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Latin America's New Turbulence

CAN DEMOCRACY WIN IN VENEZUELA?

Benigno Alarcón, Ángel E. Álvarez, and Manuel Hidalgo

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On 6 December 2015, against the background of a competitive-authoritarian socialist regime in severe economic and civic crisis, Venezuela's opposition coalition, the Democratic Unity Roundtable, won a resounding triumph in national legislative elections. Adding 45 seats to its previous total, it gained an initial 112-seat majority in the 167-member unicameral National Assembly, giving it (before subsequent disqualifications) the two-thirds supermajority needed to exercise a number of key powers.¹ Government forces led by the ruling United Socialist Party of Venezuela (PSUV), meanwhile, tumbled from 98 to just 55 seats. Voting was not mandatory, but participation was very high—a testament to the high stakes involved.

This sweeping result has presented the country's "Bolivarian socialist" regime—founded by the late President Hugo Chávez and now headed by his chosen successor Nicolás Maduro—with a painful choice.² Ever since Chávez (1954–2013), a onetime army officer and failed coupmaker, won election to the presidency in 1998 and began building the basis of an authoritarian regime in 1999 by calling for a National Constituent Assembly (ANC) to change rules and institutions, the regime has always operated through the electoral pathway, as a typical hybrid regime. A clear defeat at the polls is something that it has never had to face, and now its leaders must decide if they are going to accept a real division of power or will insist instead on trying to maintain their grip at all costs. They are facing this decision, moreover, even as their regime reels before a series of staggering economic failures that are fueling a humanitarian crisis. Hyperinflation, skyrocketing crime rates, and severe shortages of essential goods are overwhelming ordinary Venezuelans.

Although the system that Chávez left behind is weighted heavily in favor of the presidency, the 2015 parliamentary result could yet turn out to be as important as Chavez's original victory in 1998. The government's reaction so far suggests that it will not tolerate an alternation in power. The executive branch is now trying to use its control over the other branches of public power, including the judiciary as well as the military and security establishment, to isolate the National Assembly. The opposition victory last December therefore did not resolve uncertainty about the future of the regime, but heightened it. And the situation on the ground is only getting worse.

Scholarly research on democratization has identified five variables that can help us to discern whether a transition through elections is feasible in Venezuela. These are 1) the balance between the cost of oppression versus that of toleration; 2) the effective level of electoral integrity; 3) the balance of power between the ruling party and the opposition; 4) structural conditions including, in this case, Venezuela's situation as a country dependent on oil exports; and 5) the ability of key international actors to influence events. Inquiring into these five factors can help to clarify the chances for democratization via elections in Venezuela.

Democratization, as Robert A. Dahl observed, is a function of the relative costs to incumbents of oppressing versus tolerating opposition.³ Oppression can take several shapes. At worst, it can mean violently hurling police, troops, and paramilitary forces against citizens who oppose the regime. In milder forms, it may involve the use of law and courts against dissidents; the imposition of punitive fiscal measures and fines on media organs, businesses, and individuals that the government finds bothersome; the withdrawal or suspension of media licenses; and electoral-intimidation ploys (stripping away ballot secrecy, for instance) meant to coerce support for the ruling party. Toleration, conversely, implies a willingness to allow political discussion and, eventually, the transfer of power from the incumbent ruling elite to the opposition. Whichever course a government chooses will bring both costs and benefits. To the extent that oppression threatens to cost more than toleration, there is a greater chance that the regime will permit electoral competitiveness and with it the possibility of a shift toward democracy via the ballot box.

In Venezuela, the costs of tolerating a political change that would lead to democratization are very high for the ruling elite, which fears not only forfeiting power and its associated economic privileges, but also prosecutions in both U.S. and Venezuelan courts for human-rights violations, corruption, and drug-trafficking.

Since Chávez's death from cancer on 5 March 2013 and Maduro's narrow 1.5-point victory in a special presidential election held just five weeks later, the regime has hardened its stance and turned toward greater authoritarianism.⁴ But that hardening may not be the last word. For in cases such as these, divisions can begin to form within the ruling elite.

