

# CONTEMPORARY VENEZUELAN POLITICS

## I. Basic Political Institutions

### II. Rafael Caldera (1994-1999)

### III. Hugo Chávez (1999-present)

## IV. Is contemporary Venezuela a democracy?

### I. Basic Political Institutions

#### EXECUTIVE

- 6-year term w/ possibility of unlimited re-election
  - a 2009 constitutional reform removed term limits for all elected officials (a [failed] 2007 proposal only did this for the PRES)
- plurality election
- powers
  - weak veto (simple majority to override)
    - but president can call a referendum to overturn most types of legislation
  - can name & remove all ministers w/o approval
  - no exclusive introduction or decree powers
  - exclusive control over military personnel decisions
  - can legislate by decree in a state of emergency for 1 year
    - the prior constitution expressly prohibited this power

#### LEGISLATURE

- unicameral National Assembly
  - 5-year terms not concurrent w/ PRES
  - 165 w/ election via hybrid of PR & plurality
  - 3-term limit on consecutive election
- the 1999 Constitution tries to avoid relying on political parties
  - but the current National Assembly refers to them as such
- Until 2005, the MVR had the largest chunk of votes, but depended on votes from several minor parties to form a majority
  - When the opposition boycotted the 2005 legislative elections, the MVR won 69% & allies won most other seats
    - 25% voter turnout amid boycott

#### JUDICIARY

- Supreme Tribunal of Justice (TSJ) works in separate chambers in accord with area of law at issue (one chamber exercises judicial review)
  - justices named in complicated process to 12-year term w/ no immediate reelection
  - 2/3 vote in LEG needed for confirmation until 2004
- Chávez backed a 2004 law adding 12 more seats on the TSJ – moving from 20 to 32 justices
  - the reform also permits a simple majority in LEG to confirm justices

## **DIRECT DEMOCRACY**

- 10 percent of the voters can initiate a referendum
- 10 percent of the voters can initiate a referendum to overturn most types of laws (but 40 percent turnout needed for a valid vote)
- 20 percent of the voters can initiate a recall election in the second half of an official's term
  - must have 25 percent voter turnout to be valid
  - more voters must approve of the recall than had voted for the official at issue in the general election

## **II. Rafael Caldera (1994-1999)**

- A. COPEI founder had criticized the status quo immediately after the 2/4/92 coup attempt
- B. Broke with COPEI to run in 1993 as head of new "Convergence" coalition
  - won with 30% of the vote in a 4-way race
  - became a double-minority president w/ around 25% of Congress
- C. Pardoned Chávez and other MBR-200 leaders
- D. Began w/ state capitalism (& a big bank bailout)
- E. Shifted toward market-oriented reform in 1996 w/ "Agenda Venezuela" program
  - had to rely on AD votes to govern from that point forward

## **III. Hugo Chávez (1999-present)**

- **A. From the 1998 Campaign to the 1999 Constitution**
  - Rose to the top in the 1998 election campaign
    - only visible candidate w/ no clear ties to existing order
  - Called immediately for a new constitution, the suspension of Congress, & judicial changes
  - The "*Congresillo*" in the ANC pushed through most judicial changes and some economic changes
  - Economy faltered amid flooding & low oil prices
    - NOTE: Chávez did not move toward command economy
- **B. The Return to State Capitalism**
  - Obtains authority to legislate by decree from 11/00 through 11/01
  - Aids small businesses in all 3 sectors
    - agriculture, industry, services
  - Launches land reform
  - Raises royalty rate on PDVSA
    - Part of strategy to fund state capitalism and social programs
    - Fires 7 PDVSA board members (including president)

### III. (cont.)

#### ■ C. The April 2002 Coup

- Oil strike leads to sympathy strikes & marches by CTV & FEDECAMARAS
- On 4/11/02 they march into a pro-Chávez rally in the government district
  - Fighting & shooting ensue
- After midnight on 4/12 the military arrests Chávez
- Early AM Pedro Carmona (FEDECAMARAS) named president
  - Annuls the 1999 Constitution
  - Dissolves the National Assembly & the Supreme Tribunal of Justice
  - Annuls all 49 decree laws (including re: PDVSA & land reform)
  - Restored the fired PDVSA president
- Amid pro-Chávez rallies, Carmona resigns on 4/13/02
- Hugo Chávez back in as president on 4/14/02

