

# The Role of Venezuela's National Constituent Assembly

Dr. Maria Páez on the NCA and US Boycott

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*The Canadian-Venezuelan Sociologist, **Dr. Maria Páez Victor** explains, in the following interview, the National Constituent Assembly in the context of the Bolivarian Revolution, the US boycott through an economic and media warfare.*

“The achievements of the Bolivarian government will not be televised by the international media, because they show the failure of the neo-liberal ideas of development”, says the researcher.

**Edu Montesanti:** The National Constituent Assembly (NCA) has decided to assume partially Congressional duties. What are your thoughts on this, Professor Doctor Maria Páez, especially as the mainstream media and the Washington regime have been accusing **President Nicolás Maduro** of anti-democratic for promoting it. It is worth pointing out that you have said that there is a defamation campaign against Venezuela, specifically against the NCA itself: please detail each lie that has been said against the Bolivarian government, regarding the NCA.

**Dr. Maria Páez Victor:** What would happen in the USA (or any other democracy) if its Congress or Parliament refused to obey a sentence of the Supreme Court?

What would happen in the USA (or any other democracy) if its Congress or Parliament decided not to concern themselves to passing laws but to overthrow the legitimate elected President, all this while the country faced serious economic and security problems? You would, without a doubt have a political gridlock, a mayor institutional crisis.

Well, the National Assembly of Venezuela -in which the opposition has the majority having won those seats in the last congressional elections- took all of these undemocratic decisions.

When the opposition won the majority in the National Assembly in January of 2016, its president, Ramos Allup declared that they were not there to pass laws, but “to get rid of Maduro and his government”, declaring itself in rebellion against the Executive Power.

This un-democratic stance then created the crisis that started on the 29th of July 2016 when the National Assembly declared itself in rebellion against sentence of the Supreme Court. The Supreme Court declared that 3 deputies could not be sworn in because of the blatant irregularities in their election and therefore there had to be by-election in that state.

The National Assembly refused to obey this order, and so, the Supreme Court had to declare all the acts of the National Assembly null and void until such time that it disallows these three persons. Later on, the second president of the National Assembly, **Julio Borges** declared publicly that the Assembly was “in open rebellion” and that it will not recognize the Supreme Court of Venezuela. In other words, the Legislature Power was in rebellion against the Judicial and Executive Power.



The National Assembly has proceeded to act as if it were a parallel government, even going to foreign countries and international banks asking for Venezuela to be sanctioned and blackballed and even asking help to overthrow the government. The opposition in Venezuela created a crisis that has put the state institutions in peril.

At the same time, there was an economic crisis promoted by the opposition and foreign powers, paramilitary attacks on the frontier, and violent street insurrections in certain city sections. President Maduro asked the National Assembly for help to jointly to face these problems but they refused to work with the Executive, insisting only that the president resign.

President Maduro could have taken the anti-democratic measure of suspending guarantees of civil rights, but instead opted for the most democratic of all decisions: he called for a Constitutional Assembly (CA) that would amend the constitution to deal with these serious problems and cut off the legal loopholes that sustained those problems.

The opposition coalition, the MUD, immediately realized the checkmate that this would mean. Therefore it used all its arsenal of weapons including its considerable foreign media connections to prevent the election of a CA.

Firstly it alleged that an elected CA was anti-democratic. It was akin to accusing the Pope of not being a Catholic. There is no higher democratic power than the will of the people represented in an assembly, and there is a cornerstone of international law that states that countries have the inalienable right to make their own laws, particularly if done through properly elected representatives.

Secondly, the opposition told the international press that the CA was simply a ploy so that President Maduro could make himself president for life and would eliminate elections forever in the country. They completely failed to acknowledge the 9 specific areas that of the mandate of the CA that do not include the terms of office for the president. It is quite absurd that having had 20 clean election in 18 years the Bolivarian government was about to give up on elections, especially as **Jimmy Carter** (Carter Foundation) has stated that Venezuela's electoral process is the best in the world.

This is a blatant as the CA has a specified the mandate to deal with 9 specific priority issues, none of which pertain to the prolonging of presidential terms. These issues were not pressing or even existent in 1999 when the current Constitution was drafted: how to deal with the economic crisis, how to maintain security in the face of the growth of narco-traffic groups, paramilitary groups, urban terrorism and impunity, how to institutionalized the anti-poverty programs (misiones), how to preserve the rights of victims of crimes, the need to prepare a post-oil economy, climate change, the rights of homosexuals/ transgendered people, youth and disabled persons.

