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**Food sovereignty in Ecuador:  
The gap between the constitutionalization  
of the principles and their materialization in  
the official agri-food strategies**

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## Abstract

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The paper critically assesses the impact of collective actions for the institutionalization of the principles of food sovereignty in Ecuador, including an analysis of the gap between the formal and material constitution of the official strategies. The Ecuadorian Constitution (2008) declares food sovereignty as a strategic goal and governmental obligation, institutionalizing - although partially- the proposal put forward since 1996 by the international peasant movement *La Vía Campesina*. It would have been impossible to achieve this goal without the anti-neoliberal struggles and alternative practices carried out by social organizations in the last decades. Specifically, it's conceivable a central role played by the federations "FENOCIN", "CONFEUNASSC", "CNC-Eloy Alfaro" and, then, "FENACLE" (all affiliated to *La Vía Campesina*), that since the end of the 90s began to articulate themselves and to place food sovereignty as a priority of their individual and common political agendas. As other social actors, these federations participated actively in the constituent process. At the conclusion, the balance is positive: the new Constitution includes much of the proposals claimed, and the issue of food sovereignty expands from the circumscribed battlefields of some social organizations to become a ground of dispute for the whole Ecuadorian society. The paper, based on preliminary results of a field research conducted between 2012 and beginning of 2013, describes this process and reflects upon why, five years later, the "Agrarian Revolution" is evaluated as weak, also by the governmental sector, although it's a component of the *Revolución Ciudadana* promoted by the "progressive" government of Rafael Correa.

### A mosaic of mobilizations and alternative practices: the background of the peasant constituent power

Agriculture is quite relevant in the Ecuadorian economy: it represents the 8, 2% of the GDP together with livestock, occupies about the 30% of the workforce, a percentage that increases significantly (69.2%) in relation to the rural population. National appraisals report that the value of food exports significantly exceeds that of imports; nevertheless, domestic production (in particular due to the contribution of peasant sector) still manages to cover domestic demand, even if there is a deficit of certain basic goods (cereals, fats and oils, fruits, and to a lesser extent meat and milk) (Carrión, Herrera 2012). There is a strong inequality in the redistribution of wealth and in the access to productive factors. In rural areas poverty gravitates around the 49,1 % while extreme poverty is of 23,3% (Banco Central del Ecuador, 2012). As regards the access to land, the 64.4% of the smaller productive (less than 5 hectares) only cover the 6.3% of the agricultural surface, while the biggest proprietaries (more than 200 hectares), which represent the 0.1% of the total, control the 29% of the overall surface (Carrión, Herrera 2012; Eclac, Fao, Ilica 2012).

Green Revolution and structural adjustment plans promoted by the World Bank and International Monetary Fund in the 1980s, favoured the monocultures (at the expense of the food security and agro-biodiversity of this mega-diverse country) and the economic groups dedicated to the export of exotic products (especially shrimps, bananas, flowers and cocoa). These are the heirs of the system of coastal plantations consolidated in the late nineteenth century and the institute of Andean haciendas of colonial matrix. But the imposition of neoliberal policies, aimed to an indiscriminate opening of the economy to the logics and capitals of international markets, caused continuous waves of social conflict, since the early 1990s (Giunta & Vitale, 2013).

The mixture of innovation and collective effort to imagine the coordinates of a social, economic and productive radical transformation (Carrión, Herrera 2012) that took shape in Ecuador during the writing of a new Constitution (approved at the end of 2008), was based on discursive practices and political agendas of the resistance processes and creative action that since the 90s social movements have conducted in this Andean country.

In this framework, the goal of the constitutionalization of the principles of food sovereignty, even though intermediate, does not appear exclusively ascribable to President Correa's political capacity of appropriating the movement agenda or, more generally, to a political climate as favorable as transient. It can rather be explained by retracing previous process of constructing alternative practices in the territories, that lasted for about a decade, as well as the proposition, articulation, awareness and mobilization pioneered by the social organizations, in particular indigenous and peasant.

In the agri-food field and from the point of view of experimentation, over the last fifteen years the country has witnessed a gradual spread of diversified farms and agro-ecological trainings in three regions (coast, andean and amazon). Arisen against the current official agri-food policies focused on agroindustry to export, especially bananas, flowers and shrimp (Carrión & Herrera, 2012; Korovkin, 2004), these initiatives were mostly self-managed and promoted by social organizations, with support of local non-profit organizations (NGOs) and international cooperation rather than public funds. Over and above these, there is the relatively widespread propagation over the national territory of initiatives of fair economy for food processing and marketing as well as, in more recent years, urban-marginal consumer groups organized for food purchasing and distribution, through the so-called *canastas comunitarias*. These, in sporadic cases, were able to establish mechanisms of direct supply units from local peasants.

After the crucial phase of indigenous insurgencies (*levantamientos*) of the 90s, over the past decade there were also social mobilizations, part of them aimed to influence on the national

agri-food policies. The matrix of these protests was basically peasant, indigenous and environmentalist.

Overall, it refers to resistance and creation dynamics that are the necessary background to explain the ability to be proactive and advocacy that organizations involved in the fight for food sovereignty exercised in Ecuador during the constituent Assembly of 2007/2008. Anyway, it is interesting to note how this happened despite individual organizations have been crossed by recurrent crises making, their collective action as well as network articulation discontinuous.

In this context, it seems reasonable to suppose a leading role of four federations that since the late 90s introduced food sovereignty in their political agenda as an explicit priority. These are the Confederación Nacional de Organizaciones Campesinas, Indígenas y Negras de Ecuador “FENOCIN”, the Cooperación (ex Coordinadora) Nacional Campesina/Eloy Alfaro “CNC-EA”, the Federación Nacional de Trabajadores Agroindustriales, Campesinos e Indígenas Libres del Ecuador “FENACLE” and the Confederación Nacional del Seguro Social Campesino “CONFUNASSC”.

These four federations belong to the international peasant movement *La Via Campesina*, from which they borrow the horizon of food sovereignty as an organizing principle for reshaping the national agrarian question. They are also related to a continental network called *CLOC-Coordinadora Latinoamericana de las Organizaciones del Campo*<sup>1</sup>, first appeared between '89 and '92 inside the *Campaña Continental 500 Años de Resistencia Indígena, Negra y Popular*, and then formed officially in 1994. *CLOC* has a dual function of articulating organizations within the American continent (but not those of U.S. and Canada) and of functioning as further contact point for dialogue and participation of the same organizations among the international movement *La Via Campesina*.

