

# 14

## Ecuador

### Individual Incentives and the Gendered Path to Power

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#### Introduction

The recent democratic history of Ecuador has been characterized by a never-ending stream of reforms and instability. In the last four decades, multiple changes to the electoral, party, and legal system resulted in weakened parties and a fragmented party system. Much of the literature on the Ecuadorian Congress has focused on party discipline and legislative careers (Basabe-Serrano 2018; Freidenberg 2006; Mejía Acosta 2003), and executive–legislative relations and coalition formation (Burbano de Lara and Rowland 1998; Mejía Acosta 2009; Mejía Acosta and Polga-Hecimovich 2011). However, the study of the patterns of floor speeches, both in terms of access and (gender) representation, is severely underdeveloped.

In this chapter, we explore the factors that affect the patterns of participation in legislative debates in the Ecuadorian Congress. We use original data from the Ecuadorian Congressional Archive<sup>1</sup> containing the entirety of floor speeches between 1988 and 2018. Our analysis reveals two main factors that determine participation in legislative debates: party and legislative rank, and gender.

Further analysis focused on the implementation of quotas shows that the number of female legislators was low before the establishment of the first quota laws in 1998, but their participation level was on par with that of their male peers. Since the implementation of the first quotas, the number of female representatives has increased over time, but the relative share of participation has only increased again after the “zipper” quota reform of 2008. Still, the participation gap continues to benefit male legislators, and the distribution also points out at a legislative “glass ceiling.” Yet, once we account for relative power (i.e., leadership positions), we find that female legislators participate at similar rates than their male peers do,

<sup>1</sup> We thank the staff at the Ecuadorian Congressional Archive (*Archivo-Biblioteca de la Asamblea Nacional del Ecuador*) for kindly providing the documents for this chapter.

suggesting that changes in descriptive participation must be accompanied by the eradication of other structural barriers.

Through the lens of Proksch and Slapin (2015), we find throughout this chapter that Ecuador is an example of a Congress where legislators seek individual gains, rather than party cooperation. Our exploration of seniority and gender further illustrates this point. However, there are two additional aspects that make Ecuador a unique case. On one hand, the constant reforms Ecuador goes through injects volatility into the party system. On the other, the role of the President of Congress in Ecuador is one of gatekeeping and moderating, ultimately representing the most powerful role in the legislative branch.

### Institutional and Party System Background

The history of the party system in Ecuador can be roughly divided into three periods: 1979 to 1998, 1998 to 2007, and 2008 until present. These periods saw different (dominant) parties in Congress, and different inner workings. The first period, between 1979 and 1998, was characterized by a combination of the professionalization of the traditional parties, and constant negotiations of coalitions with marginal movements. No party could gain a legislative majority, and the profound ideological divides between parties limited the capacity to form lasting coalitions (Freidenberg and Alcántara Sáez 2001). The second period started in 1998, when the right-leaning PSC (*Partido Social Cristiano*)<sup>2</sup> and the center-right DP-UDC (*Democracia Popular*)<sup>3</sup> secured a short-lived governing coalition. The polarized policy preferences for addressing the 1999 crisis created frictions between the PSC and the DP-UDC. The president's decision to impose a freeze on accounts and later dollarize the economy alienated the government's PSC allies, who had already secured important posts in courts and influential government agencies (Mejía Acosta and Polga-Hecimovich, 2011). During this decade, two presidents were ousted from office (including Jamil Mahuad) amid corruption scandals and deep social mistrust. This led to the third period, consecrated in 2008 with the drafting of a new Constitution. Alianza País (PAIS), a left-wing populist party led by Rafael Correa, was able to secure a majority in Congress for the first time since 1979. Simultaneously, most traditional parties

<sup>2</sup> Founded in 1951, the PSC is one of the most influential conservative parties of the last four decades of Ecuadorian political history. The PSC has held the presidential seat twice, and the mayor's chair of Guayaquil, Ecuador's largest city, uninterruptedly since 1992. While a still a major actor, since 2008 the PSC has lost some legislative presence.

<sup>3</sup> The *Democracia Popular* emerged after a dispute between the founder of the PSC, Camilo Ponce Enríquez, and the younger members of the party. The party won the presidency twice, and has elected various mayors, most importantly, the mayor of the capital, Quito. The political prominence of the party waned towards 2008 and, while many of its former members are still politically active, the party was dissolved in 2013.

**Table 14.1** Key institutional reforms in Ecuador (1979–2018)

Year	Reform
1983	Legislative and executive periods reduced from five to four years. Midterm elections for provincial legislators (every two years).
1994/ 1995	Immediate re-election approved for all elected positions, except for the president. Movements allowed to participate in elections.
1998	New Constitution. Committees increased from 4 to 16. Committee assignments extended from one to two years. Seats in Congress increased from 82 to 121. Legislative periods extended from 2 to 4 years.
2000	D'Hondt method for allocation of seats adopted.
2002	D'Hondt method ruled unconstitutional. Imperiali method (proportional representation) adopted.
2008	New Constitution. Committees decreased from 16 to 12. All the names and topics of committees revamped.
2012	D'Hondt method for allocation of seats adopted, again. Two-year term limit imposed to all elected positions.

had virtually disappeared after 2007, and new parties emerged. The political landscape changed both by the levels of electoral support and economic resources that PAIS had to govern and by the dynamics within Congress, where a clear government/opposition confrontation was always at the forefront.

Throughout this forty-year period, Ecuador has experienced an outstanding number of reforms. We recount the most relevant changes throughout this period in Table 14.1. Ecuador has been caught in a never-ending loop of reforms, most of which have not resulted in improved representation or governance (Conaghan 1995; Freidenberg 2006; Freidenberg and Alcantara Sáez 2001). In the words of Pachano (2006), this has positioned Ecuador in an “[institutional and normative] framework constantly up for grabs.”

This “constant change of rules” (Freidenberg 2006, 250) has had long-term consequences on the distribution of power, the relative hierarchy of the different branches of government, and, consequently, the progressive erosion of Ecuadorian parties’ power. In contrast, Ecuadorian presidents have had both the resources and power to set the agenda and influence policy-making<sup>4</sup>. Political tools such as decrees and veto power, as well as cabinet and diplomatic appointments, have proven to be a more effective political commodity than legislative posts (Mejia Acosta and Polga-Hecimovich 2011).

The proportional representation (PR) system in Ecuador has not escaped this dynamic, either. Reforms to the electoral system have impacted everything from

<sup>4</sup> Since 1979 and throughout multiple changes in political rules, presidents have had either exclusive rights to propose bills related to fiscal reform and government spending, or the ability to send urgent economic bills to Congress that have a shorter time frame for debate and are automatically approved if Congress fails to vote on them. Additionally, a presidential veto can only be overturned by an absolute majority on the plenary floor.

the representational formula to term limits.<sup>5</sup> From 1979 to 2013, no two consecutive elections have taken place under the same set of rules (see Table 14.1). Additionally, what started as a closed-list PR system in 1979, changed to an open-list system in 1998, and then returned to a closed-list system for the 2021 elections. The constant changes and the often-contradictory nature of the reforms have weakened parties and created obstacles for the institutionalization of the party system (Mejía Acosta 2002). Ultimately, the electoral system favors candidates over parties.

Furthermore, the ban on immediate reelection, in place until 1994, created a strain on parties that quickly ran out of leaders and militants. The solution was, once again, to turn to local leaders or junior members of the party with shortened horizons who had an incentive to strategize individually, rather than aligning with party leaders (Pachano 2006). This resulted in what Conaghan (1994) labeled as “floating politicians,” actors who were ambivalent towards party elites and disloyal toward parties that recruited them.

