

Taking Control of the Public Sphere by Manipulating Civil Society: The Citizen Revolution in Ecuador

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Abstract:

By taking advantage of the core discourses of the main social movements, Rafael Correa Delgado was elected president of Ecuador in 2006. Promising a ‘citizen revolution’, the President designed and engaged heavy institutional machinery that disciplined the civil society and other elements of the embryonic Ecuadorian public sphere. Paradoxically, he did so under the pretext of establishing a participatory democracy. This paper examines the processes and mechanisms of governmental control over civil society, the strongest element of the Ecuadorian public sphere, and their consequences for social movements. *Keywords:* participatory democracy, public sphere, lifeworld, Ecuador, Citizen Revolution, social movements, Rafael Correa.

Resumen: Controlando la esfera pública a través de la manipulación de la sociedad civil: El Caso de la Revolución Ciudadana en el Ecuador.

Aprovechándose de los discursos centrales de los principales movimientos sociales, Rafael Correa Delgado fue elegido presidente en el 2006. Prometiendo una ‘revolución ciudadana’, él diseñó y estableció una pesada maquinaria institucional que disciplinó la sociedad civil y otros elementos de la embrionaria esfera pública Ecuatoriana. Paradójicamente Correa consiguió este objetivo bajo el pretexto de establecer un modelo de democracia participativa. Este artículo examina los procesos y mecanismos de control gubernamental sobre la sociedad civil, el elemento más fuerte de la esfera pública ecuatoriana, y sus consecuencias para los movimientos sociales. *Palabras clave:* democracia participativa, esfera pública, mundo de la vida, Ecuador, Revolución Ciudadana, movimientos sociales, Rafael Correa.

The Ecuadorian public sphere¹ could be considered in an embryonic state (Ortiz Lemos, 2013) mainly because it has not reached the levels of autonomy suggested by Habermas (1989, 1991, 1992, 1996). However, beyond the theoretical debates about this concept,² from the return to democracy in 1978 to the political changes after the Constitution of 1998, it has been possible to note a gradual development of certain core elements for an incipient public sphere in Ecuador:

- o The rise of unions and syndicates, which during the eighties led social protests based on redistributive demands (León & Pérez, 1986);
- o The challenge to the elitist delegate democracy from indigenous social movements, which demanded the installation of an *estado plurinacional* (plural national state) and ‘participatory democracy’, and which denounced the lack of legitimacy of traditional elections. Additionally, indigenous organizations exercised important influence over the redaction of a new constitution in 1998, particularly regarding the recognition of collective rights (Collins, 2000; Barrera, 2001; Unda, Guerrero & Hidrovo, 2005).
- o The generation of thousands of instances of civil participation after the Constitution of 1998 (Ortiz Crespo, 2008), mainly at the local level, and the development of experiences of social accountability through institutions like the *Comisión de Control Cívico de la Corrupción* (Civic Commission of Public Control of Corruption) not managed by the State.
- o A relatively strong tradition of investigative journalism and opinion reporting, that even with some valid criticism (Jiménez, 2006; CIESPAL/ UNESCO, 2011) has acted as a permanent ally of social accountability.

However, of all the elements aforementioned, the civil society has been, without a doubt, the most active and important in the Ecuadorian public sphere, and therefore, one of the main targets of disciplinary politics of the Citizen Revolution.

Nevertheless, Rafael Correa’s control of Ecuadorian civil society has received sparse attention in the academic literature. Notably however, several studies focus on related topics, including: the populist nature of Correa’s political project, characterized by the subjection of the political institutions under the authority of the leader (De la Torre, 2007, 2008, 2013a, 2013b; Ortiz Lemos, 2008; Montúfar, 2013); the attacks to the political party system, in order to support a hegemonic political movement (Freidenberg, 2009); the creation of a plebiscitary model of democracy that has prioritized the electoral process over civil participation (Conaghan, 2008); and the conflictive relationship between the Citizen Revolution and the traditional social movements (Becker, 2012; Martínez, 2009; and Tuaza, 2012). These studies are accurate, but the works neither defined civil society as a core element of the public sphere in Ecuador, nor showed, in a specific way, the diverse institutional and normative strategies that Correa used to control social organizations.

Addressing the aforementioned gap, this paper explains how the political project of Rafael Correa in Ecuador created a complex institutional machinery that seeks disciplinary control over the core components of the Ecuadorian public sphere, particularly civil society, under the justification of having designed a structure for participatory democracy.

Various methods were employed, between 2008 and 2012, for this analysis. These included participant observation during government-hosted dialogues with civil society, wherein the processes and content of new laws and institutions were discussed. Additionally, the author reviewed official documents, conducted interviews with state functionaries and leaders of civil society, and analysed relevant media representations. These components allowed the author to follow the design, debate, and creation of the institutional structures that now control the Ecuadorian public sphere.

Participatory democracy, or control over civil society?

