PLURINATIONALITY IN ECUADOR: AN EVALUATION THROUGH NEO-EXTRACTIVIST POLICIES.

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### Abbreviations

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<th>Description</th>
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<tbody>
<tr>
<td>CGY</td>
<td>Yasuní Guarantee Certificate</td>
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<tr>
<td>CNE</td>
<td>National Electoral Council</td>
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<tr>
<td>CONAIE</td>
<td>Confederation of Indigenous Nationalities of Ecuador</td>
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<tr>
<td>ILO</td>
<td>International Labor Organization</td>
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<tr>
<td>ITT</td>
<td>Ishpingo, Tambococha and Tiputini</td>
</tr>
<tr>
<td>OPEC</td>
<td>Organization of the Petroleum Exporting Countries</td>
</tr>
<tr>
<td>SENPLADES</td>
<td>National Secretary for Planning and Development</td>
</tr>
<tr>
<td>WTI</td>
<td>West Texas Intermediate</td>
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Abstract

The “discovery” and subsequent colonization of America inaugurated Capitalism as a global model of appropriation and dispossession through extractivism. Latin America was assigned a supplier role of commodities and the export of nature since colonial times has enabled to satisfy the requirements of capital accumulation. This configuration of the world has entailed abuses and exploitation of indigenous peoples despite the defeat of colonialism as a political order. In Ecuador, after five centuries of coloniality the 1990s represented a breaking point. Indigenous peoples organized and upraised posing diverse demands but mainly the rejection of the Neoliberalism and the right to territorial autonomy. The unremitting indigenous insurgencies have pushed Ecuadorian state to re-think its colonial structures and to reconfigure the order taking into consideration their grievances. As a result, Ecuador was declared a Plurinational and Intercultural state in 2008 which constituted an important achievement in the indigenous struggle but by no means could this be considered an ultimate victory. The pervasiveness of the “ideals” of progress and development and the expansion of the Neoliberal globalizing project requires the opening of the extractive frontiers which is utterly at odds with the Plurinational constitutional declaration. The relationship between the state and indigenous peoples is full of tensions and confrontations since the latter vehemently defend their ancestral territories to enforce the constitutional principles. This dissertation will analyse if Plurinationality has allowed Ecuador to overcome its colonial legacy or if it continues being a colonial state.

Key terms: Development, Plurinationality, Interculturality, Relational Ontologies, Sumak Kawsay, Neo-Extractivism, Yasuní ITT.
Declaration

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Introduction

Background
On June 4, 1990 an unprecedented event took place in Ecuador. The highways to access the capital Quito and its historic centre were blocked by Indigenous movements. It was the first “National Indigenous Uprising” that paralyzed for two weeks most of the country. The entire nation was shocked. Indigenous had been a disenfranchised group since colonial times hence non-indigenous people were genuinely astonished that “indios” appeared with grievances after almost five centuries of invisibility. They had remained out of political and social life and they suddenly came out with demands that went far beyond class, stressing the recognition of their own ethnic cultural identity conceived as “indigenous nationalities” directly linked to their territories as the place where they could develop freely (Altmann 2016). Furthermore, they claimed for equal rights alongside white/mestizos through the reconceptualization of citizenship, power relations and the role of the state. The proposals for this reconfiguration were stated in terms autochthonous cosmovisions for democracy, citizenship, land ownership and resources use (Lupien 2011). Interestingly indigenous groups also posed a categorical rejection to the Neoliberal model whose implementation started on the 1970s and had brought sharp increase of inequalities and poverty levels.

The uprising constituted a breaking point that marked the outset of the struggle against the structures of the modern/colonial system guided by the parading of development. In the second half of last century development was established as “the main vector of the modern ideology of progress” perceived as a universal horizon, based on Western standards and disseminated worldwide (Vanhulst and Beling 2014 p. 54). Ecuador was not the exception and development became a hegemonic totalizing paradigm to control lives that never allowed contestation to its redeemer mission. Under its logic indigenous territories have been invaded for extractivist activities in favour of the expansion of Capitalism, especially during the 1950s and 1960s with the influence of transnational corporations in the Amazon. Consequently indigenous groups with no place to retreat became into “development refugees” (Benavides 2004).

During the 1980’s and 1990’s the promise of development started to lose reliance in Latin America since the plans, projects and programs failed to fulfil their objectives and in
contrast they increased the social breaches and inequalities. The situation ended up in “weariness” towards conventional models of development (Gudynas and Acosta 2011). As a consequence, “indigenous movements represent a radical critique of the kind of modernity to which they have been subjected for so long and so consistently” (Taylor 1994 cited in Radcliffe 1999 p. 50). The indigenous insurgencies clearly represent a challenge to the idea of sitting back and be “developed” by somebody else (Bebbington and Ramón 1992 cited in Radcliffe 1999 p. 42), they claim for freedom to make their own decisions.

After political independence from Spain the racial pyramid established during the colonial period was maintained founding an independent state linked to a colonial society (Quijano 2005). Internal colonialism based on racialized social structures maintained the idea of indigenous “ontological precariousness” and “anthropologic abnormality” (Díaz 2008), justifying the role of criollo (creole) elites to construct the new “civilized” nation drawing upon colonial national structures in order to maintain their privileges. Ecuador despite having one of the highest indigenous populations in America adopted Eurocentric models based on democracy and liberal citizenship incompatible with its context. For the majority of the population citizenship was an impossible aim as they belonged to an “inferior race” whose identities were not represented and were casted aside from republican life making impossible the consolidation of a real democracy (Quijano 2006). In this way creoles and mestizos became the “legitimate” citizens of the nation while “indios” were the “de facto” noncitizens (Guerrero 2003). Subalterm beings and knowledge were utterly invisibilized as they were considered a mythical stage, inferior, pre-modern and pre-scientific (Castro-Gómez and Grosfoguel). The labour exploitation through serfdom and the cultural repression of colonial times continued and “indios” became peasants pushed at margins socially, economically, politically and even geographically as they were confined to live in páramos (high grasslands).

During the first half of the nineteenth century important changes started to reshape Ecuadorian demography. It was the onset of a significant growing of Mestizo population and large rural-urban migrations took place in 1930s (Roitman 2009). Mestizos could no longer fit into the category of “Indios” nor claim the rights of whites (ibid.). The “mass” was homogenized under the narrative of “mestizaje” (miscegenation between European and Indigenous backgrounds) creating a majoritarian “all-inclusive identity of exclusion”
(Stutzman, 1981). Mestizaje was a hegemonic project whose cornerstone was a “whitening and whiteness ideology”. The mono-cultural and homogenizing character of the project did not recognize diversity and negated space for difference. The state denied its multi-ethnic and pluri-cultural nature in order to implement a development model that created an imagined non-ethnic community. The mestizo identity incorporated just a mythic indigenous past represented by the archetypic figure of the aristocratic “Indian” constructing an abstract symbol (Muratorio 1994). In contrast, the real contemporaneous “indio” was relegated to the realms of savagery, peasantry and at best folklore. The legitimization of mestizaje as the primal ideology of the State concealed its colonial character.

Particularly in Ecuador, mestizaje was not defined in racial terms; its main objective was the forging of a population with common cultural characteristics (Clark 2005). Ecuador has 14 different indigenous nationalities and 18 pueblos (peoples) that were all subsumed into the project. Given that it was impossible to “whiten” them racially, a subjective “des-indianization” started (Quijano, 2006). They underwent processes of acculturation and were also “europeanized” culturally (Quijano, 2005). These processes implied structural violence that translates into physical and symbolic disappearance of indigenous subjectivities. Mestizaje granted important attention to education, sanitation and modernisation; it imposed Spanish as the only valid language forbidding education in Kichwa. In this way, national identity was forged on an ideological construct of cultural homogeneity as a referent in which every citizen could recognize himself (Cervone 2010).

The processes of acculturation of mestizaje instead of disappearing indigenous identities strengthened them creating spaces for political reaffirmation (Solo de Zaldivar, Mauri and Wickstrom 2014). The uprisings in the 1990s were the result of decades of gestation of a counter-hegemonic indigenous movement as a clear rejection to be assimilated into the mestizo national project. Indigenous movements have also centred their struggle on the defence of human life and nature (Quijano 2013). CONAIE (Confederation of Indigenous Nationalities of Ecuador) comprises the whole indigenous “peoples” and “nationalities” in the country. It was founded in 1986 and has become the first and strongest indigenous movement in Latin America whose success lies on its unity. CONAIE represents a heterogeneous and multiform pole of resistance (Escobar 2010) that has altered the national boundaries redefining what it means to be an “indio” (Beck and Mijeski 2000). The 1990
uprising marked the onset of the reconfiguration of the “imagined community” constituting a re-politicized civil society with indigenous movements as key political actors for social transformation becoming a nationwide representative of disenfranchised citizens. CONAIE’s acquired political leadership was evidenced in 1997 when a new national uprising against the Neoliberal policies adopted by President AbdalÁÁ Bucaram who finally was overthrown from power. Later in January 2000, CONAIE upraised against the President Jamil Mahuad who also was overthrown.