Proportional representation in Ecuador has benefited smaller parties primarily (Pachano 2006), and has contributed to a highly fragmented legislature with fewer seats distributed across a large number of parties. To illustrate this point, Ecuador has had at least ten parties or movements represented in every legislative cohort since 1979, with a maximum of nineteen at once in 2012. Throughout that time, it was only between 2013 and 2017 that one party was able to hold congressional majority, and until 2009 all legislative coalitions were short-lived. Even more telling is the rate of survival of parties: two thirds of the parties that won seats in the first decade after the return of democracy had already disappeared by 2007.

Additionally, the PR system has also accentuated historical and ethnic cleavages across Ecuadorian regional lines (Freidenberg 2003; Pachano 2004; Van Cott 2008). Electoral and party law requires parties to maintain an organizational structure that makes them virtually national.<sup>6</sup> But even traditionally large parties like the conservative Partido Social Cristiano (PSC) or the center left Izquierda Democrática (ID) have had a regional focus in their electoral and political strategies. These localized approaches, however, work as a double-edge sword, allowing parties to cater the interests of their local bastions and raising the entry cost for other parties, yet also limiting their own ability to reach other regions (Pachano 2006).

Unsurprisingly, the structure of the party system as well as the multiple reforms led to low levels of party cohesion (Mejía Acosta 2009; Owens 2003). While the party leaders could determine the order in party lists and distribute some congressional prerogatives among the rank and file, party leaders had little leverage

<sup>5</sup> Ecuador has had a proportional representation system since 1979, except between 1985 and 1986 when it was briefly replaced by a majoritarian system.

<sup>6</sup> Parties are required to participate in multimember elections in at least half of Ecuador’s provinces.

over members who faced short terms in office and short-term limits. The power leaders had over members further dissipated after 1998, when the system switched to an open-list type of formula. As Morgenstern (2002) points out, “legislators could dissent votes, repel leaders’ demands and even switch parties without jeopardizing their electoral prospects.”

Finally, this highly fragmented assembly has often clashed with a powerful executive, leading to a pervasive executive–legislative conflict (Mejía Acosta 2009). Since 1979, the executive has had veto and decree powers, as well as the ability to introduce bills, particularly “urgent” bills in economic matters. This dynamic allows executive bills to bypass many of the legislative bottlenecks. However, the minority status of most presidential parties in Ecuador has forced executives to rely on multiparty coalitions to increase legislative success. Thus, the weakness of the party system and the absence of reliable legislative support have led to a strong bias towards legislative gridlock (Mejía Acosta et al. 2008), delayed adoption of social and economic reforms, and repeated institutional crises (Mejía Acosta and Polga-Hecimovich 2011). In 2008, the Constitutional reforms increased presidential powers. That same year PAIS won the presidency *and* established a stable majority coalition that finally allowed a presidential party to streamline the approval of laws (Conaghan 2016).<sup>7</sup>

In sum, Ecuador is a case that combines a volatile institutional setup, an electoral system that promoted the atomization of parties, and a proportional representation system that limited continuity of parties over time, incentivized individual strategy over loyalty within parties and exacerbated historical, regional, and ethnic cleavages. While the Ecuadorian executive has been historically strong in its prerogatives when compared to the Legislative, their minority status has resulted in a strong bias towards gridlock and the status quo. These factors have contributed to parties becoming relatively weak actors in national politics, with few stable coalitions and highly divided legislatures (Mejía Acosta 2009).

### The Institutional Setting of Legislative Debate

Despite the many institutional and constitutional changes in Ecuador and the Ecuadorian Congress, the general sequential organization of the legislature has been maintained, as well as the main pillars on which political power rests: legislative blocs (*bloques legislativos*), and committees. The number of standing committees has varied across time, and so have the number of legislators assigned to each committee. With only four committees between 1979 and 1998 and

<sup>7</sup> PAIS won re-election in 2013, as well as a majority of the seats in Congress. PAIS had a similar outcome in 2017, however, frictions within the party led to, once again, a fractured Congress, and an executive struggling to reach agreements.

limited seats in each committee, there were legislators that never served in one. Unsurprisingly, committee membership and key positions in these committees were valuable, often assigned to high ranking members within the party. For example, the average tenure of a committee member was longer than the tenure of a non-committee member in ~60 per cent of the periods;<sup>8</sup> national legislators were almost twice as likely to be committee chairs than state legislators.<sup>9</sup> Once the number of standing committees was expanded, all members of Congress were able to participate in a committee, but the importance of the four original committees (i.e., Civil and Penal, Tributary, Economic, and Labor) remained. Members of the plurality party were ~2.5 times more likely to be assigned chairmanship of these committees than members of the rest of parties.

Historical data of the Ecuadorian Congress shows that approximately 64 percent of bill initiatives fall through the cracks before reaching their first committee. Yet in cases where these initiatives are discharged from committees, they will then be debated twice before the final vote. First, bills are sent from committees to a first debate, in which legislators can propose changes. In practice, this rarely happens, as changes occur mostly within committees. Rather, legislators focus on defending or condemning the bill, and on gaining as much floor time as possible. After the first debate, the bill returns to committee, until it is discharged to the floor for the second and last debate before legislators vote on it. It is in this stage that legislators will more likely propose last-minute changes to the bill. However, the extent of debates, amendments, and negotiations that take place within committees decreases the likelihood of proposed changes at this stage.

In the Ecuadorian legislature, the president of Congress has the authority to moderate the debate and allocate time according to their judgement. The president is elected at the beginning of each legislative term from the majority party or the party with the greatest share of seats.<sup>10</sup> Formally, once the president opens the floor for debate, any legislator can request time to participate.<sup>11</sup> The president is then in charge of allowing individual legislators to speak and in what order. Legislators used to raise their hand to be recognized by the president. Since 2008, all interactions between the president and legislators are done electronically. This allows the president to see all legislators, even if they do not ultimately get floor time.

Given that there are few rules for participation in floor debates (i.e., request time to participate and be recognized by the president), the president plays a

<sup>8</sup> This is a particularly high number if we keep in mind that between 1979 and 1996 there was no immediate re-election for legislators. Note that the tenure is from non-consecutive terms.

<sup>9</sup> National candidates were often on top of the list and were chosen from the party leadership. National candidates were competing for a four-year term vis-a-vis a two-year term from state candidates, but only ~15 percent of seats were assigned to national candidates. In a legislature like the Ecuadorian with high turnover rates, a guaranteed longer tenure in Congress was desirable.

<sup>10</sup> Similar to the US, the president of Congress in Ecuador is a partisan actor.

<sup>11</sup> There are some types of debates that have restricted participation (see Table 14.2).

pivotal role in shaping the debate based on strategic consideration or even personal style.<sup>12</sup> In this role, the president decides on the allocation of time across individual legislators, and on the total amount of time devoted to a debate. They can cut short, extend, or adjourn debates, as well as call for a vote at any time they believe adequate. These are all prerogatives of the president, and there are few rules as to when they can and cannot use them. Some presidents lean towards allowing all legislators requesting floor time to participate, while others are more inclined to cut debates short once speeches became repetitive, yet most presidents will aim at giving some time to all positions or party blocs before the end of the debate.<sup>13</sup>

In general, the procedural rules in the Ecuadorian Congress have remained consistent. The President of Congress is the mediator of all debates. There are no restrictions to participating on a debate, other than time constraints.<sup>14</sup> The President has the authority to extend a debate into a second (or third) session if the number of participants is high.<sup>15</sup> However, the president can also decide to cut a session short if speeches become repetitive (or for political reasons). As a general norm, the President will try to allow members from all parties to participate in debates but the number of members that a speaker allows to participate from each party can be impacted by party identification, personal preferences, or political calculation.

