

The Brookings Institution
5 on 45: Can Venezuela's new president restore its democracy?
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(MUSIC)

PITA: You're listening to 5 on 45 from the Brookings Podcast Network, analysis and commentary from Brookings experts on today's news regarding the Trump administration.

BAHAR: Hello. My name is Dany Bahar and I'm a Rubenstein fellow at the Global Economy and Government program here at Brookings. Venezuela has a new president, his name is Juan Guaidó, his mandate according to the Constitution is to serve as Interim President until a new presidential election is held. Yesterday, President Trump recognized Guaidó as the legitimate president of Venezuela. And so, did Canada, Argentina, Brazil, Colombia, Chile, Ecuador, Peru, and Paraguay, among others. Here's the catch. There is another person sitting in the presidential palace. His name is Nicolas Maduro. He's the ex-president the country, though Maduro thinks he's still the president.

This is confusing right? Well here's a story. Maduro has been pressing on since 2013 when Chavez appointed him as his successor following his death. His term ended January 10th of this year, just over two weeks ago. Maduro was declared a winner of the presidential elections that took place in Venezuela this past May. But those elections weren't free and fair. The Venezuelan people and a significant portion of the international community did not accept the results of those elections. Maduro and his inner circle didn't really care about that and decided to do a fake swearing in ceremony presided over by the Supreme Court, known for its impartiality always favoring the executive branch, and not by the National Assembly as required by the Constitution. So, as January 10th arrives Venezuela had no president elect to be sworn into office. What to do in this case? Well, the Venezuelan Constitution states in Article 233 that if there is no president elect. Then the president of the National Assembly should and must take over as interim president. Venezuela being a democracy a long time ago there aren't free or fair elections. There is no independence of institutions. There is no free speech. There are political prisoners. There is repression on public protest. And access to social programs is to a large extent

determined by party affiliation. On top of that, there is a full-blown humanitarian crisis which has resulted in the largest migrant and refugee crisis that the hemisphere has seen, with over 3 million Venezuelans who have fled the country in only the past three years. But there is one only one element that is left in the structure of Venezuela executions that have become more relevant this week more than ever. The National Assembly Venezuela's legislative branch. The National Assembly was elected in 2015 in what is considered the last semi-fair elections the country had. The opposition had won by a landslide with two thirds of the seats. But ever since then the Supreme Court with justices appointed by the government. Through crook procedures has done nothing but invalidating the decisions and actions made by the National Assembly stripping it of all authority, making its power essentially powerless. However, even if powerless, the National Assembly and its members has thrived as the main stage from where the weakened opposition many of which its leaders have been debilitated to run for office, jailed, and even exiled, has kept up the struggle against the regime. In early January of 2019 they elected a newly their shape naming Juan Guaidó, a relatively less known figure on Tilden as its president. Guido has emerged as a unifying figure that the opposition needed in order to remain relevant.

Following January 10th after Maduro went ahead with an illegitimate swearing in ceremony Guido called for a national walking out day on January 23. The date has symbolism for Venezuela. Back in 1958. that was a date that the dictatorship of Marcos Perez Jimenez was overthrown and Venezuela went back to a democracy. So, it was yesterday in January 2019 when hundreds of thousands of Venezuelans took the streets, repudiating Maduro and his regime when Juan Gweedore was sworn in as interim president of Venezuela in front of the crowds. This move provides a path to restore democracy while also pressuring the regime and its inner circle to give up power. Minutes later the U.S. and many other countries in the Americas recognize Guido as President,

with the notable exception of Mexico. Other governments around the globe follow suit. The European Union has yet to declare a straightforward recognition. These recognitions go beyond symbolic declarations. In particular when it comes to the U.S. their recognitions might provide the Venezuela opposition powers that could be significant in their struggle to restore democracy unconstitutional order. For instance, if the US government recognizes Guaidó as President of Venezuela, perhaps the new Venezuelan government could appoint an ambassador in Washington. In fact, Guaidó has already appointed an ambassador to the Organization of American States who has recognized the move. The recognition also has obligations on other fronts that would require a deeper interpretation of U.S. laws. President Guido and his team could perhaps manage the assets on U.S. soil, owned by the Venezuelan state, such as Citgo, for example. Perhaps, President Guido and his team could also negotiate with bondholders who hold Venezuelan sovereign debt, which will need restructuring sooner rather than later. In fact, the International Monetary Fund said that if there is a wide recognition of Guaidó was president by the international community they would be willing to negotiate a recovery program with the interim government, which will be essential to rebuild the country.

In order for the Venezuelan people to restore freedom and democracy though there seems to be one part of the puzzle that is still missing: The military. The Venezuelan armed forces over the past 20 years have gone through a process of ideological indoctrination by Chavez and Maduro. Defying their constitutional role, they've declared loyalty to Maduro and the "revolution." In other words, Maduro is able to remain in power despite the humanitarian crisis he has emerged a country into and his very low popularity because the military has protected him and his inner circle. But this goes beyond ideology and loyalty. It is reported that the military, especially the higher ranks are highly involved in all the corruption schemes happening at the highest levels of government. The hope of many is that the military will for once step up and do their part in restoring constitutional

order which was broken years ago. President Guaidó and the National Assembly have been creating necessary conditions for these to happen. For instance, by legislating amnesty and transitional justice laws. This is by the way consistent with what my Brookings colleagues Ted Piccone, Harold Trinkunas, and myself suggested on opposing note on this matter which was released last fall and is available on the Brookings website.

All in all, the move by President Trump to recognize one way though as legitimate interim President of Venezuela is a step in the right direction. For the struggle towards freedom and democracy in the country. Of course, s move of the sword definitely raises more questions than answers. Yet it also provides hope to millions of Venezuelans in the country and around the world, many of them refugees who have fled since 2015, that democracy could soon be restored in Venezuela.

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