

# Democratization



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**Juan Miguel Matheus**

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# The resilience of the Chavista Revolution

Juan Miguel Matheus

At the end of September 2019, Diosdado Cabello –second in command of the Chavista Revolution and active Captain of the Army– returned to Venezuela after making a “state visit” to the Democratic People’s Republic of Korea. During his stay, he held an official meeting with Choe Ryong-hae (President of the Supreme People’s Assembly), visited Pyongyang children’s food factory, met with the high hierarchy of the Worker’s Party of Korea (WPK), and went to the Grand Monument on Mansu Hill to participate in a floral offering before the statues of Kim Il-sung and Kim Jong Il. After his return to Caracas, Cabello explained the details of his trip through Asia in his weekly television program called *Con el mazo dando*. He said: In North Korea, they have managed to resist and move on. We have to do the same; we have to learn. How many lies are told about North Korea! What we saw is extraordinary: people in resistance.

Diosdado Cabello’s words are eloquent. They express the admiration produced by the triumph of autocracy. But, above all, they reflect the intentions of domination of the Chavista Revolution. The XXI Century Socialism is an autocratic project that aspires to perpetually hold power<sup>1</sup>. The internal or external conditions

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1 Francisco Plaza, “Beyond Tyranny: The Totalitarian Spirit of the Venezuelan Regime”, *The Political Science Reviewer* 42, No 1, (2018): 1-33.

that threaten the Revolution do not matter. Revolutionaries must prevail permanently. Nicolás Maduro, Diosdado Cabello, and the men and women of the Chavista regime are able to react with any measure -legal or illegal- to safeguard the inherited power of Hugo Chávez. *Resisting* means -in the Chavista order- preserving power at all costs. *Resisting* is the operation through which conditions to remain uninterruptedly in power are deepened.

But in the field of politics, wishes do not always come true. Throughout history, hundreds of autocrats have wanted to resist in the exercise of power until they die. And yet, they have been defeated by forces of freedom. Therefore, the permanence of *Chavismo* in power generates some questions that challenge the understanding of both social science scholars and politicians: why has the Chavista Revolution not yet fallen? What are the causes that truly explain the “resistance” capacity of the Chavista Revolution? What are the autocratic peculiarities that, until now, have allowed the regime inaugurated by Hugo Chávez to remain in power for more than two decades, amid circumstances that seem radically adverse?

The purpose of this article is to explore the causes that make the permanence of *Chavismo* in power possible. For this, the following premise is taken: the resistance of the Revolution led by Nicolás Maduro exceeds the ability to rebalance of a traditional autocracy. On the contrary, it is a conglomerate of factors that, as a whole, I have called *autocratic resilience*.

In the first part of this article, I will analyze the concept of autocratic resilience, as well as other concepts connected with it. In the second part -the most extensive- I will describe the mechanisms through which the autocratic resilience of the

Chavista Revolution materializes. And finally, I will briefly refer to some ideas as a conclusion.

### **The Autocratic Resilience of the Chavista Revolution**

The answers to the questions stated in the previous section are complex. However, Diosdado Cabello's words provide an important clue that, although insufficient to explain the whole reality, allows us to better understand how Chavismo's resilience mechanisms operate to preserve power. In a sense, Cabello points out that the Revolution (i) resists threats, (ii) learns from threats and (iii) reconsolidates itself to continue exercising power. And that is precisely the political process that in this article is called *autocratic resilience*. As Trinkunas<sup>2</sup> and Bautista de Alemán<sup>3</sup> pointed out, the Venezuelan opposition and the international community frequently underestimate the fact that the Chavista Revolution not only resists, the Chavista Revolution is resilient.

The statement above involves four interrelated concepts: (i) *state of revolutionary need*, (ii) *autocratic learning*, (iii) *autocratic gradualness* and, finally, (iv) *autocratic resilience*.

(i) *State of revolutionary need* is understood as the set of economic, political, social, international, and military circumstances under which all measures (legal or illegal) are activated and justified to ensure the subsistence of the Revolution; and, particularly, its permanence in power. Examples of a state of revolutionary need are the power vacuum that occurred in April 2002, when Chávez

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2 Harold Trinkunas, "The Tragedy of the Venezuelan Opposition. Why It's Been Unable to Effectively Challenge Maduro", *Foreign Affairs*, (January 5, 2018).

3 Paola Bautista de Alemán, "Bolivarian Revolution and the Development of the Gangster State in Venezuela", *Democratization*, (September 2019).

resigned from the Presidency of the Republic and lost power for a few hours; the referendum to submit the constitutional reform of December 2007 to popular consideration, which was lost by the Revolution and won by the democratic forces; the institutional and street conflict of 2017, which showed the most repressive and brutal face of the Chavista regime; and the emergence of the parliamentary government and the interim Presidency of Juan Guaidó in 2019. All of which have been critical junctures for the Revolution, in which it has been threatened existentially and, therefore, has deepened its processes of autocratization in order to last in power.