Formally, there is no guaranteed floor time except for committee chairs. Once bills are introduced for the final debate and vote, committee chairs are required to present the bill to the plenary floor, regardless of who is the original sponsor of the bill. These speeches are mostly descriptive of the bill proposal, but it is not unlikely for a chair to use that time to expose their own, or their parties, political position. Before 2008, the secretary of Congress was assigned to read the report from the committee instead.

Because of the structure of debates and organization of floor time, most coordination within the party blocs happens before the debate. This is especially relevant for highly salient issues, as opposed to debates on regional initiatives or on highly specialized or technical issues. Determining who will present the position of the party is particularly important for parties that do not control the presidency, as they know they will have limited access to the floor. Usually, parties coordinate beforehand, assigning party leaders to present the position of the bloc. Legislators who are assigned to speak on the floor would later raise their hands, or

<sup>12</sup> Based on an interview with Libia Rivas, former Secretary of the Ecuadorian Congress (2008–2018), on June 3, 2019 by Sebastián Vallejo Vera.

<sup>13</sup> Ibid.

<sup>14</sup> Time constraints became more of an issue as the Congress grew from seventy-five members in 1988 to 135 in 2018.

<sup>15</sup> In Ecuador, each congressional meeting is called a “sesión,” which we translate into *session*. Each session is dedicated to a pre-scheduled set of topics, often a combination of debates on bills and procedural matters. If sessions run longer than the previously allotted time, Presidents can extend the debates into a second or third session, to be held on the next day.

request for floor time electronically, to speak on behalf of their party. In this scenario, legislators can openly defect from the party line and ask for the floor individually. There is no mechanism for the party leadership to prevent a defector from taking the floor, other than the potential punishment afterwards.<sup>16</sup> However, in a candidate-centered system like the post-1998 Ecuadorian Congress, there are few tools for parties to effectively punish defectors, other than a public reprimand or the expulsion from the party.<sup>17</sup>

Overall, the lack of party lists and direct mechanisms for parties to prevent individual participation from its members (outside of internal admonishment after the fact) favors individual access to floor time in the Ecuadorian legislature. Those who are not chosen to speak on behalf of the party, but desire to participate in the debate, can still do so by requesting floor time and break ranks with the party strategy.

Debates are organized in different types of *mociones*, motions, which we detail in Table 14.2. In general, *mociones* are related to bills. Unlike other parliaments, there are no programmed spaces for legislators to speak freely about any topic.<sup>18</sup> However, any legislators can propose a *moción* to be debated, and it can be either on a bill or on some other topic, from current events to censuring a Minister or saluting patriotic symbols. There are few types of *mociones* that are not open for debate (e.g. *moción privilegiada* or privileged motion), but these rarely last more than a few minutes and are mostly procedural.

In light of Proksch and Slapin (2015), we expect theoretically that electoral systems that incentivize members to seek personal votes also display parliamentary rules that allow for individual access. Based on our discussion, Ecuador fits into this model. It combines a structural and regional setting where politicians are incentivized to seek personal votes and deflect from their parties, while interacting in a parliamentary setting where rules allow for individual access as well. However, two additional elements make Ecuador stand out. First, the constant reforms the electoral and institutional rules have gone through over time, which erodes party stability and increases volatility in the party system. Second, the role of the president of Congress as a gatekeeper to floor access and overall moderator of debates expands their ability to control and/or limit participation, even of those within their own party, either as a control mechanism or a political strategy. This power has direct effect on who participates and how, and we analyze the empirical implications of it in the next section.

<sup>16</sup> If the party controls the presidency of Congress, then it is harder for defectors to take the floor. As previously mentioned, the President of Congress is the moderator and, as such, can stop party defectors (or defectors from their legislative bloc) from participating.

<sup>17</sup> Unsurprisingly, party-switching in Ecuador is not uncommon (Mejía Acosta 2009).

<sup>18</sup> Parties in Chile, for example, have set aside time and the end of legislative sessions for speeches unrelated to bills—the *Hora de Incidentes* or Incident Hours— (Alemán et al. 2017). In the United States Congress, members can also request time for a short speech on any topic before legislative business each day.



**Table 14.2** Parliamentary debate types in Ecuador

Debate type	Purpose	Rules	Time allotted
Principal motion ( <i>Moción principal</i> )	A debate on a motion that has not been considered before. It usually, but not exclusively, opens the debate on a bill that has left committee. It can end on a vote.	Legislators can debate until the President decides to close the motion.	10 minutes per legislator, who can request an additional 5 minutes. 5 additional minutes if a legislator is mentioned by name by second legislator holding the floor.
Secondary motion ( <i>Moción secundaria</i> )	A debate to modify a <i>moción principal</i>	Can be proposed at any time during a <i>moción principal</i> . Has to be resolved, either by voting or by the President, before returning to the <i>moción principal</i> .	3 minutes by the proposing legislator.
Incidental motion ( <i>Moción incidental</i> )	A debate to apply a procedural rule to an ongoing <i>moción principal</i> .	Can be proposed at any time during a <i>moción principal</i> . Has to be resolved, either by voting or by the President, before returning to the <i>moción principal</i> .	3 minutes by the proposing legislator.
Privileged motion ( <i>Moción privilegiada</i> )	A motion that is not related to the topic of the <i>moción principal</i> . Can only be proposed when an issue requires immediate attention.	Can be proposed at any time during a <i>moción principal</i> . Has to be resolved by the President, before returning to the <i>moción principal</i> . Cannot be voted on.	3 minutes by the proposing legislator.
Order motion ( <i>Moción de orden</i> )	A motion used to request that a legislator holding the floor stays on topic.	Can be proposed at any time during a <i>moción principal</i> . Has to be resolved by the President, before returning to the <i>moción principal</i> . Cannot be voted on.	3 minutes by the proposing legislator.

## The Determinants of Floor Access in Ecuador

Parties in the Ecuadorian legislature can be described as mostly weak and fragmented, due primarily to a combination of ever-changing institutional reforms and low incentives for party loyalty. The role of the president of Congress as the main moderator increases individual legislators' ability to participate and gives majority parties disproportional advantage over the rest to coordinate among their ranks. Who gets to participate in legislative debates in Ecuador? We answer

this question in two parts. First, we look closely at the roles of gender and seniority in legislative debate participation. To further our analysis, we include a second, multivariate analysis that delves into the main variables traditionally explored in legislative debate. We estimate two models, negative binomial and lineal regression, to account for the effect of these variables on participation per legislative period.<sup>19</sup> Before we move forward into the empirical analysis, we present a brief description of our data in Table 14.3.

Our data covers legislative debates from 1988 to 2018. In an average legislative period, there were 9328 speeches across 372 debates. The average session consists of twenty-one speakers, ranging from a minimum of one speaker, to as many as seventy-four speakers.<sup>20</sup> At the level of individual speeches, we find an average of 27,451 words uttered by legislator per legislative period. On average, each legislator delivered fifty-seven speeches in a term.

