



Can a Revived Opposition Stop Venezuela's Authoritarian Slide?

David Smilde Tuesday, April 25, 2017

The protests and unrest that have wracked Venezuela over the past month, resulting in the deaths of at least 22 people, represent a sudden change from the malaise and passivity that had settled over the Venezuelan opposition from December to March. Through mid-March, there was a heavy sense of pessimism and fatalism on the streets of Caracas and other cities. President Nicolas Maduro's government seemed to be consolidating its power; people were disillusioned with the opposition leadership; and the international community seemed unable to act.

A few things are behind this recent surge in opposition activity. First, Latin American countries have more fully engaged and pressured the Maduro government. This started with the discussion of Venezuela in the Organization of American States' Permanent Council on March 28, in response to an updated report by OAS Secretary-General Luis Almagro. That discussion failed to achieve any clear resolution, which Maduro clearly saw as a victory. But it was short-lived.

When Venezuela's Supreme Justice Tribunal made a power grab the very next day, it proved to be a tipping point. The move by the country's highest court, which is controlled by Maduro loyalists, to assume all legislative powers, effectively shutting down the opposition-led National Assembly, led to a deluge of international criticism. Given the previous debate at the OAS, every country in the region was up-to-date about Venezuela's democratic deficits and primed to respond.

The fact that the U.S. State Department chose not to take on an assertive, public role at the OAS allowed Latin American countries such as Mexico and Peru to take the lead. It also made it politically palatable for countries usually reticent to pressure Venezuela to get involved. Many in Latin America see the OAS, with its headquarters in Washington, as a facade for U.S. intervention. Thus initiatives associated with the United States are difficult for Latin American leaders to defend to domestic constituencies.

This international pressure had important effects in Venezuela. Within the government it led to a rare case of dissent, with Attorney General Luisa Ortega publicly suggesting the Supreme Justice Tribunal rulings were undemocratic and unconstitutional. The Maduro government then took what amounted to a half-step back, with the court rescinding the

two most offensive articles that had eliminated parliamentary immunity and given the court all legislative functions.

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International pressure on the Maduro government also revived the opposition, providing lawmakers and protesters with a sense that the world was watching and supporting their cause. The opposition is further motivated by the reality that what remains of the court's ruling is still an important blow to the National Assembly. Although the court revoked the two most controversial measures, it retained the article that removed the last source of power the National Assembly held—its ability to review and approve any joint ventures and all new sources of debt. The opposition's vigorous mobilization is intended, in part, to scare off countries and investment groups that might put money in Venezuela, providing Maduro with a lifeline.

All of this makes this round of protests different and more likely to succeed than the three-month cycle of protests in 2014. At that time, the opposition was demanding that Maduro, a democratically elected president, resign because of supposedly undemocratic behavior. This generated concern in the region, but not a lot of support—especially given that the Maduro government had been elected less than a year earlier and had received strong support in December 2013 regional elections.

But in the current context, the opposition's demands are eminently reasonable: respect for the democratically elected National Assembly and an electoral calendar. And now they are receiving the support and sympathy of countries and multilateral institutions across the region concerned by Venezuela's slide into authoritarianism.

It is clear that while the vast majority of Venezuelans want change, the Maduro government is going to do everything it can to prevent it. It aims to push elections far enough into the future until oil prices might recover—or until they can change the electoral playing field enough to be sure to win. The National Electoral Council is currently carrying out a process of party revalidation that could lead to the disqualification of important opposition parties. Opposition leader Henrique Capriles was recently **barred from holding office** for 15 years; it is likely that other leaders will also be disqualified.

Nevertheless, it is important to note that despite postponing elections, the Maduro government has not openly adopted an authoritarian identity. It still refers to itself as elected, and has not said it is no longer going to hold elections. Its official stance on the National Electoral Council's suspension last October of the recall referendum against Maduro is that it was done because of fraud in the initial petition. Regional elections, the council says, cannot be held until after the party revalidation process. So the Maduro

government could actually concede to opposition demands and schedule elections without losing face.

But it is unlikely this will happen in a reasonable timeframe or on a reasonable electoral playing field without some sort of internationally mediated negotiation, including some plans for transitional justice. Many key Chavista leaders are on various U.S. blacklists, including not just sanctions but the U.S. Treasury's Office of Foreign Assets Control drug kingpin lists. This raises their exit costs and makes it likely they will fight to the bitter end, unless escape clauses emerge.

There is another possible end to the current crisis: The Maduro government could simply run out of money. It just made a significant debt payment earlier this month, and most analysts think it will make its next payment in November. But that will leave it with empty coffers for 2018. In addition, there are ominous signs that Maduro's golden goose, the state-oil company, PDVSA, is increasingly unable to maintain necessary levels of production and delivery.

Finally, all eyes are on the military. So far, the National Police and the National Guard have been called on to repress opposition protests. It is not clear how unified they are in this task. Last Saturday, for the first time in almost three years, some officers allowed an opposition protest to march through the western part of Caracas at the same time that others were repressing the same march on the city's main highway. If protests overwhelmed these two security forces and Maduro had to call in the army, how would officers respond? For a government that increasingly needs to rely on force to stay in power, any resistance from the military could pose the most serious challenge yet.

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