

On the Insufficiency of Procedure: Assessments of Bolivarian Democracy

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ABSTRACT

The scholarly debate on Venezuela's democratic character has become tremendously polarized since the election of Hugo Chavez in 1998. This starkly divided debate has demonstrable impact on the policy realm, as well as the scholarly literature on democratic theory. This debate has run along ideological lines and has focused on differing conceptualizations of normative democracy, namely representative and participatory avenues of democratic engagement. Beyond providing an impactful analysis of this academic debate, this thesis works to supply an Arendtian defense of participation as a potential lense to assess Venezuela's democratic character. I will effectively argue that scholars should return to traditional conceptualizations of democratic theory, such as Arendt's, in order to provide richer and more substantial empirical assessments of democratic performance in light of the multitude of recent experimentations in democratic praxis that has swept the world. This project is relevant to both the scholarly community, as well as the policy realm.

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Introduction

Studying Democracy:

“Democracy is a system in which parties lose elections.” – Adam Przeworski, 1991

“... ‘democracy’ is, normatively speaking, a composite concept. It involves, in the very least, norms of inclusion, representation, responsiveness, accountability, and citizen education.” – Mark Warren, 2011

The study of democratic institutions has been a mainstay in the political science literature since the foundation of the discipline (Farr, Hacker, and Kazee 2006). More recently political scientists have recognized the expansion of democratization since the 1970s as a significant, historic shift in governance strategies (Huntington 1991; Diamond 1999; Warren 2012). Dubbed the “third wave” of democratization, this historic period of democratization has led to a radical expansion of the number of democratic regimes to over 94 democratic nations by 2012, a stark and revealing rise from only 37 in 1978.¹ This association is echoed in recent data reports from independent scholarly assessments (Mainwaring, Brinks, and Pérez-Liñán 2000; Møller and Skaaning 2013) as well as Freedom House which indicate a similar trajectory (Freedomhouse.org). Most associated with the transitions from communism following the regime changes of 1989 and the fall of military dictatorships in Latin America throughout the 1980s, these political transformations have become a major front in the study of political theory, comparative politics, and international relations.

The various measures of democratic performance are contested categories within the scholarly literature that have far from ubiquitous analytical appeal. Scholars have

¹ "Polity IV Project: Home Page." *Polity IV Project: Home Page*. Web. 28 Feb. 2014

critiqued to a great extent the adequacy of variable-level democracy scores for comparative purposes across unlike cases, offering more complex, and often more empirically nuanced methods for studying and measuring democracy (Przeworski 1986; Bollen and Paxton 2000; Coppedge, Gerring et al. 2011). Coppedge, Gerring et al. (2011) make a particularly compelling case for a method of studying democracy that could go beyond the “insensitivit(ies) to important gradations in the degree or quality of democracy across countries or through time” (2011, 249) that make universal measurement nearly impossible. Because we cannot agree as to what democracy even is, it becomes extremely difficult to operationalize its components into a sound analysis.

Beyond problems of universal measurement validity, sources of empirical data on democracy are not free of political bias. Other scholars have been openly critical of the extent to which democracy indices such as the one used by Freedom House, which is used widely in the scholarly literature, have been particularly harsh towards leftist regimes (Mainwaring, Brinks, and Pérez-Liñán 2000). The authors write: “Freedom House’s measurements contain two systematic biases: scores for leftist governments were tainted by political considerations, and changes in scores are sometimes driven by changes in how stringently they apply their criteria rather than changes in real conditions” (2000, 20) reiterating the empirical problematic of systematic bias that is then reflected in scholarly analysis.

Among this global transition towards liberal democracy, Latin American countries have been among the most affected by the “third wave” of democratization, with a stark increase in nations who have joined the ranks of the “democratic” according

to scholarly research (Diamond 1999; Mainwaring 1999; Warren 2012). From the mid-1970s to 2010 the number of countries classified as “democracies” has risen from 6 to 19 (Polity IV). It is this region which interests me most, as the dynamic effects of radical democratization, particularly in the analysis of Venezuela, are often deemphasized in favor of a liberal model of democracy in the scholarly literature and public opinion (Warren 2012). For instance, Canache’s (2012) scholarship on public opinion in Latin America regarding democracy seems to support the idea that liberal values dominate the discursive space in terms of defining democracy in Latin America, finding response patterns that indicate “liberty,” and “references to procedural aspects of democracy” as among by far the most widespread associations with democracy (2012, 1143).

Despite this association with liberal democratic values within much of the discourse there has been, along with a rise of democratization along liberal lines, a simultaneous rise of a “new phase of experimentation with participatory governance, involving a variety of ways of directly engaging citizens with government,” (Warren 2012, ix) that has effectively resulted from the interaction with representative governments which have mediated a constant tension between legitimacy and expectation for further provision of services (Warren 2012). This duality causes a split in the literature to emerge between those who intend to create normative accounts of the emergence of participatory democratic avenues in Latin America, and those who look to the evidence of the degradation of liberal institutions as a developing problematic trend.

The various measures of democratic performance are contested categories within the scholarly literature that have far from ubiquitous analytical appeal. Scholars have

critiqued to a great extent the adequacy of variable-level democracy scores for comparative purposes across different cases, offering more complex, and often more empirically nuanced methods for studying and measuring democracy (Przeworski 1986; Bollen and Paxton 2000; Coppedge, Gerring et al. 2011). Coppedge, Gerring et al. (2011) make a particularly compelling case for a method of studying democracy that could go beyond the “insensitivit(ies) to important gradations in the degree or quality of democracy across countries or through time” (2011, 249) that make universal measurement nearly impossible. Other scholars work to apply more sophisticated philosophical engagements or work toward normative assessments of democratic performance at a theoretical level. If we cannot agree as to what democracy even is, how can we possibly operationalize its components into an empirically sound analysis?

The way one chooses to simply define democracy is indeed an extremely political move that is reflective of many of a number of longstanding debates in the democratic-political theoretical literature. This thesis will investigate one particular articulation of this theoretical literature with respect to the bifurcated academic literature on Venezuelan democracy. It will ultimately recast the contemporary academic debate on Venezuelan democracy as a symptom of a long-standing theoretical debate on the nature of two competing conceptualizations of democracy; reflecting on scholars who emphasize participatory and those who consider liberal formulations. In terms of the scholars who emphasize participatory, I will focus on their defenses of the Bolivarian regime in terms of their depiction of Communal Councils and referendums as mechanisms of the participatory function. In terms of the scholars who focus on liberal democracy, I will

focus on their problematizing the Chavez government as one that works to perpetuate itself into power through the expansions of the executive's powers.

This chapter is organized into three sections. First, I will illustrate, in terms of the contemporary political situation, why the study of democracy in Venezuela is a particularly prescient topic. Second, I will describe the hybrid democratic strategy pursued in Venezuela based on the evidence available. Finally, I will lay out a thematic overview of this thesis project with respect to my research goals, theoretical model, and methodological persuasion.

Contemporary Context.

There are serious real-world political implications that stem from assessments of Venezuela's democratic content. On February 23, 2014, in response to the previous week's actions which had led to the deaths of over 39 police and protesters in Venezuela,² US Secretary of State John Kerry made a familiar statement regarding the accounts of repression being reported on Western media outlets. "This is not how a democracy behaves," Kerry directed to the embattled Maduro administration.³ This was in line with an array of recent official statements from leaders in the US who had maintained a problematic, if not aggressively destabilizing relationship with Venezuela since the initial election of Hugo Chávez in 1998, an oppositional position that has been

² "Venezuela President and opposition agree: formal talks," <http://www.bbc.com/news/world-latin-america-26951564>, Accessed 4/10/2014.

³ Press Statement. United States State Department. <http://www.state.gov/secretary/remarks/2014/02/221919.htm>, Accessed 3/16/2014.

exacerbated by the narrow electoral victory of Nicholas Maduro on April 14, 2013.⁴ The U.S. has recently mounted what could be called a diplomatic assault on the democratic credentials of Venezuela.

The question of Venezuela's democratic character is important for scholars to analyze because we see the manipulation of the discourse in very overt ways through the most recent crisis in Venezuela. This reminds the analyst that there are very real political outcomes of scholarly assessments of democratic performance. On February 12, 2014, students protesting in the Venezuelan state of San Cristobal, a traditional anti-Chavista stronghold⁵, brought forth a wave of protests. At the time of this writing, more than 34 opposition members, Chavistas and security forces had died after over a month of fierce protests. The identity of the protesters has come under direct scrutiny with respect to their ultimately right-wing and upper-class positions.⁶

The practical implications of international perceptions of anti-democratic behavior in Venezuela can be felt since at least 2002 when knowledge of a failed coup attempt against President Hugo Chávez was subsequently linked to the CIA.⁷ Suspicions of direct planning and involvement in this attempt have been widely alleged, and often

⁴ Weisbrot, Mark, "The United States shows its contempt for Venezuelan democracy," *The Guardian*, Monday, 22 April 2013. <http://www.theguardian.com/commentisfree/2013/apr/22/united-states-contempt-venezuelan-democracy>. Accessed 3/15/2014.

⁵ Wallace, Arturo, San Cristobal, The Birthplace of Venezuela's Protests, *BBC News*, <http://www.bbc.com/news/world-latin-america-26477526>, Accessed 3/24/2013.

⁶ Cicariello-Maher, George, "#LaSalida? Venezuela at a Crossroads." *The Nation*, February 22, 2014. <http://www.thenation.com/article/178496/lasalida-venezuela-crossroads>. Accessed 3/24/2014.

⁷ Forero, Juan, "Documents show CIA knew of a coup plot in Venezuela." *The New York Times*, Dec. 3, 2004. http://www.nytimes.com/2004/12/03/international/americas/03venezuela.html?_r=0. Accessed 3/23/2014.

deployed as political ammunition against the United States by Chávez and his supporters who frequently evoked external inference to distract from internal problems (Hawkins 2010). In the following 12 years, the relationship has remained sour, and a common rhetorical weapon to aim at the regime has been to officially question its democratic credentials in the media or in official statements through the Organization of American States (OAS) and similar outlets. This brings to a crux the importance of research that analyzes the democratic content of the Venezuelan system; because democratic content is used for political purposes, it becomes essential to unpack and critically examine the nature of Venezuelan democracy.

Research Design and Methods:

This introduction has worked to first illustrate why this research focuses on an important and relevant topic to study for both political scientists interested in examining democracy, as well as for a broader public that might critically examine the way that assessments of democratic performance are utilized to create potentially problematic political outcomes. I will now conclude with a brief breakdown of the content of the chapters which will follow, as well as a basic layout of my major argument and contribution to the literature.

The goals of this research are to analyze the democratic content of the Venezuelan regime by exploring the extent to which scholars have failed to come to a consensus on the nature of Bolivarian democracy. Among the major criticisms of the Chávez and the

subsequent Maduro administrations in Venezuela by scholars, political opponents, and human-rights organizations, is an alleged lack of dedication to liberal-democratic principles (Losada 2008). Those critical of the democratic arrangement in Venezuela often focus on the supposed degradation of procedural democratic channels through the manipulation of the electoral process by the abuse of state-funds as well as the expansion of the role of the executive branch through the increase in unilateral legislative authority and the abolishment of term limits (Hawkins 2010; Corrales and Penfold 2011).

Meanwhile, proponents of Bolivarian-style governance often cite the strong performance of neighborhood-level political organizations and expansion of women's and indigenous rights to defend the revolution as ultimately aimed toward the maturation of progressive social values and the creation of spaces of radical democratic experimentation (Ellner 2008; Lissidini 2012; McCarthy 2012; Smilde and Hellinger 2011; Ciccariello-Maher 2013). It is thus difficult to adequately assess the content of Venezuela's democracy in a way that properly synthesizes these competing, yet incomplete, accounts and allows for a fair analysis.

In Chapter 1, I will explore the dimensions of the historical circumstances that led to the emergence of the Bolivarian regime, along with specific changes that were implemented as a *result* of the Bolivarian regime. I will focus on the specific political transformations, such as the changes in referendum policy, and the competitiveness of political elections in order to connect to the broader debate on Venezuelan democracy, presented in Chapter 2, which takes these data into consideration. I will connect the features of Bolivarian democracy to the political theoretical concept of the "hybrid

regime” which contains elements of both authoritarianism as well as electoral democracy in the classically liberal sense (Diamond 2002, 21).

