

# Democratization



Year 3, Issue 15

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# Notes on the Venezuelan opposition after twenty-two years of the Chavista revolution

Paola Bautista de Alemán

Ricardo Núñez, a Chilean politician, wrote about the difficulties faced by the Socialist Party of that country in the complex task of resisting the dictatorship of Augusto Pinochet. Before sharing his impressions, he offered this warning: “First of all, a formal precision. The reflections that motivate the following lines do not constitute a study in the strict sense, but rather a compilation of facts arising from a concrete experience”<sup>1</sup>.

I am moved by his political and intellectual rectitude. This article has been in the back of my mind for some time now and I have thought about leaving it for scientific and political scruples. Núñez’s testimony encouraged me to publish it. And to begin with, I join his warning: I do not pretend to offer definitive conclusions. It is an approach that goes hand in hand with intellectual training<sup>2</sup> and personal experience<sup>3</sup>. I will outline realities that I

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1 Ricardo Núñez, “La realidad escindida. El Partido del Interior y del Exilio”, *Nueva Sociedad* 74, n.º 1 (septiembre de 1984): 20–26.

2 I am a Doctor in Political Science (2019) graduated from the University of Rostock, Germany.

3 I currently live in Venezuela and I am part of the National Directorate Board of Primero Justicia, an opposition political party. I am in charge

have perceived in the exercise of politics in my country. I share them to leave testimony and with the encouragement to help us understand the moment we are living.

*Notes on the Venezuelan opposition after twenty-two years of the Chavista revolution* is an essay that is divided into four parts: (i) On the effects of twenty-two years of democratic struggle, (ii) On the extinction of the formal mechanisms of representation, (iii) On the atomization of the opposition political spectrum and (iv) final reflections.

### **Existence, institutions and culture**

Hugo Chávez Frías came to power in 1999. Twenty-two years of revolution have led us to dictatorship. Venezuelans fully and prematurely experience what the current scientific and popular literature calls *democratic backsliding*<sup>4</sup>. We have witnessed the destruction of constitutional institutions and the erosion of democratic culture. Unfortunately, the efforts of the democratic forces have not managed to contain the autocratic advance of the Chavista-Madurista revolution and we face a complex dictatorship that amalgamates residues of the 20th century and novelties of the 21st century<sup>5</sup>.

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of the political formation of the militancy and I work in the National Secretariat of Organization.

- 4 The rise of populisms encouraged Political Science to direct its efforts to study democratic erosions. There are multiple studies, approaches and perspectives. I recommend reviewing the following authors: Matheus (2014), Diamond (2015, 2016, 2019, 2020), Fukuyama (2015), Horowitz (2015), Plattner (2015, 2016), Walker (2016), Foa (2017), Mounk (2017), Howe (2017), Levitsky (2018), Ziblatt (2018), Rojas (2018), Ginsburg (2018) and Huq (2018).
- 5 Paola Bautista de Alemán, ed. *Autocracias del S.XXI: Caso Venezuela*, (Caracas: Editorial Dahbar, 2020).

International indices of freedom and democracy place Venezuela on the threshold of authoritarian systems. For example, the one developed by Freedom House lists it as “not free” (14/100)<sup>6</sup>. And that of Fragile States, created by The Fund for Peace, maintains that it is a “State on alert”<sup>7</sup>, preceded by the Democratic Republic of the Congo and followed by Uganda. Numerous studies have been written about his behavior and autocratic nature, among which I must highlight those of Miguel Ángel Martínez Meucci<sup>8</sup>, Juan Miguel Matheus<sup>9</sup>, Elsa Cardozo<sup>10</sup> y Francisco Plaza<sup>11</sup>.

It is worth asking, then, how this reality has affected the exercise of politics. In this section I will approach three areas that have been –and are– especially compromised in this sense: (i) existence (ii) institutions, and (iii) culture.

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6 “Venezuela: Freedom in the World 2021 Country Report | Freedom House”. Freedom House. Retrieved June 29, 2021. <https://freedomhouse.org/country/venezuela/freedom-world/2021>.

7 “Fragile States Index 2021 – Annual Report | Fragile States Index”. Fragile States Index | The Fund for Peace. Retrieved June 29, 2021. <https://fragilestatesindex.org/2021/05/20/fragile-states-index-2021-annual-report/>.

8 Miguel Ángel Martínez Meucci, “Totalitarismo, cleptocracia y pandemia: la encrucijada del poder en Venezuela”, in *Autocracias del S.XXI: Caso Venezuela* (Caracas: Editorial Dahbar, 2020), 390–409.

9 Juan Miguel Matheus, “Configuración ideológica de la Revolución Bolivariana”, in *Autocracias del S.XXI: Caso Venezuela* (Caracas: Editorial Dahbar, 2020), 29–51.

10 Elsa Cardozo, “Democratización y resiliencia autoritaria”, in *Autocracias del S.XXI: Caso Venezuela* (Caracas: Editorial Dahbar, 2020), 143–62.

11 Francisco Plaza, *El silencio de la democracia* (Caracas: Los Libros de El Nacional, 2011).

I understand as existential what refers to the psyche<sup>12</sup> of those who work for the country's democracy. Twenty-two years of struggle have affected the inner world of the Democrats<sup>13</sup> and the nation. Recently, Ana Teresa Torres published an article about the fatigue that this long itinerary of struggle has imposed. The author points out that "in 22 years of resistance it is inevitable that fragments of a list of errors, successes and omissions have accumulated in memory, even partially; of so many hypotheses, assumptions and gaps. And there I see the origin of this fatigue"<sup>14</sup>. It is the fatigue of the democratic struggle.

This tiredness, which grows on harassment<sup>15</sup> of the dictatorship, has concrete political consequences. Torres explains that exhaustion leads to silence. And I would add, along with silence, discouragement, fear, distrust, disorientation, among others. It is perhaps the Creole version of what the Cuban Dagoberto Valdés calls anthropological damage and describes as "...the weakening, injury or breakdown, of the essentials of human personnel, of their internal structure and of their cognitive,

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12 I use the term "psyche" alluding to what Ortega y Gasset indicates in "Civilization, culture and spontaneity" (1920). For the author, the "psyche" is "the root of personal existence". In metaphysical terms and inaccurately, perhaps we could say that it refers to the human soul.

13 Aleksandr Solzhenitsyn referred to the "soul of nations" and identified the existence of political projects that seek to colonize it through the domination of language and culture.

14 Ana Teresa Torres, "El cansancio - La Gran Aldea". La Gran Aldea, April 23rd, 2021. <https://www.lagranaldea.com/2021/04/23/el-cansancio/>.

15 According to the Organization of American States, there are currently 350 political prisoners in the country. The National School of Journalists denounced 355 attacks on the press on 2020. The main political parties have been proscribed. And, recently, the Administrative Providence No. 001-2021 of the Unified Registry of Obligated Subjects was registered before the National Office Against Organized Crime and Terrorism Financing that constitutes a direct attack on non-governmental organizations.

emotional, volitional, ethical, social and spiritual dimensions, all or in part, depending on the degree of disorder caused”<sup>16</sup>.

This existential fatigue affects all spheres and instances of politics across the board. It hinders the articulation of efforts. Frustration leads to “every man for himself” and “all against all”. Consensus, agreements, and the common agenda turn difficult. Judgment can be clouded and, in some way, the use of reason is limited and dangerous voluntarism begins to reign. Thus, politics starts dissolving.

Let us now look at the institutional level. In this analysis, I will refer exclusively to political parties<sup>17</sup>. The opposition’s victory in the 2015 parliamentary elections accelerated the autocratization of the Chavista-Madurista revolution, with the political parties and their leaders being victims of this process. There are –at least– three pieces of information that show this: (i) In the elections of December 6, 2015, the most important electoral organizations in the country<sup>18</sup> were legalized. Today they are

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16 Dagoberto Valdés, “Causas, síntomas y consecuencias del daño antropológico provocado por los regímenes totalitarios”. *Democratización 7* (marzo de 2020): 5-16.

17 I recognize that the opposition spectrum transcends political parties. However, I consider that in Venezuela political parties continue to be the protagonists of the democratic struggle for two reasons: (i) tradition and political culture and (ii) the organizational capacity that they have managed to maintain over time. Civil society makes valuable contributions, but –in general terms and with some exceptions associated with the Catholic Church– they still have a different and limited structural development.

18 Primero Justicia, Acción Democrática, Voluntad Popular and Un Nuevo Tiempo.

outlawed. (ii) Their main leaders are in exile<sup>19</sup> or persecuted<sup>20</sup>. And (iii) the dictatorship has resorted to bribes to buy the conscience of media militants who pretend to confront it and seek to set up an official opposition, a loyal opposition<sup>21</sup>. In addition to this, the IDEA-UCAB Study Mission report on the conditions of the 2020 parliamentary electoral process analyzes the progressive loss of electoral guarantees in Venezuela and identifies “three waves of judicialization of political parties”<sup>22</sup>. This precision shows the authoritarian drift of the Chavista revolution after the 2015 parliamentary elections.

The complex humanitarian crisis and the pandemic exacerbate this situation. Party men and women must reconcile material poverty with terror<sup>23</sup>. In recent months, there have

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19 When reviewing the status of the highest decision-making bodies of the country’s main political parties, we find that a high percentage of their members have had to go into exile. In the case of Primero Justicia, Julio Borges and Tomás Guanipa –National Coordinator and Secretary General, respectively– had to leave the country. Similarly, Leopoldo López –leader of the Voluntad Popular– is in exile in Spain.

20 Manuel Rosales Guerrero, President of Un Nuevo Tiempo and Henry Ramos Allup, National Secretary for Acción Democrática, have open criminal cases in the Attorney General’s Office.

21 In January 2020 the dictatorship carried out the so-called “Operación Alacrán”. It consisted of buying the vote of nineteen opposition deputies from different political forces. This action sought to weaken the Legislative Power and allowed to change the balance of forces of the National Assembly. In the framework of this political move, a ruling from the Supreme Court of Justice took away the electoral cards from Primero Justicia, Voluntad Popular, and Acción Democrática. And it dismissed its Board of Directors and handed over formal control of the organizations to the so-called “alacranes”.

22 Roberto Abdul, Eglee González Lobato, Luis Lander, Eugenio Martínez y Benigno Alarcón. Retrieved June 29, 2021. <https://politikaucab.files.wordpress.com/2020/11/informe-idea-version-final-11102020-5.pdf>.

23 “Terror” is a difficult variable to estimate. It is complex to know its real weight or how it operates inside people. However, there is evidence that allows it to be identified as a present reality that does not deserve to be

been two events that have deepened the difficulties that affect the exercise of party politics: (i) migration and (ii) deaths from Covid. According to figures from UNHCR, there are currently 5.4 million refugees and migrants from Venezuela around the world. In this way, it is noted that a part of the political party structures has left the country<sup>24</sup>.

Then there is the pandemic. It is impossible to offer exact figures on deaths due to Covid, even less within the parties. The dictatorship has handled the figures opaquely. There is an obvious underreporting of infections and deaths. Marino González, following the data offered by the Institute for Health Metrics and Evaluation, indicates that “for Venezuela, as of April 2, the daily cases would be between the limits of 6,924 and 13,561. The average would be 9,505, that is, nine times more than those confirmed”<sup>25</sup>. In this way, party structures face –at least– three

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ignored. I recommend reading the interview that Milagros Socorro did with the writer Milagros Mata Gil, who was detained for a few hours for writing a critical text of the dictatorship. In her testimony, she states: “I was impressed by fear: many deleted me from their contacts or left my groups (on WhatsApp). Some called to support me, almost clandestinely”. See in: <https://lagranaldea.com/2021/05/03/fui-detenida-por-una-venganza-personal-de-tarek-saab/>

24 It is difficult to determine precisely how migration has affected political party structures. It is information that organizations guard with zeal. However, from my experience, I can say that the phenomenon particularly affects the border states and means a continuous “starting over” in some territories. It is a challenge for the Organization Secretaries. An interesting fact is that Primero Justicia and Voluntad Popular have created institutional bodies to serve their followers and militants who are outside the country. In the case of Primero Justicia, it is called “PJ Mundo” and it is found in 25 countries.

25 Marino González, “To see the estimates of Covid-19 cases by @IHME\_UW by countries, you can consult: [bit.ly/2QA4L7g](https://bit.ly/2QA4L7g). In Venezuela, as of April 2, the daily cases would be between the limits of 6,924 and 13.56. The average would be 9,505, that is, nine times more than those confirmed”.

difficulties simultaneously: harassment by the regime, poverty and Covid-19.

The reality described affects the political parties as organizations that lead the democratic struggle in Venezuela and mainly impacts the coordination of efforts and internal communication in different instances: (i) in the base structures and (ii) in the political leadership.

Let's start by examining the question at the basic level: How does this situation affect their internal communication and coordination capacity? Before the pandemic, militants used to meet periodically in spaces for local deliberation. Now it happens that the members of the structures emigrate and the constitution of the regional instances is constantly altered. Face-to-face meetings are also limited for fear of contagion and, as public transport is severely limited due to lack of gasoline, it is very expensive to travel to meetings. Militants often do not have the money to attend. In this way, migration, Covid and poverty seriously affect this institutional dynamic.

Now let's look at the communicational side of things. The Chapultepec index, which estimates freedom of expression and of press, places Venezuela in the last place on the continent (3.80)<sup>26</sup>. Behind Cuba (6.20) and Nicaragua (16). This seriously affects the exercise of politics. Militants lack information, which limits decision-making. Added to that, the regime's propaganda is powerful. Their lie is transmitted by all media (traditional and

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April, 18, 2021, 6.31am. <https://twitter.com/marinojgonzalez/status/1383729906941534208?s=20>

26 "ÍNDICE CHAPULTEPEC». ÍNDICE CHAPULTEPEC. Retrieved June 29, 2021. <http://www.indicedechapultepec.com/>.

social media) and censorship makes opposition efforts invisible<sup>27</sup>. It is not an exaggeration to say that there are moments of total uncertainty when it is difficult to distinguish the truth from things and facts. It is living in silence and in the shadows.

Let us now see how political leadership is affected. As I mentioned in previous lines, the heads of the main opposition political parties are being persecuted or in exile. It is difficult to specify how or how much this situation affects and there are not enough inputs to analyze this delicate aspect in depth. However, the distance, the harassment of the regime, and the pain of recognizing itself as extracted from the country affect the decision-making bodies. This has happened in other countries and the Venezuelan case is not different. When reviewing the history of political parties that have survived long-standing dictatorships, such as the PSOE<sup>28</sup>, It is observed that the passing of injustice tends to crystallize misunderstandings, disagreements, and differences that can become complicated over time.

I will now evaluate the cultural element. For Ortega y Gasset, culture “is the decantation of our primal powers and appetites”<sup>29</sup>. Since people are its makers and that it is the purification of our

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27 Censorship in private media is particular. It has happened to me that, before entering interviews (the few times that I am invited), the producer warns me about the words that I cannot use. It is the glossary of the prohibited. Once something “funny” happened. When I published “Autocracias del S.XXI: Caso Venezuela” (2020) a journalist told me: Doctor, we are going to do the interview. But we can’t say the name of the book on the air. So the interview was really strange. I don’t know if in the end, someone understood what we were talking about. The truth is that I do not complain or fight. That glossary of the forbidden, in a sense, is a form of resistance. In a way, I celebrate and appreciate it.

28 Santos Juliá, *Transición: Historia de una política española (1937-2017)* (Madrid: Galaxia Gutenberg, S.L, 2017).

29 José Ortega y Gasset, *Meditaciones del Quijote* (Madrid: Cátedra Letras Hispánicas, 2005).

impulses, we can see that what is described in the existential sphere imposes alterations in this context. In recent months I have identified a constant that worries me: the trend of “all against all” as a pattern that is repeated in the few spaces for deliberation that remain. It seems that confrontation has been installed in the ways of interacting. In immediate terms, this constant tension hinders the generation of consensus and, in the medium term, damages the strongholds of democratic culture that have resisted the autocratic advance. In short: it seems that the importance of pluralism and the challenges of dissent have been forgotten.