The representatives to the CA were chosen not as members of parties, but from among citizens who put their name forward as individuals. There were two categories of representatives: those who wished to represent the area where they lived, and those that wished to represent one of the special sectors: workers, businessmen, youth, women, disabled people, communal counsels, and indigenous peoples.

Most of the main parties that compose the MUD decided (in their un-wisdom) that they would not support the election of representatives to the new CA. However, many smaller opposition parties did decide to encourage members to stand for election.

The MUD tried to cast a pall over the elections alleging that it was a fraudulent election yet presented not one shred of evidence of this. All the international election witnesses confirmed that the process occurred without any distortion or bias.

What did happen and was not reported was that in many sections of the country this anti-democratic and violent opposition tried its best to prevent people from voting, even with the use of firearms. The international press did not once criticize the opposition for these appalling anti-democratic actions.

When the CA then met, it did NOT dissolve the National Assembly, which theoretically it had it in its power to do. The CA declared that it would work with the National Assembly and asked it to meet in joint session, but the National Assembly refused to meet with it. Instead, the National Assembly declared that it did not recognize the CA at all. It is utterly astonishing that it would disregard 8,089,320 million voters, who elected the CA.

Faced with this blatant insurrection, the CA passed a decree allowing it to pass the laws that are needed to meet the most pressing, vital problems that are threatening the State itself.

The CA got up and running. One of the first things it did was to fire the **Attorney General Luisa Ortega Díaz** based on a mountain of evidence that linked her and her husband, a National Assembly Deputy, **German Ferrer** office with a vast network of blackmail and dereliction of duty.

The people could not understand why the violent protestors that during four long months

created havoc and terror on the streets were not arrested, or if arrested, let off on flimsy excuses. Crimes against public safety and peace that would never have been tolerated in any other nation, in Venezuela went unpunished and unchecked. It was the foreign companies of the petroleum belt that blew the whistle on **Ortega Diaz**, as she was black mailing them for millions of dollars.

In the end, it was recently discovered she was working with the Justice Department of the USA to maintain the street insurrections unchecked.

Another of the measures taken by the CA to maintain peace was the creation of the Commission of Truth, Justice and Public Peace which is in charge of determining the political and moral responsibilities of those found guilty of the violent actions that have plagued the nation since 1999.

The Law Against Hate, Intolerance and Peaceful Conviviality is now under consideration. These are a direct result of the urban terrorism unleashed during the past April through June that left 100 people dead and the overt racist and classist tone that accompanied these vile acts.

To summarize:

- The President of Venezuela has the clear and unequivocal right to call for a Constitutional Assembly: articles 347, 348, 349 of the Constitution.
- The representatives to the CA were freely elected among citizens, not parties, in a clean, transparent and orderly election process totally backed by all the international electoral witnesses.
- There were citizens who opposed the government who stood for election, although they may not have won the votes. The Opposition umbrella organization MUD refused to participate.
- The National Assembly was not dissolved. It was invited to join the CA in dealing with pressing threats to the State. Having declined even to recognize the CA, the CA then had to assume some lawmaking powers in order to preserve the peace and security of the nation.

**EM: Highlight please the principal lies against the Revolution in general, through years.**

**DMPV:** Describing true facts:

Since 1999 when **Hugo Chavez** was elected president of Venezuela, the wealthy elite that ran that country for 40 years conspired to delegitimize him and depose him. The USA was and still is, their stalwart partner in this, along with its allied nations and corporations. There is ample proof that the State Dept orchestrated the coup of 2002, which overthrew President Chavez for 48 hours. These facts were later confirmed through information from the FOI and through Wikileaks.

Upon the death of President Chavez, the conspiracy became virulent as the USA and its allies thought that President Maduro would be easier to overthrow. The fall of petroleum prices increased their hopes. Apart from Cuba, no other Latin American country has had the full force of the spectrum of "fourth generation war" which includes terrorism, media manipulation, economic destabilization, low intensity conflict, and psychological warfare.

The psychological and media campaign centred on the person of Chavez, and later the person of Maduro: alleging they are dictators (despite clean elections), they are autocratic (“its not a question only of election but how they govern”), and with Maduro the outrageous media campaign that has seen the most violent and despicable terrorism of the opposition being presented to the public as if they were carried out by the government. It has been a grotesque twisting of the truth. The international media has lost any sense of balanced reporting when it comes to Venezuela; they are prostituting their once esteemed profession.



