

La Constitución Nacional y la Globalización

The National Constitution and Globalization

Fatima Korisha Ali Shah Hosein
Instituto Iberoamericano de TIC y educación
korishah@yahoo.com / korishah@gmail.com

Resumen

Tradicionalmente cuando se hace mención al Derecho Constitucional se suele escuchar a distintos profesionales decir el Derecho muy particular e individual de cada país, salvo en aquellos casos en donde se tratan de áreas como Derechos Humanos, Comercio Internacional o Tratados celebrados entre dos (02) o más países alegando la existencia de diferencias culturales, sociales, políticas, económicas que rigen a cada país, sin embargo, hoy en día esa teoría es objeto de grandes discusiones y contradicciones que la hacen criticables y pueden ser sometido a un amplio debate del cual produciría como una de sus conclusiones que dichas diferencias no son tal como se considera.

Palabras Claves: Constitución, Globalización, Internacional, Beneficios, Oportunidades. Tecnología.

Abstract

Traditionally when you mention Constitutional law different professionals often hear that the very special and individual law of each country, except in those cases where areas are treated as Human Rights, International Trade and Treaties made between two (02) or more countries claiming the existence of cultural, social, political, economic governing each country, however, that theory today is the subject of much discussion and

contradictions that make criticism and may be subjected to an extensive debate which produce as one of its conclusions that these differences are not as considered.

Key words: Constitution, Globalization, International Benefits, Opportunities. Technology.

Fecha recepción: Febrero 2010 **Fecha aceptación:** Abril 2010

Introduction

There are many aspects that surround and unite the National Constitution, Globalization, Technology, since it finds itself with the same base translated into the advancement, development, transformation of each Country so that all people can obtain benefits. .

The existence of each one of them (National Constitution, Globalization, Technology) in a way marks great opportunities, but together they increase the possibilities of complying with the Fundamental Principles, Rights, Duties contemplated in the National Constitution.

Over the next few minutes we will appreciate how some of the allegations cannot be maintained at a time when Globalization and Technology are closely linked to the different activities that are carried out.

Content development on the selected theme

Without a doubt, each country has unique characteristics that make them special, to which it is necessary to point out the particularities in the different educational, economic, social, political, cultural, legal aspects that have a great impact on the development, advancement of the country. and even in its integration and relationship with other neighboring and non-neighboring countries. In this sense, some areas are presented that generate debates, disadvantages for both internal and external development, being that

in this opportunity three (03) factors of constant evolution are going to be presented, which are: the National Constitution, Globalization and Technology. .

Although the National Constitution seems to have no relationship with Globalization and Technology and cannot be considered as an aspect that can be treated equally among themselves and with other countries, the truth turns out to be contrary to said position since, on the contrary, there is multiple evidence of the existence of a greater relationship than is actually thought to exist. From the above, it is often heard references such as:

.- Globalization is only for the realization of Agreements or Commercial Treaties between Governments.

.- Technology is used in a greater percentage to facilitate communication, as well as the work of companies, petrochemicals, oil, electrical, medicine, educational.

But when referring to Law, phrases such as:

.- The Law is unique and particular to each Country.

.- It is not possible to speak of Globalization or Internationalization of Law except in those matters that serve to carry out, sign, ratify International Treaties or Agreements.

To these phrases it is worth highlighting the incorporation of a greater degree of complication when the National Constitution is included within the Theme of Globalization and Technology because even today there are many legal professionals who consider the existence of the Constitution impossible or unfeasible. National Constitution – Globalization – Technology relationship.

Graphic No. 1: Relationship between the National Constitution – Globalization –
Technology.



Source: Prepared by the Author, 2011

Now, in relation to the existence of the relationship (National Constitution - Globalization - Technology) it is important to highlight that globalization has produced, in addition to the narrowing of political, economic, cultural, social relations between the different countries of the world, the increase of the possibilities of study, research, exchange, in multiple areas (science, technology, legal, cultural, social) thus making it possible to find the existing similarities in the normative body of the National Constitution and reducing to a minimum level the traditional presence of great differences and impossibility of

generating exchanges and/or comparisons in the Law in an area of great importance, such as Constitutional Law, making specific reference to the National Constitution.