Indigenous peoples in Ecuador consider conventional development as part of the Eurocentric cultural imposition hence the rejection of this paradigm expresses a fundamental contestation to colonial structures (Gudynas and Acosta 2011). CONAIE’s demands are eminently a de-colonial turn that has played a crucial role in the process of state re-building towards a Plurinational state. Since 1990, CONAIE had presented the proposal of Plurinationality in different times and finally it was approved constitutionally in September 2008 via referendum with 63.93% of votes (Lupien 2008). This took place during the leftist progressive government represented by Economist Rafael Correa who came in office in 2007 and has been the most popular president since the return of democracy in 1979. The election of the government was the result of the mobilizations of indigenous organizations that initially represented an important support. The government took a clear anti neo-liberal stance against global capitalism, rejecting to sign a free trade agreement with the US and removing US military forces from Manta port. Furthermore, the administration has increased social services, tripling spending on education and healthcare and providing subsides to poor people leading to dramatic reductions of poverty and inequalities (Becker 2012).

Rational
The modern nation-states in Latin America are a product of colonization and they have an important number of Amerindian populations. These countries have a modern /colonial present that in some cases has been contested by indigenous movements regaining participation and becoming crucial social actors through their de-colonial insurgencies. The uprisings pose a far-reaching critique that has obliged some states to re-think their oppressive colonial structures and reconfigure them taking into consideration indigenous grievances. Indeed, Plurinational constitutional declaration is the crystallization of decades
of resistance and struggles of indigenous movements in Ecuador. This has allowed bringing into life indigenous cosmovisions that had been deemed destroyed opening possibilities to imagine other possible ways of coexistence.

Plurinationality eminently entails a de-colonial project whose main aim is the re-politization of social life striving for a substantial transformation of the state-society relationship hence becoming a convergence space for different cultural and political projects. Plurinationality and its constitutional principles propose to construct alternatives to the Eurocentric paradigm of development departing from indigenous social-ecological contexts which puts forward a new relationship with the environment inspired on the harmonious co-existence of indígenas and nature. Ecuador and Bolivia are the only nations in Latin America that have embraced Plurinationality in their constitutions. Many scholars have considered this turn as the most vigorous alternative to a civilizing pattern in crisis, becoming not only significant for these countries but for the whole world since it is essential to construct options to the destructive logic that is undermining the foundations of life on the planet (Lander 2011).

As it can be seen, Plurinationality is an innovative and pioneering proposal for de-coloniality not only applicable in the Latin American context. The significance of this research lies on analysing its implications and evaluating if the 2008 constitutional declaration in Ecuador has in fact accomplished a re-foundation of the state to leave behind its pyramidal colonial configuration.

**Outline**

This dissertation will be developed drawing upon exclusively in secondary sources and will answer the following research question: Is Ecuador a Plurinational State? The analysis will be focused on extractive policies carried out by the current Ecuadorian government in order to contrast them with the constitutional mandate of respect of nature and indigenous ancestral territories. The Yasuní ITT initiative will be included as a case study of actual endeavours to propose alternatives to extractivism that enable the constitutional environmental preservation goal.

This dissertation will be divided in three Chapters and a conclusion. Every chapter comprises three sections. Chapter 1 includes de-coloniality as theoretical framework and the subsequent sections will be committed to analyse in detail the indigenous relational
ontologies and the concepts of Pluritinationality and its bedrock principle Sumak Kawsay. Chapter 2 will consider the Yasuní ITT initiative by explaining the importance of this fragile ecological area, the alternative proposed to the world and the decision that was made after the failure of the initiative. Chapter 3 will deepen in the neo-extractivist model implemented and its implications like the conflictive relationship between the government and CONAIE and the increasing appeal indigenous people have to do of international legal instruments. Finally an overarching conclusion will summarize the findings.
CHAPTER 1

Constitutional Plurinationalism

Theoretical framework: De-coloniality

De-coloniality as a mean of liberation puts forward a fracture, a *de-linking* from the logic of coloniality as an alternative to modernity (Mignolo 2007a). Coloniality has been the modus operandi of structures of domination in the modern world since colonialism was defeated as a political order (Quijano 2007). The struggles of indigenous peoples in Ecuador entail indeed a de-linking from the monologic of modernity as their endeavours have been focused on the “de-naturalization of concepts and conceptual fields that totalize A reality” (Mignolo 2007a p. 459). The de-colonial turn, manifested in indigenous struggles has become possible due to a “double conjuncture”: on the one hand the *crisis of the neoliberal project* in the last three decades and on the other hand the *crisis of the project of modernity* that has been forged since the very beginning of conquest (Escobar, 2010).

Aníbal Quijano developed the concept of *Coloniality of Power* settling the “discovery” of America as the onset of modernity/coloniality when the racial stratification enabled the emergence of the first identities of modernity (2000). The *racial criteria* for social classification and distribution of labor in ranks, places and roles established *The Colonial Matrix of Power* as a structure that is still the framework for social relations of classes or states. (Quijano 2000, 2007). The formation of the commercial Atlantic circuit in the sixteenth century was the encounter point of modernity, coloniality and capitalism (Mignolo 2002). The main objective of labour control was to produce commodities for the world market, inaugurating a global model of control of work (Quijano 2000). Moreover, an extractivist scheme managed from metropolitan centres was established to export *Nature* from colonies and therefore satisfy the demands of capital accumulation (Acosta 2011). Since those times, extractivism has been the instrument for colonial and neo-colonial looting and appropriation (Acosta, 2013). As argued by Mignolo, “the logic of coloniality is, indeed, the implementation of capitalist appropriation of land, exploitation of labor and accumulation of wealth in fewer and fewer hands” (2007 emphasis original).

The framework of the modern world system has its origins in colonization; “We daily breathe coloniality in modernity” (Maldonado-Torres 2007). Walter Mignolo is one of the
founders of the Modernity/Colonality project. In his work he analyses the inherent relationship between Modernity/Coloniality and how they historically have worked together under the same regime, constituting a power structure of domination. The colonial matrix of power has a constitutive outside that must be “conquered, colonized, superseded and converted to the principles of progress and modernity” (Mignolo 2007a p. 462). Since colonial times, ontologies and epistemologies different than Eurocentric have been invalided denying space for difference and imposing a unique universalizing rationality over the indigenous worldviews, ways of being and forms of organizing that have been totally invisibilized. Modernity with its rhetoric of salvation has pretended to impose the ultimate truth establishing development, modernization and the new marketplace as the only valid project of the modern world system (Mignolo 2002) creating and maintaining oppressive social structures.

CONAIE has posed the most radical critique to the state since its constitution in 1830. The Indigenous insurgencies could be analysed through the concept of de-colonial reason, as they aim is to enact social change. De-colonial reason is a concept developed by Nelson Maldonado-Torres also member of the modernity/coloniality project. He argues that the suspicion of the slave about the falsehood and hypocrisy of the master is ratified and alters the slave’s global consciousness (2008). “The Indian uprising of June, 1990, was a demonstration of the awakening and of saying, ‘Enough!’ to the abuse, to the ethnocide, to the lies, to the discrimination” (Mullo 1993 cited in Benavides 2004 p. 145). Ecuadorian indigenous movements are subjects that have developed a “historical-critical consciousness” (Dussel 2009) that emerged from their colonial /modern experience of sub-alterity directly connected to “genetic, existential and historical” levels (Maldonado-Torres 2007). In fact, indigenous perceive themselves as crucial social actors that have been able to regain participation in history drawing upon their never ending battles and resistance. As argued by one of CONAIE’s leaders, Luis Macas: “Our struggle is epistemic and political” (cited in Escobar 2010 p. 4).

Indeed, the indigenous struggles in Ecuador brought to the forefront other ways of being and organizing that had been in a sub- alterity position during five centuries. These rationalities and epistemologies enabled to re-think the State structures and society from a contrasting and radical conception (Walsh 2008). The de-colonial insurgencies put forward
the construction of a *pluriverse* where *ontology of difference* is respected (Dávalos 2009). This is analysed by Mignolo when he considers the construction of “*pluriversality as a universal project*”, an alternative to de-link from modern rationality (2007 p. 453). He stresses the crucial role of other epistemologies, other economies, other politics and other ethics as the basis for intercultural and inter-epistemic communication (ibid.). The method to transform pluriversality into a universal project is *border thinking* from the critical consciousness of the oppressed by coloniality, enabling a rift from the Eurocentric project in order to create other possible worlds (ibid).