With regards to FENOCIN, it's a direct participation to the creation of these spaces of continental and international articulation. This federation, still denominated FENOC-I at the time, was one of the signatories both of the Mons Declaration in 1993, linked to the official establishment of *La Via Campesina*, and that of Lima, which in 1994 made public the founding of *CLOC*. FENOC-I was also one of the supporters of Tlaxcala Declaration<sup>2</sup> of 1996, with which *La Via Campesina*, at the conclusion of his second international conference, officially launched on a global scale the proposal of the food sovereignty as antagonist to the dominant view of food security.

<sup>1</sup> <http://www.cloc-viacampesina.net/es/quienes-somos> [Accessed on August 2013]

<sup>2</sup> <http://viacampesina.org/en/index.php/our-conferences-mainmenu-28/2-tlaxcala-1996-mainmenu-48/425-ii-international-conference-of-the-via-campesina-tlaxcala-mexico-april-18-21> [Accessed on August 2013]

The FENOCIN and each of the other three federations promoted various initiatives in the years prior to the Constituent Assembly, and developed practices to disseminate and concretize the principles of food sovereignty. They also concentrated efforts to articulate other entities in order to boost the claim and influence capacities related to the agrarian question.

### **Mesa Agraria: an (intermittent) exercise of "unity in diversity"**

Since late 90s, in Ecuador starts to take shape the *Mesa Agraria* as a national "space of concertation" which brings together peasant and indigenous federations as well as organizations. At the beginning the participants were FENOCIN, CONFEUNASSC / Coordinadora Nacional Campesina-CNC and ECUARUNARI<sup>3</sup>. The latter, however, quits the *Mesa* in 2003, and in 2005 FENACLE joins, while in 2007 CONFEUNASSC substantially reduces its participation, after a break-up with CNC<sup>4</sup>.

This articulation is defined as "a space of concertation" by the same promoter entities, to emphasize their non-fusion and to maintain the freedom of action of each federation, in singular form or by additional networks<sup>5</sup>, with regards to the issues identified as shared; the focus is on the collective construction of an understanding and a common grammar on the agrarian question, which brings about a repertoire of united actions within some previously concerted targets.

*Mesa Agraria*, before its dissolution in 2009<sup>6</sup>, is marked by a continuous succession of intense coordination periods and "freezing" stages, mostly dictated by "external" political circumstances that affect organizations and distance them.

However, during its persistence this initiative was able to combine and place in dialogue different dimensions. First of all, a territorial one, because it set up a cooperative and bidirectional flow between national leaderships and local militants aimed at processing and validating proposals and actions. Collecting in this way the contributions of the national federations as well as grassroots organizations affiliated to them in different areas (it is about some hundreds of decentralized entities). This allows, among other things, the dialogue

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<sup>3</sup> Affiliated to CONAIE and not member of *La Via Campesina*.

<sup>4</sup> Since this break-up, the CNC starts to denominate itself as CNC-Eloy Alfaro.

<sup>5</sup> In fact, in the years of persistence of *Mesa Agraria*, federations approached also to other networks engaged on similar issues, such as el *Foro de Recursos Hidricos* or to dialogue spaces such as those promoted, since 2007, by the network *Colectivo Agrario* or NGOs as Cafolis.

<sup>6</sup> After the constituent phase, *Mesa Agraria* is engaged in the debate on the law called *Ley Organica de Soberania Alimentaria / LORSA*, as well as the initial one on the water and land laws. Since 2009, the meetings are less frequent until the disappearance of this coordination, without experiencing an official dissolution. Federations will then join in renovated spaces of articulation, some spontaneous and others promoted by the government, including the *Red Agraria*.

between different territories of the three regions of the country, geographies characterized by a rich social and cultural diversity.

Secondly, it combined different "identitarian" constructions, due to the significant differences between the federations in terms of self-representation (indigenous and peasant: FENOCIN, mostly peasant: CONFEUNASSC and CNC-EA, agrarian trade unionist: FENACLE), representativeness, geographic coverage and affinity to political parties<sup>7</sup>.

Moreover, the *Mesa Agraria* had to build the internal arrangements sufficient to forge its collective action, that has been enacted in two principal dimensions according to the circumstances, as usual for *La Via Campesina* (Borras, 2010): mobilizations in protest, or rather dialogue and participation with the institutions in order to influence their policies.

Nevertheless these federations, over several years, have been able to dialogue and regroup themselves around a shared innovative Agrarian Agenda through a permanent process of negotiation and construction of *unity in diversity*, also characteristic of *La Via Campesina* (Borras, 2008; Desmarais, 2008; 2009; McMichael, 2008;). This non trouble-free process leads to common goals and discursive practices that politicize and integrate different perspectives on the agrarian question and, overall, reflect the socio-cultural and ecological diversity of the country.

Since the early 90's, FENOC-I and FENACLE, with CONAIE and FEI, created a similar coordination space for political deliberation and joint action, the *Coordinadora Agraria Nacional*<sup>8</sup>. But with *Mesa Agraria*, a decade later, the horizon of struggles changes: battle is no longer meant to include peasants in the dominant agrarian model - chasing "modernization and development of indigenous and peasant economies" (Coordinadora Agraria Nacional,1994) - but rather aspires to a transition towards food sovereignty as an alternative to neo-liberal policies.

Since 2000, federations intensify meetings and some NGOs<sup>9</sup> start to technically and financially support the newborn coordination and to participate in the internal debate; anyway,

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<sup>7</sup> FENOCIN and FENACLE are historically related to the Socialist Party, while the CONFEUNASSC and CNC were promoters of the foundation of the *Movement Pachakutik-Nuevo País*, then they came out. All of them, since 2006, maintain relations, even if each in a different manner and all unstably, with the presently governing party, *Alianza País*.

