

Antigovernment protesters clash with police 12 March 2014 in Caracas, Venezuela. Supporters and foes of Venezuelan President Nicolas Maduro took to the streets of Caracas a month after similar rival rallies led to bloodshed in a wave of unrest around the nation. Red-clad sympathizers of Maduro's socialist government held a "march for peace" while opponents wearing white gathered to denounce alleged brutality by security forces during Venezuela's worst political troubles in a decade. (Photo by Carlos Garcia Rawlins, Reuters)

The Venezuelan Crisis What the United States and the Region Can Do

Gustavo R. Coronel

enezuela is a failed state. A humanitarian crisis already exists there and is at imminent risk of becoming a major regional tragedy. For several years, the Venezuelan political, economic, and social situation has been deteriorating under the essentially passive eyes of the United States and most of the Latin American

states. Such passivity has served to intensify a crisis that can no longer be ignored. Further delay in regional action to restore democracy and political and social stability in Venezuela would represent an act of collective irresponsibility. This article describes how Venezuela ended up as a failed state and analyzes the potential role the United

States and the rest of the countries in the region can play in restoring democracy and stability to the country.

1999–2007: From Imperfect Democracy to Dictatorship

In December 1998, Hugo Chávez was elected president of Venezuela. Seven years earlier, in 1992, he had unsuccessfully tried to reach power through a bloody military coup that had been years in the planning. Once in power by electoral means, Chávez rode very efficiently the wave of discontent with the previous administrations in order to dismantle existing democratic institutions and replace them with new ones loyal to him. During the initial period of his presidency, he was given unconditional support by most of the country, which he utilized adroitly to convert Venezuela into a dictatorship. How he succeeded can be summarized as follows:

14 December 1994. After being released from prison, where he was incarcerated as a result of his failed coup d'état, Chávez visited Fidel Castro in Havana. This visit marked the start of Castro's political mentoring of Chávez. His older brother Adan had already converted to Marxism.

6 November 1998. Legislative and state governor

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elections were held in Venezuela. Candidates endorsed by Chávez obtained eight governorships and eighty-seven seats in Congress, but non-Chávez followers obtained a clear majority, fifteen governorships and 168 seats in Congress.

6 December 1998. Chávez was elected president.

2 February 1999.
During his presidential inauguration ceremony, Chávez violated the traditional oath of office. When asked, "Do you swear before God and the fatherland to fulfill the duties of

Constitutional President, to obey and promote obedience to our Constitution?" he replied [author's translation], "I swear before God and the Fatherland, before my people and over this moribund constitution, that I will promote the transformations required for the new republic to have a new constitution adequate to the times."

Immediately after his inauguration, he issued a presidential decree to convene a Constituent Assembly that not only would draft a new constitution but also would "transform the state and create a new judicial order based on a different model of government to the existing one."²

10 March 1999. To elect the representatives to the Constituent Assembly, the rules for proportional representation of minorities were replaced by Chávez in favor of a winner-take-all type of election. This arbitrary change in the rules made it possible for Chávez to obtain 96 percent of the seats in the assembly with the support of only 30 percent of the registered voters.

April 1999. In a letter to the Supreme Court of Justice, Chávez claimed, "Only the President had exclusive authority over the management of State affairs," and threatened the magistrates with popular retaliation if they did not rule in line with his wishes.³

August to September 1999. The Constituent Assembly, under control of Chávez, established its own bylaws, which included supraconstitutional powers. On 8 September, the assembly designated an "Emergency Commission for the Judicial Power" that summarily dismissed all national judges and named provisional replacements, many of whom are still provisional seventeen years later.

22 December 1999. The Constituent Assembly decreed the elimination of all existing public powers: the National Congress, the Supreme Court of Justice, the National Electoral Council, the attorney general, and the general comptroller. A report by the Organization of American States' Inter-American Commission on Human Rights concluded that this measure "weakened the validity of the constitution and prevented the proper constitutional designation of the proper authorities of the Venezuelan powers."