In Chapter 2, I will take an in-depth examination of this literature, focusing on the ways that this substantive disagreement on the nature of Venezuelan democracy has been articulated in the literature. I will examine the major contributions of each side of the literature from its perspective, one focusing on the procedural democratic development since 1998, and another focusing on the emergence of participatory avenues, in an attempt to illustrate and then understand the extent to which this disagreement exists. Finally, in response to each body of literature I will offer a critical examination of the extent to which largely incomplete and insufficient assessments have permeated the debate thus far.

In the next chapter (Chapter 3), I integrate this analysis with the theoretical literature by studying Hannah Arendt’s *On Revolution* (1964) and attempting to weave her advocacy for council-based democracy into a democratic theoretical tradition that values two competing understandings of democratic participation; representation and council-based democracy (Sitton, 1987). In this chapter I will argue that the debate within the contemporary academic literature on Venezuelan democracy is reflective of this historic theoretical duality and should be assessed as a product of this historic debate. I will look to Arendt’s argument for council democracy to understand the types of political subjectivities being inculcated in Venezuela today through the communal council organizations.

My methodological approach for this project is effectively to present and integrate a literary content analysis of both historical data on Venezuela, as well as the literature from the scholarly debate on Venezuelan democracy. Going further, I will synthesize this analysis with Hannah Arendt's argument for council democracy – looking for ways that the types of participatory avenues being inculcated in Venezuela are reminiscent of Arendt's formulation. While this approach does not involve complex data analysis, it does involve an in-depth historical and interpretive approach to significant and challenging political phenomena.

Chapter 1

Venezuelan Democracy:

Venezuelan democracy has been in a state of flux at least since the election of Hugo Chávez in 1998 (Levine 2002, 248). The fall of the previous liberal-democratic arrangement has led to an influx of new and innovative participatory mechanisms that have challenged scholars to define Venezuela as either democratic or undemocratic. As Larry Diamond admits, “we (scholars) still struggle to classify ambiguous regimes” (Diamond 2002, 21). This ambiguity has led to an ideological-based split in the literature on Venezuelan democracy, with proponents and opponents both effectively choosing which data to analyze in order to classify the Bolivarian regime in any particular manner.

The aim of this chapter will be to provide some historical contextualization that is necessary to understand the types of analyses on Venezuelan democracy that have been produced by scholars either vilifying or valorizing the regime. I will begin by recounting the historical processes that led to the election of Hugo Chávez and set in motion the subsequent avenues for participatory politics. Going further, I will work to describe hybrid-regimes, a well-defined concept in the political science literature in order to make the point that Venezuela is best classified as this type of regime due to the ambiguities between at one level, the regime’s authoritarian tendencies, as well as its overtures toward inculcating a spirit of participatory democracy. This chapter is necessary in this thesis work in that it essentially sets the scene for my presentation of the scholarly debate

on Venezuelan democracy in Chapter 2, as these scholars all situate their analyses with their diverging conclusions against the same historical backdrop.

Scholars have pointed to Latin America as an example of a space where old and new democratic institutions are being radically reimagined. The following pages will work to describe the dual movement of powerful representative and participatory democratic avenues in Venezuela that work to effectively create a unique and compelling experiment in democratization that has remained difficult to assess for scholars. The goal of this particular endeavor is to situate the contemporary empirical democratic arrangement in Venezuela with respect to the scholarship that has been so divided in its assessment of the Bolivarian experiment since 1998. Further, my work will illustrate an intriguing set of contradictions between openness and repression, between participation and coercion, and between constitutionality and attempts to subvert this order.

Many of these changes have emerged since 1998 and thus the transformations since Chávez's election will be the ultimate focus of this brief assessment. This assessment will also work through the historical political development of the Punto-Fijo pact and make explicit connection to the ways that this historical development informs contemporary Venezuelan politics.⁸

⁸ The Punto Fijo pact will be explored further on the next page.

Historical Context:

During the era of the Punto Fijo Pact (1958 - 1998) Venezuelan democracy was frequently cast in the scholarly literature as relatively stable (Levine 2002, 248). Daniel Levine describes the era as “the nation’s longest uninterrupted period of democratic politics and unhindered civilian rule in the twentieth century” (2002, 248). The Pact was a formal agreement arranged in 1958 between the three largest political parties in Venezuela at the time: the Accion Democratica (AD) party, the Christian Democratic party (COPEI), and the Democratic Republican Union (URD) which eventually withdrew from the Pact in 1962 – though the party continued to support candidates from both the AD as well as the COPEI parties through the 1970’s and 80’s (Derham 2002, 282). The democratic content of the pact-era is a subject of much contention in the scholarly literature, with many scholars casting the pact as problematic from the very beginning (Derham 2002, Ciccariello-Maher 2013), while others (Levine 2002, Lissidini 2012) praise the pact in its original design while focusing on the effects of neoliberal reform-based currency crises culminating in the *Caracazo* of 1989 that threw the system into great turmoil.

These three parties discussed above arose directly against a backdrop of political revolution and constitution-building that begins in 1945 when a successful coup of then military dictator Isaias Medina Angarita led to the first official elections in Venezuelan history (Derham 2002, 272). The key figures of this coup were Romulo Betancourt, a leader of the Accion Democratica (AD) movement which was soon to become a political party, as well as General Marcos Pérez Jiménez. The resulting regime lasting from 1945-

1948 is characterized by political polarization and the incompetent leadership of Romulo Gallegos of the AD who effectively worked to strip the military of its former privileged political position (Derham 2002, 277, 278). The military responded by staging a *second* coup in 1948, resulting in the ten year (1948-58) military-rule of Marcos Pérez Jiménez, a key participant in the previous coup of 1945.

Michael Derham writes: “The situation facing the incoming Junta was that Venezuela was fragmented at all levels and in all sectors” (Derham 2002, 278), and the new military regime began a process of nationalization of both oil resources as well portraying a more hostile face toward interest from US investors (Derham 2002, 279). Daniel Hellinger makes the case that Pérez Jiménez “tried to combine populism, in the form of lavish spending on construction and massive housing projects, with heavy handed authoritarianism” (Hellinger 2012, 489), leading to the alienation of the business community as well as left-wing political opponents. In response to the regime, the AD mounted a propaganda campaign bent on vilifying the new military leadership, appealing to fascist imagery and working with emerging Communist guerrilla groups to turn public sentiment away from Marcos Pérez Jiménez and to eventually overthrow him in the coup of 1958 (Derham 2002, 281). The resultant political arrangement installed successive democratic governments in Venezuela for the first time in its history (Derham 2002, 282). On December 7, 1958 AD candidate, Romulo Betancourt, was elected with a plurality of 49.2% of the 94.4% of voters who took part in this post-coup exercise (Nohlen 2005, 556) ushering in an 40 year era of democratic stability characterized by the alternation of AD and COPEI political leadership.

The Venezuelan constitution of 1961 effectively codified the power-sharing agreement made by representatives of the three major parties, notably excluding the Communist Party of Venezuela (PCV) from the pact (Levine 2002, 248). The content of the 1961 constitution is a subject of much scholarly debate and, of course, under its auspices Hugo Chávez's presidency was born. Article 246 of the 1961 constitution allows for comprehensive constitutional reform approved by the following process:⁹

1. The initiative should be from one-third of the members of Congress, or an absolute majority of the legislatures in agreements made at least two discussions by the absolute majority of the members in the Assembly;
2. The initiative will address the President of Congress, which convened Chambers to a joint session three days in advance at least to rule on the validity of that. The initiative will be supported by the favorable vote of two-thirds of those present.
3. Declared the initiative, the respective project will begin discussing in the House appointed by Congress, and shall be processed according to the procedure established in this Constitution for the enactment of laws;
4. The approved project will be submitted to a referendum in the opportunity to set the Chambers in joint session for the people to rule in favor or against reform. The counting will take knowledge of the Chambers in joint session, which enacted the new Constitution declared if it be approved by a majority of the voters of the entire Republic.¹⁰

This is the only mention in the 1961 constitution of the ability to pursue referendums on public issues, even by elected leaders, making the 1999 version particularly participatory in this regard, in comparison. In essence, it was only elected officials, under the 1961 constitution that could initiated a referendum, while under the 1999 framework referendums can be initiated by 10% of eligible voters.

⁹ Quoted from 1961 Constitution, Article 246:
<http://pdba.georgetown.edu/Constitutions/Venezuela/ven1961.html>, Accessed 4/29/2014.

¹⁰ This translation from Spanish to English is my own.

The *Caracazo* of 1989 is seen by scholars as a water-shed moment in Venezuelan history as, in response to rising gasoline prices brought forth as a result of an austerity program and IMF-led structural adjustment, thousands of Venezuelans simultaneously took to the streets causing riots and looting in 22 Venezuelan cities (Hellinger 2012, 494). The structural adjustment package approved by President Carlos Andres Perez called for several harsh austerity measures, including a freezing of public-sector salaries, the elimination of interest rate based subsidies for farmers, deregulation of price controls over basic consumer goods, and the creation of a basic sales tax (Hellinger 2012, 493, Ciccariello-Maher 2013, 91). Estimates by human rights groups contend that as a result of the army occupying neighborhoods in order to retrieve looted goods over 1,000 people were killed (Hellinger 2012, 494).

In 1992 Hugo Chávez made what George Ciccariello-Maher terms a “moment of rupture,” (Ciccariello-Maher 2013, 89) in the historical fabric of Venezuelan politics, working with a small cadre of disgruntled military officers angry over the use of heavy-handed use of military forces during the Caracazo to pursue a coup against the democratically elected sitting president Carlos Andres Perez (Hellinger 2012, 494). Hugo Chávez was captured during the exercise and forced to appeal to his supporters to surrender their cause: “Lieutenant Colonel Hugo Chávez, uniformed, wearing his red paratrooper’s beret, took responsibility, made the appeal, and told his comrades that their objectives had failed ‘for now’” (2012, 494). Much like former Cuban leader Fidel Castro’s infamous “history will absolve me” speech, Chávez’s appearance created

incredible energy, galvanizing and solidifying a young, disgruntled political base suddenly wearing red berets in the street (2012, 494).

Hugo Chávez was released from prison in 1994 due to popular pressure and an attempt at popular reconciliation by new president Rafael Caldera, the very man who hosted the proceedings of the Punto Fijo pact in his home in Caracas (2012, 494). Chávez turned to the political arena, creating a political party, the Movimiento Quinta Republica (MVR), and consolidated enough support to challenge the two major parties (2012, 495). In the 1998 election cycle, the AD and COPEI parties both fell to historic lows of support and failed to present a viable candidate for the election; rather Chávez's major competition came from an emergent centre-right coalition party, Proyecto Venezuela (Project Venezuela) – largely consisting of AD and COPEI supporters (McCoy 1999, 64). Chávez went on to win the 1998 presidential election with a margin of 56.2% compared to 39.97% achieved by his Proyecto Venezuela party competitor, Henrique Salas Römer. The turnout rate was nearly 64%.¹¹

In December 1999 a constitutional assembly endorsed by popular referendum worked to replace the 1961 Venezuelan constitution which had for the past 4 decades codified the electoral process enabled by the 1958 Punto Fijo Pact. The Punto Fijo Pact essentially limited the electoral space in Venezuela to three primary, non-left-wing parties; the Democratic Republican Union party, the Social Christian party, and the Democratic Action party. Through coalition sharing, the three parties were for 38 years

¹¹ Venezuelan Electoral Supreme Court, "A Comparison of Presidential Elections," <http://www.cne.gob.ve/web/documentos/estadisticas/e006.pdf>, Accessed 4/29/2014.

capable of marginalizing the Communist Party of Venezuela from being successful in the electoral process (Levine 2002, 248). To its credit, until the oil and currency crises of the 1980's and the infamous Caracazo uprising in 1989, the Punto Fijo Pact led to a strong level of democratic stability that made Venezuela an attractive place for foreign investment as well as an ideal environment to continue capitalization on its most important resource, oil (McCoy 1999). The 1999 constitution's development is distinct in Venezuela in contrast to the development of the previous twenty-five constitutions in Venezuelan history in that it resulted not from a coup, revolution, or violence by other means, but rather directly as a result of Hugo Chávez's election in 1998.¹²

The constitution of 1999, also known as the Constitución Bolivariana is the first constitution in Venezuelan history approved by popular referendum that was ratified with nearly a 72% approval rate, but only a 44% turnout rate.¹³ This constitution provided radical provisions in terms of rights to health care, women's rights, and further enfranchisement of indigenous populations (1999 Venezuelan Constitution: Duties, Human Rights, and Guarantees (Articles 19-135)). Most relevant to the focus of my project, the Bolivarian Constitution provided the mechanisms by which a referendum could be used in order to remove a sitting president from power. In general, an initiative for a national referendum requires the support of a minimum of 10% of eligible voters (1999 Venezuelan Constitution: Duties, Human Rights, and Guarantees (Article 71). The

¹² *Constitutional History of Venezuela*, <http://www.constitutionnet.org/country/constitutional-history-venezuela>, Accessed 28, April 2014.

