

Democratization



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From a political perspective, Venezuela's recent history has unfolded amidst a confrontation between two clearly differentiated political forces that have been engaged in an intense struggle for a quarter of a century. From the opposition's standpoint, we could be facing one of the most intense periods of political struggle in recent times, comparable in some measure to the experiences of the most representative dictatorships of the 20th century.

The path has not always been a straight line. Over the course of 25 years, the opposition has gone through various winding stages, with advances and setbacks that should provide lessons for future generations. Venezuela's history should be carefully analyzed by coming generations, starting from the early years, when partisan activities took place in an atmosphere of essential freedom, both in street demonstrations and in occupying parliamentary seats, as well as in regional and local governance within various state institutions, to more recent times when opposition party members have been persecuted, imprisoned, and tortured.

In this article, we will attempt to provide an overview of the organization process within the Venezuelan opposition over

nearly 25 years. We will highlight the most significant aspects of each stage to gain a comprehensive understanding of their performance over time. It is important to note that this paper does not aspire to be a comprehensive document reflecting the many factors that have influenced the recent stages of Venezuelan political history. Instead, it represents a first step towards understanding an intense period of advances and setbacks in which all of us, in one way or another, are involved.

1998-2002: Learning to be opposition during the Chavista regime

The beginnings of the opposition were tough, and the path to constituting a majority of around 80% of Venezuelans today, according to most polls in recent years, was long and full of challenges. In the early years following Hugo Chávez's electoral victory, the Venezuelan opposition faced the challenge of reconfiguring itself in the face of overwhelming Chavista triumph. In this context, the old organization of traditional political parties had ended, and a new type of leadership was necessary.

This change could be carried out with a certain degree of freedom, thanks partly to the significant advantage the government had built within society. Throughout the process, the rejection of the opposition bloc and constant disqualifying epithets were part of the official discourse, leading some experts to consider the Chavista administration as a model that tended towards competitive authoritarianism¹. As time passed, the revolutionary model took on its socialist and revolutionary vocation, causing the

1 Steven Levitsky, and Lucan A. Way, "Elecciones sin democracia: el surgimiento del autoritarismo competitivo", in: *Estudios Políticos*, N° 24, 2004, pp. 159-176, obtained from: <https://dialnet.unirioja.es/servlet/articulo?codigo=5263670>, (Consulted April 24, 2023).

opposition to become the counter-revolutionary and anti-system side, a role it has maintained in the eyes of Chavismo until recent times.

Initially, the “democracy” built in the early stages of Chavismo assumed the overwhelming role of the majority in decision-making, disregarding and underestimating the participation of minority groups. This is why the opposition was considered “escuálida”², for their small numbers, and hence their actions seemed senseless and unreasonable in this model. This process ran parallel to the Constituent National Assembly’s development and the state’s reforms in the early years of Chavista government. In this way, society lost spaces for participation while central power grew stronger. Thus, the opposition’s slogans were summarized in the expression “Chávez, go away now!”, especially with the political intention of seeking to regain the gradually lost spaces.

For the Venezuelan opposition, the reform process by Hugo Chávez was seen as the downfall of a model that had demonstrated its successes in the past and, at the same time, seemed to have an expiration date. This refers to the imposition of new leadership, the government’s intervention in the state-owned company *Petróleos de Venezuela* (PDVSA), the rejection by business and labor organizations such as *Fedecámaras* and the Confederation of Venezuelan Workers (CTV), and the reaction of those opposition sectors that saw power slipping away from their hands. All of this produced a tense period characterized by confrontations in various spheres.

2 This derogatory term was frequently used by Chavista officials to refer to the “weak” or “scrawny” nature of the opposition.

Since 2001, the situation became more tense. The enactment of the Enabling Law was considered as a first step towards socialism, at least by a part of society, which was compounded by the economic conditions in Venezuela that showed no signs of improvement in the years following the first Chavista victory. Along with this, the publication of Decree 1011 in October 2000 and the agenda for supervising educational institutions led society to take to the streets in what could be considered the first round of protests against the regime³, while in the elections of December that year, it was evident that one-third of the Venezuelan population identified themselves as part of the opposition.

By 2002, the opposition was clearly differentiated by sectors: the Church, the Confederation of Venezuelan Workers (CTV), Fedecámaras, and various civil society organizations. This meant that the opposition was able to mobilize a significant support base that allowed for massive street protests in different cities across the country, which went hand in hand with a decline in Hugo Chávez's popularity. In this context, the groundwork was laid for the opposition to consider the removal of the president from power through a coup that involved a series of coordinated protests with a strike in the oil industry.

The economic measures implemented by Chavismo, the mass layoffs of oil workers by Hugo Chávez with the sound of a whistle on national television⁴ and the events of April 2002 (Chávez's resignation on the 11th and his return to power on the

3 Pino Iturrieta, Elías (coord.), *Historia mínima de Venezuela*, El Colegio de México AC, México, 2018, p. 217.

4 Eddie A. Ramírez S., "7 de abril, despedidos con un pito", *Runrunes*, April 7, 2023, obtained from: <https://runrun.es/opinion/499036/despeditos-con-un-pito-eddie-a-ramirez-s/> (Consulted April 22, 2023).

13th⁵), which are still confusing for the community after more than 20 years, marked an unclear period, especially due to what can be considered the opposition leaders' inexperience at the time and the implementation of particularly conservative measures for the conditions of Venezuelan society at that time.

2002 to 2013: Opposition reinvention

After the opposition had taken power on April 11th, Venezuela's history changed in less than 48 hours. On the one hand, the Chavista discourse became more inflammatory: in addition to being *escuálidos*, the opposition was labeled as *coup-plotters*, *fascists*, *unpatriotic*, *pitiyanquis*⁶, and so on, while the governing party portrayed Hugo Chávez as the interpreter of Bolívar's homeland

For the opposition, keeping the support base of 30% of the Venezuelan population was necessary. This was attempted to be strengthened by creating an alliance bloc called the *Coordinadora Democrática*. Concerning the past, the opposition aimed to materialize the idea of presenting themselves with a unified voice that would counterbalance the Chavista leadership, which had been re-legitimized among its followers after the opposition's attempted coup. In its founding document titled "Democratic Pact for Unity and National Reconstruction", the protagonists claim to represent "the sentiments of the vast majority of Venezuelans,

5 Further reading on this can be done in: Leonardo V. Vera, "Venezuela 1999-2007", *Nueva Sociedad*, N° 215, May-June 2008, obtained from: <https://www.nuso.org/articulo/venezuela-1999-2007/> (Consulted April 27, 2023).

6 A term used to refer to those perceived as pro-American.

reflected in all opinion polls and demonstrated through the massive participation of the population in protests and demonstrations”⁷.

In this sense, the organization’s purpose was inspired by the idea that it was necessary to recover Venezuela’s economic and social conditions before Hugo Chávez came to power. The proposal was based on the need to alleviate the intense political polarization present in Venezuelan society and reposition the nation’s serious economic and social problems at the center of the national agenda. According to the opposition, these problems had not been addressed by Chavismo, despite having several years in government.

At the end of 2002, parallel to the process of establishing a negotiation and agreement table composed of the Organization of American States (OAS) and the Carter Center⁸, the opposition began advocating for the development of a recall referendum, as established in the national constitution, particularly in articles 72 and 233⁹. After months of tension between the National Electoral Council (CNE) and *Coordinadora Democrática* regarding

7 *Coordinadora Democrática de Venezuela*, Pacto Democrático por la Unidad y Reconstrucción Nacional, October 17, 2022, obtained from: https://web.archive.org/web/20070205135301/http://www.acuerdosocial.com/download/cdt_17.pdf (Consulted April 22, 2023).

