

# The Chilean Constitution: A Historical and Analytical Perspective by Richard Allen Morton

The Chilean Constitution is the supreme law of Chile. It was first adopted in 1833 and has been amended many times since then. The current Constitution was adopted in 1980 during the military dictatorship of General Augusto Pinochet. It has been the subject of much debate and controversy, and there have been several attempts to reform it.

## Historical Background

The first Chilean Constitution was adopted in 1833, shortly after Chile gained independence from Spain. This Constitution was heavily influenced by the United States Constitution and established a democratic republic with a strong executive branch. However, the Constitution was also very conservative and did not include many of the social and economic rights that are now considered essential in a modern democracy.



### Constitution of Chile by Richard Allen Morton

★★★★★ 5 out of 5

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The 1833 Constitution was amended several times over the years, but the most significant changes came in 1925. These amendments introduced a number of social and economic reforms, including the right to education, the right to healthcare, and the right to a fair trial. The 1925 Constitution also established a more powerful legislature and a weaker executive branch.

The 1925 Constitution remained in effect until 1973, when General Augusto Pinochet seized power in a military coup. Pinochet suspended the Constitution and ruled by decree for the next 17 years. In 1980, Pinochet had a new Constitution drafted and approved by a referendum. This Constitution was heavily influenced by the Spanish Constitution of 1978 and established a strong executive branch and a weak legislature.

### **The Current Constitution**

The current Chilean Constitution is a lengthy document that consists of 14 chapters and 242 articles. It establishes a democratic republic with a strong executive branch and a weak legislature. The President is the head of state and government and is directly elected by the people for a four-year term. The President has the power to appoint and remove cabinet ministers, dissolve Congress, and veto legislation.

The legislature is bicameral and consists of the Chamber of Deputies and the Senate. The Chamber of Deputies has 155 members who are elected by the people for a four-year term. The Senate has 43 members who are elected by the people for an eight-year term. The legislature has the power to make laws, approve the budget, and oversee the government.

The judiciary is independent of the other two branches of government. The Supreme Court is the highest court in the land and is composed of 21 judges who are appointed by the President and approved by the Senate. The Supreme Court has the power to review laws and to interpret the Constitution.

## **Controversies and Reforms**

The current Chilean Constitution has been the subject of much debate and controversy. Critics argue that the Constitution is too authoritarian and that it does not adequately protect human rights. They also argue that the Constitution is too difficult to amend, making it difficult to adapt to changing circumstances.

There have been several attempts to reform the Constitution, but none have been successful. In 2005, President Ricardo Lagos proposed a number of constitutional reforms, but they were rejected by Congress. In 2013, President Michelle Bachelet proposed a new Constitution, but it was also rejected by Congress.

## **The Future of the Chilean Constitution**

The future of the Chilean Constitution is uncertain. It is clear that the Constitution is in need of reform, but it is not clear what form those reforms will take. It is possible that the Constitution will be amended in the future, or it is possible that a new Constitution will be drafted. Whatever the future holds, it is clear that the Chilean Constitution will continue to be a source of debate and controversy for many years to come.

The Chilean Constitution is a complex and controversial document that has been shaped by Chile's history and politics. The Constitution has been

amended several times over the years, but it has never been fully reformed. As a result, the Constitution is in need of reform. However, it is not clear what form those reforms will take. It is possible that the Constitution will be amended in the future, or it is possible that a new Constitution will be drafted. Whatever the future holds, it is clear that the Chilean Constitution will continue to be a source of debate and controversy for many years to come.

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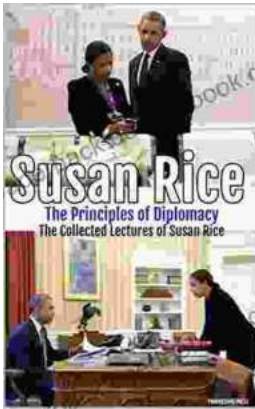
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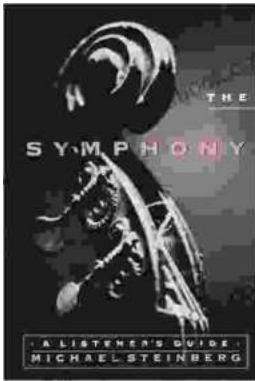
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