Arturo Escobar and Edgardo Lander are also members of modernity/coloniality group. Escobar’s research is mainly oriented to political ecology. He argues that a pluriverse entails the construction of networks, assemblages and hybrid *socio-natural* formations in constant movement on a web of inter-relations involving human and *non-human* (2010). Lander emphasises that the logic of de-coloniality bestows priority to Plurinationality, rights to differences, sovereignty of indigenous peoples over their territories, the autonomy of peoples, communities and movements, legal pluralism, rejection developmentalism / extractivism and the recognition of the rights of nature (2011). As it can be seen, a Plurinational state embodies the conception of pluriversality, profoundly entangled with the ontologies of indigenous peoples and their respect for nature that is manifest in the principle of Sumak Kawsay, the transversal axis of Ecuadorian Constitution approved in 2008. The concepts of relational ontologies, Plurinationality and Sumak Kawsay will be analysed more deeply in next sections.
Indigenous Relational Ontologies

It is essential to understand the relational ontologies of indigenous peoples to be able to recognize their de-colonial insurgencies as their worldviews are utterly antagonistic to the standpoint of modern rationality. The proposal for plurinationality, draw upon on the cosmovisions of Amerindians who conceive the world from a relational perspective that recognizes and respects the ontological existence of other beings (Dávalos 2009). Relational ontologies are eminently communitarian, reciprocal and respectful of nature, they incorporate a “systematic perspective encompassing the entire ecosphere” (Vanhuilst and Beling 2014 p. 56) thus dislocating the epistemic foundation of modern politics. Mario Blaser argues that in the case of territorial disputes indigenous peoples go far beyond defending access and control over resources, they defend “complex webs of relations between humans and nonhumans...better expressed in the language of kinship than in the language of property” (2013 p. 14, emphasis added). Moreover, there is an indestructible link between people and land as they equate territory with identity, democracy and citizenship (Lupien 2011). Territory is not simply considered as a factor of production but as a natural space for the reproduction of an entire system of relationships and more importantly as an essential element for life; Indigenous social structures are directly related to their territories that constitute the reason of being of these groups (Resina de la Fuente 2011, Escobar 2010, Altmann 2016).

In contrast, modern ontologies built dichotomies based on Cartesian rationality that separates subject/nature creating a justification for indiscriminate exploitation of nature and the predation over other beings on earth (Quijano 2013). This Eurocentric paradigm of rationality has constructed an atomistic image of social existence where the “subject” is the bearer of “reason” while the “object” is “nature” (including racialized beings) susceptible of domination practices (Quijano 2007). The colonial relation between subjects/objects has obstructed any kind of inter-epistemic dialogue as the “objects” are only in a relation of externality (ibid). The atomistic conception of existence privileges humans/non humans, individual/community and the market/social relations (Escobar 2010) creating a distorted paradigm that defends the natural inferiority of racialized subjects and the domination of nature rendering some subjects dispensable and nature simply raw material to production of goods for international markets (Maldonado-Torres 2007).

The ontological relationality of indigenous peoples is also manifested in their spiral conception of time that cannot conceive “pre” and “post” stages and hence the idea of “development” is inexistent. According to Amerindians’ worldviews, the future is behind since we do not know it whereas the past is in front since we already know it, we walk alongside it and it is a constitutive part of us (Larrea 2008). Our ancestors are part of us as well as the community and nature; all sharing together as beings with life that entirely conform part of ours (ibid.) There is a conception where the world above, the world below, the world outside and the world of here converge to give a complete sense to our existence (ibid). Indigenous cosmovisions full of “we”, “us” “our” are profoundly contrasting to the Cartesian paradigm “I think, therefore I am”.

Modern rationality needs a linear conception of time, so everything is subjected to a unique totality and historical logic in one direction: Eurocentrism. Under its judgment non-Europeans are conceived as pre-Europeans transforming them from primitive to civilized, from irrational to rational, from traditional to modern, from mythic to scientific reaching the “culmination of a civilizing trajectory” (Quijano 2000). Mignolo points out that the rhetoric of modernity with its dichotomization between “developed” and “underdeveloped” worlds, creates the illusion that the developed one lives “further away” while the underdeveloped is “behind” in time and “far” in space and not living in another socio-historical dimension (2007). This explains the reason why all the endeavours in the global south are focused towards a “development goal” aimed to “reach” Western ways of life to avoid being left behind in history. De-coloniality differentiates from post-colonial studies as the “post” represent a continuation in the same logic of historical linearity, in contrast, de-coloniality proposes to de-link from the Eurocentric project (Mignolo, 2007a). De-coloniality also differs from Marxism as it maintains a radical imperial logic pretending to become a solution for the whole population of the world without considering their diverse contexts and restricting the analysis to a class struggle without seeing that the majority of the oppressed belong to the “wrong” racial groups (ibid.). More importantly, de-colonial theory opens up the political spectrum beyond Eurocentric frameworks posing “the left, the right and the de-colonial” (Mignolo, 2006 cited in Escobar 2010).
What is Plurinationality?

Plurinationality departs from an ontological opposite perspective than modern universalizing rationality by recognizing the plural configuration of the nation and enacting the re-foundation of the State to release it from its colonial legacy. In this way, it promotes other social and political forms where Eurocentric development is not the central organizing principle of society (Escobar 2010). Ecuador was constitutionally declared an Intercultural and Plurinational State in 2008 and Bolivia in 2009 becoming the only countries in Latin America to embrace this counter-hegemonic conception that as observed by Escobar implies radical transformations in society, models of development, territorialisation, identity and nation without breaking the national unity (2010). Similarly, Fontana argues that “Plurinationalism challenges the equation of the state and nation, moving beyond notions of the nation as an identitarian, territorial and institutional superstructure that organizes and complements the state” (2015).

Ecuadorian continental geography is made up by coastal plains, Andean highlands and the Amazonian basin. Every region has its own “pueblos” (peoples) and “nacionalidades” (nationalities) with particular ethno-cultural configuration. The recognition of difference among Amerindians, Afroecuadorians, Montubios and Cholos in geographical and ancestral terms (Walsh 2009) is a crucial step for the consolidation of individual and collective Human Rights. Furthermore, the recognition of the heterogeneous conformation of the nation directly contests the unique liberal model of citizenship enabling to exercise full citizenship without abandoning cultural practices. Under Neoliberalism indigenous peoples were acknowledged as equal citizens but only if they abandoned their own ethnicity to be imposed a mestizo colonial identity (Lupien 2011). Plurinationality creates the framework to also exercise self-determination and popular sovereignty turning into a substantive, integral and participatory democracy that replaces the liberal model highly reliant of private property and representative democracy (Escobar 2010). In the Latin American context this derives in a strong delegative democracy that bestows omnipotence to presidents causing high concentrations of power (Resina de la Fuente 2011).

Catherine Walsh also belongs to the De-colonial project and her research focuses on Ecuadorian Indigenous and Afroecuadorian groups. She emphasises the challenge posed by Plurinationality in order to re-found the state by means of structural transformations that
reshape the uni-national, mono-cultural and colonial structures that historically have privileged the dominant elites and the interests of capital in detriment of indigenous peoples (2009). In the same token, CONAIE conceives the nation-state as a “racially oppressive entity comprising an elite minority of whites/mestizos and serving their interest to the detriment of those of Indian groups and other minorities that make up the Ecuadorian nation” (1997, 1998 cited in Benavides 2004 p. 143). This makes crucial the bottom-up re-construction of the state through polycentric and horizontal structures taking into consideration the grievances of historically marginalized groups; in Mignolo’s words “border thinking” which enables the transformation of modern institutions, state structures and social relationships by creating spaces for alternative worlds and knowledges. Plurinationalism goes far beyond simple “inclusion of peripheral cultural groups into institutions and epistemologies that have historically and systematically oppressed them” (Stolle-McAllister 2014 p. 238), in other words it rejects multiculturalism that oversimplifies the management of difference from a Neoliberal stance (Fontana 2015).

Different scholars point out interculturality as an essential element for the construction of Plurinationality. Escobar argues that it is a permanent negotiation process, where particular maintains its difference, contributing from this difference to meaningful dialogue among logics, rationalities, modes of knowing and modes of being (2010). The voices come from multiple colonial experiences of subjects that had suffered colonality of power, being and knowledge. Mignolo analyses how the world has come to be conceived as a global village by means of religious, economic, social and epistemic Global designs that have been adopted as universal values across time and space (2002). He then observes that the “spaces of experience” and “horizon of expectations” of certain cultures cannot be beneficial for all (2007). In contrast, interculturality by means of cultural sharing enables to decide which elements of other cultures to incorporate and which to reject depending on their own needs and realities (de la Torre 2006 cited in Stolle-McAllister 2014). Intercultural societies value complementarity, relationality, reciprocity and solidarity (Escobar 2010) constructing a dialogue among equals where there is not supremacy or subordination of cultures. According to Castro-Gómez and Grosfoguel this is possible to achieve through heterarchies, structures where there is not a level that imposes on others but every level exerts mutual influence in particular aspects depending on historical conjunctures (2007).

