

From *Invisibilidad* to Participation in State Corporatism: Afro-Ecuadorian Community Organizing and Political Struggles, and the Constitutional Processes of 1998 and 2008

Dr. Jean Muteba Rahier

Florida International University

*Associate Professor of Anthropology
and African & African Diaspora Studies*

Director, African & African Diaspora Studies Program

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Ecuadorian Society

- Shift from ‘monocultural mestizaje’ to ‘multicultural’ policies with 1998 Constitution
 - Emergence of the *el indio permitido* (literally the “allowed Indian,” or the “permitted Indian identity”)
- Second multicultural Constitution adopted in 2008
- 2001 general census
 - 271,372 (2.2%) self-identified as *Negros (Afro-Ecuadorianos)* (“Blacks [Afro-Ecuadorians]”)
 - 4.9% as either *Negros* or *Mulatos*
 - 830,418 (7%) as *Indígenas*
 - 9,411,890 or (77.4%) as mestizos

The 1998 Constitution, *Una Constitución de la Derecha?*

- 1997 Indigenous Movements
 - Response to the neo-liberal economic policies of President Abdalá Bucaram Ortiz
 - Staged by growing Indigenous, Afro-Ecuadorian, women, student and other grassroots movements and organizations
 - New constitution allowed for collective rights, ignored political and economic reforms
- Distinction between Indigenous and Afro-Ecuadorian
 - Article 84 allows for Indigenous collective rights, excludes Afro-Ecuadorians
 - Article 85 indicates that “The State will recognize and guarantee to black or Afro-Ecuadorian peoples the rights listed in the previous article, every time that they are applicable [to their specific situation(s)]”
- Afro-Ecuadorians viewed as historically more incorporated, not fitting the “holy trinity of multicultural peoplehood.”

Afro-Ecuadorian Community Organizing and Political Struggle

- Differences between Indigenous and Afro-Ecuadorian community organizing
 - Agrarian Reform
- *Primer Congreso de la Cultura Negra de las Américas* (the First Congress for the Black Culture of the Americas) in 1970
 - Orientation was for the pursuit of social scientific research on social realities and cultural traditions of the African diasporic communities of the Americas

Afro-Ecuadorian Community Organizing and Political Struggle

- Organizations and Political Processes
 - *Centro de Estudios Afro-Ecuatorianos*
 - Split between cultural and political orientations in early 1980s
 - *Centro Cultural Afroecuatoriano*
 - Created by Catholic Church
 - *Proceso de Comunidades Negras*
 - Political process for a special law inspired by the Colombian law 70 to correct the ambiguous wording of 1998 Constitution
 - Resulted in Law 46 or “Law of Collective Rights of the Black or Afro-Ecuadorian Peoples”

Afro-Ecuadorian Organizing, Corporatism, and the 2008 Constitution

- In corporatism, the State canalizes social demands in institutionalized spaces of negotiations in order to give an official voice to the group(s) in focus and to diffuse social protests
 - Leaders of organization becomes employees of the state
- Afro-Ecuadorian participation in corporatism mostly developed since the end of the 1990s and led to the adoption of the 2008 Constitution

Afro-Ecuadorian Organizing, Corporatism, and the 2008 Constitution

- *Corporación de Desarrollo Afroecuatoriano* (CODAE)
 - The CODAE is one—if not the most important—of the state’s institutions through which Afro-Ecuadorian corporatism takes place
 - Political disputes and appointments
 - Practice of clientelism
 - Illegal and non-recorded distribution of State funds or donor institutions funds
 - May 2007-appointment of José Franklin Chalá Cruz

Afro-Ecuadorian Organizing, Corporatism, and the 2008 Constitution

- 2008 Constitution
 - Afro-Ecuadorian collective rights, Chapter 4 “Rights of Communities, Peoples, and Nationalities” Articles 56-58; 60
 - Articles 57 and 58 structured like Articles 83 and 84 in 1998 Constitution.
 - Article 60: “The ancestral Indigenous, Afro-Ecuadorian and *Montubio* people may constitute territorial circumscriptions for the preservation of their cultures. The law will regulate their conformation. The Communes that have a collective property of the land will be recognized as a form of ancestral territorial organization”

Conclusions

- The examination of Afro-Ecuadorian influences on, and participation in, the Constitutional processes of 1998 and 2008 in light of the history of Afro-Ecuadorian organizing and political struggles helps to appreciate the speed at which their situation has changed over 30 years, from the late 1970s to the late 2000s. They moved from a situation of “invisibility” to a situation in which their existence as a people with acknowledged cultural traditions and collective rights is enshrined in the country’s political Constitution, which many see as one of the most progressive in Latin America.
- Factors contributing to change
 - Support from international and multilateral actors
 - Corporatist Ecuadorian State
 - Some successes in somewhat countering the surviving Anti-black racism in Ecuadorian civil society