EXAME - Translated Article:

Understand the explosive vote called by Maduro this Sunday
What is at stake in the Sunday election that can give quasi-dictatorial powers to Maduro

By Carol Oliveira access_time 28 Jul 2017, 18h40 - Posted on 28 Jul 2017, 09h05 more_horiz
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Ripe: The Constituent is just another chapter of a crisis that does not seem to have time to end
(Miraflores Palace / Reuters)
In the midst of a series of protests that have left more than 100 dead since April, Venezuela will go to the polls on Sunday 30 to choose the 545 representatives who will form a Constituent Assembly.

The vote was called in May by President Nicolás Maduro, who argues that the Constituent Assembly's goal is not to create a new Constitution from scratch, but only to amend some points of the current Charter - dating back to 1999, when former President Hugo Chavez came to power.

Maduro says that in the face of Venezuela's economic and political crisis (caused by itself), a "citizen, worker, communal and peasant" Constituent, other than "parties and the elite," is needed. But the measure is controversial and has been widely criticized by the opposition, which this week held a general strike and a series of demonstrations against the realization of the Constituent Assembly.

The main fear is that the president will use the power to rewrite the Constitution to suppress the freedom of the Legislative, with an opposition majority. It would not be the first time: on March 31, the High Court of Justice, which has pro-Maduro judges, tried to dissolve the National Assembly, the only House of the Legislative. The case was the last straw for the escalation of protests. The opposition called the "coup" episode, and the international community violently criticized the judiciary.

The legacy of Chávez

Maduro said that once the Constituent Assembly has finished its work, the changes will go through a popular referendum. But the opposition calls for consultation beforehand, and for the population to decide whether or not to change the constitution in the first place.

This was what happened in 1999, when former President Hugo Chavez called a referendum before even electing the Constituent Assembly. Popular approval for the Chavista Constitution was seen as essential to legitimize the Bolivarian Revolution, especially in a text whose first lines already indicate the objective of "refounding the Republic."
But in the Maduro Constituent it is not known what the future of the Chavista Charter will be. The president says the goal is "to improve it," but even former government allies accuse him of wanting to destroy Chavez's legacy.

Faced with Maduro's refusal to consult the population, the Democratic Unity Bureau (MUD), a coalition of opposition parties, decided not to participate in the Constituent Assembly election. The group also organized its own referendum last July 16, with the participation of 7.5 million voters and 99.8% voting against the Constituent Assembly - in the last presidential election in 2013, 15 million voters went to the polls. Although symbolic, the referendum was considered a popular success.

"It's clear that the population is not thrilled [about reforming the 1999 Constitution]," says sociologist Timothy M. Gill, a Venezuelan expert at North Carolina-Wilmington University. "The truth is that Maduro's approval has been plummeting since his election in 2013. So this Constituent is a desperate way to provide a false image of popular support for the government."

Controversial rules

Maduro's fall in popularity was already seen at the polls in 2015, when the opposition won 48 more seats and won a majority in the legislature. Today, of the 166 members of the National Assembly, 112 are deputies of the coalition of the Unidad Democratic group and 54 of the United Socialist Party of Venezuela (PSUV), Maduro.

In theory, the 1999 Constitution prohibits Maduro from using the Constituent Assembly to interfere in the Legislative. Articles 347, 348 and 349 of the Chavista Constitution establish that the President has, in fact, authorization to convene a Constituent Assembly if he deems it necessary, but that in no case should he suppress the powers of the National Assembly or replace it.

But it is not clear what will happen in practice. "The Constituent Assembly has full powers, and this opens a lot of room for the government to act in the most convenient way," says researcher Carolina Silva Pedroso, a Venezuelan and South American expert in the San Tiago Dantas Post-Graduation Program , Unesp, PUC-SP and Unicamp.

One of the major controversies of the Constituent Assembly concerns the format of the election. Of the 545 seats, only 364 are territorial, as is the case today. Another 173 are by sector - that is, there will be specific representatives of categories such as students, workers, pensioners, businessmen and the like. Those who are not within the sectors contemplated only vote for territorial representative. The opposition argues that this is unfair because 70% of voters vote twice.

The territorial representation is also polê