¹³ Rohter, Larry, "Voters Push Power Toward Venezuela Leader," *New York Times*, 26 July 1999. Accessed: 16 February, 2014. <http://www.nytimes.com/1999/07/26/world/voters-push-power-toward-venezuela-leader.html>

new constitution is key to understanding the basic changes that enabled Venezuelan democracy to follow a dual path of development between, on the one hand powerful participatory avenues while at the same time undergoing problematic transformations in regard to liberal institutions such as the expansion of executive power in Venezuela.

In all, Chávez was elected in national elections 4 times, while surviving a recall election attempt in 2004 (Hellinger 2012, 505). Among his electoral successes are also the ratification of constitutional amendments in 2009 that expanded the role and scope of the Venezuelan presidency and neighborhood-level political organizations such as the Communal Councils (Corrales and Penfold 2011, 48). The one notable electoral defeat for the Bolivarian regime came in 2007, as the proposed referendum that sought to change 69 articles of the 1999 constitution was defeated by a margin of 50.70% to 49.30%, with a 56% turnout.¹⁴ Among the most controversial measures in the proposed referendum was the call to abolish presidential term limits. This proposal, however, was eventually adopted under the 2009 constitutional referendum which was accepted by nearly 55% of the over 11,000,000 voters who participated in the referendum. This was representative of a 70% turnout rate.¹⁵ This mandate constituted an impressive legitimizing base.

The 2012 national presidential elections in Venezuela which led to Hugo Chávez earning his fourth term in office, was among the most hotly contested in Venezuela's

¹⁴ Romero, Simon, "Venezuela Hands Narrow Defeat to Chávez Plan," *New York Times*, 3 December, 2007. Accessed: 13 February, 2014. <http://www.nytimes.com/2007/12/03/world/americas/03iht-03venezuela-loss.8566236.html?pagewanted=all&r=0>

¹⁵ http://www.cne.gov.ve/divulgacion_referendo_enmienda_2009/ "Referendo Aprobatorio de la Enmienda Constitucional, 15 February, 2009. Accessed: 20 February, 2014.

history, reporting a higher voter turnout than any in the pre-1999 constitutional arrangement. A record-setting 14,782,436 voters, 80.52% of the voting population, took part in the 2012 election that saw Hugo Chávez defeat his competitor Henri Capriles by a margin of 55.1% to 44.3%, Chávez's closest margin of victory in a presidential election.¹⁶ The subsequent 2013 presidential election, which propelled Nicholas Maduro into power, saw an even greater engagement from opposition to the Bolivarian regime, with 79.68% of eligible voters taking part in an election that saw Maduro narrowly defeat his challenger 50.6% to 49.1% in the closest electoral race in Venezuela at the national level since 1968.¹⁷

Beyond structural changes to electoral law and the constitution, it has become clear that participatory governance has emerged and been organized as a key component of the Bolivarian mass-mobilization strategy since 1999. Community-level councils have been instrumental for the organization and implementation of socialist governance and the ostensible inculcation of “revolutionary” political imaginations. Here, I will explore the foundational political development of the Bolivarian Communal Councils in association with their development since the Law of Communal Councils was passed in 2006. In a specific effort to build his “socialism for the 21st century” Hugo Chávez worked to consolidate a poor and urban constituent base through enfranchisement and

¹⁶ Neuman, William, “Chávez Wins New Term in Venezuela, Holding Off Surge by Opposition,” *New York Times*, 12 October, 2012. Accessed: 17 February, 2014.

<http://www.nytimes.com/2012/10/08/world/americas/venezuela-presidential-election.html?pagewanted=all>

¹⁷ Associated Press, CBC News, “Chávez heir Maduro takes narrow win in Venezuela,” 15 April 2013, Accessed: 19 February 2014. <http://www.cbc.ca/news/world/Chávez-heir-maduro-takes-narrow-win-in-venezuela-1.1359206>

patronage (Wilpert 2007). Communal Councils were consolidated and represent, among other things, some of the most strident support networks for the Bolivarian project. This particular aspect of 21st century socialist governance is most emblematic of both the level of democratization that is evident in the theoretical model of radical democracy, as well as a basis for cooperation between state and community-level figures that work against anti-revolutionary vestiges of the pre-1999 constitution still operating at the local levels.

Voices such as Daniel Hellinger make the argument that the Communal Councils attained a level of legitimacy from the charismatic personality politics of Hugo Chávez himself. Hellinger (2011) writes that members had “highly democratic goals and methods; however, their organizations embodied a charismatic mode of linkage to Chávez,” (2011, 124) asserting that this level of personal attachment went beyond their democratic goals (2011, 125). Beyond this, Hellinger argues that communal success relies on a strong supply of federal-level patronage that relegated the councils within a particularly anti-democratic political history despite their ostensibly democratic dedication (2011, 39). Hellinger goes on to analyze public opinion data on democracy in Venezuela provided from *Latinobarómetro* that indicated that there was a significant rise in the confidence level of the efficaciousness of democracy to create prosperity, rising from 60% in 1998 to over 70% in 2006, with a striking 85% of barrio respondents believing there is democracy in Venezuela (2011, 43).

In-depth analysis on the popular constitution of Communal Councils and their function within the Bolivarian system has begun to be produced by scholars investigating this participatory space. Michael McCarthy (2012) builds the explicit case that

Communal Councils bolstered Chávez's legitimacy as much as the Councils themselves were supported by the state government. McCarthy goes on to provide direct and intimate details about the function of the Councils at a pragmatic level; he begins by providing details on how to start such a council.

Getting a CC organized and operational is no day at the beach. With a bullhorn in hand a CC leader has to get the neighbors up and on their feet on weekends and has to follow detailed guidelines while completing a community inventory. Assembling an operational CC is a multistep organizational process that requires at least three skills: leadership, patience, and administrative diligence. It can easily take a full year to complete a community census and infrastructure map, hold successfully attended assemblies of citizens, schedule workshops to learn the rules, undertake decisions, and carry out a diagnostic of community needs, not to mention the paper work for establishing the community bank. (2012, 132 -133)

Going further, McCarthy provides details about the state agency with the authority to recognize and approve of Communal Councils – FUNDACOMUNAL (La Fundación para la Comunidad y Promoción del Poder Communal) which operates with “obvious partisan affiliations” and allegedly targets non-Chávista Communal Councils for bureaucratic mistreatment (McCarthy 2012, 133). The Councils then design projects and apply for funding to be directly deposited into a state-owned bank with community access (McCarthy 2012, 133).

Gisela Zaremborg (2012), is an essential source for the study of Communal Councils due to her direct ethnographic investigation into a Communal Council in the Venezuelan state of Zulia. She writes: “the Venezuelan communal councils are a fundamental piece of a political project that emphasizes participatory democracy in opposition to or of greater priority than representative democracy” (2012, 30-31). Far beyond providing direct and compelling field-work data, Zaremborg emphasizes the

expansion of women's participation in the political sphere citing a 65% involvement rate at all levels of Communal Council activity (2012, 31). This emphasis on the politicization of a historically disenfranchised population group is indicative of the participatory-democratic nature of the Communal Councils.

In summation there seems to be a dual democratic development in Venezuela worth studying; at one level electoral and another through neighborhood-level participatory avenues. In each case the democratic content can be described as ambiguous. In the electoral realm the frequent referendums and transparent electoral process has led to the outward image of strong electoral institutions, while at the same time these avenues have been used to consolidate and abuse executive power. In the participatory realm clear avenues for democratic integration have been developed in an attempt to enfranchise previously excluded minorities and class-sectors, while at the same time the top-down approach has led some to wonder whether these councils are instruments of participatory governance or instruments of mass-mobilization in order to consolidate a massive voting base based on patronage and a cult of personality.

A Hybrid Regime:

Scholars have identified Venezuela as a type of hybrid democratic regime that combines authoritarian and non-authoritarian mechanisms to produce particular political outcomes (Ekman 2009). Despite criticisms that institutional channels for participatory popular power in the new Venezuelan arrangement mask an authoritarian underbelly

(Ekman 2009, Sanchez Urribarri 2011), it is clear that the regime's ostensible dedication to the promotion of participatory democracy and continuous transparency in the electoral process makes it a particularly ambiguous case worth investigating (Diamond 2002).

However scholars intend to classify Venezuela one way or the other; democratic or undemocratic, empirical data exists that as of 2009, 43% of the *people* of Venezuela are satisfied with the way democracy works in their country per a survey conducted by Latinobarómetro (Vanden and Prevost 2012, 199). This is the third highest satisfaction rate by any of the 17 Latin American countries studied, falling only behind Uruguay and Costa Rica (1st and 2nd respectively) according to the same survey (Vanden and Prevost 2012, 199). These data, as well as the emergence of laudable transformation with respect to the participatory avenues in contemporary Venezuela such as accessible referendums and neighborhood-level Communal Councils seem to complicate the undemocratic picture presented by scholarly opponents and policy makers considerably.

Critics of the Bolivarian process in Venezuela have cited the degradation of liberal democratic principles in Venezuela as evidence that Venezuela is becoming less democratic from a formal perspective (Losada 2008). These criticisms range from corruption that results from state abuse of resources to influence the outcomes of elections (Loperana 2003; Coronel 2008; Uribe Lopez, 2010), to the abolition of presidential term limits (Roberts and Walser 2007, *The Economist* 2009), as well as censorship and repression of basic rights such as free speech, freedom of assembly, and press freedom (Freedom House 2013). Other scholars have looked to Venezuela's trajectory as a dangerous political model that could potentially destabilize the ongoing

process of democratization in Latin America (Zagorski 2013). While these criticisms bring to mind valid and pressing concerns in terms of the state of liberal democratic institutions in Venezuela, they obscure and attempt to invalidate the multitude of robust radical democratic praxes that make Venezuela's Bolivarian transition a model for participatory democracy. This thesis will make the ultimate argument that sophisticated participatory democracies such as Venezuela cannot be properly analyzed solely through the lens of liberal-centric assessment tools such as the expansion of executive power, but rather should take on more in-depth and theoretical engagements in order to properly assess complex democratic systems such as Venezuela.

Thus is the nature of the contemporary analysis on Venezuelan politics: two camps who effectively accuse one another of ignoring historical precedent and unfairly choosing only the data which supports their argument. In the chapter that follows I will take a deeper look into the nature of this debate on the character of Venezuelan democracy.

Chapter 2: Under-understanding Democracy in Venezuela.

In the previous section, I have briefly shown the implications of the power to categorize a regime as democratic or undemocratic focusing on the contemporary political situation in Venezuela. Scholarly debate on the democratic character of Venezuela has helped to infuse this real-world political drama with legitimations and limitations which has extended well into the policy realm. Beyond this, I have briefly described the aspects which make Venezuela's current regime particularly "hybrid," reflecting on both authoritarian and democratic aspects of its democratic character. The challenge for scholars is not to be limited by focusing on any one element of democratic performance to determine the assessment of a regime's democratic character, although that is in fact the type of analyses that permeate the academic discourse. What follows in this chapter is a literature review of some of the major recent scholarly works on Venezuela that for the most part follow this model; that is, they provide stark contrast in their empirical assessments based on their ideological position with respect to the viability of participatory democracy.

The goal of this chapter is to provide a more in-depth literature review that reflects this ongoing and tremendously polarized debate. I will begin by analyzing the contributions of major scholars who are critical of the government's democratic content. Going further, I will offer a similar analytical lense toward the work of scholars who offer sympathetic understandings of Venezuelan democracy. In terms of these scholars, I will categorize their work into two major categories, those who focus on constitutional

changes to enable participation, such as referendums, and those who focus on existing avenues for participation, such as the Communal Councils.. Finally, I will attempt to analyze how this debate emerged within the scholarly discourse and attempt to locate some potential reasons behind the apparent split in the literature.

