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CASE STUDY

The Political Participation of Indigenous Women in the Ecuadorian Congress: Unfinished Business

Nina Pacari

Latin America is populated by some 40 million indigenous people of a total population of about 500 million. 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 per cent of the population, depending on the particular study. In Guatemala, 90 per cent of the indigenous population is poor, and 76 per cent lives in extreme poverty. Bolivia, whose population is 80 per cent indigenous, is in a similar situation, with 80 per cent of the population living in poverty.

In Ecuador, approximately 45 per cent of the population is indigenous, and also suffers profound inequities: 67 per cent of Ecuadorans are living in poverty, and 35 per cent in extreme poverty. Of the rural population, 90 per cent is indigenous; almost all are living in extreme poverty. Eight of every ten indigenous children in Ecuador live in poverty, according to the indicators published by the United Nations and UNICEF in the 2001 Human Development Report.¹

In Latin America, indigenous women’s political participation is recent. While there are cases that show the quantitative and qualitative advance of women generally, it is no less certain that this advance is still incipient among indigenous women. In Ecuador, in particular, and Latin America more generally, the history of encounters and clashes that the indigenous peoples have had with the political system has provoked harsh discrimination against indigenous women and their exclusion.

In Ecuador, at the outset of the 1980s, the women’s movements focused their efforts on drawing up proposed legislation favourable to women, without considering the ethnic and cultural reality, and without taking into account the growing need for public policies with gender approaches. It was thought at that time that the 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 civil law, labour law, criminal law, electoral law and even constitutional law, there is still a major democratic deficit, 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. In addition, it will identify 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.

In Ecuador in particular, and Latin America more generally, the history of encounters and clashes of the indigenous peoples with the political system has caused, among other things, harsh discrimination against indigenous women and their exclusion.

General Overview

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 system² 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 1000 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 the indigenous populations.

At present, the indigenous peoples are recognized throughout the region as political actors who make proposals regarding not only land claims and effectively recovering indigenous land rights, but also structural changes in the model of the state, and the political systems and systems of representation. In addition, the indigenous populations have called into question the formal democracies that exclude 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 offered by the legislation in each country. In some cases, such as Ecuador, however, the indigenous peoples 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. Notwithstanding this important advance, no indigenous woman has been elected senator.³ In Nicaragua, the recognition and implementation of the autonomous regions has led to indigenous women having access to the legislature. The Atlantic Coast region of Nicaragua has a multicultural population, in which the indigenous communities account for 40 per cent of the total. The political development of indigenous organizations as well as the legal framework that creates the current autonomous regime for those regions requires 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 Confederation of Indigenous Nationalities of Ecuador (Confederación de Nacionalidades Indígenas del Ecuador, CONAIE), proposed a constitutional amendment according to which there would be one additional legislator per province, to be elected by the indigenous peoples. The National 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 channeled its electoral participation by fostering the formation of the political movement the Pachakutik-New Country Movement for Multinational Unity (Movimiento de Unidad Plurinacional Pachakutik-Nuevo País). This movement came on the political scene in the 1996 elections, when it elected eight legislators (four indigenous, none of whom were women) of a total of 82 members. In addition, it elected mayors, seven of them indigenous.

In other countries such as Bolivia, Peru and Guatemala, the indigenous peoples have participated in elections through the traditional political parties, with which, after the initial alliances, they have had to face serious and profound differences. First, loyalty to the cause of indigenous peoples has been counterposed to the agenda of the political parties that do not assume that cause. Moreover, in those cases in which indigenous groups have opted for a political party that occasionally nominates an indigenous person, profound divides have emerged between the demands of the indigenous peoples and the party agenda, as they have often been and often are totally at odds.

In an effort to surpass these difficulties, in the 1990s indigenous groups formed short-term and programmatic alliances between indigenous organizations and political parties. In Bolivia, for example, the indigenous political party Túpak Katari established a programmatic alliance with a neoliberal political party, and was able to elect an indigenous vice-president and approximately three indigenous legislators, including an Aymara woman. To the extent that the agreement did not involve the indigenous organizations, the initiative was subject to harsh criticism and disagreements among indigenous activists.

In general, experiences involving the participation of indigenous peoples in politics, of which there have been several, are a recent phenomenon. Some have been positive, but not all. These experiences have made it increasingly possible to bring forward new perspectives that promote changes in the region and in the societies with a view to according indigenous women an increasingly prominent role.