<sup>8</sup> <http://abyayala.nativeweb.org/ecuador/agrarian/agrar1.html> [Accessed on August 2013]

<sup>9</sup> The *Mesa Agraria* receives over the years the support of various Ecuadorian NGOs, such as Acción Ecológica, FMLGT, Heifer Ecuador, Terranueva and international such as CRIC, Terra Nuova, Intermon Oxfam or SAL. One of them, Terranueva, was designated to assume the "technical-operational secretariat" but operating on the basis of the political mandate of the federations. It would be interesting to analyze this choice of alliance between organizations and NGOs, especially compared to what it has implied in terms of expanding the capacity for action of the federations and, also, with respect to their autonomy.



representation as well as deliberation, according to the approved rules of operation, remain an exclusive prerogative of the participating peasant organizations.

Given the impact in terms of deepening of economic and productive marginalization among the national peasant sector, the anti-free-trade opposition is a priority that involved the *Mesa Agraria* between 2001 and 2006. During that five-year period the whole country was crossed by social mobilizations promoted by indigenous, urban and rural sectors in opposition to the U.S. economic integration policies, before the signature of the regional FTAA (*Acuerdo de Libre Comercio por las Americas*) and then his bilateral version, U.S. / Ecuador, the TLC (*Tratado de Libre Comercio*) (Acosta, Falconi 2005). The *Mesa Agraria* endorsed some demands expressed at continental and regional level<sup>10</sup>, promoted training and awareness campaigns among its decentralized bases, organizing media campaigns, demonstrations and symbolic occupations of public entities. Its mobilizations went along numerous others promoted by several Ecuadorians social actors, including the CONAIE and the network called *Ecuador Decide*.

In addition to the struggle against ALCA, since 2002 the *Mesa Agraria* started an internal process of analysis and debate that led to the elaboration of an *Agenda Agraria de las Organizaciones del Campo del Ecuador* (first version dates 2003, then revised in 2006). The document is based on the food sovereignty paradigm and claims measures to an agri-food transition, as well as the relative and indispensable access to productive factors. The programmatic elaboration was followed (between 2003 and 2006) by a decentralized campaign inside the local member organizations, especially addressed to the their communitarian leaderships, for the diffusion of the agenda and the improvement of their political action skills.

In 2003 the *Agenda Agraria* was recognized as a reference point in the elaboration of the plan "*Minga para el agro*" launched by the Ecuadorian government under the leadership of indigenous leader Luis Macas, Minister of Agriculture for the period from January to August 2003, during the presidency of Lucio Gutierrez. At this stage a round- table of dialogue was established between social actors and the Ministry, with the aim of discussing the texts of the *Ley General de Semillas* (General Law on Seed) and the *Ley de Seguridad Alimentaria y Nutricional* (Law on Nutritional and Food Security). The first, bulwark of agro-industry interests, was then withdrawn due to pressure from social organizations (including the *Mesa Agraria*), while the second one will be approved later, in April 2006, with a text that inaugurates the use of the term food sovereignty in Ecuadoran legislation.

<sup>10</sup> In meetings such as the "Encuentro Hemisférico de Lucha Contra el ALCA" (La Habana, November 2001), the Andean meeting "El ALCA y sus impactos económicos y ecológicos" (Quito, March 2001), the Third Congress of the Coordinadora Latinoamericana de Organizaciones del Campo-CLOC (Mexico, August 2001) or even the World Social Forum in Porto Alegre (Brazil-February 2002).



In August 2003, the alliance between *Sociedad Patriótica*, the Lucio Gutierrez's party, and the *Movement Pachakutik* (which both the CONAIE and the CONFEUNASCC-CNC join) collapsed; from that moment until 2006, *Mesa Agraria* recoiled from the dialogue spaces with government and decided to focus its action on mobilizations against the TLC, internal training and dissemination of the *Agenda Agraria* on a national and local level.

Before the presidential election of 2006, the *Mesa Agraria* drew up a proposal and invited the candidates to dialogue: it's in this context that in September of the same year the federation presidents signed an agreement with Rafael Correa. He committed himself - in case of election - to promoting an *Agrarian Revolution* that would democratize access to land, to preventing water privatization and in general fostering access to strategic resources for the "reactivation" of peasant sector. In early 2007, after Correa became president, the *Mesa Agraria* participated in the promotion of a Constituent Assembly, a central demand also for other ecuadorian social actors, first of all the CONAIE.

### The constituent action of Mesa Agraria

*Mesa Agraria* supported the campaign for Constituent convocation with human and financial resources (on April 15, 2007 the 'Yes' won with more than 81% in the referendum ). It renewed this commitment in the campaign for candidates (September 2007), when two of its leaders have been elected: Pedro De La Cruz (President of FENOCIN) and Guillermo Touma (President of FENACLE).

Then the federations concentrated efforts in signing agreements with some Constituents to engage them in the promotion of food sovereignty; in the meantime a participatory process for analysis and deliberative debate started among the organizations, aimed at developing a proposal for the new Constitution, to be spread later on national scale. More than to a text that develops in detail the constitutional articles, it refers to «key-ideas, the meanings, the spirit that we consider that should animate the new Magna Charta, in particular on those aspects related to food sovereignty and security, territorial development with equity and worker rights » (Mesa Agraria, 2007: 4<sup>11</sup>). In a nutshell, it refers to five guidelines: guarantee of food sovereignty, promotion of an agrarian revolution, a model of sustainable and equitable territorial development, guarantee of workers rights, in general and specifically for the agricultural employees and, finally, the necessity to re-establish a sovereign and intercultural State. As explained in the same text, at the basis of the proposal there is the «unobjectionable need to abandon neoliberalism» (Mesa Agraria, 2007: 6), to move towards a different economic and social model, «to change social, economic and productive relationships in the countryside making it more equitable, just and sustainable. To contrast productively, culturally, ideologically

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<sup>11</sup> Translation by the author.

and by practices with the agro-industrial model of the corporations and the national rural elites» (Mesa Agraria, 2007: 21).

In the coastal town of Montecristi, starting from 30 November 2007, the National Constituent Assembly opened its works which will continue until September of the following year. From that moment the members of *Mesa Agraria* increase actions, both individual and in coordination, aimed to socialize the proposals through public events, media campaigns and lobbying initiatives targeted to the Assembly as well as to other social actors and public opinion. A team of leaders was dedicated to the direct dialogue with the Constituent Workgroups, while forums, food and seed festivals and other events were organized around the headquarters of the Assembly, as well as during the constituent sessions itinerating on national territory. In any case, *Mesa Agraria* was not the only space engaged into the promotion of the constitutionalization of food sovereignty, there were also other actors with which the federations often discussed and collaborated. Among them, the *Colectivo Agrario*, *Acción Ecológica* or *Red Guardianes de las Semillas*.