In short, these two decades of struggle have affected the Venezuelan democratic forces. The described wear is transversal and affects the people (the existential), the institutions, and the culture of the country. In terms of Samuel Huntington, it is about the progressive erosion of pre-democratic conditions inherited from the Civil Republic (1958-1998).

### **The silent discontent**

The triumph of democratic unity in the parliamentary elections of December 6, 2015, accelerated the authoritarian tendencies of the Chavista revolution. By recognizing itself as an electoral minority in the country, the dictatorship deepened the process of destroying electoral conditions to configure a non-competitive scenario where the predominance of the ruling forces is guaranteed.

This reality can impact the democratic struggle in various ways. But for the purposes of this essay I will dwell on what I consider to be its main practical consequence for the opposing forces: *as the mechanisms of formal representation (elections) are*

*extinguished, the opposition is stripped of references that allow it to create instruments and methodologies to generate consensus.*

The most recent successful experience of an opposition platform in Venezuela was the Mesa de Unidad Democrática (MUD). It was created in 2008 and served as an instrument for political struggle while the Chavista revolution was a competitive authoritarianism<sup>30</sup>. Its successful performance was mainly due to three reasons:

- First, it was an electoral platform in an authoritarian environment that retained features of competitiveness. This means that with unity, organization, participation, and international observation, the abuse of power could be overcome and the will of the voters preserved.
- Second, the weighting of forces within the instance was marked by previous electoral results. According to its internal regulations, the political organizations that had more weight in decision-making were those that had the greatest capacity for formal representation according to their previous electoral performance. Electoral victory was taken as an indicator of representation and mobilization capacity. In this way, everyone knew how much power they had, the rules of the game were clear and consensus was facilitated.
- And third, the dimension of the alliance was eminently electoral. It did not demand substantive agreements on the autocratic nature of the Chavista revolution and responded to a common strategy that bet on the accumulation of

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30 Steven Levitsky y Lukan Way, *Competitive Authoritarianism: Hybrid Regimes after the Cold War (Problems of International Politics)*, (Massachusetts: Cambridge University Press, 2010).

forces and the conquest of spaces as routes for an eventual democratization.

In 2021 the three circumstances that made the Mesa de la Unidad Democrática possible and successful are not present. The Chavista revolution advanced towards a closed or hegemonic authoritarianism. And by eliminating the minimum conditions of electoral competitiveness, it avoided –among other things– the photograph on the correlation of opposing forces that allowed to regulate the consensus mechanisms. In addition, the exhaustion of the electoral strategy –as it was conceived in 2008– opened doors to debate on the nature of the regime and the suitable, legal and viable types of struggle. In conclusion: the democratic struggle has become more complex and demands the revision of the consensus mechanisms that were used in recent years.

The underlying problem behind this practical matter of politics is representation. It is a concept that has a dose of mystery: Why and how does a person manage to embody the wishes and aspirations of a community? In this sense, I understand by representation what was proposed by Eric Voegelin in “The New Political Science”<sup>31</sup>. The author suggests that representation is observed in the capacity for political and social articulation and mobilization that political actors have. Representation becomes a reality when a leader sets the course, makes a decision, or signs an agreement and has the voluntary obedience –the consent– of the entire society, not just his followers. The power of representation becomes real when that leader has the ability to encourage the struggle, to trace paths, and move towards a common destiny.

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<sup>31</sup> Eric Voegelin, *La nueva ciencia política: una introducción* (Buenos Aires: Katz editores, 2006).

In a democracy, representation finds a material channel in elections. Citizens vote for their preference and specify the formal representation. In a dictatorship, the situation is different. As there are no formal representation mechanisms, the coordination of efforts is seriously hindered and the atomization of forces is fueled. The prevailing question is: How do we know which political force represents the interests of the population if there are no elections? These cases –like the Venezuelan– where autocratization has been progressive and inertias of the deposed democratic system are preserved are more complicated.

This crisis of representation is a serious obstacle to the democratic struggle. On the one hand, the country feels mute and, on the other, those of us who fight for democracy perceive that we are overwhelmed by discouragement and, somehow, we cannot find that country that wants to fight. It is a void that some men and women of science call “disconnect.” It is not the first time that this has happened in our country and it occurs within the framework of a crisis of global representation. The dictatorship of Marcos Pérez Jiménez (1948-1958), although it had a very different mood from the current one, also led to a crisis of this type that unleashed tensions between the political forces. Rómulo Betancourt, in a letter sent to Rafael Caldera in 1957, testifies to this: “... our duty as political leaders, whatever the ideology we profess, is to awaken those volitions in our people, currently dormant, but by no means asleep”<sup>32</sup>.

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32 Naudy Suárez Figueroa, comp. Rómulo Betancourt, selección de escritos políticos (1929-1981) (Caracas: Fundación Rómulo Betancourt), 206.

## The atomized opposition

I understand by atomization the dispersion of forces in the political spectrum<sup>33</sup>. In this section, I will focus on three aspects of the Venezuelan case: (i) Causes, (ii) Symptoms and (iii) Effects.

I will begin with the causes of the atomization in the Venezuelan opposition. I find three reasons that are not unique or exclusive and surely deserve to be expanded. First, the regime and its violence. Second, the extinction of the formal mechanisms of representation. And third, the differences of opinion about the autocratic conception of the regime. I developed the first two causes in previous sections and I will not return to it.

Let's look at the third: the differences of opinion regarding the autocratic conception of the regime. Far from being an intellectual precision, it is a matter that affects the practical exercise of politics because from the conception of the dictatorship, the strategies to confront it may or may not be derived. In the Venezuelan opposition spectrum, I identify two positions that are distinguished according to their assessment of the capacity for internal reform of the Chavista-Madurista revolution. I find two positions: (i) those who consider that Chavismo has high potential for internal reform and can move towards democracy and (ii) those who believe that Chavismo has low potential for internal reform and serious limitations to advance towards democracy. The identification of these cleavages is an effort to describe a political reality that undoubtedly transcends these theoretical exercises. With this statement, I want to emphasize that between

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<sup>33</sup> I opted for the term atomization to refer to a deep fragmentation. The term fragmentation, commonly used by Sartori (1996) and Linz (1987), seemed insufficient to describe this phenomenon.

both positions there are nuances that also shape the country's opposition political spectrum.

Let us now delve into the cleavages *high potential for reform - low potential for reform*. Those who make up the former understand that the Chavista revolution is a non-democratic system susceptible to internal reforms. They bet on the accumulation of forces and spaces of power as a path to autocratic liberation. They promote electoral participation –even without electoral conditions– to gain space and progress towards democracy in a progressive manner.

We must remember that the Venezuelan opposition has already traveled a similar path for a decade and in a unitary manner. I must point out that, although there are similarities, the current situation is not entirely the same. The political context makes the difference. Between 2005 and 2015, the Chavista-Madurista revolution was a competitive authoritarianism because it maintained certain conditions of electoral justice that the opposition knew how to take advantage of. At present, the Chavista-Madurista revolution is a closed or hegemonic authoritarianism that seriously limits the conditions of transparency and electoral justice. In this sense, the current situation is not the same.

It is also convenient to delve into the political performance of the progressive strategy developed by the unitary forces between 2005 and 2010. Political performance is understood as the capacity of the opposition to advance the democratization process or achieve political change. Let's see the results of the three electoral events that took place in that period. In the 2012 regional elections, la Mesa de la Unidad Democrática won 3 of the 23 governorates. A year later it obtained 81 of the 337 deputies and in 2015 the qualified majority of the National Assembly won with 112 deputies out of a total of 167. The electoral advance of the

opposition option is observed: in the 2012 elections, 13% of the spectrum was won; in 2013, 24%; and in 2015, 70%.

But, as explained in previous lines, the opposition's victory in the 2015 legislative elections prompted a change in the political context. The Chavista-Madurista revolution accelerated its autocratization process when it recognized itself as an electoral minority in the country. In this way, it hampered legislative work and the exercise of the mechanisms offered by the Constitution to promote political change<sup>34</sup>. And the conditions of electoral justice were severely limited<sup>35</sup>. In this sense, it can be affirmed that progressivity was a successful strategy closely associated with two context variables: the semi-competitive environment and the unitary strategy, described in the previous section. For these reasons, it must be considered that this kind of struggle was viable and successful as long as it did not represent a real threat in terms of central power for the Chavista-Madurista revolution. When the regime was challenged, it became more autocratic and put a brake on the fighting genre chosen a decade ago by the opposition forces.

Let us now look at the cleavage low capacity for reform. Those who make it up understand that the current configuration of the Chavista-Madurista revolution is not very susceptible to internal reforms towards democracy. In this sense, they propose that efforts should be aimed at creating political conjunctures that promote an autocratic flexibility that can open doors to political

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34 Carlos García Soto, "Bloqueo de las funciones legislativa y contralora de la Asamblea Nacional", en *Autocracias del S.XXI: Caso Venezuela* (Caracas: Editorial Dahbar, 2020), 182-202.

35 Roberto Abdul, Eglee González Lobato, Luis Lander, Eugenio Martínez y Benigno Alarcón. Retrieved June 29, 2021. <https://politikaucab.files.wordpress.com/2020/11/informe-idea-version-final-11102020-5.pdf>.

change through negotiation and restitution of the vote with minimum conditions of competitiveness and electoral justice.

It is convenient to pause briefly on two issues: (i) the basis for this perception and (ii) the means to generate conjunctures that can drive political change. Regarding the first, it should be specified that there are no unique or exclusive arguments that explain human perceptions. Its formation is a complex process and is nourished by personal and collective experiences. And, furthermore, the perception of the reformist –or non-reformist– potentiality of Chavismo has been built over more than twenty years of democratic struggle. It can be inferred that the abrupt outcome of the progressive strategy that I described above informed the perception of the low capacity for internal reform of Chavismo-Madurismo. It can be thought that, if there were a reformable stronghold in the regime, it would have crystallized in 2015 or 2017. The authoritarian advance that developed from the electoral failure of the PSUV in the legislative elections of that year may show that those who lead the Chavista-Madurista revolution today have little disposition to lead internal reforms and advance towards democracy.

Let us now delve into the media to generate conjunctures that can drive political change. The conjunctures are political milestones that can lead the dictatorship to a state of revolutionary necessity. Juan Miguel Matheus describes it as follows

...I understand by a *state of revolutionary necessity* the set of economic, political, social, international, and military circumstances under which all measures (legal or illegal)

are activated and justified to ensure the subsistence of the revolution; and, particularly, for the permanence in power<sup>36</sup>.

The means to generate conjunctures can be varied. Among them, we find social mobilizations, for example. This path has also been followed by the Venezuelan opposition. In 2014, 2017 and 2019, there were massive protests nationwide that were harshly repressed by the state security forces and by irregular groups. According to the Venezuelan Conflict Observatory, between April and August 2017, there were 6,729 protests and 163 deaths. And the report of the International Independent Fact-Finding Mission on the Bolivarian Republic of the United Nations highlights and specifies the systematic violation of Human Rights in the framework of these mobilizations. In this way, it is observed that when the regime faces a situation that truly threatens its permanence in power, it strengthens its repressive force and violently subdues the demands of democracy.

These differences of opinion about the autocratic conception of the regime can limit the creation of common strategies, affect the unitary capacity of the opposing forces, and favor atomization. In this sense, it can be positive for the democratic struggle to find ways of conciliation between both positions. This analysis requires data that can contribute to that purpose. It is observed that both cleavages share two fundamental realities that can be the starting point for the encounter: first, both recognize that they face a non-democratic system and, second, both unleash the repressive forces of the dictatorship when they become a real threat to the central power. In other words: they start from the

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36 Juan Miguel Matheus, "Configuración ideológica de la Revolución Bolivariana", in *Autocracias del S.XXI: Caso Venezuela* (Caracas: Editorial Dahbar, 2020), 29-51.

same thing and, if they successfully advance towards autocratic liberation, they face the same fate.

The three causes of atomization explained above make up the Venezuelan opposition spectrum. The main symptom of atomization is the proliferation of new political forces. To the main political parties<sup>37</sup>, now the so-called minorities<sup>38</sup>, the minorities of minorities<sup>39</sup> and civil society<sup>40</sup> are added. As a reference, it is worth mentioning that the most recent statement from the Venezuelan opposition<sup>41</sup> was signed by 40 political parties: Acción Democrática, Aprisal, Alianza Lápiz, Bandera roja, Buscando soluciones, Camina, Copei, Convergencia, Cuentas Claras, DSM, Encuentro Ciudadano, FIEL, Fuerza Liberal, Gente Emergente, Goajiraven, Guillermo UNE, Izquierda Democrática, La Causa R, MEP, MPV, MDI, MIGATO, Movimiento Ecológico, Movimiento Republicano, Moverse, Movimiento Zulia Humana, Nuvipa, PAM, PARLINVE, Partido Centro Democrático, Primero Justicia, Proyecto Venezuela, TISON, Sociedad, Un Nuevo Tiempo,

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37 The main political parties are called G4: Acción Democrática, Un Nuevo Tiempo, Voluntad Popular, and Primero Justicia.

38 The minorities are the so-called G9, made up of: Acción Democrática, Voluntad Popular, Un Nuevo Tiempo, Primero Justicia, Causa R, Proyecto Venezuela, Encuentro Ciudadano, and Movimiento Progresista.

39 The minorities of minorities do not have an institutional name that refers to them, but it is estimated that there are more than 30 political organizations that are part of the opposition coalition.

40 The so-called "civil society" is organized into two coalitions: the Broad Front (Frente Amplio) and the Civic Forum (Foro Cívico). El Foro Cívico was created in 2008 and is made up of political and social movements. There are more than sixty organizations. El Foro Cívico was created recently (2020). It is not known how many organizations make it up, but it includes Transparencia Internacional Venezuela, Convite, the University of the Andes, the Union of Christian Churches, and Fedecámaras, among others.

41 "Unión por el futuro, la democracia y el bienestar de nuestra nación" of April 21, 2021.

Unidos Para Venezuela, Unidad NOE, URD, Vanguardia Popular, Voluntad Popular. In addition, there are opposition forces that are not part of this coalition. For example, Vente Venezuela, a political movement led by María Corina Machado.

Along with this quantitative indicator is a qualitative description. Although there are political forces larger than others in their territorial extension and in their capacity for organization and mobilization, none of them alone has enough power to successfully confront the dictatorship. It is difficult to elaborate an accurate description of the structural state of political and civil organizations at the national level. Structures are understood to be the organized and institutional configuration of the militancy that performs regular party tasks: meetings of its regional directors, contact with the national political leadership, and organized protest activities, among others. The conformation of Regional Political Commands<sup>42</sup> reveals the presence of G4 representatives in the 23 states of the country. This data could explain the operative predominance of the partisan forces to execute mobilization plans summoned from the democratic unit. An example of this was the development of the “Consulta Popular” (Popular Consultation) that took place between December 7 and 12, 2020. This political action had the purpose of making visible the discontent of Venezuelans at the electoral fraud of the legislative elections of 06 December 2020. For this event, 3,028 participation centers were installed nationwide, 6,848 tables, and 25,828 witnesses were activated. Although it was an initiative of civil society, it was the political parties that were in

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<sup>42</sup> The Regional Political Commands are the local unitary instances. They are made up of the G4, minority parties, and members of the Frente Amplio. Privately, the person who writes has had access to the database that contains their configuration.

charge of its execution and coordination. Each G4 political force installed 757 centers, 1712 tables, and 6457 witnesses.

