



THE SIGNIFICANCE OF THE VENEZUELAN NATIONAL ASSEMBLY ELECTIONS

By Vanessa Neumann



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The streets of Caracas erupted in jubilation and fireworks worthy of New Year's Eve, as the National Electoral Council (CNE in Spanish) had no option but to concede victory to the opposition party, the MUD, over the regime's United Socialist Party of Venezuela (PSUV) in the National Assembly elections this week. Despite tremendous odds imposed by the regime, it was an undeniable landslide for the opposition and a firm rejection of *Chavismo*.

The day after the elections, the CNE announced that 74.25% of the electorate had voted and the opposition MUD took 113 seats out of 167. That is a super majority of 67.66%. With that mandate, the MUD can significantly hem in the *Chavistas*. They can:

- **Submit to public referendum all international agreements.** This has the Chinese worried: they gave the *Chavistas* \$50 billion in energy-backed loans (EBLs) that are bad deals for Venezuela and part of the economic problems: too many future deliveries sold at well-below market price, have essentially mortgaged Venezuela's oil production capacity. It is no surprise then that China already issued a statement where they expressed their wish to work with the new regime and emphasizing that they are partners in developing Venezuela's infrastructure. This will surely be up for debate.
- **Modify all projects under the *Ley Orgánica*.** That is the law under which President Maduro can set up parallel institutions over the democratically elected ones. He has done it with mayors and governors that are from the opposition: put another entity above them and funneled all funding to his new *ad hoc* entity. There is a concern he might use this mechanism to set up a parallel legislative body, stocked with *Chavistas*. Now he cannot.
- **Convoke a National Constitutional Assembly.** The *Chavistas* re-wrote the constitution in 1999 and modified it piecemeal to favor their retention of power. In 2009 they abolished term limits all together. It can now be re-written again.
- **Repeal the *Ley Habilitante*,** which allows the president to rule by decree, without any legislative consultation. Pres. Maduro currently has such a power, until the end of the month. When the new Assembly is sworn in in January, they will certainly not be granting him that power again.

- **Remove and appoint members of the CNE (electoral commission), with the prior approval of the Supreme Court.** Highly likely the new MUD-dominated National Assembly will do this, given how the CNE broke the law on election night by: extending voting hours past the legal closing time, allowing government officials to coerce voters inside the polling stations, kicking out the international observers the opposition had brought (though not the ones the regime brought), kicking out journalists from the vote count. Nevertheless, the MUD landslide was inexorable.
- **Approve the removal of Ministers and the Vice-President.** That is certainly a likely scenario.
- **Modify the *Leyes Orgánicas*.** These are laws enshrined in the constitution pertaining to the functioning of government. They therefore require a super majority.
- **Name and removed the heads of the major constitutional bodies, via the Supreme Court.** In other words, it is the power to clean house. They can also permanently “incapacitate” (impeach) the President.

What is heartening about yesterday’s elections is how peaceful they were, notwithstanding the *Chavista* who blew himself up when he tried to lob a grenade at a polling station. The elections were a great vindication of Venezuela’s old democratic history: prior to the coups and counter-coups that started in 1992, Venezuela had been the longest-running democracy in South America. Venezuela also has the world’s largest proven oil reserves, so what happens next in this country that had (prior to *Chavismo*) been an ally to the US is important.

Pres. Nicolás Maduro is now in a difficult spot. If he uses his rule-by-decree powers to silence the media and imprison a bunch of opposition leaders (as he did before the election), there could be huge demonstrations or even riots – and the military will not fire on the people to keep him in power. An overwhelming majority of Venezuelans (*Chavistas* and opposition) do not want him to serve out his term until 2019, so now a referendum on his presidency could be called. Regardless of such a referendum, Pres. Maduro is likely facing a palace coup: the *bolibourgeoisie* (as the people who made billions by working the government are called) has massive government contracts to protect.

They will look to replace Maduro with someone else who will protect their interests. That person would be Diosdado Cabello, the current President of the National Assembly and the real power behind the throne. However, he is a criminal: accused both domestically and internationally of corruption and drug trafficking, and is therefore not electable. There is talk that the *Chavistas* might replace Maduro with Francisco Arias Cárdenas, the current Governor of Zulia, where the old oil dominates the horizon. Arias Cárdenas is an old-school revolutionary who has had a contentious relationship with the *Chavistas*; he fell out of favor and then was taken back into the fold in 2006. That gives him a veneer of ideological integrity that is sorely needed in a regime that has become a by-word for corruption.

For Venezuela to truly progress and remain stable, the political pendulum must stop swinging. The MUD must not seek revenge on the *Chavistas*, but rather use their powerful mandate to rebuild the gutted institutions and return to them their independence and thereby return dignity and justice to the Venezuelan people. The MUD must take the difficult but higher path of inclusion. Healing will be akin to a peace process. The needs of those of who voted Hugo Chávez into power in 1998, must be addressed: greater political inclusion, less economic inequality. That is the way back to a peaceful and prosperous Venezuela and a secure Western Hemisphere.