(ii) Secondly, and in connection with the state of revolutionary need, there is what is referred to as the *autocratic learning* capacity of the Chavista regime. From each situation of need faced by the Revolution, an “autocratic cure” emerges to reverse the circumstances that put the power of Chavism at risk. In this sense, learning higher levels of autocratization. Therefore, autocratic learning is a political pathology in itself. It is a skill of perverse and Machiavellian character that has as its most cynical expression the refinement of the modes of domination and authoritarian exercise of power with very high levels of impunity.

(iii) As a third concept, the *autocratic gradualness* or the *gradual nature of the autocratic operation of Chavismo*<sup>4</sup> is addressed. The Chavista Revolution acts on a principle of *economy of injustice*. It is not about the well-known principle of economy of violence by Niccolò Machiavelli<sup>5</sup>, according to which, when adversaries and enemies must be harmed (committing injustice), it must be done

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4 Juan Miguel Matheus, “The Gradual Nature of the Dismantling of the Rule of Law in Venezuela”, *Democratization*, (October 2019).

5 Sheldon S. Wolin, “The Economy of Violence”, *The Prince, Niccolò Machiavelli* (New York: W.W. Norton & Company, 1992), 169-177.

regarding all and all at once. Certainly, Bolivarian revolutionaries are deeply Machiavellian. They know no moral limits when it comes to implementing any means, lawful or not, that allows them to maintain power. But the principle of economy of injustice of the Chavista regime is the opposite. It does not consist of displaying all the iniquities that are possible in reality, but in *undertaking as much injustice as necessary to guarantee or satisfy its purposes of preservation of power*, after verification of a state of revolutionary need and an autocratic learning lesson. In this sense, the very nature of this principle of action in the Chavista and Caribbean way lies in a consequent implementation of injustice<sup>6</sup>.

(iv) Finally, *autocratic resilience* is addressed. Resilience is the ability a system has to recover its initial state once the disturbance to which it has been subjected ceases. Autocratic resilience is, therefore, the ability of an authoritarian regime to regain its initial state of stability before being subjected to a state of need, and after going through an autocratic learning process to find ways to rebalance itself by putting the exercise and maintenance of power out of danger. *Mutatis mutandi*, and turning to a simile from

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6 Note that the phenomenon described includes within itself a criterion of autocratic energy savings. The Chavista Revolution is capable, as it has shown in so many opportunities over the years, of all kinds of atrocities and injustices. But it is also true that it administers over time its actions contrary to the democratic and legal order, and human rights. The administration of these energies of potential injustices responds to an “autocratic habit” (vice) of modulation and hierarchy of power needs. In that way, both Chávez and his successor Maduro have been potentially capable of every imaginable outrage. But they have led the Revolution to prioritize the injustices that must be perpetrated to remain in power without a rush in the number of injustices producing the opposite effect of putting power at risk.

the health sciences, autocratic resilience is the power to create antibodies against democratizing forces.

Thus, the dynamics of subsistence and preservation of the power of the Chavista regime occurs as follows:

- The state of revolutionary need leads to autocratic learning.
- Autocratic learning leads to autocratic gradualness to devise and implement the means that are necessary to safeguard political power.
- Autocratic gradualness allows resilience (stability, rebalancing) in the exercise of power and in the consolidation of injustice.

This has been the proceeding of the Chavista Revolution since the beginning of its exercise in power, in February 1999, to sustain itself in time.

### **The Mechanisms of Resilience of the Chavista Revolution**

Next, six mechanisms that make the resilience of the Chavista Revolution possible will be explained. They are aspects of reality in which Chavismo acts in a complementary and coherent way to consolidate its power:

- 1. Capacity of Ideological Reconfiguration of the Chavista Revolution.** On December 6, 1998, Hugo Chávez was elected President of the Republic of Venezuela. His immediate antecedent before being a presidential candidate was a military uprising against constitutional democracy: the well-known February 4, 1992, which is the iconic date of the Revolution. This is how he became known by national

and international public opinion. After the failure of the coup attempt, Chávez was arrested. He was subsequently released through the procedural institution of the dismissal of criminal cases and immediately began his rise to power...

Since then, the Chavista Revolution has boasted of being a highly ideological political reality. But the most important element to explain the resilience of the Chavista Revolution is not that it has a specific *ideological configuration*, but that the Revolution has a very high capacity for *ideological reconfiguration*.

*Ideological configuration of an autocratic regime* is understood as the articulation of a set of ideas that acquire a system, worldview, and key character for the interpretation of all reality, which becomes the guide of action that historically justifies the operation of a power structure that is far from justice, and which tends to impose itself -even through violence and lies- on every human person and on all the components of the social body.

And, *ideological reconfiguration of an autocratic regime* is understood, instead, as a readjustment, rearrangement or partial mutation in the basement of ideas that encourage an autocratic regime, which allows zigzags in historical performance. It is an ability to “adapt”<sup>7</sup> that preserves the final redoubt of the initial ideological configuration of the autocratic regime while allowing flexibility of action and adjustment to new circumstances<sup>8</sup>.