Let us now turn to the effects of atomization. The first practical political consequence is the difficulty that exists in generating consensus and articulating efforts. In Venezuela, there is a political spectrum made up of more than a hundred small forces in organizational capacity that differ in ways and strategies to confront the dictatorship. And, although they understand the need to generate consensus and strengthen unity, they do not find the mechanisms to build them. The second consequence is the strengthening of the dictatorship. This scenario favors the strengthening of the dictatorship. For this reason, the regime promotes dissent and makes efforts to deepen the differences between opponents. An atomized, weak and disjointed opposition favors those who want to remain and exercise power in a dictatorial way.

### **Final thoughts**

This article is an approximation to the current situation of the Venezuelan opposition. Here are three final thoughts:

1. Twenty-two years of the Chavista revolution have left their mark on those who resist the dictatorship in Venezuela. In this article, consequences in three specific areas were described: the existential, the institutional and the cultural. These details can help to understand and contextualize the current situation of the Venezuelan opposition and to warn against the challenges that must be faced in order to advance towards democratic liberation and the subsequent reconstruction of the country.

2. The unity of the opposition factors is an irreplaceable variable for the democratic struggle. Its irreplaceable character increases when the political forces choose the electoral route as a strategy to confront the dictatorship. Between 2005 and 2015, the Venezuelan opposition traveled this path and managed to build a stable unit of the opposition forces, leveraging on two environmental conditions: (i) The Chavista-Madurista revolution was a competitive authoritarianism and (ii) the mechanisms of formal representation –the elections– offered a scenario that allowed the creation of internal regulations in order to generate consensus. In 2021, both conditions are absent. In this sense, the restitution of both context conditions could allow a return to the previous scheme and build an efficient unit at the service of democratic liberation. And to achieve this purpose it would be convenient to direct efforts to the fight for electoral conditions. While this end is achieved, I believe that work should be done on the construction of unitary instruments for consensus without formal representation mechanisms.
3. In this article, two cleavages were proposed that are distinguished according to the perception of the regime's capacity for internal reform. The cleavage that perceives high potential for internal reform in the dictatorship is betting on a progressive strategy and the accumulation of forces. When analyzing progressivity as a strategic option, it is necessary to return to the opposition's performance between 2005 and 2015. This study shows that progressivity was a viable strategy while it did not attack the stability of the central power. That is to say: it was allowed to advance (local elections of 2012 and 2013), but when it showed itself as a real option of power (legislative elections of 2015)

it was met with the repression of the regime and it was exhausted. For its part, the cleavage that perceives low potential for internal reform in the dictatorship bets on the generation of critical junctures that force the dictatorship to become more flexible and open to a negotiation process that allows free, transparent and verifiable elections to be held. This path has also been partially traveled by the Venezuelan opposition. Between 2014 and 2019, large social mobilizations were carried out that were harshly repressed. The violence of the regime extinguished the social mobilizations. Once the limits of the strategies of both cleavages have been identified, it is convenient to recognize the scope of the autocratic learning of the dictatorship and create strategies that take into account its resilience.

# Venezuela: a fragile State and a fragmented society

Henkel García Uzcátegui

## How did we get here?

From 1950 to 1979, Venezuela was one of the countries with the highest economic growth, an expansion that occurred with relatively low inflation. The Punto Fijo Pact had offered a stable environment politically, and the oil rent made it possible to finance an important group of infrastructures, and these, in turn, boosted greater economic growth. Venezuelans subtly developed what Casanova (2011) described as a Demorrentist vision:

This vision could be qualified as Demonorrentist if we consider its two essential components: trust in democracy and the logic of distribution of oil-based income.

We felt destined to progress, even though our connection to productivity was weak. We were sure that our democracy was the most stable, even though we were not actively engaged in public affairs. We were not concerned about the long term and we dedicated ourselves to enjoying the present. We were rich and democratic. Why worry?<sup>1</sup>

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1 Roberto Casanova, *Bifurcación, neocomunismo o libertad* (Caracas: Gráficas Lauki, 2011), 39.

This perception of being a rich country and that all of us, at some point and in some way, would also be rich with minimal effort, can be perceived as an environment conducive to the emergence of populist leaders who, under the promise present for most of distributing that wealth more equitably, take power and even more so hold on to it for a long time.

The aforementioned growth occurred at such a speed that it was also disorderly, uneven. Despite this, there was the conviction that Venezuela was “...a country without class struggle, without social resentments, without significant discrimination of any kind; a country of few labor conflicts or business confrontations, of relatively easy social mobility”<sup>2</sup>.

That illusion postponed the need to improve the quality of that growth, the need to make it happen through production-productivity and the generation of value. On the other hand, a strong enough institutional framework was not created for dealing with the intrinsic social conflicts in the transit of any country. Thus, the scenario generated tended to conflict and, in turn, the instances to confront it were not created.

The nationalization of oil was a milestone in our national life. After that event, the perverse dynamics that had been dragged on since the past and that have already been described worsened. The clientelistic relationships were strengthened, the proximity of the State raised the probability of greater well-being, the institutions, which were once solid, rapidly weakened, massive indebtedness and many other inappropriate policies were applied to maintain the illusion. The crisis was imminent, which was what the country was left to between the 80s and 90s, years during which

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2 Ramón Piñango, *En este país sitiado por sí mismo* (Caracas, Ediciones IESA:2004).

the country was characterized by high political conflict and great macroeconomic destabilization.

Despite the deep crisis, there was still a generalized idea that we were a rich country, but that the governments were not able to handle the designated task of distributing this wealth appropriately. Hugo Chávez rose to power thanks to that thought and backed by his vindictive promise. He was the saving hero of a resentful and victimized citizenry.

Much has been written about the figure of Hugo Chávez and the central idea of this article is not to delve into it. The main idea is, certainly, to mention the main characteristics of his rule related to the collapse of the State and the fragmentation of society.

Today, the despotic intentions, not only of Hugo Chávez, but of a good part of the political group that accompanied him, are clear. Throughout his rule, there were significant oil revenues, which in the same way led as well to the issuance of external public debt, which went from an amount close to \$20,000 million to more than \$120,000 million<sup>3</sup>. This allowed Venezuelans to recreate their illusion again, to be able to consume more, without an actual increase in our productivity.

Given the boom and, therefore, the reinforcement of the illusion of wealth, Chavismo had enough popularity to, on the one hand, remain in power under the facade of democracy and, on the other hand, with the *auctoritas* that surrounded Hugo Chávez, to take and destroy the institutional vestiges that remained in the country.

Another important aspect to mention is the clientelistic relationship that was created at different levels of society. That of

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3 BCV official data <http://www.bcv.org.ve/estadisticas/deuda-externa>

the caudillo-pueblo, strengthened by increased consumption and enhanced by the caudillo's charisma, was the most visible, but other less obvious clientelist networks were also created among the different power groups within the political world, but also outside it.

A regime as such cannot be established without international support. The voluminous oil income was also enough to export the so-called “model”, in addition to obtaining diplomatic support from a not small group of countries.

Oil bonanzas are not eternal, neither is human life. In Venezuela, those endings coincided in time. Hugo Chávez died in 2013, and a few months later there was a sharp drop in oil prices. Nicolás Maduro came to power without the conditions and attributes of his predecessor. This new reality changed the political dynamics completely, and also the life of Venezuelans.

What happened from 2013 until now was dramatic, but not surprising. Social harmony based on well-being not only related to production, but by high oil prices, disappeared. Political and social unrest advanced rapidly, at the same rate as the economic downturn. An unpopular government, despotic in character, resorted to repression to sustain itself in power. That was what the Venezuelan government did, in addition to using the institutional framework to contain any advance of the opposition forces or of society itself.

Without institutionality, and without an “inclusive institutionality”<sup>4</sup> to be more specific, Venezuelan society did not have nor does it have a way to resolve its conflicts spread out in different areas. In addition, the long period of generalized

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4 The term is the one that Daron Acemoglu and James Robinson have used in their different academic studies.

crisis has worn down both internal leadership, especially its credibility, and society as a whole, which generates fragmentation and disorganization. These, in turn, eliminate the possibilities of changes in the political and social dynamics of the country.

To summarize, the result of this complex phenomenon has been a country that, today, has a third of the economy per capita of 1998, a dysfunctional State that is unable to guarantee basic aspects of life, a tense political conflict, one of the largest exoduses on the planet and a fragmented society lacking credible leadership.

### **What are we?**

We can ask ourselves what we are, what are the most relevant characteristics of our State, of our society.

“Sovereign states are expected to perform certain minimum functions for the security and well-being of their citizens, as well as for the proper functioning of the international system”<sup>5</sup>. States unable to fulfill these functions are classified as fragile, weak and more extremely as a failed state.

Reaching a collapsed or failed state is a process, so it is difficult to identify when it is on the brink of failure or if in fact it has already arrived to that point. But it could be affirmed that it approaches that spot while the State is less capable “to provide basic functions to the majority of its people, to guarantee territorial control, security and protection, to manage public resources, to

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5 Johnathan Di John, *Conceptualising the causes and consequences of failed states: a critical review of the literatura*, (Londres, Crisis States Research Centre, 2008)

provide services, and finally, to protect and support the ways in which the poorest people live”<sup>6</sup>.

Given these characteristics, it is possible to affirm that Venezuela today has a state that is fragile and with a tendency to deteriorate even more. Acemoglu and Robinson (2019)<sup>7</sup> offer some definitions and there is one in particular that can be applied to the Venezuelan case: The Paper Leviathan.

The Venezuelan State is sometimes considered totalitarian, due to its despotic vocation. It could be assumed that the figure of the totalitarian state coincides with the definition of despotic Leviathan. This is characterized by its dominance over society, which makes it weak, but it also has the ability to “prevent confrontations, resolve conflicts, impose laws that favor economic transactions, invest in public infrastructures, and contribute to generate economic activity”<sup>8</sup>. Two important characteristics should be added to this, already mentioned previously: the provision of basic services and territorial control. It is clear that Venezuela lacks these features.

In the Paper Leviathan, the State is weak and fragile, despite its despotic vocation; society is too. The state is not accountable, nor does it perform its proper function, and society is not strong enough to demand it.

Acemoglu and Robinson (2019) also mention that:

“This paper Leviathan has some of the worst characteristics of the absent and despotic Leviathans. To the extent that

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6 List of characteristics of a fragile state managed by the British Department for International Development (DBDI).

7 Daron Acemoglu y James Robinson, *El pasillo estrecho: Estados, sociedades y cómo alcanzar la libertad*. (Barcelona, Deusto: 2019

8 Daron Acemoglu y James Robinson, *El pasillo estrecho...* 146.

they have any power, they are despotic, repressive and arbitrary. Basically, society doesn't control them and they try to keep it always weak, disorganized and bewildered. They give citizens little protection from the state of war and do not attempt to free them from the cage of rules (and can, in fact, use the cage for their own purposes). This is because the paper Leviathan does not care about the welfare of its citizens and certainly not about their freedom. But it is also because it lacks the capacity to do much, perhaps with the exception of enriching the political elites in charge. We have argued that the roots of the paper Leviathan lie in the political elites' fear of social mobilization, which would constrain their ability to benefit from their control of the state and the plundering of society's resources"<sup>9</sup>.

The authors warn about the complexity of a situation of this type, which permeates negatively in the different sectors of society, in the daily life of citizens. It is a political, economic and social prostration. They also assert that getting out of such a situation has a high degree of difficulty.

### **Economy in a paper Leviathan**

The role and size of the State is a topic that attracts much debate and even controversy. However, it can be affirmed that this has an important function in achieving a minimum of order, security and harmony within the country. In addition, their ability to impose and enforce the rules of the game, resolve conflicts, safeguard property, is essential for the proper development of the economy.

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9 Daron Acemoglu y James Robinson, *El pasillo estrecho...* 402.

These functions can be exercised by a despotic state, but not by a weak one. That is why it is more likely to observe a fairly functional economy in a totalitarian state than in one cataloged as a paper Leviathan. It should still be noted that the absence of economic freedoms<sup>10</sup> within a despotic Leviathan, coupled with a submissive and dominated society, makes that relatively better performance capped as it is difficult to achieve high levels of innovation and economic sophistication in such a hostile environment.

The case of Venezuela is a good example of how this weakness of the State affects economic activity. Their inability to create a framework conducive to a market economy, without inclusive institutional framework, with the lack of basic public services, without legal security, with loss of territorial control on the part of the country<sup>11</sup>, with a precarious sense of the importance of private property, and without any control over the work of the executive branch, represents part of the reasons that explain the deep economic contraction that Venezuela has suffered.

Clientelistic networks also play a leading role in this type of Leviathan. The favoring and freedom of action that the government gives to those closest to them makes certain groups obtain a well-being detached from the economic reality of the rest

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10 Freedom of personal choice, voluntary exchange, freedom to enter and exit markets, just to name a few.

11 *Estas son las bandas criminales que consolidan su poder en oriente de Venezuela* - <https://elestimulo.com/estas-son-las-bandas-criminales-que-consolidan-su-poder-en-oriente-de-venezuela/>  
*Fanb demuestra su incapacidad para controlar 70% del territorio, tras conflicto en Apure: San Miguel* - <https://www.noticierodigital.com/2021/05/fanb-demuestra-su-incapacidad-para-controlar-70-del-territorio-tras-conflicto-en-apure-san-miguel/>

of the country. The wealth generated or remaining is little, and this is desired by these clientelistic nodes.

Opportunities are not available to everyone; rather they are scarce, and these are taken advantage of by a small part of the population, whether it is directly related to power or not. Other conditions also come into play, such as, for example, the capital accumulated in the past, the specific sector of activity, and the contact and support networks. The result is a niche economy, prosperous in those few circles, impoverished in many others.

Furthermore, it is not only the state's situation and its current characteristics. In its attempt to consolidate itself in power, to dominate society, a large part of the productive capacity of both the private sector and the companies run by the State was destroyed, some of which were expropriated. The current deteriorating state of the oil industry can be highlighted, which is the main source of foreign exchange in the country.

The national productive apparatus depends on imported raw materials to produce the different goods and services that we offer for internal and external consumption. On average, about 60% of imports are for intermediate consumption, while the rest is divided between final consumption and gross fixed capital formation<sup>12</sup>. Because of this profile, the generation of foreign exchange is necessary for economic growth, required for the importation of these input, which would give a start to the virtuous circle of generating well-being. Similarly, a sensible approach remains open for this generation of foreign exchange to come from more diversified sources, including the export of finished products, but this will have to be implemented progressively.

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12 Estimated average according to BCV figures during the period 1997-2019.  
<http://www.bcv.org.ve/estadisticas/comercio-exterior>

International isolation, a product of the countries' rejection of domestic political action, has had a significant impact. The need to attract financing to import and invest is clear, these capitals must come from abroad and today there are important barriers that prevent both multilateral credit (International Monetary Fund, World Bank, Andean Development Corporation, among others), and that of investors who want to bring capital to the country. In short, it all comes down to trust, in this case, the deep mistrust that national and international actors have about the state, institutional and social reality of Venezuela.

Venezuelan society has many challenges ahead of a complex situation, that of paper Leviathan. As Acemoglu and Robinson (2019) point out<sup>13</sup>, the exit towards a functional state is even more difficult in this type of regime than in a despotic one. The question is where to direct the efforts?

### **A chosen destination**

The aforementioned authors indicate a very general path to follow:

“Finally, countries near the bottom left, including many paper leviathans... face an even greater challenge. These countries cannot enter the corridor by increasing the power of the state or society separately, since there is no corridor nearby. To enter the corridor they must, at the same time, increase the capacity of their State and their society...”

There are many relevant questions and concerns. How to strengthen the State and society? How should the balance

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13 Daron Acemoglu y James Robinson, *El pasillo estrecho: Estados, sociedades y cómo alcanzar la libertad* (Barcelona, Deusto: 2019), 471.

between State and society be? How to ensure that this balance is not broken? What should be the role of the State in the dynamics of the country? What will be the institutional mechanisms so that society can have control over the State? What are the ways and instances of organization of society to stay united and firm?