The Ecuadorian Case

The population of Ecuador, according to the 2001 census, is 12,646,095, approximately 45 per cent of whom are indigenous. The population is 64 per cent urban and 36 per cent rural. The poor account for 67 per cent of the total population, while the population in extreme poverty accounts for 35 per cent of the total, with greater poverty in the rural areas, where 90 per cent of the population is indigenous, indigenous women being the worst off.

The Ecuadorian Constitution of 1929 was the first in Latin America to incorporate the right to vote for literate women. 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 secret, universal and direct ballot. In 1998, the members of the National Constitutional Assembly – established in 1997 as a result of the overthrow of then-president Abdalá Bucaram – incorporated, by constitutional amendment of article 99 of the system of elections using open lists, by personalized vote on the same list, or among lists.

The last decade has seen a significant increase in women's participation in all spheres of Ecuador's political life. From 5.3 per cent in 1998, the women's representation jumped to 24.8 per cent in 2000.⁵ In 1998, 13.22 per cent of the members elected to Congress were women (i.e. 16 women of a total of 121 legislators). With the resignation of deputy Jaime León in 1999, alternate member Nancy Santos became a full member, bringing the share of women to 14.6 per cent in 1999.⁶

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

1. The Ley de Amparo Laboral, or quota law, of 1997, which established a minimum quota of 20 per cent women on the lists for the elections in which more than one person was to be chosen for national and provincial deputies, held on 30 November 1998.
2. The Constitutional Reform of 1998, which provides for the equitable participation of men and women in elections (article 102).
3. The reform of the Election Law, or the Political Participation Law of 2000, which set quotas that are to increase 5 per cent with each successive election, from a minimum of 30 per cent and up to equitable representation, at 50 per cent. All of the foregoing is aimed at countering gender discrimination in elections and at fostering equal opportunities. Accordingly, Ecuador has a quota regime that applies to all the different elections.

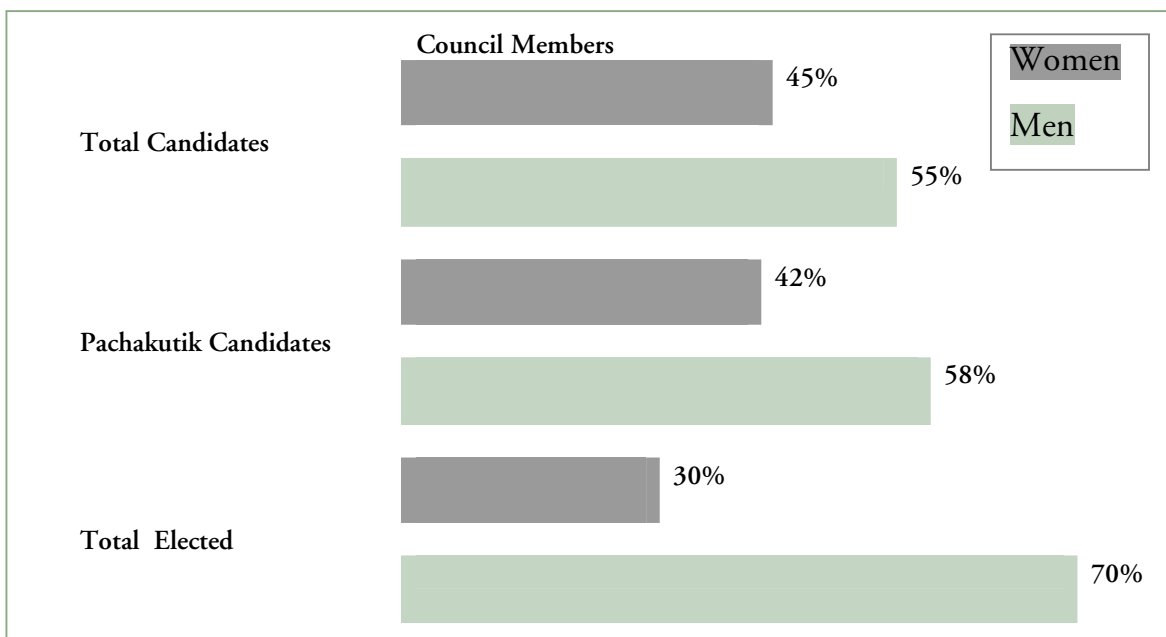
The present Constitution of Ecuador, at Article 102, guarantees the political participation of women in the following terms: "The State shall promote and guarantee the equitable participation of women and men as candidates in the elections, in the directing and decision-making bodies in the public sphere, 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 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% women for the candidates for office and 30% for the alternates, on an alternating and sequential basis; this percentage shall be increased in each general election, by an additional 5%, until equality of representation is attained. Ethnic-cultural participation shall be taken into account." Other provisions of the same law articulate the form of representation in the process of registering candidates, ensuring that the spirit of the provision is respected.⁷