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7 Günther Maihold, “¿Por qué no aprenden las élites políticas? El caso de Venezuela”, en *Venezuela en retrospectiva. Los pasos hacia el régimen chavista*, ed. Günther Maihold (Madrid: Iberoamericana -Vervuert, 2007), 113-129.

8 As an example of *ideological reconfiguration of an autocratic regime*, Cuban castrism could be referred to, which continues to be essentially Marxist/



In this sense, the Chavista Revolution was ideologically configured in its origins as a (i) militarist regime, (ii) of Marxist rhetoric, (iii) that aims to achieve the civic-military union of the people and the Armed Forces, (iv) inspired by the doctrine of Simón Bolívar, (v) that has an expansive profile in international relations under the influence of Cuban Castro-communism, (vi) that instrumentally uses simulation of democratic and electoral figures, and (vii) that is sheltered by a populist constitutionalism<sup>9</sup>.

It is worth highlighting that this is an ideological configuration in the Venezuelan way. An ideological combination that is typical of Venezuelan political culture that leaves margins of heterodoxy in the operation on the ground of concrete politics. And it is also true that, among the revolutionaries, a great pragmatism and an uncontroverted chrematistic sense prevail, which has been enhanced with the development of the Gangster State in Venezuela. But each of the elements of the original ideological configuration of Chavismo remains in force. The Revolution has not lost its original ideological identity. In fact, this was reiterated by Nicolás Maduro in 2013 when the second edition of Hugo Chávez's *"El Libro Azul"* was published, which in practice is considered a kind of

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communist. It has preserved the ultimate redoubt of its initial ideological configuration, but subsisting with flexibility of action and adaptation to new circumstances, especially after the decline of the Soviet empire. For an overview of the topic see Max Azicri and Elsie Deal, *Cuban Socialism in a New Century: Adversity, Survival, and Renewal*, (Gainesville: University of Florida Press, 2004).

9 Juan Miguel Matheus, "Ideological Configuration of the Bolivarian Revolution", *Democratization*, (September 2019) 5-39.

ideological compendium of Chavismo<sup>10</sup>. And yet, there is no doubt that Chavismo has been reconfigured to face new circumstances that threaten it, which began to become clearer in 2007 with the “ignition” of the so-called *Cinco Motores de la Revolución*, that has as most relevant feature the claim to educate all Venezuelan citizens in “socialist values”, that is, the inculturation of 21st Century Socialism as a long-term strategy.

In summary: the capacity for ideological reconfiguration brings resilience to the Chavista Revolution.

2. **Gangster State.** Venezuela is today a gangster, failed<sup>11</sup> and partially collapsed State<sup>12</sup>. The Gangster element, however, has primacy within this characterization of the Venezuelan State. The gangster produces black and corrosive economies that weaken or annihilate the formal State<sup>13</sup>. Therefore, in the Venezuelan case, the failed State

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10 Hugo Chávez Frías, *El Libro Azul* (Caracas: Ediciones Correo del Orinoco, 2013).

11 Moisés Naím and Francisco Toro, “Venezuela’s Suicide. Lessons From a Failed State”, *Foreign Affairs* 97, No 6, (November/December 2018): 76-85.

12 Paola Bautista de Alemán, “Venezuela: perspectivas político electorales para un Estado Gangsteril, fallido y parcialmente colapsado”, *Democratization*, (November 2019).

13 The loss of the rule of law has left the Venezuelan state without institutional defenses against organized crime. And this lack of defenses has operated in two directions. Firstly, there is the *centripetal direction*. That is, the push of organized crime from the outside to colonize the Venezuelan State. And the second, the *centrifugal direction* -which is perhaps the most complex, anomalous and defining of the Chavista regime-. It consists of the mutation of the State because the state structures are subjected to a phenomenon of internal transformation that leads to the assumption of criminal nature. In this way, organized crime instrumentalizes the power of the State to expand existentially from the inside out (centrifugal effect) in a process of submitting society to the gangster forms. *Centripetal and*

is a consequence of the Gangster State; which, in addition, generates conditions conducive to political domination through social inequalities and the complex humanitarian crisis.

To better illustrate this, I will resort to three facts that seem anecdotal, but reflect the consubstantiation of the Chavista Revolution with organized crime.

(i) In January 2011, Hugo Chávez asked the European Union and the countries of Latin America to eliminate the Colombian guerrillas from the list of terrorist groups in the world. He said, in the context of his annual address to the National Assembly of Venezuela, that both the Revolutionary Armed Forces of Colombia and the National Liberation Army represent legitimate political projects, which must be respected.

(ii) Years later, in 2019, the National Assembly of Venezuela has denounced that the illegal exploitation and commercialization of gold by the Revolution, that has Turkish distribution networks as final destination, takes place under the military custody of the National Liberation Army, which carries out terrorist activities in Venezuelan territory, especially in the Bolívar State. Moreover, Nicolás

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*centrifugal* directions are two ways to connote what authoritative literature has coined under the expressions extropic development and entropic development of the Gangster State. Paola Bautista de Alemán, “Bolivarian Revolution and the development of the Gangster State”, *Democratization*, (September 2019): 65- 71.