8 Miguel Ángel Martínez Meucci, “La Mesa de Negociación y Acuerdos (2002-2003) y el proceso de facilitación de la OEA y el Centro Carter” *Politeia* 33, no. 44 (2010): 47-88, Redalyc, obtained from: <https://www.redalyc.org/articulo.oa?id=170020031003> (Consulted April 22., 2023).

9 In summary, Article 72 of the Constitution of the Bolivarian Republic of Venezuela establishes, among other things, that “All elected positions and magistracies are revocable”. On the other hand, Article 233 outlines the criteria for absolute vacancies and the procedure for a new presidential election. *Constitution of the Bolivarian Republic of Venezuela*, Official Gazette Extraordinary No. 36,860, December 30, 1999.

the validity of the collected signatures, during which events like *El Firmazo* and *El Reafirmazo*¹⁰ took place, along with a series of protests that saw persecutions and imprisonments, as well as a witch hunt against the referendum signatories under the verification efforts led by Deputy Luis Tascón and his *Lista*¹¹, on August 15, 2004, the consultation was carried to decide whether a recall referendum would be held¹².

The opposition's defeat resulted in internal division leading up to the subsequent regional elections held on October 31 of that same year. While one part of the former unified opposition decided to assume the stance of abstention due to the questionable performance of the National Electoral Council (CNE) in previous electoral events, the other sector chose to participate in the contest despite the obstacles. Unlike the recall referendum, neither the OAS nor the Carter Center would participate as international observers in these elections, undermining the event and tarnishing the perceived legitimacy of the CNE. On election day, around 14 million Venezuelans participated in the election of regional authorities, with a turnout of 54.27% abstention, the

10 For more information: Juan Jesús Aznárez, "La oposición canta victoria en el «firmazo» contra Chávez", *El País*, December 2, 2003, obtained from: https://elpais.com/diario/2003/12/03/internacional/1070406013_850215.html (Consulted April 22, 2023). Carlos García Soto, "Algunas lecciones para no olvidar del referendo revocatorio de 2004", *Runrunes*, June 29, 2016, obtained from: <https://runrun.es/nacional/268572/algunas-lecciones-para-no-olvidar-del-referendo-revocatorio-de-2004-por-carlos-garcia-soto/> (Consulted April 22, 2023).

11 "¿Cómo surgió la lista Tascón y cuáles fueron sus efectos?", *El Pitazo*, February 24, 2022, obtained from: <https://elpitazo.net/politica/como-surgio-la-lista-tascaon-y-cuales-fueron-sus-efectos/amp/> (Consulted April 24, 2023).

12 "Referendum presidencial 2004", CNE, September 3rd, 2004, obtained from: http://www.cne.gob.ve/referendum_presidencial2004/, (Consulted April 24, 2023).

highest in democratic history. In the final balance, Chavismo emerged strengthened. With the victory of the “No” in the recall referendum, Polo Patriótico obtained a total of 20 governorships (90%), 270 mayoral offices (83%), and the Mayor’s Office of Caracas. On the other hand, divisions within the Venezuelan opposition led to a significant blow in these elections, from which they could only recover in the subsequent regional elections. They lost six out of the eight governorships they had won in 2000, as well as almost all the mayoralties¹³.

In 2004, the *Coordinadora Democrática* was dissolved¹⁴. The opposition abstained from participating in the 2005 parliamentary elections, but with very adverse consequences: instead of delegitimizing the process, the ruling party occupied almost all the seats. The majority applauded Chávez for staying on this path: the opposition was a minority in the state institutions and on the streets, which led to the advancement of the constituent process and the drafting of a new Constitution. By 2006, the presidential elections in which the opposition presented Manuel Rosales as their candidate confirmed that 30% of Venezuelans opposed the ruling party.

In 2007, the electoral trend favorable to Chavismo seemed to reverse. The closure of RCTV, one of the main references of the Venezuelan opposition movement, led society to take to the streets again in various cities across the country. What was supposed to be a straightforward procedure, supported by the argument for the expiration of the concession to broadcast on the national spectrum, spiraled rapidly after the widespread rejection by the

13 “Elecciones Regionales Octubre 2004”, CNE, obtained from: <http://www.cne.gob.ve/regionales2004/>, (Consulted April 23, 2023).

14 Margarita López Maya, *Del Viernes Negro al Referendo Revocatorio* (Caracas: Editorial Alfa, 2016), p. 284.

public. In this scenario, a new political leadership emerges, led by university students from the main opposition organizations. These young people injected freshness into the political movement and managed to reinforce the popular support base as they were not the protagonists of the April 2002 coup nor the authors of the subsequent electoral setbacks.

Additionally, the declaration of a socialist state by President Hugo Chávez was not viewed favorably by all of the ruling party. Therefore, in the context of the referendum on the constitutional reform, which aimed to advance the model promoted by President Chávez, he faced his first electoral defeat since 1998. From that moment, the opposition kept a favorable trend. In 2008, this trend materialized by restructuring the opposition's alliance by creating the *Mesa de la Unidad Democrática* (MUD), the new counterweight to the government forces. Over the next ten years, the MUD became the main reference point for the Venezuelan opposition, defined by the National Unity Agreement, the first phase of the opposition forces' negotiation project, in effect between 2008 and 2009. Its objectives reaffirm the fight for democracy and the overcoming of the national economic crisis while defending liberties and respect for institutionalism¹⁵.

After years of Venezuela experiencing the most significant oil boom in its history, the global economy showed signs of exhaustion, and the previous boom seemed to be a thing of the past. Moreover, Hugo Chávez's illness, kept as a state secret, as well as the inherent problems of Bolivarian socialism, such as

15 "Propuesta de un Acuerdo de Unidad Nacional «La Alternativa para el Cambio», firmado por las organizaciones políticas de oposición el 23 de enero de 2008", *Globovisión*, January 27, 2008, obtained from: <https://web.archive.org/web/20080127122415/http://www.globovision.com/news.php?nid=76943> (Consulted April 24, 2023).

increasingly evident scarcity, corruption, and a surge in inflation, among others, contributed to narrowing the gap between the opposition and the government to just 10 points in the 2012 electoral contest between Henrique Capriles Radonski, the opposition candidate, and the severely ill Hugo Chávez. By this time, the collapse of the ruling party was more than evident.

2013-2023: civil rebellions and the challenges of overcoming disillusionment

Little could steroids and palliative treatments do to keep Hugo Chávez alive. After the well-known broadcast on December 8, 2012, in which he proposed Nicolás Maduro as his successor, he was never seen alive again. The socialist project would then have a new leader, or at least that was the expectation. Nicolás Maduro's administration has demonstrated the diversity of strategies that chavismo has employed over the years to stay in power, especially when the economic and social crisis limited their ability to distribute various social aids that had characterized Hugo Chávez's administration.

In the following years, Venezuelan society experienced what can be considered one of the most complex stages in its republican history. From a political standpoint, legitimizing Nicolás Maduro involved holding new presidential elections in April 2013, in which Capriles Radonski was once again the opposition candidate. The electoral results showed a narrow margin between the two candidates, with only a 1.5% difference, equivalent to just 220,000 votes, making it the closest margin in a presidential election.

From this moment on, Maduro, el *presidente obrero*¹⁶, had the task of governing a Venezuela in which the opposition was technically no longer a minority group in society, nor *escuálida*, as the Chavistas had referred in the past. It was a context defined by one of the most dramatic economic crises in recorded history. These circumstances, along with the peculiarities of a new Chavista leadership without Chávez, led the opposition to actively engage in a project to remove Nicolás Maduro from power.

The following three attempts to achieve political transition occurred in 2014, 2017, and 2019. The first was labeled *La Salida* (The Exit): a series of protests and mobilizations by various sectors of society that aimed to challenge the growing crisis and the “precarious” leadership of the newly elected President Nicolás Maduro in 2014. Amidst the murders of protesters, including university students, the government managed to resist. The lack of planning, the setting of unattainable objectives for the opposition at that time, and the failure to reach agreements among different societal sectors led to the population’s demobilization.

