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and Human Rights Violations In Ecuador**

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An earlier version of this work was presented by Liisa L. North and Wade A. Kit at the Meetings of the Canadian Association of Latin American and Caribbean Studies (CALACS), Ottawa, Carleton University, September 30-October 2, 1999. A synthetic version of this work is also available in Liisa L. North and John D. Cameron (2003).

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Abstract:

During the last two decades of the 20th century, Ecuador appeared to be an island of peace in the midst of the violence that engulfed her neighbors to the south and the north. A closer examination of events, however, reveals that Ecuador was not immune to persistent human rights abuses and violence on the part of public security forces and private armed groups in the employ of the powerful.

Following a brief description of the rural context of failed agrarian reform within which violence and abuses take place in rural Latin America in general and in Ecuador specifically, this paper uses data compiled by the Ecumenical Commission Of Human Rights to analyze land conflict related human rights abuses and changes in their frequency in the three principal regions of Ecuador. It offers an interpretation for the variations in conflict frequency and rights abuses in relation to state policies, indigenous protest, and initiatives taken by NGOs.

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Introduction

During the last two decades of the 20th century, Ecuador appeared to be an island of peace in the midst of the violence that engulfed her neighbors to the south and the north. Bloody confrontations between the armed forces and the Shining Path guerrilla movement dominated Peru's politics during the late 1980s and early 1990s while an immensely destructive civil war, combined with drug-violence, continued into the new century in Colombia. By contrast, the indigenous uprisings or levantamientos that punctuated Ecuador's politics during the 1990s were distinguished by their largely peaceful character and negotiated outcomes. A closer examination of events, however, reveals that Ecuador was not immune to persistent human rights abuses and violence on the part of public security forces and private armed groups in the employ of the powerful.

The Quito-based and church linked Comisión Ecueménica de Derechos Humanos (Ecumenical Commission for Human Rights-CEDHU), which has compiled reports and evidence on human rights abuses in Ecuador since the early 1980s, received information about 389 deaths at the hands of the police, the military, and privately employed gangs of armed thugs that occurred during the fourteen years extending from January 1985 to November 1998. In addition, the reports compiled by the Commission documented cases of arbitrary arrest, denial of access to a lawyer, physical abuse, and torture that occurred throughout the three governments that completed their terms of office during that period: the right wing León Febres Cordero presidency (1984-1988), the social democratic administration of Rodrigo Borja (1988-1992), and the conservative government of Sixto Durán Ballén (1992-1996). Although the frequency of abuse was lower under Borja, the data suggest that by the end of the Febres Cordero presidency, rights violations on the part

of the state had become institutionalized.¹ Indeed, according to a highly respected human rights leader, "torture became routine" during Febres Cordero's years in office; however, his "most fatal legacy" was "the establishment of a carefully structured repressive apparatus" that, for lack of political power or political will, was not dismantled under his successor, Borja. Indeed, four new police units were created in the name of "national security" during Febres Cordero's years in office.² Moreover, members of these units worked as private guards alongside retired police and military officers who were contracted frequently by the security firms that began to proliferate in Ecuador in the 1980s, first in its urban areas and then also in the countryside. Thus public security institutions became linked to private security enterprises, and some of those enterprises provided legal cover for the operations of various private "armed groups" (Interview, Quito, April 1999).

The proliferation of both state and private security agencies and the overall patterns of human rights abuses, whose perpetrators enjoyed impunity, reflected the fragility and corruption of the country's judicial system follow-

¹ While presidential terms run from August to August, CEDHU reports annual totals from January 1 through December 31. Consequently, in order to identify changes in patterns of abuse between the three presidencies, only the three years of their terms in office that match with the CEDHU reporting system were used. The number of homicides or extra-judicial executions in the three year period from January 1985 through December 1987 totaled 102 under Febres Cordero; during January 1989 through December 1991, the number declined to 61 under Borja; and during January 1993 through December 1995, under Durán Ballén, they increased to 102. The frequency of torture and denial of access to a lawyer followed similar patterns.

² These were the *Grupo de Intervención y Rescate* (Intervention and Rescue Group-GIR), the *Grupo de Operativos Especiales* (Special Operatives Group-GOE), the *Unidad de Investigaciones Especiales* (Unit of Special Investigations-UIES), and the *Servicio de Investigación Criminal* (Criminal Investigation Service-"SIC 10") in the *Servicio de Investigaciones* (Investigations Service). Among them, the "SIC 10" was a unit that, according to a human rights monitor interviewed in 1999, operated in a "clandestine criminal fashion" directly under the control of the Ministry of Interior.

ing the transition from military rule to elected civilian government in 1980.³ They formed part of the political-judicial context within which abuses related to land conflicts between peasants and large estate owners took place. It is on the rights violations that are associated with those conflicts that this work focuses. In Ecuador, as elsewhere in Latin America, conflict over land has arisen largely from the failure of agrarian reforms to transform highly inequitable structures of asset and power distribution in the countryside. Thus still at the beginning of the 21st century, the exercise of repressive public and private violence against peasants and agricultural workers constituted a principal means of sustaining those structures, holding back the advance of democratization and development in the region (e.g., Kay 2001; Plant 1999, 101-102).

The data for the analysis of land conflict related abuses analyzed here are drawn, first of all, from CEDHU's registry of Denuncias de conflicto de tierra rural (Rural land conflict reports-DCTR), and secondarily, from reports and statistics presented in its bi-monthly publication, Derechos del Pueblo (DDP). Since the Commission maintains records only on cases that have been brought to its attention by persons and organizations that sought its assistance, the data do not capture the full extent of land conflicts and related rights violations. Moreover, since CEDHU's only office is located in Quito, the capital city in the northern highlands, its coverage of abuses in areas distant from the capital -- the southern regions of the country in

general -- is particularly deficient. Nevertheless, the Commission's data open a window on the dimensions and patterns of human rights violations in the Ecuadorean countryside and allow us to better understand the obstacles that lie in the path of rural social and political organization and economic progress.

Below, we will first provide a brief description of the rural context of failed agrarian reform within which violence and abuses take place in Latin America in general and in Ecuador specifically. We then turn to an analysis of the CEDHU data to identify types of conflicts and the trends in their frequency in the three principal regions of Ecuador -- the coast, the highlands, and the Amazonian rain forest area. This is followed by an interpretation of the peaks and troughs in conflict frequency and rights abuses in relation to state policies, indigenous protest, and initiatives taken by NGOs, with special reference to the debt-for-land swap program carried out by the Fondo Ecuatoriano Populorum Progressio (Ecuadorean Populorum Progressio Fund-FEPP), one of Ecuador's most prominent non-governmental organizations (NGOs) engaged in promoting rural development. As will be explained in greater detail below, many of the arguments presented here should be considered heuristic. The data base available to us is revealing, but it presents only a part of the picture.

1. THE RURAL CONTEXT

Despite agrarian reforms in the 1960s and 1970s, the International Fund for Agricultural Development (FAO) found in 1992 that, at 61 percent, "the proportion of the rural population whose income and consumption fell below nationally defined poverty lines was higher in Latin America and the Caribbean than in any other developing region" (Plant 1999, 89). As a consequence of such deprivation that dated back to the region's conquest and colonization, waves of peasant rebellion and harsh repression have characterized its history (Wolf 1969; Burns

³ The case information in CEDHU's publications does not permit the determination of political-ideological motivation for most of the cases reported. However, it was well known that Febres Cordero persecuted his political opponents and overreacted aggressively to suppress an incipient guerrilla movement, "Alfaro Vive". Although abuses declined during Borja's presidency, and the government did not persecute its opponents, it failed to dismantle the new "national security" units that were created under Febres Cordero. Later, under Durán Ballén, the armed forces were asked to become involved in areas that should have remained under the jurisdiction of the police (Interview, Quito, April 1999).

1980).⁴ Nevertheless, a leading scholar of Latin American rural society argues that the last two decades of the twentieth century witnessed an unprecedented escalation of violence that was directed “to prevent the empowerment of the subaltern classes” (Kay 2001, 741).⁵ He refers especially to the tens of thousands of peasants who died in civil wars in Nicaragua, El Salvador, Guatemala, Peru, and Colombia, as well as to the reaction of the Mexican government to the Zapatista rebellion in Chiapas. However, less well known but persistent violence against agricultural workers and peasants was prominent in many other countries as well. These included Brazil, where the Movimento dos Trabalhadores Rurais Sem Terra (Landless Rural Workers Movement-MST) continued to struggle for land reform; Bolivia, where coca leaf cultivators clashed with state security forces; Chile, where Mapuche indigenous communities clashed with large forestry corporations; and Ecuador, where indigenous highland and Amazonian peasants, beginning in 1990, organized a series of nearly nation-wide uprisings against the state’s agrarian and structural adjustment policies (SAPs).