30 December 1999. A new Venezuelan constitution was approved by the Constituent Assembly, written by Chávez's followers and giving him inordinate powers.

25 February 2001. The Inter American Press Association and the Committee to Protect Journalists denounced Chávez for the lack of freedom of expression



in Venezuela, claiming he was violating the Universal Declaration of Human Rights and the Inter-American Democratic Charter.⁵

8 November 2001. The Military High Command made public its support to the Chávez revolution, in violation of the constitution that did not allow political pronouncements by the military.

12 December 2002. The Inter-American Commission on Human Rights urgently requested that the Organization of American States (OAS) act against the deterioration of the rule of law in Venezuela.⁶

15 December 2002. In his television program *Alo Presidente*, Chávez instructed military members, governors, and public employees to ignore judicial rulings that would contravene his presidential decrees.

February to March 2003. Chávez fired about eighteen thousand managers and technicians of the state-owned petroleum company who had gone on strike to protest the politicization of the management of the company.

14 May 2004. The Venezuelan National Assembly, by simple majority, which was in violation of the law, revised

Representatives of the member states of the Organization of American States (OAS) vote to suspend membership of Honduras at a special general assembly 5 July 2009 at the organization's headquarters in Washington, D.C., following the coup d'etat that expelled Honduran President José Manuel Zelaya from power. The OAS voted to readmit Honduras 1 June 2011 after Zelaya was permitted to return from exile. Similar measures could be initiated against Venezuela (although many Caribbean states in the OAS still support Venezuela in exchange for oil subsidies). (Photo courtesy of the Presidency of the Nation of Argentina)

the structure of the Supreme Tribunal of Justice, expanding it from twenty to thirty-two members to guarantee a Chávez majority. Human Rights Watch claimed that this move eliminated the autonomy of the judicial power.⁷

June 2005. The Venezuelan National Assembly changed the rules of the Venezuelan Central Bank, allowing Chávez to use up to \$5 billion of the country's international reserves for current government expenditures.

January 2007. By this time Chávez had nationalized telecommunications and power utilities, taken over foreign oil company activities, ended the autonomy of the

Venezuelan Central Bank, and disbanded all government political parties to form one single party.

2007–2012: Absolute Power Leads to Unprecedented Corruption

By early 2007, total political power was firmly in the hands of Chávez. During this period of increasingly authoritarian rule, the management of Venezuelan national wealth went from unsatisfactory to chaotic. Oil income had been steadily increasing. In 1998, the average price of oil had been \$10.57 per barrel; in 2007, it was \$64.74 per barrel; and, in 2008, it jumped to \$86.48 per barrel, staying at around that level until 2012. During this sixyear period, Chávez had access to about \$500 billion in oil income, and he utilized this extraordinary windfall to consolidate his political power at home and abroad. By 2009, close to \$40 billion had already been distributed by Chávez to foreign governments in order to buy political loyalties.8 By 2012, the amount of handouts abroad had increased to no less than \$150 billion, particularly to Castro's Cuba, since one hundred thousand barrels per day of Venezuelan oil were being sent to Cuba, to be paid back in sports training, medical services, and other services. This arrangement allowed the Castro government to send some fifty thousand Cubans to Venezuela, many of whom went to control strategic areas of Venezuelan public administration, including identification and economic matters. Chávez instituted a system of domestic handouts that put money in the pockets of the poor but did not solve the structural problems of poverty.

I have documented some of the most notable cases of Chávez corruption during this period in two papers. In a summarized version of those papers, I described how Venezuela had been subjected to an unprecedented level of corruption, placing the country among the twelve most corrupt countries in the world in the Perception of Corruption Index prepared every year by Transparency International.¹⁰ The concentration of decision making in a very small government oligarchy inevitably led to a total breakdown of transparency and accountability in the country. Corruption was, arguably, the only component of Chávez's political system that became more democratic since, in contrast with the dictatorships of the past, where the exercise of corruption was the privilege of the few, Chávez allowed his followers to share, in various degrees, the oil income "piñata" that should have been used for the benefit of all Venezuelans. In replacement of the

traditional Venezuelan middle class, a new and corrupt chavista social class rapidly emerged, made up of government bureaucrats, friendly contractors, relatives, and armed forces officers.