The total number of observations per variable is 1640, as we limited the analysis to speeches of at least fifty words. Our main dependent variables, Speeches and Words, represent the number of speeches and words spoken per legislator in a legislative period. The variable Female is the traditional binary, taking value 1 for female legislators. Based on the summary statistics, this analysis has an average of 20 percent of female legislators. This figure varies significantly across periods, as we will explore later in this chapter. To account for seniority, we consider the total amount of legislative periods each legislator stayed in Congress. While the maximum time a legislator has served is twelve periods, the average time is closer to

**Table 14.3** Descriptive statistics

	Mean	SD	Min	Max
# Speeches	56.59	79.63	1	729
# Words	27,450.90	36,848.67	50	351,980
Gender	0.20	0.40	0	1
Seniority	2.09	1.48	1	12
Committee chair	0.10	0.30	0	1
Government party	0.31	0.46	0	1
Speaker party	0.30	0.46	0	1
Legislative party leadership	0.07	0.25	0	1
Party size	28.06	28.25	1	94

<sup>19</sup> In Ecuador, there are two periods within each legislative cohort. A legislative cohort is the time between two elections. We use the legislative period, rather than the legislative cohort, as our unit of analysis because committee chairs are elected for one legislative period. Likewise, when legislative bloc leaders change, they do so after a legislative period is over. Since we are interested in both of these variables, we deemed it important to accurately capture their variation. Between 1988 and 1998, each cohort was elected for two years. After 1998, legislative terms were extended to four years.

<sup>20</sup> We have also omitted all speeches delivered by the President and the Secretary of Congress, since these are all procedural.

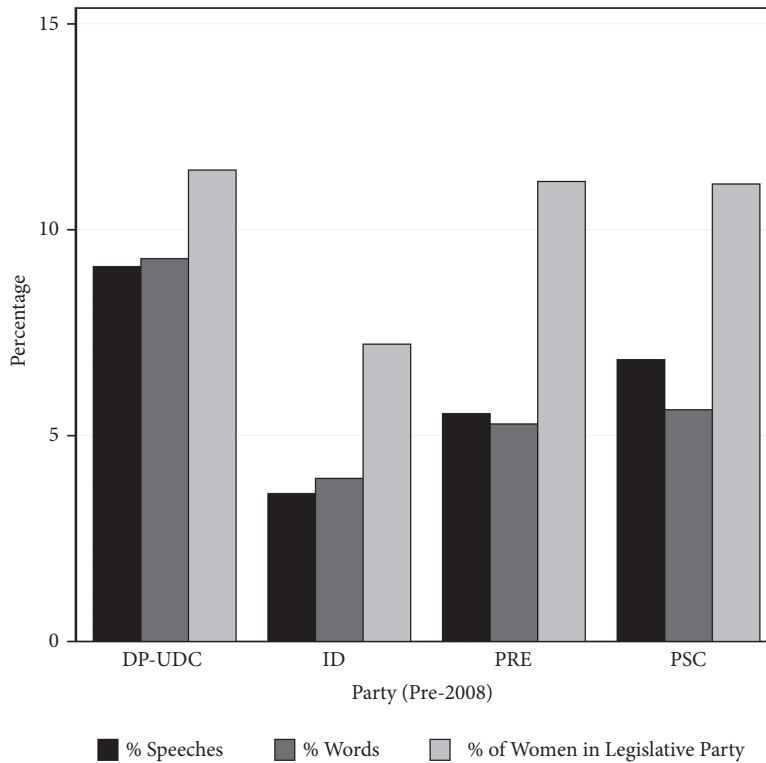
two legislative periods (or one legislative cohort). The variables Committee Chair and Legislative Party Leadership account for positionality within Congress, representing whether individual legislators are in leadership roles within legislative committees or as part of their party bloc. Finally, Government Party, Speaker Party, and Party Size represent variables that speak to the relative power of the party within and outside the Legislature. More specifically, Government Party and Party Size account for whether legislators are members of the party in the Executive Branch, and how big the party structure is. Speaker Party refers to whether the legislator and the President of Congress share party affiliation.

One last note on our control variables. Ideally, we would include the age of the legislator and exposure, a variable measuring the percentage of time in which a legislator held her seat in Congress during a legislative period. Unfortunately, these variables are not readily available for the Ecuadorian Congress. Age controls for career-stage effects. Although it is somewhat mitigated by seniority in our model, we still need to be cognizant of the possible biased estimates from determinants that are correlated with age and access to the floor. For exposure, we want to point out that in Ecuador most legislators finish their terms. Transferring to other posts is usually done at the beginning of a legislative period and the electoral calendar in Ecuador matches with the end of a legislative period, so members participating in campaigns, even for other offices, would do during the legislative recess. However, there were members who had to leave Congress prematurely, usually as a result of votes of censure. While these are isolated cases, we still find pertinent to state that this can affect our estimates.

For our initial analysis, we consider the role of two legislator-level characteristics: gender and seniority. Figures 14.1 through 14.3 show the distribution of participation in legislative debates in Ecuador based on seniority and gender of legislators. For gender (see Figures 14.1 and 14.2), we account only for the four largest parties.<sup>21</sup> We also present the results divided into two samples: before and after the 2008 Constitutional reforms. The constitutional reforms of 2008 added “zipper” quotas, requiring parties to present lists with an equal number of male and female candidates. Quotas altered considerably the gender distribution in the Ecuadorian Congress, a result we highlight below. We look at the distribution of three different elements. We measure the percentage of speeches from each party delivered female legislators before and after 2008, as well as the percentage of words uttered. Finally, we measure the percentage of female legislators that each party had during these periods.

Before 2008, the average share of seats occupied by female legislators did not surpass 15 percent (see Figure 14.1). In no party did women participate more than 10 percent of the time either in the percentage of total speeches or in the

<sup>21</sup> As previously suggested, it is difficult to classify Ecuadorian parties into (Western-European-style) party families.

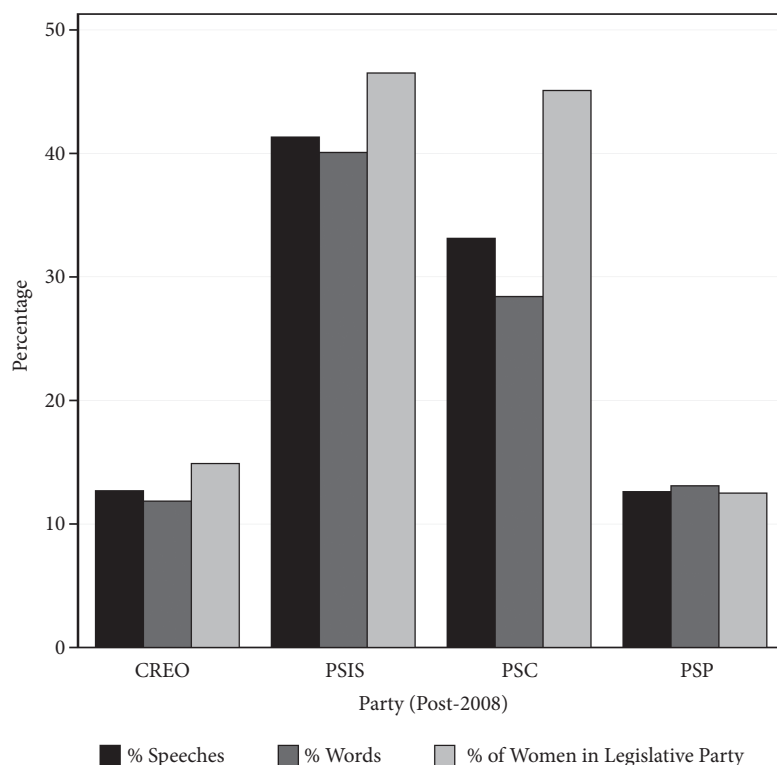


**Figure 14.1** Gender numeric representation and speechmaking in Ecuador before 2008

percentage of words spoken on the floor. The numbers are particularly stark when we consider how female legislators underperform in terms of participation relative to the share of seats gained—i.e., female legislators delivered a smaller share of speeches compared to the (already relatively small) share of seats won. Some of these differences can be explained by the organization of the party, for example, the PRE, a populist party organized around the figure of its leader, Abdalá Bucaram, and his family.<sup>22</sup> This family-based party structure, arguably a less democratic one, was built around a male representative. Unsurprisingly, the PRE legislators who spoke the most during this period were from the Bucaram family and mostly male.

