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LADB Staff

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Ecuador to Hold Referendum for Constituent Assembly to Rewrite Constitution

by LADB Staff
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Ecuador's Congress has yielded to popular pressure and pressure from President Rafael Correa to authorize a referendum on a Constituent Assembly to rewrite the country's Constitution. The Congress approved holding the referendum on Feb. 13 after many protests, including ones at the end of January and beginning of February where protestors attempted to storm the legislature.

Political parties that oppose Correa, including the Partido Renovador Institucional Accion Nacional (PRIAN) and the Partido Sociedad Patriotica (PSP), hold the majority of seats in the Congress and a constitutional rewrite could dilute their power. The assembly has been a central element of Correa's effort to weaken traditional political-party structure in Ecuador.

Vote set for April 15
On April 15, voters will be asked to approve the formation of a 130-member special assembly made up of lawmakers, leaders of social groups, and ordinary citizens to rewrite the constitution. The Tribunal Supremo Electoral (TSE) set the April 15 referendum date shortly after the Congress voted to approve it.

The TSE previously refused to schedule a referendum without consent from lawmakers. Correa had sought to hold the vote in mid-March, but the TSE sent his request for a vote to the Congress. "The fight is just starting," Correa said in a statement. He called on Ecuadorans "to fulfill their role in history, crushing the political mafias at the ballot boxes." Ecuador has been marked by political instability, with seven presidents in the last decade. More than 60% of the population lives in poverty.

Correa, 43, who took office Jan. 15, won a November election runoff as a charismatic outsider who pledged to lead a "citizens' revolution" against a political establishment widely seen as corrupt and incompetent (see NotiSur, 2006-12-08 and 2007-01-26). Opposition lawmakers, meanwhile, have raised fears that a constitutional assembly with unlimited powers, as Correa advocates, might move to close the legislature.

"We're going to have generalized chaos throughout the country starting tomorrow," said PRIAN Deputy Federico Perez, the only member of Congress who voted against the measure. "Today the Constitution has been broken. I really hope our country doesn't fall into communism," said Perez.

Earlier in February, Correa's government denied any plans to dissolve the legislative body, which the president has called a "sewer of corruption." The 100-seat unicameral parliament consistently turns up in opinion surveys as the least popular or least trusted branch of the government. "The
government guarantees that Congress will function," Interior Minister Gustavo Larrea said on Feb. 1. "To be clear, the executive branch has no intention of dissolving Congress."

Correa has rejected accusations of authoritarianism and says his reforms aim to make elected officials more accountable. He advocates smaller election districts for members of Congress. Correa has said his government hopes to win at least 70% of seats in a Constituent Assembly. He appears to be seeking to capitalize on his current popularity by holding the referendum as soon as possible.

Congressional head Jorge Cevallos had accused the president of acting like a "dictator" by trying to impose his will on congressional deputies who were as legitimately elected as he was. Opposition figures regularly accuse Correa of being authoritarian like his ally, friend, and co-socialist, Venezuelan President Hugo Chavez. Nearly 1,000 people gathered outside Congress, including hundreds of highland indigenous peoples in traditional clothing, to demand lawmakers approve the referendum on Feb. 13.

**Controversy over voters’ right to dismiss officials**

Despite the president's assurances, members of Congress fear that Correa may seek a recall referendum to have the Congress dissolved, particularly since his party did not run any candidates for the legislative branch in last year's October elections.

Correa said on Feb. 14 that, if voters approved the special assembly to rewrite the constitution, that body would have power to remake the government and dismiss elected officials despite Congress' efforts to protect itself from closure. Congress stipulated that the assembly would not have authority to shut down the legislature. Correa, however, said the assembly would be able to dismiss not only lawmakers but also judges and even the president himself. "The people voted for a citizens' revolution," he said.

"It is absurd to say that the assembly cannot dissolve established institutions. I will be the first to present my resignation before that assembly, recognizing that they can send home the Congreso Nacional, the Corte Suprema de Justicia (CSJ), or the president of the republic."

**Turbulent protests in and outside Congress**

In an earlier protest, thousands of Correa supporters, armed with clubs and rocks, invaded the congressional building Feb. 1 to demand that lawmakers approve the referendum. They forced the session to be suspended and police dispersed the protests after firing tear gas on the crowd.

A similar protest had occurred Jan. 30, when Correa supporters armed with sticks and stones fought their way into the Congress building. Television images showed some police, protesters, and journalists overcome by the tear gas.