Most corruption was generated in four main areas of government: the presidential palace, the oil enterprise, the military, and the finance ministry.

Presidential Level. At this level, the nature of corruption was mostly political, although significant amounts of cash were kept without control at the presidential palace, to be utilized as necessity dictated.

The presidential palace was the place where violations of the constitution were decided and the president exercised his abuse of power. In the palace, Cubans controlled sensitive intelligence matters, illegal financing of foreign electoral campaigns occurred, bribes of friendly leaders in the hemisphere were allocated, and political strategies were agreed upon with brotherly dictatorships in Cuba, Belarus, Syria, Iran, Libya, and Zimbabwe, and with authoritarian regimes in Argentina, Bolivia, and Nicaragua.

Petroleos de Venezuela (PDVSA). By 2008, PDVSA was no longer a conventional oil company but a "social" company engaged in diverse businesses that ranged from importing and distributing food to building low-quality housing. Contracts without bidding were often assigned to friends of the regime. Kickbacks became customary. The management of the company and the national comptroller systematically ignored PDVSA's scandals, such as the 2010 contracting of the offshore drilling rig Aban Pearl to a ghost company, rampant overpricing in procurement contracts to benefit contractors and company insiders, and the illegal use of the employee's pension fund for speculative purposes. The president of the company, Rafael Ramirez, was also the minister of energy and petroleum, and he systematically diverted PDVSA's funds from the company into the pockets of the executive branch, to be used without accountability. By 2012, PDVSA was deep into debt in spite of high oil prices, since its income was diverted to partisan political activities. Due to lack of proper infrastructure investment, oil production and the condition of plants and equipment had deteriorated significantly, causing refinery accidents and numerous oil spills due to leaking pipelines.¹¹

The Defense Ministry and the National Guard. A 2009 report by the U.S. Government Accountability Office to the U.S. Congress reported increasing corruption among the Venezuelan military, especially

the national guard.¹² Corruption, said the report, had reached the ministerial level of the government. In particular, the links of the Venezuelan military and the Colombian terrorist and drug trafficking group known as the FARC (Revolutionary Armed Forces of Colombia) had been clearly established, as proven by the contents of the laptops belonging to deceased FARC leader Raul Reyes. The U.S. government named three high members of the government as drug kingpins for providing material support to the FARC. Gen. Henry Rangel Silva, Gen. Hugo Carvajal, and former Minister of the Interior Ramon Rodriguez Chacin are still active members of the Venezuelan regime.

Ministry of Finance. The management of Venezuelan finances from 2007 to 2012 was chaotic. Utilizing the mechanisms of dual exchange rates and exchange controls without transparency, finance ministers, officers and friendly bankers and brokers became instant millionaires. Parallel financial funds were established and operated without accountability and received billions of dollars, much of which ended up in the pockets of members of the regime. By eliminating the autonomy of the Venezuelan Central Bank, international reserves were diverted into the hands of the executive branch, in order to be used for current expenditures and for political purposes.

2012–2016: Venezuela Becomes a Failed State

After the death of Chávez in either December 2012 or early 2013 (Venezuelans have never known the exact date or cause of death), former Finance Minister Jorge Giordani denounced the manner in which the huge loans received from China had been largely utilized to finance the Chávez presidential campaign in 2012, when he was already a dying man and clearly incapable of surviving another six-year term as president. Giordani admitted that the electoral victory of Chávez had been obtained thanks to a significant portion of the \$60 billion in loans received from China and to the use of inorganic money (paper currency without gold backing) printed by the Venezuelan Central Bank.¹⁴ Although victorious, Chávez was dying, and before leaving Venezuela to be treated in Cuba for the last time, he asked Venezuelans to accept Nicolas Maduro as his replacement. Acting on his wishes, the regime violated electoral regulations in order to designate Maduro as a candidate. His narrow electoral victory

over the opposition candidate, Henrique Capriles, was so murky that the United States withheld recognition of the new government. U.S. Secretary of State John Kerry demanded a recount. ¹⁵ Fearing a massacre of civilians if he took to the streets, Capriles ceased in his claims of fraud, and the United States was left without basis to keep challenging the results of the election.