For instance, those regime leaders who believe that they will never have to face trial, or who expect that they will be able to make deals securing their own immunity, will be readier to negotiate than colleagues who fear that the regime's loss of control will leave them trapped. Such a classic "soft-liners versus hard-liners" split could bode well for a democratic transition.⁵ In Venezuela at the time of this writing in February 2016, talks are going forward between regime soft-liners and some opposition leaders. Yet it should be stressed that no evidence of any important rupture in the authoritarian coalition has so far appeared. Those in both camps who are willing to talk to the other side must worry that hard-liners on either side may yet escalate the situation beyond the point where talk can work.⁶

As if to underline the threat of escalation, the government has announced a series of oppressive actions against the opposition majority in the National Assembly. The executive controls the 32-member Supreme Tribunal of Justice (TSJ) and, in particular, the powerful six-judge subsection of it known as the Constitutional Chamber. This body is able to act as a supraconstitutional power, mainly by blocking actions of the National Assembly. Moreover, in the TSJ's six-judge Electoral Chamber, the government has sued to overturn the elections of eighteen opposition lawmakers in order to deny the opposition a two-thirds supermajority. In addition, the government (claiming authority under Article 58 of the 2010 Organic Law of Communes) has activated a National Communal Parliament to counter the National Assembly.

As if for good measure, the government has also been calling on the TSJ to override the Assembly's decisions. Maduro has vowed that he will defy any attempt to change or abolish the "Laws of People's Power," of which the Communes Law is one. He has also pledged to veto the Assembly's amnesty bill. Although the presidential veto power is weak, the TSJ could rule out the bill and thereby prevent the release of political prisoners and the return of political exiles. It remains to be seen whether these fallback measures will be enough to save the regime. Everything turns on the opposition's ability to drive up the costs of oppression.

Oppressing a minority is one thing, curbing a majority is another. The opposition has a majority; keeping it pressed down will be harder and more costly. Yet to some in the ruling elite, that cost still seems lower than the cost of allowing a transition. If electoral competitiveness keeps increasing and popular pressure for freedom grows, the chances of democratization will improve.

Deficits in Electoral Integrity

Multiparty elections are important to the extent that they involve uncertainty. Who will be elected? The harder that is to say in advance, the better the prospects for democratization. Democracy is the institutional-

TABLE 1—VOTE SHARES IN VENEZUELA’S LEGISLATIVE ELECTIONS

Year	Pro-Chávez Parties and Coalitions	Anti-Chávez Parties and Coalitions
1998	48.5%	51.5%
2000	51.7%	48.3%
2005	100%	(Election boycott)
2010	48.1%	47.2%
2015	43.2%	56.2%

Source: Authors’ estimates with data available from the National Electoral Council, www.cne.gob.ve/web/estadisticas/index_resultados_elecciones.php and International IDEA, www.idea.int/es/vt/countryview.cfm?CountryCode=VE.

ization of political uncertainty.⁷ Competitive authoritarianism manipulates electoral processes in order to make its hold on power more certain.⁸ Authoritarians know that uncertainty also makes oppression costlier and thereby can harm regime stability. The more pressure incumbents feel to tolerate electoral competition and to accept unfavorable results, the more those incumbents will want to reduce uncertainty, even if it means sapping the credibility of electoral institutions and undermining trust in the results.

Since the August 2004 presidential-recall referendum that Chávez won with a comfortable 59 percent, electoral conditions have deteriorated in Venezuela.⁹ In recent years, the problem has grown worse, even though auditing of the electronic voting system has improved. According to the Perceptions of Electoral Integrity expert survey, electoral integrity in Venezuela went from “moderate” in the October 2012 presidential balloting to “low” in the 2013 special election.¹⁰ This change coincides with the PSUV’s loss of competitiveness due to the demise of its charismatic leader and the fall in oil revenues.

Electoral irregularities have taken several forms. In 2015, the General Comptroller’s Office (CGR) and the National Electoral Council (CNE), Venezuela’s supreme electoral-oversight body, disqualified nine National Assembly candidates, all from the opposition. This common practice is unconstitutional since disqualification can only occur through a criminal-court ruling and not through administrative action. The TSJ intervened in disputes within four opposition parties, naming their boards and influencing who they nominated and which alliances they formed. The Maduro administration suspended ordinary government and declared states of emergency in parts of several states along the Colombian border, claiming that the step was needed to fight paramilitary groups, drug-traffickers, and smugglers.

