



DOING DEMOCRACY DIFFERENTLY: INDIGENOUS RIGHTS AND REPRESENTATION IN CANADA AND LATIN AMERICA

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Ecuador: Promoting Plurinationality through Local Indigenous Governments

The Ecuadorian state is like a hacienda with a landlord.

—Delfin Tenesaca, President of ECUARUNARI¹

The demand for plurinationality that was first made public by Ecuador's Indigenous movement during the 1990 National Indigenous Uprising has succeeded in shining a spotlight on Indigenous rights in the country. Throughout the subsequent decade, Ecuador was widely regarded as the birthplace of Latin America's strongest Indigenous movement (Rice 2012; Van Cott 2005; Yashar 2005). Yet, despite the 2008 constitution's recognition of Ecuador's status as a plurinational state, there has been little progress to date in implementing Indigenous rights to autonomy and self-government, with some scholars even suggesting that a reversal of the gains won in the area of Indigenous rights is now taking place (Martínez Novo 2021). The Ecuadorian state envisions and constrains Indigenous governments, the bedrock of plurinationality, as being essentially in the same position as local or municipal governments. Under this "mini-municipality" model, power is granted to Indigenous governments through a process of delegation and devolved administrative responsibilities rather than in recognition of Indigenous sovereignty (Abele and Prince 2006). In other words, Indigenous communities exercise power under the authority and control of the state. Why did Latin America's strongest Indigenous movement end up with a comparatively weak version of Indigenous autonomy and self-government? And how are Indigenous peoples challenging the

limits imposed by the state on Indigenous rights? This chapter takes up these pressing questions.

In tracing these developments, I argue that the lack of political will on the part of Ecuador's central government to implement secondary legislation on Indigenous autonomy and self-government that meets the needs and expectations of the Indigenous movement has produced a system of undefined rights for Indigenous peoples that impedes the construction of a genuinely plurinational state. Under the administration of the left-leaning populist president Rafael Correa (2007–17), state actions to strengthen territorial control as a means to advance the project of “sustainable mining” placed firm limits on Indigenous rights to autonomy (Lalander 2014; Ortiz-T. 2021). Radhuber and Radcliffe (2022, 15) have described this dynamic of centralized state control over resource governance as the “hard kernel of colonial-modern states.” As indicated by the words of the former president of the country's main highland Indigenous organization, quoted in this chapter's epigraph, in Ecuador, the president and his allies—largely middle-class intellectuals and technocrats without a background in grassroots politics—tend to run the country in a top-down fashion. In response, the Indigenous movement has looked to local government as a means to generate autonomous spaces. This is perhaps most clearly visible in the repeated electoral victories of the Indigenous-based Pachakutik Movement for Plurinational Unity, now one of Ecuador's longest-standing political parties (Altmann 2016). The control of local space has served to advance a measure of Indigenous autonomy, even if only within the bounds of the legal jurisdiction accorded to municipal governments (Cameron 2009; Van Cott 2008).

The chapter begins by examining the growing calls for plurinationality by Ecuador's Indigenous movement over the course of the 1980s and '90s under the leadership of its national umbrella organization, the Confederation of Indigenous Nationalities of Ecuador (Confederación de Nacionalidades Indígenas del Ecuador, or CONAIE). This section details how Indigenous mobilization, both in the streets and electorally, created a favourable opening for the drafting of a new and innovative constitution in terms of its recognition of the rights of Indigenous peoples and of Nature (Schilling-Vacaflor and Kuppe 2012; Wolff 2012). The chapter then turns to an examination of the slow implementation of those rights in practice as the window of opportunity for change quickly closed after Correa and the Indigenous movement parted ways over their opposing positions on the role of extractive industry in the nation's

development plans. Particular attention is paid in this section to the lack of progress made in establishing Indigenous Territorial Circumscriptions—the institutional mechanism outlined in the new constitution for guaranteeing Indigenous rights to autonomy and self-government (Ortiz-T. 2015; Zamora Acosta 2016). The final section of the chapter explores the contested relationship between resource extraction and Indigenous rights to autonomy by examining Correa’s controversial Yasuní Ishpingo-Tambococha-Tiputini (Yasuní-ITT) initiative on oil drilling in the Amazon (Caria and Domínguez 2016; Espinosa 2013). The chapter concludes with an overview of the important lessons provided by this case study, especially regarding the need for ongoing social mobilization to close the gap between political discourse and practice on Indigenous rights and representation.