Under Maduro's presidency (2013 to 2017), Venezuela has been almost totally destroyed. Consider this evidence:

- According to former Secretary General of the United Nations Ban Ki Moon, Venezuela is in a state of humanitarian crisis, with food and medicine severely restricted and thousands of Venezuelans leaving the country by land, air, and sea.¹⁶
- Medicine sent to Venezuela by charitable organizations is not allowed to enter the country, or it is confiscated by regime customs agents for their own purposes.¹⁷
- Inflation is at 500 percent, the highest in the world. 18
- The national murder rate is at some fifty-eight deaths per one hundred thousand inhabitants, the second highest rate in the world, while the murder rate in Caracas is 119 deaths per one hundred thousand inhabitants.¹⁹
- Large gangs of armed criminals called "colectivos" control large areas in the capital city of Caracas.
 In other cities, they are engaged in war with the armed forces.
- In 2015, Venezuela was listed as the ninth most corrupt country in the world by Transparency International.²⁰
- Venezuela was rated by the knowledge web-portal globalEDGE as having "the highest-risk political and economic situation and the most difficult business environment. Corporate default is likely."²¹
- PDVSA, the state oil company, has suffered a production drop of about eight hundred thousand barrels per day since 1998.²² The country needs the price of oil to be at least \$80 per barrel to make ends meet, but the price of oil remains much lower than that, and no relief is in sight.
- About a dozen high level members of the government, including ministers, generals of the armed forces, and state governors, have been named by the U.S. government for violating human rights or for engaging in drug trafficking.



- Members of the Venezuelan armed forces at all levels, including those in the National Guard and the Army, are significantly involved in drug trafficking, while the High Military Command is openly backing the unconstitutional government of Maduro. Diosdado Cabello, considered the number two man in the government hierarchy, has been denounced as being the czar of the Venezuelan military drug cartel by a former bodyguard who is currently in the United States as a protected witness.²³
- Two nephews of Maduro, raised by his wife, Cilia Flores, have been convicted in a New York court of drug trafficking. They were holding Venezuelan diplomatic passports and enjoyed a lifestyle only possible as a privileged member of the Venezuelan regime.
- The Supreme Tribunal of Justice is completely made up of Maduro's followers. The president of the Tribunal, Maikel Moreno, was arrested in 1987 for murder.²⁴
- The Supreme Tribunal of Justice has systematically invalidated all activities of the Venezuelan National Assembly, duly elected in December

Antigovernment protesters demonstrate 16 March 2014 in Caracas, Venezuela, in part to protest the dominant Cuban influence on the Venezuelan government. Venezuelan President Nicolas Maduro warned protesters to clear a main square in Caracas or face eviction by security forces. Plaza Altamira, in upscale east Caracas, was the focus of antigovernment protests and violence during six weeks of unrest around Venezuela that killed twenty-eight people. (Photo by Tomas Bravo, Reuters)

2015, to the point that opposition lawmakers denounced the actions as "a rupture of the constitutional order" in the country, and the secretary–general of the OAS, Luis Almagro, "threatened to invoke the Inter-American Democratic Charter, which could lead to sanctions being imposed on Venezuela."²⁵

These and other components of the current Venezuelan political, economic, and social situation characterize the country as a failed state, defined as "a nation in which the government has lost political authority and control and is unable to fulfill the basic responsibilities of a sovereign state." The only entities still working in an organized manner are the police and

the armed forces, which are engaged in the repression of Venezuelan citizens.

What Can the United States and the Region Do to Help Venezuela?