Just about all over the hemisphere, human rights violations tended to be systematic in, but certainly not limited to, areas of large estate agriculture where the personal security forces of the great landlords -- in collusion with the police and armed forces -- had historically maintained arbitrary systems of privately enforced “law and order”. Violations were also more prevalent and severe in indigenous and black regions, which include much of

⁴ The outstanding exception is, of course, Costa Rica, where small scale producers were prominent in the coffee export sector and obtained policies favorable to rural development. Costa Rica is also the most successful democracy in the hemisphere and ranks high on the UNDP’s Human Development Index (see Winson 1989; Colburn 1993; Paige 1997).

⁵ In a similar vein, a former UN official notes that “continued violence in isolated rural areas is one of the weakest points of the democratic regimes in Latin America over the past two decades” (Plant 1999, 101).

the Ecuadorean countryside as well as small highland towns where mestizos in the 1990s became threatened by – and lashed out against – indigenous cultural revitalization and social organization. In a notorious case in June 1994, for example, the installations of a local indigenous organization that had received international assistance to set up a variety of educational and cultural programs were sacked and burned in the town of Cañar in the south of Ecuador (Muyulema Calle 1997; León 2001, 53-54).

Although agrarian reforms were pursued in Ecuador and most other Latin American countries during the 1960s and 1970s, with the prominent exception of Cuba, the power of the old landlord classes was not broken. In addition to maintaining their grip on the most productive land, large estate owners were often able to diversify into commercial, financial, and industrial activities and to form partnerships with foreign capital, effectively maintaining their influence on national policy making in general and agricultural policies specifically.⁶ Such processes of portfolio diversification and fusion among different sectors of capital have been documented in studies of various Latin American countries (e.g., Zeitlin & Ratcliff 1988; Baloyra 1983; Paige 1997), including works on Ecuador (Hansen 1971; Brownrigg 1972; Conaghan 1988). Even in those countries where comprehensive reforms were undertaken (e.g., Peru during 1969-1975), the institutional arrangements imposed on the reformed sectors were inappropriate and/or the mix of support policies that were required to make them viable were not forthcoming (Korovkin 1990; Thorp & Bertram 1978, 301-320). Moreover, reform was often followed by

⁶ Costa Rica was an exception in this regard also. Although its governments did not carry out a major land reform, following the 1948 Revolution, agrarian social relations were transformed. The near monopoly control exercised by large coffee producers over credit, marketing, processing, and technology was broken through state action – specifically, the nationalization of the banking system, the promotion of marketing and processing cooperatives, the provision of state extension services, and other measures (see Winson 1989).

counter-reforms of varying intensities and velocities (Kay 2001).

In Ecuador, far from comprehensive agrarian reforms were pursued, along with ISI policies, by military governments. The first reform law, in 1964, was decreed in the midst of the country's banana export boom (1950s-1960s), and the second, in 1973, in the midst of the petroleum boom (1972-1982). Despite the export boom resources available to the governments of the times, little land was actually distributed, and policy strongly favoured the modernization of large scale commercial and export sectors controlled by elite groups linked by family ties to the owners of the principal enterprises in the industrial, financial, and communications sectors. In fact, rather than redistribution, government policy favoured colonization of the Amazonian region as a way to relieve pressure for land in the highlands and parts of the coast, thereby setting the stage for future land conflicts between colonos (settlers or colonizers) and the local indigenous groups of the rain forest region.

Agriculture for domestic consumption, for the most part in the hands of peasant producers, actually suffered from import "desubstitution" during the height of ISI from 1975 to 1982 (Vos 1987: 31). In general, agriculture, where employment could have been generated at low cost, was held back by a "lack of basic rural infrastructure and its unequal distribution in favour of the large producers" while peasant cultivators suffered from worsening terms of trade, "reinforced by state price and subsidy policies" (Vos 1987: 96; see also Vos 1988 and Griffin 1983). In 1978, per capita subsidies to urban sectors were almost 11 times those available to rural sectors, and in the countryside, the modern capitalist producers, including exporters, received almost 8 times more support than peasant cultivators (Larrea 1992: 157).

While they basked in government support programs, the country's civilian elites – landlords supported by allied industrial, commercial, and financial groups – effectively sabo-

tagged the implementation of the rather modest goals of the reform laws decreed by military governments (North 1985: 433-443). Consequently, the laws had paltry redistributive impacts and only in some areas of the country: overall, in 1974, 2 percent of holdings of 100 ha incorporated 50.2 percent of farm land in comparison to 54.4 percent in the hands of 2.1 percent in 1954 (Larrea 1992, 112). Twenty years later, in 1994, according to the World Bank, the very unequal distribution of land had not been altered: "1.6% of farms in the Sierra occupy 42.9% of land; in the Costa 3.9% of farms command 55.1% of the land" (World Bank 1995, 32). Further, the Bank found that "Regardless of which measure of poverty we use, there is a clear relationship between the degree or extent of poverty and the household's per capita land holdings" (1995, 33).

At the same time that peasants and agricultural workers were denied the land that was promised in the reform laws, the mechanization of agriculture on the coast and a turn to dairy farming by estate owners in the highlands reduced employment opportunities and provoked increasing temporary and permanent migrations to urban areas. Between 1974 and 1982, the percentage of wage workers in the Economically Active Population (EAP) in rural areas actually fell from 40.1 to 38.5 percent; approximately 100,000 jobs were lost in the countryside, and 62 percent of the remaining labor force was underemployed around 1980 (PNUD 1999, 39). At the same time, despite the very high growth rates of the urban industrial and commercial sectors, the proportion of wage workers in urban EAP also fell, from 67.2 to 65.7 percent (PNUD 1999, 39).

Overall, despite some important social advances,⁷ the state's economic policy

⁷ In addition to investment in transportation and communication infrastructure, the state in the 1970s invested in education and public health: illiteracy fell from 23.7 to 14.8 percent during 1974-1982, and the mean years of schooling increased from 3.6 to 4.7; infant mortality dropped from 107.1 per thousand during 1965-1970 to 69.6 in 1980-1985 while life expectancy rose from 56.8 to 64.3 during the same years (Larrea 1992: 249-250). Most

choices in the 1970s promoted asset concentration rather than redistribution. Elite sectors, with direct access to the centres of policy making, obtained the lion's share from both ISI promotion and agricultural modernization programs financed, first, by the petroleum boom and, later, by foreign indebtedness. When the petroleum boom broke and the economy entered into crisis in the early 1980s, many migrants lost their non-farm jobs and incomes, and they were forced to return to their rural communities where lack of land began to breed increased militancy and land conflicts (Korovkin 2003a). The decline in the construction sector, which had absorbed large numbers of unskilled migrant workers and employed 7 percent of labor force in 1982, was particularly dramatic. During the following years, as SAPs were pursued, improvements in social welfare were also arrested or even reversed (see, e.g., SIISE 2001).

In this context, land conflicts began to increase, and a large proportion of the indigenous populations of the highland and Amazonian regions, led by the Confederación de Nacionalidades Indígenas de Ecuador (Confederation of Indigenous Nationalities of Ecuador - CONAIE), which had been founded in 1986, were mobilized into nearly nation wide uprisings, or levantamientos, against government policies in 1990, 1994, 1997, 2000, and then again in 2001. Access to land featured prominently among the demands of the first two of these uprisings in particular, and ethnic cultural rights ran through all of them, along with demands for the reversal of different aspects of the neoliberal SAPs policy package (e.g., Chiriboga 2001; García 2001; León 2001). In 1990, among other things, CONAIE demanded the resolution of some 800 land conflicts, and indigenous people engaged in "recoveries" of land that they considered to have been stolen from

them: there were forty such land takeovers in the two northern highland provinces of Imbabura and Pichincha alone (Selverston-Sher 2001, 58 & 73, citing Moreno and Figueroa). The 1994 levantamiento was directed primarily against the text of the Agrarian Development Law which, among other things, proposed the elimination of communal lands and the privatization of water supplies (Pacari 1996).

Below, in section two, we turn to a review of the data on land conflicts and human rights violations available in CEDHU's archives. In section three, we attempt to provide explanations for the dips and troughs in these phenomena.