Protests and Proposals

Ecuador is a country of firsts. It was the first country in Latin America to grant women the right to vote (1929). It was the first country to transition from authoritarianism to democracy (1979) as part of the region’s third wave of democratization (Mainwaring 1999). It was also the first country to experience a massive Indigenous uprising (1990) in the contemporary era, and the first to constitutionally recognize (2008) the plurinational character of the state (Rice 2012). It is worth pointing out that Ecuador is one of the smallest countries in South America, both in terms of geographic size (283,560 km² in total land area) and population (17.64 million in 2020).² Yet, Ecuador is a country of incredible cultural and ecological diversity. Estimates of the relative Indigenous population size in Ecuador vary widely depending on the source—ranging from just over 8 per cent of the total population according to the latest government statistics (Merino 2021, 23) to 45 per cent based on CONAIE’s estimates (Van Cott 2008, 24)—with most observers suggesting that Indigenous people make up approximately 25 per cent of the country’s total population (Deruyttere 1997; Layton and Patrinos 2006).³ Indigenous peoples in Ecuador are divided along three major ecological zones or regions: coastal, highland, and Amazonian. The Kichwa (sometimes spelled “Quichua”) people of the highland region are the country’s dominant Indigenous group. The coastal region is home to the Awá, Chachi, and Tsáchila peoples, while the Amazon is the traditional territory of numerous Indigenous nations, including the Shuar, Huaorani, Siona-Secoya, Cofán, and Achuar peoples (Gerlach 2003; Lucero 2008; Selverston 2007). Until relatively

recently, Ecuador's Indigenous movement has been able to avoid extensive inter-Indigenous conflict and unite the country's diverse Indigenous communities under the national direction of CONAIE.

CONAIE was formed in 1986 to represent the country's Indigenous peoples at the national level (Collins 2004; Yashar 2005). It did so by unifying the three main regional Indigenous organizations: the Confederation of Indigenous Peoples of the Ecuadorian Amazon, the Coordinator of Indigenous Organizations of the Coast of Ecuador, and the Awakening of the Indigenous Peoples of Ecuador (Ecuador Runacunapac Riccharimui, or ECUARUNARI). CONAIE and the Indigenous movement took centre stage in Ecuadorian politics after the June 1990 National Indigenous Uprising, in which Indigenous groups throughout much of the country participated in weeks-long strikes, marches, and demonstrations as an expression of their frustration with the country's political and economic system (Zamosc 1994). Indigenous identity quickly became the prime reference point for anti-neoliberal contention in the country. Throughout the 1990s—a time of intense structural adjustment for much of Latin America—neoliberal economic policies faltered in Ecuador. Beginning with the government of Rodrigo Borja (1988–92), CONAIE mounted powerful mobilizations against every president who sought to impose market reforms (Mejía Acosta et al. 2008; Silva 2009). Collective action was strengthened in this period by widespread public support for the Indigenous movement. A pattern soon emerged in which the government would announce a policy measure that would prompt mass protests, forcing the government to backtrack on its proposed reforms (Rice 2012). Much like with the first national uprising, the government responded initially with repression and arrests and ultimately with negotiations. According to Indigenous leader Nina Pacari (1996, 24), “This marked the first time in Ecuadorian history that an [I]ndigenous movement forced the government to enter into serious dialogue about national policies.”

The idea of forming an Indigenous peoples' political party first developed in the Amazon. In 1995, Amazonian leaders formed their own electoral vehicle to contest elections—the Pachakutik Movement (Van Cott 2005).⁴ The decision by Amazonian Indigenous organizations to back Pachakutik in the 1996 general elections forced CONAIE to open up a debate on electoral participation within the Indigenous movement. Electoral reforms in 1994 that eased the restrictions on the formation of new parties prompted Indigenous leaders to reconsider their stance on the issue. After carefully considering

the new rules of the game and the demands of its base, CONAIE officially announced the formation of the political arm of Ecuador's Indigenous movement at its 1996 national assembly (Madrid 2012; Rice 2012).