Given that Venezuela is a failed state, what can be done to help the country to regain democracy, respect for human rights, and political and economic stability? There is a deeply ingrained tendency in Latin America to refrain from intervention in the internal affairs of other countries, mostly because intervention has led in the past to violations of the sovereignty of weaker states at the hands of stronger states. However, since 2011, the OAS has incorporated as a fundamental part of its mission the provisions of the Inter-American Democratic Charter, which will allow the OAS to intervene in a country when democracy and the rule of law are seriously threatened.²⁷ Consequently, the work of the OAS has become very difficult because of these seemingly opposite mindsets: intervening as required by the Inter-American Democratic Charter versus the tendency to adhere to the older, deeply ingrained doctrine of nonintervention.

This apparent contradiction has been skillfully exploited by member countries that oppose intervention in another country for ideological reasons or because of economic interests. This has been the case in Venezuela during the last decade. Countries friendly to the Venezuelan regime's ideology, or countries that have been beneficiaries of the Chávez financial largesse such as Cuba, Nicaragua, Bolivia, Argentina, Uruguay, Honduras, and some of the English-speaking Caribbean countries, have integrated a bloc in the OAS that has prevented any action against Venezuela. However, the current dramatic economic crisis in Venezuela has contributed to the weakening of this bloc.

The United States and the region at large should be prepared to prevent or to minimize the impact of a political, economic, and social implosion in Venezuela.

What the United States Can Do

In his 2009 inaugural address U.S. President Barack Obama said,

We reject as false the choice between our safety and our ideals. Our founding fathers, ... faced with perils that we can scarcely imagine, drafted a charter to assure the rule of law and the rights of man—a charter

expanded by the blood of generations. Those ideals still light the world, and we will not give them up for expedience sake.²⁸

In the case of Venezuela, Obama's promise was not fully kept. U.S. policy toward Venezuela has not been so much guided by principles as by short-term political interests. In the view of the United States, Chávez and Maduro, although dictators, gave Venezuela a degree of stability that kept the country from becoming a regional problem. The Venezuelan regime kept Cuba subsidized, sending significant amounts of oil to the island, which helped prevent a major stampede of Cubans into the United States. For the United States, it seemed preferable to permit sacrificing some degree of political freedom of Venezuelans for the sake of maintaining a precarious balancing act in the Caribbean. However, the extended life given to the Venezuelan regime by this U.S. posture is generating a humanitarian crisis of major proportions that seriously threatens regional stability. A change of policy must no longer be postponed.

Below are fourteen considerations for U.S. policy that would have a positive effect on Venezuela. The United States should—

- discard direct, unilateral military action as a course of action. The price to pay for such a move would be too high in terms of a loss of prestige and a generation of regional resentment. A military intervention in Venezuela could only be considered as a joint regional action decided by the OAS, or even the United Nations, in response to major internal turmoil with loss of life.
- have no doubt that it is dealing with a dictatorship—with a failed state that was able for a long time to mask its true nature under pseudodemocratic pretenses. This is no longer the case.
- no longer promote a dialogue between the Venezuelan opposition, the victims of the dictatorship, and the regime, since such a dialogue has only served to keep the opposition immobilized while the dictatorial regime maintains its grip on power.
- recognize that a change of political regime in Venezuela is urgent and act to make this possible. In particular, it should demand an immediate electoral solution to the Venezuelan crisis, which would allow a new government to be installed.
- vigorously promote the application of the OAS
 Inter-American Democratic Charter to Venezuela,

