

**Gender Within Ethnicity:  
Human Rights and Identity Politics in Ecuador**

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In February 2006, the Pachakuthik congressman and President of the National Human Rights Commission, Estuardo Remache, was accused of domestic violence. Remache, who never appeared at the *Comisaria de la Mujer*,<sup>1</sup> requested dismissal of the case and that the matter be addressed by traditional indigenous justice within his own community in the province of Chimborazo. This case of gender-based violence illustrates the growing discrepancies of an indigenous discourse that demands more respect for collective human rights but refuses to be held accountable to the same fundamental rights for individuals within the indigenous community. In this article, I propose to look at the indigenous movement of Ecuador from within, analyzing its disjunctures through the lenses of gender.

In the past two decades, Ecuador has seen the indigenous movement flourish and consolidate its presence in domestic politics, becoming a major source of political mobilization (Selverston-Scher 2001; Whitten 2003; Van Cott 2005). Since its creation in 1986, the Confederation of Indigenous Nationalities of Ecuador (CONAIE) has organized multiple uprisings, successfully led national strikes, seized control of the national Congress, and even participated in forcing presidents to abandon their office. The emergence of the powerful political movement Pachakutik in 1996 further strengthened the salience of the indigenous movement on the political scene and institutionalized the indigenous fight for political recognition and equal treatment. The 1998 constitution declared the country to be “multiethnic and multicultural,” and the populist President Lucio Gutiérrez appointed two indigenous persons to his cabinet in 2003.

Yet, if democratization has coincided with the promotion of indigenous rights during the last decades, “other rights” seem to be lagging behind, notably gender equality. Women, in general, remain extremely vulnerable to poverty and rights violations. Indigenous women in particular suffer from limited access to healthcare and high levels of domestic violence, high rates of illiteracy, and under-representation in the political system. Although social movements are often mutually reinforcing, sharing similar claims and fighting for common reforms, the development of the indigenous and women’s movements has been far from homogenous in Ecuador. To the contrary, the emergence of the indigenous movement has been accompanied by the atrophy and malaise of the women’s movement within the country, which stands among the weakest in Latin America and suffers from high levels of disarticulation. While women have often been mobilized, their causes have rarely been advanced in the political arena. It may be argued that the new politics of identity that have given salience to the indigenous movement has detracted from the urgency to address women’s rights.

The disjuncture between indigenous and women’s rights in Ecuador is not a phenomenon unique to the country, but rather points to contradictions of indigenous movements throughout Latin America. While collective human rights are being progressively secured for indigenous groups, individual rights are not always being translated into practice within the group. That is to say, the struggle for ethnicity has not significantly upset gender-based inequalities within indigenous communities. This fact

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<sup>1</sup> These police stations focusing on domestic violence against women and children have existed since 1994 in Ecuador.

raises two main issues. First, indigenous politics can raise tensions between collective human rights and individual rights, with cultural rights being promoted at the detriment of individual, women rights. Second, the indigenous movement instrumentalized international norms to gain legitimacy and political emancipation, but at the same time has not held itself accountable for the respect and implementation of these same international norms within its group.

This article analyzes the internal contradictions of democratization in Ecuador, characterized by the vast disparity between the promotion of indigenous rights and the failure to advance gender equality. I argue that the consolidation of the indigenous movement has had contradictory impacts on the deepening of democracy in Ecuador. While the indigenous movement has unequivocally been a democratizing force in domestic politics, it has not been consistently democratic itself. The analysis that follows focuses on the Ecuadorian highlands, with a particular emphasis on the province of Chimborazo, the area of the country with the highest levels of ethnic mobilization and politicization.<sup>2</sup>

First, I will analyze the emergence of ethno-politics in Ecuadorian politics and its inner incongruities with regards to gender, shedding light on the different forms of violence indigenous women face daily. I then explore the characteristics and roots of the exclusion of indigenous women. In addition to systemic violence and invisibility, women are the guardians of indigenous culture and often get trapped in choosing between ethnicity and gender in the politics of identity. Finally, I point to the lack of accountability within the indigenous movement. Permeated with undemocratic features, the indigenous movement instrumentalizes international human rights norms to hold the state accountable to norms it is not willing itself to follow. After romanticizing indigenous movements in the Andes, I propose we lower our expectations and reconsider its role in the process of democratization, balancing its political strength with its gender biases.

## **I. Democratic Fault-Lines Within the Indigenous Movement**

The emergence and consolidation of the indigenous movement in the last two decades irrevocably transformed the political landscape of Ecuador (Selverston-Scher 2001). Expanding the participatory basis of society and raising the voices of the excluded peasantry, the indigenous movement was undoubtedly a major democratizing force in contemporary Ecuador. Yet, ethno-politics failed to address gender-based inequalities, limiting the benefits of democratization to indigenous women.

### *Indigenous Mobilization in the 1990s*

If the seventies were marked by the agrarian reform and indigenous organization, the 1980s and 1990s were a time of politicization and institutionalization for the

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<sup>2</sup> The 2001 Population Census indicates that close to 50 percent of indigenous people lived in Chimborazo (17.6%), Pichincha (12.2%), Imbabura (10%) and Cotopaxi (9.8%) (INEC 2001). The Coastal and Amazonian groups - respectively represented by COICE and CONFENIAE - also played a lesser role in terms of political mobilization during the 1990s, although the latter are often viewed as more contentious than their Andean counterparts (Zamosc 1994).

indigenous movement.<sup>3</sup> As the dismantling of the traditional system of *huasipungos*<sup>4</sup> transformed indigenous serfs into legal owners of their subsistence plots, new political actors emerged, giving way to an indigenous elite, and forcing the democratization of local politics (Carrasco 1994; Zamosc 1994; Breton 2001). Progressively, conflicts over land redistribution were resolved, and the indigenous movement redirected its struggle towards the recognition of a multicultural state. When CONAIE was created in 1986, it was with a political vision that transcended local, rural matters, consolidating the voice of indigenous people in the national realm of politics.<sup>5</sup>

The main strength of CONAIE quickly became its mobilization capacity. In June 1990, the first *Levantamiento Nacional Indígena* mobilized close to two million indigenous people across the highlands, paralyzing the country for almost a week. Indigenous communities organized at the grassroots level, including women and children, to block major roads and march en masse towards various capitals (Amaguana 1993). Mobilization was particularly high in the central provinces with strong indigenous presence, such as Chimborazo. In Riobamba, the provincial capital, many businesses closed down out of growing fear during the protests. Local indigenous delegates were able to negotiate their demands with provincial authorities (Zamosc 1994), and the Borja administration agreed to negotiate with CONAIE over its sixteen-point memorandum calling for a pluri-ethnic nation. After decades of struggle, the indigenous movement succeeded in sparking a new era of political dialogue between *mestizo* and indigenous sectors.<sup>6</sup>

The series of *levantamientos* brought visibility - and a new sense of dignity - to the traditionally excluded peasantry (Pacari 1993).<sup>7</sup> It also established the indigenous

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<sup>3</sup> The Confederación de Pueblos de la Nacionalidad Kichua del Ecuador (ECUARUNARI) was created in 1972, rallying indigenous groups of Saraguros, Azuayos, Imbaburas, Cotopaxis, in order to synchronize the indigenous struggle. By then, the fight for the recuperation of land had become the backbone of the indigenous movement, representing an economic as well as a political demand (Macas 1994).

<sup>4</sup> *Huasipungos* was the social and economic system that kept indigenous peasants in servitude to *hacienda* owners. Peasants were given small lots of land on the *haciendas* in exchange for their labor. Peasants were kept in permanent debt and forced to remain in systems of exploitation. Until the 1950s, indigenous people were sold together with the land, as inherent part of the property value. The system of *Huasipungo* was abolished in 1964 with the agrarian reform.

<sup>5</sup> In 1986, indigenous nationalities of the three main regions of Ecuador, namely the coast, the highlands, and the Amazon, allied to create the Confederation of Indigenous Nationalities of Ecuador (CONAIE). The CONAIE is the principal, but not the only, indigenous organization in Ecuador. Although the indigenous movement is referred to as one, there are important divisions within its core, such as the division between ECUARUNARI and CONFENIAE. This division grew more problematic when Antonio Vargas entered Gutierrez's administration and considerably weakened CONAIE, which has only recovered partially in the recent mobilizations. The Federación de Indígenas Evangélicos del Ecuador (FEINE), "deserters" according to CONAIE's President Luis Macas, are also active on the political scene and have their own political party Amauta Jatari (renamed Amauta Yuyay).

<sup>6</sup> For detailed information see Field (1991) "*Ecuador's Pan-Indian Uprising*," NACLA Report on the Americas 25, n. 3 (p.38-44).