The congressional session was abandoned as police dispersed the protesters, and other police protected fleeing members of Congress. Government spokesperson Monica Chuji said that "peaceful mobilizations are supported by the government, but we are against violence."
The protesters who entered the Congress building had broken off from a larger demonstration that included groups of workers, Indians, leftists, and Correa sympathizers. Agence France-Presse estimated the crowd to number about 5,000. The Red Cross said at least two civilians, including one reporter, and one police officer were wounded. Elsewhere demonstrators marched down Quito’s Rio Amazonas Avenue, one of the city's main thoroughfares, blocking traffic.

"Beginning today we will mobilize until the Congress respects the will for change of the Ecuadorans and makes the referendum viable," said Cesar Rodriguez, a leader in Correa's Alianza Pais movement, a new political formation that carried Correa to the presidency. Correa had announced that the week of Jan. 28-Feb. 3 would be a week of "pressure" in favor of the assembly, a key point in his "socialist revolution."

In a Jan. 28 speech, Correa said, "We are in a crucial week. Only the ethical and moral strength of the people will obligate the partiocracy (partidocracia) to obey their constituents." The "owners of power in the parliament have an explicit desire to defeat" the assembly, he added.

Opposition members of Congress called Correa's words "insulting, histrionic, and unfortunate." The Jan. 30 protest reportedly turned violent when sympathizers of ex-President Lucio Gutierrez (2003-2005) of the PSP attempted to join the march to back the Constituent Assembly. Many of Correa's backers belong to the movements that ousted Gutierrez in 2005 (see NotiSur, 2005-04-22 and 2005-08-26).

Of the attack on Congress, Luis Tapia, head of the PSP bloc in Congress, said, "It was a terrible violation, we are living through a dictatorship. Correa wants to imitate the style of Chavez, to replicate his authoritarian scheme." The PSP is the second-largest voting bloc in the Parliament, after the PRIAN.

The Confederacion de Nacionalidades Indigenas de Ecuador (CONAIE), which did not take part in the Jan. 30 demonstration, announced protests of its own and a possible "uprising" along the lines of past nationwide indigenous mobilizations unless clear steps were taken to call a referendum.

ECUARUNARI (Confederacion de Pueblos de la Nacionalidad Kichwa del Ecuador), the most powerful CONAIE member organization, held a special assembly on Jan. 29-30 to draw up a schedule of activities to press for the referendum.

"The Constituent Assembly cannot be blocked by a few legislators. It is a demand by the people and will become reality. If they try to stop it and an indigenous uprising is required [to make it happen], then that's what we'll do," said ECUARUNARI president Humberto Cholango.

Cholango said CONAIE, ECUARUNARI, and dozens of other social organizations and movements have joined together in a National Front for the Plurinational Constituent Assembly, which plans to participate in the assembly as a unified body. "Only through unity among the social organizations of the countryside and the cities can we defeat the right-wing power groups which, since they won't be able to block the Constituent Assembly, will try to take it over, to impose their own interests," said the activist.
The head of CONAIE, Luis Macas, reported that indigenous communities and organizations were beginning to discuss aspects to be included in the foundations of the new, overhauled political, legal, and economic structures in Ecuador.

"It is essential to discuss issues that must be considered by the Constituent Assembly and must be in the new Constitution, like the defense of sovereignty, the nationalization of natural resources, the defense of biodiversity, and the agrarian revolution," said Macas.

In surveys by the Datanalisis and Cedatos polling firms, 85% and 80% of respondents, respectively, said they backed creating a Constituent Assembly. Numbers like these led Correa to claim on Jan. 31, "There is not a confrontation between the executive and the Congress but rather between 13 million Ecuadorans and 100 deputies." [Sources: El Tiempo (Colombia), Los Tiempos (Bolivia), 01/30/07; Inter Press Service, 01/31/07; Bloomberg, 01/30/07, 02/13/07; Clarin (Argentina), 02/01/07, 02/13/07; www.bbcmundo.com, 02/13/07; Associated Press, 01/31/07, 02/01/07, 02/02/07, 02/13/07, 02/14/07; El Nuevo Herald (Miami), 01/30/07, 01/31/07, 02/06/07, 02/13/07, 02/15/07; El Comercio (Ecuador), 01/30/07, 02/01/07, 02/13-16/07; www.telesurtv.net, 01/29-31/07, 02/06/07, 02/08/07, 02/12/07, 02/13/07, 02/15/07, 02/18/07; El Universo (Ecuador), 01/29-31/07, 02/13-16/07, 02/20/07]