The participation of the organizations linked to *Mesa Agraria*, coming from different parts of the country, was enthusiastic. There was a ferment to show the wealth of culinary and agrobiodiversity heritage of territories that they had helped to preserve. It suggests the willingness of peasants to show themselves, through it, as key productive and political subjects to rethink a different society.

### **Food sovereignty, Buen vivir and rights of Nature: challenges of their constitutionalization**

At the conclusion of the process the balance is positive: the new Constitution includes in a consistent way the proposals claimed around food sovereignty. It responds undoubtedly to an "external" favourable political trend, but at the same time it is an evidence of the ability of argumentation, communication and advocacy that the social organizations exercised towards the Ecuadorian society, permeating with contents and languages the rewriting of the social contract.

Since that constituent moment, food sovereignty emanates from the circumscribed battlefields of some social organizations to become a ground of dispute for the whole Ecuadorian society. In this way nowadays it's not just a demand of antagonist organizations, but it's a national issue that gains centrality in the political debate.

Food sovereignty was institutionalized in the new Constitution of Ecuador as part of the rights of *Buen Vivir* (living well), that is a concept borrowed from the Andean cosmovision and enriched by propositions of critical academic sectors and social movements. *Buen vivir* is proposed not as a declination of development but as an alternative. Basically it is a plural and

pluri-dimensional concept under construction (Gudynas, 2011; Gudynas & Acosta, 2011) and it's «a question necessarily open that requires to be continuously investigated, debated and practiced» (Quijano, 2010:121<sup>12</sup>). In contradiction with an individualistic approach, this concept suggests an understanding of world starting from an "us" (a communitarian subject) rather than "I" and constructed ontologically on an harmonic relationship among humans and between them and the ecosystems where they live.

In this framework, for the first time in a legislation at global level, Nature becomes subject of rights, so considering it not as a mere factor of production, but rather as «an inherent part of social being» (Davalos, 2008: na<sup>13</sup>), suggesting a way of overcoming the *metabolic rift* immanent to capitalism and radically reshaping the perspective on the relationship between human and extra-human natures and, also, between the countryside and the city.

In this sense, Moore (Moore, 2010b; 2011a; 2011b) recalls the theoretical proposal of the *metabolic rift* and the analysis on the dialectic society / nature, with some reflections which help understanding the extent of the break inherent to the proposal of *Buen Vivir*. For Moore capitalism itself is a *world-ecology* (and therefore not a purely social or economic system) that regulates the forms of human interaction with the rest of nature according to a logic of endless accumulation. It «does not have an ecological regime», being rather and in itself «a world-ecological regime – joining the accumulation of capital, the pursuit of power, and the production of nature as an organic whole» (Moore, 2011b: 2).

Therefore, ecology cannot longer be confused with the environment or with nature, but is rather considered as the relationship between human and extra-human natures, also expressed as the dialectic between nature and society. Such bundle of relations, which Moore defines messy, is denominated *oikeios*, borrowing the term from the greek philosopher and botanist Theophrastus.<sup>14</sup>

Through the conceptual category of *oikeios* it is possible to explore holistically the relationship between human and extra-human natures, recognizing the reciprocal dynamics of construction of one from and through each other.

This implies on the one hand, in the critical analysis of capitalism, recognizing the coordinates of the *oikeios* of each cycle of accumulation, or the renewed forms and boundaries of appropriation on human nature (workforce) and extra-human (energy, raw materials, land, seeds, etc.). A complex matrix of relationships that has placed the "rural areas" as producers of "cheap food" to reduce the costs of production (lowering the costs of reproduction of

<sup>12</sup> Translation by the author.

<sup>13</sup> Translation by the author.

<sup>14</sup> He intended *oikeios* as the relationship between a vegetal species and the rest of nature.

workforce) (Moore, 2010 b, 2011b).

On the other hand, the holistic view on the relation nature / society that Moore proposes results interesting also turning it to models epistemically alternative to those of capitalism. In this sense, it seems that the assumption of *Buen Vivir* as a paradigm implies overcoming the classical perspective of social determinism (intended as society acting on nature) promoting a different *ecology* based on a *oikeios* that re-founds ontologically the relationship between human and extra-human natures, recognizing their mutual penetration.

This gets to the point of raising Nature as holder of rights, conceiving it not as an "external" basin of resources to subjugate and exploit but as an "intrinsic" patrimony to be respected and reproduced. At least from the point of view of the declarative dimension, the constitutionalization of *Buen Vivir* involves the obsolescence of the logic of *accumulation by dispossession* (Harvey) typical pattern of extractivism and commodification of nature (and with it of the agriculture and food) and places the agrarian question out of the prevailing discourse of modernization and productivity as unique organizer horizons.

The economy, as conceptualized in the new constitutional text, puts the humans at the centre as subject and purpose. In this way, the market is not considered as the exclusive social regulator , while the State is conceived as a guarantor of the right to *Buen Vivir* of the population and the rights of Nature (República del Ecuador, 2008).

Inside this innovative way of understanding the world and the social reproduction, food sovereignty becomes the horizon to change the agri-food model.

But the question is: to what extent has the concept of food sovereignty been included in the Constitution respecting all its original implications in terms of rethinking the agrarian question? (McMichael, 2007; 2008; Desmarais, 2009; Patel, 2009)

Especially, about two main elements inherent to the proposal of food sovereignty and its epistemic fracture:

(1) the recognition of food as a right that can not be mediated (or organized) by the market, but must reside in the free discretion of the "people, nations and States" (Declaration of Nyeleni, 2007<sup>15</sup>)

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<sup>15</sup> <http://www.nyeleni.org/spip.php?article290> [Accessed on July 2013]

(2) affirming the right of peoples and countries not only to food but also to produce appropriate food, claiming an imprescindible re-appropriation, in the hands of who produces, of the factors of production such as land, water, seeds.

In countertrend with the policies historically carried out in Ecuador, aimed to the production of exotic commodities (fruits, flowers, shrimp, etc..) for foreign markets, the new constitution establishes radical changes in the agri-food sector.

