1-8-2016

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Opposition Assumes Control of Venezuelan Legislature

by Andrés Gaudín

Category/Department: Venezuela

Published: 2016-01-08

The Jan. 5 inauguration of the new Asamblea Nacional, Venezuela’s 167-member unicameral parliament, marked the start of a complicated and unusual political scenario for the South American nation, whose executive and legislative branches of government – which represent competing forces but are both entirely legitimate, each having been chosen in free and democratic elections – will have to figure out a way to coexist.

For the country to function, the two sides must pursue their respective policy goals with at least a minimum level of harmony, not only between each other, but also within their own ranks. This, in the case of the opposition coalition, seems unlikely, given the ongoing leadership rift between former presidential candidate Henrique Capriles and jailed right-wing politician Leopoldo López. More than four weeks after the coalition’s triumph in the Dec. 6 legislative elections, the two men continue to berate each other.

Colombian Ricardo Pardo, editorial director for the Bogota-based newsweekly Semana and one of the journalists most familiar with the Venezuelan political scene, sees the new coexistence phase as both “risky and unprecedented.” In an analysis published Dec. 17, he recalled that President Nicolás Maduro and the Partido Socialista Unido de Venezuela (PSUV), followers of former president Hugo Chávez, were elected to lead the executive branch until 2019 (NotiSur, May 3, 2013), while the opposition coalition, Mesa de la Unidad Democrática (MUD), thanks to its resounding victory in last month’s legislative contests, will enjoy a qualified majority in the Asamblea Nacional until January 2021.

The overlap, Pardo explained, promises to be extremely difficult given the conflictive relationship the two blocs have had during the past 17 years, since Hugo Chávez took power in 1999 (NotiSur, Feb. 12, 1999). Chávez died in office in 2013. The situation is all the more worrisome, the analyst wrote, if one recalls how poorly France fared when faced with a similar situation three decades ago. There, the political right defeated the governing Socialist Party in 1986 legislative elections, forcing then-President François Mitterrand to designate opposition leader (and future president) Jacques Chirac as prime minister. The resulting “cohabitation” period, as the French called it, proved to be a failure even though relations between the country’s competing political groups never reached the level of antagonism now seen in Venezuela.

Offering a concise breakdown of the recent developments in Venezuela, Pardo noted that Maduro was weakened by the election results but did not lose his job. Pardo also pointed out that the PSUV’s overall vote haul – despite the right’s now ample majority in the Asamblea (112 legislators versus 55 from the Chavismo bloc) – was actually quite significant: it won nearly 5.6 million, or 41% of the votes cast. The opposition, the analyst explained, benefited from voting rules that, in certain circumstances, allow disproportionate representation. MUD candidates won 66% of the legislative seats but just 51% of the total votes cast.

Against a backdrop of excruciating economic problems – with oil prices in free fall, triple-digit inflation, rising unemployment and alarming crime levels (NotiSur, May 22, 2015) – the president
managed to preserve enough of his political capital to push forward with his agenda and move toward 2019 on reasonable footing. With all of that in mind, returning Deputy Freddy Bernal of the PSUV suggested to the regional television broadcaster teleSUR that “it was frustration, rather than the opposition, that won.”

All eyes on the opposition

Pardo’s thoughts on what may be in store for Venezuela coincide with analyses offered by the British daily The Guardian and the German news organization Deutsche Welle, and by US economist Mark Weisbrot, co-director of the Center for Economic and Policy Research (CEPR) in Washington, DC. All four agree that the future will depend on what the opposition decides to do with its overwhelming legislative majority. It can push for laws that dampen the PSUV’s reform agenda, but it should not forget, they say, that Maduro has certain powers as head of state that he can use to continue the political course charted by Chávez.

The MUD, for example, is likely to pursue an amnesty law that benefits the 75 detained people it refers to as “political prisoners.” But to do so, it will need backing from the judiciary, which is allied with the PSUV. If, because of such constraints, the opposition fails to accomplish its goals, it has the option – starting in April, the half-way mark of the president’s six-year term – to hold a recall referendum that, if successful, would legally remove Maduro from office. Such a step could also backfire. If the referendum fails, the president would surely benefit, just as Chávez did from the opposition’s failed recall effort in 2004 (NotiSur, Aug. 20, 2004).