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One of the most important aspects that must be interculturally addressed is territoriality. Mónica Chuji is a kichwa-shuar indígena that chaired the Natural Resources Board in the Constituent Assembly. She argues that the territory is a primal, fundamental and ontological right that a Plurinational state must protect (2008 cited in Gudynas 2009). Indeed, the main demand presented by CONAIE since 1990 has been posed in terms of territorial autonomy as an instrument for self-determination to follow their own cultures and establish their own political—administrative institutions. CONAIE has been able to open the space for a new legal framework and the modification of laws for instance, the declaration of Plurinationality. Maristella Svampa defines the emergence of collective territorial struggles in Latin America especially since 2000 as the “ecoterritorial turn”, an alternative convergence space that creates a collective framework for action (2011). The “ecoterritorial turn” aims the democratization of decisions on extractive projects and goes beyond national borders by articulating organizational networks and social forums that have been able to achieve technical and legal instruments in defence of collective rights of ancestral peoples and the environment (ibid.). At an international level important legal instruments have been established like the United Nations Declaration of Indigenous rights, the International Labor Organization (ILO) 169 agreement and the Inter-American Court on Human Rights recognition of the struggle of Amazonian indigenous communities against oil exploitation. At a national level, the proposal of Plurinationality established that indigenous lands are “indivisible, non-forfeitable and untouchable, preserving their communitarian logic” (Altmann 2016); this precept was adopted constitutionally, Article 57 establishes that peoples and nations have an inalienable right to land and to maintain possession of ancestral territories.
Sumak Kawsay: the Bedrock of Ecuadorian Constitution

Sumak Kawsay is the transversal axis of Ecuadorian constitution that acts like a backbone principle for Plurinationality. For the first time an indigenous worldview has been established as the basis for the ordering and legitimation of political life (Acosta 2011). It encompasses diverse aspects and it has been recognized as a goal of (alternative) development. Sumak Kawsay is a principle that means Living well, in harmony with others and with nature. It comes from Kichwa worldviews, principles and communal forms of organization, according to their particular historical and ecological contexts (Gudynas and Acosta 2011). It should not be confused with living better since it implies Neoliberal notions of consumerism and progress (Walsh 2010). Sumak Kawsay goes beyond survival, to propose a harmonious co-existence among human beings and nature. Alberto Acosta was the President of the Constituent Assembly that developed the project of Plurinationality, he expresses that although being a kichwa concept, Sumak Kawsay is a proposal under construction also instituted by Feminist, Marxists and Ecological views as an encounter space of diverse cultures (Gudynas and Acosta 2011). The process was based on a plural dialogue that questioned the dominant development regime coming from diverse perspectives even from abroad (Acosta 2011) as it is the case of the contribution of Uruguayan ecologist Eduardo Gudynas who collaborated in ecological aspects to draft the constitution.

Gudynas and Acosta point out the significance of Sumak Kawsay as a political platform for debate (2011) moving beyond development “alternatives” to construct an “alternative to development” (Acosta 2013). It represents a “radical deconstruction of the cultural base of development” (Gudynas 2011 p. 442) that criticizes the current Modern/Colonial structures, taking distance from Capitalism and Neoliberal globalization thus offering a radical and liberating project that questions Western development as a unique direction for social evolution. Sumak Kawsay represents a de-colonial struggle that pretends a civilizing transformation by challenging the dominant productive Eurocentric patterns, in other words it aims to halt the destructive machinery of capitalism (Lander 2011). Capitalism and its logic of endless accumulation of material goods, jeopardizes the subsistence of humanity through deterioration of global ecological balance (Acosta 2011). As a de-linking option, Sumak Kawsay claims for another kind of relationship with the environment inspired on the
collective harmonious co-existence among indigenous communities and nature, putting forward a global new civilizing alternative from “the periphery of the periphery” (Macías Vázquez and Alonso González 2013). In Dussel’s words, Sumak Kawsay represents a form of “transmodernity” as a multiplicity of critical responses to Eurocentric modernity from peripheral cultures and peoples (2009) while in Mignolo’s terms it could be conceived as “border thinking” since it contests discourses and practices of conventional development (2005). Indeed, the adoption of Sumak Kawsay as a guiding political, social and cultural principle is a de-colonial turn that challenges the Modern/Colonial structures, proposing a radically different social contract.

The ontological relationality of indigenous peoples is manifested in their holistic conception of existence offering an ethical and mutualistic approach that centres communal life as a social guiding principle that links up “culture, subjectivity, difference and nature” (Escobar 2010 p.42). According to Escobar, Sumak Kawsay is based on ontological assumptions in which all beings exist always in relation and never as “objects” or individuals (ibid.). This perception as argued by Maldonado-Torres allows the enactment of organization modes where “care for the self and care for others is defined, oriented, and delimited by basic conceptions of the self, time, space and other key coordinates that humans use to make sense of themselves and their surroundings” (2014 p. 702). It is worth noting that in indigenous cosmovisions there is not idea of poverty associated with lack of material goods or wealth associated with abundance (Acosta 2011). In this way, Sumak Kawsay goes far beyond the individualistic and accumulative Western well-being putting forward ethical - ecological criteria where human dignity, social justice and collective well-being are over economic profit and material growth (Escobar 2010). Acosta points out the relevant critique of Sumak Kawsay to the current world order considered unacceptable since just a reduced segment of population enjoys a wealthy and easy way of life while the majority suffers in order to sustain the privileges of the oppressor groups (2011).

As seen so far, Sumak Kawsay encompasses different aspects as the re-adoption of collective solidary that leads to social justice and equality but it focuses mainly on the incorporation of nature as an inherent part of the social being. Indigenous relational ontologies conceive nature as a mother that grants an order and a sense to universe and life. Moreover, Pachamama (Mother Nature) is a living being with intelligence, feelings and
spirituality (Walsh 2008), a conception that counter poses the Western paradigm of human domination over Nature since there is not ontological separation between subjects/objects. Humanity is entirely part of nature hence every action against it necessarily harms human life. Departing from those principles, Sumak Kawsay puts forward the idea that natural resources cannot be considered a condition for economic growth or an object for development policies, allowing to recognize the limits of conventional development since the demands and consumerism patterns of industrialized systems are unsustainable (Acosta 2011). Gudynas considers this stance as a “biocentric” turn that moves away from the “anthropocentric” utilitarism of nature (cited in Acosta 2011). In sum, Sumak Kawsay entails a conceptual rupture from conventional conceptions of development, removing the pervasive effect of “Market theology” (Dávalos 2009) from its prominent role in social organization. Sumak Kawsay debunks the idea of an “underdevelopment” stage to be overcome by means of “development-as-growth” (Monni and Pallottino 2015).

Sumak Kawsay proposes a ground-breaking constitution considered the most radical in the world to recognize the rights of Nature or Pachamama. This notion is unthinkable in Liberal modernity since nature is conceived as an inert object for humans to be appropriated, dominated and defeated (Escobar 2010). Supremacy on nature is the maximum triumph of civilization, only in this way the man just can reach his freedom (Zea 1985). Constitutionally, Sumak Kawsay is recognized in the one hand as a framework for a plural set of human and nature rights and in the other hand as an implementation principle for the enforcement of those rights at State and societal levels (Gudynas and Acosta 2011). Gudynas argues that the “biocentric” approach bestows rights to Pachamama moving away from the idea of a set of goods and services that could bear a monetary value of exchange or as a set of human possessions (2009). Similarly, Acosta points out that nature cannot be simply considered a production instrument or an apparently inexhaustible profit supply for appropriation and indiscriminate predation (2011). The worth of Nature is independent to the utility that humans can give to it; Sumak Kawsay sought a reencounter taking into consideration the natural systems and their renovation cycles. In this way the equilibrium between the needs of human and the rights of nature can be achieved aiming to protect the survival of species and ecosystems.
Plurinationality encompasses a broad scope of aspects that must be addressed in order to reconfigure the colonial character of the state. This dissertation will focus on territoriality as it is directly linked to the extractivist model of natural resources and is expansion. The analysis of the extractive policies fostered by the state will be the main method to obtain criteria to answer the research question. In order to have a more holistic understanding of the outlook the study will incorporate elements like the current oil price crisis ongoing since mid-2014 and the criminalization of social protest that became severer in 2015 as a result of the increasing number of indigenous uprisings.

The aim of this dissertation is to assess if Plurinationality in Ecuador is in fact consequential with the demands presented by indigenous peoples represented by CONAIE and also with the ideas and concepts developed by intellectuals in the 2008 constitution. Extractive policies are going to be considered the method of analysis since this was the main reason for the rupture between CONAIE and the government and nowadays it is their fiercest space of confrontation. The findings of this dissertation are relevant since they will show if Ecuador has become a de-colonial state under the banner of Plurinationality or if it remains trapped in Neoliberal globalization.
CHAPTER 2

The Yasuní ITT

This chapter will focus on the Yasuní ITT initiative proposed by Ecuador as a ground breaking alternative to actually address the global environmental crisis and as a way to overcome extractivist dependency. In June 1972 Ecuador initiated its first petroleum “boom”, as a result of the concessions of five million hectares in the Amazon basin to international companies including Texaco (El Comercio 2012). The oil era created great expectations and ever since it has been the driver to achieve economic growth and hence to overcome “underdevelopment”. The only thing that became real is a great dependency on oil that can be evidenced even in the political stability and crisis periods that are determined by the volatility of prices in international markets. Ecuador’s economy is highly reliant on oil so as a substantial exporter became a full member of OPEC (Organization of the Petroleum Exporting Countries) from 1973 to 1992 and re-joined in 2007 (OPEC). For a country where oil exports are estimated to contribute half of its total fiscal revenues (Escribano 2013) to incorporate into the Government’s agenda a grassroots initiative developed by indigenous peoples that had suffered the consequences of oil extraction is clearly consequent with Plurinationality since leaving the oil indefinitely untapped guarantees the subsistence of the life spaces of indigenous groups. The proposal undeniably also embodies the principle of Sumak Kawsay as nature predominates over economic interests offering a revolutionary alternative to extractivism. Furthermore, Yasuní ITT initiative represented a crucial milestone towards the building of Living Well since it would allow the transition from an oil-based to a post-oil economy. The initiative epitomized “a transition path, a road that proposed civilizational change, including replacing oil as a fundamental basis of society and the economy and of over-accumulation.” (Yánez 2013)

What is Yasuní?