While the Electoral Law was a real legal gain, representing challenges regarding the equal participation of women – insofar as it requires all the parties and political movements to include a respective percentage of women in the lists on an alternating and sequential basis – in practice, the Supreme Electoral Tribunal hindered its proper application by issuing an instruction for the local and provincial elections of May 2000 on the placement of women candidates on the lists. As a result, the women were relegated to the last positions, thus contradicting the law's mandate on "alternation and sequencing".⁸ In its reports to the nation on this matter, the Tribunal was absolutely silent. In response to the claims of leaders of various women's organizations, the Tribunal undertook to review the instruction.⁹

Despite the legal gains in terms of women's participation in elections, the benefits for indigenous women are still imperceptible. While the law indicated that the parties and political movements should take ethnicity and culture into account in the 2000 regional elections, the political parties did not include any indigenous or black women on their lists. Only the Pachakutik Movement included indigenous women, all eight of whom were elected as local council members.

Figure 1: Percentage of Women Candidates and Women Elected in Local Council Elections in Ecuador



In summary, political parties in Ecuador do not display a clear focus on, or interest in, the situation of indigenous women. And the indigenous peoples, particularly indigenous women, do not display keen interest in participating in the traditional political parties, in view of their exclusionary, hegemonic and assimilationist nature. Accordingly, they have channelled their incipient participation almost exclusively through the Pachakutik Movement.

The Ecuadorian Congress

Women’s participation in politics, and particularly indigenous women’s participation, has been stronger at the local level, particularly in the *municipios*, or local jurisdictions. Nonetheless, the experiences with the election of indigenous women parliamentarians do not differ substantially from what has happened in elections for provincial and local organs.

In Ecuador, the last parliamentary elections were held in May 1998. At that time, even though the quota law was binding, requiring political parties to ensure that their lists be made up of at least 20 per cent women, that quota was not met. In the absence of sanctions, no woman was included in the lists except in those cases in which the “goodwill” of the party leaders or the constituency represented by the women’s leaders forced it.

In addition, given that the quota law did not include the “alternate and sequential” provision or require that ethnicity and culture be taken into account, women were given marginal places. With the February 2000 reform of the Electoral Law – which applies to all elections – it was possible to guarantee the minimum quota of 30 per cent for the participation of women in that year’s election, for representatives in the provincial and local governments. For the election of late 2002, the political parties will be required to have 35% women candidates. If they fail to do so, the Law provides that the Supreme Electoral Tribunal will not register them for the elections.

As noted earlier, in the 1998 parliamentary elections, 16 women (13.22 per cent of 121 representatives) were elected: 12 women from various provinces and different political tendencies, plus four national legislators from different political parties. In contrast, among the alternates (each principal legislator from the provinces has one first alternate and one second alternate, based on the personalized vote) of the total lists of 101 representatives, there were 36 women, 16 of whom are first alternates who can act as principals in the absence of the principal, whereas the second alternates (20) can do so once the first alternates allow them to.

Only as a result of the resignations or deaths of the principal legislators (where the first alternate was a woman) did four women legislators become principals, bringing the number of women who were principal legislators to 20. Taking into account that some six women legislators often served as principals due to the absence of the principal member, the presence of women in the Ecuadorean Congress is about 20 per cent. In addition, it should be noted that for the 1998–2000 term, one woman was elected vice-president of the Congress. In addition, in August 2000, for a brief period, a woman was elected president of the National Congress.¹⁰

Discrimination against women in the area of political participation has a harsher impact on indigenous women.

Compared to women's gains in political participation in Ecuador, the numerical presence of indigenous women in public office as a result of a popular election is disappointingly low. The current list of women legislators who are principals includes just one Quichua woman, from the Pachakutik Movement, while the list of alternates includes just one indigenous woman as well, in the twelfth position, for the Izquierda Democrática political party. Being in that position, this woman will probably never play a role in Congress. Indigenous women are absent from the other political groupings.

It is difficult to understand how it is that women in general, and indigenous women in particular, have, even in the Pachakutik Movement, not had greater participation and a more prominent role. One possible explanation is women's lack of education and training. Another important factor refers to the conditions in which indigenous women become involved in politics, generally amid profound socio-political and economic difficulties and disadvantages that have the effect of keeping women away from politics.