Much has been said and written about the role of the political world in the work of social articulation. However, other sectors can help in this objective: the Academy, business unions, the Church, unions, students. It is a co-responsibility between the people who are dedicated to Politics, as well as the elites of the country. The strengthening of these actors could be transformed into the strengthening of society, if those strengthened actors have the will and capacity to communicate and coordinate. This is undoubtedly one of the directions to point to.

The content and objective of this communication must be to agree on the answers to many questions that the country has today, some of which were raised. Collective action is vital for any political and social change, but before doing so, clarity is required of the current situation, of the problems that will be faced.

Those who are government and occupy positions within the State, for their part, also have tasks to carry out. They may have neither the incentive nor the will to carry them out, however, they need to be stated. For example, territorial control is one of them, so is the provision of basic services to the population, to name just two relevant points. That is to say, despite the despotic propensity of the current government, the demand of society must be aimed at containing the phenomenon of weakening and fragilization of the State, which, as already mentioned, can hinder, rather than facilitate, the transition to democracy.

It could be said that this chosen destination is one in which a concept of a country is created that abandons domination and control and is directed towards dignity and freedom:

“...the best society is one in which the coercion of others has been reduced to a minimum. In this way, each person can try to develop their capacities and take advantage of the opportunities to create the life that they wish to live for themselves. Individual freedom can and should be the most valuable social product”<sup>14</sup>.

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14 Roberto Casanova, *Libertad, emprendimiento y solidaridad: 10 lecciones sobre economía social de mercado* (Caracas: Editorial Alfa, 2015), 39.

# The political office

Juan Miguel Matheus

Conference given within the framework of the seminar  
Youth and Destiny of the Nation  
"YOUTH AND DEMOCRACY"  
Caracas, July 22, 2021

I

I appreciate the invitation of the FORMA Institute to reflect on political office. Formative work is always full of rewards. But when it comes to political training, training for action for the common good and cultivating what John Paul II called "mature humanity" in people like those who make up this audience, who are giving their lives to public service, the formative task is much more rewarding ... Because it is enough to see you to recognize -using the words of former Chilean president Eduardo Frei Montalva- a "young country" eager to treasure ethical foundations to donate more generously in the service of Venezuela.

I am grateful to the Konrad Adenauer Foundation, to its representatives, for the persevering role of promoting fundamental political formation and -I repeat- "mature humanity" in young people dedicated to the service of the country.

I also thank the national representatives of the different democratic parties of Venezuela for being here. Its endorsement is essential so that FORMA can continue to advance in the work of creating a multiparty ethos in political youth, that is: a

common and shared ethical substrate that, while respecting the natural ideological specificities of each party, allows to mitigate differences and group interests so that it is possible, anchored in a genuine civic friendship, to give primacy to the struggle to rehumanize Venezuela. Honestly and from the heart, thank you for trusting FORMA and its political training work.

Finally, I thank the participants of this event for putting political training in the first place. To understand that political training is an inescapable duty for life and that no one is definitely trained. And I would like to be clearer with an affirmation that aspires to call us to greater responsibility in the way in which we undertake training: the political office devoid of training and a clear conception of human dignity can become a source of damage to humans and to society.

## II

That said, I would like to focus our reflections on the political office in the most essential way possible; to go to the soul of the person who tries to create and maintain an order of justice and freedom. The Venezuelan drama, having suffered more than two decades of autocracy, and the degeneration of the ethical fabric of our political culture, makes it necessary to go to the ultimate foundations of the political profession to reverse the anthropological damage caused by the Chavista revolution. And to do so I will resort to a classic quote, known to all, that serves as a mirror to the soul of someone who is considered one of the most just rulers in the history of mankind: King Solomon. In the book of Kings, when the young Solomon felt the burden of assuming the royal command and replacing his father, King David, to rule the people of Israel, he prayed to God as follows:

“Your servant is in the midst of the people you have chosen, a numerous people that cannot be counted or enumerated in their multitude” (*Kings, 3:8*).

“So give your servant a discerning heart to govern your people and to distinguish between right and wrong and to judge your people” (*Kings 3:9*).

In this last sentence, he summarizes the quintessence of the political office at all times. Beyond other accidental or specific manifestations of the specific times in which it corresponds to live, the political office consists of (i) achieving wisdom from the heart, that is, the virtue of prudence; (ii) to distinguish between right and wrong, that is, to seek human good in history and prevent evil; and, finally, (iii) judge the specific people to be served, that is, govern them in accordance with justice so that the common good is realized and people achieve human fullness. Then comes everything else, which is neatly integrated into the political office: power, authority, the administration of public goods, phenomena of public opinion, partisan life, etc. But, I insist, all this, although very important, must be redirected correctly towards the wisdom of the heart, the discernment between good and evil, and the judgment on the health of the people, because without it they would be meaningless.

Next, we will briefly examine each of the elements of King Solomon’s prayer and then refer to an idea by way of conclusion.

### III

Let’s start with the wisdom of the heart, that is, the virtue of prudence. A wise heart means a prudent heart. This implies the habit in the soul of the politician to always act for the realization

of moral good and to prevent evil. And, due to the difficult circumstances of political life, prudence is often exercised in decisions about the lesser evil.

Prudence is a habit that is acquired by repetition of acts and when the soul of the politician is exposed to frequent decision-making of a political nature. In this sense, the politician is acquiring “gravitas” (seriousness): a certain maturity and weight in acting and deciding.

In the acquisition of the habit of prudence, gravitas is usually accompanied by what Thomas Aquinas called judgment by inclination. A kind of intuition to decide and act even when there is no certainty about all the elements of judgment for it, that is, a “political sense of smell”. But it is not the smell of a creeping animal or a bulldog that is tyrannically inclined to act for its own benefit. It is, on the contrary, the predisposition to lean towards what is best for the common good and for the governed, even without knowing how to explain the reasons for that intuition. For this reason, in all antiquity, the ruler was similar to a good shepherd of sheep who does not seek his own benefit but that of the flock. In fact, it is very eloquent and symbolic that King David, the father of King Solomon, was a shepherd of sheep. And Thomas More used to repeat with a good sense of humor that the good ruler is the one who protects the sheep from the wolf, and the bad ruler is precisely the wolf...

Note that no one is born with a wise heart. But every human creature can develop a wise heart. For this reason, the first effort of the politician is to reach a wise heart and always preserve the moral rectitude of his intentions and his decisions, although naturally in politics it is possible to make mistakes. But this is relevant because when a politician does not strive to reach and

preserve, even to some extent, a wise heart, he misses the path of the right political office and is at the mercy of damaging his soul and damaging others... such a politician could easily become, following Tomás Moro, a wolf that damages sheep, the governed, citizens or, also, fellow party members...

At this point, it is crucial to ask ourselves where prudence is acquired. Where the wisdom of the heart is acquired. The answer is very simple: prudence is a handcrafted habit that is achieved in government workshops (in any of its broad manifestations, executive, legislative) and in the workshops of partisan life. In this sense, parties should be schools of prudence so that men and women arrive with something of a wise heart to the work of the State. And this is so because parties are institutions where the behavior of the most mature politicians must shape the younger ones, and where each young person must find a way to exercise their duty to listen to advice to act prudently. Without modeling and without advice there is no wise heart. So, dear young people, strive to know how to ask for advice and to have good counselors. In fact, in medieval political philosophy, it was thought that one of the greatest skills for government lies in the ability to surround yourself with the best possible advisers.

I end this part of the intervention with a terribly realistic and general idea in classical political philosophy: the prudent ruler is the city's greatest ally; the reckless ruler, its worst enemy...

#### IV

The second basic element of political office is the discernment between right and wrong. And this has an eminently practical character and ethical content. Leo Strauss escapes from ideological reductionisms and expresses that ideology is not the end of political action, but the good. And he continues: political action is

oriented to change or to conserve. When it comes to change, it is because its own content is to achieve a better state of affairs for the political community. When it comes to conserving, it is because its own content is to preserve the best state of affairs for the political community. So there is no point in calling yourself a conservative or a progressive. What is important in the field of action is that the wise heart does not have complexes in conserving or changing, depending on the case, when the common good demands it.

Now, in the times of relativism in which we live, in which it is thought that anything goes in the exercise of politics, it is convenient to make a precision as basic as it is necessary: the wise heart must discern what is convenient for the good of the person and society, not what suits the logic of the ruler's own whims, not what suits the logic of the acquisition and maintenance of power at all costs, and not what suits the privileges of individuals or groups. In other words: it is discerning what is best for the whole, for the common good. And that is why the genuinely republican Romans did not hesitate to point out that the best politician and ruler is the one who, exercising virtue in the service of the public, is capable of forgetting themselves, what is theirs, and their self-love. Or in terms of Manuel Caballero, a nation politician is one who is capable of substituting the self for the we (and if you think about it, that is genuine partisan life: killing the ego of the self so that the we may live).

On the other hand, all possibility of discernment between good and evil lies in the formation of conscience. A human being, also a politician or a ruler, is capable of discerning good from evil if there are clear channels in his conscience about what is right and what is wrong. The politician must understand that there is a human nature that places limits on political action. Killing innocents, lying, and stealing are inherently evil acts in all cultures

because they are contrary to human nature. When the Maduro regime kills, lies and steals, it threatens human nature. And the human conscience rebels before that.

At this point, I just want to add a final comment. The ability to discern right from wrong can be stifled. It can be lost and, with it, the conscience could become clouded. When this happens, and a politician loses his ability to discern, he becomes an enemy of the city in Aristotle's terms, and an enemy of his fellow party members, of his surroundings, because what happens is that without the ability to distinguish good from evil, there is no wise heart, the acts of the politician would lose ethical direction and, therefore, the political office would be distorted because it would not have an aspiration of good.

## V

We now turn, in the third place, to what Solomon expressed as "judging a people", which is to lead them, govern them, taking the virtue of justice as an orientation. Ruling implies a wise heart and discernment between right and wrong. But the implication of power in the exercise of government or in the aspiration of government is an element that can greatly challenge the soul of the politician, and that is why the political office brings with it the urgent need to know how to relativize the importance of power. And at this point I will try to explain myself by stating a few lines:

1. The fundamental principle of the exercise of government, to judge a people, is justice and not power.
2. The inclination or desire for power is natural and even good, but power is not an end in itself and a soul with a wise heart cannot harbor the corruption that Cicero called

- “libido dominandi”, that is, an inordinate desire for power by the power to control everything and everyone.
3. Power is the ability to set reality in motion, but it must be preceded by authority, which is the right to rule and exercise power in accordance with justice. This is the dynamic of what the Romans called *auctoritas* and *potestas*.
  4. The *auctoritas* and *potestas* are only legitimately exercised when they are the product of the free consent of the citizens and the governed. In a democracy, by the consent of the citizens.
  5. In this sense, the exercise of *auctoritas* and *potestas* must have two characteristics that were essential for the Romans: the vicarious character, that is, the awareness that power and authority do not belong to those who exercise them circumstantially but to the governed; and ministerial character, that is, the awareness that power and authority are exercised to serve and not to serve oneself. Both the vicarious character and the ministerial character are ways that lead to the death of the self, and the life of the we.
  6. No one is born predestined to exercise the right to “judge a people”, in the terms of King Solomon. No one was born to be powerful. The most desirable thing is to achieve power in the terms described here, but a wise heart would never conceive that it is born to fulfill an inexorable destiny of having authority and power.
  7. Finally, authority and power have an expiration date. A wise heart is willing to cease in the exercise of authority and power. And a wise heart must prepare itself to detach

itself effectively, preserving mental health, the exercise of authority and power.

## VI

I quickly conclude with a single precision: preparing the soul to exercise the political office in the key established by King Solomon is not an ideal. It is an existential necessity. It is worth fighting to live the political office in this way, and you can be successful conceiving it that way, just as Adenauer, De Gaulle and Rómulo Betancourt were successful, and as I think it can happen with you.

Thank you.

# No need to start from scratch

## Some initial recommendations for transitional justice in Venezuela

Katya Salazar y Ramiro Orías

Venezuela is currently a state captured by corrupt criminal networks, made up of public officials and private actors who have been illegally profiting from public resources<sup>1</sup>. In this context of institutionalized corruption, serious human rights violations have also been committed in a systematic and generalized manner, with the tolerance, acquiescence and/or active participation of State agents<sup>2</sup>.

These violations occur within the framework of a gradual process of disintegration of democratic institutions and the collapse of the rule of law<sup>3</sup>, where control and accountability mechanisms are practically non-existent. The Venezuelan justice system, also co-opted by these corrupt criminal networks, acts as

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1 Salcedo-Albarán, Eduardo & Garay-Salamanca, Luis. *Súper red de corrupción en Venezuela: Cleptocracia, nepotismo y violación de derechos humanos*, Vortex Foundation and Scientific Vortex Inc., February, 2021.

2 Detailed conclusions of the Independent International Fact-Finding Mission in the Bolivarian Republic of Venezuela, A/HRC/45/33, September 15, 2020.

3 *Idem*, paragraph 12.

the **legal arm** of political power, giving rise to a situation of total impunity that only exacerbates the violations<sup>4</sup>.

Faced with the inaction of the national justice institutions, investigations and criminal proceedings have been initiated in third countries for crimes of corruption committed in Venezuela or by Venezuelan citizens. According to information from Transparencia Venezuela, until January 2021 there were close to 100 investigations or criminal proceedings opened in 21 countries against Venezuelan citizens –including high-ranking political and military actors– for drug trafficking, money laundering, and corruption offenses<sup>5</sup>.

In relation to cases of human rights violations (mainly arbitrary detentions, torture and other cruel, inhuman and degrading treatment, forced disappearances and extrajudicial executions), except for the preliminary examination currently open in the International Criminal Court, there are no investigations or processes initiated in third countries. We do not rule out that complaints have been filed<sup>6</sup>, but as far as we know, there are no significant ongoing investigations or formally open processes in any country in the world for these crimes.

### **What will we do with the legacy of grand corruption and gross human rights violations that this government will**

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4 For more information see: *Judges on the Tighrope, report on the independence and impartiality of the Judiciary in Venezuela*, International Commission of Jurists, 2021.

5 See: <https://transparenciave.org/transparencia-venezuela-exige-investigacion-exhaustiva-sobre-fondos-sospechosos-en-suiza/>

6 In 2018, a Peruvian politician filed a criminal complaint against Nicolás Maduro before the Peruvian Prosecutor's Office for the arbitrary detention and torture of a Peruvian citizen in Venezuela. See: <https://panamericana.pe/24horas/locales/243485-jorge-castillo-presenta-denuncia-maduro-peruano-presos-venezuela>

**leave behind? Will we ever have an "official truth" about what happened? Is the Venezuelan justice system prepared to trial those responsible for the crimes committed? What reforms must be implemented so that these events are not repeated? How to take advantage of the tools of international law and comparative experience?**

Transitional justice, with its rules, standards, and principles, offers some clues to answer these questions. Its mechanisms are designed to obtain **truth, justice, reparation and establish non-repetition measures** in countries that have gone through periods of armed conflict or dictatorships, characterized by massive human rights violations. This is the "toolbox" that Venezuelans have at their disposal to answer the questions posed. The objective of this article is to outline some initial recommendations that, based on the legal framework of transitional justice and comparative experience, may be useful for a successful transition in Venezuela.

1. The search for the truth must have a comprehensive view that incorporates the different dimensions of the crisis and not only violations of civil and political rights

One of the essential elements of transitional justice is the search for the truth about human rights violations that occurred in a given period. The main mechanism for reaching the truth about what really happened are the so-called **truth commissions**, which have traditionally focused on clarifying the circumstances in which first-generation human rights violations were committed and have not addressed economic, social, cultural or environmental rights violations and much less acts of corruption.