Situated right on the equator the geographical location of the country makes it one of the 12 mega diverse countries in the world (SciDevNet). Ecuador has 17 different ecosystems that protect a huge number of endemic and non-endemic species (Larrea and Warnars 2009). Yasuní is a National Park located in Ecuadorian Amazon basin; it was created in 1979 and declared by UNESCO World Biosphere Reserve in 1989 (ibid.). The park covers
approximately 2,800,000 hectares of land in the Northern Province of Napo. The Yasuní biosphere is the habitat of the richest biodiversity on the planet with a high concentration of endemic species (Pachamama Alliance). Yasuní has around 4,000 vascular plant species, a total of 2,274 trees and bush species, in a single hectare there are 655; more than U.S. and Canada combined (Yasuní Global). Regarding fauna it has 593 bird, 150 amphibian, 121 reptile and 80 bat species (ibid.). Nevertheless, the most impressive statistic is insects. In a single hectare there are 100,000 species, considered the highest estimated diversity per unit area in the world for any plant or animal group (UT News). Yasuní is not only a sanctuary for flora and fauna; it is the home of Tagaeri and Taromenane human groups (around 300 people) that for centuries have resisted any form of colonization and live in voluntary isolation. By avoiding contact with “civilization” they have been able to keep their traditional culture based on gathering, hunting and semi-nomadic agriculture (Larrea and Warnars 2009). Worrisomely, the wealth of Yasuní is not just given in unique biological and cultural values; there is a third element in its underground that threatens to destroy it irremediably: millionaire reserves of oil.

**Yasuní ITT Initiative**

Yasuní ITT (Ishpingo, Tambococha and Tiputini are the names of the rivers in the area) refers to one of the oil extractive blocks in the national park. According to calculations by 2007 Yasuní’s underground contained about 850 million barrels of oil, around 20% of total Ecuador’s reserves (Yasuní Global). Indigenous in Ecuadorian Amazonia alongside with environmental social movements had developed the initiative that was adopted in 2007 by the new government presided by Rafael Correa. The decades of fossil fuels extraction and its dreadful consequences have developed a *critical consciousness* in the Amazon inhabitants making them aware that oil extraction outweighs its benefits. The disastrous social and environmental afteraths are considered one of the worst ecological catastrophes in history. Oil revenues far from alleviating the levels of poverty and social inequalities have destroyed the real cultural-natural wealth of the country.

For this reason, in 1993 indigenous peoples from the affected areas presented a lawsuit against Chevron-Texaco alleging that between 1964 and 1992 the irresponsible operation of the company had caused devastating pollution in the rainforests and rivers resulting in environmental and health damage of those who live in the Northern zone of the Amazon
basin (Business and Human Rights Resource Centre). As a consequence two ancestral peoples were obliterated: Tetetes and Sansahuari (Andes 2013). The ancestral territories were not only destroyed but dispossessed by a wave of migrants that colonized them facilitated by the roads that Texaco had built (ChevronToxico). However, the most dramatic social cost is the mortality rate for cancer, exceptionally high due to the contamination caused by Texaco that during its years of operation drilled 300 oil wells and dumped the waste indiscriminately onto the rivers and soil (Andes 2013). After years of litigation and different manoeuvres to evade responsibilities, on 8 August 2016 a U.S. court favoured the company preventing it to pay a compensation of $ 8,600 million USD which constitutes an important victory in the lawsuit, however Amazonian populations have presented judicial actions in Canada, Argentina and Brazil (El Financiero 2016). Eduardo Gudynas analyses this point and claims that the social and environmental impacts are not considered in the final costs that at the end must be absorbed by affected communities. The economic benefits of exploitations normally offset the damages since the latter are not considered in the analysis (2010a). If the disastrous consequences for the environment would be seriously considered the “profitability” of the projects would reduce significantly. After all, the real beneficiaries are the rich countries that import the crude and sell it in form of finished oil products (Acosta 2013).

In September 2007, President Rafael Correa presented the Yasuní ITT initiative to the United Nations Assembly, refraining from extraction to leave the oil indefinitely underground. In this way, around 410 million tons of carbon dioxide would be prevented to be released into the atmosphere, generating environmental value. Moreover, the no exploitation of the block would allow the preservation of biodiversity, the protection of indigenous lives and cultures and the mitigation of climate change. Ecuador sought to transform old notions of economics and the concept of value by going beyond the price as the only possible form of exchange in the market system. The project proposed a new logic that compensates not only for the production of commodities but for the generation of values like environmental security and world’s biodiversity (Correa 2007 cited in Rival 2010). Collective action through agreement, justice and responsibility would generate collective wellbeing (Correa 2009 cited in Rival 2010). As it can be noticed, the Yasuní ITT initiative was a perfect instance of alternative endeavours towards Sumak Kawsay as it acknowledges that there are multiple
forms to grant value beyond chrematistic commoditization of nature. Value can be found in aesthetics, culture, history, environment, spirituality and so forth (Gudynas 2011).

In exchange to leave the oil untapped, Ecuador would receive an economic contribution from the international community of at least 50% ($ 3,600 million USD) of the opportunity cost of the exploitation. The compensation would be provided by wealthy and industrialized nations mainly in the global north. The system of collection was established through the selling of CGY (Yasuní Guarantee Certificate) bonds issued by the Ecuadorian Government as emission prevention through the maintenance of fossil fuels underground (Rival 2010). The bonds value was calculated at the price of non-emitted carbon dioxide instead of the price of oil. The initiative would allow addressing the Kyoto Protocol principle of differentiated co-responsibilities of developed and developing countries where industrialized countries are mainly responsible for deterioration of the environment and therefore they should contribute the most to solve global ecological issues, leading to international environmental justice (Acosta 2014, Rival 2010). The funds would be entirely managed by an international body, the United Nations Development Program and invested exclusively to change the energy matrix to more ecological alternatives, conservation of protected areas, reforestation, sustainable social development, protection of indigenous territories and investment in technological research. Acosta is keen to remark that the contributions by no means could be considered as the wrong so-called “aid for development” (2014)

The Yasuní ITT initiative was proposed as a pilot-project beyond the Kyoto Protocol which could be replicated by other small countries with similar levels of poverty and biological diversity (Rival 2010). Soon it captured worldwide attention becoming widely praised and supported by different institutions, European Governments and NGOs among the most important: the United Nations, the World Social Forum, the German Parliament, the European Union and OPEC as well as the significant support of national and international civil society, organizations and personalities. Moreover, it became extensively discussed academically as an innovative alternative to extractivism. Some talked about the “Yasunization” of the world as a symbol of another possible planet in rejection of extractive capitalism (Lalander 2014). By 2013, the initiative only reached $13.3 million USD in real deposits and 116 million USD in future commitments (Only 3.6% of the expected contributions).
Option B: The Final Decision

“El mundo nos ha fallado” (“the world has failed us”); with this words the president Correa manifested the government’s decision to exploit the Yasuní ITT oil fields. The announcement was made on 15 August 2013 in national radio and television speech. He continued informing the liquidation of the Yasuní ITT trust fund. From the beginning, the initiative when adopted by the government posed two options. Option A: leave the oil untapped and in case it was not possible to obtain the funds Option B: to exploit the oil. Yasuní ITT contains heavy oil of high density which decreases its market value, increases the extraction costs and the risks of environmental disasters (Rival 2010). The government has assured that all precautions would be taken by employing the most advanced extraction techniques in the operations. In this way, the impact would be minimal enabling to keep the 99.9% of Yasuní intact, with only 0.1% of negative effects on nature and indigenous peoples, however many experts deny this percentage since it is only calculated considering deforestation but it fails to take into account other impacts such as noise, the arrival of settlers or possible oil spills (Giménez 2016).

The justifications behind the decision were that the country requires the funds to fight poverty especially in the Amazon. According to new calculations the exploitation of the reserves would yield a net present value of $ 18,292 million USD (Mena Erazo 2013). Under this argument extractive operations are legitimized as possible and necessary to achieve national goals and overcome poverty through social programs for development. This logic perpetuates to remain trapped in the illusion of development that in Ecuador particularly from the 1970s had promoted the mestizo identity as a form to achieve national dignity, a proper place in the modern world and the respect of other nations (Stutzman, 1981). In May 2014 the government signed the permits for drilling with the intention to begin the production in 2016.

On the same day of the announcement dozens of people gathered outside the Government Palace to express their rejection of the Yasuní ITT exploitation. Different social movements emerged including YASunidos that is a collective organized by young people with the aim to save the Yasuní ITT initiative since they recognize that it does not belong to the government but to all Ecuadorians (Yánez 2013). CONAIE also had an important role organizing protests and alongside with ecologist groups fostered to trigger a national referendum (El Mundo.es
2013). They were required to collect 583,323 signatures, or 5% of the electoral roll and in April 2014 around 850,000 signatures were presented to the National Electoral Council (CNE) that after a 10-day count recognized only 359,762 signatures as legitimate (Vidal 2014). Environmentalists and indigenous groups raised accusations of fraud however they were rejected by the government (ibid.).