The economic war the USA and its allies in the elites and corporations have unleashed on the country has been brutal: whole-scale warehousing of goods, corporate smuggling by the millions, black market manipulations, pressuring international banks and rating agencies against the country, artificial scarcity of goods, the sabotaging of the electric and water systems, the paramilitary assassinations, the street violence.

Venezuela should be lauded for defending the rule of law, not tarred with malicious fake news. But its government is sitting on top of the Hemisphere’s largest oil reserves and it repudiates the policies of the cannibalistic neo-liberal capitalism. So for the USA State Department and its supine allies and greedy corporations, Venezuela must be defied, deposed and defamed.

**EM: How could it be explained that Venezuela’s NCA is the most democratic event all over the world, so popular as the members of NCA are ordinary citizens, not hand picked elites or individuals chosen by parties, at the same time so attacked by the United States, its allies and the mainstream media?**

**DMPV:** The USA and the right wing governments of Latin America are, in fact, not concerned with a lack of democracy in Venezuela even though this is the slogan that they continuously 43 repeat to the media.

Hypocrisy is quite blatant:

Why are they not concerned over democracy in Saudi Arabia where people are beheaded and women cannot vote or stand for election?

Why are they not concerned with democracy in Mexico where 43 students in Ayotzinapa in 2014 disappeared and where 300 journalists have been killed since 1980?

Why are they not concerned with democracy in Colombia where in the last 38 years 152 journalists have been killed and since 1977 there have been 3,000 unionists killed?

They are worried about the PARTICIPATORY nature of democracy in Venezuela: i.e., the fact that the Bolivarian option has won the 18 of the 20 different elections that Venezuela has had in the last 19 years. They are worried that other people -of Colombia, Peru, Mexico, Argentina, the USA or Spain- may want to re-write their constitution also.

The establishment of an elected Constitutional Assembly is entirely within international law: countries have the inalienable right to write their own laws, unhindered.

These last few years have demonstrated to Venezuelans that their 1999 Constitution, written within a neo-liberal framework, has loopholes that do not help with the pressing economic crisis, the terrorist and paramilitary problem, and the problem of rogue opposition that disregards the rule of law and seeks foreign intervention to overthrow the government.

**EM: Your evaluation please on the OAS's position against Venezuela, now and long ago contradicting its own chart - the UN has been quite silenced, too... No consistent position on the Venezuelan case.**

**DMPV:** On 28 March 2017, **Luis Almagro**, the director of the Organization of American States (OAS) called for Venezuela to be suspended from the OAS opening the way for foreign intervention in Venezuela, alleging a violation of democratic principles.

This is the same OAS that kept silent about the coup d'état against President Chavez in 2002, the parliamentary coups d'état in Brazil and Paraguay, the coup d'état in Honduras, which has kept silent on the hideous assassinations of students and journalists in Mexico, and the multitude of human rights violations of labour unionists in Colombia.

The Venezuelan National Assembly publicly supported this outrageous proposal. Almagro failed, as he could not get such a decision passed at the OAS.

Almagro - embarrassingly like a Latin American version of Uriah Heep - is at the beck and call of the USA and its satellite right-wing governments of the region. But he cannot get past the real fact that Venezuela is not alone and the majority of the OAS will not side with the forces that bolster a continued colonization of the region by the USA.

The Non-Aligned Nations of the UN, which represent 2/3 of all the countries of the world, have unequivocally backed the right of Venezuela to establish an elected Constitutional Assembly and write its own laws. The UN has also stated that Venezuela has the right to call a Constitutional Assembly and write its laws.

The UN will not be able to fully go against Venezuela because the country has international law on its side and the Non-Aligned Nations, who are not fooled by the manipulations of the great powers. Furthermore, both Russia and China have strongly supported Venezuela.

**EM: The Washington regime has been for so long pressuring the Venezuelan revolutionary government: so what has maintained President Maduro in the presidency, as we see all over the world the US overthrowing democratic governments through color revolutions, or by the military force?**

**DMPV:** The achievements of the Bolivarian government of Venezuela are real, tangible and

impressive, they are the bedrock of its consistent public support. In 1999 Venezuela was a country although rich in oil, yet steeped in misery, high rates of malnutrition, maternal and infant mortality, high rates of school dropouts and illiteracy, high rate of poverty.