2. LAND CONFLICTS AND HUMAN RIGHTS VIOLATIONS: PATTERNS AND CASES

CEDHU's registry of Denuncias de conflicto de tierra rural (Rural land conflict reports-DCTR) contains information about conflicts that were brought to its attention from July 1983 onwards. On the basis of the data available in that registry, as well as other sources, Alain Dubly and Alicia Granda identified and analyzed 217 serious rural conflicts that occurred in the 1980s and the first six months of 1990 -- specifically, in the seven year period extending from July 1983 through June 1990 (96 percent of them were about land and 4 percent about the control of infrastructure, such as water). Only those conflicts that involved peasant communities or other grassroots-based rural organizations were included in their analysis or, in their words, they dealt with "violent agrarian conflicts" in which "popular groups" were the protagonists (Dubly & Granda, 1991, 10 & 12). Their study chronicles violent episodes of evictions involving the destruction of crops and houses, of land invasions which indigenous villagers considered recoveries of stolen properties, and of homicides fueled by the peasants'

progress occurred in the principal urban centres where modest income redistribution also took place between 1968 and 1975. Nevertheless, about 40 percent of the urban population remained below the poverty line (World Bank 1979: 21).

struggle for land and the estate owners' opposition to agrarian reform and redistribution. Ecuador's provincial and local police forces, the armed gangs or "private armies" maintained by landlords, and (less frequently) the country's armed forces battled with peasant and rural worker organizations throughout the 1980s.

Such battles continued into the next decade, and it is on the frequency and types of conflicts in the 1990s that we will focus here, comparing them with those of the 1980s. The DCTR contains information on 317 land conflict incidents that took place during the eleven years extending from August 1990 through August 2001. These 317 reported incidents, however, are not strictly comparable with the conflicts analyzed by Dubly and Granda for two reasons: first of all, some of the DCTR incidents did not involve organized "popular groups" and second, quite a few of the incidents were episodes in a single on-going conflict rather than representing different ones. Consequently, to maintain comparability with the Dubly and Granda study and to consider only those cases that clearly affected the possibilities of promoting grassroots-based rural development programs, we excluded 118 DCTR incidents from our analysis even though some of them were clearly politically charged, and just about all, in one way or another, reflected abuses of power on the part of local elites as well as the weaknesses of the country's judicial institutions.⁸ In addition, a number of cases in the DCTR can be considered peri-urban rather than rural. In areas surrounding many cities, conflicts for control over undeveloped land pit urban real estate interests, speculators, and

municipal authorities against squatters and residents' associations. For example, in 1993, representatives of a Guayaquil residents' association reported that family members of ex-President Febres Cordero and others had invaded their homes and sexually assaulted a woman and a minor (DCTR 6064, 19 marzo 1993). A further 39 incidents were identified as additional episodes of a previously registered conflict and hence were not counted as distinct cases.

The criteria that we employed for selecting cases from the DCTR -- criteria that are consistent with Dubly and Granda's work on the 1980s -- are twofold. First, we considered as "significant" only those reported incidents that involved more than ten individuals. Disputes between individual peasants, individual estate owners, or family members were excluded from Table 1 (below). Second we included only conflicts that were clearly rural, excluding those that took place in peri-urban areas. The process of elimination left us with a total of 199 serious incidents during the eleven years extending from August 1990 through August 2001. However, when we combined separate incidents related to a single on-going conflict, we were left with a total of 160 serious cases for that period, that is, fewer than the 217 serious cases identified by Dubly and Granda for the seven year period of the 1980s. Table 1 also shows that the number of serious conflict incidents reported to CEDHU in the 1990s fell steadily until 1995 and then remained at low levels up to mid-2001.

Another problem remains with regard to the comparison of 1990s trends with those of the 1980s as discussed by Dubly and Granda. In addition to the CEDHU registry, they used other sources, including newspaper reports and data from the archives of other institutions. Consequently, the 1990s cases we present here under-report the actual frequency of conflict. In this respect, it must be emphasized that even Dubly and Granda, with recourse to other sources, were not able to identify all the cases of conflict during their chosen period of

⁸ To provide two examples of the types of conflicts that were excluded, one involved a middle-sized property owner in the highland province of Pichincha who alleged to have purchased a plot of land fourteen years earlier but without receiving title to the property. In July 1992, he filed a complaint with CEDHU that the new owners of the neighboring *finca* (farm) refused to recognize his ownership (DCTR 5179, 17 julio 1992). In another case, two elderly sisters sought CEDHU's assistance to intervene on their behalf and defend them against a lawyer who allegedly had bilked them into transferring him title to their *finca* (DCTR 7178, 22 septiembre 1994).

analysis. Nevertheless, the DCTR data we analyze here, we believe, do reflect principal trends: in short, a peak in conflict at the end of the 1980s and the early 1990s, followed by a steady decline, particularly in the indigenous

highland areas. Most importantly, whatever the limitations of the data may be, the CEDHU registry tells a story that is not well known and that should be told.

Table 1: Incidents of Serious Rural Land Conflict Reported by CEDHU
(August 1990-August 2001)

Year	No. of Conflict Incidents
1990*	42
1991	53
1992	28
1993	16
1994	15
1995	3
1996	15
1997	9
1998	4
1999	7
2000	3
2001*	4
Total	199

*Note that the 1990 figures refer to five months and the 2001 figure to eight months.

Below, we will first review the frequency of serious incidents in the three principal regions of Ecuador: the coast, the highlands, and the Amazonian rain forest area (the on-going serious cases of conflict do not lend themselves to annual presentation since they stretch over a number of years). We then provide descriptions of several specific conflicts in each of the three regions of the country.

Serious conflict incidents by region. Ecuador's three regions represent distinctive socio-economic, cultural, institutional, and political spaces. The highlands are characterized by the presence of a large indigenous population which was historically subject to servile social relations on large estates oriented toward production for

the domestic market.⁹ Indeed, indigenous people form the majority of the rural population in several highland provinces. Coastal agriculture, by contrast, has been export oriented. The region was largely settled by highlanders who migrated to work on cacao and banana estates – the export boom crops of the turn of the 20th century and of the post-World War II period respectively. The Amazonian region, traditionally populated by nomadic indigenous groups, was rapidly colonized by commercial estate owners, land hungry peasants from the highlands and coast, and transnational petroleum corporations from the early 1970s onwards when oil exports from that region became Ecuador's principal foreign exchange earner.

⁹ See Korovkin (2003a) for a brief discussion of the *huasipungo*, the specific form of servile social relations in the highlands.

Land conflicts in both the highlands and the Amazon were permeated by indigenous claims and ethnic tensions. In the latter region, on some occasions local indigenous populations clashed with poor peasant colonizers who had been encouraged to move to the region from other areas of the country by agrarian reform legislation, as explained above (see, e.g., Selverston-Scher 2001, 32-35); on other occasions, they joined forces with the colonizers in claims against foreign petroleum companies and large commercial growers. By contrast, in the coast, land conflict for the most part took the form of class conflict between large estate owners on the one hand and peasant cultivators and agricultural laborers on the other hand.

Turning to the data presented in Table 1, incidents related to serious conflicts declined in number from the highs of 42 in the last five months of 1990 and 50 in 1991 to lows of only three in 1995 and 2000. The coastal provinces accounted for 115 (or 58 percent) of the total number of 199 conflicts. The province of Guayas, the historic seat of the country's agro-export oligarchy, alone registered nearly as many serious incidents of rural violence as all the highland provinces combined. Seven out of the country's 21 provinces accounted for 82 percent of the violence reported to CEDHU: they were Guayas, Esmeraldas, and Los Rios on the coast; Pichincha, Imbabura, and Cotopaxi in the highlands; and Napo in the Amazonian region.

Clearly, the southern provinces of all three regions (highlands, coast, and Amazon) appear to be under-represented in the CEDHU DCTR. As noted earlier, those provinces are relatively distant from Quito. However, an additional factor was at work in parts of the central and southern highlands. The progressive bishop and church agencies, including FEPP, that functioned in Riobamba, the capital of the province of Chimborazo, were recipients of denuncias and the mediators of conflicts in their areas of influence (as discussed in section 3 below). In this highly indigenous and notoriously conflictive province, Bishop Proaño, an aggressive advocate

of indigenous rights from the 1960s to the early 1990s, created a strong and activist pro-peasant culture among the representatives of the Catholic Church.