Regarding the impossibility to realize a previous consultation to Tagaeri and Taromenane groups, they already have expressed their tacit but undeniable will to remain uncontacted by “civilization” vehemently defending their vital space that gradually has been reduced due to extractive activities. José Proaño is one of the few anthropologists that have studied the uncontacted peoples in Yasuní. He argues that oil industry maps have been arbitrarily established drawing straight lines and circles in an irregular geography without any understanding of the complex cultural-territorial dynamics of groups in voluntary isolation (Secretos del Yasuní 2013). The aggressive occupation of their space, the transformation of the surroundings and the environmental pollution have force them to retreat to a reduced space where they progressively live closer to the frontier shared with oil extraction camps. Tagaeri and Taromenane have been pushed to live in the frontier thus developing critical border thinking that makes them reject the Modern/Colonial structures despite not having been directly exposed to conquering and “civilizing” processes.

Last 14 July 2016, Ecuador’s Vice-President Jorge Glas announced the “good news” that according to new explorations, the reserves of Yasuní had increased in 82% from 920 to 1,672 million barrels (El Universo 2016). This stance considers the crude oil as the wealth of the nation that should be exploited and sold and it is exclusively measured in barrels and petro dollars (Rival 2010). According to Gudynas, the end of Yasuní ITT initiative means the end of Ecuadorian ecological mandate as it fails to protect the rights of nature and indigenous peoples, privileging a conventional development model which means the victory of oil business (2013 cited in Lalander 2014). Besides, Acosta argues that the defence of indigenous groups in voluntary isolation and the protection of biodiversity were reduced to a chrematistic “compensation” leaving behind the original impetus of the proposal (2014). Humberto Cholango, President of CONAIE claims that there is not a known technology to protect people in voluntary isolation. Undoubtedly, the decision to abandon the initiative is at odds with the constitutional principle of Sumak Kawsay as the exploitation continues in
the same vicious circle that renders nature only valuable to the extent that it can be turned into an interchangeable commodity in international markets leaving aside Nature’s intrinsic values. The persistence of the same extractive model represents move backwards to the old anthropocentric stance that privileges *economic growth for development* over the rights of nature and ethnic minorities. Furthermore, the decision contradicts the constitutional declaration of Plurinationality as it fails to recognize the rights of indigenous communities for self-determination and autonomy over their ancestral territories.

There are calculations that the world would consume the oil reserves of Yasuni in only nine days (Acosta 2014). Fossil energy with more political willingness and collective action could be replaced by alternative sources but a pristine and fragile ecosystem like Yasuní will be destroyed irremediably. In the context of the ongoing oil crisis, the outlook is even more unpromising since at current prices in international markets the cost of extraction of a barrel of oil is higher than the benefits. This situation raises even more question about the worthiness of irreversible predation of Yasuní. The end of the Yasuní ITT initiative is consistent with the government’s broadening of the extractive frontier not only for oil but for large-scale mining; a tendency adopted by progresist governments in Latin America. The deepening of extractivism will be analysed in more detail in next chapter.
CHAPTER 3

State’s Extractive Policies vs. Sumak kawsay

Ecuador’s Neo-Developmentist Extractive Model

Nowadays, the so-called progresists governments in South America have the tendency towards macro-development policies reflected in extractive megaprojects. The main characteristic of the model is the intensified appropriation and extraction of natural resources for export to global markets. Progresist governments have been particularly critical of Neoliberal globalization and its developmentalist processes, nevertheless the idea of progress and development remain pervasive and the political-economic decisions are undoubtedly oriented to economic growth. In this way, development has become a “zombie” category since it has been declared dead and then at the same time it is resuscitated (Gudynas 2011). In Ecuador, the State has achieved more participation and regulation in oil extractive companies through nationalization, dramatically increasing the state’s revenues allowing the implementation of social investment programs and redistributive policies. The social programs have been mainly focused on the improvement of education, healthcare, social security and job creation including the access to historically marginalized groups. The highest public investment in the region (around 15% of its gross domestic product) has enabled a drastic reduction of poverty and inequalities dropping from 38% to 26% and extreme poverty from 17% to 8% since 2006 (Telesur 2014). The main objectives of political projects enacted by Ecuadorian current administration are oriented to the achievement of social justice in line with socialism however in a de-colonial context, its historic projects are not compatible with the socialist tradition since they are linked to different struggles, theories, socio-political subjects and imaginaries (Lander 2011). The justification for the intensification of extractive operations is the urgent need to address the demands of the popular sectors which has led to an “extractive reprimarization” boosted by the increasing demand of China in last years (Martínez-Alier 2010). Under this view, the territory is rendered a strategic resource and environment becomes the “wealth that cannot be wasted”. Regarding environmental concerns discourses like “responsible extractivism”, “responsible mining” or “environmental-friendly extractivism” are defended by the administration.
The dominant development model enacted by progresists governments is known as “neo-extractivism” closely linked to “neo-developmentalism” (Resina de la Fuente 2011, Hollender 2012, Escribano 2013). In Ecuador, the extractivist model dates back to the formation of the Republic that after independence continued to export nature creating an economic dependency based on export of raw materials that as argued by Acosta traps the country in the “paradox of plenty” or “the resource curse” (2011, 2013). Extractivism perpetuates the same logic of coloniality manifested on the “dependency on the metropolitan centres via extraction and export of raw materials” (Acosta 2013 p. 63) and the progressive occupation of indigenous territories. It is worth noting that the increasing measures to protect the environment in “developed” societies are pushing “developing” countries to open up the extractive frontiers in order to satisfy the demands for primary commodities (ibid). For instance, Europe an apparently “cleaner” society does not produce aluminium, steel, gas or oil but imports these “filthy” products from the global south (Martinez-Alier 2010). As a result, a new global territorial configuration and division of labour reproduces new economic, political and environmental asymmetries between the North and the South, leading to economic concentration, productive specialization and consolidation of extractive enclaves (Svampa 2011). In other words, a model of “accumulation by dispossession” (Harvey 2004 cited in Lander 2011) has been established reaffirming Latin America in its role as supplier of agricultural, energy and mining commodities.

The high dependency on exports of raw materials decisively influence on the performance of economy, subjected to the volatility of prices in global markets what persistently provokes fiscal deficit complications. This is evident in the current economic, social and political problems that the country is suffering due to the oil prices crash that started in Mid 2014 when WTI (West Texas Intermediate) used as referential for Ecuadorian oil trading, was quoted over $100 USD per barrel (EIA 2015) and ever since has dramatically dropped reaching prices as low as $30 USD per barrel in February 2016 with an average of $41 USD per barrel so far this year while the forecasts do not show significant improvement of the prices for next years (EIA 2016). The outlook becomes even more critical considering that Ecuador produces heavy oil of high density and viscosity which decreases its price in the international markets since it is “penalized”. This quotes Ecuadorian oil around $20 USD per
barrel making the exploitation cost higher than the revenues for sale as expressed by President Correa (Vice News 2016).

Due to the recession caused by the oil price crisis the government is incurring in the expansion of large-scale open pit mining (La Nación 2016) mainly in gold, silver and copper. The mining concessions on millions of hectares have been considered a strategic sector and in January 2009 a controversial mining law was approved through a transitional legislative commission (Basabe Serrano et al. 2009). Currently, there are five open pit mining projects expected to become another source of “wealth” and export revenues for the nation. In South America, there are countries like Peru and Chile with a long open pit mining tradition where there is a tendency to associate mining with development (Svampa 2011). In contrast, these kinds of projects are new in Ecuador and there is not an open pit mining imaginary that justifies the neo-developmentalism model, thus indigenous populations present a categorical denial to new extractive projects becoming a sharp confrontation space between the government and indigenous groups. They struggle against forced displacement of people from their territories that become to be managed by concessions that indiscriminately pollute the sources of water and the forest with poisonous substances like mercury. The conflicting relationship between indigenous, environmental movements and the government has resulted in the criminalization of social protest that will be considered in next sections.

The profound tensions between the aims to build a Plurinationality and the stagnation in the same logic of a National State have been evident since the 2008 constitutional declaration revealing also an endless number of contradictions between discourse and practice. The government defends the idea that social justice must be achieved through the careful planning of Sumak Kawsay and development so they can go hand by hand (Lalander 2014). This is contradictory since Sumak kawsay is antagonistic to the classic state structures based on development models including Neo-extractivism that necessarily entails the abandoning of the conservation goal posed by CONAIE and enshrined in the constitution. Furthermore, Sumak Kawsay poses a rejection of economic growth as an indicator of well-being (Hollender 2012) however the State has not been able to challenge growth as a goal for development and remains caught in the same anthropocentric logic of exploitation of nature, closely linked to international markets in benefit of transnational capitalism. The
administration adopts policies to fight poverty and achieve social justice; nevertheless the strategic and political interests of the nation are problematically at odds with the rights of nature and indigenous populations and their territories.