The *centripetal leadership* was typical of the state-organized crime relationship in the early stages of the Bolivarian Revolution until 2003. The centrifugal leadership as a manifestation of the state-organized crime relationship is, perhaps, the element that today brings more specificity to the autocratic nature of the Chavista regime.

Maduro granted the administration of a gold mine to each Governor of State belonging to the United Socialist Party of Venezuela (PSUV)<sup>14</sup>. It is a gold exploitation with which Maduro has perfectly linked the formal power structure of the State with the criminal power structure. That is the Gangster State...

(iii) On July 31, 2019, the Department of Homeland Security of the United States of America reported that Tarek El Aissami -Economic Vice President of the Chavista Regime, and whom some consider as the third in command of the Revolution- was incorporated into the most-wanted list by the Government of the United States of America, under the reward of ten million dollars for those who collaborate with his capture<sup>15</sup>. El Aissami also has links to Islamic terrorism and his close relationship with the Recep Tayyip Erdoğan regime is publicly known.

As noted, these three facts demonstrate the Gangster nature of the Venezuelan regime led by Nicolás Maduro. Therefore, Venezuelans do not fight alone against Maduro or against the ruling party. We fight against the whole plot of organized crime worldwide: terrorism, drug trafficking, money laundering, etc. It is not a mere matter of democratic struggle. It is, I insist, a fight against the most sophisticated forms of organized crime.

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14 Asamblea Nacional de la República Bolivariana de Venezuela, *ACUERDO EN RECHAZO A LAS PRETENSIONES DEL USURPADOR NICOLÁS MADURO MOROS DE OTORGAR MINAS DE ORO A LAS GOBERNACIONES*, 22 de octubre de 2019, <http://www.asamblea.nacional.gob.ve/actos/detalle/acuerdo-en-rechazo-a-las-pretensiones-del-usurpador-nicolas-maduro-moros-de-otorgar-minas-de-oro-a-las-gobernaciones>

15 <https://www.ice.gov/most-wanted/tareckZaidanElAissamiMaddah>

On the other hand, but not less importantly, organized crime helps the Revolution, and men and women who support Chavismo, to obtain almost unlimited sources of unconventional financing and to evade the personal sanctions imposed by the United States of America and the European Union.

In summary: organized crime, being highly resilient, gives a great capacity for resilience to Chavismo.

**3. Autocratic Solidarity of the Dictatorial Powers of the World.** Specialized literature has noted that authoritarianism is a phenomenon that tends to globalization in the 21st century<sup>16</sup>. This translates to the development of autocratic solidarity between the dictatorial powers of the world. Russia, China, Turkey, North Korea, Iran, Cuba, and Venezuela form an autocratic framework of mutual support. Among them, autocratic know-how and political support are transferred in multilateral organizations. These are relationships that exceed the traditional schemes of the aligned and not aligned with the United States of America and with the dynamics of military dissuasion and threats. It is an autocratic network that puts together the worst enemies of liberal democracy: organized crime and populism.

The issue becomes more relevant because -in addition to military, economic and intelligence services implications- this autocratic solidarity is transformed into a legitimacy front before institutions of Public International Law that are marketed through propaganda devices as victories

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<sup>16</sup> Larry Diamond, Marc F. Plattner, and Christopher Walker, eds., *Authoritarianism Goes Global: The Challenge to Democracy. A Journal of Democracy Book* (Baltimore: Johns Hopkins University Press, 2016).

of the dictatorial powers. In the Venezuelan case, this becomes evident. I will try to illustrate it with an example.

On July 4, 2019, the Office of the United Nations High Commissioner for Human Rights, Michelle Bachelet, issued a report in which she gathered the conclusions and recommendations arising from the visit by this Office to Venezuela. The report was severely critical against the Chavista regime:

“(...) 76. For over a decade, Venezuela has adopted and implemented a series of laws, policies and practices, which have restricted the democratic space, weakened public institutions, and affected the independence of the judiciary. Although these measures have been adopted with the declared aim of preserving public order and national security against alleged internal and external threats, they have increased the militarization of State institutions and the use of the civilian population in intelligence gathering and defence tasks.

77. This context has enabled the Government to commit numerous human rights violations. The authorities have particularly targeted certain individuals and groups, including members of the political opposition and those perceived as threats to the Government due to their capacity to articulate critical positions and to mobilize others. This targeted repression manifests itself in a multitude of human rights violations, which may amount to persecution on political grounds. These violations

require further investigation to determine relevant State and individual criminal responsibility”<sup>17</sup>.

But despite the content of the report, the dictatorial powers of the world exercised their autocratic solidarity to downplay the matter. On October 17, 2019, the Venezuelan State headed by Nicolás Maduro was elected member of the Human Rights Council of the United Nations system.

In summary: the solidarity of the dictatorial powers of the world endows the Chavista Revolution with resilience.