In the following months, with the community’s support, the opposition took to the streets again and designed diverse strategies to incorporate pro-government sectors into state institutions, including the Armed Forces and security forces. Amid this process, the parliamentary elections of 2015 took place, which was one of the most important moments for the opposition as it meant the conquest of the majority of seats in the National Assembly. The Venezuelan-style gerrymandering designed by the government did not prevent the opposition from winning 112 seats, while the ruling party only obtained 55. In the subsequent

16 The expression “presidente obrero”, or worker-president is used by the media to refer to Nicolás Maduro, alluding to his previous work experience as a bus driver in his younger years.

months, the government pursued various strategies to forcibly regain control of the parliamentary body or at least nullify it, contradicting the popular will expressed in the electoral polls.

Throughout this period, the anti-Chavismo bloc legitimized itself as a democratic alternative in contrast to a government that, over time, displayed an increasingly authoritarian face (control and closure of non-aligned media outlets, persecution of opposition politicians, systematic imprisonments, torture, among others). At the same time, the government devised various mechanisms to hinder opposition participation in the electoral polls of 2017, 2018, and 2020 through disqualifications and dissolution of opposition parties.

The attempt to nullify the opposition-controlled National Assembly reached a breaking point in March 2017 when the government, through the Supreme Court of Justice and the enactment of judgments 155 and 156, sought to strip the Venezuelan parliamentary body of its powers. This led to a new cycle of protests that lasted several months in various cities across the country, particularly in Caracas, where the government displayed a notably repressive face, not only through arrests but also by killing protesters and restricting access to information. The government's call for a National Constituent Assembly and the opposition's agenda against this process, characterized by the National Consultation in July 2017, were part of the political initiatives of both Venezuelan political sides. Despite the efforts made by opposition leaders, especially in their attempt to halt the convening of a new constitution, for the second time in three years, a civil rebellion failed in the country. Outside of political activism, the public felt the absence of an achievable program from the opposition, which consistently claimed that political transition was possible, which was unfeasible, among other reasons, due to

the government's firm control over the Armed Forces and security forces.

In the following months, the opposition appeared to be divided between a majority who clearly opposed Maduro, and a sector willing to cooperate with the government. Moreover, the government, strengthened after the demobilization of the public in 2017, promptly called for presidential elections in 2018, which were considered fraudulent. Nicolás Maduro claimed victory with 68% of the votes, but the opposition candidates did not have the support of the Venezuelan people. However, despite some specific achievements for the opposition, such as the resumption of dialogue with the government on various issues and the release of some political prisoners, once again, the ultimate goal of negotiating the departure of Nicolás Maduro and initiating a transition in Venezuela was not achieved.

By the year 2019, after protests and street closures, student killings, persecutions of political leaders, ad hoc presidencies, 8 pm *cacerolazos*¹⁷, countless tear gas and rubber bullets, the incineration of humanitarian aid, and the hope for a change that never materialized, it was evident that Venezuelan society had reached a significant level of exhaustion and fatigue. This was especially true after fully engaging in pursuing a political objective without the expected results and without leadership capable of successfully guiding them.

As a result, the leadership of the majority in the country had reached a point of stagnation, causing a decrease in support as indicated by polls, while Maduro and other representatives

17 A *cacerolazo* is a form of protest or demonstration in which people make noise by banging pots, pans, and other utensils together. It is often used as a symbol of dissent and dissatisfaction with the government.

of the ruling party appeared to gain strength. Additionally, the pandemic, to some extent, also contributed to the country's demobilization. So, after the tumultuous 2019, the systematic quarantine imposed on Venezuelans in 2020, coupled with the gas crisis and other factors, the government gained strength and ensured its continuity. This would explain, among other things, why the Chavismo promptly decided to hold parliamentary elections in December of that year, in which there was no doubt that they would secure the majority in the National Assembly, especially when the opposition decided not to participate amid criticism from the international community and allegations of fraud¹⁸.

Currently, following the changes in the economic landscape that have created a temporary sense of stability and a slow recovery in some sectors, although recent data suggests a new cycle of recession¹⁹, and with upcoming presidential elections, which should first involve primary elections for opposition candidates, the Venezuelan opposition faces the challenge of overcoming the characteristic disillusionment of recent months and reinventing itself as what it has always been: the opportunity to rebuild Venezuelan democracy after decades of a systematic shift towards authoritarianism.

18 Deisy Buitrago, and Sarah Kinoshian, "Venezuela celebra elecciones parlamentarias en medio de críticas de fraude", *Reuters*, December 6, 2020, obtained from: <https://www.reuters.com/article/venezuela-elecciones-idESKBN28G0EZ>, (Consulted April 27, 2023).

19 For more information: "Condiciones de vida de los venezolanos", *ENCOVI* 2022, November 2022, obtained from: <https://www.proyectoencovi.com/encovi-2022>, (Consulted April 27, 2023). "Alertan sobre nuevo ciclo recesivo en economía venezolana tras caída de 8,3% en primer trimestre de 2023", *Runrunes*, April 26, 2023, obtained from <https://runrun.es/noticias/500166/alertan-sobre-nuevo-ciclo-recesivo-en-economia-venezolana-tras-caida-de-83-en-primer-trimestre-de-2023/>, (Consulted April 27, 2023).

The journey has not been easy, but after 25 years, no one can question the combative and determined attitude of the opposition, especially in the face of adverse circumstances marked by everything but a gentlemen's agreement with the government. The important thing has always been to never lose sight of the ultimate goal: democracy cannot be just a part of history, but a possible and enduring present, no matter the time and effort it requires. May this 25th anniversary serve as a starting point for a new chapter in which the lessons of the past allow us to build the future we aspire to and deserve as a society.

Anomie of the state and law: a reflection from Venezuela

Rogelio Pérez Perdomo

Can the institution responsible for making laws and ensuring their enforcement be anomic? Anomic state seems to be a contradiction, a literary figure known as an oxymoron, just like talking about a deafening silence. However, social and political life can present anomic situations that require sociological imagination¹ for analysis. Under certain circumstances, it is possible to assert the existence of an anomic state. This is the subject of this article.

The concept of anomie has been used in social theory and sociology with variations in its meaning, according to major authors such as Durkheim and Merton². Without delving into the discussion of the different developments of the idea, we propose an instrumental definition: the failure of norms to regulate people's behavior due to the absence, confusion, or lack of legitimacy and acceptance of a normative framework. The opposite idea of anomie is social cohesion, which refers to a consensus on values and behavior that, in general terms, corresponds to shared values.

1 Mills, 2000.

2 Freda Adler, and W. Laufer, (eds.), *The Legacy of Anomie Theory*. New Brunswick: Transactions Publishers, 1995.

Briceño-León & Camardiel³, Briceño-León⁴, Pérez Perdomo⁵ have applied these ideas to the analysis of Venezuelan society with different conclusions. This is a new attempt with a more specific unit of analysis: the state.

This paper addresses anomie in relation to the functioning of the state and the legal system, which implies a reduction of the social group to be analyzed: primarily that of state officials. It also pays special attention to the legal sphere, which represents a certain extension of the concept primarily conceived for analyzing ethics in its relationship with society.

Other studies have made this extension-reduction⁶. In the introductory section, the legitimacy of doing so is discussed. The second section analyzes what the law becomes in an anomic state. The third section examines the economic and social consequences of an anomic state.

3 Roberto Briceño-León, and A. Camardiel, “El impacto de la violencia en la cohesión social”, in: Briceño-León, Camardiel & Perdomo (eds), *Los rostros de la violencia. Empobrecimiento y letalidad policial*. Caracas: Alfa, 2019.

4 Roberto Briceño-León, “Anomia, cohesión social y derecho. Respuesta a Rogelio Pérez-Perdomo”, *Espacio Abierto*, Cuaderno Venezolano de Sociología 30, no. 1, 2021.