Pachakutik was designed to generate proposals and advance Indigenous and popular-sector interests within the state. Social movement logic, however, permeates and shapes the party's organizational structure and functioning. Pachakutik's candidates all come from social movement backgrounds, ensuring organic ties between the party and its grassroots organizations (Collins 2000). The three main components of Pachakutik's political project are resistance to neoliberalism, anti-corruption, and the creation of a plurinational state (MUPP-NP 2003). Politically, the party pushes for participatory democracy and the decentralization of the state. Economically, it calls for strong state control over the economy and the renegotiation of the foreign debt to allow room for national growth and investment. Socially, the party proposes reforms in education, health care, and working conditions. And juridically, Pachakutik seeks plurinationality, the historic project of the Indigenous movement that would provide Indigenous communities with a measure of autonomy and self-government (MUPP-NP 1999).

In the 1996 general elections—Pachakutik's first electoral outing—the party won an impressive 20.6 per cent of the presidential vote in a campaign that was largely conducted door-to-door. The party also managed to obtain 8 seats in the 82-seat national legislature, making it the fourth-largest bloc (Van Cott 2008). In its strongest electoral performance to date, Pachakutik won the presidential race of 2002 in an electoral coalition with former colonel Lucio Gutiérrez of the Patriotic Society of January 21 party. Gutiérrez had played a leading role in the coup of January 21, 2000, which saw junior military officers join forces with the Indigenous movement to overthrow President Jamil Mahuad (1998–2000) through massive street protests backed by large swatches of civil society (Lucas 2000). However, President Gutiérrez's sudden and unexpected embrace of the neoliberal model once in office saw the governing coalition shattered after Pachakutik stepped down from power just six months after taking office, ultimately undermining the legitimacy and prestige of the nation's once powerful Indigenous movement (Van Cott 2009). In April 2005, Gutiérrez became the third consecutive elected president of Ecuador to be toppled by popular protests in a massive uprising against the direction of his government. In contrast to previous rounds of contention,

Table 5.1 Indigenous legislators in Ecuador’s National Assembly, 1996–2017

Session	Total number of seats	Number of Indigenous legislators	% of Indigenous legislators
1996–8	82	5	6.1
1998–2003	120	4	3.3
2003–7	100	9	9.0
2007–9	100	6	6.0
2009–13	137	5	3.6
2013–17	137	9	6.6

Source: Ewig (2020, 5).

however, the Indigenous movement played only a minor role in Gutiérrez’s ouster (Becker 2008; Lucero 2008).

In the 2006 general elections, Pachakutik competed on its own and garnered just 2.2 per cent of the presidential vote, highlighting the erosion of the party’s national support base (Rice 2012, 57). Instead, the young and charismatic former minister of the economy, Rafael Correa, of the Proud and Sovereign Homeland Alliance, was elected president on a strong anti-neoliberal platform that took up most of the political space formerly occupied by Pachakutik. Correa’s so-called Citizens’ Revolution—based on the mobilization of the citizenry and the redistribution of political power—eclipsed autonomous organizing efforts in the country (Conaghan 2008). Paradoxically, Correa’s assumption of power institutionalized the Indigenous movement’s political project while marginalizing the movement itself. There are strong areas of convergence between Correa’s and Pachakutik’s governing proposals. Both projects are nationalistic and emphasize investment in domestic industries, and both see direct democracy as able to transcend the limits of representative democracy when it comes to advancing popular-sector interests (Jameson 2008). Pachakutik did not field a candidate for the 2009 presidential elections—the first held under the new rules of the 2008 constitution—which saw Correa re-elected by a slim majority. In 2013, Correa was re-elected again with an even stronger majority (Sb and Aravind 2022). Between 2003 and 2017, Pachakutik faced significant challenges to its survival as the party lost its broad social movement support and had to rely more heavily on its Indigenous base (Ewig 2020). Despite these setbacks, Pachakutik continues

to serve as an important vehicle for ensuring the consistent presence of Indigenous legislators in Ecuador’s National Assembly (see table 5.1).