By contrast, the fact that more than half of the incidents reported to CEDHU came from the coastal provinces may have reflected the incapacity of local institutions in that region to defend peasant interests and mediate conflicts. In the province of Los Ríos, for example, "the law of the strongest prevails," according to one respected human rights advocate (Interview, Quito, March 2000). However, in that province and also in Guayas, institutions linked to CEDHU functioned and reported cases of conflict for action and inclusion in the DCTR.

Despite the gaps in our data for 1990-2001 (which, to reiterate, is based only on cases reported to CEDHU), an examination of the geographical distribution of the cases underscores the continuities of rural human rights abuses in the Ecuadorean countryside. The comparatively high frequency of reported conflict in the coastal areas during the 1990s reflects a trend identified by Dubly and Granda for the 1980s. They found that 120 of the 217 conflicts (55 percent) they analyzed occurred in the coastal provinces (1991, 15-16, 56-114). Similarly, during 1990-2001, Guayas, Esmeraldas, and Los Rios maintained the highest frequencies of rural conflict: 53 (27 percent), 25 (13 percent), and 23 (12 percent) of the total number of incidents respectively (see Appendices 1, 2, and 3).¹⁰ Moreover, Dubly and Granda also found the highest levels of land conflict related violence in the coast:

If evictions are as relatively frequent on the coast as in the highlands (3 of every 4 cases of conflict), the physical aggression involved in them is more

¹⁰ Of course, a complete roster of land conflicts (if such data could be gathered) might include a larger proportion of highland cases.

violent on the coast where armed personnel (for the most part civilian) intervene in 4 out of 5 evictions and where 1 out of 3 cases involves deaths and/or wounded and 2 out of every 3 results in destroyed houses (Dubly & Granda, 1991, 204).

Below, we provide a few examples of this type of violence in all three regions of Ecuador.

Stories of conflict. To begin with the coast, historically, the region's landowners have deployed gangs of armed thugs or killers (*grupos de matones*) to intimidate and suppress peasant and agricultural workers' organizations, and the activities of those gangs have often received support from the local police and civilian authorities. The 1980s and 1990s were no exception in this regard (Interview, Quito, April 1999).¹¹ Indeed, throughout the 1990s, the landed elites of Guayas and Los Ríos continued to resort to strong-armed extralegal tactics to dissuade peasants from claiming unoccupied or underutilized lands, from initiating legal proceedings to acquire title, or from invading estates.

For example, in the parish of Clemente Baquerizo in the canton of Babahoyo in the province of Los Ríos, the families of Pedro Cedeño Bajaña, Augusto Guerrero, and Julio Ronquillo had frequently resorted to violence to repress peasant activism. Their standard *modus operandi* included threats, paralegal evictions, illegal arrests, and even murder if other tactics failed to persuade campesinos to give up (Dubly & Granda 1991, 65-67, 71-72). Practices

like these continued unabated in the early 1990s. In March 1991, Augusto Guerrero and the armed gangs of Pedro Cedeño first harassed and then evicted a member of the peasant organization *Cooperativa Vivienda Babahoyo*. Seven months later, the Ronquillo family claimed ownership to a part of the cooperative's lands and convinced provincial authorities to expel coop members (DCTR 4335, 13 marzo 1991; DCTR 4795, 10 octubre 1991).

Another coastal landlord family, the Cedeños of Los Ríos, became particularly notorious. The *Banda Armada Cedeño* (the Cedeño Armed Band) used tactics of intimidation and violence to frighten and suppress peasant organization members. In November 1996, armed thugs occupied rice-growing lands belonging to the *Cooperativa Esperanza de los Beldacos* in the canton of Montalvo in Los Ríos. Even though the cooperative had acquired the ex-hacienda *Esperanza de los Beldacos* twenty years earlier, with the recognition of the Instituto Ecuatoriano de Reforma Agraria y Colonización (Ecuadorean Institute of Agrarian Reform and Colonization- IERAC), Gabriel Cedeño and a group of armed civilians invaded the lands of the cooperative, expelled thirty families, assaulted the inhabitants, destroyed their homes and their crops, and robbed them of their produce. Cedeño's goal, of course, was to extend his family's control over the lands inhabited by the rice-growing cooperative (DCTR 8649, 8 noviembre 1996).

Two months later, the Escobar family, landholders in Babahoyo, contracted the Cedeños' services to eliminate the leadership of a group of thirty rice-producers organized into the *Cooperativa Guarel*. Given the success of the Cedeños' earlier efforts to amass property by evicting peasants, the Escobars also decided to intimidate cooperative members and take over their lands (DCTR 8802, 22 enero 1997). Altogether, 14 assassinations were attributed to the head of the Cedeño family who remained at liberty, supported by the local police and civil authorities in addition to his armed thugs, until his

¹¹ For a detailed analysis of land conflicts in the province of Guayas during the 1960s, see Uggén (1975). For analyses of agrarian conflict and truncated agrarian reform in rice and banana production areas in the coastal region, see Redclift (1978) and Striffler (2002). Human Rights Watch reports on human rights violations on banana plantations (Human Rights Watch 2002).

death from natural causes. The band, however, did not dissolve with his death; it continued to operate at the beginning of the 21st century under the leadership of his sons (Interviews, Quito, April 1999 and March 2000).

To turn to yet another case -- in the canton of El Empalme in Guayas -- a foreign landholder and his Ecuadorean wife contracted armed groups to defend their abandoned or underutilized estate against a peasant organization. In 1994, 250 landless peasant families, who had banded together in the Asociación Agrícola Campo Verde, presented a claim to the lands to Congress and the Minister of Interior (Ministro de Gobierno). In January 1996, the absentee landowners hired armed thugs to terrorize the association members and dislodge them from the disputed land. On the 22nd of that month, when hostilities escalated, sympathetic peasant cooperatives and associations sent representatives to offer their support and solidarity to the members of Campo Verde. Upon their arrival they found that sixty thugs hired by the landowners had murdered one association leader, destroyed houses and fields, and set ablaze the community school, the church, and forty homes (DCTR 8054, 22 enero 1996; DCTR 8055, 22 enero 1996). Four days later, the landowners succeeded in dispatching local police to arrest eight Campo Verde members. The message to be learned from the actions of the police was clear: the local and provincial authorities condoned the quasi-legal and paramilitary tactics of the landowners and their armed gang (DCTR 8072, 26 enero 1996).

A more recent case from Esmeraldas displays patterns of violence and abuse similar to those found in Guayas and Los Rios. The antagonists in this instance were the forestry company BOTROSA S.A. and a local association of agricultural workers known as Ecuador Libre. Problems began in 1998 when the agency set up by the 1994 Agrarian Development Law, the Instituto Nacional de Desarrollo Agropecuario (National Agrarian Development Institute-INDA) awarded BOTROSA control over 3,123

hectares of land from the El Pambilar estate in the canton of Quinde. The circumstances surrounding this award were subsequently brought into question as a consequence of the high level of political influence involved (the principal shareholder in BOTROSA was the acting minister of Commerce, Industry, and Fisheries) and due to the fact that the land in question was thought by some to be part of the "Patrimonial Forest of the State" and hence entitled to special protection from the activities of forestry companies. In fact, the case eventually led to the resignation of the INDA head and to criminal charges against him due to the "irregularities" surrounding the ruling (DCTR 11288, 3 abril 2000; DDP 119, octubre 2000, 7).

As might be expected, however, it was the members of Ecuador Libre who were left to bare the full brunt of the INDA head's misdeeds. Once control over the land passed to BOTROSA, the campesinos who had owned and worked it for many years effectively became "invaders" in the eyes of the state. On June 11, 1999 the Minister of the Environment asked the army to place at BOTROSA's disposal all units in the sector and to offer full support to the private guards of the company in the task of evicting the "invaders". With the full weight of state power and resources behind it, BOTROSA began a campaign of intimidation and violence against the campesinos, using armed thugs, private security guards, and at times its own employees. Homes were burnt, crops were destroyed, animals were killed, death threats were issued, and families were constantly harassed and restricted in their movements in the area (DCTR 10863, 29 septiembre 1999; DCTR 11722, 24 octubre 2000; DDP 109, febrero 1999, 7; DDP 119, octubre 2000, 7; DDP 120, diciembre 2000, 11).

One of the most serious incidents took place in August 2000. On the 28th of that month, 23 members of Ecuador Libre were effectively kidnaped by 80 men described as wearing military clothing, who came armed with rifles, revolvers, machetes, and tear gas grenades.