5 Rogelio Pérez-Perdomo, “Estado de naturaleza, anomia y derecho: Una reflexión desde América Latina”, *Dykaio syne* 32, 2017.
Rogelio Pérez-Perdomo, “Anomia, cohesión social y derecho en tiempos de catástrofe”, *Espacio Abierto*, Cuaderno Venezolano de Sociología, vol. 30, no. 1, 2021.

6 Luis Fernando Mack, *Anomia del estado* (FLACSO, Guatemala, 2017).
Peter Waldman, *El Estado anómico: derecho, seguridad pública y vida cotidiana en América Latina* (Caracas: Nueva Sociedad, 2003).

An Oxymoron?

The idea of anomie in relation to the state could be considered an oxymoron, as the state is an artificial entity, a legal person, created by the law and, simultaneously, the creator of the law. From a purely formal perspective, it does not seem possible for a legal entity and law creator to be simultaneously the opposite. In the same sense, the idea of a “gangster state”⁷ would also make no sense, as it is the state apparatus that defines who the gangsters (or organized criminals) are and who they are not.

Obviously, the state is not only a legal construct, but it also has, above all, a physical foundation: it has a territory and a population with a fabric of social, political, and economic relations. It also has individuals who direct and represent it, such as the head of state or government, and many people who act on its behalf: judges, prosecutors, police officers, and state officials. It implies the exercise of power of some over others. The act of representing the state is often emphasized in political rituals and ritualistic phrases. For example, in Venezuela, when the president of the Republic appears publicly, the national anthem is played, and everyone stands up. Court judgments begin with the statement “in the name of the Republic and by the authority of the Law”. These are high-ranking officials who act on behalf of the state and with the competence granted to them by the laws. Likewise, when a police officer says, “I am the authority” and orders us to do or not do something, they are indicating that they represent the state and hold public power. There are, therefore, many people who can act on behalf of the state. In that sense, the phrase “I am the state” can be a political assertion, but in legal terms, it lacks meaning

7 Paola Bautista de Alemán, “Revolución bolivariana y desarrollo del Estado gansteril”, in: Bautista de Aleman, P., (editor), *Autocracias del siglo XXI. Caso Venezuela* (Madrid: Dahbar, 2020).

or is grossly incorrect: the state is not, nor can it be, a person or a group of people. However, the collective of those who direct and manage the state have behaviors that can strengthen or weaken the normative dimension that underlies the state's legitimacy.

Omnipresent legal regulation is characteristic of the modern state or the rule of law. Every official or representative of the state must act within the limits of their competence and with the purposes assigned to them by the laws. Otherwise, they commit deviation or abuse of power, and their actions can be annulled. The abuse by officials carries responsibility for the state as an institution and also for the officials involved. An entire branch of law, public law, studies these matters. That's why the idea of a state whose officials do not respect legal principles and norms could be considered anomic: a state that denies its own legitimacy.

Undoubtedly, some individuals carry out actions that state officials frequently perform, such as depriving a person of liberty or property. If these actions are carried out without the legitimizing support of the law, they would be criminal actions: kidnapping or theft in the examples mentioned. The difference lies not in the act itself but in the qualification of legitimacy granted by the law. If the very officials of the state act against the law, the state would cease to be so. Saint Augustine had already keenly observed this when he pointed out that realms without law are bands of thieves⁸.

On the other hand, law is linked to the state. What distinguishes legal norms from moral or other social norms is their coercibility. In the definitions still used in most universities today, law is associated with norms established by the state, namely

8 San Augustin, *The City of God*, book IV, chapter 4.

legislation, and with coercion by the judicial and administrative apparatus of the state.

This leads to the formulation of a symbiosis between the state and the law: the state would produce the law, and at the same time, the law would regulate the state. This symbiosis is what would make the expression “anomic state” an oxymoron. In this perspective, separating the state and the law would be impossible, just as Achilles could never catch up to the tortoise in Zeno’s paradox. However, practice proves otherwise.

Jurists and especially sociologists of law are well aware of the mismatch between legal norms and actual behavior. They often analyze it as a conflicting relationship between theory and practice, or between law in the books and law in action⁹. The symbiosis is more apparent in the books than in actions. The state apparatus, including the legal system itself, can be used to commit the worst crimes or introduce confusion in norm production or its execution.

However, this does not mean that ethics are absent in the functioning of the state. On the contrary, the state requires politicians and officials to pay greater attention to the collective good and to prioritize the interests of all above their personal interests or those of a particular group. It can be argued that the state is an ethical project in addition to its legal foundation. Those who lead the state or serve as its officials are expected to embrace values and behavior that can be called the ethos of the public sphere¹⁰.

9 Lon L. Fuller, *Anatomía del derecho* (Caracas: Monte Ávila Editores, 1969).

10 Max Weber, *El político y el científico* (Madrid: Alianza Editorial, 1967).
Paul Du Gay, *A Praise of Bureaucracy: Weber, Organization, Ethos* (London: Sage, 2000).

As with any normative behavior, deviations can occur. One well-studied deviation is bureaucratization, where adherence to rules precedes the actual goals of the state or the organization to which the official belongs. Bureaucratic deviation often involves strict adherence to legal norms that, in turn, hinders the achievement of the organization's own objectives. Perhaps the deviation that most infuriates the population is corruption, where personal interests are prioritized at the expense of the state's own goals. Some systematically manipulate the state by spreading falsehoods. It is well known that when the state controls the media, "a lie repeated a thousand times becomes the truth", as famously attributed to Goebbels, Hitler's Minister of Propaganda. Lies can also cause significant public upheaval, such as the denial of the results of a presidential election in the United States, where a major television company was involved. The most serious cases involve using the state apparatus to commit heinous crimes. Many of these behaviors have been classified as crimes and can be prosecuted by national courts. In cases of extreme gravity that are not addressed by national courts, international tribunals or the International Criminal Court may intervene. In cases where these actions have not been classified as crimes, the sanction is ethical and political in nature: the instrument is scandal or public outrage, and the punishment is electoral.

Ethical or legal deviations are, to some extent, inevitable in practice. Among the thousands or millions of people who lead or manage the state, many take advantage of their position and state resources for deviant actions. What would make a state anomic is not occasional deviation but its establishment as a way of governing and managing the state that simultaneously destroys the possibilities of control.

It is important to note that the term “anomic state” has been previously used by Luis Fernando Mack¹¹ in a socio-political work primarily focused on Guatemala, and by Peter Waldman¹² about Bolivia. Mack presents different forms of deviation within the state or in the behavior of state officials, while Waldman discusses the potential effect of anomic state on society. The purpose of this paper is analytical, with a socio-legal perspective. The case of Venezuela will be used as an example to illustrate theoretical propositions. The scarcity of data and the difficulties of conducting field studies in an environment that makes them challenging and even dangerous require presenting an essay based on published information or information circulating in the media as scandals. Naturally, this perspective is that of a participant in the country’s life. Due to the weakness of the sources, the assertions should be considered as hypotheses.

The rule of law model has been developed in juridical-political literature, especially in constitutional law. This model is characterized by officials’ actions within the limits and purposes established in the constitution and laws, as well as the respect for citizens’ rights. Since it is a model, no state may perfectly align with it. Informal networks permeate formal systems in almost all areas¹³, but the situation is not identical in every country. This makes it possible to construct an index of the rule of law based on the degree of deviation from the model. In this index, Venezuela has consistently ranked far from the model of the rule of law and can be an appropriate unit of analysis for this reflection. The further a state is from the rule of law model, the more likely it is to

11 Luis Fernando Mack, *Anomia del Estado* (Guatemala: FLACSO, c2017).

12 Peter Waldman, *El Estado anómico: derecho, seguridad pública y vida cotidiana en América Latina* (Caracas: Nueva Sociedad, 2003).

