

10-22-1999

Constituent Assembly Nears Approval of New Venezuelan Constitution

LADB Staff

Follow this and additional works at: <https://digitalrepository.unm.edu/notisur>

Recommended Citation

LADB Staff. "Constituent Assembly Nears Approval of New Venezuelan Constitution." (1999). <https://digitalrepository.unm.edu/notisur/12701>

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in NotiSur by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.

Constituent Assembly Nears Approval of New Venezuelan Constitution

by LADB Staff

Category/Department: Venezuela

Published: 1999-10-22

Venezuela's Constituent Assembly (Asamblea Nacional Constituyente, ANC) is now debating the 395-article draft of a new constitution, which the Comision Constitucional introduced Oct. 12. President Hugo Chavez says a new constitution will strengthen participatory democracy through the use of referendums. It will also provide for procedures for citizens to remove corrupt or incompetent politicians from office and will pave the way for a less political and more professional judiciary.

A crisis was narrowly averted just as the draft was introduced in the ANC. Comision Constitucional president Hermann Escarra resigned from the commission, which threatened to seriously derail the process to approve the document. Escarra, one of the main promoters of Chavez's constitutional project, was the second commission member to resign within hours, following Ricardo Combellas. Escarra resigned to protest the ANC's suspension of opposition delegate Allan Brewer Carias, accused of including articles in the draft that had not been approved by any committees.

Escarra withdrew his resignation after meeting with ANC president Luis Miquilena and leaders of the governing Polo Patriotico coalition. The Polo Patriotico leaders told Escarra they would "correct" their decision to suspend Brewer Carias and acknowledged that only the Comision Constitucional has the power to suspend assembly delegates.

ANC debates articles

After approving a preamble backing general democratic principles, on Oct. 20 the 131 delegates heatedly debated Venezuela's territorial boundaries and approved an article saying the nation will not recognize treaties or international decisions it considers invalid. The article concerns Venezuela's aspirations to recover Esequibo, an area covering two-thirds of neighboring Guayana that was ceded to Great Britain in 1899 in a decision Venezuela calls "null and void."

The day before, delegates debated Chavez's proposal to change the country's name to the Bolivarian Republic of Venezuela, in honor of Simon Bolivar, a national hero credited with winning independence from Spain for Venezuela and several other Latin American countries. The initiative was voted down because delegates said it would be too costly to change passports, currency, and official documents.

The ANC also affirmed Castilian as the nation's official language but supported the use of indigenous languages wherever they are spoken. After the entire document has been approved by the ANC, it will undergo final technical revisions and be presented to the public, who will accept or reject it in a referendum.

Chavez and most delegates hope to hold the referendum before the end of the year, ahead of the six-month deadline. As debate dragged on regarding matters such as a proposal to add an eighth

star to the Venezuelan flag, ANC leaders said the discussions must be accelerated. "Clearly the debate wasn't as quick as we'd hoped," said ANC first vice president Isaias Rodriguez. He said if the assembly failed to approve the new constitution by Nov. 12, the referendum would have to be postponed until next year.

Controversial articles of the draft that still have to be debated include one prohibiting the government from selling stock in the state oil monopoly Petroleos de Venezuela (PDVSA), which generates 58% of the income for the national budget. If approved, the article would end moves by privatization proponents to sell a minority share of PDVSA, which controls some of the world's largest oil reserves. Another article awaiting approval establishes that the presidential term will be six, rather than five, years and that a president can be re-elected to one consecutive term.

ANC thins ranks of judges

On Oct. 8, the ANC continued its efforts to revamp the judiciary and clean up its notorious corruption. The Comision de Emergencia Judicial (CEJ) removed 117 judges, nearly 10% of the total. Each of the suspended judges had received more than seven complaints, generally involving procedural irregularities or negligence. One judge had 46 complaints, and five judges each had more than 20. The CEJ is studying more than 3,000 complaints filed against judges. "We are committed to transparency in justice," said court inspector Rene Molina. He said the judges will remain suspended during the investigations, but if the accusations prove unfounded they will be returned to their posts.

"The Venezuelan Judiciary is one of the most corrupt in the world," said the commission's president, Manuel Quijada. "It is rotting and we are going to purge it." The corruption exacerbates trial delays, which are a primary cause of the overcrowding that has contributed to making Venezuela's 32 prisons a war zone. So far this year, 298 inmates have died, according to official data (see NotiSur, 1999-10-08).

Labor protesters ask ANC to mediate

About 25,000 public employees from across Venezuela marched through the center of Caracas Oct. 20, demanding better salaries and the back pay owed them. The workers said the government had failed to pay nearly US\$4 billion in benefits owed them since 1997, and workers have not received a 20% raise approved in May. The government offered to pay about US\$1.6 billion to the workers before the end of the year and the rest next year, but the union rejected that offer.

In a nationally broadcast address, Labor Minister Lino Martinez urged workers not to march, saying that even though the government is burdened with a US\$3.6 billion fiscal deficit it would pay off the workers. "There's no reason to go ahead with this demonstration, nor is there a reason to call for a strike," Martinez said. "The government is committed to paying its debt." Union representatives acknowledge the bulk of the debt is from previous administrations, but they say the Chavez administration must honor the prior commitments.

Demonstrating in front of the Ministry of Labor, the union presented its demands, including its intention to declare a general strike if an agreement is not reached with the government. The union leaders also called on the ANC to mediate the crisis. Last week, striking judiciary workers brought

the courts to a standstill. The government called the action "illegal and unnecessary." University professors warned they would also strike if the government does not met their demands.

Union leader Carlos Navarro blamed the administration's lack of a clear labor policy for the current labor instability. "The government has improvised since it took office in February and has a pile of matters that it has put off," said Navarro. In Venezuela's worst economic downturn in years, the economy has shrunk by nearly 10% in the first half of the year and 600,000 workers have lost their jobs. Some analysts see the increase in labor actions as a show of force ahead of the coming holiday season to pressure for payment of the yearly bonus and vacation pay, which is often the largest lump sum workers receive during a year. [Sources: The Financial Times (London), 10/12/99; Notimex, 10/15/99; Reuters, 10/07/99, 10/19/99; Associated Press, 10/18/99, 10/19/99; Spanish news service EFE, 10/16/99, 10/20/99; CNN, Inter Press Service, 10/20/99; The Miami Herald, 10/21/99]

-- End --