On August 30, seven other campesinos were confronted in a similar manner and detained. All were taken to a BOTROSA company camp and held in four separate cells. Over a period of several days, they were subject to beatings and torture which included being submerged in tubs of water to provoke states of asphyxia. All were told not to return to their land and that, if they did so, they would be killed. Their eventual release on August 31 was realized only after another group of peasants, fearing for the lives of their fellows, detained three BOROSA private guards and refused to release them until all the kidnaped were freed. Subsequent medical reports found injuries consistent with the stories of torture told by the kidnaped Ecuador Libre members. Legal proceedings were also begun against one of the men identified by the campesinos as a leader of the armed gang but to little effect (DDP 119, octubre 2000, 7).¹²

Similar acts of intimidation, abuse, and violence occurred in the highlands where estate owners' private armed forces evicted indigenous peasants intent on "recovering" their "stolen" community lands, threatened their families, and periodically murdered peasant association leaders in order to stifle organization. In the canton of Otavalo in the largely indigenous highland province of Imbabura, a long-

smoldering dispute between the La Clemencia estate and the Comuna Huaycopungo ignited in violence in 1991. The conflict actually stretched back to the late colonial period. In 1757, the Spanish Crown had issued a land title of twenty-six caballerías to the caciques (headmen) and indigenous inhabitants of the villages of Caluquí and Gualacata in the parish of San Pablo, Otavalo. However, over the next two centuries, non-Indians had gained access to much of the ancestral land of the two communities. The descendants of the original title holders totaled more than 800 families, most of whom lived in "extreme poverty", "with little land, insufficient even to build their houses" when in 1985 they initiated legal proceedings with IERAC to reclaim their ancestral land (DDP 6 2, abril 1991, 12). Their petition succeeded, and in May 1990 they took possession of the tract of land they called the Comuna Huaycopungo -- a total of 220 hectares that were expropriated from La Clemencia estate by IERAC order (DDP 62, abril 1991, 12; Dubly & Granda 1991, 90).

However, the story did not end there. From the outset, neighbouring large landholders had looked on with apprehension as the members of the Pre-Asociación Agrícola Huaycopungo petitioned IERAC to reoccupy their lands. Violent confrontations began to erupt between the campesinos and the forces allied to the estate owners. In 1989-1990, dozens of indigenous community members were beaten, at least seven were detained by the police, residents' houses were burned, and some of their livestock disappeared mysteriously (Dubly & Granda 1991, 90). When these tactics failed to dislodge the community members, the owners of the La Clemencia estate hired "paramilitares negros" (black paramilitaries) from the neighboring province of Esmeraldas, playing upon and exacerbating the mutual distrust and fear between Ecuador's coastal black and highland indigenous peoples. A group of ten such paramilitares entered the village in January 1991, fired their weapons indiscriminately, and injured three children in the community school. Two months

¹² Another series of violent incidents reported in Esmeraldas province in 1992 involved the members of the peasant organization *Precooperativa 5 de Septiembre*. The *campesinos* of the pre-cooperative had occupied and began to work 1200 hectares of land in the parish of Rosa Zarate in the canton of Quinindé in 1987. Shortly thereafter, they initiated legal proceedings to gain title to the lands. In response, a landholding family in the area, the Pesantez Ordoñez, sought to deny the peasants the lands that they claimed. Beginning in September 1990, Marcelo Pesantez periodically led the local police and bands of armed thugs to terrorize the peasants and the lawyers who represented them. In September 1990 and March 1991, the armed thugs of the Pesantez beat members of the pre-cooperative, destroyed their homes, tried to evict them from the disputed land, and threatened their lives and those of their lawyers. In May and November 1991, the Pesantez and armed thugs returned with police to destroy the peasants' crops and homes, assault members of the community, and evict them (DCTR 4313, 1 marzo 1991; DCTR 4315, 4 marzo 1991; DCTR 4497, 3 junio 1991; DCTR 4871, 22 noviembre 1991; DDP 67, enero 1992, 4).

later, on 31 March 1991, witnesses identified a gang of thugs, contracted by the owners of La Clemencia, who shot and killed one of the most vocal defenders of the Comuna Huaycopungo, Julio Cabascango (see also Korovkin 2000). The victim, a leader of the Federación Indígena y Campesina de Imbabura (Indigenous and Peasant Federation of Imbabura-FICI) was one among many others who died because of their commitment to land restitution and social justice. In response to his murder, CEDHU wrote that his assassination provided

evidence of the impunity of the paramilitary bands and the [Borja] government's lack of political will to resolve the agrarian conflicts that are causing grave violations of human rights. In the past six months, persons assassinated in Indian communities in the sierra have also included Cayetana Farinango in San Francisco de Cajas and Francisco Huaylla in Tiquibuso, Bolívar (DDP 62, abril 1991, 12).

Despite the condemnations of peasant and indigenous leaders and human rights advocates across the country, police released the accused gunmen after only eighteen months of incarceration. By November 1992, when the Duran Ballén government was in power, the owners of La Clemencia had once again returned to the long-tested tactics of harassment and intimidation (DDP 72, noviembre 1992, 7).

In another highland province with a large proportion of indigenous people, Cotopaxi, landholder-community violence erupted in the canton of Pujilí. In the parish of Angamarca, twelve property owners refused to recognize the 1825 land title of five indigenous communities. In March and then again in September 1991, disputes over possession led to violent confrontations. On the first occasion, a landowner and his armed gang fired on community members while they tried to reclaim their lands. During

the skirmish, one community member was killed and four others were injured (DDP 66, noviembre 1991, 6; DCTR 4466, 13 mayo 1991; DCTR 4743, 25 septiembre 1991). In January 1992 the property owners and the communities of Angamarca clashed again. On that occasion, the landowners robbed cattle and three community members died as a result of shots fired by gunmen (DCTR 4969, 23 enero 1991).

Turning to the Amazonian region, campesinos, Indian community organizations, mestizo colonists, large estate owners, the Ecuadorean armed forces, local officials, and foreign oil companies clashed as they sought to maintain control over land and other resources. As in coastal and highland provinces, so in the Amazonian province of Napo, rural cultivators suffered from the assaults of an estate owner-directed armed gang. In September 1997, during the 18-month interim presidency of Fabián Alarcón, peasant members of the Asociación Trabajadora de Río Punino accused the local landholder of threatening the inhabitants and deploying paramilitary forces to expel them from lands they had occupied for fifteen years (DCTR 9511, 1 septiembre 1997).

In comparison to other regions, however, the conflicts in the Amazonian provinces were far more likely to involve the participation of Ecuadorean military or local state officials as the perpetrators of human rights abuses. Some examples reveal how the military intervened in the region in order to enforce and maintain its control over the area's valuable resources.

In October 1995 and February 1996, a group of heavily-armed soldiers and police officers evicted 25 families from lands claimed by a local estate owner. On these two occasions, the authorities burned the campesinos' houses, indiscriminately beat men, women, and children, and arrested and tortured a community spokesman (DCTR 8098, 22 febrero 1996). In the canton of Orellana, also in Napo province, in two separate incidents in 1997 local government officials tried to evict organized

peasants by force. In the first case, the governor of Napo ordered the expulsion of the inhabitants because he allegedly hoped to sell the land they occupied at a profit (DCTR 9031, 2 abril 1997). The other incident pitted a peasant association, the Pre-Cooperativa Río Coca, against the mayor and a town councilman. According to the members of Pre-cooperative, the mayor sought to force the peasants to abandon lands they had occupied for over twenty years in order to gain possession for himself and his associates (DCTR 9297, 20 mayo 1997).

These cases demonstrate the lack of rule of law in much of the Ecuadorean countryside; collusion between private interests and state authorities; the unwillingness of the large landlord class to accept agrarian reform; and repression of peasant organization carried out by local agents, acts that seldom received publicity in the elite controlled national media. The degree of elite penetration of the state achieved its most concrete expression when the resident *político*, the army officer, the police chief, and the local judge all lined up to do the bidding of the large estate owner or resource extraction corporation that was battling against poor peasant farmers. The profound asymmetry of asset and power distribution that characterizes most rural areas of Ecuador was manifested in the impunity that landlords enjoyed while engaging in often brutal suppression of peasants and their organizations. The level of violence documented here -- violence that resulted from the highly inequitable social, economic, and political structures discussed in this volume -- may surprise some given the myth of Ecuador's "peaceful" politics. And it must be remembered that the numbers of cases discussed here may represent only the tip of an iceberg, given the limitations of the CDHU data base.