<sup>7</sup> Interviewees such as Claudia Vega and Josefina Aguilar noted that the uprising from the 1990s were crucial in rescuing indigenous dignity, notably for women who participated in the road blocks and marches, often in the front lines. The National Indigenous Uprising was marked by a strong female participation in the protests across the country.

movement as an emerging yet powerful political actor. Throughout the decade, CONAIE followed an active political path, using uprisings as a strategic tool of political leverage. In 1996, CONAIE made major political headway with the creation of the political party Unidad Plurinacional Pachakutik, getting three indigenous deputies elected to Congress. In February 1997, indigenous mobilization was the catalyst for another important uprising leading to the ousting of President Bucaram. During the crisis of the Mahuad administration, CONAIE and the indigenous movement mobilized once again, calling for the replacement of all three branches of government— executive, judiciary, and legislative – in the province of Tungurahua and mobilizing around the Carondelet Palace on January 21. President Mahuad was forced out of office, escaping in a Red Cross ambulance.

Beyond its impressive capacity to mobilize, the indigenous movement demonstrated negotiation skills that facilitated its quick integration into national politics and assured its international visibility. The emergence of ethno-politics provoked an irreversible transformation on the Ecuadorian political scene (Selverston-Scher 2001). The 1998 Constitution incorporated ethnic collective rights and declared Ecuador a “multiethnic and multicultural” state. Bilingual education was officially recognized and, in the first collaborative attempt, CONAIE joined the government and the World Bank in the Project of Development of Indigenous and Afroecuadorian People (PRODEPINE). Breaking with centuries of invisibility and silence, indigenous people finally began the process of becoming full citizens, demanding full individual and collective rights, and participating in the formulation of the political agenda (Guerrero 1994; Breton 2001). The consolidation of the indigenous social movement together with the construction of ethnic identities enabled the redefinition of legal and political structures in Ecuador.

### *The Politicization of a Social Movement*

A rapidly expanding body of literature has addressed the growth of indigenous movements throughout Latin America. The institutionalization of ethnic politics, in particular, has received much attention from scholars, with a strong focus on the emergence and consolidation of indigenous movements in the Andean region (Zamosc 1994; Bretón 2001; Yashar 1999; Brysk 2000; Norman 2003; 2005; Sawyer 2004; Van Cott 2005; Postero and Zamosc 2005). Within the context of massive organization and mobilization to participate in political processes, enthusiasm toward indigenous movements in the region increased tremendously. The case of Ecuador, in particular, generated significant attention from scholars writing about the eruption of ethno-politics.

Although Ecuadorian politics are undeniably embedded in a larger process of popular contestation, its indigenous movement is distinguishable because of its stand on ethnicity. Whereas Bolivia’s indigenous movement is *campesino* in essence, Ecuador’s movement redefined itself as fundamentally *indigenous*.<sup>8</sup> CONAIE moved away from socio-economic categories related to the rural and the poor to re-conceptualize its social struggle through the politics of ethnicity. In that sense, the *levantamientos* of the 1990s signaled a conceptual shift towards a new collective identity based on ethnicity. They were not just a struggle against poverty and inequality but a call to a new sense of ethnic belonging that celebrated the indigenous people and asserted a newly found cultural pride

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<sup>8</sup> Ecuador’s indigenous movement shares the rural context with the *movimiento campesino* of Bolivia, but, unlike Bolivia, it has redefined its discourse with the change in social structures and the *levantamiento* of 1990.

(Zamosc 1994). Emphasizing ethnicity became a viable political strategy that enabled the affirmation of cultural demarcation and stimulated grassroots organization across rural sectors in the highlands.<sup>9</sup>

Despite this ethnic focus, Pachakutik and CONAIE cultivated political alliances, especially with the left and center left, to secure their political survival. The simultaneous crisis of the political left and the state favored the alignment of non-indigenous sectors with this emerging social movement, which began to be perceived as a viable political alternative. Progressively, the strengthening and politicization of CONAIE became a popular, participatory political response to the growing crisis of the democratic state (Bretón 2001:36). An agenda of protesting evolved, refocusing against corruption and the neoliberal economic model. The indigenous movement transcended ethnic and cultural discourses to take part in broader social battles and eventually policy-making (Zamosc 2004). CONAIE's link to the indigenous masses gave it both mobilization power and popular legitimacy, thus providing it with an original political leverage.

However, it was the creation of the Pachakutik that really marked the transition from the "politics of influence" to the "politics of power," in which the indigenous movement entered the state machinery to become an insider in the decision-making process (Zamosc 2004). For example, the popular struggles that often times ended in the ousting of presidents, also often led to an increase in the number of leadership positions held by members of the indigenous movement. Progressively, the indigenous movement gained power in local governments and established a solid presence in Congress. CONAIE leaders were elected to national legislature and appointed to national office, and the internal political crisis that followed Gutierrez' term revealed how embedded the indigenous movement had become in the game of national politics.

As Ecuador's indigenous movement gained prominence through popular mobilization in the region, it became identified as the strongest, oldest, and most influential in Latin America (Yashar 2005:85). The institutionalization of the indigenous movement became an expression of democratization, combining mobilization and contestation at the grassroots level.<sup>10</sup> The consolidation of an ethnic movement in Ecuador is all the more striking in a region where civil society is weak and political instability so pervasive. Shortcomings and controversies over CONAIE's recent politicization should not undermine its credit for promoting a more democratic, inclusive political arena, giving a political voice to indigenous people, and forging lasting pluri-ethnic debates over citizenship (Yashar 2005:151).

### *The Gender Gap*

In this eulogy for indigenous political "success" in the Andes, few scholars paused to look at the indigenous movement from within. The analysis of indigenous political achievements at the national level was not matched by similar attention to local politics. Sarah Radcliffe (2000), one of the few exceptions, pointed at uneven access to rights within indigenous groups, especially for women. Radcliffe emphasized the economic and

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<sup>9</sup> The indigenous intellectual elite was crucial throughout this process of ethnic identity revitalization.

<sup>10</sup> The movement emerged as an exercise in political participation and quickly gained respect as a model for participatory democracy in the Andean region. The city of Cotacachi, in particular, has received international recognition for participatory democracy and good governance practices (Ortiz 2006).

political exclusion of indigenous women, who she described as marginal recipients of rights. Identifying ethnic demands as “gender-neutral,” she blamed the silence and denial of gender rights on the state, accusing it of treating women “as a problem rather than a constituency in its own right” (Radcliffe 2000: 4).

Social and political indicators reveal that indigenous women suffer from extreme poverty and limited representation in the political system. The “feminization of poverty” hits indigenous groups particularly hard, with bigger gender gaps in relation to income and more than 50 percent of the economically active women working non-remunerated jobs (Vasconez 2005:276). Indigenous women’s access to education is alarmingly low compared to national standards (Ponce y Martinez 2005). While illiteracy rates are as high as 16.2% among the populations of coastal provinces, there are no major gender gaps (INEC 2001). In indigenous areas, however, the gender differential is particularly strong, with illiteracy rates reaching 36 percent among women and 20 percent among men (Guzman 2003). In Chimborazo, illiteracy rates among women (30.9%) are virtually double that of men (17.3%), and far higher than anywhere else in the country. Within the province, municipalities such as Guamote show rates of functional illiteracy above 56 percent for women (INEC 2001). Indigenous women’s access to health facilities is also extremely low. Child mortality between 0 and 5 years of age is more than double among mothers who speak a native language other than Spanish – respectively 38.5 and 90.5 per thousand born alive from Spanish and native speakers in 2001 (Guzman 2005:203). More than 50% of the women who define themselves as indigenous gave birth at home, usually without the support of a midwife (Guzman 2005:210), and pregnancy and birth related complications continue to be main causes of female mortality (CONAMU 2005: 40).<sup>11</sup>

The weak participation of indigenous women in politics is another indicator of their marginalization. Civil society actively demanded women’s political participation during the 1990s, and the legislation on quotas is certainly an expression of the consolidation of democracy.<sup>12</sup> The 1997 labor laws and the 2000 reforms of electoral laws established gender quotas for the electoral system, leading female participation in Congress to double since 1998 (Guzman 2003; Cañete 2005).<sup>13</sup> Yet women’s participation in politics remains limited. Laws have been only partially implemented (Htun 2002; Ugalde 2005), and women continue to be underrepresented, figuring mostly at the parochial, municipal, and provincial levels (Cañete 2005:144).<sup>14</sup> This is especially so for indigenous women. Women did participate actively in the emergence of the indigenous movement, joined the *levantamientos* with their children, assured logistical

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<sup>11</sup> Women living in rural areas take twice as long to reach health establishments as women in urban areas, and almost half of these women recur to a midwife or family members for giving birth (CONAMU 2005: 47, 53).

<sup>12</sup> Ecuador was the first country to grant the vote to women in 1929, and subsequently the first Andean country to establish electoral quotas for women following the 1995 Beijing World Conference.

<sup>13</sup> The 1997 “Ley de Amparo Laboral” reformed electoral laws to set gender quotas on electoral lists at 20 percent, which were later expanded to 30 percent and subject to a progressive increase of 5 percent in each electoral process until reaching 50 percent (Ugalde 2005:171).

<sup>14</sup> In 2002, women’s presence in Congress barely surpassed 15 percent (Ugalde 2005). The law of alternation and sequence has been partially implemented by the Electoral Supreme Court and left up to the interpretation and goodwill of political parties after complaints and legal pursuit from the women’s movement.

success, and marched in the frontlines against police blockages (Pacari 1993). Many women recall their role in the *levantamientos* as a boost for their self-confidence, both as indigenous and women.<sup>15</sup> Yet, as present as they were in the phase of mobilization, they were equally absent in the phase of politicization. Women were mobilized to assure the legitimacy of the movement, but their voices were not heard once the movement gained political leverage.