13 Larissa Adler Lomnitz, “Informal exchange networks in formal systems: a theoretical model”, *American Anthropologist* 90 (1988).

be classified as anomic. This classification does not imply that the state ceases to produce regulations or that the activity of the courts of justice is suspended. However, the state's anomie undoubtedly has consequences on the legal system's functioning, which is the subject of the following section.

Law before an anomic state

If the state introduces confusion in its normative production and ceases to apply the rules of law, in other words, if it becomes anomic, the symbiotic relationship between the state and the law is destroyed. However, this does not indicate what happens in practice. Hobbes posed the problem: we cannot dissolve the state to see what happens, but we can imagine what would occur. He argues that if the state disappears, we would return to a state of nature. In this situation, freedom and property have no limits. Inevitably, this would lead to a state of "every man for himself", a situation where violence would become widespread.

Hobbes did not set out to analyze historical experiences, although he referenced the England of his time and the frequent European wars. His model responded more to a radically individualistic preconception. Historical experiences do not show such atomization, nor are there historical examples of a state of nature, likely because if it were to occur, society would extinguish itself. The Augustinian hypothesis is that the state becomes the greatest band of thieves, or to use today's language, a vast, organized crime entity. This implies that there is an organization that employs unregulated violence and guarantees a precarious peace not based on rules or justice. The gangster state¹⁴, lacks

14 Paola Bautista de Alemán, "Revolución bolivariana y desarrollo del Estado gansteril", in: Bautista de Aleman, P., (ed.), *Autocracias del siglo XXI. Caso Venezuela* (Madrid: Dahbar, 2020).

legitimacy as a state but can have the appearance of a state and can guarantee peace, albeit precariously.

The hypothesis can be refined: in a complex society with many legal professionals and organizations responsible for training new professionals, there is no need to assume that lawyers will disappear or that law schools will close. It is likely that many legal professionals will cooperate in carrying out unjust purposes, while others may resist in more or less overt ways. Still, others may avoid contact with state bodies and pay much less attention to the rules they promulgate. Both lawyers and law schools can also assume new roles. In other words, the law can transform, and its uses can diverge radically.

Firstly, let's consider the use of law for purposes contrary to the assumptions of the legal order. The most well-known example is the Law for the Protection of German Blood and German Honor, also known as the Nuremberg Laws (September 15, 1935). It prohibited marriages and sexual relationships between German people and Jews and later played a significant role in justifying the Holocaust. Judges, legal professionals, and police officers become instruments for enforcing or justifying these laws when they themselves do not participate in their elaboration. In Venezuela and several countries in Latin America, there are well-known cases of important jurists who have collaborated with dictators who have massively violated human rights and the principles of the rule of law. Studying their biographies and ideas is of great interest in analyzing how those with appropriate legal education resolve their cognitive dissonance.

Secondly, other legal professionals may strive to oppose authoritarianism and the distortion of law using the resources provided by the legal system itself. This is the expected behavior

among individuals with a high ethical consciousness of their profession. It is a risky and even heroic conduct: many judges, prosecutors, and lawyers have been sentenced to prison or killed for their commitment to act independently and uphold the values of the law, even in direct resistance to political power. The research problem is investigating the motivations behind taking risks, knowing that it is unlikely to achieve a favorable outcome or change the course of events in an anomic state.

Finally, there is the behavior of those who maintain a neutral professional practice. Judges or prosecutors who handle non-politically relevant cases and do not take advantage of lax controls or political tolerance for corruption, or lawyers who advise on non-political relationships between individuals, are examples of this. This third category of individuals may strive to maintain a high professionalism. If they handle cases unrelated to political affairs, they can act similarly to any other legal professional. This category includes a significant number of practicing lawyers. Still, the decline of the legal order affects them because the contracts they draft may not lead to legal recourse in case of non-compliance. In general, lawyers will try to avoid interactions with public entities as it can make them victims of extortion.

For analysis purposes, this is undoubtedly the most interesting case. Why make a contract if there can be no legal recourse before the justice system in case of non-compliance? One option is to keep the contract outside the jurisdiction of the state. The use of arbitration clauses is a commonly employed approach, but it is partially incomplete. If one party refuses to comply with the arbitral award, the formal recourse is to approach the state's judiciary. The enforcement of the award may encounter the same obstacles as enforcing a contract, although the creditor's position is somewhat stronger. In interviews with lawyers, I have found

that arbitration clauses are common, but resorting to arbitration itself is rather exceptional. The interviewed lawyers also indicate that they further avoid resorting to the courts¹⁵. The preferred way to resolve conflicts is through negotiation.

This brings us to the situation of contracts whose enforcement is not expected. The hypothesis is that contracts operate as a way to solemnize the promises involved in them. This means that the strength of the law lies in social norms: the ethical obligation is to fulfill our promises, and a solemnized and carefully described promise carries greater weight than an informal one. The power of social norms has been documented in various research studies. Ellickson¹⁶ demonstrated that farmers and ranchers in Shasta County (Northern California) are guided by ethical-social norms and pay little attention to the law. There are various examples for numerous countries and a wide range of human activities. History shows us examples of law without a state. Roman law during classical times developed without a state apparatus or a police force.

Generally, the preference for social norms to regulate behavior instead of the law is more prominent in highly cohesive societies with multiplex relationships. In Venezuela, Pérez Perdomo¹⁷ found this in a rural community, the San Miguel Parish in the Boconó Municipality. The peasants had a sense of ownership and believed that damages caused by their own animals on someone else's

15 The statements cannot be supported with data because no statistics are available for the last two decades.

16 Robert C. Ellickson, *Order without Law: How Neighbors Settle Disputes* (Harvard University Press, 1991).

17 Rogelio Pérez Perdomo, "Asistencia jurídica y acceso a la justicia en Venezuela", in: Pérez Perdomo, R., (coordinator), *Justicia y pobreza en Venezuela* (Caracas: Monte Ávila Editores, 1987).

property should be compensated. The responsible animal, whose owner was unknown, was detained in a corral by the local chief for this purpose. When the owner came to retrieve it, the chief would call the victim and seek a friendly settlement. Frequently, there was no monetary payment, but both parties would drink together to strengthen their friendship. In San Miguel, there was (or is) a local tribunal that the peasants don't use. In cases of persistent disagreements, the local chief would threaten to take the case to Boconó. The idea of facing higher and unfamiliar authorities was enough incentive to reach an agreement. The law and lawyers were feared: it was an arcane and dangerous territory that was rather avoided.

When society becomes more complex, and individuals' relationships become more unique, the law appears to be the most appropriate means to provide security in exchanges. However, societies can break down into smaller groups that create personal bonds through frequent interactions. For example, in New York, a city well-known for its size, complexity, and diverse population, the wholesale diamond business is controlled by a cohesive predominantly Jewish group controls the wholesale diamond business. Bernstein¹⁸ studied their business relationships and conflict resolution methods, showing that they are quite informal with certain religious elements. The legal system is used exceptionally. A similar finding was made by Lijtszain¹⁹ when studying the way business conflicts are resolved in the Jewish community of Mexico City, which is equally complex and cosmopolitan. The highly cohesive and multiplex relationships

18 Lisa Bernstein, "Opting out of the legal system: Extralegal contractual relations in the diamond industry", *The Journal of Legal Studies* 21 (1992).

19 Yanine Lijtszain, "Choosing the right dispute resolution mechanism: A case study on the Jewish community in Mexico" (Stanford Law School, SPILS thesis, 2002).

within the Jewish community allow them to opt for an alternative mechanism to formal law.

A different case is Vietnam, studied by McMillan & Woodruff²⁰. The legal system was ineffective in regulating business relations between firms. The option was to visit the company's facilities and assess the commercial reputation of those managing them to establish trust-based relationships that enabled business transactions in the absence of formal law. In Venezuela, Pérez Perdomo²¹ found that the entry of new economic actors in the 1970s led to a perception of the legal system's inability to generate security and trust. The peculiarity was that the use of the courts by instrumental litigants, i.e., those who took advantage of deficiencies in the justice system, affected their reputation as ethical, economic actors and condemned them to a certain degree of ostracism in the business environment.