In sum, the stories of violence tell us that where the large estate prevailed in Ecuador, the possibilities of peasant organization and the emergence of civic activism -- what the World Bank called "social capital" -- that could

promote local development and democratization were severely restricted.

3. INTERPRETING THE DECLINE IN AGRARIAN CONFLICT-RELATED HUMAN RIGHTS VIOLATIONS IN THE 1990s

To explain the decline in violent conflicts over land, especially in the highlands -- with the caveat that the CEDHU registry data are far from comprehensive -- we here draw attention to programs sponsored by both Catholic and Evangelical churches along with church-linked NGOs, especially the Fondo Ecuatoriano Populorum Progressio (Ecuadorean Populorum Progressio Fund-FEPP); certain national government policies; and other factors, including the employment opportunities created by the rapid growth of the cut flower export industry in the highlands, mass migration from the rural areas of the coast as a consequence of El Niño flooding in 1997-1998, and increasing amounts of remittances sent to just about all parts of the country by Ecuadoreans who had migrated to the United States, Spain, and elsewhere. All of these phenomena, taken together and in different ways, alleviated tensions in the countryside and contributed to the decline in the number of land-conflict related human rights violations after the peak of 1990-1992 during and immediately following the first indigenous *levantamiento*.

Church and NGO programs. To begin with the Catholic Church, from the early 1970s onwards, it was one of the leading advocates of the implementation of land distribution and agrarian development policies in order to head off violent conflict between peasants and estate owners. In an effort to realize these goals, in 1970, the Church created the FEPP which sought to provide economic, legal, and moral support to indigenous, Afro-Ecuadorean, and poor mestizo peasant organizations and assist them in acquir-

ing access to land through non-confrontational methods (Navarro, Vallejo, & Villaverde 1996, 9). Between 1977 and 1990, FEPP provided credit to sixty-five communities in one coastal, one Amazonian, and eight highland provinces, playing a particularly active role in Chimborazo.¹³ By 1999, this Church-linked rural development promotion NGO had eleven regional offices (in addition to its central office in Quito) which provided credit for land purchases and agricultural extension and other services to peasant communities, primarily in the highlands.

The early FEPP programs of assistance to land-hungry peasant communities encouraged even greater demands for more extensive land reform policies which, however, were not forthcoming from the state. With the accumulation of tension and increasing numbers of land conflicts during the 1980s, particularly in the indigenous areas of the highlands, in 1988-1989, FEPP and the Conferencia Episcopal Ecuatoriana (Ecuadorean Episcopal Conference-CEE) carried out negotiations with the Borja government and foreign banks to exchange a part of the Ecuadorean foreign debt for a credit program that would permit peasant organizations to purchase land. Specifically, the CEE and FEPP proposed to purchase and administer part of the country's foreign debt to create a rotating credit fund that would strengthen and expand FEPP's earlier efforts to provide credit to rural communities. After several drafts, the final terms of the debt for land swap, which was to be administered by FEPP, were accepted by the Ecuadorean government in October 1990.¹⁴ Significantly, the agreement was signed just a few

months after the first of the indigenous uprisings that paralyzed the country in the 1990s and early 2000s (Zamosc 1994; Pacari 1996). Among the demands of the indigenous organizations which participated in the protests in 1990, as mentioned earlier, was the resolution of numerous land conflicts.

Over the next five years, 153 peasant communities and over 5,700 families benefitted from the FEPP administered debt-for-land exchange. By the time that the program drew to its end, 9,235 families (or about 50,000-60,000 persons) had benefitted directly from it. Credit was concentrated in highland areas where rural violence and land conflict were, for the most part, inextricably linked to indigenous claims for ancestral lands. Indeed, four highland provinces – Imbabura, Chimborazo, Cotopaxi, and Bolívar – accounted for seventy-five percent of the funds disbursed by FEPP during the first phase of the program (see Appendix 4). Interviews with FEPP personnel in Quito and Riobamba, in combination with the Dubly & Granda and CEDHU data, allow us to conclude that the program succeeded in reducing conflict in the rural highlands in particular. While much of the reduction can be traced to the effectiveness of the debt-for-land swap itself, it is important to note that FEPP's success in resolving rural land conflicts was also rooted in the broad range of support services and programs that it offered. Thus, for example, when we turn to the nine serious rural conflicts identified by Dubly & Granda in Imbabura during the 1983-1990 period (see Appendix 3), we find that FEPP was involved in at least five of them (Interview, Wilson Navarro, FEPP-Quito, February 2000). The organization successfully mediated two of the disputes, assisted in the resolution of a third, and continued to work toward a settlement in yet another. Turning to Cotopaxi, of the five cases documented by Dubly & Granda, three were resolved with FEPP mediation (Interview, Fausto Sanaguano, FEPP-Riobamba, March 2000). All of these resolutions pre-dated the debt-for-land

¹³ These were Esmeraldas (3 communities) in the coast; Napo (2) in the Amazonian region; and Chimborazo (13), Tungurahua (4), Bolívar (14), Azuay (5), Loja (6), Carchí (3), Pichincha (5), and Cotopaxi (10) in the highlands (Vallejo, Navarro, & Villaverde 1996, 9).

¹⁴ In fact, FEPP began providing credit for land purchases by communities in April 1990, six months before the government officially accepted the swap arrangements (Dubly & Granda 1991, 51-58) and a couple of months before the first indigenous *levantamiento*.

program, and all were achieved in the face of significant violence.

Turning to an assessment of the effects of the debt-for-land swap itself with reference to specific cases, our interviews in combination with data provided by Navarro, Vallejo, & Villaverde (1996) provide evidence of the ways in which land conflicts were reduced in several indigenous highland provinces (see Appendix 4). According to Navarro, of the nine land transactions that took place under the auspices of the swap program in Imbabura, seven cases were characterized by the kind of open, violent conflict discussed above. In Cotopaxi, six of twenty six swap purchases were identified as displaying such patterns of conflict, while fifteen of fifty-one swap cases were deemed similarly so in Chimborazo by Sanaguano, the head of the FEPP office in Riobamba, the capital city of that province (Interview, FEPP-Riobamba, March 2000). Out of the 28 conflictive cases identified by Navarro and Sanaguano and resolved through the FEPP-administered debt-for-land swap, only three were documented in the CEDHU registry and none were recorded by Dubly & Granda, providing further confirmation of the fact that many cases were reported only to local church linked agencies, perhaps especially so in the case of Chimborazo.

Given that access to land was at the center of the disputes resolved under the auspices of the FEPP-administered program and that a significant number of the swap cases involved a high level of violent conflict, one can logically conclude that the program contributed significantly to the noticeable decline in the levels of violence in the rural areas of the highlands. Moreover, it should be noted that, in addition to credit for the purchase of land, FEPP assisted peasants with the titling and legalization of lands that they already cultivated.

The dimensions of the FEPP program explain in part the decline in land conflicts and the lower levels of agrarian violence in the highlands from 1993 onward. In fact, in the four highland provinces where the debt-for-land pro-

gram was most extensive, incidents and cases of land conflict related human rights abuses reported to CEDHU were noticeably lower than in provinces where no FEPP-administered credit was disbursed: the paucity of cases in the DCTR after 1993 is notable, even keeping in mind that the CEDHU data are incomplete. Whatever the actual numbers may have been, it appears that peasant communities organized to petition FEPP for support as they became aware of the program. When their expectations were met and landlords agreed to sell estates or parts of estates, the number of confrontations involving human rights abuses diminished. Indeed, after 1992, only sixteen serious incidents of rural violence in the highlands were reported to CEDHU, and half of them (eight) took place in Pichincha, a province that benefitted only marginally from FEPP credit.

By contrast, FEPP disbursed very little credit in the coast where it had only two offices, in the provinces of Manabí and Esmeraldas. The acquisitions in Manabí and Esmeraldas were negligible and no lands at all were purchased with the Fund's credit program in the provinces of Guayas, Los Ríos, and El Oro where FEPP had never established a presence (Navarro, Vallejo, & Villaverde 1996, 39-67). Significantly, violence remained at higher levels in the coast than in the highlands throughout the 1990s.

However, it was not only FEPP that provided alternatives for highland peasants and especially to indigenous communities. Evangelical churches and many NGOs also financed a growing numbers of local projects and provided an increasing variety of services to rural communities in the indigenous areas of the highlands. Chimborazo, the province with the highest proportion of indigenous residents, in fact, also became the province with the highest number of NGO projects, and indigenous people turned to leaders who demonstrated a capacity to access NGO resources (Breton 2001).