Indigenous women are marginalized from politics in many ways. At the polls, indigenous women are harassed and discriminated against more than their male counterparts, notably for their limited education and lack of proficiency in Spanish (Q'ellkaj 2005).<sup>16</sup> They are virtually absent from political offices. Political parties did not integrate indigenous women in their lists for the 2000 and 2004 regional elections, making the legal reforms “so far been imperceptibles” for indigenous women (Pacari 2004:5). Despite a couple of female leaders who stand out, more often than not with the support of influential men (Cañete 2005), the vast majority of indigenous women do not partake in the formulation of the movement’s political agenda. Few indigenous women run for office at the local level, and even fewer at the national level. The most prominent face of indigenous women in Ecuadorian politics is probably Nina Pacari, who has fought for indigenous property rights during the agrarian reform and became an active leader throughout the *levantamientos* of the 1990s. She was vice-president in the national legislature, Foreign Affairs Minister under President Gutierrez, and is now a member of the United Nations Permanent Forum on Indigenous Issues. Not only is Nina an exception, but she also has had a limited impact on reshaping the political agenda of the indigenous movement toward more gender equity.

In addition to the marginalization, indigenous women suffer exceptionally high levels of overt violence. Violence comes in the form of psychological, emotional as well as physical aggression. Psychological violence through verbal abuse, mistreatment, and threats, undermines the already low self-esteem of women who do not believe in their inner strengths and individual capabilities. Physical violence is also very common, likewise having devastating consequences for women’s mental and physical health.<sup>17</sup> Domestic violence is highest among indigenous groups, with physical and psychological violence reaching 44 and 45 percent of families respectively, and physical violence touching 41 percent of girls under 15-years old (ENDEMAIN 2004). Testimonies of domestic violence range from broken bones to *aji* hot sauce inserted into a woman’s vagina, from torture to assassination.<sup>18</sup> Physical violence is not only intense but also frequent. Such violence significantly compromises women’s physical integrity, notably in

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<sup>15</sup> The participation in the *levantamientos* boosted the self-esteem of many indigenous people, especially women, who identified their politicization in these events, as small as it might have been, as a turning point in the roles within the community and the family. Interview with Claudia Vega (January 2006).

<sup>16</sup> In monitoring discrimination at the polls, the Q'ellkaj Foundation concludes that most discriminatory practices are directed at indigenous women, in the form of verbal, psychological, and even physical aggression (Q'ellkaj 2005).

<sup>17</sup> Information collected with La Minga, Riobamba, (November 2005) and First Police Station for Women and the Family, Riobamba (January 2006).

<sup>18</sup> CONMIE archives; interview with Carlos Diaz (CEDIS).



terms of sexual and reproductive health, often putting their lives at risk.<sup>19</sup> In Alausi, for instance, domestic violence affects 83 percent of women, most on a recurrent basis and in the conjugal realm because of alcoholism and jealousy (Cucuri and Ausay 2002:54,59; ENDEMAIN 2004). These high levels of violence result in growing fear and anguish, public health problems, and the erosion of trust in social relations. In general, victims of violence do not look for institutional support (6%), relying in part on friends and family support (40%), but most times not looking for any kind of support (54%) (ENDEMAIN 2004). This trend is even more accentuated for indigenous women, for whom state institutions are less accessible.<sup>20</sup>

In conclusion, women's rights seem to be lagging behind in the process of indigenous emancipation. Indigenous women seem to have only marginally benefited from formal, collective conquests of the indigenous movement at large. Their basic civil and political rights continue to be violated on a regular basis, and, as pointed out by Radcliffe (2000), their socio-economic marginalization is a major impediment for their development and empowerment. Yet, if I agree with Radcliffe on gender inequalities, I partly differ from her conclusions on the factors leading to this inequality. Whereas the state is in part responsible for not securing women's rights, the indigenous movement is also to blame for pursuing and legitimizing discriminatory practices.

How should we understand the situation of indigenous women in Ecuador? What does the gender gap within the indigenous movement imply for democracy? The acute marginalization of indigenous women is not merely the result of widespread poverty and merits further explanation. This paper aims to contribute to the understanding of indigenous politics by providing a critical, gendered analysis from within. The following section offers a closer look at the lives of indigenous women in order to tackle these questions.

## II. Ethnicity Silencing Gender?

Discrimination based on gender is not peculiar to the indigenous movement. Women worldwide are the primary victims of poverty and suffer from social, political and economic marginalization. Despite growing theoretical awareness of the gender gap, gender policies still have to gain prominence on international development agendas. In Ecuador, structural violence is undeniably a major obstacle to the emancipation of indigenous women who face intense violence and marginalization. Women are important guardians of the indigenous culture, but cultural traditions tend to come at the detriment of the individual rights of women, who find themselves isolated and trapped between their ethnic and gender identities.

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<sup>19</sup> Although most women do not have recourse to a police station, the First Police Station for Women and Families in Riobamba recorded an average of 11 victims a day in January 2006. Data collected by author in the archives.

<sup>20</sup> The few victims of physical and sexual violence who look for institutional support contact *Comisarias de la Mujer* (3.7%), normal police stations (2.5%), churches (1.2%), health institutions (0.3%), and women organizations (0.2%) (ENDEMAIN 2004).

### *Indigenous Women: Violence and Invisibility*

Indigenous women are almost invisible on the political map of Ecuador. The lack of information about them, especially in quantitative terms, makes full comprehension of their situation and awareness thereof difficult. But their invisibility is also related to the complex nature of ethnicity. Whereas gender is a rather fixed characteristic, ethnicity is changing, non-exclusive, and subjective. Who is indigenous in Ecuador? Ethnicity is as difficult to identify from without as from within. If ethnicity refers to the cultural distinctiveness of a group (Eriksen 2002), individuals who change groups will change their ethnicity. Moving to urban areas or marrying outside the group can thus imply a change in one's ethnicity, especially when one is keen to liberate itself from negative connotations still associated with Indian ethnicity. Thus, only 7 percent of the population declared itself indigenous in the 2001 census, but 13 percent spoke a native language other than Spanish.

In addition to their invisibility, indigenous women are victims of systemic violence. Violence and invisibility are not only entwined but also mutually reinforcing phenomena. Gender-specific violence is often silenced. First, violence is made invisible by women's isolation in their communities. Limited access to education and political participation contributes to women's legal isolation (ENDEMAIN 2004: 25). They know little about their legal rights and how to protect them, they are not socialized with state institutions or are not too keen on looking for help with institutional actors that have historically been oppressors and that they have difficulties in communicating with. As noted above, only six percent of the victims look for institutional support in cases of physical violence. Furthermore, women are monitored in their own homes and communities, making it difficult to take escape the home to denounce violence.<sup>21</sup> Second, violence is silenced because of the stigma attached to it and the fear of retaliation against the victims who try to denounce it. Most victims of sexual violence do not seek help because of shame (40%) and fear of retaliation (22%) (ENDEMAIN 2004). Thus, the problem is not as much the lack of knowledge on where to get support (11%), but the impunity of the perpetrators and the stigma attached to sexual violence.<sup>22</sup>

Gender violence is tolerated and even accepted as a part of life. The saying "marido es, marido pega" (husband it is, husband can beat) testifies of the permissibility of gender violence in the indigenous culture. Most women attribute domestic violence to jealousy and alcoholism (CESA 1993; Cucuri and Ausay 2002; ENDEMAIN 2004).<sup>23</sup> But violence might come as a punishment for external activities - be it professional or social - that threaten men's power or image in the community.<sup>24</sup> Women are expected to stay home and keep low levels of social interaction, within, and especially outside, the

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<sup>21</sup> Interview Carlos Dias, CEDIS, Riobamba (May 2006).

<sup>22</sup> Impunity is indeed the social and juridical norm with regard to gendered violence. In a case study, Guadalupe León reveals that of 3 471 cases of denunciations of sexual violence in Quito and Guayaquil, only 57 were sentenced, i.e. 1.6 percent (León 1995).

<sup>23</sup> The evangelization of indigenous groups is to a certain extent related to domestic violence, as women try to convert their spouses in order to stop the drinking and minimize domestic violence (Andrade 2005).

<sup>24</sup> Interview with Josefina Aguilar (January 2006)

community.<sup>25</sup> Violence can thus be used as a means of intimidation to limit women's socialization practices, maintaining them in positions of subordination and vulnerability.