Lessons Learned

The situation women face when they become candidates, and when they are elected, poses major challenges to make politics more dynamic, so as to incorporate new democratic rules of the game, and to foster the inclusion of women in politics. Experience to date offers several important lessons in this process of change.

The first general lesson from Ecuador's experience is recognizing that women do not have a common agenda framed in a single political project. Legislative experience shows that when economic policy matters are discussed, "there is no gender consensus" since there is no common agenda, for it is the ideologies that are determinant. On issues related to women's rights or families' rights, to cite just some issues, it has been possible to reconcile diverse points of view, but this has not happened with respect to proposals in other areas, especially the economy.¹¹

The following lessons stem from the experience of indigenous women:

1. **Few indigenous women seek to be nominated as candidates:** Indigenous women have not assumed the challenge of getting nominated on the lists. They are inhibited by fear of an outside and alien world. In the 2000 elections, the political parties did not include any indigenous or black women.
2. **The structural problem of illiteracy:** The indigenous movement participated in the elections for the first time in 1996. Considering the expectations around this participation, an exit poll was performed on the quality and effectiveness of the indigenous vote. The first results indicated that 80 per cent of the indigenous voters aged 45 to 55, the vast majority of them women, did not know how to vote, as they were illiterate.
3. **The lack of training to improve the quality of performance in government:** The indigenous leadership, particularly of indigenous women, cannot survive if the overall quality of its involvement or performance in government does not improve. Administrative, legal, and technical matters have seen the greatest difficulties. Nonetheless, from the political and social standpoint, indigenous women are fostering procedural and substantive changes, 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 conception of integral development promoted by local governments.
4. **The lack of solid political experience on the part of the indigenous movement:** Indigenous participation in politics provokes dispersal within the indigenous movement. In this context, the gender agenda and the inclusion of women do not appear to have been accorded priority.
5. **The incipient electoral strength of the indigenous movement.** Although the indigenous movement has a strong organizational basis and in recent years has gained the ability to bring considerable social pressure to bear, its strength 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 has repercussions for the capacity of indigenous women to participate through this channel.
6. **The lack of a political culture of consensus.** This delays timely decision-making and has an impact on the effectiveness of performance in government, which in turn must be combined with promoting human development and the social and cultural processes.

Key Challenges

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

The first fundamental challenge is not only to achieve equity in the drawing up of the lists, but in the fact of being elected, 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.

The second challenge refers to the need to link the entry of women to politics with the consolidation of democracy, the promotion of an economy that incorporates new prospects for development, the search for political and social equality, and human well-being, and recognition that society is multicultural. Under these premises, 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.

The third challenge is to train women for participation, through ongoing educational efforts, by which women can expand their knowledge and self-esteem, to ensure that those women who are elected not just occupy the legislative seats, but can actually play a proactive role contributing to change.

Fourth, women legislators must regain the initiative, since otherwise they will be subjected to the priority or importance accorded them by the political camp to which they belong. To this end, it is essential that women take initiative within the political parties or movements, to get a women's agenda incorporated into the party by-laws and programmes. The patriarchal directive according to which "one cannot take the floor until authorized by the party whip", a common practice in the Latin American parliaments, must be overcome.

Fifth, it is essential to promote the political participation of indigenous women, since they often have to fight racism and display their capacity for initiative, knowledge of the issues, and tenacity to face conflict and break down stereotypes.¹² This task should be carried out by designing and adopting public policies that strengthen the position of indigenous women in society and that help bring about the transformation of society, and its recognition of the plurality of cultures and ethnic groups.

Another essential 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. Women, when organized, can bring pressure to bear to make this a reality.

If a political project for the country can be designed by consensus, by women, then women's empowerment will be one of the fundamental strategic challenges. That very necessary political agenda has yet to be discussed or worked out.

Strategies

Forging citizenship through participation is one of the fundamental strategies for addressing poverty and corruption, for bringing about equitable and multiethnic development, and for ensuring political and social equality. In terms of discrimination against indigenous women in politics, the processes of dialogue can help overcome jealousies and distrust that result from the discrimination, exclusion and monoculturalism that have predominated in Ecuador.

In the Congress, specifically the political parties, supported by other actors from civil society, strategies should be fostered to ensure effective and better-quality participation of women in politics.

One strategy involves the need to develop solid groups to support the 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.