Formal Critiques, Concerning the Failures of Representative Democracy in Venezuela

Scholars have often focused their critique of contemporary Venezuelan democracy on the rise in purportedly unchecked executive power by Hugo Chávez and his successor Nicholas Maduro. The implications of these criticisms of executive authority extend into the analysis of many facets of the Bolivarian political project such as control over avenues of direct popular power such as referendums or Communal Councils. The pages that follow focus on some of these major criticisms that emanate from the observable and perhaps problematic expansion of executive authority in Venezuela. I will focus on three works in particular that are most emblematic of this perspective, though they each differ in their analysis.

Corrales and Penfold in *Dragon in the Tropics: Hugo Chávez and the Political Economy of Revolution in Venezuela* (2011) locate the problematic aspects of Bolivarian democracy alongside those that can be found in any hybrid regime – namely cronyism at the highest levels of government, unequal distribution of justice, and an unequal electoral playing field at a formal level (Corrales and Penfold, 2011, 1). More particularly, Corrales and Penfold look to the impressive expansion of executive power in Venezuela

in an effort to discredit Venezuela's democratic vitality in comparison to other electoral regimes in Latin America. The authors ultimately characterize Chávez's regime as "nothing less than a fire-breathing dragon in the tropics," the likes of which the world has few comparisons for (2011, 3). This quote represents a bit more than merely a divided discourse, but a deeply divided and entrenched debate that is rhetorically, even emotionally tied to their particular assessments of Venezuelan democracy.

Corrales and Penfold explain Chávez's meteoric rise to power at an institutional level – asserting the claim that by tapping into Venezuela's vast oil wealth and natural resources, Chávez was essentially able to take advantage of a space of relative institutional instability within the traditional party system and assume the presidency in 1998, just following the Asian economic crisis of 1997, which according to the authors had rather devastating effects on the Venezuelan oil market (2011, 7). This market shock, as well as the ability to effectively blame the previous two decades of economic decay politically on the Punto-Fijo regime, allowed Hugo Chávez the space to initiate a series of power-grab maneuvers, beginning with his "rewriting" of the Venezuelan constitution which started in 1998 (2011, 16).

Resulting from this power-grab, according to Corrales and Penfold, was the establishment of a "hyper-presidential constitution" which, through clever manipulation, allowed Chávez to gain a surprising level of autonomy from institutional checks and balances (2011, 19). In subsequent referendums and electoral exercises, ultimately stemming from this manipulated constitution, Chávez was able to continuously strengthen the role of the executive in Venezuelan politics leading up to the eventual

ending of term limits in 2009 (2011, 37). The authors write: “By ending term limits, Chávez essentially did away with one of the few remaining potential checks on Presidential power still available, as well as challenges originating within his own movement” (2011, 37). While this analysis focuses on why it seems to matter that Chávez would undertake such a power-grab, other scholars are more specific in their unpacking of the ways that the new constitution in Venezuela facilitated this rapid expansion of executive power.

One scholar that goes beyond merely echoing the assessment by Corrales and Penfold is Allan R. Brewer-Carías who in *Dismantling Democracy in Venezuela: the Chávez Authoritarian Experiment* (2010) calls the process of executive seizure of formerly delegated constitutional authorities “the endless and illegitimate transitory constitutional regime” (Brewer-Carías 2010, 69). Brewer-Carías notes in depth the particular ways in which Chávez was eventually able to eliminate legislative oppositional challenges through appealing to a notion of constituent power, or *people* power, referendums, and what he sees as illegitimate assemblies (2010, 71). This seems to be in direct conversation with the broader debate over democracy in Venezuela; Brewer-Carías is effectively delegitimizing the notion of participatory democracy in favor of representative models. Brewer-Carias is an important scholar as he takes on the very core of the participatory argument for the Bolivarian experiment, which is the case for the Communal Councils and referendums.

Brewer-Carias presents detailed evidence for each of these claims beginning with his questioning the constitutional legitimacy of the 1999 constitutional-reform process,

by calling into question the extent to which the assembly which reformed the constitution did so with a legitimate mandate. He looks to the abstention of the Supreme Court of Venezuela, which refused to weigh in on the constitutionality of the reform attempt and thus, allowed Chávez to “impose his own rules for the election of the assembly” (2010, 11), to provide evidence for his claim that the constitutional assembly that rewrote the Venezuelan constitution in 1999 before bringing it before a referendum was essentially illegitimate. He calls this process an intentional “defrauding of the constitution” (2010, 13) in that, as he claims, the document was created without the consent or consensus of interested political parties and virtually set Chávez’s authoritarian aims into motion (2010, 14).

Brewer-Carias looks to a similar process of defrauding representative democracy in which he argues that Chávez effectively has replaced representative democracy with “a supposed ‘participative democracy’ based on nonelected communal councils, which the president directly controls” (2010, 14). Whether this claim can be empirically verified is contestable, and the evidence Brewer-Carias provides is scant, though he does make the unsubstantiated argument that citizen’s assemblies, which appoint membership in Communal Councils “are directly controlled by the official political party” (2010, 116). He goes on to level what is a much more serious criticism on the extent to which Communal Councils are financially dependent upon the success of the Bolivarian State, and are thus compelled to support the PSUV (2010, 116). Scholars invested in exploring these Communal Councils directly have worked to build an empirical case against the notion that the official state party, much less the president himself, has control over the

Communal Councils. These perspectives will be explored further in a later portion of this thesis.

One of Brewer-Carias' most serious criticisms is against direct democracy in Venezuela in terms of the recall referendum of 2004. Brewer-Carias argues that according to language in the 1999 constitution, the presidency should have been open to a new presidential election following the recall attempt of 2004 as "3,989,008 people voted to recall the president's mandate, a number of votes greater than the ones that elected him in 2000 (3,757,774)" (2010, 112). In this same recall election 5,800,629 people voted not to revoke Chávez's mandate (2010, 112). The National Electoral Council of Venezuela, who has ultimate authority over referendums in Venezuela, made the decision to alter the terms of the recall vote, changing it from a question over Chávez's mandate to a ratification of his presidency – a move that prevented Chávez from having to face a direct electoral challenge in 2004 (2010, 112). This criticism is serious, though it seems as though, at least on first glance, it may just be a semantic question as it is likely that Chávez would have won against a challenger in 2004, it does raise serious concerns over the National Electoral Council's ability to alter referendums which are ostensibly one of the major mechanisms through which some of the redemptive aspects of Bolivarian democracy can be realized.

The linkages between Bolivarianism and Chávez's cult of personality are a source of criticism throughout the literature with scholars linking it to populism (Hawkins, 2008)

and others to a type of neo-caudilloism¹⁸ that reaches back to Latin America's undemocratic past and reliance on charismatic military leaders who provide strategic benefits for particular constituencies to join their political program. Kirk Hawkins in *Venezuela's Chavismo and Populism in Comparative Perspective* (2008) illustrates Chavismo as a populist discourse that has the capacity to, at the same time to suppress pluralist democracy, as well as at times create new spaces of political action, however problematic (Hawkins 2008, 27). Hawkins writes "herein lies one of the great paradoxes of Chavismo and other populist movements: their ability to use democratic ideals to question fundamental democratic practices" (2008, 6). This is a more theoretical approach to what is Brewer-Carias' major concern, that the rhetoric, or even the ethos of direct democracy can be employed in order to directly stifle representative avenues of democracy.

Hawkins goes further to argue that Communal Councils are directly linked to the political cult of personality that invigorates Chavismo (2008, 168). Though it should be noted that Hawkins' analysis is much more complex than the empirically flawed institutional argument provided by Brewer-Carias. Hawkins makes the claim that the relatively low levels of institutionalization and state control that are features of the Communal Councils actually allow for a smoother coalescence around Chávez as a political figure (2008, 169). Hawkins connects Chávez's charismatic leadership to a notion of a *popular will* which effectively binds the collective goals of Communal

¹⁸ Guillermprieto, Alma, "The Last Caudillo," *The New York Review of Books*. March 6, 2013. <http://www.nybooks.com/blogs/nyrblog/2013/mar/06/hugo-Chavez-last-caudillo/>. Accessed 4/10/2014.

Council organization that goes well beyond any official state-control (2008, 170). This more subtle distinction goes well beyond semantics and into the realm of actual politics as we are reminded with the slogan of Chávez's 2000 electoral campaign "Con Chávez manda el pueblo" (with Chávez, the people rule), when we see here a clear and explicit connection between Chávez and the notion of *the people*. This argument is persuasive in that it presents a complex dimension of political leadership in Venezuela that is difficult, if not impossible, to refute.

The expansion of the role of the executive branch in Venezuelan politics is certainly notable, especially given the removal of term limits. Nevertheless, the power of the executive branch during the Punto-Fijo era was also considerable. R. Lynn Kelly analyzes in "Venezuelan Constitutional Forms and Realities" as a contribution to Martz and Myers' edited volume *Venezuela: The Democratic Experience* (1986) the role of the executive in the Punto-Fijo era. Kelly describes a powerful executive with full authority over the armed forces, as well as the authority to appoint cabinet level ministers with considerable law-making authority (Kelly 1986, 38). Before the constitutional changes brought forth by the Commission for the Reform of the State in 1989, the President of Venezuela also maintained the authority to appoint regional state-level governors, rather than putting this level of government up for vote (1986, 38). Much of Chávez's success in mobilizing his Fifth Republic Movement for the 1998 election was a result of energy provided by the particular changes brought on by third-party success at the state and local level – electoral avenues unavailable until 1989 (McCoy 1999, 69). This relatively

extreme power to appoint governors before 1989 is ignored by the scholars who focus their critique on the expansion of executive power in Venezuela.

The Punto-Fijo era presidency also had the capacity, like Chávez, to suspend certain constitutional powers due to an imposed state of emergency (Kelly 1986, 39). Kelly writes in regard to this capacity: “the President is constitutionally empowered ...to adopt all necessary regulation to bring laws into effect. Such regulations are neither subject to the approval of the congress or to the courts. Under such circumstances the Venezuelan president could be considered virtually unfettered in his use of power” (1986, 38, 39). Kelly also notes a stark rise in the total power of the executive branch since 1958, through the increase of state-level ministries and appointed ministers which increased from 13 in 1961 to 25 in 1986 (1986, 41). These criticisms mirror those leveled by the scholars above and should be taken seriously, though the focus on Chávez’s own consolidation of power is highly misleading. Rather, the development of the executive branch in Venezuela should be read as a historical trajectory toward the consolidation of power.

History of Participatory Institutions, Defending the “Revolution”

In the previous section, I have worked to unpack and describe many of the most serious criticisms of Venezuelan democracy emerging in the contemporary academic discourse. It is essential, however to see this literature in conversation with another set of literature extolling the virtues of emerging participatory structures in Venezuela that in some ways, according to this body of literature, are emblematic of a reconceptualization

of democracy as such, this time from a radical perspective. This literature often points to the emergence of Communal Councils in Venezuela as spaces in which this type of participatory ethos can be, and often is, inculcated. Less often, this literature points to the dramatic changes in the Venezuelan constitution of 1998 which have both led to the organizational apparatus necessary for the Communal Councils, as well as provided even further avenues for political participation. The aim of this section is to analyze this literature and then bring it into conversation with critics of Venezuelan democracy.

While at some level the Communal Councils seem to stem from a coupling of state-oversight, patronage systems, and efforts to mobilize support for a variety of political venues, be it formal electoral activity or in defense of the Revolution against coup attempts (such as the 2002 attempt), some scholars question the extent to which these Councils are not actually the manufacturers of their political destiny, rather than the end result of a power-grab by the regime. Essentially asserting that the new types of participatory democratic spaces emerging in Venezuela are emblematic of a bottom-up political development, rather than institutions that exist merely to protect the Bolivarian state, these scholars build the case that assessments of Venezuela's democratic character must take these new avenues for political participation into consideration, what follows in the pages to come is an in-depth analysis of several works that are indicative of this type of assertion. I will begin by analyzing a work that situates the current model of participatory democracy within a historical tradition of class-based activism. I will then move to more analytical descriptions of the participatory avenues, and conclude with a broader defense of the formal democratic character of Venezuela.