- working in close connection with the OAS secretary general and with the countries that have already given indications of pursuing this objective. Sanctions against Venezuela could be economic and political, and they could even include the expulsion of Venezuela from the organization.
- place greater focus during investigations by the Federal Bureau of Investigation, the Drug Enforcement Administration, and Department of Homeland Security on those Venezuelan civil and military members of the regime responsible for violating human rights or engaging in administrative corruption and drug trafficking. Many of those Venezuelans have assets in the United States that are being and should continue to be frozen by the U.S. government. Maximum publicity should be given to these actions since they would give a significant boost to the morale of Venezuelans who are frustrated by the absence of justice in their country.
- publicly warn the Venezuelan regime that abuse and repression of Venezuelan citizens are crimes that the United States does not condone and that are punishable by international law.
- warn Cuba that for the current improvement of relations between the two countries to continue, it should cease intervening in Venezuela. The degree of Cuban intervention in Venezuela has been unparalleled in recent Latin American history, essentially reducing Venezuela to a Cuban political satellite playing the role of a "sugar daddy" to the Castro regime.
- try to persuade China that a change in the Venezuelan political regime would work in its best economic interests. China's continued support of the current regime might create a backlash from future Venezuelan governments that would put their investments in jeopardy. Moreover, the current regime can no longer guarantee the normal development of Chinese investments.
- promote the political and economic isolation of the Venezuelan regime among European and Asian partners.
- take the initiative in planning and coordinating a shared humanitarian response for potentially devastating conditions in Venezuela. It should work with the OAS and, particularly, with the Venezuelan neighbors—Colombia, Brazil, Curaçao, Aruba, and Bonaire—that would be most affected by a massive

- flood of Venezuelan refugees into their countries. The territorial fragility of the Caribbean islands mentioned above would also merit the attention of the Netherlands, a country having significant historical, economic, and political links with the islands. Such a plan should include provisions for temporary housing, food availability, and medical attention.
- support a plan for financial assistance to a new Venezuelan government, since the Venezuelan national treasury will be found in ruins.
 Assistance should be a coordinated effort among the International Monetary Fund, the Inter-American Development Bank, and the Andean Development Corporation.
- be ready to advise a new democratic Venezuelan government on security matters, which have been highly compromised by the Cuban presence in Venezuela. In particular, urgent help will be needed for police operations and prison administration.
- reestablish close links with the Venezuelan military after a new democratic government is established in Venezuela.

What the Region Can Do

While the United States has the opportunity to positively influence the situation in Venezuela, other countries in the region also can take actions that would be beneficial to Venezuela and the region:

- Twenty-one former presidents of Latin American nations have already taken a proactive attitude toward the Venezuelan situation, calling for immediate release of political prisoners and for an electoral solution to the crisis.²⁹ There are no valid reasons why incumbent presidents should not do the same, since their countries do not depend on Venezuelan handouts to bolster their economies. Argentina, Mexico, Brazil, Chile, Uruguay, and many of the other countries in the region could clearly speak up, both individually and within international organizations such as the United Nations, the OAS, the Union of South American Nations, and the Southern Common Market (known as MERCOSUR).
- The countries of the region should unite behind a policy of international isolation against a Venezuelan regime that is no longer defensible as legitimate.
- The countries of the region should intensify action against the Venezuelan regime within MERCOSUR,

since the grip of the Venezuelan regime on this organization can be more easily neutralized than in the OAS, where Caribbean states still vote for the Venezuelan regime in exchange for oil subsidies.

- MERCOSUR should expel Venezuela.
- Brazil and Argentina should take the initiative in these efforts against the Venezuelan regime. They were clearly the most active supporters of Chávez at the time Lula da Silva (Brazil) and Néstor and Cristina Kirchner (Argentina) were in power, but now those countries have governments of a different nature.

Conclusion

Some of the suggestions made above could be considered naïve in U.S. or regional diplomatic spheres. However, I share Matthew Spalding's views when he says, "An allegiance to principle and a clear recognition of

the requirements of international security can be complementary. When rightly understood, they are inseparable—at least, this is what the American Founders thought."³⁰ The call for principles-driven diplomacy is also contained in Obama's previously cited first inauguration address. This was also the way former President Ronald Reagan, sometimes considered naïve in international matters, saw his job when he met with Russian Prime Minister Mikhail Gorbachev in Reykjavik in 1986. Reagan used a mixture of principles, idealism, and candor, which found a strong sympathetic response. Reagan's approach is credited with ending a suicidal arms race.

When talking about composer Camille Saint Saens, his colleague Hector Berlioz once said, "This young man knows everything, but he lacks inexperience." This is a piece of advice that U.S. and Latin American policy makers, often intent on sophistication, should always keep in mind.

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