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The New Constitution of Chile in the Latin American and World Context



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Chile is fast approaching the realization of a long-cherished milestone: the opportunity to leave behind a constitutional mold imposed with unspeakable pain and suffering by a barbaric dictatorship at the service of a neoliberal model.

On September 4, the communities that inhabit this long and narrow strip of territory will have at their disposal the possibility of settling the future in a binding plebiscite and compulsory suffrage that will enshrine, if the Approval is victorious again, a new constitutional text.

Chile's awakening to a new Constitution

"Chile woke up!" was the slogan that animated and unveiled the meaning of the massive demonstrations in that mythical October 2019. Mobilizations that did not arise overnight, but are threaded in a process of repeated marches and actions whose thematic and sectoral demands were knotted in order to unlock the suffocating commodification bolt to which the population was subjected.

In the midst of the climax of the awakening appear the Cabildos Ciudadanos, in which people of the most different origins, ages and territories debate about the changes that the country requires, opening the way to a common conclusion, the need to give way to a Constituent Assembly.

The impulse of popular effervescence is channeled – in an attempt to cushion it, with the exclusion of a part of the opposition and not without a few criticisms – in an agreement between the government and some parties in the so-called Agreement for Social Peace and the New Constitution, which enables the call for a plebiscite to modify the fundamental law.

The overwhelming victory, close to 80%, of the options for a New Constitution and the modality of a constitutional Convention elected directly, with gender parity and representation of indigenous peoples, indicated that this impulse had not been extinguished, at least in half of the eligible voters who participated in that feat.

The process was completed with the election of conventionalists, in which the right could not impose vetoes and citizen options independent of the classic political scheme gained strength and, finally, with the process of drafting the new constitutional text.

After almost half a century of dictatorship of capital and 30 years of democracy protected by economic power, Chileans must ratify or reject the proposal that, clearly, would seal the advent of a new historical time.

A constitution at the "height of the times"

Constitutional texts, as the foundational expression of social intersubjectivity – at least those conceived in democracy and not those imposed by dictatorships – cannot but be a reflection of the intentions present at the time in which they are formalized.

In them, transformative aspirations are reflected, but also resistance of social memory to the dynamization and replacement of previous structures. These carefully modeled lines have the virtue of being the hinge between times, constituting at the same time the fruit of an earlier cycle and the seed of a later one. They are, despite glimpsing in them the beginning of an innovative collective age, the product of - in the words of Ortega y Gasset - the "height of the times", that is, the historical circumstance in which certain concepts, forms and beliefs are valid.

In fact, the new Chilean constitutional proposal exhibits these qualities perfectly. In a tight synthesis, it opens up greater representativeness and popular participation, guarantees social rights previously prohibited by capitalist insensitivity and establishes proactive guidelines for equity and protection from violence for women, children, the elderly and indigenous peoples.

In this new constitutional formulation, the State is required to take primary responsibility for leveling living conditions – deeply disparate in Chile today – political power is decentralized, the need to protect the common natural goods from particular greed is affirmed, urging greater empathy with other sentient species.

The sign that is inclusive and contrary to all forms of discrimination is evident in the recognition of diversity as wealth and virtue, both with regard to the nations and cultures that inhabit the territory, and in the widening of the range of options in terms of confession, pluralism of ideas, means of expression and in the free choice of sex-affectivity, motherhood or dignified death, among other existential issues.

In short, it reflects the main impulses of the time: the unstoppable advance of women for equal rights, the need to level historical inequalities, the imperative to preserve the common home, the expansion of freedom of choice and the direction towards decentralization and openness to more advanced forms of democracy.

The significance of the exit plebiscite in the context of the region and the world

On the first Sunday of September, the Chilean people will make the final decision. But in what context does it occur? and what implications will a favorable outcome have? These two are questions that merit reflection, since no phenomenon is isolated, but intrinsically related in structure with others. Much more so in an age of globalization that is heading, sooner rather than later and despite contingent appearances, towards a Universal Human Nation.