Lastly, in the globalized or transnational world we live in, there is a type of law that is not anchored in states, which has sparked enormous interest among scholars²². The key aspect of the literature on the effects of globalization on law is that there is much more private or multilateral creation of law and diminishing

20 John McMillan and C. Woodruff, "Interfirm relationship and informal credit in Vietnam", *The Quarterly Journal of Economics*, vol. 114 (1999).

21 Rogelio Pérez-Perdomo, "De la justicia y otros demonios", in: Boza M.E., and Pérez-Perdomo, R., (compiladores), *Seguridad jurídica y competitividad* (Caracas: Ediciones IESA, 1995).

22 Volkmar Gessner, (ed.), *Contractual Certainty in International Trade: Empirical Studies and Theoretical Debates on International Support for Global Economic Exchanges* (Oxford: Hart, 2009).

Karen Knop, "State law without its state", in: A. Sarat, L. Douglas, and M. M. Umphrey, (eds.), *Law without nations* (Stanford: Stanford University Press, 2011).

importance of states as creators of law, or the generalization of norms and models beyond any state imposition.

In summary, law can exist without the support of the state²³, and there can be anomic states that do not respect the law or basic ethical norms. Still, naturally, this has economic, political, and social consequences.

Economic and political consequences: Venezuela as a case study

Since Max Weber's highly influential studies, a state governed by law and formally rational law has been associated with the development of the capitalist economy²⁴. Weber was aware of the limitation of his analysis, which was useful for explaining the development of France and Germany but not for England. The rationalization of law occurred on the European continent, while England maintained a law that, according to Weber's standards, was not formally rational. Hence, there was a problem in explaining England's capitalist development, which was, in fact, the first in the world. This became known as Weber's "English Problem". Douglass North²⁵ proposed a solution that led to a new approach in economics: institutions matter. It is not abstract rules but a combination of structure and culture, which we call institutions, that can provide confidence for investment. In England, an independent judiciary and a few fundamental norms guaranteed respect for property and contracts. The relationship

23 A. Sarat, L. Douglas L., and M. M. Umphrey, (editors), *Law without Nations* (Stanford: Stanford University Press, 2011).

24 David Trubek, "Weber on law and the rise of capitalism", *Wisconsin Law Review* 720 (1972).

25 Douglass C. North, *Institutions, Institutional Change, and Economic Performance* (Cambridge: Cambridge University Press, 1990).

between liberal democracy, which respects fundamental rights, and human development has been well-documented²⁶.

More recent experiences have shown that economic growth can be achieved through means other than the rule of law. This is the case in the People's Republic of China. It is beyond question that it is a repressive government with minimal regard for fundamental rights. However, it offered guarantees to investors while providing an abundance of disciplined workers with virtually no capacity to claim rights²⁷. The guarantees do not come from the legal system, but from the political system. The system operates according to rules that are not necessarily expressed in the constitution and laws but allow for predicting the behavior of those in political power. There is no separation of powers and checks and balances. Still, there is a division of labor that works and makes the officials' conduct predictable, as well as their response to cases of deviation²⁸. The implemented system allowed for spectacular economic growth, but it is not certain that we would want to live in an extremely repressive society, especially if we find ourselves in the roles of industrial workers or lawyers. The growth model is subject to political actors, and its long-term sustainability is still to be seen.

26 Ronald Inglehart y C. Welzel, *Modernización, cambio cultural y democracia: la secuencia del Desarrollo humano* (Madrid: Siglo XXI, 2005)..

27 Stanley Lubman, *Bird in Cage: Legal Reform in China after Mao* (Stanford: Stanford University Press, 1999). Yang Su and X. He, "Street as courtroom: State accommodation of labor protest in South China", *Law and Society Review* 44 (2010).

28 Xin He, "The party leadership as the living constitution in China", *Hong Kong Law Journal* 42 (2012).

Waldman²⁹ posed the opposite hypothesis: if the legal system works poorly largely due to state anomie, areas of the country that are not under the direct influence of the state should perform much better. The hypothesis could not be proved in Bolivia, perhaps because the study did not consider other variables. Still, it is worth considering the issue of the effect of state anomie on society. The Venezuelan case may be of interest as it was a relatively well-ordered society, with a weak rule of law and a democracy that functioned regularly between 1958 and 1998³⁰. The vices were visible: the police especially abused the poor, and they had difficult access to justice, while corruption generated frequent scandals, amplified by unrestrained media. However, this did not hinder significant economic growth, albeit with cycles, and considerable social development. The country attracted a significant number of migrants, first from Europe and later from other countries in Latin America.

From 1999, Venezuela decided to follow a different path under the strong leadership of Hugo Chávez: that of a revolution that led to the nationalization of both national and foreign private companies and the dismissal of a significant portion of the professional staff in nationalized companies, including the national oil company, the country's main industry. All of this was carried out without having prepared executive and technical teams to oversee the state-owned enterprises. On the contrary, meritocracy was demonized, and political loyalty became the most valued trait. The macroeconomic result has been negative,

29 Peter Waldman, *El Estado anómico: derecho, seguridad pública y vida cotidiana en América Latina* (Caracas: Nueva Sociedad, 2003).

30 Rogelio Pérez-Perdomo, "Venezuela 1958-1999: The legal system in an impaired democracy", in: L. Friedman and R. Pérez-Perdomo (eds.), *Legal Culture in the Age of Globalization: Latin America and Latin Europe* (Stanford: Stanford University Press, 2003).

with increased poverty, violence, repression, and significant emigration.

In many cases, the state refused to pay the corresponding compensations for the “expropriations” carried out without following proper legal procedures. Management controls were deliberately weakened. The result was rampant corruption and a decline in production. Protests and criticisms were seen as acts of opposition, and those who opposed the government were repressed. Political polarization intensified, and the repression led to massive human rights violations. Social inequality deepened, and there was an attempt to establish political apartheid³¹, which now is less severe than the one described by Jatar.

The idea of an anomic state must be separated from societal anomie, although this is a topic of discussion regarding Venezuela. Briceño-León & Camardiel³² and Briceño-León³³ argue that social cohesion has weakened. Pérez Perdomo maintains that the rule of law, which was not strong to begin with³⁴, has clearly deteriorated further due to the decay of the state. This is not unfamiliar in

31 Ana J. Jatar, *Apartheid del siglo XXI. La informática al servicio de la discriminación política en Venezuela* (Caracas: Súmate y Tecnología Libros, 2006).

32 Roberto Briceño-León and A. Camardiel, “El impacto de la violencia en la cohesión social”, in: Briceño-León, Camardiel & Perdomo (eds.), *Los rostros de la violencia. Empobrecimiento y letalidad policial* (Caracas: Alfa, 2019).

33 Roberto Briceño-León, “Anomia, cohesión social y derecho. Respuesta a Rogelio Pérez-Perdomo”, *Espacio Abierto*, Cuaderno Venezolano de Sociología 30, no. 1 (2021).

34 Rogelio Pérez-Perdomo, “Venezuela 1958-1999: The legal system in an impaired democracy”, in: L. Friedman and R. Pérez-Perdomo (eds.), *Legal Culture in the Age of Globalization: Latin America and Latin Europe* (Stanford: Stanford University Press, 2003).

Latin America, where there is a certain culture of rule-breaking³⁵. However, curiously, ethical-social norms are strengthening, as shown in this study through the new role of contracts. Life in Caracas, a city with a growing number of poor people, offers an experience that calls for reflection. These poor individuals beg or search for food in garbage bins, but they do not rob us or take our bags of groceries when we leave the supermarket. Indeed, we do not strictly adhere to traffic rules, but collisions are not more frequent than in cities where societies have greater respect for the law, implying that there are unwritten rules by which we abide. This allows us to affirm that society is not anomic; at least, not yet.