Violence and invisibility are tangible in the economic realm as well. Most women work non-remunerated jobs in the fields and at home, "stranded" in villages with almost no monetary income. This gender-based division of labor is an important obstacle to the promotion of women socio-economic rights. It implies a greater burden for women as they accumulate work responsibilities and hours in extenuating highlands conditions. Women work 15 hour-days, seven days a week, pregnant or not, thus causing premature aging with minimal healthcare (CESA 1993). This invisible labor, unaccounted for in formal and family economics as well, is all but empowering for indigenous women. Indeed, gender accounts for 61 percent of inequality, whereas ethnicity only 23 percent (Ramirez 2006). Women's working conditions also increase their social isolation and economic dependency, and explain in part the high levels of illiteracy among women as well as the atrophy of their civil and political rights. This multidimensional isolation refrains their time and resources to reach outside the community, to interact with legal institutions and to participate in politics. As a result, women do not perceive politics as an effective tool to secure a better quality of life,<sup>26</sup> and as democracy becomes less tangible, politics cease to be a worthwhile alternative.<sup>27</sup>

Distrust for the state and ignorance of legal recourse might block the lack of information on women's situation and mask local problems. But a more important obstacle is the indigenous justice system. Physical punishments are still common practice in indigenous communities, and they are inflicted by the husband and the community as well. In one case, a husband who escaped with a lover was punished with six *urtica* flagellations and his wife received the exact same punishment for not being a good spouse and arguing too often, thus provoking his escape. The aunt of the victim explained that her niece needed to learn about "life," and saw physical punishment as a useful educational tool.<sup>28</sup> The cultural realm is particularly violent on women, not only because it tolerates violence but also because it grants them very restrictive freedoms. Although arranged marriages are less and less common, imposed marriages when a girl becomes pregnant are still very frequent. A young couple that was forced to marry decided to live their lives separately, but when community leaders discovered that the woman was seeing

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<sup>25</sup> In this context, Ecuadorian experts on migration see the increasing levels of migration as an increase in women's quality of life.

<sup>26</sup> The historical process of indigenous integration did not promote the participation of indigenous women. During the agrarian reform, men were required proof of vote in order to legalize property rights over the land. Voting was then perceived almost as an instrument to secure property in the context of rural restructuring, and practiced mostly by men. Women's politicization came later on, with the mandatory vote in 1979, but the "stateless-ness" in rural communities provided little incentives to participate. Interviews with Naula Family, Chimborazo (2005).

<sup>27</sup> Interview with Josefina Aguilar, Q'ellkaj Foundation (January 2006). There seem to be a growing interest for politics among women in Otavalo as local governments begin to provide sanitation services and make the political arena more tangible.

<sup>28</sup> Interviews in the county of Flores, Chimborazo (November 2005). This example illustrates how older women are often co-opted in maintaining hierarchical structures, and thus reinforcing gender inequalities (Okin 1999). Sara Sanchez reacted to anthropological justifications of violence, such as that of Tinku, accusing male anthropologists of romanticizing indigenous groups.

her previous boyfriend, they arrested her and beat to death.<sup>29</sup> Indigenous justice's double-standards leave women with virtually no rights, "taken care of" in private and public spheres, subjugated both to men and the community at large, individually and institutionally as well.<sup>30</sup> Discourses of *cosmovisión* preaching that men and women are complementary parts rather than opposites do little to redress the violent inequality on the ground (Chuma 2004).

### *Political Confinement*

The tandem of violence and invisibility also affects women's political life. They are discriminated against at the polls, facing gender and ethnic harassment.<sup>31</sup> They are also discriminated against publicly and privately within the community to run for office.<sup>32</sup> First, politics are considered the realm of men and were traditionally reserved for them. One of the major contradictions in the situation of indigenous women is that they are required to vote at the national level, having the exact same political rights as any other male or *mestizo* citizen, but are most often excluded, through formal and informal mechanisms, from decision-making processes within their own communities. The communal voting system is usually organized on the basis of one vote per home, but the theoretical discussion and consensus rarely takes place in the private sphere.<sup>33</sup> To the contrary, women often complained to be silenced by men.<sup>34</sup> Traditionally, the man's opinion counted, whereas the woman's was trivialized – for being less capable of thinking and dealing with politics. Men "give orders to women," they "know better," and "explain things to the women who don't understand anything" (CESA 1993). Despite slow and gradual changes, women remain largely excluded from the political arena.

The few women who do take office endure discrimination in the form of delegitimization of their capacities, work, and responsibilities. Women receive little encouragement to pursue work outside of their homes, having to combine family chores with professional obligations, and having to ask for permission to work from husbands

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<sup>29</sup> The assassination of this 21 year-old woman dates to November 2005. After trying to fake it had been suicide, eight indigenous leaders from the community were arrested for homicide (Chimborazo).

<sup>30</sup> When asked about indigenous justice, Dr. Enrique Ayala commented that one of its great aspects was that indigenous women were never abandoned and fell into poverty as women in urban areas because they are "taken care of" by the community if they are abandoned – and often the community intervenes to not reach such situations. Where Dr. Ayala sees solidarity, however, many feminists would see gender subjugation in a system in which women are almost a piece of property (interview 2005).

<sup>31</sup> These trends have been identified by the Qelkaj Foundation, an indigenous organization that monitors ethnic-based discrimination in elections across the country. In this context, it is worth noting that men were the first to vote as a legal requirement during the agrarian reform. Thus, voting first came as a means to secure legal ownership of the land, and women took part in the process much later. Interviews with the Naula family, Guaranda, Chimborazo (November 2005).

<sup>32</sup> Multiple interviews with national leaders (January 2006) and elected officials in the sector of Flores, Chimborazo (November 2005).

<sup>33</sup> The high levels of migration are promoting changes in this male-dominated voting system, as women become the head of the family and replace them in the voting sessions.

<sup>34</sup> Despite their traditional absence from decision-making arenas in the communities, women are increasingly active as they replace their husbands who migrate to the cities (CESA 1993; interviews with Naula Family; and Transito Chela, President of CONMIE).

often skeptical and jealous of their activities. The most prominent leaders also suffer more violent forms of discrimination. At the most overt level, there are reports from different women being harassed and even raped by their male counterparts - notably during the 1990 *levantamiento*.<sup>35</sup> Many interviewees mentioned the saying “si eres compañera, tienes que compartir todo.” At a more subdued level, politically active women are ostracized within the community, finding it virtually impossible to marry.<sup>36</sup> Leaders suffer intense public discrimination for their political activities and are perceived as “public” women, nearly prostitutes, with whom men do not want to be associated with.

Individual discrimination is accompanied by larger forms of institutional marginalization. The political isolation of indigenous women is visible in the discrimination by the indigenous movement itself and in their abandonment by women movements. The pervasive culture of machismo permeated to the highest institutional levels when the indigenous movement aborted the emergence of an indigenous women’s organization. In 1996, five women, namely Nina Pacari, Teresa Simbana, Blanca Chancoso, Vicenta Chuma, and Rosa Bacancela, founded the National Council of Indigenous Women of Ecuador (CONMIE) to advance the rights of indigenous women. The organization was immediately perceived as a threat to the unity and strength of the indigenous movement and sparked tensions and accusations among the leadership of CONAIE, FEINE, or Ecuarrunari. After sustained harassment, intimidation, and threats to CONMIE’s leadership, CONAIE came up with an offer: the women who abandoned CONMIE once and for all would be granted political power within CONAIE.<sup>37</sup> Few refused, such as Teresa Simbana who presided over CONMIE until 2005 despite systematic harassment. Most, however, as Nina Pacari and Blanca Chancoso, accepted, and started a new political career-path focused on ethno-politics rather than gender. These leaders have identified themselves as indigenous rather than women representatives, advocating ethnic rights rather than a gender-oriented agenda in their political struggle.

The history of CONMIE, its weakness and disarticulation, are the result of a conscious effort from the indigenous elites to undermine a political initiative perceived as a threat to the success of the larger, ethnic movement. To this day, CONMIE suffers institutional pressure and discrimination, working as it can without a budget or an office, and members and followers who were successfully intimidated. The organization was debilitated since its start and was never able to gain political relevance or enough visibility to mobilize women and consolidate a gender-based initiative. This case reveals

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<sup>35</sup> A witness (who asked to remain anonymous) recollected being warned that a group from another indigenous community would rape her and having to block the door with all available furniture together with other female colleagues. Different women who had worked with CONAIE reported the saying “if you really are a *companeira*, you must share everything.”

<sup>36</sup> Virtually all national female leaders are single. Some have children and others not, but most have never married. There is a clear trade-off between having a conjugal life or becoming engaged in politics. Although these leaders are engaged in their political careers, the personal costs are extremely high and difficult to live with. Interview with Claudia Vega.

<sup>37</sup> Originally, CONMIE had around 1500 members across eight provinces. The harassment and aggression suffered by the founders of the organization was also reported at the local level in the province of Cañar against women who participated in meetings. Their number has now decreased substantially. Interviews with past and present leaders from CONMIE (January 2006).

only part of the tension between ethnicity and gender. The gender-based organization was perceived as a threat to the cohesion and power of the ethno-politics of the movement, and it was suffocated at its start. A decade later, CONAIE finally created a program on gender, but remains very reticent with CONMIE's participation in politics.