George Ciccariello-Maher in *We Created Chávez: A People's History of the Venezuelan Revolution* (2013) recounts the historical lineage that led to the development of robust social movement organizations that effectively became the driving force behind the Bolivarian experiment in Venezuela writ-large, as well as the forebears of the Communal Council organizations which became codified in 2006. Ciccariello-Maher works through a historical analysis to connect aspects of the current Venezuelan political atmosphere to the revolutionary groups and social movements of the past. The author begins with the emergence of guerrilla groups following the perceived treachery of President Romulo Betancourt and the Punto-Fijo parties who employed the service of young radicals and members of the Venezuelan Communist Party (PCV) to depose then Dictator Marcos Pérez Jiménez, only to effectively exclude the leftists from the electoral game by way of a power-sharing agreement (Ciccariello-Maher 2013, 24 & 25). Quoting guerrilla leader Fabricio Ojeda, Ciccariello-Maher eloquently frames the discontent with the liberal regime, even at that early stage: “The Venezuelan people are already tired of promises that cannot be fulfilled and disappointed with a democracy that never arrives” (2013, 23).¹⁹

Going further, Ciccariello-Maher notes the diminishing popularity of the guerrilla groups in the later 1960's and recounts the efforts of the left in Venezuela to reconnect with the masses through the establishment of the Movement Toward Socialism (MAS), and efforts to direct the struggle toward urban centers and electoral activity (2013, 52). This urban focus, according to Ciccariello-Maher's narrative, would prove essential to

organizing a political response against continuous police repression in the poorest barrios through the late 70's into the 1980's (2013, 72). Beyond going into great detail into the Caracazo's historical importance in terms of neoliberalism in Venezuela (2013, 90-91), the author locates the constituents of the rebellion as directly linked with the dispossessed, electorally disenfranchised left of years' past, as well as newly radicalized workers and students. He writes: "Revolutionary ferment united these students and informal workers with the hardened revolutionaries, who quickly appeared on the scene, many of whom were veterans of the armed struggle... The alchemical transformation that took place in this heated and swirling crucible was evident in the demands expressed by the protestors; the initial anger at increased transport prices was generalized quickly and successfully to encompass the entire neoliberal economic package" (2013, 92-93). This argument builds his ultimate case that the historical trajectory of Venezuela, through the contemporary situation, should indeed be understood as a continual popular development towards participatory democracy and away from liberal structures that were emblematic of democratic politics of the past.

Beyond the political history outlined above, Ciccariello-Maher moves to describe the swellings of popular power that emanated at crucial times in recent Venezuelan history, noting the support Chávez received following the 1992 coup d'état attempt, the 1998 election, and the 2002 coup attempt against his Presidency (2013, 235). The crux of Ciccariello-Maher's analysis rests on the fact that barrio assemblies began to emerge throughout the early-to-mid 1990's which closely resemble today's Communal Councils in their constitutive structure (2013, 243), and that these organizations effectively

perpetuate and stabilize the regime. In the end Ciccariello-Maher ultimately concludes by essentially offering that a simple exploration of state-authority in regards to Venezuela offers an incomplete picture of the types of democratic processes occurring in Venezuela. He argues that “Chávez himself has been radicalized as a result of both pressure from below and the hostility with which he was received, almost immediately, by the remnants of the old system” (2013, 242), offering a case that Chávez’s own executive trajectory has shifted from attempts to merely further nationalize oil industries to making direct attempts to institutionalize popular power (2013, 242).

For scholars analyzing Venezuelan Communal Councils issues of coercion and participation seem to be at the heart of the analysis. A similar picture to Ciccariello-Maher’s is drawn by Mark Warren in his introduction in *New Institutions for Participatory Democracy in Latin America: Choice and Consequence* (Eds. Cameron, Hersheberg and Sharpe 2012) as he goes on to make the claim that Communal Councils have the potential to overcome Hugo Chávez’s ability to control them (Warren 2012, x). For Warren, democracy is a bit of a moving target, and one that should be analyzed at a case-by-case level with proper claim given to participatory avenues which are at times incalculable by empirical variables. His introduction is part of an essential source for the study of participatory politics in Latin American and Venezuela in particular; the contributions of several authors in this volume will be presented below.

Gisela Zaremberg in “Latin American Municipal Development Councils” her contribution to *New Institutions for Participatory Democracy in Latin America: Choice and Consequence* (2012), offers a comparative analysis of the constituency of the Citizen

Participation Cabinets (GPC) in Nicaragua created by presidential declaration in 2007 by the new Sandinista (FSLN) government and the Communal Councils in Venezuela. In both cases, according to Zarembeg, the ostensible purpose of the GPC as well as the Communal Councils is to “organize and participate in comprehensive development” (Zarembeg 2012, 30). Zarembeg employs ethnographic field work and survey data as well as findings from a network analysis of the extent to which these organizations are coerced. According to her field surveys, Zarembeg reflects that “the membership of the GPC is closely linked with FSLN militants” with 100% of interviewed respondents indicating that they consider themselves to be a member of the FSLN (2012, 29). In contrast, the Communal Councils reported a 44% affiliation with Chávez’s political party, the United Socialist Party of Venezuela (PSUV), while 30% reported no affiliation (2012, 31).

Zarembeg’s network analysis is equally fascinating with her offering of a quantitative analysis of the embeddedness of hierarchical structures to attempt to determine the extent to which the Communal Councils and the GPC are, or are not, directed from above. According to her analysis; Communal Councils operate through a semi-hierarchical system of intermediary organizations which provide funding for particular projects (2012, 34). This finding reflects her fieldwork data that show that while the PSUV has a powerful role in enabling agencies, the organizations that are created through the Communal activity operate mostly autonomously because of their effective separation from party sources.

This comparative approach appears to bring into focus two competing rhetorics of “participation,” one of which seems to be strongly hierarchical and the other less-so, though both depend on funding and support from top-down authorities. Of course this type of duality is worth being skeptical of, and it is worth suspecting that future, more critical, analyses would focus on the extent to which true participation cannot be engineered from the top, at any level.

Michael M. McCarthy offers a quite balanced approach in his chapter “The Possibilities and Limits of Politicized Participation: Community Councils, Coproduction, and *Poder Popular* in Chávez’s Venezuela” in *New Institutions for Participatory Democracy in Latin America: Choice and Consequence* (2012). As such, he locates the relationship between state and political participant in a dual-movement. Thus, to effectively remove himself from a static debate, he takes a critical examination of exactly *who* participates in Venezuelan politics, and how these actors work within state-level apparatuses to carve out innovative and often-times democratic, spaces of public action and participation.

McCarthy focuses his analysis on Communal Council organizations which he terms “operationally coproducing organs” by which he means the Councils both offer constituents direct participation opportunities, but also, a mechanism by which state-hired community organizers assist with the administration of basic services (McCarthy 2012, 125). McCarthy’s focus on the substantive contributions of the Councils beyond democratic or political participation reveals another aspect of an analytical framework to assess the democratic character of Venezuela. McCarthy’s argues that “the council (is) a

useful tool for self-help...a vehicle for political recognition that results in a kind of political incorporation” both by supporting the state which in turn supports the Council, but also by providing basic goods and services to previously marginalized populations (2012, 130).

Perhaps the most glaring instance of formal democratic structure guaranteeing participatory power is located in Chapter IV, Article 62 of the Venezuelan constitution itself which guarantees the right for citizens to participate freely in politics.²⁰ Alicia Lissidini in her chapter “Direct Democracy in Uruguay and Venezuela” in *New Institutions for Participatory Democracy in Latin America: Choice and Consequence* (2012) provides an in-depth analysis of formal constitutional structures that ensure popular participation in Venezuela. It should be noted that the existence of language guaranteeing the right to political participation is far different from institutional-level mechanisms that cultivate actual participation. This is a distinction that is often conflated in this literature.

Lissidini goes even further to explain the failure of the 2007 failed referendum and the subsequent support for Chávez’s now infamous referendum of 2009 which removed term limits for all public offices in Venezuela. Lissidini explores the extent to which a rhetorical oppositional campaign was launched in 2007 that linked the Venezuelan socialist project writ-large with the Cuban model, while “for Chavistas socialism is Chávez” (2012, 172). She is effectively able to untangle the broader failure

²⁰ Constitution of the Bolivarian Republic of Venezuela - Chapter IV: Political Rights and Public Referenda; Article 62. <http://venezuelanalysis.com/constitution/title/3>. Accessed 4/08/2014.

of 2007 from the particular success of 2009 by acknowledging the support that Chávez garnered in his personality politics-and more particularly, his ability to mobilize a particular portion of the population not only to support him, but to initiate the referendum process to begin with (2012, 172). This is an instance in which these two discourses apparently collide; on the one hand the elimination of term limits in Venezuela has drawn the ire of a multitude of scholars, at the same time, it is indeed reflective of formal institutionalized processes of participatory politics that can effectively enable, or perhaps engineer, this type of outcome. Each account described above represents a discursive departure from criticisms of the Bolivarian Revolution as merely a product of one man's, or a select group of men's, ambitions to control the oil wealth of the state and engineer a devastating deconstruction of liberal democratic institutions. Rather, these accounts reveal a dual-power that has emerged as a cooperative, yet oftentimes tense, relationship between *the people* and the government which is both enabled and constrained by that constituency. While much of the literature has focused on the emergence and proliferation of Communal Councils, a growing literature is emerging in concert that illustrates the extent to which formal structural changes have effectively enabled this radical change toward greater participatory politics in Venezuela.

This notion of a dual power is particularly problematic for proponents of participatory elements of the current Venezuelan regime. It is essentially a teleological construction; in many ways that obscures the notion of State power itself. The case that there is no *real* separation between State and the people and that this apparent confluence of popular authority legitimizes whatever the regime decides to do with respect to the

manipulation of Communal Councils through funding and incentives (or lack thereof), or changing the terms of referendums is problematic on its face. However spectacular the potential for Communal power is in Venezuela, the ties to the State and an executive branch that is empirically growing more powerful is worth being critical of.

A New(ish) Lens.

In the previous pages I have described the internal workings of a vibrant and starkly bifurcated academic debate on the democratic character of Venezuela since the transformations that occurred in 1998. The polarized debate shows little signs of relief, with both sides harshly digging in during the current waves of political dissent, repression, and division of the past few months.²¹ This debate has, however not gained much constructive progress in terms of coming to a common understanding or analytical lens through which one might assess a particular regime's democratic character. It is worth noting though, that employing this type of literature-analysis reveals stark and highly contrasted ideological fault lines that were, while anticipated, possibly reflective of a type of intransigence that even the most nuanced argument could not resolve.

It is worth speculating as to why this debate has become so very polarized. Though scholars are ostensibly analyzing the same set of phenomena, they are very often coming to starkly different outcomes regarding Venezuela's democratic character. Those who are likely to criticize Venezuela's democratic performance over the past 14 years are

²¹ For a very interesting reflection of the furiosity of this scholarly debate see: [Debate with George Ciccariello-Maher & Moises Naim on Venezuela's Protests](#). From KQED Radio, March 22, 2014. Accessed 4/10/2014.

likely to favor representative democracy. Brewer-Carías lays this out explicitly in *Dismantling Democracy in Venezuela: the Chávez Authoritarian Experiment* (2010) when he states, to paraphrase, representative democracy is the only viable system of democratic governance and we would do well to attempt to repair problematic aspects of it, rather than to dismantle it with dreams of participatory utopianism (Brewer-Carías 2010, 123). Likewise, those who are likely to laud Venezuela's democratic performance over the past 14 years are likely to favor participatory democracy over representative avenues.

These participatory avenues often work in concert to provide a unique type of democratic experience in Venezuela that cannot be understood solely by common measurements of democracy employed by social scientists to understand liberal democratic regimes. One such variable has been explored in this chapter, this being the extent to which there are strong limitations on the executive branch. Electoral data since 1998 as explored in chapter 1 and the introduction to this thesis reveals that along measures that would likely be included in an empirical analysis of Venezuelan democracy by social scientists using traditional measures, the arrangement presents an ambiguous situation between an authoritarian expansion of executive power and vibrant competitive elections. Adding even more complexity to this situation is the extent to which the new participatory avenues that are frequently left out of empirical assessments of Venezuelan democracy actually may reveal an overture in Venezuela toward a deep commitment to democracy.

