7-9-1991

Colombia: New Constitution

Barbara Khol

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

Recommended Citation

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.
Colombia: New Constitution
by Barbara Khol
Category/Department: General
Published: Tuesday, July 9, 1991

At 12 a.m. July 5, a new constitution became law, replacing the nation's magna carta written in 1886. On July 4, in conjunction with a ceremony during which all members of 73-delegate Constituent Assembly and President Cesar Gaviria signed the constitution, Gaviria suspended a seven-year-old state of emergency. The Assembly had been in session since February. With the promulgation of the constitution, the legislature (1990-1994) was disbanded. Congressional elections are scheduled for Oct. 27, and the new legislature will take power in December. During the interim, President Gaviria and a 37-member commission are responsible for lawmaking. The congress was comprised of 114 senators and 199 representatives. The new legislature is also bicameral, but the number of senators and representatives will be reduced to about 260. Highlights of changes incorporated into the constitution are summarized below.

* Reorganization of government structures, including changes in the powers of the executive, legislature and judiciary aimed at encouraging political pluralism, and reducing corruption.
* Revamping of electoral system, aimed at breaking the grip of the two-party system of Conservatives and Liberals who have dominated politics in Colombia for decades. Powers and jurisdiction of National Electoral Council were enhanced, transforming the council into a type of "fourth power."
* Legalization of civil divorces of Catholic marriages. The change is expected to affect about 1 million couples who are currently separated, but remain legally married.
* Prohibition of extradition of Colombian nationals to face charges abroad.
* Protection of the rights of women, indigenous groups and other minorities.
* Adoption of a run-off system in presidential elections.
* Two congressional session periods per year.
* Congress may censor cabinet members via a special motion.
* Creation of a Human Rights Defense office.
* Obligatory primary education.
* State monopoly of lotteries and liquor distilleries.
* Obligatory military service.
* Colombians may hold dual citizenship.
* For the first time in Colombian history, citizens will elect governors of 23 departments, four intendencies, and five commissaries, which under the new constitution will be converted to 32 departments.
* Creation of the office of vice president, replacing an appointed "substitute" for the president.
* Addition of Comptroller General office, while Attorney General position remains in existence.
* Creation of a Constitutional Court. The existing Supreme Court of Justice will continue to function, but with changes in mandate.

On July 4, Armando Montenegro, director of the National Planning Department, told reporters that changes required by the new constitution will cost the government about 900 billion pesos per year (over $1.5 billion). Consequently, he said, the government will raise taxes, and merge government administrative departments. (Basic data from EFE, Agence France-Presse, 07/04/91; AP, 07/05/91)

-- End --