In 2006, Rafael Correa won the presidential election in Ecuador with the promise of generating a citizen revolution that would articulate the demands of the main social movements. His official discourse was built through a confrontation framing (Snow & Benford, 2000) against two ambiguous signifiers: the *partidocracia* (partyarchy), and the *noche neoliberal* (neoliberal night). The former alludes to the hegemony of the traditional political parties in Ecuador since the return to democracy (namely, the system of ‘elitist democracy’ instituted since the Constitution of 1978), and the latter refers to the ‘neoliberal policy’ supposedly applied by all presidents from Oswaldo Hurtado to Alfredo Palacio, the immediate predecessor of Rafael Correa.

The political movement of Rafael Correa, ‘Alianza PAIS’,³ refused to present candidates to the National Congress because he had campaigned to abolish this institution, which was considered the main symbol of the *partidocracia*. Instead, he proposed the establishment of a national *Asamblea Constituyente* (Constituent Assembly), with enough power to write a new constitution. The Constituent Assembly⁴ was inaugurated on 29 November 2007 and the majority of its members were part of the governmental movement. From the beginning, this new institution received criticism for the lack of autonomy of its members under the rule of President Correa (Acosta, 2008).

An iconic example of the Assembly’s submission to the presidency occurred when the indigenous organizations pressured for one of their core historical demands: the recognition of the *Estado Plurinacional* (Plural National State)⁵ in the new constitution. Under these circumstances, the Assembly delegated the ministries and secretaries of the executive branch to work on this topic (Ortiz, 2013; Carter Center, 2008). In other words, it was the presidency that formulated this core element (Constitución de Ecuador, 2008, art. 1), and not the Assembly.

Nevertheless, it was a priority for the government to show the discussions around the new constitution as participatory processes in order to be consistent with the campaign promises. Thus, the Constituent Assembly created an office, the *Unidad de Participación Social* (UPS – Unity of Social Participation), to coordinate its interaction with the civil society organizations and supposedly, to include their core contributions. However, this new office was linked to the peculiar perspective of participation promoted by the government.

Thus, the official report of UPS stated that one of its main activities involved the identification of allied social organizations for the public discussions (UPS, 2008). In other words, the strategy avoided plural debates with critical, civil society actors, and encouraged conversations among organizations already supporting the government, a circumstance confirmed by the former directors of the UPS.⁶ In fact, through interviews, they agreed on many controversial points regarding the relationship between the National Constituent Assembly and civil society, including that:

- o The UPS was logistically incapable of processing the huge quantity of demands received from civil groups during the discussion process, which between November 2007 and June 2008, numbered 2,300 proposals (UPS, 2008).
- o Clientelism between the members of the Assembly and their electoral capital persisted. In fact, governmentally sponsored corps that had been organized for electoral campaigns were presented to the public as ‘social organizations’ that supported the government’s position in the Assembly. Former director of UPS, María Piedad Maldonado Donoso said: ‘Many of the Assembly members had a patronage relation with their base, and these were the actors that came to the meetings’.⁷
- o The executive branch remained omnipresent in all the debates in Montecristi and, due to its pressure to write the constitutional text as soon as possible, avoided any serious discussion with social actors or political society.⁸

Due to the strategies shown above, the majority of the traditional social movements supported the government’s position during the ratification of the new constitution. Only a few groups of civil society, those that represented liberal interests or regional positions (such as the *Junta Cívica de Guayaquil* – Guayaquil Civic Junta⁹ and some chambers of industries and commerce), showed, albeit weak, criticism during the Assembly debates.¹⁰

The early support of social movements

The government had built its discourse based on the demands of the social movements (Ortiz Lemos, 2013, and needed their support during the discussion and consolidation of the new constitution. It can be said that the most important social organizations in Ecuador at that moment were those related with the indigenous movement (Becker, 2012; Martínez, 2009; Tuaza, 2012). Thus,

the government paid special attention to legitimizing part of its political project through their main discourses.

During the discussion of the Constitutional Assembly, the primary aspirations of the social movements, especially the indigenous organizations, could be summarized as demands for (Carter Center, 2008, Ortiz Lemos, 2013):

- o ‘... collective rights’ through overcoming the liberal conception of individual rights;
- o A ‘national plural state’ via recognition of the diverse ethnic groups in Ecuador as nationalities;
- o Participatory democracy, to counteract the *partidocracia* (partyarchy);
- o Protection of strategic resources (e.g., water, forest, and farmland) and the requirement of permission of the communities to extract said resources from indigenous territories;
- o Total rejection of neoliberalism, to be replaced by communitarian economic models;
- o The preservation of institutions established in the Constitution of 1998, wherein civil society and the state worked together to monitor public policies and programmes, within which the indigenous movement had extraordinary influence.¹¹ Examples of these include the bilingual education programme, the indigenous health system, and councils for monitoring public policy such as the CODENPE – *Consejo de Desarrollo de las Nacionalidades y Pueblos del Ecuador* (Council for Development on Nationalities and Peoples of Ecuador).