The government’s strategies included the creation of SENPLADES (National Secretary for Planning and Development) in 2007. It is in charge of the National Plan for Development that highlights strategic areas like energy, hydrocarbons and mining as deserving special attention by the State. Both, the principles of Sumak Kawsay and the public strategies for progress are part of the plan and the results aimed are expressed in terms of economic growth, production, exports, infrastructure, productivity, efficiency, resources, external demand and added value creating inescapable inconsistencies that render the Plan ambiguous and self-contradictory (Escobar 2010). The Plan also poses the necessity to “employ extractivism to abandon extractivism” which according to Acosta is a naïve and contradictory hope since it would be equivalent to expect a strong and sustained international demand to assure growth for an undetermined length of time (2011, 2013). The transition to a post-extractivist stage requires the gradual reduction of the extractive frontier leading the extractive industries becoming gradually less pivotal for the economy (Acosta 2013). Lander highlights that the planning and public management instruments of the “development plans” constitute the full expression of a Eurocentric state model conceived after the Second World War as a device for “development” (2011). Besides, he maintains that there is a lack of feasible political proposals in the short-term for the transition from an extractive to a post-development society which involves challenging requirements (ibid.). The Yasuní ITT initiative represented a crucial departing point for the transition to a post-extractive, post-development and post-neoliberal society. In contrast, the expansion of extractive activities perpetuates neoliberalism and developmentalist (Alonso González and Macías Vázquez 2015). The developmental pursuing has eroded the government’s support and has caused the rupture with intellectuals like Alberto Acosta and Mónica Chuji however the main rift has been with CONAIE.
Tense Relationships between State and Indigenous Groups

Initially, CONAIE represented an important ally for the government; however tensions aggravated and caused an irreconcilable rupture particularly since 2009 when the mining law was approved. The increasing rejection of the neo-extractivist model did not just originated from indigenous confederations but also from environmental groups and local communities who accuse the government of adopting Neoliberal policies that profit the interests of transnational companies in violation of constitutional precepts (Basabe Serrano et al. 2009). Social movements argue that the transitional legislative commission rushed the approval of the mining law blocking up dialogue and national debate criticizing the government as anti-democratic and Plurinationality as a farce. The former CONAIE’s president, Marlon Santi considers that the government bears a misconception of their proposal for Plurinationality as it adopts aggressive development policies that fail to view Mother Earth as a space of life and also to understand the ways of life that the indigenous peoples (Santi interview, 2 July 2009 in Lander 2014).

The tense confrontation between the government and indigenous groups has been mainly manifest in protests against state-centred development projects. As a reaction against the mining law approval, January 20 2009 was declared the “Day of Mobilization for Life” when thousands of indígenas joined marches, roadblocks and hunger strikes across the country (Basabe Serrano et al. 2009). Some indigenous leaders were arrested and charged as terrorists, a situation that deepened the rift between the government and CONAIE (Dosh and Kligerman). In March 2012, CONAIE organised a “Plurinational March of Indigenous Peoples” towards Quito demanding the halting of oil, mining and large-scale hydroelectric projects in order to enforce the constitutional mandate. The march began in the Amazonian community of “El Pangui” about 700 kilometres from Quito and after a journey of two weeks by walking, a group of 2,000 indígenas reached the capital to protest principally against the concession of a copper mining contract signed with a Chinese company (RTVE 2012). In 2015, a “National Indigenous Uprising” on 13 August, once again expressed the dissent from the government’s political project oriented to economic modernization. The march started in the Amazonian community of “Tundayme” and crossed the country to reach Quito. This time the struggle was focused on labour rights, redistributive policies of land and water and the defence of territories from extractive expansion (Marcha 2015).
The demonstrations aforementioned only represent some instances of the diverse times indigenous groups have upraised in constant opposition to the expansion of extractive projects that more than the defence of their territories represents the protection of their systems of life. In response, the president has used expression like “infantile indigenism/ecologism/left” dismissing the struggles of social movements. As a form to legitimize extractivism he has expressed: “We cannot be beggars sitting on a bag of gold because that will keep us in poverty, backwordness and immobility. We must develop our extractive potential and not fall in an extreme ecologism” (cited in Blaser 2013 p.16 emphasis added).

This stance accuses the opposition to adopt an unreasonable concern for environment, reducing the struggle to the realm of reasonable politics; all that is outside belongs to “irrationality” as a way to deny ontological difference. Consequently the pluriverse is denied showing a “modern” epistemological superior standing that considers that indigenous do not have real knowledge but simply cultural beliefs (ibid.).

The government’s standpoint is in line with the mono-logic of a nation-state that upholds an anti-plural hegemony and denies space for intercultural dialogue. Dávalos notes that a “disciplinary democracy” has been established through a panopticon project that surveys, orders, subjects and controls (2010 cited in Resina de la Fuente 2011). CONAIE condemns that repression has become a state policy to exert social control through criminalization as a mechanism to intimidate, inhibit and neutralize any expression that may contest its power (2016). The policy has criminalized about 300 people in nine years; however 200 correspond to the last half of 2015 as a result of the “National Indigenous Uprising” (ibid.). The charges under the leaders have been criminally prosecuted are mainly rebellion, sabotage and organized terrorism (FIDH 2015). The criminalization of protest and dissent undermines the principles enshrined in the constitution since it precludes the exertion of political liberties like the right to resistance, essential for a participatory democracy. Even worse, the state’s actions pretend to de-politicize indigenous groups whose perspectives ineludibly are the foundation for the construction of Plurinationality that necessarily entails complex and contradictory processes full of tensions, conflicts and negotiation demands, impossible to achieve by silencing the voices of the most important subjects that are the only bearers of the colonial experience.
Legal Framework for the Exploitation of Indigenous Territories and to Ensure the Rights of Nature

The “ecoterritorial turn” fostered by the increasing necessity of indigenous peoples to defend their ancestral territories, has triggered the establishment of an international legal framework mainly enshrined in instruments such as the 169 agreement of the International Labor Organization (ILO), the United Nations Declaration on the Rights of Indigenous Peoples and the support offered by the Inter-American Court on Human Rights to indigenous groups in territorial conflicts. The matching point of the international agreements is the *prior consultation* as a fundamental right that must be respected and applied in the case of megaprojects with an impact in a community’s subsistence or ways of life (Latin America Press 2011). Furthermore, the International law establishes specific circumstances under which the state requires *prior consent* when fundamental rights are affected (ibid.).

The Ecuadorian 2008 Constitution establishes a broad range of rights for indigenous peoples and nationalities, including the right to prior consultation however the norms fail to establish prior consent which reflects deep inconsistencies since the of “previous, free and informed” consultation is non-binding. Neither the consent nor the requirement to fulfil the outcome of the prior consultation was considered in the constitution. In practice, constitutional principles have not been translated into real policy since the government does not even apply the previous consult which has pushed indigenous peoples to rely on international law by appealing to agreements and treaties like in the case of the Amazonian-Kichwa community of Sarayaku that in 2012 was favoured by a sentence issued by the Inter-American Court as it will be seen in next paragraphs.

Ecuadorian State owns all subsurface mineral rights and the concessions on extractive projects are granted to foreign or national companies (Amazon Watch). The government and companies in order to comply with the prior consultation requirement usually call to community assemblies in which peoples are informed about the upcoming plans, but actually they are not consulted if they agree with the intervention in their lands (Latin America Press 2011). The demands of indigenous groups include carrying out processes of “free, prior and informed” consultation before the concession is offered and contracts
signed (Amazon Watch). Additionally, they demand that the upshot is binding thus extractive projects can only be performed if affected communities give their prior consent.

In 2012, the Inter-American Commission on Human Rights issued a sentence in favour of Sarayaku community, after an 8-year process. Sarayaku rainforest is located in the Amazon and the communities turned to the Court in 2006 denouncing abuses perpetrated by the State and the Argentinian company CGC that executed oil exploration despite the communities’ opposition (Swift Foundation 2012). Between 2002 and 2003 with the support of Ecuadorian Armed Forces, CGC conducted seismic exploration placing almost 1.5 tons of explosives in the forest (ESCR-Net 2012). The Court declared the State responsible for not having previously executed free, prior, and informed consultation according to international standards violating community property rights and the right to cultural identity (ibid.). The State had to indemnify indigenous peoples for material and non-material damages (Swift Foundation 2012). Executive Decree No. 1247 was issued just few days before the sentence was released, stating that differing from ILO 169 agreement, the goal of consultation is not consent, but participation (Human Rights Brief 2013).

In 1989, the ILO Convention Number 169 on Indigenous and Tribal Peoples was signed. It codifies the right of indigenous peoples to prior consult, before a government grants concessions for extractive projects (Human Rights Brief 2013). The right to prior consultation refers to any legislative or administrative action by the state that could affect indigenous peoples directly, not simply extractive concessions (Latin America Press 2011). It must be applied in case of an “educational or health project, a concession, a tender, a mining petition, or any administrative measure that the state takes on any matter” (ibid. p. 3). The Convention 169 also establishes that indigenous peoples have rights on the territories they live, independently whether they are titleholders or not (ibid). Furthermore, the assemblies organized by governments and extractive companies are clearly at odds with the regulation since the communities have the right not just to consultation but to fully participate in the formulation, application and evaluation of development plans and programs that may directly have an impact on their lives (ibid.).