In addition, there is *ventajismo*, the unconstitutional but real practice of incumbents using public resources for campaign purposes. This is not a practice solely of the PSUV and its allies, but that coalition’s access to state power, personnel, and oil revenues give it a clear advantage.¹¹ Support for PSUV candidates was also built through official broadcasts and special programs in the media, while opposition candidates had no

access to public media in a context in which there is hardly any information pluralism. Private media self-censor for fear of reprisals in a country where the ruling party has not been shy about using threats and pressure tactics against media outlets. Other regime methods include the withholding from publishers and journalists of foreign-currency access (crucial in order to buy vital imports), hostile financial takeovers of private media concerns, and the cultivation of government-friendly public media as part of a bid to crowd private media out of the information space.

Since 2000, the CNE has faced criticism for bias in the conduct of elections. In December 2015, four of its five board members were figures drawn from PSUV ranks (the fifth, Luis Emilio Rondón, was the son of an opposition leader, but also a longtime CNE employee with no party affiliation). The CNE was established in 1997, a year before Chávez's election, as a replacement for the previous electoral authority. On no important issue has the CNE ever ruled in favor of the opposition. In an arbitrary interpretation of the regulations, for instance, the CNE in 2015 denied registration to nine parties, arguing that their names could cause confusion. In most cases, it became apparent that the real goal was to keep opposition groups and a dissident PSUV faction off the ballot.¹² The CNE also gerrymandered districts; it even manipulated population projections from the National Institute of Statistics in order to shift four Assembly seats across constituency and even state lines.¹³

In the last election, the CNE took no steps to limit the use of public resources for campaigning. It failed to address the ruling party's much greater media access, and had nothing to say about the outbursts of violence that marred the campaign. It kept all polling places open an extra hour, even though regulations stipulate that this can be done only to accommodate voters who are already in line at the designated closing time. In addition, as it had during previous ballotings, it delayed announcing results even though Venezuela's automated voting system allows their aggregation within minutes of the polls closing.¹⁴

It is striking that despite the decline in the integrity of electoral processes, elections themselves have become more competitive. The PSUV's great advantage has been its ability to manipulate electoral rules and authorities, but in 2015 this advantage did not avail.

The Shifting Balance of Power

Elections that favor power-sharing, political scientists tell us, also tend to favor democratization.¹⁵ Ironically, Venezuela's opposition coalition has benefited from an electoral system that does *not* favor power-sharing. On the contrary, it was designed by the ruling elite to maximize its power in clear violation of the principle of proportional representation as established by the constitution.

TABLE 2—PLURALITY AND PROPORTIONAL SEATS IN VENEZUELA

Year	% of Vote	% of Seats	Plurality Seats	Proportional Seats	Total Seats
<i>Pro-Chávez Parties and Coalitions</i>					
2010	48.2	59.4	71	25	98 ¹
2015	40.9	32.9	32	23	55
<i>Anti-Chávez Parties and Coalitions</i>					
2010	47.2	39.3	38	26	67 ²
2015	56.2	67.1	83	26	112 ³

¹Figure includes two (of three) seats reserved for indigenous-community representatives.

²Figure includes one (of three) seats reserved for indigenous-community representatives, and two seats won by the PPT (Fatherland for All) party, which received 1.2 percent of the vote in the 2010 elections.

³Figure includes three (of three) seats reserved for indigenous-community representatives.

Note: Venezuela's National Assembly grew from 165 seats in 2010 to 167 seats in 2015.

The National Assembly currently has a total of 167 seats. Three seats are set aside for elected representatives from the indigenous population. Of the remaining 164 seats, 70 percent are filled by plurality vote in single-member or multimember districts. The remaining 30 percent are proportional-representation (PR) seats whose holders are chosen from closed lists in the 23 states plus the Capital District. In 2010, this system favored the PSUV, which ended up controlling nearly 60 percent of the Assembly (98 seats, including the three indigenous seats) based on 48 percent of the vote. In 2015, the opposition took 112 seats (67 percent), including the trio of indigenous seats, based on 56 percent of the vote. Fully 83 of its seats were won on a plurality rather than PR basis. The “seat bonuses” evident in both 2010 and 2015—favoring the regime in the earlier year and the opposition in the latter one—are a reflection of the PSUV regime’s deliberate decision to allocate more seats to thinly populated, mostly rural states. The regime reasoned that these states are more dependent on government spending, and hence likelier to favor “Bolivarian socialism” and its avowedly redistributionist plans.