- 4. Regional political instability.** Despite efforts to neutralize populism, it erodes constitutional democracy all over the world<sup>18</sup>. The “populist signs of democratic deconsolidation”<sup>19</sup> easily become “the death of democracy”<sup>20</sup>. This reality especially threatens Latin America today. The last quarter of 2019 was marked by the social and economic upheaval of several South American countries. The democratic encouragement that marked the region after the death of Chávez<sup>21</sup> threatens to fade away. Even consolidated democracies

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17 Office of the United Nations High Commissioner for Human Rights, *Report of the United Nations High Commissioner for Human Rights on the situation of Human rights in the Bolivarian Republic of Venezuela* (4 de julio, 2019). Available in <https://www.ohchr.org/sp/newsevents/pages/DisplayNews.aspx?NewsID=24788&LangID=S>

18 Larry Diamond, *Ill Winds: Saving Democracy from Russian Rage, Chinese Ambition, and American Complacency* (New York: Penguin Press, 2019).

19 Roberto Stefan Foa and Yascha Mounk, “The Signs of Desconsolidation”, *The Journal of Democracy* 28, No 1, (January 2017): 5-16.

20 Steven Levitsky and Daniel Ziblatt, *How Democracies Die* (New York: Crown, 2018).

21 Miriam Kornblith, “Latin America’s Authoritarian Drift: Chavismo After Chávez?”, *The Journal of Democracy* 25, Issue 3, (July 2013): 47-61.

such as Chile are jeopardized by large waves of protests and growing popular demands for political and social vindications, under the menacing ghost of Bolivarian constitutionalism<sup>22</sup>. Signs of democratic deconsolidation appear in Colombia, Peru, Ecuador, and Argentina. And although in Bolivia President Evo Morales resigned after a questioned presidential election, it seems that Latin America is placed in the prelude of new times similar to those of the victorious diplomacy of Hugo Chávez<sup>23</sup>.

Given that situation, Nicolás Maduro claimed the paternity of regional political instability. On October 20, 2019, he declared the following at the closing of the *First Congress of Communes, Social Movements and Popular Power*, organized by the parties related to the São Paulo Forum: "I can tell the São Paulo Forum, from Venezuela: we are fulfilling the plan, São Paulo Forum. The plan goes as we made it. The plan is perfect. You understand me, Sao Paulo Forum, the plan is in full swing".

The above has some practical implications, which should be noted. The first is that the focus of the free world countries that want to combat populism is blurred in the Latin American map. Until a few months ago attention was focused on Venezuela. But today attention should be paid to countries such as Colombia and Chile.

The second is the loss of operation and effectiveness of international bodies created *ad hoc* in the region to face

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22 Mark Tushnet, "The New Bolivarian Constitutions: A Textual Analysis", en *Comperative Constitutional Law in Latinamerica* (Cheltenham, Uk-Northampton, USA: Elgar, 2017), 126-152.

23 Javier Corrales, "Hugo Boss", *Foreign Policy*, No 152, (February 2006): 32-40.



Chavismo. The Lima Group, for example, has been limited in its recent initiatives. The countries that comprise it must address their own domestic problems. In addition, the United States of America and the European Union lose interlocutors in the region to address the Venezuelan problem.

The third implication is the success of the Chavista regime in isolating itself from the inter-American system in the context of a region that begins to be threatened by populism with renewed intensity. The Chavista autocracy expands to countries of the American continent and challenges the institutionality of Public International Law to protect human rights and to guarantee international conditions that make democracy possible. Venezuelan experience shows that isolation and autarchy of a regime that has dismantled the rule of law within the framework of the inter-American democratic system are possible<sup>24</sup>.

In summary: regional political instability is a nutrient of populism that brings resilience to the Chavista Revolution.

5. **New Sources of Appearance of Legitimacy.** One of the defining aspects of the Chavista Revolution is its ability to permanently simulate new forms of legal and democratic

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<sup>24</sup> As has been said before, in the context of the institutionality of the United Nations system things happen differently. While in the inter-American democratic sphere the Chavista Revolution is rejected institutionally and, therefore, proceeds to be isolated autonomously, in the United Nations system, on the other hand, the Chavista regime is not entirely institutionally rejected and, therefore, does not proceed to be isolated, but to act to obtain autocratic solidarity from the dictatorial powers of the world and to get the appearance of legitimacy of said system. This was fully evident when, as I have already mentioned, after the harsh Report of the United Nations High Commissioner for Human Rights, Michelle Bachelet, the Venezuelan

legitimacy. This is what Javier Corrales has called “autocratic legalism” to punctuate the “legal” reaction of the Revolution to situations of instability, and that leads it to mutate internally, going from being a hybrid regime to a regime of absolute autocratic nature<sup>25</sup>. For this purpose, it uses entangled interpretations of the legal norms –also the constitutional ones–, it goes to formal acts of organs of the Public Power that are hijacked by the Revolution, such as the Supreme Court of Justice, the National Electoral Council, or the Citizen Power, and uses the State propaganda apparatus to justify the actions through which the dismantling of the rule of law is specified.