The indigenous movement is also isolated from mainstream feminism in Ecuador. Through much mobilization and contestation in the 1990s, women movements successfully challenged the state and negotiated, in complex ways, development policies (Lind 2005). They conquered new political spaces, repealing several discriminatory laws and securing new laws to protect women's civil and political rights. They gained institutional power and developed new alliances, backed by a strong elite network of feminist policy-makers and activists. Yet, indigenous women were mostly left out of the process. It is not only that indigenous women profited minimally from this achievement, as argued extensively above, it is also that they did not partake in the process. On one hand, it would be difficult to argue that indigenous feminism was at odds with the agenda of mainstream feminism. Feminism is not a universal language nor is its conceptual basis homogenous (Okin 1999; Waller and Marcos 2005). There are many feminisms, and feminism in the Andes would probably have much to challenge *mestizo*, "imperialist" feminist practices with. Unfortunately, however, indigenous women groups in Ecuador are too weak and disarticulated to be referred to as feminist and one cannot talk of *de facto* indigenous feminism in Ecuador.<sup>38</sup>

On the other hand, there is a real disconnect between women and indigenous movements, especially in the articulation of gender, class, and ethnicity (Prieto & cia 2005). Efforts to collaborate emerged from both sides but never lasted. Mainstream women's organizations such as the Women National Council (CONAMU) and the Women Permanent Forum have traditionally not worked closely with indigenous women, and indigenous women have traditionally not trusted mainstream feminism to advocate on their behalf nor have they consistently tried to position themselves as a strategic ally (Minaar in Prieto & cia 2005:156).<sup>39</sup> Political and ideological tensions led the two movements to evolve in parallel, with little interaction, and virtually no "potentialization" of their mutual strengths. In this fragmentation of feminisms, indigenous women have lost the opportunity to gain visibility and institutional power.

### *The Guarded Guardians of Culture*

According to Margarita Caizabanda, from Salasaca, "the main role of a woman is to maintain the unity of the family and by extension of the Salasaca community, that means she is the key to the unity and conservancy of our identity, traditions, education, and overall, of the Salasaca-Kichwa culture" (*Boletín ICCI*, 1999). Women are perceived as the main guardians of the indigenous culture. They are the beholders of tradition. They have the capacity to preserve and reproduce culture. Therefore, they have the capacity to

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<sup>38</sup> Interviews with Teresa Simbana, Fernando Bustamante, and Ximena Ortiz (2006). Former president of CONMIE Teresa Simbana refutes the existence of indigenous feminism *de facto*. From a larger perspective, Bustamante points that the Ecuadorian society has very low associative levels and women movements are particularly disarticulated, their weakness accentuated by internal competition and political fragmentation.

<sup>39</sup> Former Congresswoman Ximena Ortiz (June 2006) noted that it was always extremely difficult working with indigenous counterparts because of the profound sense of distrust across ethnic groups.

create, transmit, and secure ethnic identity (Prieto, Cuminao, Flores, Maldonado, and Pequeño 2005). As their daily practices provide meaning to the cultural reproduction of the group, women are expected to be more “Indian” than men, and their role as culture keepers can be traced through clothing, language, work, and even food.

Women’s attire is perhaps one of the most distinguishing features of ethnicity. Traditional indigenous clothes are at the core of ethnic identity, from the *anakos*<sup>40</sup> to the *chumbis*<sup>41</sup> that hold women’s hair tight. Fashion is undeniably a source of ethnicity at the national level, but it also defines localism and the belonging to a specific area. Hats are essential features of indigenous attire, but the hats from Flores are white, round melons made of wool, whereas the green hats from Zumbahua display peacock feathers. As indigenous people define their identity through the way they dress, fashion becomes an ethnic identifier, distinguishing them from *mestizos*. Fashion almost *becomes* ethnicity. Cutting your hair or abandoning your traditional outfit is often perceived as a denial of your ethnicity.<sup>42</sup> As men migrate to urban areas in search of work, they have been more prone cultural blending, replacing their traditional outfits with blue jeans to avoid discrimination and socializing in Spanish. Women, in contrast, remained immutable beholders of indigenous fashion, from the highlands to the cities, at times even capitalizing on this “authenticity” in touristic environments (Crain 2001). Indigenous women can be seen with their *anakos*, golden *walkas*,<sup>43</sup> and traditional sandals walking the streets of Quito.

Work has also, to a certain extent, reinforced cultural roles based on gender. Whereas men have increasingly engaged in work outside the community, notably construction, women were the ones to support community life. In addition to the traditional home and family chores, they were increasingly active in the fields, caring for animals and crops. In this context, boys were encouraged to stay in school longer than girls who were sent to the fields at early ages, which only aggravated gender disparities further.<sup>44</sup> Work assignments reinforced gender disparities as men socialized with cultural and social norms in the cities and women carried on traditions and reproducing patterns of social isolation. Whereas men adjusted to national norms and realities, women remained within their villages, often unaware of social norms and legal rights, isolated from service facilities, and at times afraid of interacting with an outer world they were so unfamiliar with. In particular, women continued speaking Kichwa while men were forced to learn Spanish.

Language is another clear indicator of women’s role as culture holders. Women are fundamental to the maintenance of Kichwa as an identity. They are the ones to pass it onto the children and guarantee the survival of the language. One of the main fights – and achievements - of indigenous women was the institutionalization of bilingual education.

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<sup>40</sup> *Anakos*: long skirts of wool used by indigenous women.

<sup>41</sup> *Chumbis*: multicolored fabric ribbons used by indigenous women to tight their hair.

<sup>42</sup> Claudia Vega (January 2006) recalled how her mother cried the day the entire family accompanied her brother to the hairdresser to have his long hair cut. In January 2006, a diplomatic tension developed on the northern border as Colombian military cut the hair of three Ecuadorian indigenous men.

<sup>43</sup> *Walkas*: golden necklaces used by indigenous women.

<sup>44</sup> This gender gap in education seems to be reverting recently, with many communities attesting as many girls as boys in the classrooms. Interviews in the area of Flores, Chimborazo.

As important as it might be for cultural survival, Kichwa is also an impediment for women's integration in society. Children and girls are increasingly bilingual. But women's social and professional chores provide them with few opportunities to learn Spanish, and they continue to suffer from limited communication skills. This handicap limits women's use of the normative and legal systems. It also creates fear of the unknown, thus reinforcing their isolation. Language stands as a main obstacle to develop women's trust toward the state and interest in the political system.<sup>45</sup>

Gender roles can be retraced to the very nutrition within homes. Food is also a source of identity, and thus ethnicity, perhaps more subdued but equally charged in symbolism as fashion or language. Food is a mean of socialization as much as it is a means to maintain cultural traditions. Potatoes and *cuyes*<sup>46</sup> are ethnically indigenous whereas chicken white rice has a *mestizo* connotation. As men consume more "*mestizo*" products, such as white rice, identifying themselves with the urban, white, and elites, women consume more "indigenous" foods that are associated with heritage as well as disenfranchisement (Weismantel 1988). Women are the main keepers of food production and identity, managing crop and animals, and transforming it to bring indigenous ethnicity to the table.

As the beholders of the group's tradition, they are often trapped in traditional roles or expectations that limit their access to equal citizenship. Thus, as women bear the responsibility for the permanence of the group's collective identity, they also become prey to a cultural isolationism that reinforces their social, political, and economic exclusion. In an ironic twist, the guardians become the guarded. Women are not only guardians of culture, they are themselves controlled by culture. Susan Moller Okin saw an intrinsic tension between multiculturalism and gender because 'most cultures have as their principal aims the control of women by men' (1999:13). Most importantly, she argued, the central focus of most cultures is the sphere of personal, sexual, and reproductive life, or "personal law."

As a rule, the defense of "cultural practices" is likely to have much greater impact on the lives of women and girls than on those of men and boys, since far more women's time and energy goes into preserving and maintaining the personal, familial, and reproductive side of life. (...) Home is, after all, where much of culture is practiced, preserved, and transmitted to the young. (Okin 1999:13)

Ethnicity is fundamentally related to the private sphere, since it is the spheres where most of culture is reproduced, and with it gender inequalities. Being the guardians of indigenous collective identity through domestic life, women are prone to an isolationism that was for so long a source of social, political, economic, and even cultural exclusion. If women are crucial to the conservation of culture, identity, and ethnicity, they are also silenced by these same cultural traditions. Women are expected to comply

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<sup>45</sup> According to Q'ellkaj Foundation, language is a main impediment for the consolidation of electoral democracy in Ecuador. The group advocates bilingual elections in order to integrate indigenous people whose main language is Kichwa.

<sup>46</sup> *Cuyes*: guinea pigs, a typically indigenous meal in the highlands that has still limited acceptance in urban and *mestiço* areas.



with and reproduce the indigenous culture - even if it is a culture of embedded violence, even if it is at their detriment. Culture is commonly associated with collective rights, and limits the space for contestation over individual, gender-based rights. Rather, the fight for individual rights is often accused of being non-indigenous and breaking with cultural patterns within the community.