Another major challenge for the MUD, regardless of the policy strategy it pursues, is unity, which it will need to maintain in order to take full advantage of the 112-vote majority it won in December. In their respective analyses, both Pardo and Weisbrot highlighted the coalition’s potential cohesion problems. “The MUD is made up of 28 parties that don’t agree on every issue and have no binding leader. Instead, there are bitter disputes at the top level between López and Capriles,” Pardo wrote. “It’s difficult in this scenario to imagine that the 112 deputies will always be and vote together. If just one person leaves the fold, [the MUD] loses its two-thirds majority.” Weisbrot, for his part, wrote in a Dec. 11 piece for the Argentine daily Página 12 that the opposition has many divisions and that “it’s likely that the government will secure votes from some MUD lawmakers and thus be able to continue governing until the next presidential elections.”

Before the legislative elections, the MUD lost five of its founding parties. In April, four minor groups left the coalition. And on Aug. 5, the Comité de Organización Política Electoral Independiente (COPEI), a Social Christian party from which three of Venezuela’s past presidents hailed, opted out (NotiSur, Sept. 4, 2015). COPEI is the country’s second oldest party and the opposition’s fourth largest political component.
The internal crisis erupted between February and May 2014, when a minority sector, headed by the now jailed López, promoted a campaign of violent street protests to “topple [Maduro] by any means available” (NotiSur, April 4, 2014). López called these actions, which resulted in the deaths of 43 people, “La Salida” (the way out). The violence deepened divisions within the opposition, which had not, at the time, come up with a formal strategy. López, for his role in promoting the violence, was given a nearly 14-year jail sentence (NotiSur, Nov. 20, 2015).

**Competing strategy goals**

López no longer has anyone who represents him politically when, from his jail cell, he wants to communicate with the media outlets that so generously offer him their pages. He has to wait until the newspapers come to him. The two people who do speak on his behalf are his wife, Lilián Tintori, and father, Leopoldo López Gil. On Dec. 25, López Gil spoke with the Spanish news agency EFE to chastise Capriles for claiming that the MUD earned its electoral success by turning away from Leopoldo López’s “pro-violence, popular explosion” strategy, as the former presidential candidate calls it. “When I see Capriles saying that the new Asamblea shouldn’t advance a ‘La Salida, Part II’ because it figures among the major national fiascos, I thank God that he’s only a state governor and not a new, brave deputy,” López Gil said.

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Capriles, governor of the centrally located Miranda state, wants the opposition, now that it has won the elections, to lay off the “political diatribe against Maduro” and instead focus on ways to mitigate the ongoing economic crisis and thus avoid what he fears could be a “social explosion.” “If we’d stuck with La Salida and the guarimbas (barricades), we wouldn’t have had the Dec. 6 victory,” he told reporters.

In one of his jailhouse interviews with the foreign press, López said on Dec. 24, “The dictatorship [the Maduro administration] is weakened and it’s our duty not to give it any fresh air.” In a clear allusion to MUD officials who oppose using violence as a political weapon, he added, “If Maduro and the rest of the leaders who are co-opted by a corrupt and undemocratic elite stand in the way of change, then we need to change them.” The statement was a variation on his signature slogan: “If the government doesn’t change, we need to change [i.e. replace] the government by any means available.”

In the interview—given in this case to the Grupo de Diarios América, a business alliance involving the right-leaning dailies La Nación (Argentina), O Globo (Brazil), El Mercurio (Chile), El Tiempo (Colombia), La Nación (Costa Rica), El Universal (Mexico), El Comercio (Peru), El Nuevo Día (Puerto Rico), El País (Uruguay) and El Nacional (Venezuela)—López said he has decided to “confront this dictatorship on all fronts: in the street, protesting legitimately, as well as on the electoral and moral levels. We need to be responsible with our people by telling them the truth.” Capriles responded via
the same newspaper group. “We don’t believe that a social explosion in Venezuela would affect one sector and not the other,” he said. “A social explosion would consume everyone, the government as well as the opposition.”

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