For the post-2008 period, the level of participation of women increased by over 30 percent for half of the major parties. PAIS, the majority party for the 2009–2017 period, achieved close to gender parity in their ranks, which was to be expected, since PAIS had a majority of seats in the Constituent Assembly where the 2008 Constitution was redacted and where zipper quotas were adopted.

<sup>22</sup> Freidenberg and Alcántara Sáez (2001) show the extent of the importance of family ties in the composition of the PRE. This includes the wife of Bucaram, his four brothers, and his sister, most of whom occupied important positions in the party lists and served various periods in Congress.

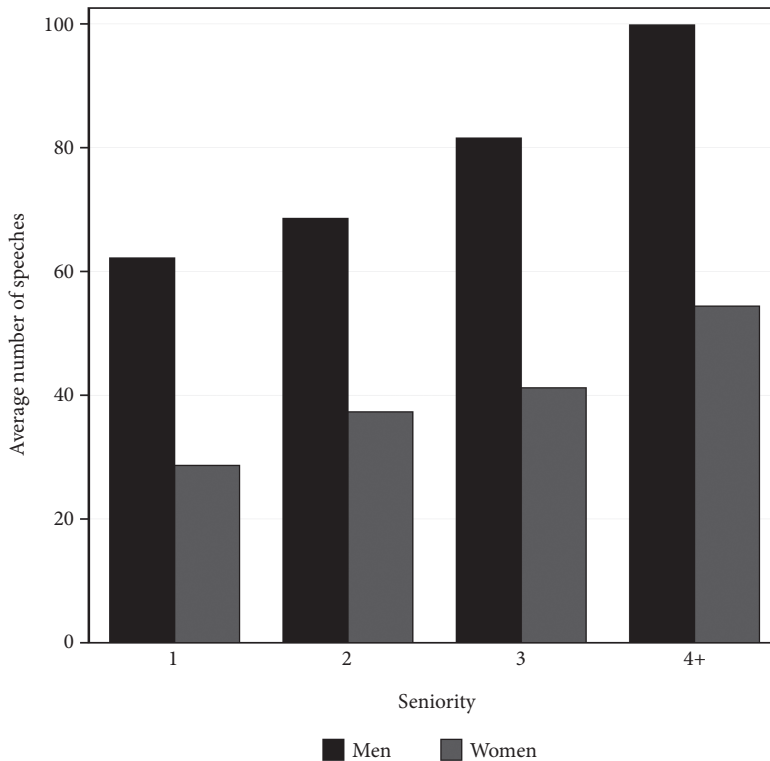


**Figure 14.2** Gender numeric representation and speechmaking in Ecuador after 2008

*Note:* The parties shown are DP-UDC (Democracia Popular, a center-right party), ID (Izquierda Democrática, a center-left party), PRE (Partido Roldosista Ecuatoriano, a populist party), and PSC (Partido Social Cristiano, a conservative party). These are the most successful parties before 2008 in terms of share of seats won in Congress. Additionally, all four parties had a candidate win the presidency.

However, the open-list system undermined some of the expected effects from the quota laws. For example, two parties (CREO and PSP) continue to display female participation levels below 20 percent. Furthermore, in most cases, the share of participation of female legislators is lower than the share of representation within the party. We also find specific cases where even though the percentage of female legislators is low, their participation (particularly in terms of the words uttered) is higher than or similar to their share of representation. Put differently, female legislators have more access to participation in debates relative to the share of seats won. This is the case for PSP and CREO.

Figure 14.3 presents the distribution of participation by seniority. In this case, the X-axis shows female and male legislators (regardless of their party identification) and the Y-axis shows the mean number of speeches by each subgroup of legislators. The trend shows that more experienced legislators deliver more speeches than less experienced legislators. Having a long tenure in Congress was



**Figure 14.3** Average number of speeches, by seniority and gender in Ecuador

difficult, given the short term-limits and, for many years, the ban on immediate re-election. Thus, senior members are also party leaders and skilled politicians that are able to maneuver the political landscape of the legislature and take advantage of floor time. This trend is similar for men and women, but the differences between both genders remain marked. Overall, Figure 14.3 shows that the historic trend of participation of female legislators by seniority level remains positive, while the gap in participation remains large in favor of male legislators.

Next, we go beyond gender and seniority to look at all the possible determinants that significantly shape individual participation. Note that the unit of analysis is a legislator-legislative period. We estimate models with two different dependent variables: the number of speeches a legislator delivered in each period, and the number of words each legislator delivered during that same period. Since the 2008 Constitution marked a new party and institutional structure in Ecuador, we also divide our models into the pre- and post-2008 period.

In this multivariate analysis, we explore six possible determinants for debate participation. First, we include gender (*Female*) and *seniority*. Additionally, we consider a set of variables that explore the relationship between party and relative

**Table 14.4** Determinants of floor access in Ecuador

	All Periods	Pre-2008	Post-2008
	(1)	(2)	(3)
	Speeches	Speeches	Speeches
Gender	−0.251*** (−3.33)	−0.422** (−3.22)	−0.173 (−1.87)
Seniority	0.124*** (5.66)	0.111*** (4.19)	0.160*** (3.70)
Committee chair	0.489*** (5.47)	0.413** (3.14)	0.648*** (5.43)
Government	−0.383* (−2.32)	−0.275 (−1.36)	−0.920** (−2.87)
Speaker party	0.261* (2.20)	0.340** (2.87)	
Legislative party leadership	0.284** (2.84)	0.307* (2.56)	0.244 (1.58)
Party size	−0.00639 (−1.67)	−0.00762 (−0.90)	−0.00814 (−1.93)
Intercept	3.859*** (6.96)	3.807*** (6.80)	3.626*** (28.70)
Observations	1640	1030	610
AIC	15768.8	10826.3	4818.6

*t* statistics in parentheses. Period and party fixed-effects estimated but not reported.

\*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

power within the legislature and the Executive branch. We account for whether legislators are committee chairs (*Committee chair*), or whether they are their parties' bloc president in Congress (*Legislative party leadership*). We consider if the legislator belongs to the party in government (*Government party*) or if they belong to the same party as the president of Congress (*Speaker party*). Finally, we account for the size of the party itself (*Party size*). For all models, we control for party and legislative period fixed effects. Table 14.4 shows the determinants of floor access in Ecuador

Figure 14.4 shows the results for the first model, a negative binomial regression that explores the number of speeches per legislator for the entire period of analysis. Figure 14.4 shows that positions of power within the legislature are important determinants of speech patterns in the Ecuadorian Congress across all periods. We find positive and statistically significant effects for committee chairs and legislative bloc leaders.