But this has been changing in recent years and there are increasingly more experiences of truth commissions that also address **corruption and other economic crimes**, as well as impacts on land and territory rights. As the United Nations Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Repetition has pointed out: “the scope of truth-seeking mechanisms has been expanded to also address violations of economic, social and cultural rights (for example, the Commission for Reception, Truth and Reconciliation in Timor-Leste), economic crimes (the Truth and Reconciliation Commission in Liberia) and grand corruption and the exploitation of national and public resources (the Truth, Justice and Reconciliation Commission of Kenya)”<sup>7</sup>.

Whatever the formula adopted in Venezuela, it is essential that it encompasses not only the impact on **civil and political rights**, but also the role played by **corrupt criminal networks** that captured public institutions, especially the judicial system, to guarantee the impunity of the members of these networks. As the Independent International Fact-Checking Mission pointed out, an element of the crisis in Venezuela that deserves further investigation is the nexus between corruption and serious human rights violations. Several of the sources with whom the Mission spoke, all current or former members of the Government and military personnel, indicated that a motivating factor for the human rights violations is the personal economic benefits derived from the capture of State institutions, which constitutes a strong

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7 Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and the Guarantees of Non-Repetition of the United Nations, A/HRC/39/53, July, 2018.

incentive for government agents to maintain power and guarantee impunity<sup>8</sup>.

Moreover, it will be essential that the truth-seeking process includes the serious effects on the economic, social, and environmental rights of Venezuelan citizens, who live (survive) in a context of hyperinflation, malnutrition, food and medicine shortages, and a complex humanitarian crisis exacerbated by the COVID-19 pandemic. Until December 2020, the situation had forced more than 5.4 million Venezuelan citizens –about a sixth of the population– to leave the country and, if the crisis continues, this figure could reach 6 million in 2021<sup>9</sup>.

2. Those responsible for the crimes committed, especially those most highly responsible, must be identified, prosecuted and punished

Another of the columns of transitional justice is **justice**, which implies that the perpetrators of human rights violations that occurred in a given period are held accountable for the crimes committed. International law is clear in establishing a state obligation to investigate, prosecute and punish those responsible for human rights violations. Amnesties, Self-Amnesties, pardons or any other measure of “forget and forgiveness” are prohibited by international law and would render the victims totally defenseless.

However, comparative experience shows us that it is practically impossible to investigate and prosecute all cases

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8 Detailed conclusions of the Independent International Fact-Finding Mission in the Bolivarian Republic of Venezuela, A/HRC/45/33, September 15, 2020, paragraph 116.

9 See: <https://www.vozdeamerica.com/venezuela/oea-estima-cifra-migrantes-venezolanos-podria-superar-la-de-siria-2021>.

and all perpetrators. It is essential that the Venezuelan justice system considers this challenge from the get-go and explores possible measures to face it. One option is to establish **criteria for the selection and prioritization of cases**, which would allow organizing cases based on previously established criteria. Although there is no exact 'recipe' for what these criteria should be, they are usually related to the seriousness of the events and their impact, a common context and patterns that allow joining several cases, the possibility of judging those most responsible, the symbolic effect of the case, among others<sup>10</sup>.

Starting from the premise that international law does not set specific penalties or punishments for international crimes, the possibility of establishing **alternative sanctions** to the custodial sentence when certain assumptions are met is also an option that will have to be explored. The Special Jurisdiction for Peace in Colombia is a relevant experience on the use of selection and prioritization criteria, as well as alternative sanctions, while complying with the international obligation of the State to investigate, prosecute and punish.

On the other hand, it is recommended that the search for justice within the framework of a transition process in Venezuela is not limited to the prosecution of the effects on the **rights to life, integrity and freedom** of Venezuelans, but also includes cases of **grand corruption**, which have led to serious violations of

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10 For more information on this subject, see the report of the United Nations Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Repetition, A/HRC/27/56, August 27, 2014. The Colombian experience is the most recent one on transitional justice in which criteria for selection and prioritization of cases were adopted. See: Sánchez, Camilo & Jiménez, Alejandro, *La selección y priorización de casos en la Jurisdicción Especial para la Paz*, Universitas, Vol. 69, Pontificia Universidad Javeriana, Colombia, 2020

**economic, social and environmental rights**, as well as tolerated and promoted the former. Although the level of looting of public funds in Venezuela exceeds similar cases in the world, the effects on human rights is perhaps the main characteristic that makes Venezuela a unique case in the world, in terms of macro-corruption, institutional co-optation, impunity and human rights violations<sup>11</sup>.

Finally, and while the Venezuelan national justice system prepares to respond to such a challenge, the possibility of promoting criminal investigations in third countries through the **principle of universal jurisdiction**, recognized in many countries of the world, must be taken into account. This principle allows national courts to investigate and prosecute people suspected of having committed **crimes against humanity**, regardless of where the crime was committed or the nationality of the victim and perpetrator<sup>12</sup>. This was the principle behind the arrest of Augusto Pinochet in London in 2000<sup>13</sup> and the conviction of a Salvadoran soldier by a Spanish court in 2020, for the murder of five Spanish Jesuit priests in El Salvador more than 30 years ago<sup>14</sup>.

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11 Eduardo Salcedo-Albarán y Luis Garay-Salamanca; *Súper red de corrupción en Venezuela: Cleptocracia, nepotismo y violación de derechos humanos*. Editorial (Fundación Vortex y Scientific Vortex Inc., febrero de 2021), 108-109.

12 For more information see: <https://trialinternational.org/topics-post/universal-jurisdiction/>

13 See: [https://elpais.com/internacional/2018/10/16/america/1539652824\\_848459.html](https://elpais.com/internacional/2018/10/16/america/1539652824_848459.html)

14 See: <https://elpais.com/espana/2021-02-03/el-supremo-confirma-la-pena-de-133-anos-impuesta-para-el-unico-acusado-de-la-matanza-de-los-jesuitas-espanoles-en-el-salvador.html>

3. In-depth and informed reflection is needed about the reforms that justice institutions need, as well as the standards that should guide those reforms

One of the main goals of the transition period should be to **recover democratic institutions**. Facing the conditions of impunity for the violation of human rights, as well as the structures of grand corruption entrenched in the state apparatus, will be part of the most important challenges that a **renewed and independent justice system** will have to face.

In Venezuela, it will not be enough to overcome the traditional barriers to access to justice or to correct some dysfunctions in judicial management. Instead, a **radical transformation of the conditions that have affected its institutional performance**, which turned the judicial institution into an extension of the executive power, will be necessary. The democratic transition in Venezuela, thus, supposes the existence of an independent, impartial and transparent judicial body, subject only to the rule of law as an indispensable requirement.

To this end, a **roadmap** must be designed that includes the appointment of new high authorities of the justice system and the public ministry who can guide institutional reform as an urgent measure. Furthermore, the need and feasibility of establishing **two sub-systems within criminal justice** should be explored, one for **corruption** and the other for the prosecution of **human rights violations**, which may function while a long-term reorganization of the justice institutions is taking place.

Various experiences in the region show the advantages of **subsystems or special courts** for the prosecution of **human rights violations**. To combat **corruption and related crimes**, some

countries have also created specialized courts, whose members are selected within the framework of public processes, subject to strict probity controls and supervision of personal records. Unlike ordinary courts and prosecutors where specialty is not an insurmountable requirement, the members of an anti-corruption sub-system must be specialists in organized crime and financial crimes, in addition to other relevant topics for the investigation of these cases.

Another dilemma posed by post-conflict or post-dictatorship societies is **how to make those responsible for these crimes be tried by the judges they themselves appointed?** For this reason, one of the priorities of the countries in transition must be the consolidation of the judiciary, so that it can regain its independence. In his A/HRC/11/41 report of 2009, the Special Rapporteur on the Independence of Judges and Lawyers pointed out that the **tenure of judges** is one of the fundamental pillars of judicial independence that can only be violated in **exceptional circumstances**. One of these circumstances, the report points out, can occur in situations of transition from an authoritarian regime to a democratic system “in which the objective of limitations to the principle of irremovability would be to end impunity and to prevent the reoccurrence of serious human rights violations”<sup>15</sup>.

In the same sense, Report A/HRC/35/31 presented in 2017 by this same special rapporteur, in which it addresses the issue of corruption and organized crime, maintains that: “one priority of a country in transition to peace or democracy may be to **“clean up”** its judiciary in order to restore its legitimacy, independence

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15 Report of the Special Rapporteur for the Independence of Judges and Lawyers, A/HRC/11/41, March 24, 2009, in: [https://www2.ohchr.org/english/bodies/hrcouncil/docs/11session/A.HRC.11.41\\_en.pdf](https://www2.ohchr.org/english/bodies/hrcouncil/docs/11session/A.HRC.11.41_en.pdf), paragraph 64.

and impartiality, and ultimately its public credibility”<sup>16</sup>. In order to avoid any arbitrariness, abuse or “reckoning” in the processes of dismissal and appointment of new officials, the Rapporteur underlines the need to respect the **international standards** applicable to these situations, such as fair trial and appointment of judicial authorities<sup>17</sup>.

Oposing the direction of what is established in the norms, standards, doctrine and international jurisprudence in this matter would not only call into question the reforms that are being promoted, but could also lead to the subsequent **international responsibility of the Venezuelan State** in international instances of protection of human rights.

4. The need to create an ad-hoc mechanism that collaborates with national institutions in the search for justice should be evaluated

Assessing whether the Venezuelan justice system has the capabilities or could have them in the short term to prosecute cases of human rights violations and grand corruption will need to be assessed, as well as whether the conditions exist for it to do so independently and impartially. If the conclusion is that these conditions do not exist, the possibility of creating an **ad-hoc mechanism or system** that helps Venezuelan judicial authorities respond to the legacy of the past should be evaluated, while national institutions are strengthened.

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16 Report of the Special Rapporteur for the Independence of Judges and Lawyers, A/HRC/35/31, June 9, 2017. In: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/159/85/PDF/G1715985.pdf?OpenElement>, paragraph 40

17 Idem.

Two relevant examples for Venezuela are those of the International Commission to Combat Impunity in Guatemala (**CICIG**) and the Mission to Support Corruption and Impunity in Honduras (**MACCIH**). The first was created by agreement between the Guatemalan State and the United Nations, and its objective was to collaborate with Guatemalan institutions in the identification and prosecution of corrupt criminal networks, while the second was created by an agreement between the Honduran State and the Organization of American States (OAS). Both the CICIG and the MACCIH had a complementary role to that of the Public Ministry and in both cases they had the support of international experts and researchers.

Another interesting experience is that of **hybrid or mixed courts** (Cambodia, East Timor, Sierra Leone, Lebanon, among others), created to try mainly human rights violations and crimes against humanity, and made up of national and international judges, with the United Nations support. A more recent and closer example is that of the **Special Jurisdiction for Peace of Colombia**, which, without being exactly a mixed system (all its members are Colombian), did use a mixed system (made up of Colombians and foreigners) for the selection of its magistrates<sup>18</sup>.

Although *ad hoc* mechanisms are not rigid models and are adjusted to the reality and needs of each context, common elements are: the support of an intergovernmental organization such as the UN or the OAS, a complementary role to that of national institutions, and a mixed integration (national and international). In the case of Mexico, for example, the United Nations High Commissioner for Human Rights recommended that the Mexican State establish an **Advisory Council** of renowned experts in the field of human rights and the fight against impunity to advise the

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18 See: <https://www.ideaspaz.org/especiales/magistrados/>

Mexican State on strategies and reforms that promote investigation and punishment capacities, and to reverse the prevailing rate of impunity in the country<sup>19</sup>.

If the creation of an ad-hoc mechanism is finally chosen, which with the support of the international community will accompany the process of institutional reconstruction of justice in Venezuela, it will be essential that it is built on comparative experience and lessons learned in order to avoid repeating the same errors of other mechanisms.

5. Women must play a fundamental role in the transitional justice process, not only as victims, but as leaders of the process of truth, justice, reparation and non-repetition.

It is necessary to place special emphasis on the role of women in the transitional justice process, not only as **victims** of human rights violations and other crimes, but as **key actors** in the search for truth, justice, reparation and design of measures that guarantee non-repetition. On the other hand, it is important to highlight the constructive role that women can play in the processes of dialogue and negotiation for democratic reconstruction and national reconciliation. The teams that carry out these processes must also be **led by women**.

The transitional justice mechanisms that are developed must have a **gender perspective**, seeking to comprehensively address the needs of women during the conflict, as well as their challenges in terms of efforts to search for truth, justice, reparation of damage

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19 United Nations, Office of the High Commissioner for Human Rights in Mexico, Recomendaciones a México del Alto Comisionado de las Naciones Unidas para los Derechos Humanos, Mr. Zeid Ra'as Al Hussein and Response of the Mexican State, Mexico City, November 2016.

and building a lasting peace. In the case of Venezuela, building a transitional justice process with a gender perspective is an urgent matter and must encompass both the general context of a complex humanitarian crisis, and gender violence in the context of political repression.

At the end of 2020, the Human Rights Council decided to extend the mandate of the Independent International Fact-Finding Mission for two more years, until September 2022, so that the Mission can continue to investigate the serious human rights violations that occur in Venezuela, “including those involving sexual and gender-based violence, committed since 2014, with a view of combating impunity and ensuring full accountability for perpetrators and justice for victims”<sup>20</sup>.

In this context, it is more necessary than ever to **strengthen the capacities of Venezuelan civil society** to monitor, make visible and carry out a comprehensive defense both at the national and international level in cases of sexual and gender violence, to document individual cases and patterns that may later be taken up by the transitional justice mechanisms implemented in Venezuela, as well as to play a constructive role in the subsequent process of democratic reunion.

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20 Resolution 45/20 of the United Nations Human Rights Council, A/HRC/RES/45/20, October 13, 2020, paragraph 15. This same resolution dictates “Urges the Venezuelan authorities to adopt appropriate measures to address reported acts of violence and harassment; sexual violence against women and girls in detention in the Bolivarian Republic of Venezuela, which includes accounts of physical, sexual and verbal abuse, threats and intimidation; the sexual exploitation of women and girls for food, protection and privileges; and the ill-treatment, torture and denial of rights of women human rights defenders, nurses, teachers, civil servants, political prisoners and detainees in detention centres”, paragraph 6.

# Time of dispersion, time of alliances

Edgardo Mondolfi Gudat

I have been invited to share a few insights on what the performance of political parties between 1948 and 1957 could mean in the face of what the opposition is currently facing. Even more so, I have been invited to elucidate if, considering any reflection that could result from the challenges posed in these times characterized by dispersion and authoritarianism, there are lessons to be learned and taken into account when taking a look at what happened with the political forces that operated from the most absolute illegality, or from their virtual ban, during the period between 1948 and 1957. In short, I understand that I have been invited to offer an outlook on the case of Venezuela from a historical perspective and on the basis of what our own path as a society could reveal.

At first glance, there could be seductive elements given supposed similarities between both scenarios. The first and most evident of all is that we see ourselves witnessing, as we did between 1948 and 1957, the dispersion of democratic forces due to the pressure exerted by the regime. The second similarity is dictated by the same question that, between those years, those who acted from exile, clandestinity or symbolic and moral opposition (in the style of the Copei party) had to ask themselves: how to break atomization?

The third similarity, if we can speak under those terms, is offered by the panorama itself: we are, much as the opposition during the 48-57 period, in an absolute state of weakness. A weakness that in that moment was strongly determined by the inherited type of interrelation, the one developed during the 45-48 triennium, marked by the commonly called “sectarianism”, “cannibalism” –a term used by Rómulo Betancourt– or, using a less anthropophagic but still biological expression, determined by the phagocytizing of the rest of the political organizations, therefore reducing the role of political parties to a simple zero-sum game in electoral competition. A weakness that today relies on the existence of strategies that do not exactly agree with each other or that even look diametrically opposed. However, as we will see, those who were involved in such processes in 48-57 also faced that same kind of problem, in addition to the one just mentioned: their propensity, almost suicidal, to put into practice virulence and ideological exclusivism without noticing what it amounted to an annihilation of the dynamics built from October 18, 1945 or, if seen under a brighter light, the self-depredation of the democratic system.