In 2007, the United Nations approved the Declaration on the Rights of Indigenous Peoples. It establishes a universal framework of minimum standards for the survival, dignity, well-
being and rights of the world's indigenous peoples (United Nations Human Rights). It also ensures their right to remain distinct and to pursue their own priorities in economic, social and cultural development (ibid.). The declaration is non-binding but it has been an important instrument to defend their lives, territories and ethnicity. Regarding extractive operations like mining that require storage of toxic substances, the declaration establishes that these activities can only be accomplished with the consent of indigenous communities since the extraction process leave fields of toxic tailings (Latin America Press 2011).

In regard to a national legal framework, the 2008 constitution institutes a broad range of articles in consonance with the Plurinational declaration; some of the most relevant will be considered below. Articles 71-74 are committed to the acknowledgment of the Rights of Nature (Global Alliance for the Rights of Nature). Article 71 recognizes that Pachamama “has the right to exist, persist, maintain and regenerate its vital cycles, structure, functions and its processes in evolution”. Moreover it motivates citizens to denounce acts against conservation: “Every person, people, community or nationality, will be able to demand the recognition of rights for nature before the public organisms”. Article 72 institutes Nature’s rights to integral restoration in case of severe or permanent environmental impact. Article 73 dictates that “The State will apply precaution and restriction measures in all the activities that can lead to the extinction of species, the destruction of the ecosystems or the permanent alteration of the natural cycles” (emphasis added).

In relation to the exploitation of indigenous ancestral territories the constitutional mandate is expressed in several articles. Article 57 regards the prior informed consultation in case of extraction of non-renewable resources located on lands that could be affected by environmental or cultural impact (Political Database of the Americas). Besides, it remarks the impossibility to perform extractive operations in territories inhabited by Tagaeri and Taromenane groups: “The territories of the peoples living in voluntary isolation are an irreducible and intangible ancestral possession and all forms of extractive activities shall be forbidden there. The State shall adopt measures to guarantee their lives, enforce respect for self-determination and the will to remain in isolation and to ensure observance of their rights. The violation of these rights shall constitute a crime of ethnocide, which shall be classified as such by law” (emphasis added). Article 257 favours the establishment of territorial districts for political-administrative organization framed in interculturalism and
plurinationalism in accordance with collective rights. Article 407 forbids the extraction of non-renewable natural resources in protected and intangible areas only possible in exceptional cases required by the President and approved by Parliament after declaration of national interest (ibid.). This article is ambiguous since it leaves a possibility open for exploitation as in the case of Yasuní. Article 426 recognises the application of international norms, treaties, and ratifications regarding human rights. Moreover, in case international instruments are more favourable than constitutional, international regulations must prevail.

As it can be seen, there is a legal framework to endorse Plurinationalism, nonetheless the constitution encloses gaps, inconsistencies and incongruities that prevent to translate it into the enactment of policies. Moreover, decrees issued like No. 1247 undermine the constitutional mandate, rendering the right to prior consult simply a formality to socialize de decisions already made in regards to extractive concessions. For this reason indigenous peoples increasingly appeal to international agreements and treaties or implement their own initiatives like to perform “internal consultation” processes in the communities in order to determine the permission for the companies to operate in their territories.

The first instance of an internal consultation process was given in 2011 in the parishes of Victoria de Portete and Tarqui about the Quimsacocha (three lakes in Kichwa) gold mining project (La Hora 2011). The main concern of the communities is the potential contamination of rivers and aquifers since Quimsacocha is a formation of water sources for the entire zone. As a result, around 98.3% of the voters expressed their refusal against the exploitation but the government questioned the legitimacy and legality of the process as the organizers lacked representativeness. Likewise, the administration argued that the consultation was not conducted under the official support and organization performed by the National Electoral Council (El Comercio 2011). In response to the complaints, the President has indicated that to carry out an official previous consult is unnecessary since the development of the mining potential was a campaign proposal that he must comply (Ecuador Inmediato 2011). In 2012, the Canadian Company “Minerals INV” acquired the Quimsacocha project and in March 2013 it started an advanced exploration stage on three different moors in the area (Acosta and Hurtado Caicedo 2016). Despite this, in 2015 people from Girón canton formally asked for consultation. They were required to collect 1493 signatures, at least 10%
of the electoral roll. The signatures were presented and validated in August 2015 by the National Electoral Council that issued a report to the Constitutional Court to approve the completion of the process (El Comercio 2015). Until these days, the Constitutional Court has not issued any resolution.

The examples show that there are an ever increasing number of territorial conflicts which demonstrates that the insurgencies of indigenous peoples for de-coloniality are an ongoing struggle that started more than five centuries ago. The unwavering resistance of indígenas in Ecuador and their organization capability have enabled to create contesting spaces to the modern/colonial state structures. As a result, one of their pivotal demands, the Plutinational state, was accomplished. The constitutional declaration by no means has entailed the end of the struggle but somehow it has provided the legal instruments to claim for rights that “Indios” as “de facto” noncitizens (Guerrero 2003) did not have before.
Conclusion

The reliance of Ecuador on export of primary products and since 1972 on petroleum has led to an “addiction to oil” (Acosta 2014) that has not been overcome even with the adoption of Sumak Kawsay as a principle for a reencounter with Nature by changing the extractivist model. Evidently for a country profoundly reliant on oil exports, it would be inconceivable to suddenly halt extractive operations however the building of a Plurinational state demands the enactment of challenging and concrete policies that represent a rupture from the pervasive “ideals” of progress and development. Yasuní ITT initiative represented a decisive transition point towards Sumak Kawsay through the gradual reduction of the extractive frontier to find a way out from the labyrinth of development. After the announcement of the exploitation of Yasuní, President Correa expressed: “La Amazonía podrá con holgura salir de su retraso histórico” (“the Amazon can comfortably leave its historical backwardness” (Giménez 2016). This declaration clearly represents a rational standing in alignment with conventional models of development and incompatible with indigenous strives for de-coloniality. A Plurinational State is impossible to achieve by means of state structures based on a development model; the continuation in the same logic renders the constitution a mere writ that fails to overcome the nation’s colonial legacy.

Without any shadow of doubt the current government, like any other, has fostered redistribution of wealth and investment of oil revenues in social programs in favour of the majority of the population. This is evident in the reduction of the gap between rich and poor that in seven years was reduced by almost half which means that around 1.5 million people have overcome poverty (lainformacion.com 2015). The government’s socialist stance necessarily implies a pursuing of a development horizon by means of the expansion of extractive operations. Socialism has its origins on a different social framework, thus it fails to contextualize the colonial experience of indigenous peoples that remains in the modern/colonial present. Plurinationality as a de-colonial option proposes a turn to de-link from totalizing Eurocentric frameworks, taking into consideration the grievances of subaltern colonial subjects that although now are able to benefit from social programs, they continue suffering the detrimental aftermaths of monocultural developmentalism. Neo-Extractivism and its never ending necessity of expansion perpetuate coloniality since the
occupation of ancestral territories unavoidably translates into the destruction of indigenous spaces of life and cultures. Plurinationality poses a re-foundation of the state that requires the right to territoriality going much further than simple recognition of diversity and cultural differences but mainly the respect of collective, economic and social rights inside the territory expressed in autonomy and self-determination (Díaz Polanco 2008 cited in Svampa 2011).

The oil price crash has accelerated the expansion of the mining frontier becoming the harshest space for confrontation and conflict between indigenous peoples and the State whose policies are highly dependent on the rules dictated by international markets. CONAIE perceives any significant difference between the current administration and the Neoliberal governments it overthrew. The pervasiveness of global market guidelines is linked to multiculturalism and the adoption of the “ethnic citizenship” as a tolerated recognition of diversity that turns into repression and disavowal when indigenous groups pose their demands in political, economic and social terms beyond simple culturalism (Resina de la Fuente 2011). Multiculturalism has its roots in Western conceptions of ethnicity and in contrast to interculturality does not create relationship among groups (Walsh 2008). It is based on up-down dynamics that sustain hegemonic power structures (ibid.). The anti-plural hegemony wielded by the government is present in the negation to take into consideration the indigenous perspectives and concerns. This noticeably fits into the management of diversity in a context of multiculturalism. Important advances have been made in the recognition of cultural, linguistic and ethnic rights however as seen through this paper the most important demand of the indigenous movement has been posed in terms of territorial autonomy as the most important element for Plurinationality that by no means a straightforward process. In an extremely heterogeneous society like Ecuadorian it is indispensable a strong political will to go through with complex negotiation processes and complicated inter-cultural interchanges in a context of respect and reciprocity.

To conclude, it is important to mention that not only at a state level the principles of Sumak Kawsay are not being embraced. Nowadays, these principles do not represent the common sense shared by most of the inhabitants of Ecuador, since five centuries of colonialism and three decades of neoliberalism have left deep scars (Lander, 2011). Furthermore, the lack of response from the international community in support of the Yasuní ITT initiative confirms
that the entire world functions as a modern/colonial system dominated by Capitalism that bestows value only to exchangeable commodities in international markets. Capitalism is at an advanced stage, and for a small country like Ecuador it is very difficult to break these dynamics as it is subsumed into the pervasiveness of the global system.
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