### *The Trap of Identity Politics: Gender or Ethnicity?*

This intimate and conflictive relationship between ethnicity and gender in indigenous culture leads many women to feel trapped between two identities: being indian in a largely *mestizo* and often discriminatory society, and being a woman within their own *machista* and violent communities. Ethnicity creates significant obstacles to women's rights (Okin 1999). Indeed, women are preserving a culture that encompasses "traditions" of violence, subjects them to heavier workloads than men, and silences them. Because indigenous women suffer marginalization in different arenas – the family, the community, indigenous organizations as well as the Ecuadorian nation – the politics of ethnicity only provide partial material for protection. The tension between ethnicity and gender reveals a deeper tension between identity and citizenship, individual rights and collective rights. The struggle for women rights is, quintessentially, a struggle for individual rights. Collective societies impede the emergence of the individuality of women, and by extension of gender-based rights. The promotion of women rights is often perceived as a norm external to the community, and is associated with western values of individualism. Women rights are therefore doubly conflictive as they are perceived as an external, western inheritance that clashes with the foundational myths of collectivity, solidarity, and reciprocity in indigenous *cosmovisión*. By rejecting politics of difference within the indigenous group in the name of *cosmovisión*, the indigenous movement has suffocated the creation of identities beyond ethnicity.

People might aspire to combine their identities as indigenous and women, but in practice they are forced to opt for one at a time. As a result, women who suffer discrimination in their communities might end up migrating to the cities, abandoning their ethnic identities in the search for a better quality of life. There, however, they may face ethnic discrimination and similar marginalization, only for different reasons. Wherever they go, women are vulnerable to discrimination, whether it is for their ethnicity in the city or their gender in the villages. This tension between ethnicity and gender generates an identity and political crisis for women who find themselves trapped in essentializing categories, unable to assert their plural identities to protect their rights as indigenous women (Stephen 2001).

The case of Josefina Aguilar is emblematic of this tension. Josefina left her village near Otavalo to pursue studies and a career in Quito, where she married a man from Sarahugo and started a family. Although she proudly assumes her indigenous identity, Josefina feels in permanent limbo between her Otavalo origins and her urban, *mestizo* environment. Josefina wears the traditional *anako*, the *chumbi*, *walkas*, and speaks Kichwa, but she is a professional who graduated from Universidad Central, interacts with non-indigenous institutions on a daily basis, and who *de facto* lives in the normative reality of Quito. Feeling neither from there nor from here, she wonders "what are my children going to be."<sup>47</sup> She also wonders to what extent the indigenous culture

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<sup>47</sup> Interview Josefina Aguilar (January 2006).

should change. As culture and tradition are embedded within high levels of violence against women, the emancipation of women would imply profound societal changes in indigenous communities.

The most conservative sectors of the indigenous movement portrayed dissent as disloyalty to the group. Yet, women themselves can sometimes perceive their own agency as a threat to the cultural foundations of the group, thus feeling trapped between defending their ethnicity or gender, unable to reconcile politics of identity that are experienced as antipodes. Having escaped the cultural walls herself, Josefina too falls in the trap of a romanticized, stationary, and insular culture, “wondering whether things should not stay the way they are” in order to avoid “eroding” indigenous culture any further. Ethnicity is tangled up in culture, and the simple transformation of culture can be perceived as a threat to ethnicity - and to the very essence of the indigenous movement. Some indigenous sectors are so resistant to change because they fear that changes are the first step towards assimilation. Yet, that fear is used to justify patriarchal, violent social relations, and is imposing tragic dilemmas on women who are forced to decompose their identity into different, exclusive facets.

Ethnicity can be a double-edge sword, combining liberating and oppressive aspects. Indigenous women gained visibility and self-esteem in the marches of the 1990s, they became full subjects of rights through indigenous politicization. Ethnicity has undeniably empowered many women in rural areas with strength and confidence. Yet, if they have gained some emancipation as indigenous, their other identity as women continues to be silenced, as they continue to live in violent subjugation to men. In the name of multiculturalism, the indigenous discourse has denied the right to dissent within its ranks, and indigenous women are only allowed to thrive through their ethnic identity. As important as ethnicity is in the Ecuadorian Andes, it is not uniquely significant in determining their identity, and cannot be presented as an exclusive identity. Gender also matters, and it matters powerfully (Sen 2006). Multiculturalism theories, for the most part, do not tackle the issue of minorities within minorities. Indeed, advocates of multiculturalism often try to secure external protection to a group and give little attention to the internal restrictions imposed on the members of the group (Eisenberg and Spinner-Halev 2005).

The indigenous cultural and societal model is in crisis at its core, preaching contradictory discourses on difference and equality, demanding norms that it is not willing to respect itself, and reproducing within the group the same pathologies of power and inequalities it is determined to abolish in the Ecuadorian *mestizo* society. The dilemma of identity politics raises many questions regarding democratic practices within the indigenous movement, to which I now turn our attention.

### **III. Instrumentalizing Human Rights Norms**

Looking within the indigenous movement provides a different reality than the one that emerges from afar. The indigenous movement was credited for being a critical actor in the process of democratization in Ecuador, promoting participatory democracy, good governance and representing the interests of the poor and the excluded. From within, however, the indigenous movement reveals a different face, controversial and unequal,

with authoritarian and violent components. If the indigenous movement is a democratizing force in Ecuador, it is not always democratic within itself. The insistence to remain gender-blind is not only leading to discrepancies within the indigenous movement. It is also becoming an obstruction to democracy, impeding the very realization of sustainable development in the region.

*Within the Indigenous Movement: Democracy and Machismo*

Because the indigenous movement advocates democracy, it was assumed to be democratic at its core. Yet, the indigenous movement suffers from pathologies of power very similar to those it is engaging in combating in Ecuadorian's society at large. The situation of indigenous women reveals the preservation of cultural practices that marginalize women, systemic violence against women, and insidious impunity in the name of ethnic cohesion. Patriarchal structures remain and paternalism is rampant at all levels, from local *dirigentes*<sup>48</sup> to the political elite of CONAIE. Despite a discourse promoting democracy and social justice, the indigenous movement remains hierarchical and *machista* in practice. Of course, the gap between the legal rights of women and their actual implementation is a problem that affects the entire region and should not be blamed on indigenous politics. Rural areas are all the more vulnerable to political and economic marginalization, accentuating institutional discrepancies. However, beyond the implementation gap, the indigenous movement's denial to abide to human rights norms in the name of cultural preservation is inflicting grave burden on the lives of indigenous women. The Remache case left no space for misunderstandings, refusing to bend to national courts and international norms alike.

Most cultures are highly gendered (Okin 1999:17), and indigenous culture in Latin America, especially in the Andes, is no exception (Stephen 2001; Prieto 2005; Villalva 2006). The indigenous movement uses the concept of *cosmovisión* to support its essentializing discourse around ethnicity.<sup>49</sup> Following Andean dualism, men and women are conceived as complementary parts of a single entity, and every human being is the half of something else. This unifying discourse refutes the individualism on which gender rights are based, and sees gender politics as a dividing trend brought up by external influences. The problem is that the concept of *cosmovisión* was translated into politics and transformed to fit a discourse that legitimizes a culture of gender inequality and resists international human rights norms. Yet this only highlights the contradictions plaguing the indigenous movement at its core.

The political message of the movement is opaque and multifaceted, advocating both social equality and ethnic exclusivity, differentiation and integration. The advocacy for democratization is undermined by the denial of individual agency, and the claims for inclusive democracy stained by the absence of that same inclusiveness within its communities. The discourse on ethnicity became more flexible when it suited the leadership to expand Pachakutik's electoral attractiveness. In addition to more traditional discourses of social justice, the fight against free trade jumped to the forefront of indigenous politics. As Blanca Chancoso focused on anti-imperialism and the war in Iraq at the 2005 UNIFEM global campaign to stop violence against women,

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<sup>48</sup> *Dirigentes* directly refers to the leaders (local or national) of the indigenous movement.

<sup>49</sup> Interviews at CONAIE, CONMIE, and Q'elkaj (January 2006).

ECUARUNARI's leader Concepcion Laguna accused dollarization and free trade of being the main problems in indigenous women life, reproducing an official discourse increasingly disconnected from its basis.<sup>50</sup> The contradictions of the indigenous discourse point to the populist dimension of the movement, more concerned with electoral viability than with defining sustainable political alternatives. The disregard for gender inequalities might be strikingly *machista*, paternalist, and authoritarian. But it is also in stark contradiction with the official development agenda of indigenous groups and the Pachakutik. Indigenous politics advocate social justice, yet gender justice does not enter their equation. These discrepancies within the indigenous movement reveal the populism embedded within ethnicity. It also shows how malleable are the politics of ethnicity, and how cultural relativism can be used as a shield against unwelcome norms.

If the indigenous movement intended to be a movement for "cultural liberty," advocating cultural diversity and freedom to follow values different from *mestizo* institutions, it has now become a movement pursuing "cultural conservation," using multiculturalism to legitimize power hierarchies detrimental to many of its members (Sen 2006:113). I am not arguing against multiculturalism nor denying its achievements. My concern is not with multiculturalism limits in the Ecuadorian Andes but with people's freedom to elect and shape that multiculturalism. The recognition of a multiethnic state in Ecuador does not mean authoritarian practices can be imposed in the name of "indigenous culture." Ethnic pluralism enabled the political liberation of indigenous people, but it is also sequestering women by preserving a culture of gender violence.