Now, despite the multiple arguments that may be presented in relation to the differences and particularities of the National Constitution and its relationship between Globalization and Technology, all of which are fully valid, it should be noted that there is no such level of particularity and individuality that makes it impossible to National Constitution – Globalization – Technology relationship.

From some cases under study, the variety of conditions that some Countries have in relation to the treatment given to the National Constitution can be observed, since some Countries have only one (01) National Constitution, while other Countries, in addition to the Constitution Each of the States also have a National Constitution, producing in these cases a higher level of ignorance or confusion for people who do not work in the legal area, in relation to those countries that have a single National Constitution in charge of governing all. the States of that respective Country, but all of them related to the same Fundamental Principle that is the benefit, prosperity, development of the Rights of each and every one of the inhabitants of the Country and/or State (National Constitution and/or State Constitution).

Graph Nº 2: Peculiarities of the Countries.

Países	
Países con una (01) Constitución Nacional	Países con una Constitución Nacional y una Constitución en cada Estado.
Colombia	Argentina
Panamá	Canadá
Costa Rica	Estados Unidos de Norteamérica
Paraguay	México
Uruguay	Venezuela

Source: Prepared by the Author, 2011

When studying the National Constitution of each of the Countries mentioned in the previous graph, a greater number of similarities than differences are found, starting with one of the main Constitutional principles, which is none other than the Democratic character of the Country, the contemplation of the respect, protection and fulfillment of the fundamental rights that every person has (life, education, work, freedom)

Another important aspect to highlight is the interest in achieving the necessary progress and benefits for all the citizens who live in their country, in which it has been seen that it is closely linked. To all this it is impossible not to highlight the influence of Technology that

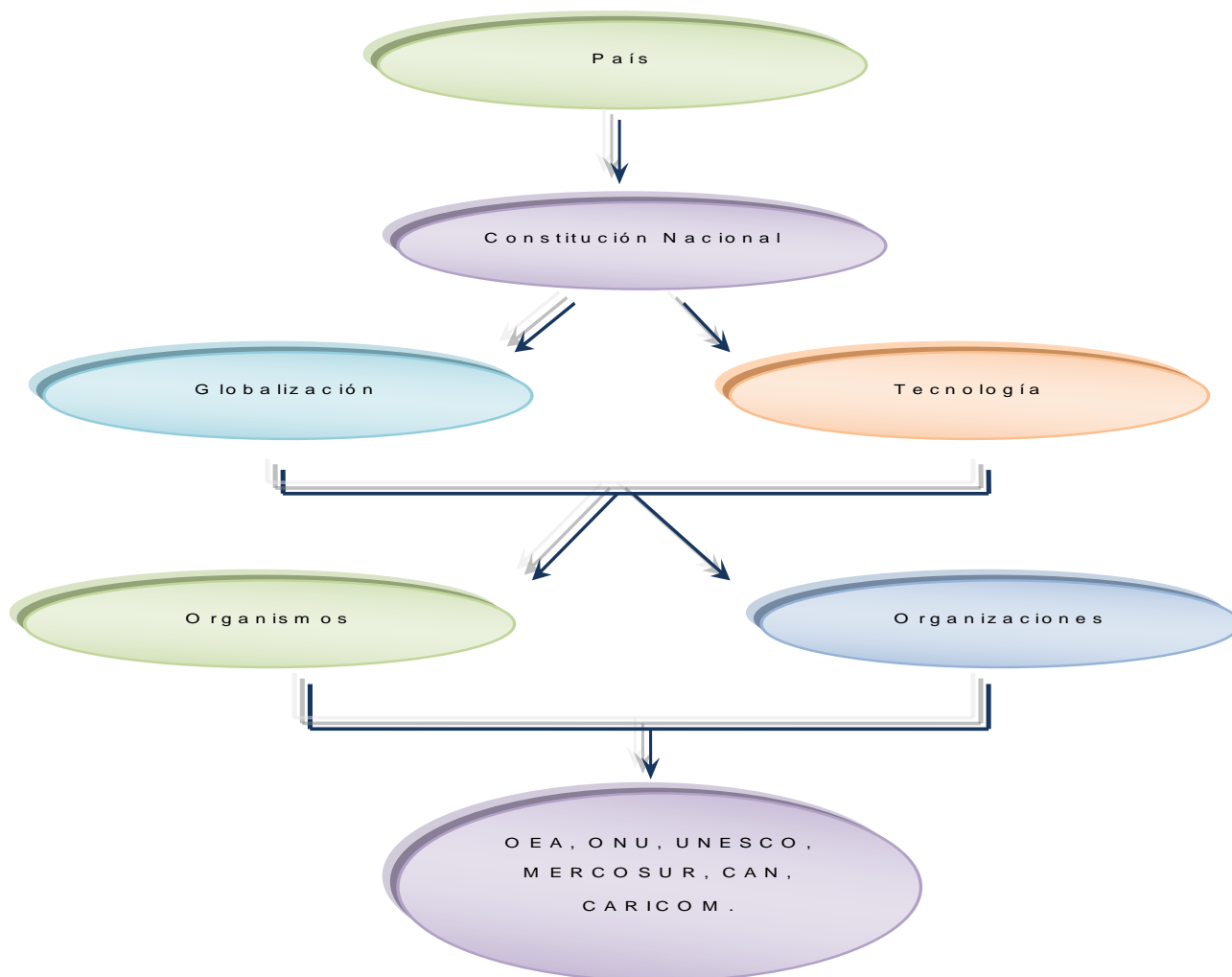
together with its constant transformations increases the benefits and opportunities to be obtained with Globalization.

