

Academic Freedom and Indigenous Peoples in Ecuador

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This report discusses the conflict between President Rafael Correa (2007–present) and CONAIE (Confederation of Indigenous Nationalities of Ecuador), the largest and most important indigenous organization in Ecuador. Then, it examines the systematic attacks of the regime against the systems of creation of knowledge of indigenous peoples and against the academic freedom of those who work on indigenous issues or in collaboration with indigenous peoples.

Context of the Conflict between the Correa Government and CONAIE

When Rafael Correa campaigned for the presidency in 2006, he sought the support of CONAIE for his candidacy. CONAIE discussed the matter but decided to support its own indigenous candidate, Luis Macas. In his first presidential campaign, Correa spoke Kichwa and used indigenous symbols, including having his unofficial presidential inauguration in an indigenous community. Because Macas was not able to win enough votes in the first round, CONAIE supported Correa in the second round and also endorsed Correa's party, Alianza País, in the Constituent Assembly of 2007 and during the campaign for the approval of the 2008 Constitution. However, since January 2009, CONAIE and Correa have grown apart. CONAIE demonstrated against a new law that allowed for the expansion of mining and also disagreed with a proposal for a water law that the indigenous movement did not see as redistributive of this important resource and respectful of the cooperative ways in which indigenous peoples have managed water resources.

Right after demonstrations against the mining and water laws, the budget of CODENPE (Council for Development of

the Nationalities and Peoples of Ecuador) was drastically cut. Before, CODENPE enjoyed autonomy, and its executive secretary had the rank of a minister of state. In 2014, CODENPE was replaced by a Council for Equality, whose members are not selected by the organizations but on merit by the Council of Citizen Participation and Social Control, a state institution close to the executive.

The Correa administration enacted Executive Decree 16 in June 2013. It requires that all civil society organizations register their membership, economic transactions, and other strategic information with the government through a tortuous online bureaucratic process. The decree allows the executive to dissolve social organizations, from nongovernmental organizations to indigenous communes, which engage in politics as defined by the executive.

In Ecuador, indigenous peoples enjoy the right to use their own customary systems of justice and traditional authorities. This right was enacted in the 1998 Constitution and ratified in the 2008 Constitution. After the president and the attorney general criticized the application of indigenous justice in a specific case, the Constitutional Court circumscribed this right to pertain only to issues that take place between indigenous people within their internal territory and that affect communitarian values.¹

The 2008 Constitution states that indigenous peoples have the right to claim special territories called *circumscripciones territoriales*. However, the process to create them is complicated. Proponents of these territories need to achieve a two-thirds majority in a referendum based on one of the already existing divisions of the state, which are of colonial origin and

centered on the distribution of the mestizo population. Indigenous communities are typically located at the margins of these territories. The result of this requirement is that no new indigenous territorial circumscriptions were created between 2008 and 2014 (García Serrano 2014).

Protests have been harshly repressed and social movement leaders have been criminalized (Human Rights Watch 2015; Colectivo de Investigación y Acción Psicosocial Ecuador 2015). Prominent indigenous leaders have been accused of crimes such as terrorism, sabotage, and paralyzing public services. Successful provincial governors Marcelino Chumpí and Salvador Quishpe are facing charges of corruption.

To sum up, we are witnessing a multifaceted retrenchment of many of the indigenous rights gained during the 1990s. Despite this situation, the Correa regime has continued to claim concepts understood to be indigenous, such as Sumak Kawsay or Good Living, plurinationalism, and interculturalism, as part of the regime's philosophy and development goals.

How Has This Conflict Affected the Systems of Creation of Knowledge of Indigenous Peoples?

In 2009, right after CONAIE's demonstrations against the mining law, the Ministry of Education took control over intercultural bilingual education and abolished the autonomy that organized indigenous peoples previously enjoyed. Indigenous organizations had been able to elect educational authorities, hire teachers, and design the curriculum. This degree of autonomy was unique in Latin America. After autonomy was abolished,

indigenous movement leaders were removed from positions of authority in the education system and were replaced by younger indigenous professionals or by mestizos who were closer to the regime. Standardized materials in Spanish replaced earlier textbooks in indigenous languages. The history of the indigenous movement and its struggles was erased from the new textbooks (Martínez Novo 2014). Intercultural bilingual education historically had been a means to build political consciousness and to strengthen indigenous political organization because it produced teachers who became organic intellectuals and political leaders in local settings.