The gradual disarticulation of Ecuador’s Indigenous movement at the national level has resulted in a renewed focus on local governments as a means to generate spaces of autonomy for Indigenous peoples (Ortiz-T. 2021). In a 2012 interview with Rafael Antuni, then the national coordinator of Pachakutik, Antuni suggested that plurinationality continued to be the central theme of the Indigenous movement, with an emphasis on creating or building the plurinational state in practice. In his words, “The state will not erase us.”⁵ From the beginning, Pachakutik has viewed municipal power as a crucial opportunity for developing governing experience, building up local bases of support, and experimenting with innovative forms of participatory democracy that could potentially be scaled up to higher levels of politics (Cameron 2009). Indeed, the party has garnered international attention for its municipal-level accomplishments. Most notably, the Pachakutik-governed municipality of Cotacachi received the Dubai International Award for Best Practices for democratic innovation and sustainable development in local government in 2000 as well as UNESCO’s Cities for Peace Prize for achievements in citizen participation and inclusion in 2002 (Van Cott 2008, 136). Perhaps most impressive, Pachakutik has managed to repeat many of its mayoral victories while expanding its base of support in other regions of the country over time, ensuring its consolidation (Rice 2011b).

Indigenous Governments and the New Constitution

The passage of the 2008 constitution turned out to be a rare moment of unity between the Indigenous movement and the Correa administration. CONAIE and the Indigenous movement played a pivotal role in developing and defining the concept of the plurinational state in the drafting of the new constitution through the constituent assembly process (Lalander and Lembke 2020). The establishment of a plurinational state was intended to be the cornerstone in a political project of decolonization aimed at replacing the asymmetric relationship between Indigenous peoples and the state with a more horizontal or bilateral one (Acosta 2009; Walsh 2009). Whereas the previous constitution of 1998 had recognized the state as pluricultural and multi-ethnic, the new constitution declared Ecuador a plurinational and intercultural state (Altmann 2016). Interculturality is intended as a bridge-building measure to balance inter-ethnic relationships in a diverse society while also acknowledging the

historic and ongoing existence of racism and discrimination.⁶ According to Ecuador's renowned Indigenous leader Luis Macas,

Throughout history, us, the Shuar, Kichwa, and others have had to learn from the dominant culture to survive, including their language. . . . Because of this, we argue that we have to recognize and learn from each other and build from that recognition not homogeneity but interculturality and the normative construction of the plurinational state. . . . The dominant society is only interested in recognizing plurinationality up until a certain point or limit. (2009, 94)

Martínez Novo (2014, 113) has suggested that while the term “plurinational” was accepted by the constituent assembly led by Correa, the constitutional reinforcement of state sovereignty places firm limits on Indigenous autonomy and the representation of Indigenous peoples beyond conventional means of democratic representation.

Ecuador's new constitution institutionalized Indigenous governing practices as part of the state by making an explicit commitment to honouring the Andean Indigenous principle of Living Well (*Buen Vivir* in Spanish; *Sumak Kawsay* in Kichwa), which is based on the values of consensus, respect, and reciprocity between the human and non-human worlds (Fischer and Fasol 2013; Ugalde 2014). According to Lalander (2014), while the principle of Living Well presents an opportunity to bring about an alternative to development, it is being used by the government to justify resource extraction in the name of progressive social welfare programs. Ecuador's development planning document, the National Plan for Living Well (2013–17), envisions sustainable development and the equitable distribution of wealth and resources as the route for attaining the principle of Living Well in practice.⁷

A textual review of the planning document reveals the top three priorities of Correa's administration to be the pursuit of development, human rights, and natural resource wealth. The term “development” is used three times more frequently than the term “Living Well” and is invoked eighteen times more often than the concept of Indigenous autonomy. To advance the long-term goal of Living Well, the government assumes responsibility for the defence of the right to live in a healthy environment and to respect the rights of Nature (Plan Nacional para el Buen Vivir 2013, 16). The National Plan for

Living Well suggests that the principle of Living Well cannot be improvised from below by Indigenous communities, but rather must be planned and managed from above by the state (Plan Nacional para el Buen Vivir 2013, 14). Instead of displacing conventional notions of development based on economic growth, the government has broadened the definition of economic development to include a more balanced relationship between society and the natural world, which it claims can only be brought about by state action (Arsel 2012; Merino 2021).