Substantively, a committee chair will deliver each period, on average, twenty-seven more speeches than a non-chair. This might be partially due to the opportunity committee chairs have to present the changes done to a bill during committee debates. However, in terms of exposure, it is important to note that legislators in Ecuador take advantage of every opportunity to expand on their own political position. This includes when called on to vote (before 2008, when voting was not done electronically) and when, as committee chairs, they presented

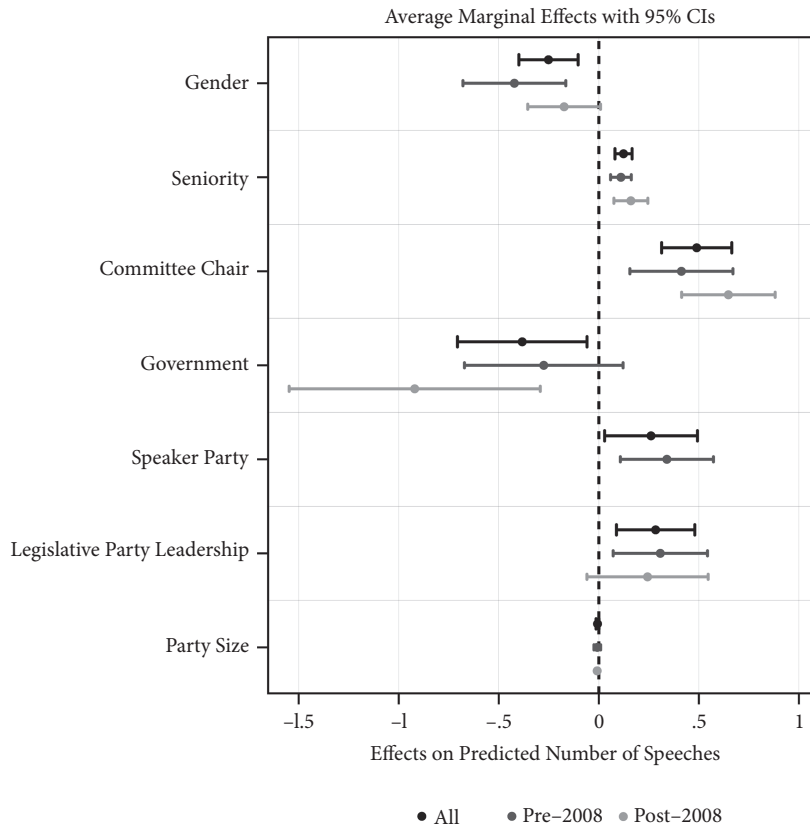


Figure 14.4 Marginal effects on predicted number of speeches in Ecuador

modifications to a bill debated in committee. For legislative bloc leaders, we find a similar effect in terms of magnitude than the effect found for committee chairs. In legislatures with limited time, an efficient way for a party (or coalition) to deliver their position is to have bloc leaders do it. Bloc leaders lose some of this advantage after 2008, which is surprising. We would expect that bloc leaders representing minority parties would gain prominence as the majority party for the period, PAIS, controlled the legislature. With less opportunities to access the floor, we should see more coordination among minority party members to present their (opposing) statements on the floor. Similarly, belonging to the party of the president of Congress has a positive impact on participation. This result highlights the prerogatives the president of Congress has as a gatekeeper to floor access and how they use it strategically to advance the position of their party in the legislature.<sup>23</sup>

<sup>23</sup> Since the president of Congress and the president of the Executive in the post-2008 period was always a member of PAIS, both dummy variables are perfectly correlated. Thus, there is no estimate for one of them.



Regarding gender and seniority, the results are in line with our expectations from the descriptive analysis. The coefficient for female legislators is negative and significant, suggesting they are less likely to participate in floor debates. An interesting result arises in the analysis before and after 2008. While the effect remains negative and significant, the coefficient for post-2008 suggests that the effect of female in participation is somewhat mitigated. In line with the results of our descriptive analysis, this difference in coefficients could be partially explained by the increased, but uneven, share of female participation across parties. In turn, seniority is positive and significant, with very little variation across periods. This finding supports previous results and highlights the importance of positions of power in the legislature to access the floor. Finally, we find that whether the legislator was from the party of the executive negatively affects the number of speeches they deliver. In line with other legislatures, we find no significant effect of the size of the legislator's party.

Our second model, with words uttered per legislator as the dependent variable, show these results are robust. Table 14.5 shows the determinants of words uttered in legislative debates in Ecuador

Figure 14.5 shows the results for this estimation. The determinants of access to the floor and actual floor time are closely related, and the 2008 threshold had little

**Table 14.5** Determinants of words uttered in legislative debates in Ecuador

	All Periods	Pre-2008	Post-2008
	(1)	(2)	(3)
	Words	Words	Words
Gender	−7146.8** (−3.22)	−12090.1** (−2.81)	−3968.1 (−1.90)
Seniority	4849.4*** (4.95)	5275.1*** (4.23)	2819.2** (2.64)
Committee chair	13500.8*** (3.44)	10973.3* (2.02)	18534.3*** (3.80)
Government	−16856.9* (−2.45)	−9876.0 (−1.23)	−29386.8*** (−3.81)
Speaker party	8727.9 (1.40)	12571.1* (1.99)	
Legislative party leadership	13835.6** (3.00)	16481.0** (2.91)	5269.1 (1.04)
Party size	−228.0 (−1.85)	−427.4 (−1.59)	−251.3* (−2.36)
Intercept	20445.7 (1.87)	19337.3 (1.77)	27602.9*** (7.67)
Observations	1640	1030	610

*t* statistics in parentheses. Period and party fixed-effects estimated but not reported.

\*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

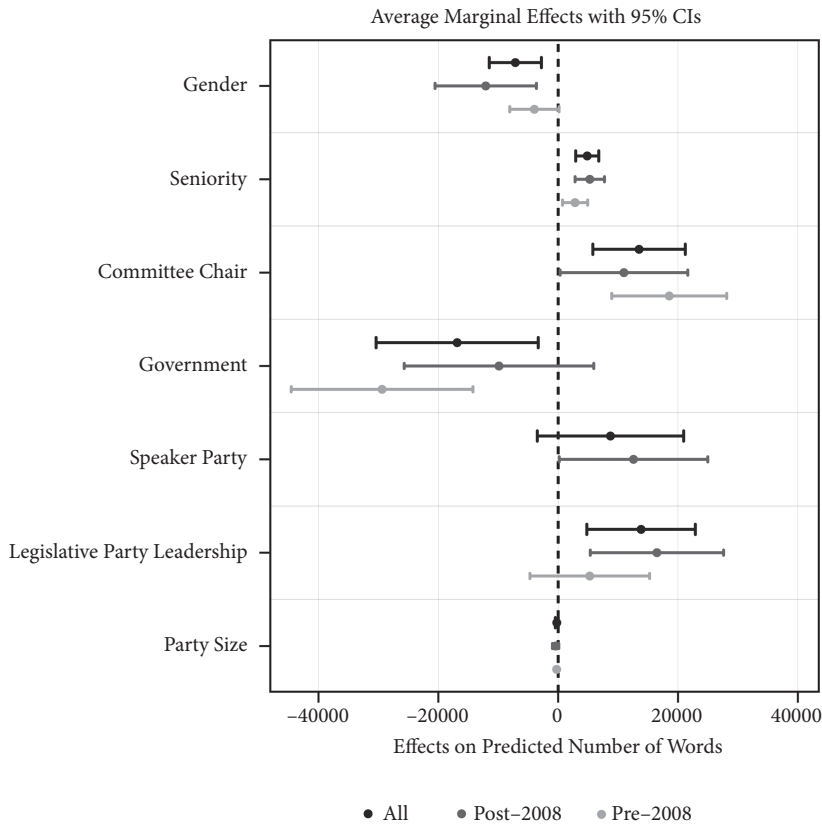


Figure 14.5 Marginal effects on predicted number of words uttered in Ecuador

effect on these. The null results from the legislator's party size remained. Committee chairs utter, on average, 13,495 more words than non-chairs, while legislative bloc leaders utter 13,838 more words than non-leaders. Women, in addition to having less access to the floor, once they gain the floor they also speak for a shorter period. On average, women utter 7069 words less than men. We find that being from the government party negatively affects the number of words uttered by a legislator. The magnitude of the effect is important: legislators from the government party utter 13,501 fewer words than legislators that are not. This effect is worth further exploration as it provides a glimpse into the executive-legislative dynamic in presidential systems with weak parties. Narrowing down the level of analysis to words, rather than speeches, does not change the overall effect of our variables of interest.