In order to gain the support of social movements, the government reduced the core debates above into ‘cultural packages,’ delivered through slogans (Gamson, 1998). For example, the demand for a ‘national plural state’ was included in the new constitution, at least on the surface. But the basic language was not accompanied by an adequate definition of, or elaboration upon what this concept means. In fact, during a confrontation with indigenous movements one year after this discussion, President Correa accused the most important indigenous organization (CONAIE – *Confederación de Nacionalidades Indígenas del Ecuador*) of not understanding the ‘real meaning’ of ‘national plural state’ (*El Tiempo*, 4 March 2010). In fact, the *signified* of the *signifier* ‘national plural state’, was ambiguous and uncertain. Actually, this concept could easily be considered an empty signifier (Lacan, 1968; Laclau, 2005; Levi Strauss, 1987) used as a symbol of the inclusion of the ethnic diversity in the new Ecuador. In fact, authors such as Breton (2013) have speculated that the constitution included core concepts of the indigenous worldview such as *sumac causai* (‘good living’), in order to create, a posteriori, a *domination framing*.

Other demands of the traditional social movements were processed using similar discursive strategies. For example, the Constitution of 2008 proposed a wide spectrum of rights (Article 58), including collective rights for ‘peoples and nationalities’ (Article 56) and uniquely, ‘rights of nature’ (Article 71).

These elements, particularly the last one, were symbolic, and their precise meaning has not been articulated in an objective way.

Regarding the demands for a participatory democracy, Correa pressured the Assembly¹² to design complex institutional machinery that controls the fields of action of civil society under government power. In fact, the Assembly created new branches of the State, including the *Función de Transparencia y Control Social* (Branch of Transparency and Social Accountability),¹³ along with its technical subsidiary organization, the *Consejo de Participación Ciudadana y Control Social* (CPCCS – Council for Civil Participation and Social accountability). To make these institutions work, two new laws were required: the *Ley Orgánica de Participación Ciudadana* (Organic Law of Civil Participation), and the *Ley Orgánica del CPCCS* (Organic Law of the CPCCS). With these elements, the *Constitucion de la Republica del Ecuador 2008* claimed to have established a system of participatory democracy (Article 95).

The government framed the constitutional writing process as a triumph of participatory consensus among the state and civil society (Carter Center, 2008). However, there was a clear asymmetry between the time devoted to discussing the inclusion of slogans and cultural packages, and the time invested in the essence of the document.¹⁴ In the words of former Assembly member Leon Roldos: ‘There were seven and half months to discuss the theoretical elements and the principles, and ten days for the main organic elements ... most of the discussion was around collective rights, so that was excellent for a poem’ (Muñoz & Barragán, 2008).

Institutions for controlling the field of action of civil society

After the definitive approval of the Constitution of 2008, and in order to consolidate the promised participative democracy, a *Consejo de Participación Ciudadana y Control Social* (CPCCS – Council for Civil Participation and Social Accountability) was created inside a new branch of the state called *La Función de Transparencia y Control Social* (Branch of Transparency and Social Accountability), with several assignments: to select through a supposed participatory election the directives of the ‘*Organismos de Control*’ (‘Comptroller Agencies’);¹⁵ to promote civil participation; and to coordinate the regulation of social accountability. However, the election of members for this institution was controversial.

Citizen observers, the media, and political groups claimed that the members of the CPCCS were elected under the influence of the executive branch.¹⁶ In fact, four of the seven elected members of the new council were militant activists of PAIS. Two others were members of the *Movimiento Popular Democrático* (MPD – Popular Democratic Movement), which at the time of the election was an unconditional ally of the government. Only one councillor was a member of an opposition group.

Finally, once the CPCCS began its official duties, it elected the same members for the ‘Comptroller Agencies’ who had been previously chosen by the executive branch. In all cases this was met by protest from civil monitors (Ortiz Lemos, 2013), who denounced executive branch interference in the election.¹⁷ Especially controversial was the election of a cousin of President Correa as the new Attorney of the State (see Ortiz Lemos, 2013).

The Constitution of 2008 also required the creation of a *‘Ley Orgánica de Participación Ciudadana’* (‘Civil Participation Law’).¹⁸ Of course, the writing of this norm should have had the appearance of a participative process, and should have been perceived as the result of a social agreement with the civil society. For this reason, the legislative branch¹⁹ organized some meetings with the supposed ‘citizenship’ so as to discuss the main points of the future norm. However, neither indigenous leaders nor members of critic civil organizations were included. The core groups invited were already part of the electoral capital of the Assembly members of PAIS.²⁰ Assemblyman Carlos Pilamunga said²¹ the indigenous movement was deliberately excluded from the discussion of this law, and from the meetings mentioned above. Of course the creation of these laws had no relation with any kind of process of ‘public deliberation, and will formation’ (Habermas, 1996).