The Art. 13 of the Preamble affirms the right of individuals and communities to safe and permanent access to appropriate food according to the different identities and cultures, preferably locally produced. This article closes by assigning to the State the role of promoter of food sovereignty (República del Ecuador, 2008). This first statement, however, does not engage in an accomplished definition of what food sovereignty means, referring to it but leaving ambiguous boundaries; as a consequence, it generates a first space of "indefiniteness". Similarly, there is no indication on the "by whom" as well as "how" food should be produced, that means through which production model, or, finally, to what kind of "access to factors of production" should be guaranteed.

Part of these elements, that characterize and establish the otherness of the proposal of *La Via Campesina* in respect to the concept of food security used by FAO, have been developed in the body of the constitutional text, especially in reference to "by whom" and "how", through a chapter specifically dedicated to food sovereignty. It begins with an extended Article 281, establishing food sovereignty as a «strategic goal and governmental obligation to ensure that people, communities, peoples and nationalities reach self-sufficiency of healthy and culturally appropriate food, on a permanent basis» (República del Ecuador, 2008:281<sup>16</sup>). It continues detailing what measures are desirable as well as the relative responsibilities of the State.

According to the claims of social organizations, it promotes (República del Ecuador, 2008: Art. 281) :

- (1) short chains and a greater national self-sufficiency;
- (2) the agro-ecological conversion and free use of seeds;
- (3) Ecuador as a country free of GMO seeds;
- (4) support to peasants aimed at the access to land, water and credit;
- (5) prohibition of latifundium and a social and ecological function for land use;

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<sup>16</sup> Translation by author.

- (6) the prohibition of monopolistic and speculative practices around the food;
- (7) primacy of production for food sovereignty rather than for agro-fuels;
- (8) fair economy and direct relationship between producers and consumers.

Here the problems are not so much at the declarative level, but in the regulative one, which is mostly absent, thus giving rise to additional areas of indefiniteness.

As main example of the mentioned "no determination", the Constitution claims the redistribution of land or water but it does not solve the question of how to promote a fair access to these productive factors. By the rules of market? By a radical agrarian reform which proceeds to expropriate lands? This concern is a fundamental matter in the food sovereignty's proposal of *La Via Campesina* and is the key to change the heavy inequalities that cross the rural Ecuadorian areas, being essential to gain more independence and autonomy for peasants.

In addition, a leading role is assigned to the State as a guarantor of food sovereignty: most of the inherent texts consist of the description of the duties it must assume. At first glance it appears undoubtedly as a significant achievement for organizations and social movements who fought for the assumption of these responsibilities by the State.

In fact, the concept of food sovereignty promoted by *La Via Campesina* implies "the necessity of governments and states to protect and stimulate family, peasant and cooperative farming with adequate agricultural pricing policies, technical assistance and market guarantees, as a means of producing foodstuffs and preserving our culture" (LVC, 2009:59). In this way, it claims a central role of the state management, in a historical phase in which the existence of a global governance reorganized in territorial scalings that undermine the sovereignty and reduce (but not reset) the protagonism of the States (Sassen, 2008) is widely recognized.

*La Via Campesina* explains this position, which could be considered as a return to nationalism, referring to the "national purpose" of the State and therefore the responsibility of parties and governments in the «administration of the so called "common good" (LVC, 2009: 95)». Pointing out that

«Some states and parties defend a neoliberal economy where the market reigns, a principle that is in opposition to the interests of *La Vía Campesina*.

In the majority of our countries we have experienced processes that range from authoritarian regimes to "representative" democracies where

governments and parties have lost legitimacy and credibility as a product of their political actions.

Against this background, the true solution to the problems within agriculture will not always be resolved by governments and political forces. This statement does not mean that our social movement must construct its own model, parallel to the one of the State, or must construct basic participating alternatives, not related to the political institutionalism or to the market. We must stress that these policies must reach the agricultural sector and rural areas without inequality nor exclusion. » (LVC, 2009:95-96)

This position implies the affirmation of two issues as a priority: (1) sovereignty of the State over the national policies and (2) centrality of the role of the State in the transition of the development model. But, at the same time, it is accompanied by a persistent claim by *La Via Campesina* of a (3) leading role in decision-making and over resources control exercised by communities, peoples and nations.

The first two principles reported as cardinals by *La Via Campesina* are widely traceable in the Ecuadorian constitution. As regards the first, the constitutional text incorporates a "plural notion of sovereignty", thinking it as popular (Art. 1 and 96), national (Art. 3, 158, 276, 290 and 423), food (Art. 13, 15, 281, 284 , 304, 318, 334, 410 and 423), energy (Art. 15, 284, 304 and 334) and relating to international relations (Art. 416) (Senplades, 2013; Acosta & Martinez, 2010).

In relation to the second, that centrality crosses the entire Constitution, including the sections dedicated to food sovereignty which explain and develop the responsibilities and duties of the State.

In reference to the third aspect, people and communities are holders of the right of access to food, and those related to it. But it is not explicit whether they are holders of the right to decide, on a permanent and systematic way, on their agri-food systems and policies, which, however, is a fundamental part of food sovereignty as conceptualized by *La Via Campesina*.

The Constitution generally provides the guarantee of "participation of persons, communities, peoples and nationalities" (República del Ecuador, 2008: Art. 85). Participation is conceived as "individual and collective" to allow that citizens are protagonists of the decision-making processes and control public management, through a permanent construction of the denominated "*poder ciudadano*" (citizen power) (Art. 95). Here the participation is clearly understood as a right of all citizens to be applied in all matters of public interest and to be



exercised through mechanisms of "representative, direct and communitarian democracy " (ibid.). Direct democracy is performed by the means of some specific instruments, such as revocation of mandate (Art. 105), the popular referendum (Art. 104) and popular normative initiatives aimed to propose, reform or waive legal rules via signatures collecting (Art. 103).

The effectiveness of these and the rest of the instruments provided for participation remains as open question, but in any case here it is important to stress how the constitutional text introduces the paradigm of food sovereignty without explicitly identifying the community (including peasants) as essential subjects of the hoped transition, politically recognized and visible as actors alongside the State<sup>17</sup>. This leads to question the possibility that a State could be able to fulfil the challenge that affirms it as the main or exclusive promoter of the transition to a food sovereignty regime. Without social mobilization and participation, the overturn of the balance of power in the sector, acquiring in meantime the technical skills needed to make that transition, appear arduous.