Prior to Correa's assumption of power, Ecuador had been home to Latin America's most successful example of Indigenous co-management and administration of state funds targeting Indigenous health, education, and development. Ecuador's National Directorate of Intercultural Bilingual Education (Dirección Nacional de Educación Intercultural Bilingüe, or DINEIB) was the first public education institution in Latin America to be headed, staffed, and run by Indigenous people (Chartock 2013). Similarly, the Development Council of the Nationalities and Peoples of Ecuador (Consejo de Desarrollo de las Nacionalidades y Pueblos del Ecuador, or CODENPE) was formed in the 1990s as a semi-autonomous ministry tasked with implementing Indigenous-targeted social funds (Van Cott 2000; Yashar 2005). After taking office in 2007, Correa sought to centralize state authority over the autonomous spaces captured by Indigenous organizations by bringing both DINEIB and CODENPE under presidential control and oversight (Bretón et al. 2022). Following the massive Indigenous-led protests of January 2009 against the government's mining law and its related water reform bill, Correa revoked the legal status of Environmental Action—a leading non-governmental organization—and announced the closure of several Indigenous-run government offices, including CODENPE. DINEIB was then placed under the control of the Ministry of Education (Dosh and Kligerman 2009; Martínez Novo 2014). This move represented a substantial setback for the Indigenous movement as gaining authority over these two offices had been one of its most significant achievements to date (Lucero 2009). From the outset, Correa viewed Indigenous and environmental activism as an obstacle to his program of "progressive extractivism" based on the reinvestment of proceeds from extractive industry in infrastructure and welfare policies and his vision of a socially responsible mining sector as the backbone of the country's development (Lalander, Lembke, and Ospina Peralta 2019).

One of the most frustrating aspects of Indigenous-state relations in contemporary Ecuador remains the lack of progress in instituting the promise of Indigenous Territorial Circumscriptions (Circunscripciones Territoriales Indígenas, or CTIs) contained in both the 1998 and 2008 constitutions. CTIs are special autonomous regimes for the governance of territory based on ethnocultural criteria (Ortiz-T. 2021; Zamora Acosta 2016). They represent an opportunity for Indigenous self-government in Ecuador. The 1998 constitution expressly recognized the collective rights of Indigenous peoples, including the right to form CTIs with the status of political and administrative units of the state. Notwithstanding this commitment, no enabling law to establish and regulate the operational powers of CTIs was ever enacted (Bretón et al. 2022). The 2008 constitution, drafted with the heavy participation of social movements, outlined the procedures for the creation of CTIs and their powers. The petition to constitute a CTI can come from members of an Indigenous people or nation or from a sub-national government (Martínez Novo 2014). The procedure for establishing a CTI is by way of a referendum, with at least two-thirds support from local citizens needed to begin the legal process of transferring governing authority (Ortiz-T. 2015, 61). In 2010, the Organic Code of Territorial Organization, Autonomy, and Decentralization (Código Orgánico de Organización Territorial, Autonomía y Descentralización, or COOTAD), which established a regime of decentralized autonomous governments, added new constraints. The COOTAD limited CTIs to existing territorial units with a majority Indigenous population or the unification of several units to form a new Indigenous majority constituency (Bretón et al. 2022, 18–19). In theory, CTIs can be formed at the parish, municipal, and provincial levels. In practice, however, most analysts agree that the requirements for establishing a CTI are problematic given that only a handful of municipalities in Ecuador have a majority Indigenous population (Zamora Acosta 2016).⁸