Undoubtedly, the anomie of the state has had a significant cost for Venezuelan society. In general terms, investments have stalled, poverty has increased, and the country has become more violent. However, the situation affects the population unevenly. One can observe a growing number of luxury constructions and well-established restaurants. Several Venezuelans have been sanctioned for their involvement in mass human rights violations or illegal economic activities. The number of Venezuelans detained in different countries for money laundering has also increased. The United States, Canada, the European Union, the United Kingdom, Switzerland, and other countries have imposed restrictions or made it more difficult to do business with the government or certain Venezuelan individuals and companies, especially after 2015³⁶. The government and its supporters refer to

35 Mauricio García Villegas, *Normas de papel: la cultura del incumplimiento de las reglas* (Bogotá: Dejusticia. Centro de Estudios de Derecho, Justicia y Sociedad, 2013). Carlos S. Nino, *Un país al margen de la ley: Estudio de la anomia como componente del subdesarrollo argentino* (Buenos Aires: Emecé, 1992).

36 Yamila A. Montenegro, "Sanciones impuestas por los Estados Unidos a Venezuela: consecuencias regionales", *Revista de Relaciones Internacionales, Estrategia y Seguridad*, vol. 16 (2021).

these sanctions as a blockade, which naturally has exacerbated the economic difficulties.

In the face of the worsening situation and massive street protests, the President of the Republic in 2017 called for the National Constituent Assembly, a recourse provided for in the constitution, as “the people of Venezuela... may convene a National Constituent Assembly to transform the State, creating a new legal order, and drafting a new Constitution” (Article 347). What was anomalous was the President’s call and the election system for members that the opposition deemed unconstitutional and undemocratic, leading them to abstain from participating. A considerable number of countries were highly critical and considered the assembly illegitimate. The National Constituent Assembly assumed the functions of the parliament but did not draft a new constitution; instead, it approved several “constitutional laws”. The most important being the *Anti-Blockade Constitutional Law for National Development and Human Rights Guarantee* (2020). Constitutional laws are a category not provided for in the Constitution, but that effectively modify the Constitution without following the established procedure for its reform. The anti-blockade law allows for secret contracts of public interest and other acts and consolidates all power in the Executive Branch if deemed necessary to counter the blockade. The result is that we do not know which parts of the constitution and the legal system remain effective³⁷.

Opacity and lack of government accountability have been characteristics of the revolution. The anti-blockade law formalizes these traits but does not prevent the moral risks that concentration of power and weakened controls bring. One of the features of

37 Rogelio Pérez-Perdomo and E. Bolívar Méndez, “¿Una nueva constitución para Venezuela? La Asamblea Nacional Constituyente 2017-2020 y la Ley Antibloqueo”, accepted for publication in *Novum Ius*. (In author’s file).(2023).

the revolution has been a series of scandals. Two former justices of the Supreme Court, an Attorney General, several judges and prosecutors, as well as former ministers and lawmakers, are now fugitives living in exile. They have been accused of serious acts of corruption, and, in turn, have made public statements showing complicity between high-ranking officials of the Republic and drug traffickers, as well as the use of the justice system to violate citizens' rights³⁸. The most recent scandal involves dozens of high-ranking state officials (cabinet ministers, former ministers, former governors, parliamentarians, directors of important state agencies, and associated businessmen or criminals). They have been imprisoned without respecting minimum due process guarantees, and the scandals have unfolded through government-controlled media.

Officially, the entire affair is presented as an anti-corruption crusade, but informal comments also suggest rivalries and the settling of scores among high-ranking state officials. Social media exploits the most obscene aspects of the scandals, such as photographs of beautiful women associated with the involved individuals posing alongside bags filled with gold ingots.

These scandals unfold while teachers, public employees, and nurses protest against the meager salaries they receive. The government blames the blockade for the impossibility of implementing increases that would allow them to survive amidst accelerated inflation. Perhaps it is too early to tell whether the *Anti-Blockade Constitutional Law for National Development and Human Rights Guarantee* will produce the effects announced in its

38 Rogelio Pérez-Perdomo and A. Y. Santacruz, "The Chavist revolution and the justice system", *Latin American Policy*, vol. 8, issue 2 (2017).

title. Or maybe it is the state's anomie and not the blockade that prevents the situation from being overcome.

“Unity” up for debate

Miguel Ángel Martínez Meucci

After more than 24 years under the political regime established by the so-called “Bolivarian Revolution”, many things have changed in Venezuela, while others have persisted. One of these enduring ideas has been the notion that “Unity” among the political forces opposed to Chavismo is absolutely essential to achieve the democratization of our political system. In general terms, this idea tends to be widely accepted, both within the political sphere and among the general public, and it aligns with what specialized literature advocates as a crucial factor in political transitions from authoritarian regimes to democratic ones.

However, given the current situation, it is worth questioning whether the specific way in which the unity of opposition forces has been conceived and practiced in Venezuela deserves to be revisited. Here are some questions that could help: What does this idea of “Unity” specifically mean? Where does it originate from? How has it been put into practice? Are there any prerequisites or necessary conditions for its practical implementation? If such conditions exist, have they been fulfilled in all cases? Moreover, can they be fulfilled under the current circumstances? This essay does not aim to provide exhaustive answers to all these questions; its purpose is to engage in a critical exercise to fuel a debate that, at this point, appears to be necessary for our public opinion.

Background: The Puntofijo Pact and the “unitary” political culture in Venezuela

The idea of “Unity” as it is commonly understood in Venezuelan politics today, has strong foundations and important precedents in our political culture. The Puntofijo Pact is arguably the most significant element in this regard. The agreements reached by Rómulo Betancourt, Rafael Caldera, and Jóvito Villalba, leaders of the country’s three main political parties, facilitated an institutional management of their differences and established the foundations of a democratic regime that lasted for about four decades. Parallel agreements sealed in the spirit of Puntofijo, such as the Labor-Employer Accord¹, the Ecclesiastical Concordat Law², or various agreements with the Armed Forces, also contributed to creating the necessary conditions for the progressive consolidation of democracy.

For several years, the scope of these inter-party pacts went as far as endorsing joint candidacies, reducing the possibility of hostile forces to the nascent democracy winning elections. The formula proved remarkably effective, as it helped establish a political culture of concord and civility that, in turn, became a national trademark. Even the Venezuelan communists, partially excluded from this web of pacts, eventually assimilated themselves after the “pacification” of the 1960s and 1970s, subsequently becoming prominent politicians, academics, or cultural figures.

The success of this “pact democracy” helps us understand how and why governance agreements became ingrained in our country, at least in terms of coordinating the various forces

1 Avenimiento Obrero-Patronal.

2 Ley de Concordato Eclesiástico.

fighting against authoritarianism. The mechanisms of our "pact democracy" even became an exemplary reference for other countries facing similar challenges, such as Spain or Chile, and were frequently studied in specialized literature on transitions to democracy.

Indisputably, the oil rent -nationalized in the mid-1970s- was crucial for the functionality and prestige achieved by this "pacted democracy". Political scientist Juan Carlos Rey described the regime that emerged from these pacts as a "populist system of elite conciliation", in which inter-elite agreements were feasible largely due to the availability of abundant oil revenue. This revenue allowed for meeting the demands of the various sectors subscribing to the agreements without any of them having to bear the costs directly.

Apart from the specific problem of rentism in Venezuela, several studies have highlighted certain weaknesses in pacted democracies. One of these weaknesses is that while inter-elite agreements initially foster significant levels of cooperation and stability, over time, they tend to reinforce tight personal connections to the extent that the political system becomes less responsive to popular demands. This can lead to clientelism and "partidocracy", where the system prioritizes elite realignments rather than addressing the citizens' needs. These unintended effects are observed in Venezuela and other countries that have employed similar mechanisms for democratization. However, it is common for the drawbacks of these unhealthy dynamics only to be addressed inadequately and belatedly when a general crisis erupts.