The opposition won 5.3 million votes in 2010. Five years later, that figure was 7.7 million. The regime, meanwhile, flatlined at 5.4 million votes in 2010 and 5.6 million in 2015, despite 3.2 million more ballots being cast in the latter election. The share of null votes more than doubled, going from 2 to 5 percent. In the April 2013 presidential balloting, Maduro received 7.6 million votes while opposition standard-bearer Henrique Capriles won 7.4 million. Note that Capriles in 2013 and the opposition parliamentary coalition in 2015 won basically the same number of votes even as the totals on the other side were plunging by two million, from Maduro’s 7.6 million in 2013 to his parliamentary coalition’s 5.6 million in 2015. This suggests that many Chávez supporters who backed Maduro for president did not turn out to support the PSUV in 2015.

The wide geographic spread of the opposition’s vote bespeaks the new

support that it picked up in low-income districts. It won constituencies that it had never won before, not even when Capriles finished so close behind Maduro in 2013. No party or coalition competing against the Chavistas has ever done as well as the Democratic Unity Roundtable did in 2015.

Opposition control of parliament is not by itself enough to end Maduro's presidency. The National Assembly can remove a chief executive from office only for dereliction of duty or upon certification of disability by a medical board named by the TSJ, a court under executive-branch control. Yet the opposition's victory may contribute to democratization by making political oppression more costly. Imposing harsh measures on the clear winners of an election would blatantly violate the principle of majority rule and thereby strip away even more of the government's democratic façade. Eventually, the government and opposition might agree to reform the CNE and the TSJ in ways that could have long-term democratizing effects. At present, however, the opposition is saying that it will use constitutional means to remove Maduro if his administration fails to advance economic and political reforms.¹⁶

The Economy: A Double Debacle

Falling oil prices need not always throw authoritarian petrostates into crisis. The most common form of political regime in such states, in fact, is durable authoritarianism.¹⁷ Yet if collapsing prices combine with a collapsing economic model, things may be different. The converging crises create opportunities for democratization, even while threatening, in the short term, to sharpen the authoritarian nature of the regime.

Between 2003 and 2013, Venezuela experienced relative economic stability bolstered by a favorable world economy that offered high oil prices and low interest rates.¹⁸ Venezuela gleans almost 95 percent of its foreign-currency earnings from oil sales, which also supply more than 60 percent of tax revenues. The oil boom enabled vast amounts of unproductive public spending that triggered unbridled consumption. A growing public payroll, plus welfare programs such as Chávez's well-known "social missions," bought political stability. Oil rents flowed out via clientelistic networks and ubiquitous political-patronage channels, making the people more dependent than ever on the state.¹⁹

In 2009, the first signs of trouble began to appear. By 2011, the productive sector was crumbling under the weight of price and exchange controls, expropriations, nationalizations, burdensome regulations on the private sector, egregious government spending, and skyrocketing public debt. Yet the executive put off difficult decisions and the recession grew worse. The campaign seasons leading up to the elections of 2010, 2012, and 2013—each seen as critical by the ruling party—were greeted with even more social spending. Then in mid-2014 came a severe external shock as world oil prices dipped sharply. In July 2014, a

barrel of Venezuelan crude was going for \$96.14 on the world market; just before the December 2015 election, that same barrel was worth only \$32.44.

Maduro inherited a heavy economic burden from Chávez, and has made things worse. Maduro's insistence on maintaining price controls (via the Law of Fair Prices) and an exchange-rate system with several highly overvalued official rates has led to falling imports, hyperinflation (as the government prints money to finance the record-high deficit), a desperate search for new loans abroad, and the liquidation of assets to pay for debt service. A politically weak president is now dug in behind the ramparts of a radical left-wing economic policy that will not permit the adoption of necessary measures even in a crisis.

