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Congress Removes President Gutierrez

by LADB Staff
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Tens of thousands of Ecuadorans took to the streets of Quito, Guayaquil, Cuenca, and other cities to call for the resignation of President Lucio Gutierrez, leading the Congress to vote for Gutierrez's removal. The president had said that he would not resign, but he did remove the Corte Suprema de Justicia (CSJ) justices he had installed at the end of 2004, a move many Ecuadorans had called unconstitutional.

Street conflict did not abate, however, even after the re-dissolution of the court. The president said he had the support of the armed forces, but the military withdrew its backing on April 20, leaving the former army colonel to face removal. Smaller countermarches, supported by the government, also took place in the streets in Gutierrez's defense, resulting in clashes between different social sectors.

Vice President Alfredo Palacio sworn in as new president

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The Congress ousted President Gutierrez on April 20 after thousands of demonstrators demanded the former army colonel quit for interfering with the CSJ. A military helicopter flew Gutierrez out of the presidential palace in colonial downtown Quito to an unknown destination after 60 lawmakers from the 100-seat chamber voted to oust him for "abandoning his post." The state prosecutor's office said it had ordered his arrest for two deaths on April 19 and 20 during huge demonstrations demanding that Gutierrez resign for filling the CSJ with political allies last December.

Congress named Vice President Alfredo Palacio to serve out the remainder of a four-year term that expires in January 2007. Palacio, a 63-year-old cardiologist, had been a prominent critic of his former boss. Opposition legislators, who accused Gutierrez of being a dictator for trying to take over the courts, said he had effectively abandoned his post by failing to properly carry out presidential duties.

The armed forces, traditional arbiters of power, abandoned the former officer, who had refused to quit. "We have been forced to withdraw support from the president in order to ensure public safety," said the head of the Joint Chiefs of Staff, Gen. Victor Hugo Rosero. Demonstrators celebrated and shook hands with members of the security forces after news spread that Gutierrez had become the third president of the Andean nation toppled amid popular unrest since 1997.

In 2000, Gutierrez helped topple President Jamil Mahuad (1999-2000). He was briefly jailed for leading a coup and was elected president in late 2002 with support from the poor. Much of that support evaporated as he chose policies of fiscal austerity, contrary to what political organizations and voters had expected from him.
Opposition protests seized major cities

The marches during April resembled those that previously brought down Mahuad and Abdala Bucaram (1996-1997) and had been gaining strength since earlier this year (see NotiSur, 2005-02-25, 2000-01-28, 1997-02-07). Opposition figures like Quito Mayor Paco Moncayo of the Izquierda Democratica (ID) led days of marches in mid-April while popular FM station Radio Luna urged listeners into the streets. The police repression against protestors increased on the night of April 19.

Quito daily El Comercio said that police attacked peaceful marchers with hundreds of tear gas shells. Julio Augusto Garcia, a 58-year-old Chilean photojournalist, died that night of respiratory failure because of the tear gas, and reports stated that at least 180 people were injured. Other reports spoke of government supporters arriving in the capital on hundreds of buses from eastern and coastal provinces, where Gutierrez has his support base.

Witnesses speaking to Radio Quito said that the counterdemonstrators came armed with machetes, clubs, and other objects and were openly belligerent. While the Quito streets filled with tear gas, injured protesters, and conflict, negotiators from Colombia, Ecuador, Peru, and the US continued work in Lima on the Andean Free Trade Agreement (AFTA) in their ninth round of talks.

After Gutierrez's ouster, Ecuador's chief negotiator, Cristian Espinosa, said that Ecuador would make more no more commitments or proposals during this round, although he said the talks, scheduled to last until April 22, would not be suspended and the Ecuadoran delegation would remain in the talks. 30,000 tried to march on presidential palace Hours after the president said he would not resign, at least 30,000 people tried to march to the presidential palace in the capital's largest demonstration yet against the country's leadership, demanding that Gutierrez leave office.

Gutierrez continued to reject any suggestion that he resign, even as the marches mushroomed. "There is not the least possibility. I was elected for four years. My government ends in January 2007," Gutierrez said in an interview. Speaking of himself in the third person, he said: "The people in opposition in Quito say, 'Get out, Lucio,' but why 'Get out, Lucio,' if Lucio has lowered inflation to around 1.5%, the lowest inflation in the history of Ecuador?" As he spoke, army troops carrying assault rifles took positions behind barbed wire to keep protesters from approaching the palace.

As thousands of people marched toward the palace, police fired tear gas to drive them back. "We want to show this president how much people dislike him. He has violated the Constitution so often that people can't take it any more," said Ricardo Viedma, 33, owner of a travel agency, as protesters tried to escape the gas that drifted over the streets.