Despite legal advances in the procedures and mechanisms for establishing CTIs, to date not a single circumscription has been formed in Ecuador (Ortiz-T. 2021). In the absence of CTIs, the Indigenous movement continues to operate within the existing structures of the state—winning elections and gaining control of local and even regional governments to enact a measure of Indigenous control over their own affairs (Bretón et al. 2022). This dynamic has led some observers to question the utility of CTIs. However, as interviews with Indigenous leaders have made clear, the Indigenous movement desires a

form of autonomy based not on parishes and municipalities but on CTIs that respect Indigenous peoples' traditional territories.⁹ Such territories are much larger than municipalities; as such, the Indigenous movement's understanding of and expectations for CTIs would require the redrawing of political and administrative units of the state (Radhuber and Radcliffe 2022). This vision of CTIs is more in tune with conceptualizations of self-determination and territorial rights established in international agreements, such as the International Labour Organization's Convention 169 and the United Nations Declaration on the Rights of Indigenous Peoples (Ortiz-T. 2015; Zamora Acosta 2016). The legal framework established by the 2008 constitution, as well as the secondary legislation in force, such as COOTAD, have simplified and narrowed the Indigenous movement's demand for autonomy and self-government to fit within the confines of a liberal system of "low-scale autonomies" (Altmann 2016, 130). According to Abele and Prince (2006, 573), "We have encountered no Aboriginal nations, no matter how small, that have identified the mini-municipality model as their ultimate goal." At best, the limited model of autonomy and self-government in effect in Ecuador may serve as a stepping stone to the realization of full Indigenous self-government with a wide range of governing powers.

Resource Extraction and Indigenous Peoples

In Ecuador, as throughout much of Latin America, the state retains control over subsurface mineral, oil, and gas resources, including those found within Indigenous territories. De Sousa Santos (2009, 59) has argued that Indigenous autonomies must have control over resources within their territories, "otherwise their autonomy will be empty." Following the 2008 constitution, Indigenous communities have the right to free, prior, and informed consultation—but not consent—concerning planned measures affecting them, such as natural resource extraction (Lalander 2014; Shade 2015). Ecuador's consultation regime is marked by the two-way exchange of information between project proponents and Indigenous community members. Despite the presence of dialogue, however, the option of supporting or rejecting the proposed development is off the table (Szablowski 2010). In other words, consent is sought but not required. In addition to the right to prior consultation (article 57.7), the new constitution enshrined the inalienability of traditional or "intangible" lands (article 57.4). According to article 57,

The territories of the peoples living in voluntary isolation are an irreducible and intangible ancestral possession and all forms of extractive activities shall be forbidden there. The State shall adopt measures to guarantee their lives, enforce respect for self-determination and the will to remain in isolation and to ensure observance of their rights. The violation of these rights shall constitute a crime of ethnocide, which shall be classified as such by the law.

The challenge in Ecuador lies in the unwillingness on the part of the government to ensure that Indigenous peoples' territorial rights are upheld and respected in practice (Sieder 2016). As a student activist noted in my interview with him, there are two issues that the Correa government did not understand: citizen participation and the environment.¹⁰

The outcome of Correa's Yasuní-ITT initiative reveals the troublesome contradictions between official discourse on Indigenous and environmental rights and the government's development practices and priorities on the ground. In 2007, Correa launched an innovative conservation initiative with global implications. His government proposed to permanently suspend oil extraction in a portion of the Amazonian Yasuní National Park in exchange for monetary compensation on the part of the international community equivalent to half of the estimated USD 7 billion that the Government of Ecuador would have grossed from its development (Caria and Domínguez 2016; Espinosa 2013). The stated aim of the initiative was to conserve the incredibly rich biodiversity of the zone, protect Indigenous communities living in voluntary isolation (namely the Huaorani people), and to avoid the climate costs associated with the massive release of carbon dioxide emissions from oil extraction. Despite partnering with the United Nations Development Program (UNDP) to administer the Yasuní-ITT Fund, the response of the international community was underwhelming. On 15 August 2013, Correa officially abandoned the initiative, citing poor follow through by the world's wealthy nations. On 3 October 2013, the Ecuadorian National Assembly gave its approval to commence oil drilling in the national park (Lalander 2014). The decision to move ahead with oil exploitation in a protected area of the Amazon tarnished Ecuador's reputation as a global environmental and Indigenous rights leader.