State policies. At the same time that FEPP executed the debt-for-land swap program, transformations in the Ecuadorean political and economic landscape affected the propensity of peasants to demand land and to invade estates that were either uncultivated or considered to be ancestral lands by indigenous and black communities. First of all, with regard to the structure of opportunities, it is possible that members of campesino organizations and rural cooperatives expected the social democratic Borja government (1988-1992) to respond favorably to their demands for land and social justice. Therefore, the spike in violence and abuse in the countryside during his presidency may have indicated, in part, a reaction to increased peasant militancy on the part of estate owners, local officials, and police forces, and, to a much lesser extent, the Ecuadorean armed forces. Moreover, the Borja administration's policies also clearly reduced the amount of conflict that would be experienced in subsequent years: it approved the debt-for-land swap program, and it settled two major disputes over indigenous ancestral lands in the Amazonian region, one in the province of Pastaza and another in Napo. After Borja left the presidency in mid-1992, rural violence diminished, in part as a consequence of the FEPP program and other factors discussed below. In addition, however, rural popular organizations would have registered the change in the tone of the Durán Ballén administration (1992-1996) and, as a consequence, been persuaded to follow a less aggressive path. The understanding that the government would respond with force to peasants' confrontational tactics to claim or invade land on large estates may have reduced peasant militancy and, in turn, lessened estate owner fears of government expropriation and peasant land invasions. Whatever the causal sequences may have been, campesino organizations and cooperatives turned to negotiations, the FEPP program, and NGO assistance to improve their conditions in the countryside. In a context in which at least some alternative opportunities are available (see also below), rational people do not risk

their lives in land invasions. On the other hand, large landholders, convinced that Durán Ballén and the state would defend their interests, could have felt less inclined to employ violent tactics to terrorize members of popular organizations.

Moreover, Durán Ballén's government brought agrarian reform to an end through the 1994 Law of Agrarian Development. Even the name of the law is significant. The Ecuadorean Congress and President eschewed the use of the word "reform". Although the 1994 levantamiento against the original text of that law resulted in some modifications, the new law established harsh penalties in cases of illegal occupation or invasion of titled lands, expressly committed the government to the protection of private property, abolished the land reform institute, liberalized laws governing the sale and purchase of community land in the open market, explicitly permitting the division and sale of community lands. For peasants and landless rural laborers, the message of the new law was clear: the period of moderate state-sanctioned agrarian reform, initiated by a military government in 1964 and expanded in 1973 by another military government, was officially over (Navarro, Vallejo, & Villaverde 1996, 33-38).¹⁵

Another possible explanation for the decline in land conflict during the Durán Ballén presidency may be related to repression. The number of arbitrary arrests during a three-year period of his administration climbed up to 925 from 488 during an equivalent period of Borja's term in office, at the same time that the frequency of cases of physical abuse reported to CEDHU increased from 376 to 719. The question is: were some of the detentions and abuses designed to de-capitate the leadership of peasant and other popular organizations to deter collective action?

¹⁵ For a discussion of the politics of agrarian reform, see North (1985, 433-42). The political-economy of coastal and highland agriculture is also discussed in other essays included in the same volume

However, the government of Duran Ballén and those that followed him did not rely entirely on restrictive legislation and repression. They also followed the time-honored tactics of sponsoring divisions within the indigenous and peasant movements and creating mechanisms of cooptation in the form of two programs in particular. These were the Consejo de Desarrollo para las Nacionalidades y Pueblos del Ecuador (Development Council for the Nationalities and Peoples of Ecuador-CODENPE) and the Proyecto de Desarrollo de los Pueblos Indígenas y Negros del Ecuador (Development Project of the Indigenous and Black Peoples of Ecuador-PRODEPINE). Both provided jobs for indigenous and black leaders and project funding for their rural constituencies. PRODEPINE was particularly well funded, with about U.S. \$40 million from the World Bank (Arcos 2001, 54-55), and it was administered by indigenous organizations, with minimal government involvement (Carroll & Bebbington, 2001). At the same time, in 1990, the Ecuadorean armed forces began to pursue civic action programs of various types in the countryside and especially in those areas in which the levantamientos had received most support. These included the provision of health services and the construction of much needed rural infrastructure (see, e.g., Selverstonscher 2001, 113).

Other conflict-reducing factors. While FEPP assisted with land purchases and the government, armed forces, and World Bank responded with new programs, employment opportunities in the cut flower export industry of the northern and central highlands increased spectacularly: from 3,569 relatively well paying direct jobs in 1990 to 49,881 in 1999 (Korovkin, 2003b). In addition to the number of direct jobs, according to a prominent member of the industry, “the national direct: indirect employment ratio in the cut flower business is 1:12, which would mean nearly 600,000 additional jobs” (Krupa 2001, 7). That, quite clearly, is an exaggeration, but there is no doubt that the cut flower

export industry became a very important source of employment and income for very large numbers of people.

At the same time, remittances from the exterior became the second most important source of foreign currency by mid-2001 (Economist, 2001) as more than a million Ecuadoreans may have left the country during the second half of the 1990s.¹⁶ Remittances, however, had been an important source of income since the early 1980s, if not before, in two southern provinces, Azuay and Cañar, that were characterized by low levels of land conflict in both decades under consideration here. In addition to benefitting from remittances, these were provinces in which many large estates had been broken up over the previous decades, and they contained important areas of minifundia agriculture where significant processes of rural diversification had taken place, akin to the process described by North in the case of Pelileo in the central highland province of Tungurahua (2003) which also manifested low levels of land conflict during the 1980s and 1990s.¹⁷

In addition, the northern highland province of Carchi -- along with El Oro in the coast -- manifested notably low levels of land conflict and related abuses during both decades.¹⁸ Significantly, both provinces were characterized by large numbers of middling sized commercial peasant producers who enjoyed access to good quality land. El Oro, in fact, had the highest rural living standards in the country (Larrea et al., 1987; Larrea et al. 1996).

¹⁶ According to the Ministry of Foreign Affairs, in early 2000, there were approximately a million Ecuadoreans registered in the country's consular offices abroad and up to two million others, according to some estimates, may have left through illegal channels (Barragan and Velasquez 2000, A3).

¹⁷ Regarding zones of rural diversification, see Martínez V., 2000.

¹⁸ In the cases of Tungurahua and Carchi, in light of easy access to Quito, we can probably discount under-reporting to CEDHU. Conflicts in the southern highland and coastal provinces distant from the CEDHU offices in Quito -- Azuay, Carchi, and El Oro -- may have been under-reported compared to other provinces.

In sum, to review our interpretation of changes in the frequency of land conflict related human rights abuses: the Roman Catholic Church, through FEPP and other agencies, advocated patience, negotiations, and the peaceful resolution of agrarian conflicts while providing funding for the purchase of land; peasant and agricultural worker associations may have assumed less aggressive stances in the mid-1990s as the Ecuadorean state declared an end to land reform and their leaders were incorporated into nationally and internationally financed bureaucracies that could provide some assistance to deprived rural areas; landless and land-short small producers gained access to other sources of employment (the flower industry) and income (remittances); and some simply may have left the rural areas without returning, as in the case of peasants displaced by the flooding of El Niño in 1997-1998. Finally, it should be noted that areas where rural diversification had taken place (parts of Azuay and Cañar in addition to Tungurahua) and where middle sized farms existed (Carchi and El Oro) were conspicuously less conflict prone than the areas of large estate agriculture.

4. CONCLUDING REMARKS

Although human rights abuses related to land conflicts began to decline in the mid 1990s, the overall social conditions of Ecuadoreans worsened and the levels of “delinquent” and criminal violence increased dramatically. In the province of Guayas, death squads appeared in the city of Guayaquil where they conducted “social cleansing” campaigns, and the police and military curtailed civil liberties under the “emergency” powers they were granted in that province in early 1999.

Two chilling events illustrate worrisome trends. In November 1998, a well know rural labour leader, Saúl Cañar, disappeared in Quito; his tortured body was found a few days later in Latacunga, Cotopaxi. Then, on

February 17, 1999, the country’s leading black politician, left-wing Congressman Jaime Hurtado, was assassinated in broad daylight a few blocks from the national legislature. Like Cañar, Hurtado, a lawyer by profession, was involved in defending peasants and agricultural workers involved in land and labor conflicts with a group of large estate owners in the coastal province of Los Ríos. Those estate owners apparently also had interests in the highland province of Cotopaxi. Suspicion reasonably turned toward that group as the intellectual authors of the two crimes. More chilling yet, in the aftermath of Hurtado’s assassination, the head of the Colombia’s extreme right paramilitary organizations, Carlos Castaño, publicly stated that his organization had trained 59 Ecuadoreans in paramilitary tactics.