On the night of April 18, tens of thousands of protesters also poured into the streets in Guayaquil, Ecuador's largest city, to demand that Gutierrez step down, joining the demonstrators who had taken to the streets in Quito daily since the week before. There were also smaller protests in other cities. State of emergency declared and lifted in a day Gutierrez had declared a state of emergency on April 15 that banned public protests in Quito, but the move only escalated the street marches, forcing him to withdraw the order.
The military, which under the state of emergency was charged with maintaining public order, was not visible on the streets as thousands of people disobeyed the decree and staged a peaceful demonstration, punctuated by honking horns and shouts of "Lucio Out!" and "Democracy yes, dictatorship, no!" "We're not going to pay any attention. Let him take his emergency decree and go to another country," said Teresa Arteaga, one of the protesters.

"The president has gone crazy. He doesn't even want us to protest. Declaring a state of emergency is incredible," Roberto Freire, a 40-year-old engineer, said as he shopped at an open-air market in an upscale neighborhood on Quito's north side.

Jaime Duran, a public-opinion analyst, said racism was a factor in the opposition Gutierrez has faced in Quito, home to Ecuador's European-descended political and social elite. "Poor people identify with him. The more educated the person being surveyed is, the more he hates Gutierrez, while the less educated he is, the more he supports him," Duran said. Yet the indigenous groups that allied with Gutierrez to bring him to power have since turned their back on the president.

Instead of mainstream indigenous political groups like Pachakutik and the Confederacion de Nacionlidades Indigenas del Ecuador (CONAIE), Gutierrez had to count on demonstrations by groups like the less influential Federacion de Indigenas Evangelicos (FEINE). Reports in El Comercio said that government workers whom Gutierrez called on to demonstrate in his favor did not mobilize.

President dissolves Supreme Court again

Responding to the protests, on April 15, along with imposing the state of emergency, Gutierrez removed most of the CSJ for the second time in less than six months. In December the president said he wanted to "depoliticize" the court, and he replaced 27 of the body's 31 members (see NotiSur, 2005-01-07).

Speaking over national television on April 16, Gutierrez said the purpose of the emergency decree had been to dismiss the judges. He said he was annulling the decree because he had "obtained the principal objective, which is the dismissal of the Corte Suprema. Little by little, tranquility is returning to the nation."

Four days later he boarded a helicopter on the roof of the presidential palace and headed for an unknown destination. When his congressional allies fired most of the court's judges and named replacements sympathetic to his government in December, many sectors viewed it as a violation of the Constitution.

In the latest action, Gutierrez said that the president of Congress had offered to call a special session to ratify the dismissal of the court and debate a judicial reform that would provide for depoliticized mechanisms to select 31 new judges. He urged legislators to reach an agreement "in the shortest time possible so that Ecuador will have the best Corte Suprema in its history." Parliamentary efforts
to install new justices bogged down in cross-party conflict, though the extraordinary session of Congress was set to convene on April 20.

"El Loco" Bucaram returns after charges dismissed

Adding to the tumult of Ecuadoran politics was the CSJ's March 31 decision to annul corruption charges against ex-President Bucaram, who has proudly appropriated the nickname El Loco that his enemies gave him. Bucaram, exiled in Panama, returned to Ecuador within days, saying he was "crazier than ever to break the soul of the oligarchy."

Among the allegations against the former president, Bucaram had been accused of spending US$40 million in public funds to buy 500,000 student backpacks at a cost of US$80 per bag, for a subsidized school materials program. The contract, given to a Colombian company without competitive bidding in late 1996, had called for 1.4 million school bags, but 900,000 were never delivered.

Critics saw the dropping of the charges against Bucaram as a deliberate maneuver by Gutierrez and his reshuffled court. They alleged that the president stacked the court with judges who would clear Bucaram in exchange for votes from his Partido Roldosista Ecuatoriano (PRE) against impeachment of Gutierrez. Impeachment proceedings were gathering momentum late last year when, to the surprise of legislators, the parliament fell three votes short of the majority necessary to impeach (see Notisur, 2004-11-19). Bucaram is portraying himself as a social democrat in the mold of Venezuelan President Hugo Chavez.

"I come to Ecuador to copy Chavez's style with a great Bolivarian revolution," said Bucaram shortly after his return. Bucaram said at a rally celebrating his homecoming that he would oppose "the imposition of military bases" in Ecuador an apparent reference to the US use of the Manta air base as an operations center in its war on drug traffickers in Latin America. He also spoke out against regional free trade agreements with the US. With a power base in Guayaquil where he served as mayor in the 1980s, Bucaram represents a significant force in Ecuadoran politics, even if he has fled the country three times when criminal proceedings were moving against him and after Congress removed him from office for "mental incapacity."

Judge Guillermo Castro also dropped corruption charges against former Vice President Alberto Dahik, who fled to Costa Rica in 1995, and ex-President Gustavo Noboa (2000-2002), who fled to the Dominican Republic in 2003. Dahik also said he would return. State Prosecutor Cecilia Armas immediately asked the CSJ to overturn the Bucaram ruling, calling it "inconsistent and illegal." Ecuador's attorney general's office said it was studying the decisions. Several of Castro's fellow judges demanded his ouster from the bench. In a telephone interview aired live on Channel 8 television, Bucaram thanked Gutierrez for the court shakeup that "permitted" the ruling in his favor.

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