As a result, Venezuela is now in the midst of the worst socioeconomic decline in its history. In 2014, GDP fell by 4 percent. The International Monetary Fund's preliminary figure for 2015 is a 10 percent shrinkage of the economy, with a further 6 percent contraction predicted for 2016. The Central Bank has reported a 5.7 percent decline in GDP. Despite its huge oil revenues, Venezuela had the lowest economic growth in South America from 1999 through 2014—a dismal performance attributable to misguided economic policy.²⁰ Reported inflation was 181 percent in 2015. In 2016, it is expected to reach 200 percent, the highest rate in the world. The bolívar's continuing loss of value is making imports unaffordable—Venezuela, which sits on some of the world's largest oil reserves and borders Brazil and Colombia, has made global headlines by running out of coffee. There have also been prolonged shortages of rice, milk, soap, toilet paper, tampons, pharmaceuticals, and other basic consumer goods, making bare store shelves, absurdly long lines, and rampant smuggling regular features Venezuelan life.²¹

Officially, unemployment was 6 percent in December 2015, but there is no reliable and up-to-date information regarding underemployment and real income. Runaway inflation has hit both middle-class and poorer Venezuelans hard. The number of poor households (as measured by income) has significantly increased. Prior to Chávez, these comprised 45 percent of all households. In 2014, a study by three Venezuelan universities showed that more than 3.5 million households (48.4 percent of the total, containing 52.6 percent of the population) were living in poverty.²² About a third of these, the study further noted, could be classed as belonging to the “new poor.” The sharp economic contraction of the past two years has caused poverty to spike: In 2015, it is estimated, 73 percent of households and 76 percent of Venezuelans were existing at or below a poverty-level standard of living. Poverty reduction under Chávez, it seems, was highly contingent on the oil boom. It paid for an increase in living standards among some social groups, but now it is over. In the months leading up to the 2015 election, public spending declined as plunging oil prices pulled down tax revenues. The government

busied itself pumping up the money supply, however, and kept spending freely on the social missions in an effort to cushion its voter base against the downturn.

Meanwhile, Venezuelans were telling pollsters that economic worries—joblessness, high living costs, and shortages—were topping even crime (Caracas has one of the world’s highest homicide rates) on their list of concerns. By November 2015, Maduro’s approval rating was under 25 percent (Chávez’s had never dipped below 31 percent).²³ According to the survey-research firm Datanalisis, up to 65 percent of the public rejected Maduro’s claim that a conspiracy of private economic actors in league with foreign interests was waging an “economic war” against Venezuela. Moreover, 77.5 percent of those surveyed believed that the higher minimum wage Maduro had decreed would not improve their personal or family prospects, while even 45 percent of self-identified PSUV members rated the measure insufficient. In November 2015, nearly 80 percent of the population believed that the country was going in the wrong direction, and 44 percent of PSUV members agreed.²⁴

In sum, by late 2015 the economy was worse than it had ever been under Chávez. The opposition’s huge win bore witness to the gravity of the crisis and the depth of the public’s disdain for Maduro’s governance. Severe shortages, deteriorating public services, runaway inflation, and declining real incomes paved the way not only for an opposition takeover of the National Assembly, but also for an effort to change the socialist political and economic model that has been the main cause of Venezuela’s dismal economic performance.

Even if Maduro’s political performance were to improve, the present economic model—which is unsustainable without fundamental changes—would limit the regime’s ability to strengthen itself. With oil revenues and exports in a downward spiral, the government’s ability to rely on the so-called rentier effect (low taxes and high spending) as a shield against democratizing pressures is a shadow of what it once was.²⁵

International Factors

In 2015, more than in previous years, there were international factors at work that limited distortions of the electoral process and encouraged the government to respect the results, even if adverse to the incumbents. While many Venezuelans saw the parliamentary election as a referendum on Maduro’s performance, the elections took on another character abroad. The opposition victory that pollsters were predicting was welcomed as boosting chances to fix the damages that had flowed from the regime’s radicalization, namely deterioration of democratic institutions, further weakening of the rule of law, significant losses of freedom, and assaults on human rights.

The falling standards of electoral integrity evident during the 2013

special presidential election had roused international concern. The opposition denounced Maduro's narrow win and exposed many irregularities, but could not prove fraud. Venezuela made more world headlines in early 2014 when nationwide protests against the worsening socio-economic and political situation were marred by violence and met with violent repression. The regime's imprisonment of opposition leaders such as Leopoldo López, Antonio Ledezma, Enzo Scarano, and Daniel Ceballos on charges of inciting violence generated a wave of sympathy and solidarity among prominent foreigners, some of whom visited Venezuela in (forlorn) hopes of mediating the situation. There were even requests to Pope Francis, the first pontiff from Latin America, to intervene. Although the regime continues to deny that it holds political prisoners or persecutes the opposition, the truth is that continual abuses and arbitrary official actions have badly harmed Venezuela's good name. The request for a definite election date and for assurances that the process would be conducted freely and fairly became a constant refrain heard from several quarters throughout 2015.