Clearly, these open issues are not fortuities, but rather represent the sign marked by relations of force during the Constituent Assembly, as well as they respond to the choice to postpone the resolution of the points of disagreement to the following legislative regulation imposed by the new Constitution (Rosero Garcés et al. , 2011). In fact, the constitutional text must be read as the result of many tensions and negotiations between pro-change sectors and groups concentrated in the defence of their privileges (Acosta and Martinez, 2011).

### **The secondary legislation: eluding the nodal points of conflict**

The Constitution establishes a deadline of one hundred and twenty days since its enforcement for the approval of five laws, including one in charge of developing the regime of food sovereignty. At the beginning of 2009 there's the approval of the *Ley Orgánica del Régimen de la Soberanía Alimentaria/LORSA* (Organic Law of the Food Sovereignty Regime) aimed at establishing the mechanisms by which the Ecuadorian State must assume the obligations and objectives provided in the constitutional text.

The peasant and indigenous organizations continue their influence action, but now in a more dispersed way and showing a decreased deliberative and proactive ability; meanwhile, for their part, opponent sectors to the transition to a food sovereignty regime strive to reduce the constitutional mandate, taking advantage of a political situation more favourable to them.

The text of the Law approved by Parliament is partially vetoed by President Correa, in reference to encouraging greater flexibility to the production of agro-fuels and towards the regularization

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<sup>17</sup> Instead, for example, in the Art. 44 the infant integral development has been identified as a collective responsibility of State, civil society and family. (República del Ecuador, 2008: 34)

of production of shrimp as well as to change the conformation of the institution set up to promote the debate around the legislations foreseen by LORSA.

The result of the process, in itself very short, is the entry into force of a law that ratifies and develops the general principles of a food sovereignty regime for Ecuador, remaining, however, on a programmatic level rather than facing regulations or measures and instruments.

Access to land, to be understood as one of the main demands of peasant organizations, was ratified in Art. 6 on the basis of its social and environmental<sup>18</sup> function and through the inclusion of positive discriminatory measures in favour of small producers, including the ones specifically relating to women producers and breadwinners. But in this regard, LORSA leaves open questions on the guidelines and modalities of operation, as well as does not define what resources will constitute the National Land Fund.

Even the fundamental right to water is ratified but its regulation is postponed to the corresponding law, which together with the Law on Communication is one of the legislative projects that have generated greater social conflictuality during the post-constituent transition (Ramírez Gallegos et al., 2013).

The protection of intellectual property rights on national seeds and agro-biodiversity and their free use and conservation are once again recognized as a responsibility of the State and society; here LORSA adds, however, the specification of "native origin" which would exclude non-native varieties, though locally improved (such as rice).

It explicitly mentions the conversion to agro-ecological systems and diversification as well as the priority to be given to small and medium productions for public agri-food purchases.

The *Conferencia Nacional de Soberanía Alimentaria*- COPISA has been constituted from the institutional point of view, with members appointed through a competition based on merits and endowed with a not completely autonomous status (as initially proposed by social organizations); indeed the COPISA has then been ascribed to the Ministry of Agriculture. The task assigned to this entity is to coordinate a wide and participatory debate for the design of LORSA and its subordinate laws relating to: use and access to land, seeds and agro-biodiversity, agricultural development, agro-industry and agricultural employment, animal and plant health, public access to credit, agricultural insurance and food subsidies.

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<sup>18</sup> Social function is: generating employment, productive and sustainable use, re-distribution of incomes (but not distribution as in the original version of the law, later modified by presidential veto); while the environmental function refers to the conservation and respect of the rights of Nature.

In practice, however, even on this occasion (as indeed in the constituent phase) debate around the nodal points, generators of conflict, is postponed to the approbation of the laws subordinated to LORSA, which has not yet occurred.

Several law drafts have been presented, some promoted by COPISA or supported by it.

It's the case of the proposal of land law denominated *Ley de Tierras y Territorios*<sup>19</sup> presented by CNC-Eloy Alfaro, FENOCIN and FEI with other organizations (all reunited in the *Red Agraria*) through a citizen initiative based on collecting signatures. Implemented between October 2011 and March 2012, it has enjoyed a wide social consensus by exceeding the 40,000 endorsements while 25,000 would have been sufficient for the parliamentary qualification. The text, which was discussed during several workshops with organizations and grassroots communities in the three regions, with the support of the COPISA, handles the most critical issue of the land redistribution, advancing concrete proposals.

In fact, this Bill sets the maximum extent for private property<sup>20</sup> beyond which they should be turned into agro-productive enterprises (with 40% of the stocks sold to workers engaged in them), or otherwise the surplus will have to be sold, on pain of the expropriation of the same. It is one of the most debated topics, due to its relevance and sensitiveness to define which properties should be considered as latifundium, and therefore illegal according to the Art. 282 of the Constitution.

The Bill presented by the *Red Agraria* promotes the redistribution also via the award of state lands to be assigned exclusively in the form of associative property (to groups integrated at least by five people) and providing that this takes place free of charge, or, at the most, paying a social price. In addition, it proposes the establishment of a Ministry for Food Sovereignty as a necessary institution to implement the agrarian reform process and, in general, to safeguard the wished transition in the agri-food system.

But the proposal from Red Agraria was not the only one: at least 6 bills were drawn (Rosero Garcés et al., 2011). In this regard, the *Camara de la Agricultura* (Chamber of Agriculture) had already drafted a proposal in the previous months, that was presented to the Assembly also in the March 2012<sup>21</sup> by a member of the governmental coalition (who quitted the coalition a few months later). This text quoted some of the watchwords of the new Constitution, referring to

<sup>19</sup><http://www.asambleanacional.gob.ec/legislacion/tramite-de-leyes/tramite-de-leyes-2012.html#ancla2012>  
[Accessed on June 2013]

<sup>20</sup>The Art. 25 sets these limits to 500 hectares for coastal and Amazonian regions and 200 for the Andean zone. While the Art. 24 distinguishes properties exceeding those limits between productives and unproductives, which should receive different treatment (processing, sale or expropriation) according to the Articles 26 and 27.

<sup>21</sup><http://www.asambleanacional.gob.ec/legislacion/tramite-de-leyes/tramite-de-leyes-2012.html#ancla2012>  
[Accessed on June 2013]

the concept of food sovereignty and the need to regulate the latifundism, but was careful to set limits to the extension of private property and proposed to qualify the latifundium only on the basis of its non-productivity or in the case of presence of unused public infrastructure for irrigation. On the other hand, it provided the conventional transaction on the market as unique mechanism for land redistribution.