The foregoing does not represent a minor detail in the existence and performance of the Revolution. The Chavista regime needs that appearance to meet the demands of legitimacy of internal circles, within the Revolution itself, but also demands of external circles, outside the Chavista autocracy. That is why, for instance, the institutionality and, specifically, the Judiciary, appear to be in a permanent process of restructuring<sup>26</sup>.

Among the internal circles, within which the appearance of legal legitimacy of the regime’s actions is shown, are the government parties, the regime’s intelligentsia and, above all, the barracks: the National Armed Forces, which is the strongest force that sustains Nicolás Maduro today; and

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State of Nicolás Maduro was elected as a member of the Human Rights Council of the United Nations system.

25 Javier Corrales, “The Authoritarian Resurgence: Autocratic Legalism in Venezuela”, *The Journal of Democracy* 26, Issue 2, (Abril 2015): 37-51.

26 On this subject, we recommend consulting Rafael Chavero Gazdik, *La justicia revolucionaria. Una década de restructuración (o involución) judicial en Venezuela* (Caracas: Aequitas, 2011).

this to such an extent that the defeat of Maduro and the holding of free and competitive elections would not seem possible if the civil-military union that holds the regime in power is not broken<sup>27</sup>. Among the external circles are general citizenship, which they intend to surprise in their good faith, the media and, especially, the diplomatic corps and the international community.

However, it seems increasingly difficult to explain and justify the deepening of the gradual dismantling of the rule of law by the Revolution. The installation of the fraudulent National Constituent Assembly, with the collapse of the electoral system that this entailed, coupled with the usurpation of power by Nicolás Maduro by virtue of the electoral scam carried out with the false presidential elections of May 20, 2018, are opaque facts that are hardly explainable in the internal circles and in the external circles of the Revolution. And all this without counting the dramatic and inexcusable violations of human rights that, as I said before, are systematized in the Report of the United Nations High Commissioner for Human Rights, Michelle Bachelet.

In summary: the ability to devise renewed sources of appearance of legitimacy gives resilience to the Chavista Revolution.

**6. Inculturation of the Autocratic Forms of the Chavista Revolution.** *The World Justice Project* publishes an index on the quality of the rule of law in the world every year. This is an individualized analysis by country that includes nine

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<sup>27</sup> Laura Gamboa Gutiérrez, "Why Venezuela's Regime Hasn't Collapsed. Guaidó and What Army", *Foreign Affairs*, (May 30, 2019).

indicators: constraints on government powers, absence of corruption, open government, fundamental rights, order and security, regulatory enforcement, civil justice, criminal justice, and, finally, informal justice (for places where the formal justice system is weak). Since 2014 Venezuela has consistently held the last place in the Rule of Law Index. In 2019, Venezuela appears as number 126/126 in each of the indicators of the study, surpassing countries such as Cambodia, Afghanistan and Mauritania.

This sad reality is not just a set of cold or merely descriptive data. It is, on the contrary, an expression of the worst living conditions to which an entire population may be subjected. The demolition of the rule of law -the absolute absence of justice among human beings- involves material and moral damages that affect all citizens and do not represent problems only related to people linked to the field of Law. As the rule of law index in 2019 refers:

“(...) Effective rule of law reduces corruption, combats poverty and disease, and protects people from injustices large and small. It is the foundation for communities of justice, opportunity, and peace –underpinning development, accountable government, and respect for fundamental rights. Traditionally, the rule of law has been viewed as the domain of lawyers and judges. But everyday issues of safety, rights, justice, and governance affect us all; everyone is a stakeholder in the rule of law”<sup>28</sup>.

In this sense, it is urgent to return justice to Venezuela, because the demolishing of the rule of law is a major

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28 <https://worldjusticeproject.org/sites/default/files/documents/ROLI-2019-Reduced.pdf>

problem, but unfortunately it is not an isolated problem. It is related to other equally burdensome problems for Venezuelans. It is, in a sense, the cause of other problems.

The worst effect of the dismantling of the rule of law is the dismantling of the legal and political culture of democracy. The destruction of the State and the Law is serious in itself. But much more serious is that the Revolution has tried, with the passage of time, to tear down all the democratic containment dikes present in the people of Venezuela and to train a human type -not a citizen anymore- that, although fights for freedom and justice, and intuitively confronts the autocratic regime, has gradually and by force been driven to an autocratic culture. The most pernicious of the dismantling of the rule of law is, therefore, the inculturation of the autocracy of the Revolution, which thus aspires to keep the hegemony of the Chávez regime standing over time.

Thus, the last and highest stage of the reversal of the damage caused by Chavism is the creation of a political culture that makes Venezuelans a human type, citizens, lovers of justice and democracy. The cultural dimension of the revolutionary transformation must be overcome<sup>29</sup>. It is a challenge of turning justice into a culture of rule of law, typical of countries that have suffered repressive regimes<sup>30</sup>. Otherwise, the Revolution will continue to have resilience of a cultural nature. Unfortunately, history teaches that

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29 Manuel A. Gómez y Rogelio Pérez Perdomo, *Cultura jurídica y políticas en Venezuela revolucionaria (1999-2013)* (Caracas: Academia de Ciencias Políticas y Sociales y Universidad Metropolitana, 2015), 21-22.