The National Constitution has ceased to be internal to be international, it has ceased to be unique to be the object of comparisons, studies, analysis, making relations closer, producing conferences, congresses for the exchange of opinions, analysis on this matter, producing as a consequence the possibility of conducting more in-depth studies of the National Constitution. With Globalization, the National Constitution has set aside its unique and exclusive character, since it has been left open to the rest of the world to read it, allowing it to see the great similarities.

It is important not to discard or discard this great opportunity that globalization and technology in Law (Constitutional Law) have provided, especially with the National Constitution, for which scholars, specialists in this matter have joined and will continue to join the formation of groups in where the exchange of information, knowledge, experiences predominates where the interaction is increasingly rich and knowledge, tools obtained through the different technological means to achieve a better understanding of the National Constitution and greater management in favor of integration in the different aspects.

The National Constitution faces transformations as a result of changes in society, economy, culture, but also due to the constant transformations of technology, all of which means that every day there are fewer aspects that differentiate one country from another. An example of the great similarity is found in their integration into the different bodies, existing and nascent organizations whose principles find their main basis in the National Constitution of each of the Countries.

Graphic No. 3: Transformations of the National Constitution



Fuente: Elaborado por la Autora, 2011

Conclusions

The National Constitution under no circumstances will cease to be the Magna Carta of every Country, whose Principles were, are and will be the main basis by which they must be governed for the performance of all actions that seek the benefit and development of all.) the citizens who live in that Country, however, Globalization and technology have made its unique, exclusive, incomparable characteristics suffer cambios abriéndose way

other characteristics of it such as its internalization and comparison with other National Constitutions of the World.

It is up to the professionals, scholars, specialists in the field to change the vision that still exists about the impossibility of considering the National Constitution - Globalization - Technology relationship that is still maintained, these vision changes are possible through various media that include not only professionals from the respective country but also foreign professionals.

Bibliography

The work presented is the product of research and studies carried out by the author of the
Presentation: Dr. Fatima Korisha Ali Shah Hosein