The law did create some mechanisms to promote the participation of civil society in political and administrative spheres, but these structures were inherently limited because they were constantly subjected to the state institutions. In a general way, there were four types of fields for citizen participation in the document:

First, participation in local governments was encouraged, but always under the subjection of political representatives (*Ley Orgánica de Participación Ciudadana*, 2009, Art. 65). Second, instances for providing social advice to the Secretaries of the State were established, but only for consultation and without binding power (*Ley Orgánica de Participación Ciudadana*, 2009, Art. 45). Third, *Consejos de la Igualdad* (Equality Councils) were created to replace the Councils for monitoring public policy, which had been established by the Constitution of 1998. The former councils had enjoyed relative autonomy from the State and were important spaces of action and influence for social movements, while the new institutions were subject to absolute control of the government. Lastly, citizens were encouraged to participate in social accountability as ‘civilian watchers’, ‘social observers’, and other roles, but always under the regulation and control of the CPCCS (*Ley Orgánica de Participación Ciudadana*, 2009, Art. 84, 88, 95).

The critical role of civil society can be counteracted if the political subsystem delimits its ‘possible fields of action’ (Foucault, 1988) through the creation of laws. In fact, the Ecuadorian government has distorted the autonomy of the citizenship through a scenario of action guided by norms (Habermas, 1989).

‘Citizenship’ versus ‘social organization’

One of the main characteristics of the writing of both the *Ley Orgánica de Participación Ciudadana* and the law of the CPCCS was the conceptual tension, in official speech, between the notions of *citizenship* and *social organization*. The traditional definitions of ‘citizenship’, from the liberal tradition or the republican perspective, were not the sources of the new definition of this concept. Rather, the term came from a new category based in a plebiscitary ascription to the regime (Conaghan, 2008). In fact, to be a citizen becomes synonymous with being a voter.

Through interviews with members of the legislative branch (all representatives of PAIS), ministers, and other leaders of the government, it was possible to identify the core elements of this new conceptualization of ‘citizenship’ as a dichotomous actor of the notion of ‘social organization’. In fact, the official discourse of the citizen revolution is related with the following assumptions:

- o According to the government, the traditional demands of social movements were already achieved through the political project of the ‘citizen revolution’. Therefore, the new role of social movements *must* be to support the policies of the government. Regarding this, the assemblywoman Betty Tola stated, ‘We are closing a cycle of social movements, we come from process of organizations created in the heat of the resistance to the neoliberal model, but today we have a different political scene and I feel that the organizations are not well-suited in this way and have to be re-thought.’²²
- o According to the official discourse there is a divorce between the interests of the leadership of the traditional social movements and their grassroots. For that reason, the government demanded direct interaction with the base without mediation from the leaders of social organizations. According to the PAIS Assemblywoman Soledad Vela, ‘Some limits must be placed on civil participation.’²³
- o Another assumption supposed that traditional social organizations fell under contexts of ‘corporatism’²⁴ as an illegitimate form of representation. For that reason the traditional social movements were no longer legitimate. Monica Banegas, vice president of the CPCCS said, ‘The citizen participation in the past was dominated by NGOs, unions, or social movements. That is valid, but it is not everything ... the corporatization of citizen participation has been a mistake of the political parties, so we are supporting a direct link with citizenship.’²⁵
- o The leaders of social movements did not win any elections, so they had no legitimate representation for their basis. Elections are the only form of democratic representation. Betty Tola, member of the National Assembly said, ‘We have an interest in the interaction between the state and civil society, but should prioritize the authorities that were elected by popular vote.’²⁶

- o Elections, state institutions, laws, tools of participation under the control of the government, and organisms for ‘social accountability’ created by the state were the only legitimated fields of action for citizens.
- o All forms of social mobilization were strategies from the political opposition intended to destabilize the citizen revolution. For this reason, social protests were classified as criminal or even terrorist activity. Delfin Tenesaca, president of ECUARUNARI, said since 2001, ‘189 leaders of social movements (including myself) have been accused of terrorism. Many of them have been incarcerated’.²⁷

The laws related to ‘citizen participation’ were written under the general principles explained above, namely, with the goal of creating a ‘citizenship’ that supports the plebiscitary political project of the citizen revolution, dimming, at the same time, the importance of critical civil organizations. In fact, the most important way of civil participation under the rule of the citizen revolution has been reduced to the vote (De La Torre, 2013b).

Ministerial machinery and civil organizations

A few times after the consolidation of the Constitution of 2008, the government received harsh disapproval from various social organizations, primarily due to: reform of the miner law that affected indigenous territories; the discussion around the law of hydric resources; the null definition of the ‘plural national state’; the annulment of the autonomy of some mixed institutions previously under the control of social organizations; and the governmental disciplining of civil participation. These elements were particularly sensitive to indigenous movements linked with CONAIE, and environmental organizations. Other civil groups traditionally related with leftist parties (like the MPD), particularly unions of public teachers (such as the *Unión Nacional de Educadores* – National Union of Teachers) and leftist student associations (such as FEUE – *Federación Ecuatoriana de Estudiantes Universitarios*, Ecuadorian Federation of University Students), ceased to be allies of the government and became antagonists when it started to exercise control over the educational structure.