Democratization cannot be kept to its public dimension. The democratic and participatory model of government advocated by the indigenous movement must enter the home, be practiced in the private sphere, and apply to "personal law" if it is to break with the patriarchal, vertical, discriminatory, and corporative structures that subsist in indigenous communities. The meaning of culture, of *usos y costumbres*, is a contentious issue for indigenous women throughout the hemisphere (Stephen 2001). It is in the private sphere that women are the most eager to protect their rights. I have argued, supported by feminist scholars and evidence on the ground, that gender discrimination is often not overt but informal and private, belonging to the domain of culture, cultural practice, and anchored in cultural roots (Okin 1999). The private practice of culture cannot, therefore, be exempted of democratic norms (Deveaux 2005).

Indigenous justice is perhaps the institution that best exemplifies the existing gender inequalities and its impunity. Indigenous societies have their own, ancestral laws, based on customs and traditions and representing a moral justice code transmitted orally. The acceptance of these laws emanates from the community being supported by subjective mechanisms of solidarity, cooperation, and reciprocity (Loor 2002). But it is also based on objective systems of authority and power. Assuming the pluricultural and multiethnic character of the Ecuadorian state, the 1998 constitutional reform recognized

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<sup>50</sup> Lucero explores the indigenous political networks in Ecuador and Bolivia, questioning indigenous "authenticity," and mapping transnational determinants of political representation. Lucero, Jose Antonio. 2006. "Representing "Real Indians": The Challenges of Indigenous Authenticity and Strategic Constructivism in Ecuador and Bolivia"<sup>[1]</sup><sub>[SEP]</sub> Latin American Research Review - Volume 41, Number 2, pp. 31-56

the exercise of indigenous justice insofar as it does not violate existing laws.<sup>51</sup> Judicial pluralism is conceived as an important conquest by the indigenous movement since it does not trust the official justice system, perceived as culturally inadequate, corrupt, and racist.<sup>52</sup> “Justice is only for those who wear *ponchos*” (Salgado 2002). The legal recognition of indigenous justice, with its collective and multicultural dimensions, was received as a step forward in the process of democratization. Yet, if indigenous justice is dynamic and participatory, it is also discriminatory towards women, especially in cases of domestic violence. Indigenous authorities are, for the most part, male, and the violence committed towards women and children is embedded in cultural practice and often not judged as a human rights violation as it would in ordinary justice (Ortiz 2002). Laws shed light on the power relations prevailing in a society, and if ordinary justice is discriminatory against indigenous people, indigenous law is discriminatory against women.

Thus, if the recognition of judicial pluralism is a sign of democratization, it also allows discrimination in the implementation of justice, since different laws prevail for different people. It is, therefore, undemocratic as well, since it breaks the fundamental principle of equality in front of the law. While a state of exceptionality was granted to the indigenous minority to secure the basic right of self-determination, this same right is not being granted to other minorities within the group (Eisenberg and Spinner-Halev 2005). The undemocratic features of the indigenous movement are, to a large extent, related to the lack of institutionalism that prevails in the communities. The flexibility mentioned above is also a source of unaccountable and arbitrary decisions. Justice is defined by the *dirigentes*, mostly males who are often above the law, and laws are loosely defined by culture and communal decision. In a sexist environment that marginalizes women socially, economically, and politically, justice is not often on their side. Tales of domestic violence amass, in size and content, most often with complete impunity for the aggressors, when it is not women themselves who are punished. In the absence of rule of law, whatever democratic practices might exist, in the sense of consensus building, are open to the imposition of the *dirigentes*' will. In the absence of institutionalized norms and constitutionalism, democracy is thus reduced to the tyranny of the majority in the indigenous community, including women but also children (Ignatieff 2001).

There is, of course, an intrinsic conflict between the desire to maintain cultural diversity and the effort to promote universal rights. Universal frameworks inevitably obscure local particularities. The tension at the core of indigenous justice is that between collective and individual rights. Whereas some cultural norms are enabling, such as communal decision-making processes, others can be extremely oppressing, such as gender subjugation (Post in Okin 1999). Self-determination, which is commonly thought of a group right is also a basic human right (Holder 2005). Thus, the right to self-determination for indigenous nationalities in Ecuador cannot take place at the detriment of the individual right to self-determination of indigenous women.

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<sup>51</sup> Constitution art. 191: “las autoridades de los pueblos indígenas ejerceran funciones de justicia, plaicando normas y procedimientos propios para la solucion de conflictos internos de conformidad con sus costumbres o derecho consuetudinario, siempre que no sean contraries a la Constitucion y las leyes. La ley hara compatibles aquellas funciones con las del sistema judicial nacional.”

<sup>52</sup> Interview with Congressman Remache, May 2006.

### *Instrumentalizing International Human Rights Norms*

These internal pathologies and contradictions did not impede the indigenous movement from developing and nurturing an international profile. Indigenous leaders are present in most international spheres, from the U.N. Forum for Indigenous People to the World Social Forum, and their politics have successfully internalized international normative discourses, especially regarding human rights. From European NGOs to USAID, the indigenous cause received technical and financial support to pressure the Ecuadorian government to be accountable to international democratic norms. The growing transnational alliances consolidated the leverage and legitimacy of the indigenous movement in domestic politics (Keck and Sikkink 1998), and consolidated its role as a major actor of contestation. International actors played an important role in stimulating domestic organization, feeding resources, expanding the normative framework, and shaping political representation (Lucero 2006). Indigenous groups have been working with international actors for more than two decades now, and are no doubt well familiarized with international norms as well as procedures. They participated in global forums and decision-making process, and espoused the legitimacy of international norms to demand the official recognition of Ecuador as a multi-ethnic and multicultural state.

Indigenous groups are particularly familiar with international norms regarding human rights, since they were, by and large, the norms that concerned them the most. More than familiarized, they were socialized with the international normative framework concerning individual human rights and collective indigenous rights (Risse 1999). After receiving international support, the indigenous movement socialized with international norms and procedures in order to defend its interests with the Ecuadorian state, learning its rights and holding the state accountable to them. Indigenous groups profited significantly from the proliferation of international norms during the UN Decade for Indigenous People, which permitted new breakthroughs at the legal and political levels (Stephen 2001). After more than a decade claiming the fundamental right to self-determination, civil and political rights within the Ecuadorian state, and the right to cultural difference, the indigenous movement is undoubtedly well socialized with international human rights.

Yet, if the indigenous movement has successfully instrumentalized this international normative framework in its relation to the state, it has only partially appropriated these norms for itself. Indigenous politics claim cultural and collective rights, but do not voice individual or gender rights too loudly. They claim the right to difference but are not very keen on free agency within the group. In fact, the indigenous movement is claiming international norms that it is not ready to abide by itself. It is claiming and conquering rights for the group that are not being redistributed to individuals within the group. I argue that the indigenous movement has, to a large extent, instrumentalized international norms. The indigenous movement has used international human rights norms to advance its interests in national politics without having to practice them at home. In other words, international human rights are not necessarily serving as a normative model but, more pragmatically, as a source of political power vis-à-vis the state. Instead of transplanting international normative frameworks into their local situation, the indigenous movement instrumentalized international norms without fully

appropriating them (Engle Merry 2006), preferring to ignore the norms that “do not fit” their “cultural” practices. Norms were therefore manipulated as political instruments, but not yet translated into local practice.

It cannot be argued that the indigenous movement remains unaware of certain human rights norms. Nor can we blame it on the implementation gap since basic human rights were not adopted by indigenous institutions to begin with. The indigenous movement has simply chosen to ignore human rights norms that clashed with traditional practices within the group, as they challenged “culture” and representing a menace to the politics of ethnicity. Indigenous politics learned to manipulate international human rights norms in order to advance its national agenda without interfering with its local interests. This explains why politicians with extensive histories of violence against women in their communities can lead prestigious positions in the fight for justice - Congressman Remache, indeed, became the President of the national Council on Human Rights despite a long history of violence against women in Chimborazo.

The indigenous discourse is contradictory in part because it is addressed to an international audience, international civil society and western governments being key allies in assuring integral support to pressure the Ecuadorian state. There are many gaps and incongruities between indigenous leaders’ speeches in international forums and acts on the ground. In 2005, when a university student was physically attacked by her indigenous companion, the female minister of the Council for the Development of Nationalities and People of Ecuador (CODENPE) asked the young lady to withdraw her legal complaint to protect indigenous legitimacy. Meanwhile CONAIE supported the aggressor in taking the academic institution that expelled him to court for discrimination and violating his human rights to education.<sup>53</sup>

The instrumentalization of international norms is also visible in the definition of projects. The indigenous movement, as most of the fragmented civil society in Ecuador, has become something of a “moral entrepreneur.”<sup>54</sup> Agendas are not defined according to the demand, i.e. local needs, but rather by the offer, i.e. international resources available. This has pushed a few civil society organizations into developing a gender facet to their project in the attempt to increase their “marketability.” Although the focus on poor women is welcome, NGOs have been focusing on their own economic survival rather than the content of their projects. Thus, Chimborazo holds Ecuador’s highest concentration of NGOs, and, contradictorily, continues to be the poorest province in the country. In the process of moral entrepreneurship, norms are not taken as an end but as a mean. In the Ecuadorian Andes, international human rights norms became one of the means available to the indigenous movement to develop its leverage capabilities in politics.