Today, many countries around the world accept international conventions and global standards that can be used to assess the quality of electoral processes.²⁶ Thus it is not uncommon for international observer missions to play important roles in monitoring the transparency and fairness of elections. None of this is the case as regards Venezuela. Through the 2006 presidential election, organizations such as the EU, OAS, and Carter Center had sent observers. But as the regime became more radical in 2007 and beyond, it began to condemn international observation as a hated token of "foreign tutelage." As part of Chávez's "Bolivarian" policy, traditional observers were replaced by "zombie monitors"—government employees or persons ideologically close to the regime who did not perform technical monitoring following international standards.²⁷ In 2015, the CNE invited more than a hundred such "international guests" to be present on election day plus the two weeks leading up to it.

Once again, the twelve-member Union of South American Nations (UNASUR) was invited, but its delegation arrived only eighteen days before the election and was preceded by a controversy over Venezuela's delay in responding to requests that Brazil's Superior Electoral Court had made with a view to ensuring a comprehensive, objective, and impartial observation. Eventually, the Brazilian court would refuse to be involved in any observation activities, and UNASUR would end up sending a small delegation headed by Leonel Fernández, the ex-president of the Dominican Republic, a country that is not even a UNASUR member.

Although the CNE kept insisting on the transparency, safety, and reliability of the Venezuelan electoral system, prominent figures continued to complain that the electoral "game" was rigged and the opposition helpless. Luis Almagro, the OAS secretary-general, wrote to the CNE calling for transparency and electoral justice and offering to

send an observer mission. The ruling party condemned him as a meddler. Chavistas had long attacked the OAS as a front for U.S. and Canadian interests, yet it is hard to believe that Almagro would have written such a letter without the support of Latin American countries. In other words, even though most Latin American governments still raise little or no complaint about Maduro's authoritarian practices, opinion in the region is changing. Argentina's newly elected president Mauricio Macri has called on the Chavista regime to release its political prisoners, and he made a point of saying during his 2015 campaign that if he won, he would ask the regional trade organization Mercosur to apply its democracy clause to Venezuela due to its lack of respect for democratic principles. Only Maduro's decision to acknowledge the PSUV's December 2015 defeat obviated this move.

In addition, certain violent campaign-period episodes, especially the death of a local opposition leader, generated widespread international condemnation and requests for peaceful and free elections from not only Washington and Brussels but also the usually discreet authorities in Brasilia. There is no doubt that international mobilization helped to limit violence during the campaign's home stretch. Finally, several former Latin American presidents whom the opposition invited, along with a joint study mission fielded by International IDEA and Venezuela's Universidad Católica Andrés Bello, drew international attention by questioning *ventajismo* and showing how uneven the contest was.²⁸ There was a serious stir when officials yanked these guests' credentials, and the public demand for their expulsion by leading Chavista Diosdado Cabello (then speaker of the National Assembly) went unheeded.

The upshot of all this was to raise the regime's "oppression costs" yet again: Its leaders realized that they did not dare to deny the results, and signed an agreement with the CNE to accept them. If the international community stays engaged, it should continue to be a force for democratization and for curbing the nondemocratic excesses of the regime.²⁹ Although the Bolivarian-socialist government still enjoys some support both inside and outside the region, its prestige and ability to project influence are not what they once were, and changes are taking place in some other Latin American countries (including Argentina, Paraguay, and Peru) that should encourage democratic transition in Venezuela.

Opportunities and Risks

The 2015 election and its results mark a step forward for democratization, but one swallow does not make a spring, and one step forward is not a transition. Three of the five variables discussed in this article—the balance of power between the ruling party and the opposition, the structural conditions of the economy, and the influence of key international actors—are now working in favor of a democratic transition for the first

time since 1999. Even so, the balance between the costs of oppression and toleration, and the effective level of electoral integrity continue to be potential obstacles to change.

Things in Venezuela became so bad that no electoral manipulation could hold back the sea change in voters' preferences. Yet the regime retains a good deal of power.