#### ■ D. The “Resign Now” Oil Strike & its Aftermath

- In December 2002 PDVSA management & workers go back on strike w/ an even more complete shutdown
- Several businesses in wealthy neighborhoods launch sympathy strikes & rallies
- Chávez refuses to resign & refers them to the recall provision
- In Feb. 2003, the opposition agrees to negotiate to organize a vote
  - They sign an accord with the government in May 2003 (brokered by the OAS) but the government denies a firm commitment to all provisions
- The opposition presents recall petition at midpoint of term in August
  - The CNE rules in September that the signatures are invalid b/c they were gathered before the midpoint
- The opposition goes back to gathering signatures

#### ■ E. The Recall Referendum

- In late 2003, the opposition collected over 3 million signatures requesting a recall referendum
  - the CNE ruled in March 2004 that over 1 million signatures would need to be reconfirmed because the forms were filled out by someone other than the person who signed the petition
  - this left the opposition w/ fewer than the needed 2.4 million signatures until over 500,000 people reconfirmed their signatures in May 2004
  - the “Tascón list”: a *chavista* legislator published the recall petitioners’ names online; many faced social & economic discrimination & reprisals
- On August 15, 2004 – 9.8 million Venezuelans voted in the recall
  - Chávez won with 59% of the vote
  - the opposition mobilized enough voters (over 3.75m) to outnumber Chávez’ support in 2000, but were outvoted by Chávez’ supporters
  - the opposition charged that Chávez stole the vote via manipulation of electronic voting machines

### III. (cont.)

#### ■ F. On the Road to “21<sup>st</sup>-Century Socialism”

- Since the 2004 recall vote, Chávez’ movement won in the boycotted 2005 legislative elections, in the Dec. 2006 presidential election (which Chávez won with 63% of the vote), and in the Nov. 2008 state & local elections (except in the major cities)
- In Jan. 2007, Chávez asked the legislature for power to govern by decree for 18 months in 11 “strategic” areas – including defense, education, energy, the judiciary, & telecommunications
  - after receiving those powers, he eliminated private activity in the energy & telecommunications sectors & limited private activity in education
- In Mar. 2007 he began the unification of all pro-Chávez parties into the United Socialist Party of Venezuela (PSUV)
- In May 2007 he refused to renew the license of the largest private TV network (RCTV); he replaced it with a new (second) gov’t-run channel (TVES)
  - This generated the first major wave of public protests since the 2004 recall vote
- In Aug. 2007, a process of constitutional reform began that proposed unlimited presidential terms & would give the gov’t broad power to seize private property
  - approved by the LEG in Nov., it went to the voters in a referendum in Dec. 2007
  - opponents blocked the reform with 50.7% of the vote (amid 56% voter turnout)
  - Chávez subsequently admitted that “*For now*, we couldn’t do it” – evoking his 1992 speech
- In June 2008, the gov’t banned 270 candidates based on corruption allegations that had not been examined in the courts
  - Since most were opposition candidates for state & local elections, the opposition cried foul
  - However, in August 2008 the supreme court (STJ) upheld the ban
- In Feb. 2009, a revised constitutional reform referendum proposed removing term limits on all elected officials (and the other 2007 proposals were not included)
  - the reform passed with 54.8% of the vote (amid 70% voter turnout)
- In Sep. 2010, legislative elections occur amid an economic downturn
  - The PSUV narrowly won the national vote 48% to 47% over the re-unified opposition coalition MUD
  - The PSUV retained 98 of the 165 seats in the legislature
- In Dec. 2010, the outgoing legislature granted Chávez the right to rule by decree for 18 months (which the opposition viewed as a reaction to Chávez’ losing his prior 2/3 majority in the legislature)

### III. (cont.)

#### ■ G. The 2012 Presidential Elections & the Future of *chavismo*

- In June 2011, Chávez acknowledged having a cancerous tumor removed in Cuba
  - Following rounds of preventive radiation, he pronounced himself cancer-free
  - In Feb. 2012 he faced a new surgery to remove a second cancerous tumor
- Meanwhile, in mid-Feb. 2012, the opposition held an internal primary and selected Henrique Capriles (governor of Miranda) as its presidential candidate
  - Nearly 3m voters participated nationwide (the largest turnout for a primary in national history)

### IV. Is contemporary Venezuela a Democracy?

- What do you consider to be the essential elements of a democracy?
- Are many/most/all of these traits met?
- On what basis would you assert that Venezuela is or is not a democracy?