Since 2013, the Correa government has closed community schools that have a single teacher or fewer than 25 students per teacher (Mena and Terán 2014). Children have been concentrated in larger schools called “axis-schools” or “schools of the millennium.” CONAIE has claimed that millennium schools do not promote indigenous language and culture and do not even let indigenous children use their traditional dress (Muyolema 2015). The closure of community schools is producing an accelerated process of migration from rural areas to provincial capitals and to Quito. The indigenous movement drew its strength from being a federation of communities. Thus, the fast depopulation of communities has deep political effects.

CEAACES (Consejo de Evaluación, Acreditación, y Aseguramiento de la Calidad Educativa, Council of Evaluation and Accreditation of Educational Quality), a state institution that assesses higher education, evaluated the UINPI-Amawtay Wasi (Intercultural University of Indigenous Nationalities and Peoples–Amawtay Wasi). When it was created, this university was defined as private

because in order to be public it needed to conform to mainstream cultural norms and regulations, losing its cultural specificity. The state did not allocate enough funding to this intercultural university, which was founded and managed by indigenous organizations. However, it was judged by the same standards as the private universities that educate the children of the elite, or the well-established traditional public universities, with the result that it lost its accreditation (Mato 2014).

A parallel process is the implementation of standardized exams for schoolteachers and for students who apply to public institutions of higher education. Schoolteachers must take standardized exams. These exams do not take into account cultural or socioeconomic differences, and teachers and students from marginalized ethnic and socioeconomic backgrounds have difficulty passing them. Many indigenous bilingual teachers have not been able to pass the exams. The shortage of intercultural-bilingual teachers has been an additional obstacle to the interculturalization of education (Mena and Terán 2014). Indigenous and other disadvantaged students who have not achieved high grades on standardized exams have been excluded from public higher education and from the academic careers of their choice. Paradoxically, although public higher education has become tuition-free under Correa, the gap between ethnic and socioeconomic groups in their access to higher education has grown (Post 2011).

On the other hand, the implementation of “meritocracy,” as the Correa government understands it, has on occasion benefited indigenous intellectuals. The need for faculty to hold higher degrees in order for provincial universities to remain open when evaluated by CEAACES has allowed

the few indigenous intellectuals who hold a PhD or MA degree to find full-time employment despite blatant racism. However, two indigenous intellectuals interviewed by the author of the report were disqualified from competition for permanent full-time positions by the use of legalisms.

To sum up, the Correa government is launching a systematic attack against the systems of creation of knowledge of indigenous peoples, which the executive accurately associates with the political capabilities of this important sector of civil society.

How Has This Situation Affected Non-Indian Academics Who Work on Indigenous Issues or Who Collaborate with Indigenous Peoples?

As is well documented by press associations and human rights organizations, there has been widespread harassment of journalists and the privately owned media during the Correa administration (Human Rights Watch 2015). Newspapers have closed, and journalists have been laid off or are facing legal charges, which has led newspapers and journalists to engage in strict self-censorship. For those of us who want to find out what is going on in Ecuador, the social networks and the Internet have become more useful than the press. Recently, the Correa administration launched a campaign to control what is written in the social networks and hired trolls to disrupt Internet communications. Some academics have been harassed as writers of opinion pieces in newspapers. The harassment of academics as such has not been as intense as that of journalists, but it has increased in recent years. From the beginning of the Correa administration, there were calls by people in high executive

positions (i.e., ministers of state) to the leaders of academic institutions to request that their professors “lower their tone,” particularly in their op-ed pieces.

