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Delegates Elected to Constitutional Assembly in Ecuador

by LADB Staff

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On Nov. 30, Ecuadorans elected representatives for the Constitutional Assembly, which will commence its deliberations on Dec. 20 for a 90-day period. Voters chose from among 1,500 candidates from seven political parties and 22 independent movements to fill 70 seats in the Assembly. Absenteeism ran about 40%, attributed both to apathy and to heavy rains in coastal areas. Delegates will gather in the city of Ambato on Dec. 20 for the opening of the Assembly. They will be charged with overhauling the Constitution, which has been in effect since 1978. The country has been in crisis since former President Abdala Bucaram was ousted during massive civic protests in February 1997. The Constitutional Assembly, mandated by a referendum in May, may complicate the electoral timeline (see NotiSur, 05/30/97).

Presidential elections are scheduled for May 1998, although some legislators are suggesting that they may have to be postponed because the Assembly will not finish its work until April. Among the constitutional reforms the new assembly will debate are the dissolution of Congress, the creation of a Senate, and setting the rules for the privatization of state enterprises. Privatization is a controversial issue and has considerable opposition. In November, the Congress, after a heated debate, passed constitutional reforms to facilitate privatizations, which included a ban on strikes by public-sector employees.

On Nov. 26, the Confederacion de Nacionalidades Indigenas de Ecuador (CONAIE), as well as state workers and students, held a day of protests against the reforms. The groups' main objection was that any changes to the Constitution should have waited for the Assembly, which is being held specifically to look at that issue. Protesters were demanding that the Constitutional Tribunal declare the new legislation unconstitutional. "The passage of these laws can only be interpreted as an act of desperation to privatize and to mock the will of the citizens," said Ivan Narvaez, one of the leaders of the oil workers. Rightist party will have largest bloc in Assembly Twelve parties and four independent groups will participate in the Assembly. The opposition Partido Social Cristiano (PSC) will have the largest number of seats, with 21.

During the election campaign, the PSC campaigned on an anti-corruption and decentralization platform. It has also called for educational and social improvements and economic reforms. The Partido Democracia Popular (DP) will have 10 seats. The governing Frente Radical Alfarista (FRA) and the Partido Roldosista Ecuatoriano (PRE) will each have seven seats. The remaining seats will go to smaller parties and independent groups. Important questions that have arisen in the wake of the elections include the role of the few independent delegates and what alliances will be formed between parties. Party leaders are all working diligently to form alliances, especially the PSC, which is trying to forge an alliance that will give it a simple majority of 36 votes.

For many Ecuadorans, however, the Assembly promises to continue the virulent political polarization of the legislature. For Vice President Rosalia Arteaga, the Assembly will be a "clone" of

the present Congress. "I only hope that the Assembly doesn't end up carrying out the same political schemes as the Congress," Arteaga said. Unrealistic expectations of Assembly possibilities After Bucaram's ouster, many citizens thought that an Assembly to reform the Constitution would bring back economic, social, and political stability, but analysts say that by now politicians and grassroots movements have become skeptical and their expectations very measured (see NotiSur, 04/11/97 and 08/05/97).

The strength of the political parties in the Nov. 30 elections has buried the hopes of civic organizations that they would emerge as central players in the political life of the country. More than 900 candidates representing an unprecedented number of such independent movements at least 70 ran in the elections. Such movements had counted on a stronger showing, given their success in bringing down the Bucaram government last January.

Now, issues such as the demand by indigenous groups for constitutional recognition of the plurinationality of the country, a constitutional commitment to gender equality, and greater access to political participation by grassroots organizations "will have to continue being part of the daily struggle, because no advances will be made regarding incorporating these issues into the Constitution," said Luis Macas, a CONAIE leader and deputy with the indigenous Movimiento Pachakutik. "The delegates to the Assembly will concentrate on economic issues, such as privatization in strategic areas, and will set aside social demands."

An essential ingredient if the Assembly is to be successful is for delegates to focus on guidelines and principles rather than on specific solutions to perceived problems. "The best we can hope for is that the present Constitution is not changed too much, because it is the result of a long process of social struggle," said Ernesto Lopez, former president of the Constitutional Guarantees Tribunal. "The Constitution is in danger of becoming a document of the moment, in which all the neoliberal proposals that are being debated in other countries will be put forth. If that happens, it would mean that in a few years, the Constitution would have to be reformed again, something that we understand well in Ecuador, given that we have reformed the Constitution 18 times."

Lopez said, however, that the more serious problem is the unrealistic expectations surrounding the Assembly. "The problem in Ecuador is not centered in its laws, but in the lack of civic education to interpret them, obey them, and see that the country carries them out," said Lopez. "The reforms can be used to fill legal voids and define general directions in state policies, but not to solve problems of civic behavior." [Source: Associated Press, 11/30/97; The Miami Herald, 12/01/97; Reuter, 11/26/97, 11/30/97, 12/02/97; El Nuevo Herald, 12/02/97; Inter Press Service, 11/18/97, 12/09/97; Hoy (Ecuador), 12/09/97, 12/10/97; El Comercio (Ecuador), 12/10/97; Notimex, 12/10/97]

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