However the government was prepared to face all the potential conflicts with critical civil society and social movements. Through a series of interviews with both public functionaries and social movement leaders, it was possible to identify the main strategies used by the ministerial machinery in order to counteract the critical action of the civil society and traditional social movements in Ecuador:

- o The creation of institutions from the presidency that duplicated some of the functions of the ‘Council of Civil Participation and Social Accountability’, perhaps because it had too much autonomy (even when CPCCS had clear links with the government). The institutions were: the National Secretaría de Transparencia y Control Social (Secretary of Transparency of Public

- Management), which was the governmental organism to promote accountability, and the Secretary of People and Social Movements, which was created to promote civil participation.
- o The implementation of projects directly oriented to the grassroots of social organizations, especially the largest and most powerful indigenous movement, bypassing their leaders in order to obtain support through patronage strategies.²⁸
 - o The recruitment of mid-level directors of social organizations to bureaucratic positions in the ministries of the state. In fact Manuel Chugchilán, president of FEINE, relayed²⁹ that *many*³⁰ indigenous were recruited in the state. Luis Andrango president of FENOCIN has confirmed this strategy.³¹
 - o The creation of a disciplinary system of classification for civil organizations, and the demand for their legalization under political requirements, especially if receiving international (or transnational) funds, through mechanisms of the *Registro Único de Organizaciones de la Sociedad Civil* (Unique System of Organizations of Civil Society), a tool created by the Secretary of Peoples and Social Movements to control non-governmental organizations, and *Decreto Presidencial Número 16* (Presidential Decree) aimed at regulating NGOs. In fact, Paragraph 7 of Article 26 states as grounds for dissolution of a civil organization: ‘Engaging in activities that interfere in public policies ... that threaten internal security’. Of course only the government can define what this article means.
 - o The creation of new and contingent organizations, according to patronage logic, without autonomy from the government, in order to counter traditional unions, syndicates, or critical interest groups.
 - o Negotiation and dialogue exclusively with ‘legitimate’ social organizations (namely those that share common goals with the government) and the exclusion of the ‘illegitimates’ (primarily its critical ones). In fact, Jimmy Marchan, coordinator of social participation for the national Secretary of Planning, explained³² that the government has divided social organizations into three groups: ‘allies’, ‘antagonists’, and ‘undecided’. The government has used diverse tactics related with these classifications, including:
 1. Full support of the resurgence of outdated organizations identified with the traditional left parties before the birth of the ethnical demands, for example, the Federación Ecuatoriana de Indios (FEI – Indian Ecuadorian Federation), a peasant, classist, and Marxist organization created in 1944.
 2. The government helped to empower the traditional rivals of some social movements, in order to counteract a common antagonist, as is the case of the *Seguro Social Campesino* (Peasant Social Security), a traditional leftist organization that had always competed with CONAIE for the leadership of the indigenous movement. In an interview with the Minister Doris Solís on 20 November 2009, she said, ‘CONAIE must accept that they are only one of several groups. We want to put on the same table other groups such as FEINE, FENOSIN, and FEI [all of them associates of the government,

AO]. In fact, the logic of the organizations has been to defend the personal projects of its leaders....⁷

3. The citizen revolution has taken advantage of the relatively recent conformation of some urban social collectives (that could be qualified as new social movements) linked with progressive but diverse topics such as gender, sexual identities, urban youth, animal rights and protection, environment, etc., by enforcing and supporting new leaders that act like unconditional allies to the regime.³³

In fact, the Ecuadorian government realized it was not enough to have counteracted the critical potential of civil society and social movements and created new organizations that support the citizen revolution unconditionally. Actually, when the president was taken hostage during a police rebellion on 30 September 2010,³⁴ there was a nullification of organized civil society supporting the Correa regime – that is, until the army went to rescue him. It is true that hundreds of persons were protesting near the hospital where Correa had been kidnapped; however this crowd consisted mainly of employees of governmental institutions.

After this experience, the Ministry of Politics organized a series of meetings in order to create a new coalition of social movements supporting the regime, thereby forming the ‘coordination for democracy and socialism’ and later the ‘new coordination of social movements’ (making an analogy to the historic alliance of social movements created during the 1990s, *La coordinadora de movimientos sociales*,³⁵ but with a different perspective). This time the objective was to support a government, not be critical of it.³⁶ The new coalition included: ethnic organizations, unions (especially state workers), student associations and gender organizations; however many of them were created only for the conjuncture. It is remarkable that many of the organizations gathered in this new coalition, could have been thought to balance the influence of traditional critical social movements in different areas.

One iconic case of the disciplining of civil organizations through the state apparatus was related to the protests that occurred after the failure of an environmental initiative to leave oil underground in the Yasuní natural reserve park, in exchange for a monetary compensation from rich nations (see Falconí, 2010). After the announcement of the cancelation of this project in July of 2013 and the authorization to exploit petroleum in the Yasuní, several social protests occurred. Some environmental groups collected signatures to demand a popular consultation to avoid the petroleum exploitation in the park. All of this was done according to the constitutional norms of ‘direct democracy’ (Constitución, 2008, Art. 104). However, the government shut down the Pacha Mama organization that was leading the protests through a polemic use of Presidential Decree Number 16 (*El Telégrafo*, 5 December 2013). Additionally, the Electoral Council, clearly influenced by the government, nullified 66 per cent of the signatures collected by the organizations (*El Comercio*, 08 May

2014). This action was criticized by Ecuadorian scholars, who pointed to several technical inconsistencies in the methodology used by the Electoral Council (*El Universo*, 30 January 2014).