30 Office of the United Nations High Commissioner for Human Rights, *Rule-of-law Tools for Post-conflict States: Maximizing the Legacy of Hybrid Courts* (New York: United Nations, 2008), 17-21.

societies afflicted by Marxism have a harder time healing the wounds of totalitarianism<sup>31</sup>.

In summary: the inculturation of the Chavista autocracy in Venezuelan society endows the Revolution with resilience.

## Conclusions

The resilience of the Chavista Revolution is an issue that will remain open for new theoretical debates and for new factual findings. Undoubtedly, it is a matter of practical interest for Venezuela and Latin America. But at the same time, it is a crucial issue for the entire world because the problem of autocratic resilience is a universal obstacle to the consolidation of liberal democracy.

Perhaps the Venezuelan case especially calls attention because of the noise caused by the Chavista Revolution today, and also because it is an enclave of encrusted autocratic resilience in the western hemisphere. However, autocratic resilience has freely campaigned for decades in countries such as Russia, China, Iran, and North Korea. And it keeps on going...

The challenge for the world's democrats is to undertake a double task. On the one hand, to better understand the interaction of the mechanisms through which autocratic resilience operates as an essential aspect of authoritarian nature and, therefore, as a global reality. And, on the other hand, provide constitutional democracy with institutional components that allow dismantling autocratic resilience to defend freedom.

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31 Vladimir Tismaneanu, "The Legacies of 1989. The Moving Ruins", *The Journal of Democracy* 25, Issue 1, (January 2014): 59-70.

In this sense, I take the Venezuelan case to suggest five conclusions:

1. **Regarding the Interaction of Autocratic Resilience Mechanisms:** the mechanisms through which autocratic resilience operates share feedback and sustain each other. In fact, they complement each other and are fully compatible. Venezuelan experience shows that, for example, the Gangster State is perfectly susceptible of ideologization and can be coated with new appearances of legitimacy. And it also states that the Gangster State is capable of taking deep cultural roots in the core of societies.
2. **Regarding the Universal Scope of Autocratic Resilience:** autocratic resilience is essential. It belongs to the intrinsic way of being of autocracies. This means that every authoritarian regime internally harbors the potential to develop autocratic resilience mechanisms. That is why it is a constant threat on all continents. The resilience of the Chavista Revolution is not due solely to a particular political ingenuity of Hugo Chávez and his heirs. It is, I insist, a consubstantial part of unjust regimes all over the world.
3. **Regarding the Insufficiency of the Democratic Institutionalities to Dismantle Autocratic Resilience:** democratic systems are not prepared to defend themselves against the effects of autocratic resilience, neither at the domestic level nor at the international level. This is demonstrated by the Venezuelan case.

As for the domestic level, the Venezuelan experience shows that the domination of the people is possible to the

point where they cannot free themselves. In other words, the influence of the Chavista Revolution -gangster and depositary of the autocratic solidarity of the dictatorial powers of the world- turns the struggle for the democratic liberation of Venezuela into something asymmetrical: while the Chavistas have the whole apparatus of organized crime on the planet to sustain themselves in power, and also the support of Russia, China, North Korea, Turkey and Cuba, the people of Venezuela have the valuable, but weak and limited support of the world's democracies and Public International Law mechanisms.

Thus, at the international level, the free world must observe the Venezuelan process to build new mechanisms of Public International Law that allow safeguarding nations from emerging autocracies. No country -no matter how strong its institutions are and how mature its political culture is- is vaccinated against autocracy or against populism.

The fight against autocratic resilience must be joint (all countries of the free world) and more effective. For this, new constitutional (domestic) and Public International Law (international) mechanisms must be created to stop organized crime and populism, without the latter hiding with impunity under the disguise of "respect for national sovereignty". Unfortunately, the crusade against organized crime and populism is global. Just as there is autocratic learning, there is also pro-democratic learning... and the free world must develop it more quickly.

- 4. Regarding Autocratic Resilience and Political Change:** the autocratic resilience of the Chavista Revolution makes this a structure not very prone to internal democratizing reforms. The exit and democratization costs of the regime's



officials are higher than in a traditional dictatorship. It is not only about the interest of safeguarding personal freedom from possible punishments for human rights violations, or of preserving fortunes resulting from corruption. The resilience of the Chavista Revolution leads to adding ideological obstinacy to those interests, that is, the firm determination to die in power. This also leads the dictatorial powers of the world and organized crime to, due to their dark interests, spare no effort to keep Chavismo on its feet.

In this sense, autocratic resilience –also in the case of the Chavista Revolution– is an expression of strength. And this means that the antidote to autocratic resilience involves, to some extent, a force component to achieve an internal breakdown in the regime or a real negotiation: popular mobilization, adherence of the Armed Forces to the restoration of the constitutional order, etc.