The groups that support the participation of women must also develop inside the political parties, the indigenous movement, organized social sectors, and civil society generally, 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. Accordingly, it is essential that society mobilize, especially around politics, to demand the incorporation and participation of women, including indigenous women, in Ecuador's political life.

Moreover, women legislators should maintain close coordination with the social organizations from which they have come, where these exist, and with their constituencies. Distance in these relationships weakens their role of intermediation, which is one of the causes of the political parties' crisis of representation. But above all, the close ties should be maintained to continue to respond consistently and transparently to popular demands, and for political parties to be subject to ongoing social checks by those who elected them.

The degree of women's participation in the economy and in politics should be reflected in three fundamental aspects:

1. Administrative, professional and technical matters, as these provide an indicator of the opportunity to make decisions on economic issues.
2. Participation in popularly-elected posts, which makes it possible to measure the incorporation of women in decision-making in public affairs.

3. Economic income, which is related to the degree of control over economic resources.

Women in general are overcoming the hidden dangers in these three spheres. Yet the participation of indigenous women is a recent phenomenon and is still quite limited. One of the main obstacles women face is the political system itself.

Conclusion

Bearing in mind the multicultural reality of the countries of Latin America, a profound effort is needed to democratize the political system, incorporating the ethnic and cultural variables and the gender approach, which are so necessary today.

Changing the systems of representation and having a re-distributive economy would result in a major improvement of the quality of democracy, transforming our societies and improving the participation of new social actors, such as women.

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 Ecuadoran Congress, as currently constituted, does not have any indigenous legislators other than those elected from the Pachakutik Movement.

Changing the systems of representation and having a re-distributive economy would result in a major improvement of the quality of democracy, transforming our societies and improving the participation of new social actors, such as women. A genuine democracy will lay the bases for development, making it possible to strengthen the position of women and improving indicators of quality of life, health, and education. 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 utopias based on a social project that promotes change, and a political project aimed at democratizing the exercise of power.

Therefore, the demand by indigenous peoples for one additional legislator in each province who is elected by the indigenous peoples is 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 inclusionary and multiethnic democracies.

Endnotes

¹ UNDP. 2001. "Informe sobre Desarrollo Humano". Quito, Ecuador: UNDP. Chapter on Ecuador, pp. xxiv and xxv. Ordóñez, Aylin. 2000. "Acceso a la Justicia y Equidad". San José: Inter-American Institute of Human Rights, with support from the IDB.

² The political system does not cease being mono-ethnic just because it allows the participation of one or other indigenous person. The issue is not the number of indigenous candidates. Rather, it is that the indigenous peoples, who are the bearers of a political practice, aspire to have their own democratic forms incorporated into national legislation. The indigenous peoples have their own forms of election or of determining authorities that are totally different from "secret, universal, and direct suffrage". The election is "public and collective".

³ The 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 Myrna Cunningham 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 president, vice-president, 20 national deputies, and 101 provincial deputies. In the 2002 elections, local and provincial authorities were elected, i.e. mayors, prefects and members of the local councils and provincial assemblies. The February 2000 reform to the election law, three months prior to the elections, required that at least 30 per cent of the places on the lists be women.

⁶ The percentage I am referring to reflects women who won the elections. Since then, this percentage increased, not due

to a direct election, but rather because women alternates became the principal either permanently or sporadically.

⁷ 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 which four to six representatives are to be elected, at least two women as principals and two as alternatives; 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.”

⁸ The Political Coordinating Body of Women (Coordinadora Política de Mujeres) headed up the action challenging 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, which are to be held in October 2002.

⁹ As of May 2002, the Tribunal has not carried out this commitment. To the contrary, it has proposed a reform to the election law to incorporate into law the content of the instruction that had been challenged.

¹⁰ Ms. Nina Pacari Vega, a national deputy, was elected vice-president of the Congress for the 1998–2000 term. Ms. Susana González de Vega, national deputy, was elected president of the National Congress from 10 August to 11 September 2000.

¹¹ In some legislative results, such as the law on 1 per cent on the circulation of capital or 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 nefarious for Ecuador.

¹² The day I was elected second vice president of the Congress, there were plenty of voices of parliamentarians from Izquierda Democrática, a center-left party, shouting “*indios de mierda*”. In my role in Congress I have had to show that indigenous persons, and especially we women are prepared to effectively assume roles in the public administration, serve in parliament on an equal footing, ethically and with proposals, and demonstrate that we are totally prepared to debate and propose solutions to the national problems.