Disciplining civil opinion

Independent civil society and a relatively autonomous media have the potential to generate ‘public opinion’. On the other hand, the simple manufacturing of representation (based on annexation rather than argumentation) resulted in ‘no public opinion’ (Habermas, 1991, p. 178). So one of the threats to critical civil society is an environment saturated with ‘no public opinion’.

Ecuador had a relatively important tradition of investigative journalism, which (together with an autonomous civil society) is one of the central elements for social accountability (Peruzzotti & Smulovitz, 2001). This tradition allowed journalists to denounce irregular acts from the return to democracy up to the present. While it is true that the Ecuadorian media was not free of criticism concerning its autonomy (Jiménez, 2006; CIESPAL-PIDC-UNESCO, 2011), in general, prior to Correa, there was not an official mechanism to censor it.

The interest of controlling the media by part of the citizen revolution dates from 2008. During debates about the new constitution, Correa ordered the National Assembly to find ‘a solution for the media issue’ (*El Universo*, 15 September 2007). Under the pretext of a supposed collusion with certain economic groups and the political opposition, the Assembly banned bankers from possessing media industries, and ordered the creation of a communications law.

The discussion of the new law started in 2009, and it was controversial. The government proposed the creation of a *Consejo de Comunicación* (Council of Communication) as a regulatory institution under the control of the executive branch. That plan, however, brought an extraordinary amount of criticism from civil groups, NGOs, and transnational organizations (such as the Inter-American Press Association and Amnesty International). However, when civil pressure became strong enough to influence the debates in the Assembly, the government took the discussion out of the public sphere and made it into a plebiscitary game. Taking advantage of a national referendum, the government added to the ballot the creation of the Council of Communication and the prohibition of owners of media industries from participating in any other businesses.³⁷

According to a plebiscitary strategy (Conaghan, 2008), the government thesis prevailed over the critical civil groups.³⁸ ‘Non-public opinion’ exceeded ‘public opinion’. Finally, the Ecuadorian elections in 2013 gave Correa’s government a wide advantage over his opponents in the National Assembly, and with it the opportunity to approve the Media Law based on the President’s original vision, including the Council of Communication.³⁹

The laws and institutions related to the control of the media were not the only strategy used to generate ‘no public opinion’ (Habermas, 1991). In fact, the citizen revolution has plenty of resources to disseminate its official discourse, including three television channels: *Ecuador TV* created by the regime, and additionally, *Gama TV*, and *TC Television*, both seized⁴⁰ from private shareholders. Also, the government seized the traditional newspaper *El Telégrafo* together with the official newspaper *Ciudadano*, which were both supportive of the position of the citizen revolution. Additionally, the Correa government has a chain of radio and television programmes that air each Saturday, in which he denigrates his opponents and outlines the official perspective. To these programmes must be added an impressive array of propaganda on radio and television. Unsurprisingly, the budget for official propaganda reached around 71 million dollars in 2012 (*La Hora*, 10 October 2012). With disciplinary control over the media and communicational resources under its power, the government has been capable to counteract ‘public opinion’ (Habermas, 1991), limiting the action of critical civil society.

There are other (maybe more sophisticated) manifestations of civil opinion that have been affected by the government, for example the ‘quasi-public opinion’ of highly educated actors and technocrats (Habermas, 1996, p. 351). One of the more important sources for informed opinion in Ecuador are its universities. In fact, with the approval of the *Ley Orgánica de Educación Superior* (Higher Education Law) in 2009, the Ecuadorian government created the *Consejo de Educación Superior* (Higher Education Council) as the prime authority in its field.⁴¹ From that point on, the curriculum, research lines, and even the *informed opinions* of the scholars in the universities of Ecuador were linked to the discourses of the citizen revolution. While it is too early to understand the possible effect of controlling university autonomy over the action of civil society, there are few doubts about its potential scope.

Some points in conclusion

In order to be consistent with the emancipatory demands of social movements, the citizen revolution created a mirage of participatory democracy at the beginning of its government. However this mirage was used to justify a heavy structure for the reification of the elements of the Ecuadorian public sphere, and particularly the disciplining of critical civil society. In fact the creation of institutions for promoting participative interaction of civil society and the state has had precisely the contrary effect in the Correa Government.