While scholars might debate the veracity, normative content, or actual democratic nature of these values espoused by the Bolivarian regime, a commitment to fostering popular control of state resources for instance, there is little doubt that they are not included in major assessment tools of democratic content. I argue that a more explicit focus on participatory avenues of governance in Venezuela is necessary to assess the democratic content of the regime. To my mind there are 2 major vehicles for conveying this type of assessment: first, scholars could provide qualitative data that adds important layers of complexity to existing variables and perhaps create new variables to study participatory democracy in Venezuela and second, scholars could return to traditional theoretical treatments of participatory democracy to make comparisons with the Bolivarian regime.

In the chapter that follows, I employ Hannah Arendt's analysis of the council-form in *On Revolution* (1965), in order to offer a more theoretically nuanced understanding of democracy. In particular, I will look to Arendt's notion of a democratic ethos, a spirit of participation, which could guide analysis of democratic regimes going forward, in terms of whether their institutions engender this type of democratic spirit, or not. I will attempt to apply this model to the current debate on democracy in Venezuela. This comparison exposes the democratic content of the Bolivarian regime to a type of assessment that does not hinge on problematic empirical data, but rather, on the extent to which existing participatory avenues mirror classical examples of participatory democracy in political theory.

Chapter 3: Understanding the democratic ethos of the Venezuelan experiment

Reading Hannah Arendt, *Contemporary Excursions*.

Thus far this thesis has achieved several goals; first it has provided a contextual understanding of the extent to which assessments of Venezuela's democratic character have been employed to political ends with respect to the contemporary situation of ongoing political instability in Venezuela. Second, it has worked to describe Venezuela's hybrid experiment based on available data. Finally, it has rehearsed and analyzed the contours of the starkly bifurcated academic debate on the character of Venezuelan democracy. This final substantive chapter will effectively provide a theoretical framework from which more nuanced and theoretically sophisticated examinations of Venezuela's democratic character under the Bolivarian arrangement might emerge. Hannah Arendt's *On Revolution* (1965) provides such a lense, and I am interested in ways that political theorists might, or might not, apply lessons found here to the contemporary academic debate about the nature of contemporary Venezuelan democracy, as well as possible corollary analytical frames that situate the scholarly literature on hybrid-democratic regimes. This chapter will apply a focused interpretive analysis of Hannah Arendt's explicit work on council democracy and attempt to bridge this theoretical dimension with the practical political transformations in recent Venezuelan politics.

Among the most influential political thinkers of the 20th century, Hannah Arendt produced a vast array of writings that have left a powerful legacy on contemporary political theory, as well as the policy realm. Her writings have often focused most

explicitly on conceptualizations of *the political* as such, often connecting this notion to the Ancient Greek democratic tradition which she often valorized (*The Human Condition* 1958). Analyzing ways in which modernist philosophical approaches have obscured the meaning of the *political* realm in favor of the social, or economic. Scholars have more recently been turning to her work and carving out a place for Arendtian analysis of contemporary political phenomena that is both reflective of her ability to take on big ethical concerns (*Eichmann in Jerusalem*, 1963), as well as contentious political issues (*The Origins of Totalitarianism*, 1951). Even a modest perusal of major publications among scholars of political theory will lead to a conclusion that Arendtian frames have become increasingly ubiquitous in the contemporary academy.

For Arendt, by the *social* problem, she means poverty, or to be more precise in terms of *On Revolution* the propensity for modern revolutions to focus upon the resolution of class ills, rather than the installation of political ideals. I suspect she would be critical of the Bolivarian Revolution, for reasons I will explore further later, though if you take her at her maxim; that the public-sphere must be elevated (Arendt 1965, 23), one must admit the ways in which the Venezuelan experiment has worked to promote this very notion.

Arendt's argument for council democracy in *On Revolution* has been called, both pejoratively, as well as in glowing terms utopian – reflecting on her momentary, within the scope of her philosophy, overture toward asserting a normative framework in her idealization of ward republics in the early, post-revolutionary American experience (Sitton 1987, 80). Arendt herself, in a 1970 interview for the book *Crises of the Republic*

entitled “Thought on Politics and Revolution” described the council-form as a type of utopian experiment.²² Many major arguments contained within this work though, far from being purely utopian, in the sense that its recommendations are the stuff of fantasy, are reflective of actually existing political projects that have emerged in recent years. This chapter will begin with a brief analysis and review of *On Revolution*, and will follow with a more normatively focused deployment of one of the signal arguments of the work in terms of the democratic arrangement in Venezuela, as well as recommendations for scholars going forward in their respective analyses of the Bolivarian experiment.

On Revolution

Hannah Arendt works in *On Revolution* (1965) to unpack her theoretical commitment toward *the political*, against what she sees as ultimately the bureaucratization of the political life in the modern era, and thus, according to her normative framework, the *good life*. She defines a *political* concern as one “based upon persuasion and not upon violence” (Arendt 1965, 2), elevating a notion of a deliberative sphere where authentic public selves can be cultivated. Her work begins by analyzing the comparative revolutionary traditions of the United States and France, and goes on to work through both their similarities and glaring differences.

On Revolution locates the heart of politics by focusing on two political features that Arendt effectively classifies as “beyond ideological” – these being war and

²² Referenced from Sitton, John, “Hanna Arendt’s Argument for Council Democracy,” *Polity*, Volume XX, Number 1, 1987.

revolution (Arendt 1965, 1, 5). Focusing on revolution, Arendt analyses a particular ethos, or spirit that results from the political quest for the *Revolution*, as such.²³ This is the framing narrative from which she can begin her analysis of the French and American Revolutions, in comparative perspective. Locating historic incidences of revolution in antiquity, Arendt builds a theoretical account of revolution as essentially distinct as a political act in that it creates the space from which something *new* could emerge, at least potentially (1965, 10). Thus she makes a distinction between ancient and modern revolutionary activity in the understanding of the social question, that is the centrality of poverty to the understanding of contemporary revolutionary action (1965, 12). She writes: “The social problem began to play a revolutionary role only when, in the modern age and not before, men began to doubt that poverty is inherent in the human condition,” (1965, 54) and while this is an empirical question, to quote Marx: “The question whether objective truth can be attributed to human thinking is not a question of theory but is a practical question. Man must prove the truth,”²⁴ this situating of the social problem guides her thinking and situates her infamous dichotomy between social and political relations, which is key to understanding *On Revolution*.

For Arendt, freedom, rather than liberation, is the ultimate aim of the revolutionary spirit. She writes: “The basic misunderstanding lies in the failure to distinguish between liberation and freedom; there is nothing more futile than rebellion

²³ By “Revolution,” here I mean Revolution outside of its particular historical content. Rather, by Revolution with the upper-case “R,” I am referring to an essentially transcendentalized notion of political change and constitution building that doesn’t belong to any *particular* political project, but is the aim of many.

²⁴ Marx, Karl, “Theses on Feuerbach,” 1988.

<http://www.marxists.org/archive/marx/works/1845/theses/theses.htm>, Accessed 4/24/2014.

and liberation unless they are followed by the constitution of the newly won freedom” (Arendt 1965, 133). Freedom often constitutes a new beginning, a moment of starting over from a previous situation of repression or tyranny and provides the revolutionary subject with energy to remake the political world (Arendt 1965, 19, 133). Liberation, on the other hand, according to Arendt is often the precondition for freedom but not necessarily a constant forbear, a necessary but insufficient condition (1965, 22). Liberation without a commitment to freedom, according to her account leads to, in the American case the emergence of constituted basic civil rights and liberties that are not the “result of the revolution,” but rather a type of “justified restraint” or negative liberty (1965, 22, 134). This dichotomy and the resultant elevation of the political concept *freedom* is an essential contribution that allows Arendt to analyze both the American and French Revolutions along these axes.

By contrasting the American revolutionary tradition with the French revolutionary tradition she make the case that before constitutionalization, the American experience more closely approximated an ideal-space of public life. For Arendt the constitutional process is a space of grave difficulty for the revolutionary process, as by their very nature, there is nothing particularly revolutionary about constitutions in that they effectively codify preexisting structures through revolutionary legitimization. At times her representation of the American Revolution seems false, she writes of the founders’ pragmatism in overly glowing terms. For example, she writes: “the men of the American

Revolution remained men of action from beginning to end,²⁵ from the Declaration of Independence to the framing of the Constitution. Their sound realism was never put to the test of compassion, their common sense was never exposed to the absurd hope that man, whom Christianity had held to be sinful and corrupt in his nature, might still be revealed to be an angel” in an obvious shot at the idealism of the French Revolution (1965, 85). She writes this to describe a fully-intellectualized American Revolutionary project based on the sober political development which “the haunting voices of abject poverty, never penetrated” (1965, 85). In some ways, it seems this framing is anti-historic, or at least incomplete, as it seems faulty not to mention the types of very socially-based organizing done by rabble rousers like Thomas Paine. Nevertheless, Arendt presents a portrayal of the American founders as pragmatic constitution-builders unconcerned with solving social ills.

Arendt writes “The singular good fortune of the American Revolution is undeniable. It occurred in a country which knew nothing of the predicament of mass poverty” (1965, 148). In contrast, the Bolivarian Revolution occurred in the context of a massive 50% poverty rate in 1998.²⁶ Though more recent historical accounts of class-conflict in pre-revolutionary British America have challenged this argument of Arendt’s (Hawke 1988, Berlin 1998, Link and Wheeler 1999), her point that the focus of the political leadership was toward codifying the elite political ideals of the revolution, rather

²⁵ For Arendt, “Action,” is a concept clearly theorized in *The Human Condition* (1958) – effectively refers to praxis, a doing of politics, the realization or recreating of something new (Arendt 1958, 9). In terms of her argument in *On Revolution* (1965), it seems clear that Arendt is referring to constitution-building.

²⁶ The World Bank, Venezuela. <http://www.worldbank.org/en/country/venezuela/overview>. Accessed: 5/1/2014.

than social welfare is well taken, and certainly antithetical to the social commitments to the Bolivarian project. Critical perspectives toward the Bolivarian Revolution who frequently question the regime's actual commitment to social justice (Brewer-Carias 2010, Hawkins 2008) might find points of comparison with Arendt here as they often look at participatory mechanisms as avenues for the state to codify a political project based on oil-patronage.

As for the French Revolution, she describes a type of unconscious revolutionary spirit that effectively guided the French Revolution, an “anonymous force of revolution” (1965, 41) that was counter to the more intentional American Revolution, and led to a continuous state of revolution that effectively bound future French revolutionary exercises throughout the 19th century (1965, 41). She means here, a type of unconscious inevitability that it is in the location of the social life, the constant process of negotiation class advantages that allows for this impermanent, and ultimately in Arendtian terms, apolitical revolutionary lineage. Nevertheless, she seems to have a much more nuanced understanding of the French Revolution, particularly the historical figure Robespierre who she seems to cast as emblematic of an inevitable outcome of a revolutionary process without a political ballast to maintain its ideals.

Arendt claims that as a result of the European Revolutionary tradition, happiness, the social concern, inextricably linked to the acquisition of private goods, became a primary revolutionary goal rather than the choice to pursue freedom, the political concern, linked to the pursuit of public goods (1965, 45). To this end she writes: “Meanwhile, the (French) revolution had changed its direction; it aimed no longer at

freedom, the goal of the revolution had become the happiness of the people” (1965, 45). Of course Arendt locates the notable line in the U.S. Declaration of Independence “the pursuit of happiness” and makes the case that in the American case, “happiness” carried two separate and for Arendt contradictory messages; first, private welfare, a meaning which problematically became the standard way to define the pursuit of happiness, and second, “public happiness” or the propensity for a citizen to claim a “right to access to the public realm, in his share in public power – to be a ‘participator in the government of affairs’” (1965, 118). Arendt goes further to explain how the revolutionary fervor of the early pre-constitutional, post-revolutionary American colonies was effectively forsaken in favor of what Arendt terms as a particularly contractual form of representative democracy that by its very nature bridled the passions of early U.S. citizens (Arendt 1965, 22).

