Jose Manuel Delgado Ocando presents us with a brilliant and original analysis of Venezuelan political reality. It is well known that due to the election of President Hugo Chavez Frias, a popular referendum was convened with the express intention of constituting a new constitutional order. This very unusual experience for the citizenry in participating in state affairs generated many controversies as to conflict of mandate between the National Constituent Assembly (constituent power), and the Congress of the Republic (constituted power). This in-edited popular protagonist role was not contemplated in the 1961 Constitution and the co-existence of these two distinct constitutional regimes was referred to the Supreme Court of Justice for legislation as to this particular case. The Court had to appeal to the doctrine of supra-constitutionality in order to resolve this normative conflict and ratify the legitimacy of the consultative referendum that gave origin to the National Constituent Assembly. The author utilized a complex judicial-political hermeneutic to interpret this unique phenomenon of modern political philosophy which Venezuela experimented, as well as to assure us of his confidence in the original production of rights when they have been demanded by the sovereign populace.

Keywords
Rights, constitution, National Constituent Assembly, Venezuela.

Abstract
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