The non-redistribution of human rights to women and the instrumentalization of international norms point to double standards in the politics of accountability. Indigenous politics instrumentalize international norms to press the Ecuadorian state into staying accountable to democratic norms, but indigenous movements do not hold themselves accountable for the implementation of these same international norms within their

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<sup>53</sup> These events took place at FLACSO in Quito and were followed by lawsuits, presented and lost by the aggressor.

<sup>54</sup> Interview with Fernando Bustamante (January 2006).

groups. The indigenous movement has been demanding the state accountability to fundamental norms that it does not hold itself accountable to in the name of cultural relativism. While indigenous organizations can legitimately claim to have advanced the basic civil and political rights of indigenous people, they have failed to recognize – or even address - in any systematic fashion these same rights for women within the group. In absolute terms, therefore, the rights of indigenous women are better protected by the Ecuadorian state than indigenous entities. Indigenous groups want the state to be held accountable for international norms but refuse to abide to these same norms within their cultural contexts. Exceptionality and differentiation take over equality, and cultural relativism is brought in to exempt ethnicity from any obligation vis-à-vis international norms. In essence, “*you* abide to the rules, but let *me* play my way.”

### *Rethinking the Role of Indigenous Politics in Democracy*

Ecuadorian’s indigenous movement raises many questions with regard to democracy and human rights. Are cultural rights being promoted at the detriment of women’s rights? Is ethnicity an obstacle to gender equality? Is multiculturalism bad for women? What are, after all, the implications of the indigenous movement for democracy? Three remarks permeate from this analysis. First, the indigenous movement was romanticized. Second, sexism in the indigenous movement has been hindering gender development. Third, and beyond the indigenous movement, women’s rights need to be disentangled from leftist politics to take a life of their own.

Ecuador’s indigenous movement was doubly romanticized. First, it was romanticized as an indigenous movement for its social and political conquests. Following Rousseau’s myth of the “*bon sauvage*” the indigenous movement was put on a pedestal, and admired and encouraged for its ethnic and symbolic content. This romanticization can in part be explained by the concept of “Andeanism” (Starn 1991). Using a similar logic to that of Orientalism, Andeanism dichotomizes between the occidental, urban, mestizo, and the non-western, highland, rural, and indigenous, constructing Andean life as timeless, grounded in the prequest past, and distant in space and time from the West. Andeanism has an egalitarian and antiracist thrust, but, at the same time, it emanates residues of paternalism and hierarchy, attaching pre-modern beliefs to 21<sup>st</sup> century peasants who speak English, wear Pumas, and play Madonna on their ipods. Andeanism provided *cosmovisión* with some foundational concepts such as attachment to the land and sense of community. This romanticization of the indigenous people resulted in the perception of Andean identities as stagnant, whereas they are in fact particularly dynamic, diverse, and ambiguous.

Second, the indigenous movement was romanticized as a leftist movement, standing for social justice and equality. It was expected, as often it is in Latin America, to become a messiah who would rescue the poor and the oppressed. It was granted, *a priori*, a flavor of redemption, and, by extension, of exemption. It became entangled with the idea that social movements are leftist in essence, and that the left is the engine for social transformation. However, the left is not the owner of social transformation and the indigenous movement proved to be significantly conservative, traditionalist, and anti-liberal. The indigenous movement could only provide half of the transformation, being intrinsically defensive of the other half. The romanticization of indigenous movements is



not an Ecuadorian characteristic and seems to be present through most of Latin America, especially in the Andes with Bolivia.

From within, the myths dissipated to unveil a different reality. The indigenous movement is sexist. The social movement turned out to be as paternalistic as the system it fought in the 1960s. It turned out to be authoritarian, trapped in profound gender inequalities and intolerant toward social change and political dissent. And it turned out to be a populist movement, machista by excellence as the *dirigentes* accumulate decision-making power in few hands to anticipate the collective needs. The indigenous movement has, indeed, been detrimental to the emergence of women agency, especially in the rural areas where it is most needed. It has, by extension, been detrimental to the consolidation of a women movement in Ecuador. Personal and institutional efforts to restrict the emergence of indigenous feminism are numerous and were relatively successful. It is not purely coincidental that the strongest indigenous movement of Latin America stands together with the weakest feminist movement.

Reality is more complex, of course, and the indigenous movement blends very progressive aspects to the sexist dimension I am attacking. I do not pretend to neglect the history of sexism in *mestizo* culture or progressive indigenous traditions. Indigenous culture is not uniformly reactionary. The indigenous movement has been both a promoter and an impediment for the consolidation of democracy in Ecuador. It enabled a more inclusive democracy with the ethnicization of politics and the integration of new actors in the political game. Yet, democracy has not “trickled down” to benefit minorities within indigenous groups. The politicization of ethnicity created profound tensions with gender and individual rights, which has been detrimental to development.

Perhaps what is needed is simply to disentangle women’s rights from leftist politics. The overlap between the left and women movement does not stand in the face of the indigenous movement of Ecuador. In Latin America, feminist movements are associated with re-democratization, and therefore with the left. But this long marriage between the left and women’s movements seems to be facing some fundamental differences. Leftist indigenous movements in the Andes are investing much of their political capital in homogenizing, ethnic politics that leave little space for gender inequalities to gain political center-stage. The confusion between the two leads to a confusion of the means and ends of each, while in fact social justice has not always been promoted together with gender justice. The women’s movement in Ecuador lacks autonomy, both in terms of political relevance and in its capacity to mobilize and voice women concerns. It needs to emancipate itself from leftist politics to rely less on other social movements and more on its own agenda.

I do not believe that the left is opposed to the promotion of women’s rights nor do I deny that the left is often an important political ally to feminist agendas in Latin America. I do conclude, however, from the Ecuadorian experience, that gender is not a priority on the political agenda of the left and that the women’s movement cannot rely on the solidarity of leftist politics to secure gender-based interests. Although gender is theoretically encompassed in the claims for social justice, it has, in practice, often been lagging behind in priority.

## **Conclusion**

This article offered a perspective “from within” of the indigenous movement in Ecuador. Recognizing the achievements of the indigenous movement, I revealed internal contradictions and shed light on stark gender disparities. I then explored the situation of indigenous women, trying to identify the characteristics and roots of their exclusion, addressing the complex relationship between ethnicity and gender in identity politics. Finally, I suggested some pathologies of the indigenous movement and argued that it was instrumentalizing international norms to gain leverage in domestic politics while refusing to be held accountable to these norms within their communities.

I have explored the gender gap and argued that the indigenous movement has had mitigated impacts on the consolidation of democracy in Ecuador. In Ecuador, ethnicity and gender are political antipodes that are still to be reconciled. While Ecuador has the strongest indigenous movement in the region, it also has an extremely conflicted one. Indigenous politics still have much incongruity to solve before it can claim to be fully democratic. The Ecuadorian experience raises questions regarding gender and indigenous movements throughout the Andes and into Latin America, if not further. I never meant to suggest that ethnicity and gender are incompatible. Rather, I suggest that gender inequality remains a fundamental obstacle to democracy in the Andean region and will not naturally flow out of the achievements of indigenous movements. More research is needed on the relationship between indigenous movements and women’s agency, between ethnicity and gender. More research is also needed on the state of women’s movements in countries where the left is in power.

This article is an attempt to better understand the state of democratization in Ecuador, its loopholes and fragilities. Further, it is intended to map the disjunctiveness of democracy in the region in order to continue reshaping it. As parochial to Ecuador as this analysis might appear at first, it allows us to extract broad principles out of local knowledge. Beyond finding lessons from local knowledge, I have tried to shed light on the complex relationship between gender and ethnicity in the Andes. Indeed, if the problems I address in this chapter emanate from the tensions between ethnicity and gender in the Ecuadorian Andes, they are also shared by women across cultures and political systems. The parochial example I have focused my attention on allows us to pinpoint a problem larger than Ecuador, reaching into the Andes and beyond: the potential costs of ethnicity for women’s development and the instrumentalization of human rights norms.

International political and economic thought needs to focus more directly on gender inequalities as a problem of justice (Nussbaum 2001). Considerations of justice for women have been disproportionately silenced in debates about international development. In much of the world, women are enduring a similar situation to that of indigenous women in the Ecuadorian Andes, being more illiterate and less healthy than men, more vulnerable to physical and sexual abuse. To foster development, we must secure basic constitutional principles to improve the quality of life of poor women in the third world. The protection of women rights is crucial to develop the human capabilities of women in poverty (Sen 1999, Nussbaum 2001). Gender equality is not a feminist issue, but a core matter to all social sciences concerned with global development.

The plight of poor women is by, all measures, dramatic. Yet it is also becoming increasingly complex as gender becomes intertwined with politics of ethnicity, religion,

and nationalism. Gender is more political than ever, and is growing to be a fundamental concept from international relations to local politics. If the academic community is serious about discussing development, poverty, and the rule of law, it needs to give much more attention to the situation of poor women worldwide. As scholars, it is our responsibility to address gender inequality and its consequences for democracy and development. By thinking and discussing gender, scholars can also contribute to the better understanding of issues that are growing increasingly complex and are calling for conceptual elaboration.

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