It is this tradition which despite its potential ultimately failed the majority of people in the United States. Despite its promises, the American revolution proved to provide an empty relief as she notes that there “proved to be less opportunity for the exercise of public freedom and the enjoyment of public happiness in the republic of the United States than there had existed in the colonies of British America”(Arendt 1965, 335). In exchange for public freedom and happiness, the founders opted for a representative-democratic arrangement that pursued utilitarian aims of public welfare and civil liberties, while democratically enfranchising a landed aristocracy that would virtually exclude the poor from public-life (1965, 221). One of the major contributions arises in the understanding of the ultimate project of the American Revolution; as Arendt

understood it, in its capacity to use the democratic principle to constrain popular power. Of course this is explicitly understood as a Federalist strategy within the American tradition when analyzing Madison's maxim in Federalist papers 10 and 51 when writing about the problem of a singular faction potentially using democracy to take a disproportionate stake of political power.²⁷ Madison hopes that employing "ambition...to counteract ambition" will safeguard any minority group, be they political, ethnic, religious or others, from domination by a majority group.²⁸

This understanding is echoed by historian Charles A. Beard in his seminal *An Economic Interpretation of the Constitution of the United States* (1913), in which he presents a similar picture of a post-revolutionary power struggle. Arendt casts Beard as a "towering influence" in the historiographical representation of the American founding, claiming that his "obsess(ion) with unmasking the Founding Fathers and by the hunt for ulterior motives in the making of the Constitution" (Arendt 1965, 89). Though this is a faulty representation of the influence Beard had on the historiography, as he himself was quite marginalized against a wave of nationalistic representations of the American founding going back to George Bancroft's 10 volumes of *History of the United States of America, from the discovery of the American continent* from 1854 to 1878 which set the scene to scholarship on the founding of the United States.

²⁷ Madison, James, "The Utility of the Union as a Safeguard Against Domestic Faction and Insurrection," *The Federalist No. 10*, "Daily Advertiser," Thursday, November 22, 1787.

<http://www.constitution.org/fed/federa10.htm> Accessed 4/20/2014.

²⁸ Madison, James, "The Structure of the Government Must Furnish the Proper Checks and Balances Between the Different Departments," *The Federalist No. 51*, *Independent Journal*, Wednesday, February 6, 1788.

<http://www.constitution.org/fed/federa51.htm>, accessed 4/22/2014.

Council Democracy and Bolivarianism

Thus far in this chapter, I have provided a brief and thus far, partial, review of an essential text to the study of democratic theory and revolutionary politics. This review has focused on the extent to which Arendt elevated political concerns over social concerns in her comparative study of the American and French revolutions. In this section, I will look to her specific normative argument for council democracy and her valorization of the townships and wards in early American republics to find explicit connections between her philosophy and the Bolivarian Revolution. In previous chapters, I have worked to provide a credible description of the Communal Councils; first in understanding hybrid regimes as I analyzed the Communal Council as an example of the way in which Venezuela's democratic experiment is too ambiguous to be characterized as totalitarian, and second in reviewing the scholarly literature that provided both historically contextual as well as empirically grounded descriptions of the Communal Councils. The most important contribution, in terms of this thesis, is of course Arendt's theorization of the council form which could represent an alternative democratic space to representative government through political parties (Arendt 1965, 267, 263).

For Arendt political parties effectively work to release a citizen from political participation, to negate this responsibility; she writes "the party as an institution presupposed either that the citizen's participation in public affairs was guaranteed by other public organs, or that such participation was not necessary" (1965, 264). This is in direct contrast from her conceptualization of the council-form which she says were in

their actual existing forms “spontaneous organs of the people” (1965, 241). She writes to great length about what councils based on a truly *politicized* participatory framework would look like, and while these normative articulations differ somewhat from the fully realized, actually existing, experience of the Venezuelan Communal Councils, there are important similarities that make the case rather ambiguous as to whether the Communal Councils are practical examples of the theoretical framework provided by Arendt in *On Revolution*. These similarities and differences will be explored in the pages that follow in this section.

Arendt offers in her theorization of the council-form of democratic engagement that the emergence of councils in post revolutionary situations enables the potential for the political aims of the revolution itself to be institutionalized by constituent power. Andreas Kalyvas in *Democracy and the Politics of the Extraordinary* (2008) argues that Arendtian councils work to preserve the spirit of the revolution by linking powerful acts of political leadership and founding with everyday political engagement (Kalyvas 2008, 277). Lisa Disch in her 2011 article “How could Hannah Arendt glorify the American Revolution and revile the French? *On Revolution* in the historiography of the French and American Revolutions” published in the *European Journal of Political Theory*, argues similarly, focusing on the extent to which Arendt’s account of the council-form presents the potential for new spaces of everyday political engagement that turns into practice for the very *political* ideals of the revolutionary process (Disch 2011, 353). Arendt goes on to be more specific about what she means by the council form first by employing a theory of federation.

Protecting the political ideals of the revolution being of grave concern, Arendt lays out specific steps to preserve the independence and autonomy of the councils through federation. First, she warns of the ability for higher-councils to essentially dominate subsidiary councils (Arendt 1965, 267). Second, she provides a check for selection bias among councils by offering that council members should be elected at lower levels, but at higher levels council leadership should be comprised of selected members from lower councils, a type of political elite (1965, 278). In this conceptualization, Lisa Disch argues that Arendt “rejects both the mandate and independence theories of political representation to argue for a unique model of self-authorization, on that is not spontaneous but, rather, mediated by the principle of peer selection,” (Disch 2011, 352), and though this model is essentially problematic in that the political elite are an easy target as potentially self-interested actors, it remains an important contribution. The Bolivarian process, since the emergence of the councils as a direct official form of local governance in 2006 has wrestled with these issues.

Arendt’s federation principle allowed for effective checks to be placed upon councils of varying degrees of strength and importance (1965, 266). The Communal Councils too are placed within an institutional network of power. Though the distinction in the Venezuelan case is that the power that constrains the councils is historically rooted in popular power, and reflects their ultimate control of the political system through participatory governance. The Bolivarian Revolution indeed began with an effort to transform the previous representative system into a federated system that would allow for a constituent-driven form of government to emerge. In July of 1999, Chavez initiated a

national referendum to first select a Constitutional Assembly in an effort to draft a new constitution and provide a model for which a federated system of participatory governance could potentially emerge. The Constitutional Assembly derived its legitimacy from the passing of the referendum with over 80% approval among a 38% voter turnout (Lissidini 2012, 166). The Assembly's task was to submit before popular approval a new constitution within 6 months. Among contestation from legislative opponents the Constitutional Assembly worked to coordinate a network of civil society organizations which submitted 624 proposals for inclusion into the new constitution, 50% of which were accepted into final drafts of the constitution (166).

Eventually the new 1999 constitution was approved by a 71.78% vote, with a 45% voter turnout. This new document emphasized participation and the political inclusion of historically marginalized peoples by including guarantees for human rights, and mechanisms of direct democratic action (164). From the beginning, the new constitution has had among its most basic tenets the codification of constituent power. It “considerably expanded the mechanisms of direct democracy with the explicit objective of promoting greater citizen participation in public affairs” (161), enshrining a participatory spirit in the text of the constitution (Article 70), as well as providing multiple outlets for the deployment of this popular power: “subject(ing) governing officials to popular recall and processes and foster(ing) people’s self-government through direct participation in legislative processes, consultative referendums, repeals and approvals, and citizen assemblies” (166). These citizen assemblies, which became neighborhood level Communal Councils, are appropriately federated according to

Arendt's federal-principle in that they derived their authority from a non-hierarchical system of civil society organizations that were integral to the founding of the Bolivarian Constitution.

It is worth being inquisitive of the extent to which constituent power has been driven by state-led processes or popular power, though the literature seems clear that the governing Socialist Party (PSUV) of Venezuela maintains a privileged, yet non-hegemonic position within the system of Communal Councils. In essence, even among Council members the PSUV does not have a pure majority support, with accounts of membership ranging from 39% (McCarthy 2012, 140) to 44% (Zarembeg 2012, 31). Opposition groups and citizens also have the right to create councils, and they often have benefitted from this arrangement and have led to "competition between Chavista and opposition parties over who is more 'popular' and a better ally of 'the people'" (McCarthy 2012, 138). This seems to be reflective of a particularly Arendtian concern, that is, the elevation of "the people" as such to the realm of the deliberative – casting it in purely political terms that have little truth value. Arendt worked tirelessly to explore this notion of the public-life, or a political life, which hinges completely upon the escape from truth, the moving from the quest for truth to the quest for deliberation; in Arendt's words: "political life is concerned solely with matter that have no right answer" (269).

Following the immediate criticism that the top-down approach that the Communal Council provides mechanisms for the mass-mobilization of political action and opinion, as well as that they provide avenues for state repression, detractors does not fully grasp the notion of constituent power that underlies and makes *contingent* the highest levels of

Bolivarian governance. It also fails to take into account the historical process of grassroots Council building that has effectively led to the Bolivarian government. Arendt was writing to discredit the validity of the councils in the Soviet Union, explicitly targeting Lenin's slogan "All power to the soviets" (Arendt 1965, 257). She wrote explicitly to this end in *On Revolution* going on to describe the Bolshevik experience as not one of innovative democratic experimentation, but rather as a dominant political party that engineered an effective takeover of the other competitive political parties of the pre-October revolutionary arrangement (1965, 257, 258).

It is clear that Arendt wants to move her analysis of the council beyond what can be offered by studying workers councils in the Soviet Union, thus she specifically works to classify her council-form as a neighborhood council, a Revolutionary council, rather than a worker's council. She evokes again the American Revolutionary tradition by offering Jefferson's arrangement for "ward-republics" as an example of a neighborhood-level political organization (Arendt 1965, 245). While it may be a historically flawed or normatively problematic account of council-democracy, in that early American Republics failed in many ways to protect the rights of minorities, both by excluding in many cases not only enslaved Africans, but also Native Americans, women, and unlanded white men; her argument can be taken in terms of her commitment to *political* rather than *social* ideals. She writes "Jefferson himself knew well enough that what he proposed as the 'salvation of the republic' actually was the salvation of the revolutionary spirit through the republic" continuing on to explore Jefferson's account of the politicized revolutionary "energy" the early wards, or townships contributed toward the actual founding of the

United States (1965, 242, 243). This account of neighborhood-centered councils seems to work in concert with the types of Communal Council activity actually occurring in Venezuela today, as much of this activity centers around Barrio-level political organization.

It should be noted that Arendt offered in this work a particular materialist critique in *On Revolution* that runs counter to the type of at least ostensibly socialist development occurring in Venezuela today. On January 30, 2005 at the 5th World Social Forum in Porto Alegre, Brazil, Venezuelan President Hugo Chávez announced that Venezuela would be pursuing a type of socialist project that differed radically from 20th century state-led projects. “We have assumed the commitment to direct the Bolivarian Revolution towards socialism and to contribute to the socialist path, with a new socialism, a socialism of the 21st century, which is based in solidarity, in fraternity, in love, in justice, in liberty, and in equality” Chávez announced, going further to vaguely describe that the path toward socialism could take through “capital transformation” and “a new socialism that must be constructed every day.”²⁹ This focus on capital transformation and equality of material conditions in Venezuela connect well with Arendt’s approximation of the French Revolutionary tradition, which she harshly critiques for its reliance on its ‘social origin’ (Arendt 1965, 57). She writes: “If Marx helped in liberating the poor, then it was not by telling them that they were living embodiments of some historical or other necessity, but by persuading them that poverty itself is a political, not a natural phenomenon, the result of violence and violation rather than of scarcity” (53).

²⁹ <http://www.socialistworld.net/doc/1561>

It is here that I find the most compelling arguments against the approximation of the Arendtian council democracy with the Communal Councils in Venezuela, that Arendt would find the very *social* centrality of the Bolivarian Revolution antithetical to its political promise. Here too, the Venezuelan case is full of ambiguities; at one hand the use of oil revenue to provide social goods such as “community development projects, installing the stairs on a sloped walkway, paving a street, fixing inefficient water and sewage systems, repairing/and or modernizing houses, and building community centers” for Communal Councils is their obvious function (McCarthy 2012, 126). At another level though, the embeddedding of the goals of the Bolivarian Revolution into the institutional frameworks of these councils, such as a commitment to participation the *ideal*, rather than a political party as such (Zaremborg 2012, 31), represents a commitment to a revolutionary *political* project that Arendt would likely praise. Thus it seems as though the Bolivarian project represents a dual concern, both with social and political projects, which have coalesced into a broader public scheme that seems to be the overarching goal of the project; that is, the inculcation of a *people’s* power, a public power that has the elimination of social ills as its function.