Indigenous and environmental activists in Ecuador have continued to oppose the government's resource development plans in Yasuní National Park. CONAIE has argued, to little avail, that the government has systematically disregarded constitutionally protected Indigenous rights in this case. As Sieder (2016) points out, constitutional provisions in the absence of secondary legislation and coherent technical rules, in conjunction with an economic development model premised on the exploitation of natural resources, has meant that proclamations of Indigenous rights have amounted to empty promises. In response, the Quito-based anti-extractivist group Yasunidos launched a national campaign to force a referendum on the issue. However, in May 2014, the National Electoral Council disqualified the group's submission after finding a number of irregularities in the signatures that had been gathered (Merino 2021). The Ecuadorian government then moved to the second phase of active exploration and drilling in the zone, further widening the distance and divisions between the Correa administration and civil society actors in the country (Rice 2019).

On May 24, 2017, Lenín Moreno, former vice-president under Rafael Correa, became president of Ecuador. President Moreno was elected on a platform that aimed to “dignify politics” by promoting a less confrontational approach to governing than that of his predecessor (Borja and Davidsen 2018). Moreno was Latin America's first paraplegic head of state and had previously been nominated for a Nobel Peace Prize for his advocacy on behalf of persons with disabilities. In June 2017, Moreno launched a national dialogue that included a discussion with social movement organizations, journalists, and opposition leaders on pressing national issues (Sb and Aravind 2022). As part of this initiative, Moreno solicited questions and proposals from the public. The issue of oil drilling in Yasuní National Park re-emerged as a prominent public concern. Moreno subsequently proposed putting the protection of the park to a public consultation, along with six other key national questions ranging from term limits for public authorities to barring individuals involved in corruption from running for office to banning mining in protected areas and urban centres (see table 5.2). Moreno encouraged Ecuadorians to vote yes on all the issues. The national referendum and public consultation that was held on February 4, 2018, resulted in a resounding victory for Indigenous and environmental groups. In response to the question on dramatically reducing the amount of oil drilling allowed in the Yasuní-ITT, 67.3 per cent voted in favour, with 32.7 per cent opposed. Regarding the question on prohibiting

Table 5.2 Ecuadorian referendum and popular consultation results, 2018

Questions	Yes (%)	No (%)
Referendum on reforms to the 2008 constitution		
1. Do you agree with a lifetime ban for people convicted of corruption from serving in public office?	73.7	26.3
2. Do you agree with the elimination of the possibility of unlimited re-election?	64.2	35.8
3. Do you agree with the restructuring and renewal of the Council of Citizen Participation and Social Control?	63.1	36.9
4. Do you agree to the removal of the statute of limitations for sexual crimes against children and adolescents?	73.5	26.5
5. Do you agree to the prohibition of metallic mining in all its stages in protected areas, intangible zones, and urban centres?	68.6	31.4
Popular consultation on issues of national importance		
6. Do you agree with the elimination of the tax over capital gains on real estate property?	63.1	36.9
7. Do you agree to increase the intangible zone by at least 50,000 hectares and reduce the area of oil exploration authorized by the National Assembly in the Yasuní National Park from 1,030 hectares to 300 hectares?	67.3	32.7

Source: Jaramillo (2018, 3).

metallic mining in protected areas, intangible zones, and urban centres, 68.6 per cent were in support and 31.4 per cent were against. While innovative in its approach to consultation on Indigenous rights issues, the dilution of Indigenous decision-making authority into the larger body politic through the mechanism of a national referendum is nonetheless problematic.