From the discovery of oil at the beginning of the last century, oil revenues were used in a corrupt manner by an unpatriotic elite and sold to the highest foreign bidder with little advantage to the country's population.

Under Chavez and now Maduro, oil revenues are used to satisfy the social needs of the Venezuelans.



Poverty in Venezuela has been halved and the country, by mid-2014, boasted the highest average standard of living in Latin America. In 1999, half of the country was living under the poverty line, with 23 percent in “extreme poverty”.

By 2011, there were 23 percent poor and 8 percent in extreme poverty. No other country in modern history has accomplished that in just a decade. This triumph was accompanied by a huge increase in consumption and a drop in malnutrition from 13.5 percent in 1990 to 5 percent in 2010.

These dramatic domestic changes are mirrored by the changes in Venezuela's foreign policy and activities. A genuinely independent foreign policy boosted Venezuela to a position of leadership in Latin America and made its oil reserves a source of political clout and a tool of international solidarity — as demonstrated by the vital petroleum contributions to several countries, including Cuba, made by its nationalized oil company: PDVSA.

The government also founded the Bolivarian Alliance for the Peoples of Our America (ALBA) whose 11 members — Antigua and Barbuda, Bolivia, Cuba, Dominica, Ecuador, Grenada, Nicaragua, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines and Venezuela — coordinate mutual economic support and serve as an alternative to the U.S. controlled Organization of American States.

- There are now 59 physicians for every 100, 000 inhabitants when before there was barely 20
- Venezuela is now free of illiteracy, as UNESCO has verified and it has reached the educational Millenium goals
- In the past two years -despite the fall of oil prices- they have built 1.7 million public housing
- Poverty has diminished in half from levels that in 1999 were 50% - 80% in some areas to mid-20% and extreme poverty which affected 1/3 of the population has

now been reduced to 4.5%

- The UN has acknowledged that Venezuela has achieved the Nutrition Goals of the Millennium having reduced the number of people with hunger. Between 1999 y 2015, more than 5 million people ceased to suffer hunger.
- There are more about 50,000 Communal Councils and Communes that now identify local needs and carry out many economic and social investments
- The UN- Habitat declared that Venezuela is one of the countries in the region that most have reduced inequality according to the GINI Coefficient.

But the achievements of the Bolivarian government of Venezuela “will not be televised” by the international media because they show the failure of the neo-liberal ideas of development, they show that the public socialist policies of government are strong enough to shield its population even from the economic war that the US and allies have unleashed against Venezuela.

While in Europe and North America the people have had to bear the brunt of the worldwide financial crisis with “adjustments” and “austerity” policies that have increased the total of people in poverty, in Venezuela, despite the economic crisis, the government of President Maduro has done everything in its power to shield the people by not cutting social benefits and distributing food and basic goods directly to the people at very subsidized prices.

The USA in particular wishes to undermine the regional integration of Latin America that is the cornerstone of the Venezuelan foreign policy. They do not want to see strong, independent nations in Latin America, but submissive nations that depend on the USA for everything: that is how they have dominated the region.

Venezuela is showing that the great defence against the great powers of the world is the participatory democracy of its people and regional integration and solidarity.

### **EM: What can we expect from the NCA?**

**DMPV:** The Bolivarian government of Venezuela has demonstrably shown great political creativity.

- Its new constitution in 1999 inspired the new constitutions of Ecuador and Bolivia.
- Its communal councils and communes have been the breadbasket of the people at a time when food was being hoarded, smuggled and made scarce by the economic war.
- The military-civil union has brought about a 180 degree change in the relationship of armed forces and civilians whereby harmony, solidarity and protection are pivotal, not repression.
- The Venezuelan efforts to achieve regional integration brought forth the innovative institutions of CELAC, UNASUR, PETROCARIBE, PETROSUR and TELESUR.

I expect of the Constitutional Assembly more creativity – especially in changing the neo-liberal legal framework that has allowed the country to have been taken to the edge of disaster by unscrupulous and unpatriotic elites that only seek their own gain and not the public good.



As **Simon Bolívar**'s good teacher, **Simón Rodríguez** said:

"We are either creative or we err."

I expect great things from the citizens of the Constitutional Assembly.

Not for nothing the movement for the Independence of Latin America from the Spanish Empire was born in Caracas.

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