What is central to the understanding of the Bolivarian Revolution, in terms of its ability to approximate the Arendtian understanding of the council-form rests in the interpretation of whether Arendt was effectively arguing for the councils to actively replace representative structures based on a party system. Scholars disagree on the extent to which Arendt was advocating for a replacement of the representative system with an entirely new structure of democratic engagement through councils, or whether she was

effectively arguing for councils to replace parties as part of a broader representative democratic arrangement. Lisa Disch writes “she (Arendt) recommends councils as an alternative to party systems for representative government, not an alternative to representative government per se” (Disch 2011, 352). To this point which is of course an integral distinction when considering the Bolivarian experiment, though it raises important questions that have yet to be analyzed within the scholarly literature on Venezuelan democracy. Namely, do the Communal Councils have the potential to replace political parties in Venezuela? And in what capacity might this transformation become possible? Nevertheless the ideological polarization in the debate has effectively led to the stalling of empirical and theoretical examination as aspirational accounts based upon classical representative democratic models or radical democratic theory has robbed us of an analysis of what the Councils *could* be, based on theoretical literature that reports to neither camp, representative nor radical, explicitly.

It is clear that the notion of constituent power in the Bolivarian Revolution works in stark contrast to the party-led electoral scheme of the traditional political parties in Venezuela that maintained electoral control for nearly 40 years. Frederick B. Mills writes in his report to the Council on Hemispheric Affairs entitled “The Bolivarian Revolution and the Constituent Power of the Chavista Base after the April 14, 2013 Presidential Elections” that Venezuela’s poor and dispossessed population have played a protagonistic historical role in first supporting Chavez in 1998, and then defending his

presidency during the 2002 coup attempt.³⁰ It is here that George Ciccariello-Maher's analysis of a dual power between the constituted power of the Venezuelan state, and the constituting power of historical popular forces becomes key: the pressure exerted from "relatively autonomous barrio councils and militias, informal workers, social and community organizations, and leftist political parties on the revolutionaries of the states"³¹ allows the potential for the Venezuelan state to be held in check. The extent to which this is happening is not available in the literature, though conclusions, one way or another, based on the polarized debate, are likely to be drawn along ideological lines.

Nevertheless, the notion of a non-party led, revolutionarily *politicized* public-sphere is very much reminiscent of Arendt's formulation of the council. Though it is clear that she is an author whose arguments can be used both for and against the type of democratic experimentation going on in Venezuela, a theoretical lense such as this provides a welcome reprieve from the deadlock that consumes the contemporary debate. In future work, it would be welcome for scholars to take on these interpretations of Arendtian council democracy with the knowledge of new participatory models emerging in Latin America. This scholarship could provide innovative and important insights into what has been characterized as a new wave of democratization, well beyond what is happening in Venezuela. The focus on participation, based on constituents taking

³⁰ Mills, Frederick B., "The Bolivarian Revolution and the Constituent power of the Chavista Base after the April 14 2013 Presidential Elections," *Council of Hemispheric Affairs*, May 29, 2013. <http://www.coha.org/the-bolivarian-revolution-and-the-constituent-power-of-the-chavista-base-after-the-april-14-2013-presidential-elections/> Accessed, 4/24/2014.

³¹ Ibid.

ownership over the political ideals of their revolution, is worth a more explicit and deeper examination than the current debate provides.

In this chapter I have first explored Hannah Arendt's importance in terms of the contemporary debate on Venezuelan politics, referencing some of the major officials who, in her name, promote U.S. foreign policy. Going further, I provided a brief review of the portions in *On Revolution* that are essential to understanding its contribution to this thesis. I then explored Arendt's notion of the council-form, focusing on particular ways in which its formulation either mirrors or deviates from the Bolivarian model. Finally, I explored ways in which scholars might use this Arendtian lense to more holistically and in a more sophisticated fashion, analyze the democratic content of Venezuela since 1998, and more particularly since the Communal Councils became a codified portion of the Venezuelan State following the 2006 Law of Communal Councils. This thesis will conclude with some final thoughts on the Bolivarian Revolution. This conclusion goes further than summary, and will hopefully open more doors for further future inquiry.

Conclusions, Final Remarks, and New Directions

This thesis has shown the ways that the contemporary debate on Venezuelan democracy is both bifurcated along ideological lines, among scholars analyzing similar empirical data, and also dangerous in that assessments of Venezuelan democracy lead to practical policy directions that are potentially problematic. Within the scholarly literature, this bifurcation has provided a great deal of conceptual confusion as both sides effectively lead to flat-footed categorizations of the regime as *either* extremely democratic or authoritarian. I have also shown that comparing potent theoretical perspectives, alternative to liberal or radical perspectives, with actual historical data reveals important and substantive distinctions that allow for a more holistic assessment of Venezuelan democracy. This thesis has also deepened the literature on council-democracy by applying an Arendtian lense to an analysis of Venezuelan democracy.

This application of theory to data reveals what is the ultimate argument of this thesis; that is that scholars who focus on empirical assessments of liberal democracy miss an important participatory element that exists in the Venezuelan case. Going further, this type of theoretical engagement leads to a more nuanced and holistic assessment of Venezuelan democracy in that it has the capacity to better analyze the participatory elements within the Bolivarian experiment. While I acknowledge that assessments of the expansion of executive power in Venezuela lead to important findings that certainly represent one part of the picture of Venezuelan democracy, bringing in lenses that examine participatory elements presents a more complete assessment.

It was important to link Arendt's analysis of the council-form of democracy to the Venezuelan experiment not only because of the vast degree of respect Arendt commands from the political science scholarly community but because her theorization reveals both ways that the Bolivarian Communal Councils do, and do not, fit her model of the revolutionary council. This ambiguity rests in the scholarly interpretation of whether the construction of the 1998 constitution and the subsequent legal codification of the Communal Councils is a political project based on a revolutionary ideal, or a social project to alleviate or eliminate poverty, or both possibly. This theoretical examination of participatory avenues for democracy in Venezuela allows political scientists to achieve deeper understandings of Venezuelan democracy and can possibly help move the debate on Venezuelan democracy from the current ideologically based stasis.

These participatory avenues often work in concert to provide a unique type of democratic experience in Venezuela that cannot be understood solely by common measurements of democracy employed by social scientists to understand liberal democratic regimes. One such variable has been explored in this thesis, this being the extent to which there are strong limitations on the executive branch. Electoral data since 1998 as explored in chapter 1 and the introduction to this thesis reveals that along measures that would likely be included in an empirical analysis of Venezuelan democracy by social scientists using traditional measures, the arrangement presents an ambiguous situation between an authoritarian expansion of executive power and vibrant competitive elections. Adding even more complexity to this situation is the extent to which the new participatory avenues that are frequently left out of empirical assessments

of Venezuelan democracy actually may reveal an overture in Venezuela toward a deep commitment to democracy.

This project is important to political scientists in particular because it addresses power in overt terms – it is located in the function of actual governance strategies in Venezuela which potentially connect to a radical political-theoretical paradigm, which would be of primary interest to political theorists. In terms of the broader social scientific community this project connects a philosophical framework with empirical evidence in an effort to explore the Bolivarian transition at a deeper level. Further, an analysis of contemporary social movements and neighborhood-level organizations in Venezuela is emblematic of new conceptual directions of governance which provide alternatives to neoliberal developmental paradigms, both in terms of institutional mechanisms for democratization as well as grassroots-level led attempts at democratization.

This project had several limitations. First the most direct concept of study *council democracy*, is particularly undertheorized – even by Hannah Arendt and her interlocutors, a more explicit formulation would have helped this project to be clearer in terms of basic terminology. A second and connected concern stems from the reality that many scholars who essentially valorize Venezuelan democracy today focus on the emergence of the Communal Council organizations, even though very little actual data on the organizations themselves exist. This limitation could be attributed to the difficulty of accessing these organizations, especially by American scholars who may be distrusted, but also from the perceived invalidity of the official state-information being produced in Venezuela. Venezuelaanalysis.com is an outlet for such information, and while it is run as a

professional news organization, by a social-science Ph.D., Gregory Wilpert no less, creating an argument based on information gleaned from this source is a task I am not comfortable with and at any rate this information would need to be validated by additional secondary sources that essentially do not exist.

My own limitations are evident through the project; I am a proponent of the Bolivarian project and this persuasion inevitably colors my analysis, though I attempted to portray detractors in the fairest way possible. This limitation is one that is unavoidable in social science work of an interpretive bend, thus I designed a research question that while seeking to explore the theoretical framework of Hannah Arendt, though well-respected, is not at all reflective of my own. Further, I worked to describe an academic debate on the content of Venezuela's democracy, both for or against, rather than editorialize on the virtues of 21st century socialism. This type of theoretical engagement and fair presentation of Venezuelan democracy makes this project unique in the scholarly literature.

The inspiration of this project came from my own experience as an activist at both Occupy Charlotte as well as the U.S. Social Forum in which I was introduced to the language of 21st century socialism and brought to recognize the importance of a praxis-centered socialist thought that could work against the dizzying and often counter-productive factionalism of the contemporary left. In many ways this project began at an above capacity, now abandoned AFL-CIO headquarters in Detroit at the 2010 U.S. social forum where I along with at least 400 other activists viewed Oliver Stone's documentary

South of the Border (2009) and was introduced to both the Bolivarian revolution as well as the language of 21st century socialism.

Venezuela is a hybrid-regime in the most direct sense of the term; the extensions of executive power are very problematic for those who conceive of this as a historical process towards a more authentic representation of *poder popular*. Likewise, the Communal Council organizations represent an interesting new avenue toward participatory politics, and their contributions should be taken seriously within this debate. A focus on Arendt's *On Revolution* compels us to consider seriously the extent to which the council-form Arendt envisions is in the process of coming into reality in Venezuela. In the very least, the contributions of such a scholar as Arendt should not be discounted from the mainstream academic discourse on Venezuelan democracy and important theoretical perspectives such as Arendt's should be applied to participatory avenues of governance in order to obtain a much more holistic representation of Venezuelan democracy.

An element that has gone relatively ignored in this thesis is the issue of media freedom in Venezuela, and since freedom of press is an important variable for several empirical tools for studying democracy, such as the Polity data set or Freedomhouse.org, it seems that an important element to the empirical categorizations of Venezuela's supposedly undemocratic character stems from the Chavez administration not renewing the license of RCTV, the nation's most popular television network which was often very

critical of Chavez's policies.³² Beyond this, Community Radio, a state-run media outlet grew exponentially in the years Chavez was in power.³³ In future research I would like to analyze the extent to which the ostensible lack of press freedom in Venezuela affects its perception as either democratic or undemocratic.

In future work, I would also like to focus more particularly on several questions that this thesis raises. First, I would like to focus more directly on the variable-level inadequacies that empirical political science has offered toward the study of democracy. Second, I would like to directly address media freedom in Venezuela. Finally, I would like to take a deeper look at the ways that the Communal Councils actually operate in Venezuela.

My theoretical and ideological commitments steered me inevitably toward an intellectual curiosity toward the Communal Council organizations and other similar organizations being created in "new left" countries throughout Latin America. As such, a direct ethnographic investigation into the Communal Council organizations would provide important primary data that would strengthen an analysis based on the theoretical framework I have provided throughout this thesis. Such an investigation would both be necessary to gather primary data on the Communal Councils and would have strengthened this project considerably. It would likewise be one among very few such recent investigations into these organizations explicitly (along with Ciccariello-Maher

³² Kaul Chris, Hugo Chavez targets Venezuela media, <http://articles.latimes.com/2009/jul/22/world/fg-venez-censor22>, Accessed 5/5/2014. 2009.

³³ Ibid.

2013, Zaremborg 2012, and McCarthy 2012), and thus would be a welcome addition given the overall lack of primary data on these organizations.

This type of qualitative based investigation would ultimately be strengthened by the type of theoretical connections and questions opened up by this thesis project. In particular the question of whether the Bolivarian project is a political project or a social project in the Arendtian sense could have great implications for the ways scholars might characterize the regime. It is my hope that the theoretical engagements presented in this thesis will become a strong component of a future empirical project on Venezuelan democracy.

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