in direct contravention of the law, the parties did not fulfil the legal requirements regarding the alternation and sequencing of women candidates' names on the lists, thus obstructing the enforcement of the placement mandate, and women were relegated to low positions on the party lists. The TSE did not report on this in its report to the nation but committed itself to review the instruction in response to the demands of various women's organizations.

As of 2004, the tribunal had not carried out this commitment; on the contrary, it has proposed a reform to include the said instruction in the electoral law.

Provincial Elections

Despite the legal gains in terms of women's participation in elections, the benefits for indigenous women are still imperceptible. Although the law indicated that the parties and political movements should take ethnicity and culture into account in the 2000 and 2004 provincial elections, the political parties did not include any indigenous or black women on their lists. In the elections of 2000, 952 men (92 percent) and 80 women (8 percent) were included in the list for mayoral posts. Of the total number of candidates, 106 were presented by the Pachakutik Movement, of whom only seven were women, none of them indigenous. In the 2004 elections to provincial assemblies, 129 women candidates participated, nine of whom were proposed by the Pachakutik Movement, giving a small but positive boost for women's participation. However, only 13 women, three of whom are from the Pachakutik Movement, won and now serve as mayors.

To summarize, the political parties in Ecuador do not display a clear focus on or interest in the participation of indigenous women. At the same time, because of the exclusionary and hegemonic nature of the traditional political parties, indigenous peoples, and particularly indigenous women, do not display any keen interest in participating in them and have channelled their incipient participation accordingly—almost exclusively through the Pachakutik Movement.

The Participation of Indigenous Women

Discrimination against women in politics hits indigenous women harder than other women. Compared to women's overall political gains, the presence of indigenous women in public office as a result of popular election is disappointingly small. In the lists of principal legislators for elections to the Congress for the period 1998–2002, there was just one Quichua woman, from the Pachakutik Movement, while the list of alternates included just one indigenous woman, in 12th position, for the Izquierda Democrática political party. In reality no indigenous women are principal legislators or even alternates.

It is difficult to understand how it is, even in the Pachakutik Movement, that women in general and indigenous women in particular have not participated more or played a more prominent role. One possible explanation is women's lack of education and training. Another important factor is the conditions in which indigenous women become involved in politics—generally in the face of profound socio-political and economic difficulties and disadvantages, which effectively deter them from politics.

Lessons Learned

From the political and social standpoint, indigenous women are fostering procedural and substantive changes, and generating novel forms of citizen participation and of transparent and collective administration. In addition, more attention is being given to the gender and generational agenda, ethnic and cultural issues, ecological identity, and the concept of integral development promoted by local governments.

The reality in which indigenous women find themselves from the moment they become candidates, as well as when they are elected, poses enormous challenges to the process of enhancing the dynamics of women's political work, renewing political leadership and promoting the inclusion of women in politics. Experience so far points to some important lessons.

1. *There is a lack of a common women's agenda framed in a single political project.* The experience in Congress shows that when economic policy matters are discussed there is no consensus regarding gender implications because the ideologies of the political parties determine agendas and voting patterns. On issues related to women's rights or families' rights, for example, it has been possible to reconcile different points of view, but this has not happened with respect to proposals in other areas, especially the economy.⁸

2. *Few indigenous women seek nomination as candidates.* In general, the political parties did not include any indigenous or black women on their candidate lists.

3. *There is a structural problem of illiteracy.* The indigenous movement participated in elections for the first time in 1996. In the light of the expectations surrounding this participation, an exit poll was performed to look at the quality and effectiveness of the indigenous vote. The first results indicated that 80 percent of the indigenous voters aged between 45 and 55—the vast majority of them women—did not know how to vote, as they were illiterate.

4. *There is a lack of training to improve the quality of women's performance in government.* The indigenous leadership, particularly of indigenous women, will find it difficult to survive without an improvement in the current level of participation in government. Weaknesses are apparent in administrative, legal, and technical matters.

5. *The indigenous movement lacks solid political experience.* Indigenous participation in politics is dispersed, and therefore in this context the gender agenda and the inclusion of women do not appear to have been accorded priority.

6. *The potential strength of the indigenous movement is not reflected in election results.* Although the indigenous movement has a strong organizational basis and in recent years has gained the ability to bring considerable social pressure to bear, this is not reflected in the electoral results of the Pachakutik Movement. Its weight as a social movement is not translated automatically into gains in electoral politics, which affects the capacity of indigenous women to participate through this channel.

7. *A political culture of consensus is lacking.* This delays timely decision making and has an impact on the effectiveness of performance in government.

Key Challenges

Several challenges must be addressed in order to achieve women's participation in politics, and especially the participation of indigenous women.

1. The first fundamental challenge is to achieve equality not only in the drawing up of the lists but in actually winning elections, and to strike a balance between gender equity and a democratic outlook based on social equality. Women should be on the lists in positions in which they can actually be elected, and not just for adornment.

2. The second challenge is the need to link the entry of women into politics with the consolidation of democracy and the promotion of an economy that offers new prospects for development. Women's participation becomes essential to building a political project that would entail profound changes in the structure of patriarchal power, which is exclusionary and mono-culturalist.

3. The third challenge is to train women for participation by means of ongoing educational efforts by which women can expand their knowledge and increase their self-esteem.