The balance in power relations, as well as the directionality that the government of Rafael Correa will favour in order to influence them, will determine the outcome of the divergences around this issue and the rest of the conflictive points (in addition to land: water, the productive model , use of GMOs and agro-fuels) that shapes several draft laws not yet approved.

Meanwhile, the debate around the points of conflict emerged during the post-constituent period has been postponed to the approval of their subordinate laws, which has not yet occurred, probably due to the lack of agreements among (and inside) the parliament groups and between them and the executive function. In this regard, in 2009-2011 the governmental block has not enjoyed an absolute majority in Parliament, having to find a way of gaining support for each law approved (Ramirez et al., 2013). In addition there was the intentionality to avoid sensitive issues during the campaign for the presidential election (February 2013) that would leave unsatisfied social actors or, in contrast, powerful economic groups. Indeed, at that stage there was the emergence of strong pressures by agro-industry, aimed to reduce the political primacy of the food sovereignty 's perspective.

In the light of the parliamentary majority won by re-elected president Rafael Correa an acceleration is predictable, as well as a complicated resolution of the differences on nodal issues experienced inside the same government and its parliamentary bloc.

### **The gap between the declarative dimension and its implementation by public policies: will the Agrarian Revolution start?**

From the point of view of the implementation of public policies and strategies, nearly five years after the approval of the Constitution, the balance of the "Agrarian Revolution" is widely evaluated as critical, by the same government sector, although this "revolution" has been contemplated as a strategic component of the *Revolución Ciudadana* (Citizen's Revolution) promoted by the "progressive" government of Rafael Correa.

Strategies for Food Sovereignty, adopted by the various Ministers of Agriculture in charge between 2008 and today, showed uncertainty and marginality. The official plans, including the Plan of *Buen Vivir* (the National Development Plan) for the period 2013-2017, continue to claim

food sovereignty as part of a radical change of the productive matrix. But the present reality is quite different.

A policy of aids, with packages tailored to the traditional monocultures, continued to excel in the public support targeted to small producers. As for the innovative level, in addition to a training program in its intents aimed to improve food sovereignty and productivity by the promotion of dialogue between local and scientific knowledge (denominated *ERA*, Schools of the Agrarian Revolution), there was the launch of initiatives to facilitate access to credit and land. But they might seem to be encouraging a status of peasant dependence, since they are not clearly associated to processes of diversification and agro-ecological conversion. The land program (*Plan Tierras*<sup>22</sup>) addresses in an innovative way the issue of land ownership, promoting the acquisition by associative models rather than individual. Despite this innovation about property, the program reproduces mechanisms that seem to respond to a logic of mercantilization of land and financialization of the rural areas. Indeed, while the debate around the Law on land (and the mechanisms for the redistribution to be adopted inside it) does not start in Parliament, at the level of implementation some strategic choices have been made. Within these official initiatives there is a protagonism of plans which lead the peasants into debt (with the *Banco Nacional de Fomento*) in order to purchase land on the market. Moreover, this could generate significant increase in the price of land on the market.

This seems in contradiction with what is immanent in the proposal of food sovereignty and detectable in the statements of *La Via Campesina*, regarding the necessity of «altering power relations in society in favour of peasants and the coalitions which support them and which have nothing to do with the private patrimonial transactions financed by the state»; a position that involves a severe critique toward the strategy of agrarian reform promoted by the World Bank and based «on the liberalisation of agricultural markets» (LVC, 2009:131).

Moreover, some initiatives called "rural inclusive businesses" have been promoted with the aim of connecting producers with agro-industry and the distribution chains, but they don't imply automatically a conversion in the model of production or in the traditional accumulation regime.

For his part, President Correa has repeatedly emphasized the need to modernize the Ecuadorian rural sector to increase productivity, including through the use of GMO seeds (the use of which is currently unconstitutional) and announcing the necessary constitutional reforms to allow it.

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<sup>22</sup> <http://www.agricultura.gob.ec/plan-tierras/> [Accessed on August 2013]

The inconsistency between the aims constitutionalized or statements of government plans (such as the National Development Plan) on one side with the slowdown in the adoption of strategic laws for the agri-food sector or of policies clearly informed on the food sovereignty view on the other, is a mirror of power relations that cross the agri-food sector in the country, and within them the differences that cross the block government, both in the executive function and in the legislative one, should be investigated and understood.

After all, it is possible to notice a substantial reshaping of the organizational capacity and political action of federations and organizations engaged with the promotion of food sovereignty, as well as a reduction of the spaces for dialogue and cooperation between them and the government of Rafael Correa. It is probably due to the inherent cycles of latency and visibility of the contemporary collective action (Melucci, 1987 ) and to the necessity to redefine objectives and strategies in front of a context that changed radically in a few years.

The current management is no longer a classic government of the neoliberal era, so the social organizations cannot act as usual: they have to re-invent their strategies and political agendas. The situation is complex and the same autonomy of organizations could be at risk, especially for those organizations which support the government of Rafael Correa and that are in a precarious balance in the attempt to report publicly the inertia in official agri-food policies without finding themselves at the opposition to the government. A government that is engaged in the promotion of significant transformations in the country, especially regarding the improvement of social policies, redistribution of wealth and defence of the State and its role as regulator. For these reasons, it continues to earn a high consensus in the population, also from the communitarian basis affiliated to the social organizations.

In this regard, it's important to stress a trend to governmental centralism that reduces the space for dialogue as well as promotes a direct relationship between State and single producers by means of official programs. In this way, the social organizations experiment a reduction of their role of intermediation and their capacities of influence on the decision making process.

This trend goes beyond our specific matter and rather informs, in general, on the modalities of relationship between the State and the social actors in a government that despite being "progressive" is far from building itself as "government of social movements". With regard to our reflection, it is worth sending it back to the spaces of indefiniteness appeared during the institutionalization of the proposal of food sovereignty. Indeed, as we have seen, there is ambiguity regarding the role assigned to the organized social actors and individuals to operate a transition towards food sovereignty. Indeterminacy in the post-constituent phase leaves room for these processes of relative marginalization of those who were the main actors of its constitutionalization.