The opposition's win makes oppression costlier, but the costs of tolerating a democratic transition are still too high in the eyes of a ruling elite whose most powerful actors also happen to be its most radical ones. In the end, it will come down to strategic calculations made above all by the commanders of what Chávez renamed and recast as the "Bolivarian" armed forces. Only they and their guns can keep a government

with no majority support in power. So far, the military has seemed to recognize the election results, but there is a sector of the high command that is strongly opposed to tolerating democratic change, due to their alleged implication in human-rights violations and other illegal activities.

Things in Venezuela became so bad that no electoral manipulation could hold back the sea change in voters' preferences. Yet the regime retains a good deal of power, and its ability to distort future elections is a problem that the opposition underestimates only at its peril. Maintaining an alert and actively prodemocratic international environment will be key. Moreover, the opposition should use its Assembly majority to reform the electoral rules and change the personnel who make up the CNE.

No one should ignore the reality that the election turned out as it did because Venezuela is in the grip of such a grave socioeconomic crisis. The recently announced adjustments of the exchange rate and gas prices do not represent substantial reforms of the regime's economic model. The challenge facing the democratic opposition, therefore, is daunting: It must fulfill the mandate of economic and social reform in a country that seems to be on the brink of becoming a failed state. If necessary changes make things worse before they make things better, will the voters accept that, or will they blame the opposition and turn against it? The government will always try to blame the opposition majority in the National Assembly or make it partly responsible for unpopular decisions.

Conditions are more favorable for a democratic transition in Venezuela than they have been at any time since the early 2000s. The Chavista regime has lost its charismatic leader, and the ruling coalition—led by Maduro and Cabello—that has replaced him is highly unpopular. The petrostate is in crisis. It cannot keep up spending, and thus the moat of clientelism that it has filled as a defense against economic reforms is bound to go dry. The government is beset by these twin problems, yet at the time of this writing in late February 2016 is still radiating a grim determination to hinder the National Assembly's legislative and oversight

powers despite the popular mandate that backs the forces of political change. Is Venezuela in for more repression and authoritarianism? A time of high uncertainty and possible instability is upon us.

In this scenario of colliding political forces, the voters may still hold the high card, just as they did in 1998 when they turned things over to Chávez. The latter began his Bolivarian-socialist project by convening a consultative referendum, not contemplated in the 1961 Constitution, to choose a National Constituent Assembly that would end the old two-party “partyarchy” and usher in a new sociopolitical model.

Today, the opposition could have recourse to several of the mechanisms that the 1999 Constitution lays out for trying to find an electoral solution to a political crisis. Opposition leaders could aim for a constitutional reform to shorten the presidential term to four years and then call for a new election. They could also call for a presidential-recall referendum or (if they can keep their legislative supermajority) a national constituent assembly. Finally, the opposition majority could declare that the president has failed to meet his responsibilities and has therefore absented himself from office. The opposition has not reached a consensus on the mechanism to oust Maduro. The coalition’s own rules require broad agreement on strategy and thus time-consuming internal negotiations. Yet delay in implementing whatever electoral mechanism the opposition chooses could affect both the timing and the type of the transition. The strategy that is finally chosen, whatever it may be, will have implications for the distribution of power within the coalition.

Yet both the CNE and the TSJ could hamper or significantly delay any electoral solution. And even if the electoral way is not blocked, would the Chavista military try to trump the electorate with arms? Chávez was a former army colonel who led two armed coup attempts in 1992. He understood the role of force in human affairs very well, and he was careful—especially after a failed military coup turned him out of office for a few days in April 2004—to purge and overhaul Venezuela’s military establishment in light of his own ideology. The military is therefore basic to the Chavista regime’s architecture of power, and may be its final redoubt. Keeping the armed forces “in their barracks,” as the expression goes, may not be easy. Democratic forces must try to keep the military’s expected oppression costs as high as possible, so that it will choose instead the path of negotiations leading to transition.

NOTES

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1. Two-thirds of the total of the National Assembly can convene a constituent assembly, propose constitutional reforms, replace members of the Supreme Court, and with

the previous approval of the Court, dismiss the members of the electoral authority, the attorney-general, the national comptroller, and the ombudsman. Moreover, two-thirds of a National Assembly quorum can approve, partly overturn, and reform organic laws. At the time of this writing in February 2016, the Supreme Court's final decision is pending in the matter of four National Assembly deputies from Amazonas State (three from the opposition coalition and one from the PSUV) who may lose their seats owing to charges of fraud and vote-buying.

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