4. A fourth challenge is to incorporate a gender perspective into party by-laws and programmes. The party directive according to which 'one cannot take the floor until authorized by the party whip', a common practice in Latin American parliaments, must be overcome.

5. It is essential to promote the political participation of indigenous women. They often have to fight racism and display their capacity for initiative, knowledge of the issues, and the tenacity to face conflict and break down stereotypes. This task should be carried out by designing and adopting public policies that help bring about the transformation of society, and society's recognition of the plurality of cultures and ethnic groups.

6. Finally, a challenge is to continuously sensitize male candidates and society in general to the importance of including gender issues in the government programmes and electoral platforms.

Strategies

Forging citizenship through participation is one of the fundamental strategies for addressing poverty and corruption, for bringing about equitable and multi-ethnic development, and for ensuring political and social equality. In terms of discrimination against indigenous women in politics, partnerships can help overcome the discrimination, exclusion and mono-culturalism that have predominated in Ecuador.

One strategy involves the need to develop solid groups to support women legislators. These could be constituted initially by women parliamentarians around the Committee on Women, Youth, Children and the Family, which brings together women from various political parties. It is critical to develop caucuses to support women's participation within the political parties, the indigenous movement, and organized social sectors in order to incorporate women's interests in their by-laws and programmes. Women, including indigenous women, are bearers of a different perspective on politics. In effect, by incorporating issues such as gender and respect for multiculturalism, women are contributing to a transformation of traditional norms and of politics itself.

Moreover, women legislators should maintain close coordination with the social organizations from which they have come and with their constituencies. Distancing themselves from these constituencies weakens women's interventions, and indeed those of a party as a whole. These linkages should be maintained to respond consistently and transparently to popular demands, and to ensure that the electorate performs its proper role in the system of checks and balances.

Conclusion

In Latin America, major constitutional reforms are needed to ensure indigenous representation in the legislatures. Indigenous representatives could be elected in special electoral districts at the national level. This could be combined with the general elections held in each of the countries, through either the political parties or the political movements, as in Ecuador, especially since the Ecuadorian Congress, as currently constituted, does not have any indigenous legislators other than those elected from the Pachakutik Movement. The indigenous peoples' demand for one additional legislator in each province who is elected by the indigenous peoples is therefore just, necessary and urgent for democratizing the political system and the current make-up of the Congress. In other words, we must work to build inclusive and multi-ethnic democracies.

Change in the systems of representation combined with a redistributive economy would result in a major improvement of the quality of democracy, transforming our societies and improving the participation of critical social constituencies, such as women. In the case of indigenous women, the strength of their identity will be one of the fundamental pillars for expanding their influence to bring about public policies consistent with their reality, and to design a social project that promotes change and a political project aimed at democratizing the exercise of power. At the congressional or local levels, we have had the opportunity to show that indigenous persons, and especially women, are prepared to effectively assume roles in the public administration, serve in parliament on an equal footing, ethically and by bringing forward proposals, and demonstrate that we are fully prepared to debate and propose solutions to national problems.

Notes

- ¹ United Nations Development Programme (UNDP), 2001. 'Informe sobre Desarrollo Humano' [Report on human rights]. Quito: UNDP (see in particular the chapter on Ecuador, pp. xxiv and xxv); and Ordóñez, Aylin, 2000. 'Acceso a la Justicia y Equidad' [Access to justice and equity]. San José: Inter-American Institute of Human Rights, with support from the Inter-American Development Bank (IDB).
- ² The political system does not cease to be mono-ethnic simply by allowing the participation of an indigenous person. More critical than the number of indigenous candidates is the integration of indigenous democratic forms into national legislation. As an example, rather than secret, universal and direct suffrage, indigenous elections are public and collective.
- ³ Constitution of Colombia, article 171: 'The Senate of the Republic shall be made up of 100 members elected in a nationwide electoral district. There will be two additional senators elected in a special national electoral district by indigenous communities . . . '.
- ⁴ Mirna Cunninhan is one of the most outstanding Miskitu parliamentarians. As of 2002, she was also president of the University of the Northern Atlantic Autonomous Region, known as the Indigenous University, in Nicaragua.
- ⁵ In 1998, elections were held for the posts of president, vice-president, 20 national deputies and 101 provincial deputies to Congress. In the 2000 elections, local and provincial authorities were elected, that is, mayors, prefects, and members of the local councils and provincial assemblies.
- ⁶ Article 59 of the electoral law provides: 'In elections in which three representatives are to be elected, at least one woman candidate shall be registered as principal and one as alternate; in those in which four to six representatives are to be elected, at least two women as principals and two as alternatives; in those in which seven to nine representatives are to be elected, at least three women as principals and three as alternates; in elections of 10 to 12 representatives, at least four women as principals and four as alternates; and so on. In elections in which two representatives are to be elected, one of the principal candidates preferably shall be a woman, and likewise for the alternates. This proportion shall increase by the percentage indicated in the previous article, until egalitarian representation is achieved.'
- ⁷ The Coordinadora Política de Mujeres (Political Coordinating Body of Women) challenged the constitutionality of the instruction in the courts, as a result of which the Supreme Electoral Tribunal recognized that it was arbitrary and undertook to work together with the women's organizations to draw up the instructions for the 2002 elections.
- ⁸ In some proceedings in Congress, such as the passing of the law establishing the Deposit Guarantee Agency, the women who belong to right-wing political groupings ended up voting for a law that has been notorious in Ecuador.