Whether or not these cases signaled a long-term trend toward a serious deterioration in the human rights situation and a resurgence of rural conflict in Ecuador remained to be seen.

In the meanwhile, in the midst of the critical economic crisis into which the country plunged in 1998-1999, most peasants and rural workers searched for new ways to provide sustenance for themselves and their families, with many migrating to urban zones and even out of the country in search of employment. But the limits to migration may have been reached, especially after the September 11, 2001 destruction of the World Trade Center towers in New York City. Moreover, the conjunction of factors that led to a decline in land conflict during the second half of the 1990s was unraveling at the beginning of the new century as dollarization led to an overvalued currency which began to seriously hurt peasant agricultural and artisan production as well as peasant employment opportunities in the case of the flower export industry.¹⁹

¹⁹ The value of flower exports continued to rise during 2000, especially during the first six months of that year, but it declined by 11 percent in 2001. Altogether, the value of non-petroleum primary products fell by 25 percent in 2000 and then by 1 percent in 2001 while the current account balance deteriorated from

Moreover, the fundamental problems of inequity in the distribution of land were not resolved by the programs described above: the structures which gave rise to the rural conflicts discussed here remained firmly entrenched and, overall, land concentration was on the rise (Martínez 2003).

It is revealing that World Bank-financed consultations in which the poor were asked to explain the causes of their poverty found that rural residents identified lack of access to land as a principal problem (Martinez Flores 2001, 21). Volatile prices and lack of credit, as could be expected, were also mentioned by the rural poor as serious problems. These were areas of action that the state had abandoned in the course of implementing neo-liberal adjustment policies.

The possibilities of local development and democratization were clearly severely curtailed by the circumstances and policies described here. Beyond the question of access to land, one needs to ask to what degree peasants could organize to create institutions and networks of support -- to engage in the process of "social capital" formation that the World Bank and international donors have funded -- in order to more effectively advance their interests in the face of the oppressive local and national structures that they faced.

\$6 million in 2000 to \$1.34 billion in 2001 (data compiled by Tim Clark from official statistics).

APPENDIX I
CEDHU-Reported Incidents of Rural Conflict by Year and Province

	'90*	'91	'92	'93	'94	'95	'96	'97	'98	'99	'00	'01*	Total	%
Costa														
Esmeraldas	4	7	4	1	3		2	1		4	6	2	34	11
Manabí			1		2		1						4	1
Los Ríos	6	8	4	1			3	4	1	2		1	30	9
Guayas	18	20	7	8	1	1	4	4	1	1		1	66	21
El Oro	4	6	2	1	2	1	2	2		1			21	7
Total Costa	32	41	18	11	8	2	12	11	2	8	6	4	155	49
Sierra														
Carchí		1		1							1	1	4	1
Imbabura	7	2	10		2	1		1			1		24	8
Pichincha	9	12	5	3	3	5	4	1	3	1	1	2	49	15
Cotopaxi	9	5	3	2	2		1		1				23	7
Tungurahua	1	1											2	1
Bolívar	7												7	2
Chimborazo	6		3										9	3
Cañar	1						1						2	1
Azuay			1										1	
Loja							1						1	
Total Sierra	40	21	22	6	7	6	7	2	4	1	3	3	122	38
Amazonia														
Napo	5	8	1		2			3					19	6
Sucumbíos	3	1	3		1		1		3				12	4
Pastaza				1					1				2	1
Morona Santiago	3	1											4	1
Zamora Chinchipe		1					1						2	1
Total Amazonia	11	11	4	1	3		2	3	4				39	13
Galápagos														
Galápagos								1					1	
Total Galápagos								1					1	
Grand Total	83	73	44	18	18	8	21	17	10	9	9	7	317	100

* 1990, August-December only.

* 2001, January-August only.

APPENDIX II
CEDHU-Reported Incidents of Serious Rural Conflict
by Year and Province

	'90*	'91	'92	'93	'94	'95	'96	'97	'98	'99	'00	'01*	Total	%
Costa														
Esmeraldas	3	5	3	1	2		1	1		4	3	2	25	13
Manabí					2								2	1
Los Ríos	5	5	3	1			3	2	1	2		1	23	12
Guayas	10	15	7	7	3	1	4	3	1	1		1	53	27
El Oro	1	5	1		2	1	2						12	6
Total Costa	19	30	14	9	9	2	10	6	2	7	3	4	115	58
Sierra														
Carchí		1		1									2	1
Imbabura	6	2	7		1								16	8
Pichincha	2	3	2	3	1	1	2		1				15	9
Cotopaxi	4	4	3	2	1		1						15	8
Tungurahua			1										1	
Bolívar	5												5	3
Chimborazo	1	3											4	2
Cañar	1						1						2	1
Azuay														
Loja									1				1	
Total Sierra	19	13	13	6	3	1	4		2				61	31
Amazonia														
Napo	3	8	1		2			3					17	9
Sucumbíos		1			1		1						3	1
Pastaza				1									1	
Morona Santiago	1	1											2	1
Zamora Chinchipe														
Total Amazonia	4	10	1	1	3		1	3					23	11
Grand Total	42	53	28	16	15	3	15	9	4	7	3	4	199	100

* 1990, August-December only.

* 2001, January-August only.

APPENDIX III
Incidents and Cases of Serious Rural Conflict:
1983-1990 and 1990-2001

	1983-June 1990		August 1990-August 2001			
	Cases	%	Incidents	%	Cases	%
Costa						
Esmeraldas	15	7	25	13	12	8
Manabí	1		2	1	1	
Los Ríos	28	13	23	12	23	14
Guayas	67	31	53	27	44	28
El Oro	9	4	12	6	9	6
Total Costa	120	55	115	58	89	56
Sierra						
Carchí	6	3	2	1	2	1
Imbabura	9	4	16	8	12	8
Pichincha	9	4	15	8	14	9
Cotopaxi	5	2	15	8	11	7
Tungurahua	1		1		1	
	1983-June 1990		August 1990-August 2001			
	Cases	%	Incidents	%	Cases	%
Bolívar	7	3	5	3	4	3
Chimborazo	9	4	4	2	4	3
Cañar	2	1	2	1	2	1
Azuay	5	2				
Loja	9	4	1		1	
Total Sierra	62	29	61	31	51	32
Amazonia						
Napo	10	5	17	9	15	9
Sucumbíos	8	4	3	1	2	1
Pastaza	7	3	1		1	
Morona Santiago	7	3	2	1	2	1
Zamora Chinchipe	3	1				
Total Amazonia	35	16	23	11	20	12
Grand Total	217	100	199	100	160	100

APPENDIX IV
National Totals for FEPP Debt-Land Swap By Region and Province
First Five Years

Office Location, Province	Office Location, City	Number of Organizations	Number of Families	Number of Hectares	Number of Loans	Loan Value Sucres
Ibarra	Imbabura	9	716	975,83	9	732,866,400
Portoviejo	Manabí	5	117	77,5	5	117,000,000
Central Office	Pichincha	4	110	1325,7	4	125,177,456
Riobamba	Chimborazo	51	1896	17257,5	52	2,551,394,494
Riobamba	Tungurahua	10	404	129,5	13	848,200,000
Lacatunga	Cotopaxi	20	975	5028,34	20	581,300,000
Guaranda	Bolívar	19	725	1962,97	20	878,745,000
Cuenca	Azuay	2	215	17	2	9,500,000
Cuenca	Cañar	6	126	474,06	7	197,000,000
Cuenca	Loja	4	37	60	4	29,800,000
Cuenca	Morona Santiago	4	51	578,5	6	44,150,000
Cuenca	Zamara Chinchipe	3	35	366	3	17,500,000
Esmeraldas	Esmeraldas	9	133	316,5	9	120,380,000
Lago Agrio	Sucumbíos	5	74	336,2	6	85,159,040
Lago Agrio	Napo	2	89	378,5	2	5,000,000
Total		153	5703	29284,1	162	6,343,172,390

Source: Navarro, Wilson, Alonso Vallejo and Xavier Villaverde. 1996. *Tierra para la vida: acceso de los campesinos ecuatorianos a la tierra, opcion y experiencias del FEPP*. Quito: FEPP.

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