Some scholars (Avritzer, 2002; de Sousa Santos & Avritzer, 2004) have proposed the creation of ‘institutional channels’ between state and civil society in order to counteract the supremacy of bureaucracy, challenge the monopoly of the ‘experts’, and exercise social accountability. However, the Ecuadorian experience proves that any kind of ‘institutional channel’ could actually cause an inverse result. In fact, the citizen revolution created new institutions, some

of them inside an entirely new branch of state, so as to reduce the critical role of social organizations under an autocratic structure controlled by technocrats. At the same time the government promoted the creation of laws to limit the possible fields of action of civil society. Even social accountability, based in joint action between autonomous organizations, and investigative journalism (Peruzzotti & Smulovitz, 2001) have been subjugated under the disciplinary control of bureaucratic institutions. All these circumstances affected the autonomy of the embryonic Ecuadorian public sphere.

Civil opinion has been controlled using similar strategies. The autonomy of the media and journalism has been limited through the Council of Communication. Essentially, the core elements of the public sphere, civil society, media and informed opinion (Habermas, 1991, 1992, 1996) have been regulated by specific laws and disciplinary institutions giving an appearance of independence, but in effect being under control of the executive branch.

With respect to social movements, especially those that have become detractors of the citizen revolution, the government has applied strategies to counteract its critical impact, such as recruiting part of its leadership from bureaucratic positions in public offices, designing development projects directly oriented to the grassroots of social organizations as a clientelistic strategy, classifying ‘allies’ or ‘antagonist’ organizations through technocratic tools, creating contingent organizations according to the interest of the government, and generating confrontational scenarios between rival social organizations.

In Ecuador, only ‘citizens’, and not ‘social organizations’, were considered the legitimate interlocutors for the government. However, the government has created its own notion of citizenship⁴² based in a plebiscitary model of democracy (Conaghan, 2008) that reduced civil participation to a mere electoral exercise (De La Torre, 2013b), where the technocrats have taken control of the fields of action of civil society (Ortiz Lemos, 2013; De la Torre, 2013), and where even civil opinion has been subjected to the control of bureaucratic institutions. Contrary to its original promise of establishing a participative democracy (based in the core demands of the traditional social movements), the Ecuadorian government has deepened an authoritative and elitist (Sartori, 2007); Schumpeter, 1996) model of democracy, disguised behind heavy institutional machinery that was, paradoxically, created to promote civil participation.

* * *

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Notes

1. Habermas (1991) defines public sphere as a communication structure rooted in the living world. The living world is defined as correlate processes of mutual understanding, in a context of communicative action, and a reservoir of interpretation of social reality (Habermas, 1989).
2. Habermas' theories about the public sphere (1989, 1991, 1996) have received some criticism, in part, because of their orientation to bourgeois liberal democracy (Fraser, 1992), and in part because it is difficult to find a historical example that shows the pristine existence of a completely autonomous public sphere (Schudson, 1992).
3. PAIS: Patria Altiva y Soberana (Proud and Sovereign Fatherland) is the political movement of Rafael Correa, created in 2006 specifically to support his presidential candidature.
4. On 15 April 2007, Ecuadorians voted overwhelmingly (81.72 per cent in favour) to support the election of an *Asamblea Constituyente* (Constituent Assembly).
5. That has been the core demand of all the indigenous organizations since 1990.
6. Based on interviews with Carmen Barrera (15 June 2011) and María Piedad Maldonado Donoso (1 July 2011), former directors of UPS.
7. Interviewed on 1 July 2011.
8. In fact, that was the reason for the resignation of the former president of the Assembly, Alberto Acosta (Acosta, 2008).
9. The core liberal civil organization of Guayaquil.
10. For example, the 'Mandate of Guayaquil', a list of petitions signed by liberal civil organizations under the guidance of oppositional leader, Jaime Nebot (*El Universo*, 25 January 2008).
11. For example: the bilingual programme of education; the indigenous system of health; and the councils for monitoring the public policy, as the CODENPE *Consejo de Desarrollo de las Nacionalidades y Pueblos del Ecuador* (Council for Development on Nationalities and Peoples of Ecuador).
12. Because its lack of autonomy, the National Constituent Assembly became an extension of Rafael Correa's discourse.
13. *La Función Electoral* – The 'Electoral Office' was the other new state branch created by the Assembly in order to snatch the electoral system from the political parties. The members of this institution were chosen, at the beginning, by the National Assembly, namely by PAIS.