Yet, from here on out, or beyond these apparent similarities, the risks involved in such an exercise begin to manifest themselves. Because, in history, there are no parameters, there are no prototypes or archetypes; history does not repeat itself nor is it cyclical. If this were the case, we could just cross our arms and wait for the beginnings of a new cycle to pass as if it were a procession passing before us. To a large extent, the problem would then be solved. But history is made and written by the people, and we do so in response to the requests and claims of our own environment, our own circumstances and our own specificities dictated by the present time.

Now, if this were a matter of offering lessons, and without knowing after all how useful they might be, I would propose focusing on two blocks: we could call the first “time of dispersion and disunity” (1948-1957) and we could define the second as the “time of alliances and their consequences” based on what has happened during the quarter of a century after January 23, 1958. I must warn beforehand that I will dedicate myself much more to stressing the matters of the first block, because the latter is certainly well known.

### **Between 1948-1958 and today**

Just as I have listed supposed similarities, the most logical thing would then be to enunciate three differences worthy of consideration for this analysis. The first of such differences is that, in 1948, the displacement of the ruling party, Acción Democrática, from power, due to -founded or unfounded- hegemonic claims despite the fact that it had been relegated after receiving 871,764 of the total votes cast (1,183,764) in the presidential elections of December 1947. On the other hand, challenges today derive from the attitudes of a ruling party that, although has been electorally preferred in more or less credible terms for more than twenty years, behaves like a regime to which political scientists have not ceased trying to define and redefine (“competitive authoritarianism”, “soft dictatorship”, “dictatorship of the 21st century”) based on the increasingly restrictive characteristics it exhibits.

The second difference is that, in 1958, the shortest tyranny in the history of Venezuela (1953-1958) was being defeated. Today, time continues to work in a dangerous way against us: the “democratic assets” that Venezuelan society managed to accumulate during the quarter century after 1958 have weakened

increasingly and more significantly, referring both to what might be the value or importance that Venezuelan society attributes to the parties, as well as to the reflexes and electoral exercises that society itself was able to build and strengthen from then on –that is, the democratic habits implanted in the Venezuelan imagination that, little by little, have been fading, especially for a society that had been unaccustomed to living under an authoritarian regime during forty years and was therefore caught off guard and did not know what to do or how to act, once the guarantees of democratic coexistence had eroded.

The third difference between 48-58 and today is that there is no democracy beyond the mere existence of parties, and we now understand that this is not the exclusive manifestation of democracy, differing from those who thought political parties to be the only capable instrument to channel citizen participation –since partisan organizations became popular during the Isaías Medina Angarita regime (1941-1945), and more so during the Revolutionary Government Junta (1945-1948). Today, as we well know, the reality is different: together with the parties, and faced with the same authoritarian drift, extra-partisan groups (civil society, non-governmental organizations, civil associations, whichever else) also take on political actions. Unfortunately, due to the powerful poison that anti-politics exudes, such groups have not always been clear that their role is not to replace the parties but to complement them and even to help them act in tune with the times. So today we have parties and civil society working as scattered foci within the same labyrinth.

As if none of this were enough, we must consider social networks as a part of the puzzle: in our times, it seems it is through those means that the course of politics is defined, thus

influencing, often in a harmful way, the decisions to be taken by the opposition leadership.

### **The parties and their dynamics: 1948-1957**

Starting in 1948, the Provisional Boards tried to assess what “order” and “tranquility” meant for a society that had faced the experiences of “instability” and “improvisation” (locally named as “bochinche”) attributed to the 45-48 triennium. It thus devoted itself to reorganizing the security services and the repressive-judicial apparatus. Nonetheless, it was not until the five-year period of the one-person regime of Marcos Pérez Jiménez (1953-1958) that political parties were completely pulverized. Equally importantly, it further delegitimized them before society as holding them responsible for the degree of pugnacity experienced between 1945 and 1948.

The parties demonized by the military regime were Democratic Action (AD) and the Communist Party of Venezuela (PCV) –active since the times of Medina Angarita–, and COPEI and URD –direct children of “*Octobrisism*”–. Together they would make up the “ring” that defined the ups and downs of the democratic game during the 45-48 triennium. It should be noted that they would not be the only parties (after all, around 13 different organizations would coexist during the democratic triennium), but they would be the most important ones and those that would ultimately persist despite all the vicissitudes, subjects to changing fates, for the rest of the 20th century.

The PCV, since the overthrow of Rómulo Gallegos in November 1948, would seek to ally itself in any way possible with AD, proscribed as was the organization commanded by Rómulo Betancourt, by decree of the Military Junta, since December 7 of that same year. However, according to his biographer, Ocarina

Castillo, the attitude exhibited by Carlos Delgado Chalbaud at the head of that first Board left the PCV quite alive, including its official spokesperson, the newspaper Tribuna Popular, despite having exhibited a precarious legality until then and, much more, despite a not muffled persecution unleashed against its leaders and militants. These events took place until March 1950, when the PCV was dragged into the oil strike, a sector within which AD continued to lead at the level of its unions even after it was dismantled as a party and went on to operate clandestinely.

As of the oil strike of March 1950, the communists fell, according to some of their own leaders, in the trap of an adventure, something that ended up dragging them to favor a tactic that would be seen a “follow-up” against AD. Furthermore, as Manuel Caballero observes, some even pointed out that during that oil strike adventure there was little “proletarian insurrection” and, instead, a lot of “putsch”, as was to the liking of their “enemy brothers” in AD. The case was that, from then on, since the Board’s decree dates from March 13, 1950, PCV was completely outlawed and forced, like AD, to lead operations in a most hermetic secrecy.

For its part, AD itself, probably because it was the party most affected by the events of November 48, was the one that most quickly and resolutely opted in favor of a strategy of agitation and even of an insurrectionary type in alliance with certain military sectors. This occurred with particular determination between 1948 and 1952. We are talking, in short, of conspiratorial skirmishes that took place under the initiative or, at least, the acquiescence of the party. Furthermore, in terms of weapons and money, these conspiracies tried to be supported by the contributions of some governments related to AD in Costa Rica, Guatemala, Mexico and Cuba.

The years 1948-1952 supposed many vicissitudes for AD confronted within the conspiratorial terrain, generating, in light of what documents reveal, dispersion of the military groups committed to that partisan organization and increasing the dangers of leakage, not to mention the difficult coordination that must have taken place between AD's top national leadership in exile and the internal clandestine apparatus. This would make the disagreements tangible and cause tensions, tears and entanglements between both sides of the organization, that is, between those who were abroad and those who conspired within. An example of the commitment of certain military groups to AD would be the frustrated uprising of the Boca del Río air base, in the state of Aragua, which led the government to take greater measures within the barracks; or the death of one of its main promoters, Captain Wilfrido Omaña, as well as the murder in Barranquilla of Lieutenant León Droz Blanco. The balance of that experience (1948-1952) was that it left the AD cadres totally decimated. Never as during that period did the party have to bleed so much, leaving behind its enormous harvest of martyrs, and never being able to effectively coordinate any civil-military uprising.

The third party that is part of this synthesis is URD, always too dependent on the personal prestige of someone who was not precisely among the founding members of the organization but who quickly took over its leadership: Jóvito Villalba. Villalba's small and lax organization experienced its best and worst moment in November 1952, when it accepted the challenge of measuring itself in the elections to form a National Constituent Assembly.

The fourth party is COPEI, which would also participate in the 52 consultation and which had already shaken off the fame of being -as its opponents never tired of riveting- a "confessional"

party to proclaim itself as what it actually was: an Octobrist party. As or more relevant during the interregnum of silence that would take hold from 1952, COPEI continued to increase, from its sinuous or discreet opposition to the military regime in the face of its interrelation with the rest of the proscribed or semi-proscribed organizations, the same preaching it had had since such low degrees of political communication were recorded during the triennium. All this was synthesized by COPEI in the idea of conciliation (especially social), in the need to privilege the presence of intermediate associations (as a way to avoid the total omnipresence of the party before society) and in the desire to promote the de-ideologization of the debate. In this sense, as it had already tried to do between 1946 and 1948, COPEI exhibited a much more elaborate platform, technically speaking, than the rest of the political organizations. Furthermore, many of the elements that would later inform the future Puntofijo Pact found their origin in these ideas advocated by Rafael Caldera's party.

### **The electoral strategy (1952/1957)**

Prior to discussing the relevant changes that took place in the year 1957, their meaning, and the reasons why it was so, it is useful to review a fact hardly ever mentioned: the different attempts to form an alliance or some kind of front, inside and outside the electoral field. Even when such understandings did not bear fruit in practice, they did not cease to act as valuable incentives when trying to propose the 1957 electoral strategy. The first of these antecedents is constituted, in order of importance, by the call made by the regime of the Second Board for the election of a National Constituent Assembly (ANC) on November 30, 1952, to approve a constitution that would replace that of 47, but circumscribing in advance the powers of those who were elected to this sole task. However, the mere approval of such Electoral

Statute would lead the different organizations to examine how to influence the process. In reality, all of them would propose to do so, including the two that were strictly prohibited from participating, AD and PCV, as they had been dissolved by decree of the First Junta (1948; where the second dated from 1950). So, only two parties formed the opposition: URD and COPEL.

It is often forgotten, or overlooked, as Diego Bautista Urbaneja observes, that it was barely four years and nine months since Venezuelans had last voted, as the vast majority did, in favor of Gallegos. The truth is that they had not forgotten how to do it and that posed a problem for this Board chaired by the colorless representative of the civil sector, Guillermo Suárez Flamerich. It is also often overlooked that Villalba, as the main candidate on the URD, was able to lead a contagious and dynamic campaign despite abuse and intimidation, and in which communist militants were up to their necks. Perhaps all the parties were willing to influence but not necessarily give express instructions to their respective militancies in order for them to go out to vote.

Such was the case of AD, which, incidentally, never basically drew up an openly abstentionist strategy, even when it was reluctant to face this electoral call. But, whatever that may have been, and even if there was no clear position in favor of abstention prior to the elections, the attitude of the party leadership was equally divided between those that insisted from exile not to participate in such a process and those leading the internal apparatus who believed it was local militancy who should decide. The result was that the same hundreds of thousands of *adecos* who almost five years earlier had voted for their party came out *en masse* for the URD card. As Margarita López Maya points out, it was only after the results appeared reflecting the strength of an important citizen participation, and a more important vote in

favor of URD and COPEI, that Betancourt and the rest of the high command abroad favorably interpreted what happened.

According to Manuel Caballero, it is important to note that this time, and united in their own way, the semi-legal URD and COPEI, and the illegal AD and PCV, managed to inflict the most humiliating defeat on the regime in an election that sought to legitimize the government, using all the resources of power, including the advantage of its millionaire propaganda and the persecution of opposition electoral activists.

From that point on, and twisting the course of the results due to the great surprise of fraud, Pérez Jiménez obtained, in the end, his great constituent assembly, which, in addition to modifying the constitution, had to proclaim him in April 1953 as constitutional president for the period 1953-1958 after the Military High Command had appointed him as provisional president on December 2, 1952, the day on which the counting of votes in favor of the opposition was not made known. The deputies elected by URD and COPEI not only did not join the National Constituent Assembly (although a few turncoats would instead), but both Villalba and the URD high command were immediately thrown into exile.

COPEI would hardly come out alive from that experience. Soon after, it was placed out of the game but not before it swelled the remaining panorama of made up decimated or outlawed organizations. However, the "victory-defeat" (as Caballero calls it) that the elections of November 30, 1952, meant led the opposition arch to try to build, from then on, a certain type of alliance scheme, especially at the initiative of the clandestine PCV. It was done in December of that same year, constituting the so-called "Civic Action Committee" and, in April 1954, the

“National Front of Resistance”. Both, however, quickly became extinct in the face of the fierceness shown by the new president, Pérez Jiménez.

### **A feature in the Constitution fuels the dilemma**

The regime, through its unoriginal National Constituent Assembly, metamorphosed the 1947 constitution at will, but for whatever reason it left in place the provision according to which the president should be elected by universal, direct and secret vote. In such case, the closest date to such a commitment was what was expected to be the new five-year period 1958-1963. For Pérez Jiménez, the provisional solution that the ANC gave him when he was inaugurated as president in April 1953 was enough for his first five years; what was foreseen thereafter by the reformed constitution was actually something else. In other words: his own constitution put Pérez Jiménez against a wall. Or, in fiery terms, a stone of overwhelming weight was placed around his neck.

This, obviously, led to the rectification of strategies, visions and perceptions on the part of the parties and their battered devices in hiding. A clear presidential-type electoral alternative was proposed. Gone were the two routes tested until then without any degree of success: abstention and insurrection. Party individualism was also left behind. The thesis that could be defined as a “peaceful solution” was born and, at the same time, its corollary: the thesis of unity. It was a change, according to Simón Alberto Consalvi, not easy to assimilate: after all, it was not simple to abandon the belief that the regime could only be defeated by the same formula with which it had taken over the country, that is, through violence. Nor was the idea easy to assimilate for the simple reason that, during all those years of resistance, the coup formula had dominated, as a habit and a reflex.

In January 1957, Rómulo Betancourt voiced a transcending proposal from New York. Faced with the quasi-hesitant announcement by the regime that presidential elections would be called, he said: “We believe that, in this year of 1957, it will be possible to find a peaceful, evolutionary, elective solution to the difficult juncture Venezuela has always been in, at the brink of explosion in the form of a violent collective upheaval”. But, at the same time, there was no illusion or deceit: “This consultation, obviously, cannot be carried out (...) without the prior existence of a climate of public freedoms”<sup>1</sup>. Hence, the prospects for a peaceful alternative, posed by the challenge of Pérez Jiménez’s own constitution, led the opposition to galvanize itself around four specific demands: the granting of a broad amnesty, return of the exiled, the liberation of political prisoners and, last but not least, the removal of censorship on the written word.

Luis Herrera Campins made a call to repeat the 1952 feat from exile and in name of COPEI, but now in a corrected and expanded version. Hence, from Munich, the site of his exile, he launched the slogan “For a new November 30”. It was a simple slogan, but it carried two important readings at the same time. The first was the most obvious: to take on the challenge of flooding the ballot boxes in order to embarrass the regime in the face of its own tricks; and the second had to do with the need to transmit calmness to Venezuelans, accustomed as it had been to living within the apparent economic boom of *perezjimenismo*. Hence, the slogan did not contain anything that could be associated with an attempt to stimulate popular insurrection. It was not betting in favor of attacks or insurrections, but on free elections.

Now, the case that most draws attention is PCV. Few looked inward as boldly as this party did. It was not without a lack of

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1 Own translation.

reasons that PCV ended up proudly raising the conclusions reached by the XIII Plenary of its clandestine Central Committee in February 57 since, if any party could pride itself on being inflexible and irreducible from the ideological point of view and doctrinaire, it was precisely PCV. Its general secretary, Pompeyo Márquez –alias, Santos Yorme– was in charge of presenting the Political Report. Both for the tone of severe criticism of the behavior described by the party in the past (when speaking of a policy that had only led to “adventurism”) and for being willing to relegate its doctrinal objectives in order to reach a consensus, the document ended up becoming a fundamental piece in resistance literature.

This willingness to defer their objectives led the communists to point out, among others, two very important things: First, that the anti-imperialist and anti-feudal struggle which had always characterized the organization should be subjected to the demands posed by a democratic revolution. Second, that this revolution could only be carried out if there was a front capable of integrating other forces such as the “national bourgeoisie”, the “liberals” and the “social Christians” in addition to the emblematic forces of which the fierce language of PCV always spoke (workers, peasants, intellectuals). The XIII Plenary expressed it thus. It alluded to sectors that could well have ascribed to the party were communists not atheists and under better circumstances. If this type of language did not facilitate union, there would hardly be another one capable of surpassing it in sincerity.