In 2019, Moreno's presidential approval rating plummeted amid a growing economic crisis resulting from the collapse of commodity prices. Moreno moved to renegotiate agreements with the International Monetary Fund and instituted austerity measures that triggered a wave of discontent (Lalander, Lembke, and Ospina Peralta 2019; Sb and Aravind 2022). In October 2019, following an attempt by the government to remove oil and gas subsidies, a massive popular uprising led by CONAIE forced Moreno to leave the capital city of Quito and temporarily move his office to the coastal city of Guayaquil, restoring to the Indigenous movement much of its lost power (Bretón et al. 2022). Moreno, whose popularity dipped into the single digits following the ravages of the COVID-19 pandemic in the country, chose not to seek re-election in 2021. Instead, former director of Ecuador's Central Bank and minister

of knowledge and human talent under Correa, Andrés Arauz, entered the race with the backing of the former president. Arauz's main competitor on the political left was Indigenous environmental activist Yaku Pérez of Pachakutik. Pérez—a former president of ECUARUNARI who was elected prefect of Azuay Province in 2019—became a popular political figure during Correa's presidency by protesting controversial mining projects, particularly in his hometown of Cuenca, in the southern highlands. Pérez and Pachakutik narrowly missed securing a spot in the presidential runoff between the top two contenders (Rice 2021). Arauz ultimately lost that election to the social conservative and pro-business candidate Guillermo Lasso. Lasso, who assumed the presidency on May 24, 2021, became the country's first centre-right president in nearly two decades. Pachakutik, which has once again taken up its spot as the country's main opposition party, is now the second-largest bloc in the National Assembly.

Conclusion

In terms of Indigenous rights, Ecuador was once the bright spot in South America—the country with the most advanced protections, policies, and programs for Indigenous peoples in the region (a position now occupied by Bolivia). This chapter has sought to explain why Ecuador's constitutional promises of Indigenous autonomy and self-government remain unfulfilled. I have suggested that governing elites in Ecuador have actively worked to stymie the implementation of Indigenous rights legislation, particularly in the area of territorial autonomy and resource rights. The recognition of the plurinational state is certainly an important step toward improving Indigenous-state relations in the country, but the problems of slow implementation and lack of political will have produced a contentious and unfinished process of state transformation (Martínez Novo 2021; Merino 2021). Plurinationality was envisioned by CONAIE and the Indigenous movement as the transverse axis of the organizational structure of the state, influencing forms of participation, representation, inclusion, and decision making (Acosta 2009; Resina de la Fuente 2012). Instead, as Indigenous leader Delfin Tenesaca has noted, the Ecuadorian state continues to operate in a pyramidal form, with Indigenous communities at the bottom of the hierarchy.¹¹ State limitations on the practice of Indigenous autonomy have essentially relegated Indigenous governments to the realm of municipal politics (Martínez Novo 2014).

The roller coaster of Indigenous politics in Ecuador teaches us a number of valuable lessons about pushing the boundaries of state limits on Indigenous rights. First, this case study highlights the importance of electoral and protest coalitions in creating favourable windows of opportunity for institutional change. Ecuador's Indigenous movement has participated in party politics—winning elections at all levels of government—in addition to leading massive protest campaigns resulting in policy negotiations and the broadening of political agendas to include Indigenous rights issues (Merino 2021; Rice 2012). Second, the case offers us a sobering reminder of the importance of the willingness of the party in power to implement changes. The governing agenda of President Correa, for example, was plagued by contradictions and ambiguities. While his administration expanded Indigenous rights, at least in theory, the process for obtaining them in practice proved frustrating, and at times ultimately fruitless (Martínez Novo 2014; Ortiz-T. 2015). Lastly, the study of Indigenous politics in Ecuador reveals the need for ongoing social mobilization to close the gap between political discourse and practice. In the instructive example of Ecuador's Yasuni National Park, the Indigenous movement succeeded in protecting the park from expanded oil operations by mobilizing around the contradictions between official discourse on the rights of Nature and the principle of Living Well, on the one hand, and the resource-dependent, state-led model of development pursued by the government, on the other (Lalander 2014; Rice 2019). While for the moment the fight for Indigenous autonomy and self-government appears to have reached an impasse in Ecuador, the return of Pachakutik at the ballot box and of CONAIE in the streets of the capital city indicate that the country will continue to be a beacon of Indigenous and democratic governance innovation for the foreseeable future.