The regime has tried to control institutions of higher education and think tanks promoting the election of government-friendly candidates to leading positions. In 2015, the regime interfered in the election of the rector of Universidad Andina Simón Bolívar, who enjoyed ample support from the university’s professors, staff, and students (Vera 2016). The government withdrew funding, and several state institutions investigated Universidad Andina.

At the Universidad Central, the main public university of the country, the regime has made efforts to replace combative Maoist groups with government-friendly student unions. In the summer of 2015, the members of a student group who opposed the regime-backed candidate were badly hurt by a gang. Gang members cut a young woman’s face with a glass and deeply cut another woman’s arm (Aguilar 2015; Ortiz Lemos 2015).

Another way to control academic freedom has been through intimidation with “friendly threats.” These consist of an ex-colleague or friend who is in a high position in the government telling the academic that they are looking at her or him, that they know what she is doing, and that inside people are trying to protect her but they do not know for how long they will be able to do so.

President Correa has insulted, falsely accused, and harassed numerous academics in his weekly presidential speeches. Among them are César Montúfar, Felipe Burbano de Lara, Santiago Basabe, Juan Ponce, Carlos de la Torre, Simón Pachano, and

Manuela Picq. Many of these academics are members of LASA. As a result of the president exposing Montúfar in his Saturday speech, Montúfar was punched in the eye by one of Correa’s supporters. Correa called de la Torre a mediocre academic and an apologist of terrorism. The president called Manuela Picq an immature woman who likes to be the center of attention; her academic credentials were questioned, and she was accused of acting violently against the police and of damaging Quito’s historic center.

Academics working in collaboration with indigenous people, and environmentalists who support indigenous movements have been threatened by the regime. In a moment of confrontation between the government and nongovernmental environmental organizations, Correa warned communities against “fat gringo researchers” in one of his speeches. An environmental NGO, Fundación Pachamama, which had collaborated closely with the indigenous movement and had legally represented indigenous communities against the Ecuadorian state at the Inter-American Court of Human Rights, was dissolved under Executive Decree 16. Oliver Utne, an American working for Fundación Pachamama, was detained to verify his immigration status and informed that the government could not ensure his safety any more (*El Comercio* 2014). He then had to leave the country.

The case of Manuela Picq has also been a warning for academics working in collaboration with the indigenous movement. Picq is a Franco-Brazilian professor who worked at the Universidad San Francisco, a liberal arts college in Quito. She is also the partner of the president of Ecuarunari, CONAIE’s branch

for the Ecuadorian highlands. Picq was beaten and detained by the police after participating in a peaceful demonstration in August 13, 2015. Her visa was revoked and she was placed in a detention center for undocumented immigrants. She appealed, but her visa was not reinstated and she was forced to leave the country due to her irregular immigration status. The regime made clear that cultural visas were only for cultural endeavors and that their holders could not engage in what the regime considers “politics.”

Finally, Executive Decree 16 has precluded the survival of the former Association of Anthropologists, Archaeologists, and Linguists (Asociación de Antropólogos, Arqueólogos y Linguistas de Pichincha). In an interview with the author of this report, the president of the association stated that the decree requires that an organization possesses an amount of capital that his association does not have. It also requires organizations to follow a complicated bureaucratic process that the association does not have the staff to complete. As a result, the association lost its legal status. The president of the association also noted that the government regularly withholds information from researchers not aligned with the regime despite the existence of a law of transparency. The interviewee added that the government controls the resources to conduct research and that these are not available to researchers not aligned with the regime. Independent academics have difficulties conducting research without appropriate access to data and resources.

To sum up, the systems of creation of knowledge that indigenous peoples built in past decades are being dismantled by the Correa regime. This government has used immigration regulations to threaten foreign academics who collaborate with indigenous peoples. This is a strategy to

further isolate indigenous organizations that resist the development policies of the regime from their networks of support and funding. Domestic academics not aligned with the regime see their academic freedom restricted by lack of access to data, lack of resources, and subtle and not so subtle forms of harassment, as well as new regulatory frames that hinder their right to free speech and association.

Note

- ¹ Constitutional Court Sentence no. 113-14-SEP-CC, case no. 0731-10-EP, July 30, 2014.

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