We know the rest well enough to see ourselves repeating history, including what is related to the formation of the Patriotic Board. The truth is that the fear of the consultation led to the idea of organizing a plebiscite that would allow Pérez Jiménez to measure himself without competitors, without campaign,

and without risks, according to Consalvi. This formula, as is also known, was not provided for in the constitution of 53 but came out of the depths of a top hat, as is proper for magicians. December 15, 1957, saw another electoral triumph for Pérez Jiménez, even though barely fifteen days separated him from the violence of January 1958, already announced on New Year's Eve of 1957 when the first military aviation units rose up.

As many other examples reveal, authoritarian regimes end up as hostages to their own illusions. Otherwise what Manuel Caballero points out would not be explained in the sense that the plebiscite of December 1957 was called to give Pérez Jiménez a supposed feeling of solidity, stability and, supposedly also, legitimacy, especially before the Armed Forces.

### **The consequences of the action**

If I were to synthesize what January 23, 1958 meant, and even more so the subsequent quarter century, I would have to begin by pointing out that democracy was assumed from then on as a habit and not as an exception. In addition, aligned with Manuel Caballero, it could be stated that we have always celebrated, beyond the January 23 date itself, what was later on built with so much determination, even if not always with the necessary patience. This practically leaves the overthrow of Pérez Jiménez relegated to an anecdote for the same reasons stated: the shortest tyranny of the 20th century in Venezuela was defeated.

Secondly, Venezuela was not governed from then on by those who had not accepted the irreversible changes proposed as of October 18, 1945, although they did join the new *lopezcontrerista* and *medinista* governance agreements, and forces that acted as historical enemies of October 18 continued to compete electorally, just as *uslarismo* (although the sincerity of their commitment

could be doubted due to the ambiguous action described by Uslar himself from then on, especially after the verification of his tacit endorsement of the 1992 coup).

Thirdly, Venezuelan society was positively unaccustomed to living under authoritarian threat. It was possible to rage for five years with the certainty that, once elections came to be, the government could be charged without frights or fears.

Fourthly, even in the midst of the Cold War, communists were regarded with much less fear than in other latitudes due to their particular electoral vocation (in this case, we make only one exception: the section that would run between 1962 and 1967, when PCV was overwhelmed by its more radical side and chose the path of armed struggle).

To me, the fifth and sixth are the most relevant consequences, without subtracting importance to those stated above. On the one hand, parties and leaders shared the same series of postulates and principles (for example, a consensual oil policy or a common foreign policy) which spoke, as never before, of a shared national project. On the other hand, political cannibalism was extinguished once and for all (though I will leave this to the reader's judgment, considering we've recently come across cannibalistic practices once again in unimaginable ways). In this sense, what succeeded January 23rd was an example of a high degree of political engineering, because the common denominator that existed between the parties was extended to other forces acting within society when verifying governance arrangements. This also had a healthy socializing effect on the military sector in the face of its abusive influence in the recent past.

In this sense, the agreements were punctual and, using a less deprecatory word, also pragmatic. Furthermore, and just

as important, the debate was removed from any ideological virulence. The parties understood, in the face of their own past performance, that disagreement and competition was one thing, and quite another to prey and annul themselves on the basis of exclusive attacks. Therefore, an “agonistic” rather than an antagonistic system was installed, regulated by a series of rules (some formal, others informal) which were accepted as a common frame of reference.

The best example of deviation in the face of such conduct was when PCV ceased to exercise a “loyal” opposition within the democratic system to launch itself, with weapons and baggage, down the path of violent opposition during much of the 1960s. But it is also very revealing that, in the end, that same party gave up on this path and once again came to act as a player capable of honestly following what was agreed upon. In addition, in this case, we are not only talking about PCV but also about the most violent creature of all the detachments AD suffered, such as the Revolutionary Left Movement (MIR) when taking the armed route, or even what would be the main dissent brewed in the very bowels of PCV: the Movement for Socialism (MAS).

So as not to catch anyone off guard, it should be stated that it was not only in Venezuela that it was necessary to adopt a technically elaborate platform that would allow to leave behind a recent and traumatic political experience. What took place in Venezuela after 1958 was not an occurrence born of the most absolute local originality. In this sense, one could cite what that same need of an instrumental nature meant in the case of neighboring Colombia, where the experience of the so-called “National Front” –exactly in 1958– also marked the end of the previous bipartisan violence. But perhaps more sensitive experiences could be cited, dating

back more than a decade to the governance agreements reached by Venezuela or Colombia towards the end of 1950.

Such is the case of Germany, where, as of 1945, moderation became a new virtue and where it was understood, on the basis of practical and instrumental debates, that only in this way was it possible not to relapse again into the predation and ideological extremism that characterized the dynamics raised between the parties during the 1920s and 1930s, and which so weakened the parliamentary regime to the point of paving the way for Nazism. In addition, the dynamics of the Cold War itself, as well as the geographical proximity to the Soviet Union, would take care of the rest when explaining the moderation that was imposed in the case of Germany.

I noted this last point in an essay I wrote for the National Academy of History on January 23, 1958. I conclude by paraphrasing myself: the promoters of the democratic recovery test must do much more than celebrate the fact, already relevant, that they returned to politics by way of voting, as it also means an act of negotiating political will. What must be underscored, if we look at what has been achieved since 1958, is that we are talking about agreements reached between heterogeneous political forces, which, as if that weren't enough, and as I already mentioned, had a long loaded history of animosities, mistrust, misgivings, and pugnacity behind them. Perhaps in orphan times like the ones we live in today, there is something that can be useful from this last lesson in particular.

# No space for public spaces

Naky Soto

One of the consequences of 22 years of authoritarian rule has been the fragmentation of democratic forces. Public spaces have been attacked to a point of near obliteration both for citizens and politics: today, the streets are more dangerous. Protests are punished by State security forces with growing ferocity and guaranteed impunity for the perpetrators. Dissent is punishable by violence, imprisonment or exile. Political prisoners disappear, they become victims of cruel treatment, torture and even death. Their relatives as well. Citizens suffer yet another attack: the imposition of poverty as a means of social control by fixating their concerns. When it comes to either thinking of freedom or how to ration a limited supply of water over weeks, there is little opportunity for enlightenment in a devastated country.

The political opposition has managed to set successful partial and brief alliances when facing elections. However, their convergence on matters of everyday, public and non-institutional life has turned out to be much more complex. Incentives for Chavismo's fracture for those who support them are more efficient than the safe bet on persecution or imprisonment. Atomization, then, is not a decision but rather the consequence of the crystallization of Chavismo's goal to remain in power: to silence any democratic cry, by way of discredit, punishment or exile.

The challenge of bringing together dispersed forces in the public arena in 2021 demands incentivizing one group through elections, and others with the possibility of a future when everything in the country seems to proclaim its impossibility. However, the commitment to transcend regular incentives demands more and better modernity: What homologizes democratic wills? Where can those voices find common ground when public spaces have been annulled? Is it possible to find it in a country with no rule of law or justice?

### **Revenge, the only promise kept**

Arbitrariness has been the norm of Chavismo. For 22 years the regime has acted above and outside the law. Public resources have been used with absolute opacity and impunity, regardless of the size of the amounts lost. Nicolás Maduro is the synthesis of all the limitations and deviations of the ruling Chavismo, lacking some of Hugo's features, but sharing his egotism and recipes. The lack of consequences on his worst decisions exponentiated his irresponsible rhetoric and his plans to further sink this nation, in a sort of primary and irresponsible voluntarism. The courage to be the blue-collared worker he never was. In any case, his failure in the exercise of government is undeniable: in any sphere of public management, inevitably, you'll be met with disaster.

Around him, a group alienated by power and wealth, *los enchufados*, also some military men who have served the government to serve themselves, and some citizens who, invited to evade all responsibility for their circumstance, gave their freedom in exchange for State paternalism and revenge. Even without benefiting from the distribution of wealth, they find discursive relief: "I may not have it, but neither do you".

Hugo Chávez embodied a great popular rejection, but his true promise, the one that he did fulfill, was revenge against his predecessors, the isolation of anyone who did not support him. His offer vindicated and exacerbated everything that is not right: poverty, anger, resentment, polarization, opacity, mistreatment, a despotic and arbitrary power, the denial of a democratic society, the denial of well-being, making us a much more inorganic, precarious society with few incentives for true cohesion. This political involution disrupted the State, which was quite backward, and with it, the entire political system.

### **Civil rancor**

That faceless actor built at the service of the metanarrative of Chavismo, “el pueblo” or “the people”, retains some of the characteristics that were useful to Chávez at the time: resentment for what had not been achieved, dissociation between his work and the possibility to achieve it, and anger towards whoever had what the people did not. The leaders of the democracies of the 20th century did nothing to dismantle our own El Dorado myth, which basically stated that given our huge oil rent, which belongs to everyone, if you found yourself without that which you are entitled to, then someone else must have stolen it. By the end of that century, it was assumed that the uprising charismatic leader would set things right, and people only needed to be the spectators of the downfall of a system that prevented them from thriving, to offer their unquestioning support for each decision made by the leader, to defend Chávez and to hate the opposition – that is, half of the Venezuelan population– with the same ferocity. It was a horrible end for the society bred throughout 40 years of democracy. Then, after 22 years adrift, rancor took on other dimensions. Because Chavismo has stolen and excluded many more people in the name of its franchise, those who are now harmed

have multiplied. The loss of freedoms, the rule of injustice, family separation due to mass migration, poverty, electoral frustration, mockery against every exercise of dialogue and negotiation, the loss of political and civil leadership, the impoverishment of public services, the punishment of civil protests, the constant violation of human rights, the empire of lies as an official story... This all has created a society very distant from civility; a wounded, angry and rancorous society; a society that does not acknowledge its political estates because it assumes that they have not done their job.

### **How did Venezuelans get here?**

We lacked tons of capacity for political judgment, that necessary combination of moral sense and justice, but also, the modernity that promoted the oil economy did not find footholds either in the forms of the State or in social aspirations. The management of oil revenues helped a good part of Venezuelans to dissociate the relationship between productivity and progress, between progress and development, between development and freedom, between freedom and democracy. The political elite of democracy lost connection with the demands of those most in need. Chavismo took advantage of this terrible circumstance and promised to vindicate them while submitting opponents and making them into pariahs, precisely because they considered them people with little political judgment to ponder over the forthcoming project. When we needed modernity, we had only 'bochinche'. At the same time, Chavismo crippled the individual autonomy of its followers as well as the capacity for political participation of its opponents. The exclusion of others from the political sphere was normalized.

Democracy was not understood as a participatory way of life, but was reduced to the set of institutions that guaranteed public life. We lacked more and better education around the concept of the common good, so that personal interests, as happened with the democratic parties of the 20th century as well as with Chavismo, would not trump the common interests, that is, to achieve the multiplication of wellbeing as a cohesive force.

With the arrival of the complex humanitarian emergency, hyperinflation and the economic contraction of 90% of our production, it should be clearer that the intensive participation of citizens is necessary, because most of our demands and needs are so basic that there is no way that they are exclusive: we all want water, electricity and domestic gas; we all want freedom, human rights and justice. Or at least most of us.

### **Blocking the electoral path**

Electoral processes stopped being reliable in Venezuela because Chavismo decided so. They have practiced all kinds of arbitrariness on the popular will of the voting society, circumventing the results, punishing voters by migrating them to other polling stations, and even imposing parallel, not democratically elected authorities. This current effort to repackage the National Electoral Council (CNE), with the help of a sector of the opposition, is not based on a change of perspective with respect to the public, but on an imperative need to even out its excesses with labels of negotiation and institutional recovery. Once Chavismo faced the problems of governance and legitimacy, it decided to make it clear that the electoral route is no longer a possibility to change government. In this way, a government as nefarious as that of Nicolás Maduro has lasted more than the established legal period, without the support of citizens, without rendering accounts, in

the midst of the greatest economic and social precariousness that we have known, and with its new elites anxious to exhibit what they have garnered.

### **The scarcity of media and common sense**

Losing the media directly meant the loss of reunion spaces and the absolute cancelation of the ability to massify common sense. Losing media, despite its limitations and biases, meant losing the community. That is why censorship has been a public policy in Venezuela. Criticism and diversity of opinions have been persecuted. Almost any spokesperson or media space that had greater reach and penetration than the regime has been beheaded and replaced with noise, propaganda or silence. Censorship in the country has not only meant preventing others from being free and from working. It started with something cruder that remained invisible to us: the corruption of the public media.

The fact that Venezuelans have naturalized state media corruption is shocking, because it means that we have forgotten and renounced normality. The argument does not have to be overexplained: using public money to favor the ruling party is corruption. It is not an “editorial line”. The media prevalence is not justified by the political conflict, and much less by the PSUV being the majority party, as claimed by its accomplices. It is, in fact, the looting and sequestration of everyone’s resources to benefit the tyrannical exercise of power. Furthermore, in the case of Venezuela, it is not only that the State media platform has turned spaces into its propaganda apparatus, but they have also increased exponentially the resources allocated to a complex media apparatus that they came to call “communicational hegemony”. From one (1) state television channel, now there are more than a dozen: VTV, Tves, ÁvilaTV, Telesur, Vive TV, Colombeia, ANTV,

FANB TV, PDVSA TV, Alba TV, Corazón Llanero, 123 TV, TV ConCiencia. Pro-government obscure capital was also used to buy private media which, although was kept as such, now follows editorial lines free from criticism or dissent.

### **No alternative**

The little open television that remained was forced to close spaces devoted to political opinion in order to diffuse entertainment channels. Simultaneously, limited experiences of community media were created, but due to their partisan obedience and little budgetary autonomy, they came to be called governmental, or in the words of communication academic Raisa Urribarri, “*gobunitarios*”. And this merely regards television propriety. It turns out that despite all that apparatus, thousands of radio and TV hours with messages from the regime have been imposed on Venezuelans. Cadenas (national broadcasts) are difficult to explain to foreigners because massified broadcasts taking over every channel are exceptional occurrences in most parts of the world, such as in moments of very high national emergency, or Christmas greetings from a monarch. In Venezuela, cadenas, which are the imposition of the single discourse of power, are carried out daily, in a discretionary, capricious way and with messages that do not allow citizens to be better informed. They are unaudited government propaganda spaces.

When Venezuelans sought refuge in international media to find out what was happening in their own country, these were also censored. Satellite television services and cable operators were forced, under penalty of closure and expropriation, to eliminate CNN in Spanish, RCN, and Colombia’s Canal Caracol from their channel grid. Even Deutsche Welle, the German state channel,

was blocked after broadcasting an inconvenient documentary about Venezuela. Their signal was shortly thereafter reintegrated.

National censorship has not been circumscribed to politics, such as the veto of deputies and other opposition spokesmen, or the absence of coverage of public demonstrations or live political rallies. Chavismo has also had scenes of same-sex couples kissing in soap operas or series removed (Venevisión), and banned the screening of zombie film “Infection”, by Flavio Pedota, due to its criticism of socialism. Having lost the printed press not only reduced daily information spaces for millions of people, but also eliminated forums. Some spokespersons and leaders disappeared. The voices of intellectuals were turned off from the mass spectrum.

Instead of losing democracy with the loss of the media, we’ve lost modernity. That is why now our connection with the world is shaped not by the incorporation of novel variables in our lives, but by survival in an altered reality as we take refuge in Netflix or other downloaded movies. But this is not how the social fabric or the capacity for demand and pressure are rebuilt. Censorship is the design of silence, but also of the cloister of isolation, of the broken country turned into archipelagos that are ignored until there is no joint future but flight or meekness.