## Gender Quotas and the Politics of Legislative Debates

Our analysis shows that being a female legislator has a consistently negative effect on participation in debates, while seniority, relative power within Congress, and partisan alignment have positive effects on participation. Our research also shows that the gender gap in participation in political debates narrows down as women reach seniority. We find that senior female legislators are likely to participate just as much, or more, than their male peers (Vallejo Vera and Gómez Vidal, 2020). An interesting aspect of Ecuador is its efforts to increase female descriptive representation over the years. Ecuador has implemented multiple reforms to establish, and expand, gender quotas since 1997. Two quotas are particularly interesting to us. First, the gender quota for political parties, originally established in 1998, has promoted the staggered inclusion of female candidates in party ballots, starting at a 20 percent minimum, and increasing this minimum by 5 percent every election until virtual parity in 2007.<sup>24</sup> The second quota reform was established in 2008, as part of the Constitutional reform. This quota required the same share of female representatives on the ballot and the same distribution, facilitated by a “zipper”-like order that guaranteed a male–female alternation throughout the ballot list. Figure 14.6 shows the evolution of seats and chairs occupied by female legislators over time.

There are several caveats to women’s representation in the Ecuadorian Congress. Between 1988 and 1998, the participation of women was drastically low, a total of eighteen women legislators for the whole decade. These women were often high-profile politicians who built remarkably long careers inside and outside the legislature.<sup>25</sup>

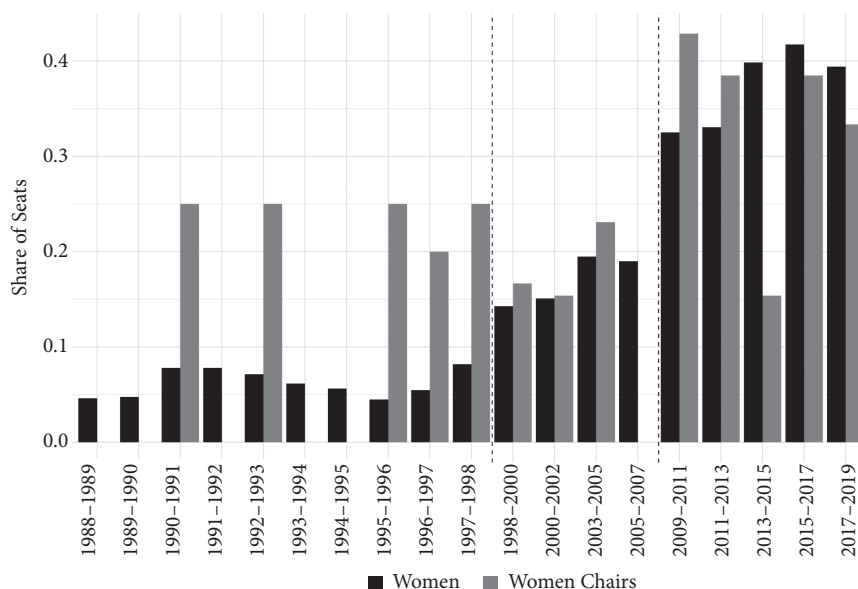
They were also able to participate, even if partially, of leadership positions (i.e., committee chairs) in the Legislature.<sup>26</sup> The passing of gender quotas in 1998 and 2008 led to an important increase in the number of seats held by female legislators, doubling the participation of women in the legislature. Women were appointed as chairs of committees in the same proportion that they held seats in Congress, even though this rate has lacked consistency. Additionally, the posts held by women were rarely highly sought committees, consistent with research on the marginalization of female newcomers (Heath et al. 2005).<sup>27</sup>

<sup>24</sup> Later in this section, we term this type of quotas, “soft quotas.”

<sup>25</sup> For example, Cecilia Calderón was the leader of the FRA party (Frente Radical Alfariista), as well as the first woman to become the head of a party in Ecuador. She was the first woman to be elected to the Council of Guayaquil, and in 1986 she was the only woman elected to Congress.

<sup>26</sup> Note, however, that until 1998 there were only four or five committees (for some periods Special committees were created).

<sup>27</sup> This trend partially overturned after 2013, when Congress elected the first woman president. However, in the 2013–2015 period, there was also a drastic drop in the number of committee chairs occupied by women.

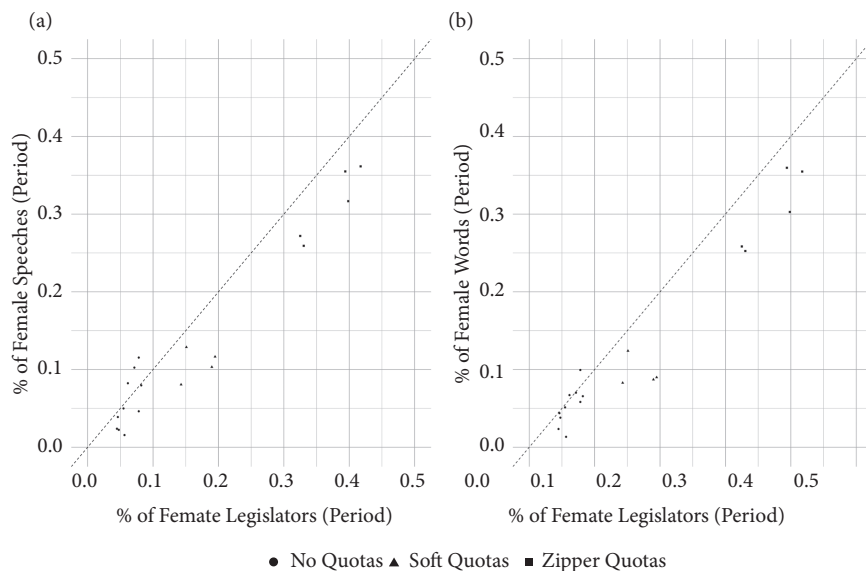


**Figure 14.6** Evolution of seat share and committee chairs occupied by women in Ecuador

*Note:* The dotted lines represent the 1998 soft quotas and the 2008 zipper quotas.

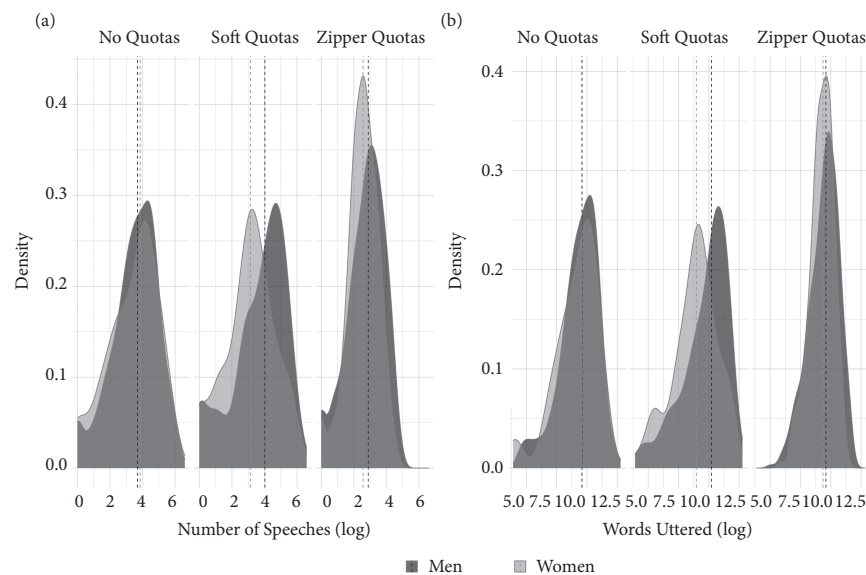
Increasing descriptive representation in Congress does not guarantee increasing participation in legislative debates. Figure 14.7 shows the debate performance of female legislators in Ecuador between 1988 to 2018. We measure debate performance as the relation between the share of speeches delivered or words uttered in a period and the share of seats held in the same period. A rate of one (i.e., the dotted line in Figure 14.7) equals one percentage point of the seats held, one percentage point of the speeches delivered. For most periods, female legislators underperform, delivering a fewer share of total speeches and uttering a fewer share of total words than the share of seats held.