Meanwhile, the international cooperation has reduced its financial support, weakening even more the capacity of action in "autonomy", at least from the State, of these social actors.

However, in the last months there were some mobilizations (conflicting and propositives), such as the protests for water and against mines or, as we have seen, the citizen presentation of a Law on land promoted by federations that early on were part of the Mesa Agraria.

Besides, peasant organizations and federations that have promoted the institutionalization of food sovereignty today face considerable difficulties in gaining visibility on the political scene and the media. Indeed, they must cope with the risk of being instrumentalized by several fronts. On the one hand the government, who might be interested in treating them as "pacified" allied to resize the political significance of other social actors, identified as more rebellious (as CONAIE). On the other hand they may be thrust by force among the ranks of the opposition, particularly by those interested in generating a perception of widespread antagonism towards the government (such as the private media, angered by regulatory policies on information conducted by Correa).

The result is often to obtain little attention to the political scene, as occurred during the public presentation of the citizenship initiative for the Law on land and territories, in March 2012 when public attention was fragmented mostly between the protest march *Marcha por la vida* (promoted by the CONAIE and the left opposition) and the counter- march supported by government. On that occasion, the third way sponsored by Red Agraria- which demanded its right to make its voice heard and denounced the requirement of radical changes in the agri-food sector opting for a strategy of proposition and dialogue rather than protest- has attracted a modest attention, if not outright rejection , from those parts in conflict.

### Preliminary Conclusions

At the present, in Ecuador, food sovereignty is part of the national political debate and ground of dispute for the whole society and not only a matter of some social organizations. However, the process of redesigning of the public institutionalization and agri-food policies does not appear consistent with the constituent phase and the mandates positioned by it. This is conceivable in the light of the slowed pace in materializing those challenges (by secondary legislation and official policies) and the persistence of a logic of rural industrialization and modernization inside some strategic components of the government. All this is accompanied by a reduced protagonism of social organizations that originally sponsored the proposal of food sovereignty.

However, food sovereignty remains as a collective horizon, constitutionalized and therefore legitimate, towards which the Ecuadorian society should point. This embodies - besides than a



victory for the Ecuadorian and international movements that have made thereof a battleground - a crucial step that marks the relations of force in the agri-food sector. These are favourable conditions to continue in the conquest of a peasant leading role in the re-signification of the agrarian question, but presently the relations of power appear as not favourable to the necessary progressive, but radical, changes in the productive and agrarian structure of the country, that would be in themselves technically complex.

If it's certain that social movements are engines of changes in the food regimes, as Friedmann (2005) stressed, it's similarly true that the innovative elements proposed by collective actions could be declined quite differently from social expectations.

And this also applies to what is happening in Ecuador: the irresolution of nodal points and the incoherency of official policies are linked to the power relations inside the national agri-food system. In Ecuador a typical conflict related to the control of resources is ongoing, which results in the battle between two ideas of the social production (Melucci, 1987): *Buen vivir*, inspired to a model of post-development versus a re-edition of the *project of development* (McMichael, 2006), where market maintains primacy and the transformation process is embedded inside a "neo-developmentist" model, based on the intensive exploitation of nature and modernization.

The result of this clash is not yet so clear: in this sense it is interesting to reflect on it, in a critical way, and recognize the role of social movements in the promotion and in the eventual materialization of new models, as well as in their capacity to gain a concrete engagement of the government in order to change the power relations. Probably it would imply a rethinking of the role of the State and materializing forms of democracy (Patel, 2009) that permit the co-governance of the transition, between State and social actors.

The perspective of food sovereignty offers a renovated horizon to re-establish the relationship between human and extra-human nature, as well as between cities and countryside, providing a framework functional to imagine how to get out of the crisis which crosses and regenerates contemporary capitalism. In this regard Ecuador, with the institutionalization of the paradigms of *Buen Vivir* and food sovereignty, has certainly redefined epistemically the route to navigate, opting for a fracture that affects radically the productive matrix and the forms of government of the country. The point is that it is implemented, gradually, overcoming the unique dimension of the desirable.

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# FOOD SOVEREIGNTY: A CRITICAL DIALOGUE INTERNATIONAL CONFERENCE PAPER SERIES

## Food Sovereignty: A Critical Dialogue

INTERNATIONAL CONFERENCE  
YALE UNIVERSITY  
SEPTEMBER 14-15, 2013



PROGRAM IN  
**Agrarian Studies**  
YALE UNIVERSITY

<http://www.yale.edu/agrarianstudies/foodsovereignty/index.html>

A fundamentally contested concept, food sovereignty has — as a political project and campaign, an alternative, a social movement, and an analytical framework — barged into global agrarian discourse over the last two decades. Since then, it has inspired and mobilized diverse publics: workers, scholars and public intellectuals, farmers and peasant movements, NGOs and human rights activists in the North and global South. The term has become a challenging subject for social science research, and has been interpreted and reinterpreted in a variety of ways by various groups and individuals. Indeed, it is a concept that is broadly defined as the right of peoples to democratically control or determine the shape of their food system, and to produce sufficient and healthy food in culturally appropriate and ecologically sustainable ways in and near their territory. As such it spans issues such as food politics, agroecology, land reform, biofuels, genetically modified organisms (GMOs), urban gardening, the patenting of life forms, labor migration, the feeding of volatile cities, ecological sustainability, and subsistence rights.

Sponsored by the [Program in Agrarian Studies at Yale University](#) and the [Journal of Peasant Studies](#), and co-organized by [Food First](#), [Initiatives in Critical Agrarian Studies \(ICAS\)](#) and the [International Institute of Social Studies \(ISS\)](#) in The Hague, as well as the Amsterdam-based [Transnational Institute \(TNI\)](#), the conference “Food Sovereignty: A Critical Dialogue” will be held at Yale University on September 14–15, 2013. The event will bring together leading scholars and political activists who are advocates of and sympathetic to the idea of food sovereignty, as well as those who are skeptical to the concept of food sovereignty to foster a critical and productive dialogue on the issue. The purpose of the meeting is to examine what food sovereignty might mean, how it might be variously construed, and what policies (e.g. of land use, commodity policy, and food subsidies) it implies. Moreover, such a dialogue aims at exploring whether the subject of food sovereignty has an “intellectual future” in critical agrarian studies and, if so, on what terms.

## ABOUT THE AUTHOR

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