### **The loss of trust**

Aside from “the truth”, the first victim in a conflict is trust. The differences between opposition political groups in Venezuela are marked by the destruction of trust among themselves, which makes it difficult for them to reach new agreements. The individual account drawn by some political personalities and those around them generally fails to, even by far, resemble what the country needs to channel a solution. On the contrary, potential fixes are planned and thought with each one calculating their own

future and share of power. The issue of personal survival, instead of a collective one, comes first. This spirit of “always landing on one’s feet” also led to other groups throwing the towel in front of the hegemon. They’ve negotiated bits of accommodation with the dictatorship and for a long time they have lacked agendas and proposals that promote the recovery of democracy and freedom. Rather, they generate new noises, take up space, and even hunt down and harass their former allies. They are an opposition as made by the regime. Meek, servile, anything but opposition.

The dilemma with trust is that it cannot be imposed. There is no decree that forces people to collaborate, mobilize, much less lend skills, efforts and resources. Trust is built in everyday life, in public and private spaces, with clear agendas that summon and show a shared future horizon. The projects are narratives. Hope is a story. The calls are community building and joint action. But they all need talent, resources, and a lot of work. 22 years after resistance, it should be noted that shortcuts, when they fail, can destroy progress achieved. Thus, trust in the political arena does not equal blindness and surrender. It is not a game of illusions. Instead, it comes down to collaboration, accountability, and measurable commitments to move forward together.

### **Those who must build a story**

It is highly probable that, when negotiating, the different opposition groups, both in parties and in social organizations, have many more aspects in common than not, but this requires the will to work on transcendental issues and past the guilt over what hasn’t been achieved. As unusual as it may seem, the agenda of attacks against the interim, from groups that mix civil and political organizations that do not support the National Assembly elected in 2015, is much more intense and constant than against Chavismo

itself. This includes the constant repetition of three accusations: the false equivalence between the responsibility Chavismo and the opposition have regarding the crisis we are suffering; support for the thesis of Chavismo that attributes all difficulties to the sanctions imposed by the United States and other countries; and the confrontation of any humanitarian initiative of the interim deeming it “politicizing”, when the conflict is inherently political.

### **#FightingAndWinning**

Without mass media, without ‘permission’ to take the streets, with systematic human rights violations, with the pandemic, and without hope of a mass vaccination, social networks have been the space for Venezuelans to connect. Twitter is at the forefront. Twitter is used to keep us informed and to discuss what is happening. Its use among Venezuelans is a phenomenon that would require another paper, but I am particularly interested in the improbability that Twitter becomes an ideal space to generate agreements, since popularity in that network feeds faster from conflict than concert. The stronger a disagreement, the more popular it will be. The way in which different political groups use Twitter evidences the denial of public spaces. Agreements are obstructed, while speed and disorder are privileged. Messages are designed not to discuss but to impact, which impoverishes the possibility of a democratic public dialogue. By adding anger as an ingredient, many Venezuelans live their Twitter experience as the possibility of “winning a fight”. And there, again, they can be much more aggressive against opposition leaders than against the regime. The incentive is quite sensible because a criticized opponent will not attack your life or send you to prison.

For its part, Chavismo lost almost all possibility of influence through traditional media, because by design, the problems do

not exist in the official imagination until the culprit is someone else. They became noise. People stopped identifying themselves after the death of Hugo Chávez. The agenda of problems that marks their lives (high cost of living, poor public services, etc.) are not part of the regular schedule. Lying as a rule divorced Venezuelans from official messages. Its contest on social networks is no different: Chavismo turns to social media to impose itself, to say what it has already planned (whether or not it is true, that is accessory), to deliver messages as if addressing its troops rather than citizens, with labels supported by bot farms, with little or no civil participation, and without much interaction with their audiences. Its attempt is to lead the tags of the day even if they do not achieve it in an organic way. Thus, they remain irrelevant to public life.

### **Challenging atomization**

Democratic forces have to be able to recreate, maintain and strengthen a pluralist democratic unit, based on the idea of a change of government, but also committed to a political redemocratization that provides an institutional framework for other advances, for the exercise of plans for development that benefit a country mired in misery. Although Chavismo insists on the importance of the electoral situation, tainted by themselves, social mobilization is essential to demand negotiations that result in achievable commitments. This pluralist unity needs to be understood in its common objectives, some programmatic principles that allow its cause to be sustained despite their differences. The bet should attend to the ordering of plans that transcend political freedom and homologate more ambitious projects for national recovery. The more citizens know about these plans and understand their functionality, the more likely the demand for their realization and the development of the role of the democrat are necessary, since,

undoubtedly, the management of a new public space also involves the need to attract new activists and supporters for political and social organizations. A society that takes on again its leading role, that is organized to force political actors to change and comply, to be held accountable and to take responsibility for their decisions.

## **Reunions**

Our transition will not be easy or short. Accumulated problems are enormous and require ambitious investments. Some, given the current size of our economy, even seem impossible to solve. We are a country of people in need: there will be no time for demagoguery and all correction must be thought with the potential to be not only effective but permanent. Redemocratizing the State and the Government means understanding democracy as an educational, cultural and development project. Our freedom will be married to our responsibility, because the ruling Chavismo will have to be held accountable, but the entire society will also have to develop civic and supportive behaviors. We have to convince ourselves that nothing will be soon and for that we must also reformulate expectations. The problem is to give more when so much has been given, but that's how it works. A republican and democratic country project demands that we be better citizens, bet on pluralism and debate, rebuild the culture of opinion and participation, rescue equality before the law and the subordination of all to it, and convince ourselves that dissent is essential to democracy. No government will be able to meet our expectations, but it will be essential to have the institutions to make it manifest.

# Three ideas on electoral simulation

Paola Bautista de Alemán

Hard days. The dictatorship has struck. As if it were a troupe of perversion and violence, it struck out at civil society and political parties. The regime, days before meeting with the European Union's exploratory mission, arrested Javier Tarazona and other members of Fundaredes. And days after meeting with them and having promised them that they would favor the electoral climate, they took Freddy Guevara. This repressive outpost occurs when the opposition tried promoting two scenarios to move towards democracy: regional elections and an eventual negotiation.

The dictatorship has offered its account of what happened in several speeches, the most relevant being Jorge Rodríguez's press conference and Nicolás Maduro's meeting with the opposition that money and shamelessness have allowed him to buy. First I will take a look into Jorge Rodríguez's press conference. In this scenario, they wanted to show us that Voluntad Popular has an extraordinary capacity for articulation capable of giving instructions to criminal groups that have traditionally been related to the regime. Four WhatsApp screenshots were absolutely insufficient to support that astonishing theory. However, for those who live in lies, the truth may be an irrelevant fact. The purpose of that press conference was very specific: to bully Voluntad Popular and to deepen the differences between those of us who

fight for democracy and to install fear in the body of those who resist in the country.

Let us now look at the Miraflores meeting and these words from Nicolás Maduro: “Deputy Bernabé... right there, where you are sitting, Henry Ramos Allup was sitting (...) Right there, where you are sitting, Deputy Luis Parra, Henrique Capriles Radonsky was sitting... in the same chair. Right there, where you are sitting, Deputy Timoteo Zambrano, Julio Borges was sitting”. With these phrases, once again, his strategy is revealed: to use the regional elections as an instrument to displace the real opposition and impose a loyal opposition and, in this way, to create interlocutors that will help him to strengthen himself in power. The dictatorship will be indulged if a political context dawns on November 22 where the electoral simulation gave the desired results: the imposition of a loyal opposition that appears to confront it and allows it to advance in its purposes of domination.

It is a difficult time. Questions of a practical nature intrude: How to face these paths? What can Democrats do when an adverse context has set in? Looking at countries that have gone through similar times, I want to share three ideas that do not claim to be universal, but can contribute to reflection. I understand that we live in moments that demand creativity and the spectrum of opinion is truly extensive.

First idea: *recognizing the simulation*. In her most recent book, Anne Applebaum explains that between “1945 and 1989, many of the communist parties in Eastern Europe allowed their opponents to play some role in the state, in rigged parliaments or in public life”. The idea of electoral simulation and loyal opposition is not new. We are facing its Chavista version. Acknowledging this is important because reality limits the dangerous voluntarism that

is the germ of frustration and pessimism. Therefore, openness to the context can be the first step in creating a strategy that allows us to resist and face the future with responsible hope. There is also a practical issue worth delving into: What happened to the loyal opposition in Eastern Europe when the USSR collapsed? What happened was that these forces did not lead the democratic transformation and went down in history as elements that favored the dictatorship. On occasions, I have heard different analysts who affirm that the only way for political parties to survive this situation is by participating in regional elections, with or without conditions. From what has been explained in previous lines, I do not fully share this perspective. It is a very difficult time and I believe that the main risk that participation in the electoral simulation of November 21 imposes on us is to become a loyal opposition and thus seriously hurt the opportunities for freedom for our country.

Do I mean by this that we should not go to elections? Not necessarily. And in order to explain myself better, I turn to the second idea: *clinging to the truth*. The electoral simulation of November 21 may or may not be an opportunity to fight. The difference can be made by the way we deal with it. I am afraid that if we ignore the difficulties described in the previous paragraph and go to the election with a naive enthusiasm that promises unrealizable things, the country will not accompany us. Venezuela is tanned in pain and frustration. We have tried everything and our soul is exhausted. We condemn vain promises and withdraw from the public when we perceive that there is no common agenda. In these difficult moments, we are obliged to speak the truth to the country: *So far, on November 21 there will be no elections, there will be an electoral simulation. It will be an event without conditions where everything is arranged so that our will is not respected. It will be an unfair contest and, in democratic terms (winning*

*spaces and exercising power*) it will be impossible to “win”. You may think that the truth will keep people from the polls on the day of the simulation. That is one possibility. And it is up to us to encourage them –or not– to be part of a civic act that seeks to redefine the concept of success. Perhaps we should assume that on that day the victory will not only be measured in votes but also in courage, in organizational capacity, and in the testimony of collective struggle. Let’s not invite the country to a “vote of punishment”, let’s call it to a “vote of protest”.

I move forward to my third idea: *to work in unity*. Challenging the simulation of dictatorship will only be possible if we have the support and enthusiasm of the entire society. The work of political parties is irreplaceable, but insufficient. It must be accompanied by a well-disposed civil society and a citizenry that is committed to this kind of struggle. I dare say that this aspect will be the most difficult to achieve. In the last few days, I have seen worrying signs. The reactions on social media to the imprisonment of Freddy Guevara reveal the boredom of a country that demands explanations and deliberately withdraws from the public. This issue is complex. In other spaces, we must delve into the reasons that provoke this attitude that seems predominant. However, and observing the work of democratic forces that have overcome long-term autocratic episodes, I can say that a first step to regenerate these relationships of trust is to bear witness to coherence and honesty. Let’s go out into the streets, speak to the country, and summon it to fight, banishing voluntarism and recognizing the harsh reality that we have had to live through.

Politics is contingency. We must not lose sight of the fact that the context can also hide democratizing imponderables that may surprise us. Perhaps the episode in our history that best accounts for this is January 23, 1958. Marcos Pérez Jiménez’s escape was

unexpected and incredible. Rafael Caldera summed it up like this: “it seems like a dream”. There are moments in which the evolution of history amazes us and, perhaps, it could reward us. The reader may wonder why an article like this, fraught with difficulties and challenges, ends with this reference. I have decided to end in such a way because the gravity of the present time forces us to face reality without closing ourselves to what we cannot see. Having our feet on the ground with our eyes fixed on the sky will surely make our load lighter.

## Authors

Paola Bautista de Alemán

Paola Bautista de Alemán is a Venezuelan politician and intellectual. She graduated as a journalist from the Andrés Bello Catholic University, and later pursued a master's degree in Political Science from the Simón Bolívar University. In 2019, she obtained the title of Doctor Rerum Politicarum (Cum Laude) at the University of Rostock (Germany). She is the President of the FORMA Institute, a member of the National Board of Directors of Primero Justicia, and the President of the Juan Germán Roscio Foundation. She is the author of *A callar que llegó la revolución*, editor of the book *Autocracias del siglo XXI: caso Venezuela*, director of the magazine *Democratización* and columnist of *Diálogo Político*. She is a wife and a mother of three children.

Henkel García Uzcátegui

He is an Instructor and Financial Analyst. He has a Master's Degree in Administration (MBA), Mention in Finance, from the Metropolitan University (UNIMET). He graduated from the Institute of Higher Studies in Administration (IESA) of the 73 Management Program for Engineers. García Uzcátegui is originally a Chemical Engineer from the Simón Bolívar University (USB) and has been an instructor in the Finance Area at the Caracas Stock Exchange, and at CIAP-UCAB. He is the director of Econometrics IE, C.A.

Juan Miguel Matheus

Juan Miguel Matheus was elected deputy to the National Assembly of the Bolivarian Republic of Venezuela by the Carabobo state in 2015. He is a lawyer graduated from Monteávila University (awarded the honor Cum Laude-

2004). He was Visiting Scholar at George Washington University (2009-2010) and at Georgetown University (2010-2011). He obtained the title of Doctor of Parliamentary Law from the University of Navarra (2011) and was awarded the Extraordinary Award for the best thesis of the year. He is a member of the Board of *Primero Justicia* and is the National Doctrine Secretary of that political organization. In the Venezuelan parliament, he has been deputy head of the *Primero Justicia* fraction (2016-2019). He is currently a member of the Permanent Committee on Internal Policy and presides the Special Commission for the Defense of the Constitution, from which the creation of the *Estatuto que rige la transición a la democracia en la República Bolivariana de Venezuela* (2019) was coordinated and promoted. He is the Founding President of the Civil Association Forma and author of numerous titles, among which are: *Ganar la República Civil* and *La disciplina de grupo*.

Katya Salazar

Peruvian lawyer from the Pontifical Catholic University of Peru and LL.M. in public international law from the University of Heidelberg, Germany. She currently serves as Executive Director of the Debido Proceso Foundation (DPLF), a regional organization whose mandate is to promote the rule of law and human rights in Latin America.

Ramiro Orias Arredondo

Bolivian lawyer and magister in International Studies. University professor and Hubert Humphrey fellow at American University - Washington College of Law (WCL). He is currently a Senior Program Officer at the Debido Proceso Foundation (DPLF) and a member of the Inter-American Juridical Committee of the OAS.

## Edgardo Mondolfi Gudat

Bachelor of Arts from the Central University of Venezuela, M.A. in International Studies (The American University, Washington D.C.) and Doctor of History, *summa cum laude*, from the Andrés Bello Catholic University. Member of the National Academy of History and current first deputy director of the same corporation. He was "Andrés Bello Visiting Fellow" at Saint Antony's College of the University of Oxford, between 2008 and 2009. He has been a permanent contributor to the newspaper *El Nacional*. He was Associate Professor (2006-2012) and Main Professor (2012-2016) of the Metropolitan University, as well as a visiting professor in the Doctorate in History of the Andrés Bello Catholic University (2013-2014). Among his most recent titles are: *El día del atentado. El frustrado magnicidio contra Rómulo Betancourt* (Editorial Alfa, 2013; reedición, Alfa Digital, 2016); *Diplomacia insurgente. Los primeros contactos de la insurgencia venezolana con el mundo inglés, 1810-1817* (Academia Nacional de la Historia, Universidad Metropolitana, 2014); *Temporada de golpes. Las insurrecciones militares contra Rómulo Betancourt* (Editorial Alfa, 2015) and *La insurrección anhelada. Guerrilla y violencia en la Venezuela de los sesenta* (Editorial Alfa, 2017). He is the author of the forthcoming volume entitled *La encrucijada peligrosa: López Contreras, Medina Angarita y la Venezuela de los años cuarenta* (Fundación para la Cultura Urbana).

## Naky Soto

Naky Soto is a writer, facilitator on issues of communication and political communication, and a photographer of resilient little plants. She has written for national and international media, summarizes daily what happens in Venezuela,

and also produces videos on the YouTube channel: nakyluisCarlos. She is an industriologist with studies in Organizational Development and Communication for Development. In 2020, she won the Sophie Sholl award granted by the German Embassy in Venezuela to "recognize and accompany institutions or people who, through their commitment and work, contribute to the strengthening of democracy and the values that sustain it."

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