14. That situation caused a fissure between the president of the Assembly, Alberto Acosta, and President Correa. Acosta demanded that more time be invested in the discussion of the main body of the text, and Rafael Correa demanded the immediate finalization of the document. Finally, Acosta resigned his position as President of the ANC (Asamblea Nacional Constituyente) but continued supporting the PAIS movement (at least until the end of the approval of the new constitution) as assembly member.
15. The ‘Comptroller Offices’ of the Ecuadorian state are: The General Comptroller of the state, the superintendents, the ombudsman, the attorney, and the Judicial Council. Additionally the authorities of the Electoral Branch are elected by the CPCCS.
16. In order to choose the members of the CPCCS, a ‘Transitory Council’ was created with the additional task of writing an ‘organic law’ for this institution. However, the assemblymen of PAIS forced this council to finish its activities ahead of schedule. In the end, the law was written under the control of the legislators, (Ortiz Lemos, 2013).
17. Particularly Ruth Hidalgo and Amparo Cevallos, both interviewed on 1 February 2011.
18. This should not be confused with the law of the CPCCS.
19. The *Congresillo* acted as the Legislative Branch during the transition period, from the end of the functions of Constituent Assembly to the next elections in 2009.
20. I participated in most of these meetings during this research, and had the opportunity to interview the organizers of the events.
21. Interviewed on 4 August 2009.
22. Interviewed on 26 August 2009.
23. Interviewed on 2 November 2009.
24. While it is true that there was an important tradition of corporatism in the recent history of Ecuador, particularly after the institutions created after the Constitution of 1998 (Sánchez Parga, 2007), the boom of development projects (Bretón 2001; Guerrero 2010), and the corporative practices by populist presidents as Gutiérrez (Martínez, 2009; Tuaza, 2012; Becker 2012), the truth is that the citizen revolution continued this tradition.
25. Interviewed on 26 April 2009.
26. Interviewed on 26 August 2009.
27. Interviewed on 8 February 2011.
28. Delfin Tenesaca, interviewed on 2 August 2011; Marlon Santi, 4 November 2011.
29. Interviewed on 2 October 2011.
30. The italics are mine. The precise number, given by Andrango, during the interview, has not been confirmed in other sources.
31. Interviewed on 17 February 2011.
32. Interviewed 28 March 2011.
33. An iconic organization is *Diabluma*, an urban youth group unconditionally allied to the government.
34. President Rafael Correa went to the police headquarters in Quito to talk with the leaders of a police rebellion, but he was threatened by policemen and hid at the hospital nearby. The police surrounded the building and prevented him from leaving.
35. In 1995 the *Coordinadora de Movimientos Sociales* (the Coordination of Social Movements) was created, a coalition of social organizations under the leadership of the indigenous movement that was able to counteract some neoliberal policies of the government of Durán Ballén (1992-1996).
36. Its president was Rodrigo Coyahuaso (also leader of the *Seguro Social Campesino CONFEUNASSC-CNC*)

37. The referendum, held on 7 May 2011, had ten questions. The ballot included questions about the restructuring of the judicial system, the limiting of banking operations by financial services companies, the creation of a Communication Council, preventing media company ownership of non-media companies, prohibiting casinos and gambling, and limiting bullfighting and cockfighting.
38. Correa's thesis won in each of the referendum questions.
39. The Communication Media Law was approved on 26 July 2013. According to Article 48: The Council for the Regulation and Development of Information and Communication shall be composed as follows:
 1. A representative of the Executive branch, who will preside;
 2. A representative of the National Equality Councils (under the Executive control);
 3. A representative of the Council of Citizen Participation and Social Control (we have seen that this organization is dominated by members of PAIS);
 4. A representative of the autonomous governments (currently most municipalities and provincial councils are under PAIS);
 5. A representative of the Ombudsman (this official was chosen from CPCCS).
40. The former owners had debts with the state, in the context of the banking crisis of 2000.
41. Many of its members are ministers of state, and its president, who had the deciding vote, was the *Secretaría de Educación Ciencia y Tecnología* (Minister of the 'Secretary of Higher Education, Science, and Technology).
42. While Correa has used the 'liberal revolution' of 1895 as one of his core symbols, he did not adopt the liberal conception of citizenship based on independent democratic institutions, free action of political parties, civil rights, and division of state branches (Rawls, 1987, p. 28).

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Acronyms

ANC – Asamblea Nacional Constituyente (Ecuadorian Constituent Assembly)

CODENPE – *Consejo de Desarrollo de las Nacionalidades y Pueblos del Ecuador* (Council for Development on Nationalities and Peoples of Ecuador)

CONAIE – *Confederación de Nacionalidades Indígenas del Ecuador* (National Confederation of Indigenous Nationalities of Ecuador)

CPCCS – *Consejo de Participación Ciudadana y Control Social* (Council for Civil Participation and Social accountability)

ECUARUNARI – Kichua: *Ecuador Runakunapak Rikcharimuy*; Spanish: *Confederación de Pueblos de la Nacionalidad Kichwa del Ecuador* (Confederation of Peoples of the Kichua Nationality of Ecuador)

FEI – *Federación Ecuatoriana de Indios* (Ecuadorian Federation of Indians)

FEUE – *Federación Ecuatoriana de Estudiantes Universitarios* (Ecuadorian Federation of University Students)

FEINE – *Consejo de Pueblos y Organizaciones Indígenas Evangélicas del Ecuador* (Council of Peoples and Evangelical Indigenous Organizations of Ecuador)

FENOCIN – *Federación Nacional de Organizaciones Campesinas, Indígenas y Negras* (National Federation of Peasants, Indigenous, and Black Organizations)

MPD – *Movimiento Popular Democrático* (Popular Democratic Movement)

UPS – *Unidad de participación Social, Asamblea Montecristi* (Unity of Social Participation, Montecristi Assembly)

PAIS – *Patria Altiva y Soberana* (Proud and Sovereign Fatherland)

UNE – *Unión Nacional de Educadores* (National Union of Teachers)