**5. Regarding the Armed Forces and the Resilience of the Chavista Revolution:** the Armed Forces play a decisive role in the autocratic resilience of the Chavista Revolution. Nicolás Maduro reigns on a throne of bayonets. But the recent Bolivian experience –of Evo Morales’s resignation to the Presidency of the Republic with the consequent call for free elections– makes it clear that the constitutional action of the military components plays an indispensable democratizing role. In the Venezuelan case, although much more complex than the Bolivian one, the Armed Forces can disrupt the autocratic resilience of the Chavista Revolution and tip the balance of history towards democratization.

Therefore, the *Statute that governs the Transition to Democracy*, approved by the National Assembly on February 5, 2019, to

legally channel the process of political change led by Juan Guaidó, provides in article 18 the possibility of initiating the reinstitutionalization of the Armed Forces<sup>32</sup>, which aims to constitutionally integrate the military components in the rescue of the sovereignty and control of the territory of the Republic, in the reconstruction of the Venezuelan State (failed/partially collapsed), and in the dismantling of the Gangster state.

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32 “(...) The National Assembly will issue laws that promote political transition in accordance with article 333 of the Constitution. Such laws shall meet the following objectives: (...) 4. Define policies aimed at effective compliance with article 328 of the Constitution and the constitutional integration of the National Armed Forces in the process of democratic transition” (own translation).

# Conclusions

On Friday, January 31st, Nicolás Maduro attended the Supreme Court of Justice and led the inauguration of the 2020 judicial year. In front of the magistrates of the dictatorship, heirs of those who more than a decade ago shouted “*Uh, ah, Chávez no se va*”<sup>1</sup>, announced the installation of a special commission for the reform of the judiciary power. With this proposal, the dictator expressed his intention to deepen the construction of a justice system at the service of the political project led by himself.

The discursive reality and the actions of the regime seem to show its autocratic progress. In recent months, the dictatorship has not offered signs of flexibility or openness towards democracy. On the contrary, it seems that we are witnessing a process of autocratic perfection based on the consolidation of procedures far from a system of freedoms.

The issue that hereby concludes included articles by Héctor Briceño, Rogelio Pérez Perdomo, Ángel Alvarado and Juan Miguel Matheus, who delved into four topics of special importance for the understanding of the moment previously described: migration, political culture, economic reform and autocratic resilience. To conclude, we can offer three thoughts that stress the dimensions of the transformation that our country will demand in the future:

- 1) *On political culture*: Political culture is a fundamental issue to study political processes. The German author Dieter Nohlen emphasizes its importance and proposes

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1 “Ooh, ah, Chavez will not leave”.

that analyzing contexts can explain how phenomena are developed. The destruction of the democratic culture in Venezuela after twenty years of the Chavista Revolution is remarkable. As Rogelio Pérez Perdomo describes it in his article “Socialist revolutions and law: perceptions and thoughts”, political change is not limited to the fall of one regime and the rise of another. It is a more complex issue that demands years of effort and transformation. Sometimes, those who are immersed in the Venezuelan tragedy lose sight of the dimensions of the damage we have suffered. It is hard for us to understand that Chavismo has entailed a historical leap that separated us from the 21st and threw us back into the 19th century. We fell back more than a century and into the rudimentary Venezuela that had not yet formed the basis for the development of a modern state, the foundations of a professional army nor the democratic mechanisms of citizen participation. We believe it is essential to identify this historical and cultural setback to move forward, with realism and hope, towards democratic transformation.

- 2) *On the autocratic dynamic*: Perhaps one of the most complex aspects of the Venezuelan political process was the identification of the autocratic nature of the Chavista Revolution. Identifying it and cataloging it as a dictatorship took years of struggle. When Hugo Chávez appeared on the political stage at the end of the 20th century, he attracted and enticed curiosity among the national and international public opinion. Populism had not yet emerged as a problem in the world, and many were optimistic while watching the rise to power by electoral means of a military coup that was close to Fidel Castro. An autopsy of the murder of our democracy could allow

identifying populism's mechanisms of political action with the purpose of creating institutional and social antibodies that stop their progress in other latitudes. In this sense, the articles of the deputies Juan Miguel Matheus and Ángel Alvarado serve as a guide that can be used by democratic forces to anticipate the survival of autocracies in the 21st century. Alvarado explains the economic reform capacity of the regime and Matheus, the resilience mechanisms of the Chavista Revolution. Both articles reveal the versatility of those who cling to power without putting limits on the means that allow them to maintain it.

- 3) *On the challenges of democratic liberation*: The particularities of the Chavista dictatorship impose uncertainties and opacities that hinder its understanding. As a new disease that affects the political body, we must reflect on the mechanisms that must be activated to overcome it. In the four editions of Democratization, we have identified dimensions that support its structure of injustice. In future research, we hope to ponder upon them and identify their interaction with the aim of promoting actions that could allow an eventual autocratic liberation.