The world stage is currently crossed by the decline of the unipolar power of the United States and the hegemony that its military-industrial, technological and financial complex installed in the system of international relations and governance after 1945. Power and hegemony that were based on the imposition of the dollar as a currency standard and the primacy of its influence in multilateral institutions such as the United Nations or the International Monetary Fund, but also in the expansion of cultural mandates and modalities of political organization.

Submission to which the so-called empire added countless war incursions, occupation of foreign territories and undue interference in the sovereignty of other nations under the fallacious excuse of "defending the free world, democracy or human rights".

This violent policy and its evident destructive effects have led to majority rejection, opening spaces for autonomous and sovereign developments and new instances of

articulation as alternative forms of counterpower. In these spaces of multipolar orientation, the influence of China and Russia stands out today, but also that of multiple States such as Turkey, India, Iran, South Africa or Mexico, just to mention a few.

Even the unity of nations previously in conflict in Europe had progressively managed to generate a pole of growing self-determination. It was probably this attempt, together with the growing inclination of its relations towards the East, a fundamental cause in the forcing of the war caused by the extension of NATO – a military structure under the command of the United States – towards Eastern Europe. Conflict whose strategic objective is to install a new Western "Iron Curtain" to discipline the supposed "allies" – in reality territories still occupied by the US armed presence.

In this framework of global repositioning of forces, the nations of Latin America and the Caribbean see new opportunities in their quest to overcome the dominance of the hegemon of the North. A geopolitical tyranny in which its peoples, as in the colonial and postcolonial era, were plundered, impoverished and discriminated against, seeing any possibility of freely choosing their path being restricted.

The emancipatory winds are again blowing in the South, in different ways. And this diversity is the key to understanding an era in which destructuring carries the danger of atomization, but at the same time makes impossible the unique, centralist and homogeneous dictates of other times.

Encouraged by this historic rush, in which different peoples of the region – all violated by the same power – are riding today in revolt with renewed haughtiness, the Chilean collective knew how to retrace with a decidedly non-violent vocation, a path undermined by difficulties due to conservation, vassalage and fear.

However, the case of Chile adds a special ingredient to this general rebellion, to this new wave of independence. It is the sign that imprints a young generation, which forged in the heat of resilience and resistance to the fierce individualist mandate, today extends its feminist, environmentalist, pluralistic influence and a greater horizontality in the decision-making precincts.

On the other hand, the Chilean constituent process rekindles the flame of the "constituent revolutions", which had already laid more just, inclusive, plurinational and democratic social and institutional foundations in Venezuela (1999), Bolivia (2006-2007) and Ecuador (2007-2008).

In the same way, the Chilean Apruebo will reinforce the possibility of directing constitutional reformulations in countries such as Peru, Guatemala or Brazil, in which tiny but powerful elites keep the spirit of self-determination, freedom and social justice of their populations handcuffed. Along the same path, Petro-led Colombia will be encouraged by its determination to uphold the achievements of the 1991 Constitution, which opened the door to greater citizen participation, territorial autonomy and political pluralism.

The social movement has shown in Chile that unity in diversity is a source of strength and that, even in the context of extreme inequality, concentration of power and illegitimate and rigged legality, progress can be made towards new horizons.

The plebiscitary approval of the new Constitution of Chile will give a new impetus to the emancipatory and integrationist forces of the region, but in historical perspective, this new emerging sensibility, tributary of the unfinished world rebellion of 2011, which still beats alive in the folds of the imaginary of this cohort, may open a new chapter in the history of this region and the world.

A chapter in which life triumphs, in which humanity manages to imprint a new meaning to existence today reduced to consumption, predation and emptiness, in which human beings can meet and value ourselves, in which reparation and reconciliation close forever the lethal pit of violence and revenge.

If the people of Chile decide to approve their new social contract, it will be a big step in that direction. And it will be beautiful. It will certainly be beautiful.

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