The experiences of different quota regimes in terms of access to the floor and floor time are telling. Figure 14.8 presents the distribution of speeches and words for the three quota regimes: no quotas, soft quotas, and zipper quotas. When no quotas were in place, the distribution of speeches and words of male and female legislators was similar and the median (dotted line) is almost identical. With the passing of soft quotas, the gap in the distributions increased, only to narrow again after the zipper quotas were enacted. However, the upper tail of the distribution for male legislators remained more pronounced, suggesting that there are spaces and/or positions that female legislators are still not able to access, like a legislative “glass ceiling.” Overall, the passing of quotas got women inside the building, yet they still have had barriers to translate those seats into substantive representation.



**Figure 14.7** Women's debate performance in Ecuador

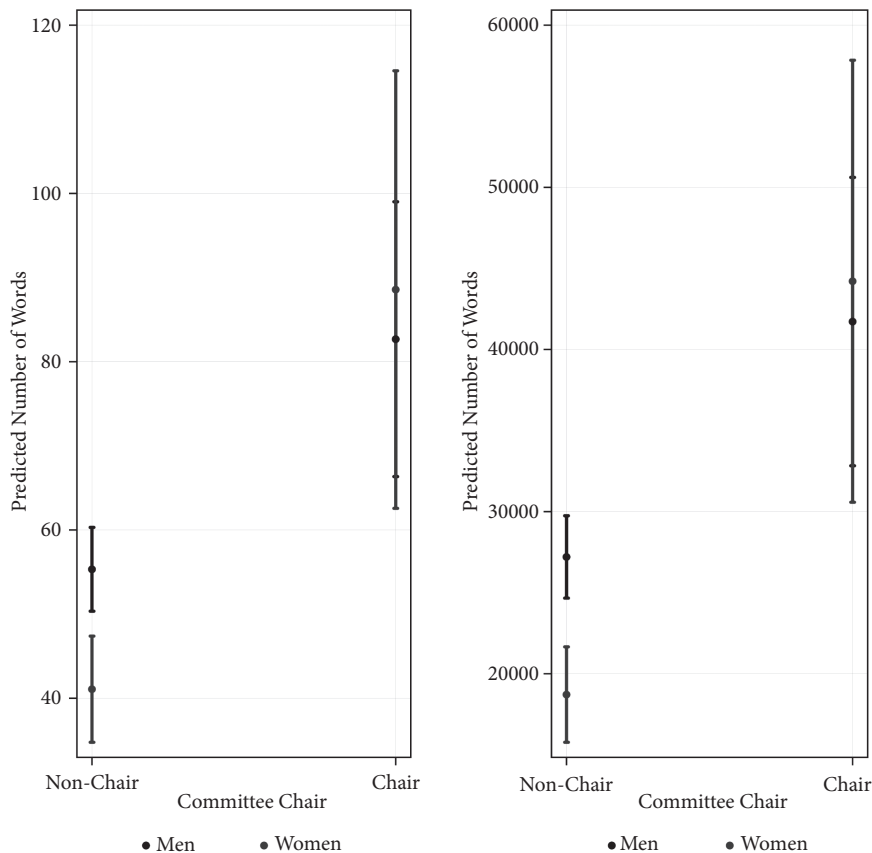
*Note:* The dotted line represents a 1:1 ratio of the share of speeches/words to the share of seats occupied. Any point below the line is underperforming.



**Figure 14.8** Distribution of speeches and words uttered in legislative debates under three gender quota regimes in Ecuador

*Note:* Dotted lines represent the median number of speeches (logged) and the median number of words (logged).

While women have gained crucial spaces within the legislature, the evidence suggests that this is not enough. We find that there are other mechanisms to increase substantive participation: positions of power. Using similar models from the previous section, we interact the female variable with the committee chair variable. Committee assignments are a scarce and valuable resource in legislatures (Fenno 1973) and are usually reserved for legislators in positions of power (either within the majority party or the majority coalition). The interaction term in both models is significant and provides evidence for the importance of certain roles in terms of substantive participation. To help interpret the results, we plot the predicted count for both interactions in Figure 14.9. The results suggest that participation, both in terms of access and floor time, is biased against non-chair women. While all chairs deliver, on average, more speeches than non-chairs, the



**Figure 14.9** Predicted floor access and words uttered in legislative debates, by gender and committee chair in Ecuador

*Note:* Predicted participation estimated from the interaction of the gender variable and the committee chair variable in the negative binomial and OLS models.

gains for female chairs are greater than the gains for male chairs, to the point wher both participate at a similar rate. This result is in line with our research, suggesting that senior female legislators are more likely to participate in debates at an equal, or even greater, rate than their male peers (Vallejo Vera and Gómez Vidal, 2020). Increasing the share of female legislators does not change gender dynamics within Congress if they do not have access to floor time and gain positions of power at the same rates that their male colleagues do.

## Conclusions

This chapter provides a general overview of the politics of legislative debates in Ecuador. Through a history of constant change and atomization of power, the Ecuadorian Congress offers an example of what Proksch and Slapin (2015) theorize as a legislative body that incentivizes members to seek personal gain. But two other elements make Ecuador stand out as a case study: the volatility in the party system as a result of constant reforms, and the role of the president of Congress as the ultimate gatekeeper and moderator. These elements constitute unique factors that contribute to individual strategies over party loyalty and coordination.

Our empirical analysis shows that relative power, seniority, and gender are key variables shaping participation in legislative debates. Descriptive and multivariate analyses consistently show that female legislators are less likely to participate in legislative debates over time, while seniority increases participation. Relative power derived from a committee chair or party bloc leadership also has a positive impact on participation on the floor. Alignment with the party, however, does not always yield significant results, particularly when legislators share party affiliation with the executive. This result aligns with our expectations based on our brief introduction to legislative politics in Ecuador.

We further explored the role of quotas in Ecuadorian legislative politics. After several reforms aimed at increasing female political representation, we found that there is no significant effect of these quotas in participation in legislative debates. In other words, increasing the number of female legislators does not directly translate into increasing their participation within the legislative body. Additional research by the authors has found that it is the relationship between gender and seniority that increases the participation of female legislators on the floor (Vallejo Vera and Gómez Vidal, 2020).

We find several interesting elements to further explore. First, we show Ecuador is a case where the progressive weakening of power promotes incentives for strategic behavior at the individual level. We find that the rate of participation of female legislators varies greatly across time and parties. Further understanding of the strategic behavior of women in Congress in Ecuador could shed light on

how women work around institutional barrier to increase representation and participation. We also find that the relationship between the executive and legislative branches might not strengthen the relative position of legislators. Legislators who belong to the party in the Executive branch participate less than their peers. Further exploration of this result can help us understand the power dynamic in a presential system with weak parties.

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