



Written by [Michael Tennant](#) on April 3, 2017

# Venezuela's Supreme Court Seizes, Then Yields Legislative Power

Under pressure from both domestic and international sources, Venezuela's Supreme Tribunal of Justice (Supreme Court), at the request of President Nicolás Maduro, on Saturday reversed its recent decision to transfer all legislative powers from the country's congress to itself.

"The controversy is over," Maduro declared after the reversal was announced.

That is clearly wishful thinking on Maduro's part. According to the [Associated Press](#), "Opposition leaders dismissed the reversal as too little too late. They said the clarification issued by the judges only proved yet again that Maduro controls the courts and there is no longer a real separation of powers in Venezuela."

"You can't pretend to just normalize the nation after carrying out a 'coup,'" said Julio Borges, president of the opposition-controlled National Assembly.

Trouble has been brewing between the Supreme Court and the National Assembly ever since opponents of the Maduro regime took control of the legislature in 2015. "Since then," reported [Bloomberg](#), "the Supreme Court, largely loyal to [the] Maduro government, has curbed congress's powers and overturned almost every piece of legislation passed."

Matters came to a head on Wednesday, when the court's Constitutional Chamber declared all the assembly's actions "invalid" because the court is still investigating three opposition assemblymen who are suspected of voter fraud in 2015. "The Constitutional Chamber shall ensure that the parliamentary powers are exercised directly by this Chamber or by the body it appoints to ensure the rule of law," wrote the panel.

Of course, as is often the case in such power grabs, money played a large role. According to the [Miami Herald](#):

At the heart of the ruling is the government's desire to take on more international financing to overcome a crushing economic crisis. Approving additional debt is congress' constitutional duty, and the opposition had pledged to stand in the way. Maduro and his allies, in turn, have accused the opposition of fueling an "economic war" aimed at destabilizing the socialist administration.

The court ruled that Maduro had the authority to authorize joint oil ventures without congressional approval, which could allow him to raise money via signing bonuses. Notably, this portion of the decision was not reversed Saturday.

Borges publicly tore up a copy of the initial ruling, calling it "garbage." Furthermore, wrote Bloomberg,





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"The opposition warned investors that any fresh loans or new ventures approved without congress's approval would be considered illegal and that future governments would not be obligated to pay the dues."

"The National Assembly will not recognize the Supreme Court, because we were elected by 14 million Venezuelans," Borges said. "The Supreme Court elected themselves. The court is acting outside of the constitution."

Foreign countries and international bodies were quick to condemn the ruling. The United States, the European Union, and the United Nations all expressed their disapproval. Colombia, Chile, and Peru recalled their ambassadors. The Organization of American States called a special session, scheduled for Monday, to take up the matter.

Demonstrations broke out across Venezuela. Protesters clashed with both government forces and Maduro supporters.

The government, in typical fashion, blamed its perceived enemies for the controversy. On Twitter, Foreign Minister Deley Rodriguez denounced "a concert of the regional right-wing to attack Venezuela's democratic system built on its popular base." Maduro himself "said he had been subject this week to a 'political, media and diplomatic lynching,'" according to [Reuters](#).

The Marxist president, whose approval rating has plunged below 20 percent amid [rampant inflation, starvation, and other ills attributable to 18 years of socialist rule](#), hoped to use tried-and-true tactics to put the controversy behind him without yielding any ground. Maduro invited Borges to discuss the matter with him. "But," penned the AP, "Borges refused, breaking a years-long streak in which the opposition ramps up pressure on the administration only to help diffuse it at the last minute by coming to the bargaining table, usually fruitlessly."

Eventually, pressure from without and even some rare dissent from within broke down Maduro's resolve. On state television Friday, Attorney General Luisa Ortega, citing her "unavoidable historical duty," said the ruling "constitutes a rupture of the constitutional order."

"It was really perhaps the first sign of public dissent within the ranks," Javier Corrales, who teaches Latin American politics at Massachusetts' Amherst College, told the AP. "And it was huge that Maduro did not trash her. Maduro must have realized that Ortega was not acting alone."

Maduro called an emergency meeting of the National Security Council Friday night. The council ordered the Supreme Court to reconsider its decision, after which the court announced its partial reversal. Court president Maikel Moreno told journalists afterward — apparently with a straight face — that "there had never been any intention to strip the National Assembly of its powers," wrote Reuters.

Opposition leaders turned a planned protest Saturday into a celebration. Some activists, attempting to march on government offices, were met with tear gas. Other protesters, emboldened by the court's reversal, "jumped atop military vehicles and made triumphant gestures," noted the AP.

"It's not clear exactly how wounded the government is," said Corrales. "This is the first time since the opposition won the National Assembly in 2015 that they have managed to get the president to reverse a decision. So this is huge."

It is not, however, the end of the conflict between Maduro and his opposition, observed Reuters:

The Supreme Court's flip-flop may take the edge off protests but Maduro's opponents at home and abroad will seek to maintain the pressure. They are furious that authorities thwarted a push for a



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referendum to recall Maduro last year and postponed local elections scheduled for 2016.

Now they are calling for next year's presidential election to be brought forward and the delayed local polls to be held, confident the ruling Socialist Party would lose.

"It's time to mobilize!" student David Pernia, 29, said in western San Cristobal city, adding Venezuelans were fed up with autocratic rule and economic hardship. "Women don't have food for their children, people don't have medicines."

Is this the beginning of the end for Maduro and his fellow socialists? Only time will tell. But it is surely an encouraging sign.

*Photo of Venezuelan President Nicolás Maduro speaking at the Supreme Tribunal of Justice: AP Images*



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