1990s: Crisis of "Pacted Democracy," Liberalization, Violent Subversion, and Chavismo

The relative abundance of oil revenues gradually declined over time. When the Pact of Puntofijo was signed, Venezuela had approximately 7 million inhabitants and was producing 3.5 million barrels of oil per day. Three decades later, after the nationalization of the oil industry, hydrocarbon production had not increased, while public debt and the population had in fact grown, reaching around 20 million inhabitants. While the number of diners had tripled, their main source of sustenance remained stable or tended to decrease.

The tensions inherent in this situation intensified with the end of the Cold War and the opening of global trade borders. Venezuela, a distinguished student of the region under the "Cepal" model of import substitution, did not adapt well to the game's new rules. Society as a whole was resistant to the *Gran Viraje* undertaken by Carlos Andrés Pérez during his second presidency, to the point that within less than a decade, a violent social upheaval, two failed military coups, and the removal of the president from office occurred. Despite having a team of top-level technocrats, Pérez committed a political sin in Venezuela at that time: he underestimated the importance of political pacts in a system of "elite reconciliation" by promoting his liberalizing project. Along with the entire country, he paid a tremendous price for it.

The agenda (*Agenda Venezuela*) promoted by his successor, Rafael Caldera, sought to achieve various intersectoral agreements to prevent the necessary reforms from failing like those of Pérez. However, the unprecedented and diverse governing coalition led by Caldera during his second presidency, which was also the first

government to succeed the dominant bipartisanship since 1958, did not put together a succession option. Thus, the unpopularity of his economic measures was exploited by Hugo Chávez to win elections. The Chavista regime, which has always self-identified as the "Bolivarian Revolution", incurred the paradox of breaking away from the culture of political pacts that had prevailed until then, but under the promise of restoring the state redistribution of national wealth, which supposedly was being prevented at that time –according to Chávez– by the "corruption of the rotten elites".

1999-2013: "Unity" as a systematic resource for fighting against Chávez's authoritarianism

After the electoral defeat in 1998, with the constitutional assembly of 1999 and the withdrawal of the main historical leaders of Venezuelan democracy, the political parties that had led national politics for four decades appeared bewildered. Faced with the authoritarian and polarizing drift unleashed by Chávez, and the evident ineffectiveness of the traditional parties in confronting it, numerous political and social forces revived the idea that seems deeply ingrained in our national political DNA: intersectoral agreements are the necessary mechanism to confront an autocratic government.

However, while some conceived it as a procedure aimed at supporting unified candidacies for elected positions, others saw it as a means to promote the overthrow of the government, leading to free elections, similar to the interim government formed after the escape of Pérez Jiménez in January 1958. Thus, the inefficiency of the parties in containing the authoritarian advance of Chávez created a political void that was filled by a massive citizen mobilization, led by Fedecámaras, the Confederation of Venezuelan Workers (CTV), various civil associations, and certain

sectors of the Catholic Church. All this led to the controversial incidents of April 11, 2002.

César Gaviria, then Secretary General of the Organization of American States (OAS), promoted a dialogue and negotiation table between the Chávez government and the political opposition. The opposition at that time required a united front capable of effectively acting in that instance, and in July of that year, *Coordinadora Democrática* was created, bringing together political parties and non-governmental organizations. Led by Governor Enrique Mendoza of Miranda, *Coordinadora Democrática* remained active during the two years of negotiations and the path toward the recall referendum of August 2004, which was the first electoral process in Venezuela to use voting machines.

The outcome of the referendum, marred by doubts about its fairness, undermined the parties' unity within *Coordinadora Democrática*, which led to the failure to present unified candidacies in the regional elections held in October 2002. Doubts about the transparency of the voting system persisted for at least a year, prompting an electoral boycott in the legislative elections 2005.

In the face of the presidential elections in 2006, Teodoro Petkoff, Julio Borges, and Manuel Rosales played leading roles in reaching the necessary consensus to nominate a unified presidential candidate, ultimately led by the governor of Zulia. This mechanism excluded what the parties always considered a disruptive factor: the presence of non-partisan organizations in the unified structures. The organizing factor introduced by this new unity mechanism, coupled with the pressure generated by the possibility of another electoral boycott by the opposition and the growing popularity of Hugo Chávez, led the Chavismo to

partially relax the contested electoral conditions under which the 2004 referendum was held.

Despite their clear electoral defeat in December 2006, the opposition's new unity mechanism channeled their actions through electoral means, bolstered the legitimacy of the voting system, and laid the groundwork for a more perfect unity that would be achieved in the coming years, under the new name of the *Mesa de la Unidad Democrática* (MUD). Following the surprising opposition victory in the referendum on constitutional reform in 2007, in a climate of some national economic relief, and in the face of the need to coordinate efforts for the constitutional amendment referendum in 2009 and the parliamentary elections in 2010, the opposition electorate's confidence in the electoral mechanism significantly increased.

After the technical tie recorded in the parliamentary elections in 2010, a new challenge to the presidential elections in 2012 emerged. To face it, the MUD held internal primaries under very complex conditions, but they turned out to be a success. This led to the creation of a strong, unified candidacy embodied in the figure of Henrique Capriles Radonski, who not only competed against Hugo Chávez in October 2012 –as Chávez was already terminally ill with cancer by that time– but also against his successor Nicolás Maduro in April 2013.

Maduro and the transition towards hegemonic authoritarianism: growing doubts about the "Unity"

While Chávez's victory in October 2012 was not contested, versions of what happened when Capriles and Maduro faced each other at the polls still abound. However, what is certain is that the unity of opinion regarding the electoral path to confront the

Bolivarian Revolution was shattered there. For certain sectors, the opposition lost the election, and there was nothing more to be done. For others, they won, but the victory was unrecognized by the authoritarian government, so the only option was to turn the page and focus on the next elections: the regional elections at the end of 2013. And for a third sector of the opposition, they achieved a victory that needed to be defended, so it made no sense to continue participating in elections if the Chavismo was not willing to acknowledge their defeat in such processes.

In December of that year, various sectors of the opposition, led by Capriles, participated in public dialogues with Maduro at Miraflores, giving the impression of accepting the takeover of their supposed victory in the presidential elections. The fracture within the opposition would continue to increase until it culminated in February 2014 when a wave of popular protests erupted, lasting nearly four months, which were widely supported and promoted by three particular political leaders: Leopoldo López, María Corina Machado, and Antonio Ledezma. The cycle of protests, dubbed *La Salida* (The Exit) by these sectors, was harshly repressed by the Maduro government.

Contrary to what is sometimes claimed, these internal differences within the opposition were partially overcome in the next major electoral milestone: the parliamentary elections in December 2015. The forces within the MUD managed to reach an agreement to field unified candidacies that were able to reverse one of the advantageous measures implemented by the Chavismo in their electoral engineering: the over-representation that the system had granted to certain electoral districts that had been under their control. As a result, the MUD secured a two-thirds majority in the National Assembly (AN), a result that, if respected, would have allowed them to modify the composition

of the Supreme Court of Justice (TSJ) and the National Electoral Council (CNE).

Similar to 2013, this new electoral victory of the opposition was also undermined. The Chavismo hurriedly appointed new justices to the TSJ through unconstitutional means, while disregarding the victory of several MUD candidates for deputies in the state of Amazonas, thus denying them the two-thirds majority in the National Assembly. Additionally, the TSJ proceeded to veto all the bills passed by the new parliament, while incompetent regional courts did the same with a new recall referendum initiative called for by the MUD in 2016. Furthermore, in 2017, a fraudulent Constituent Assembly was illegitimately installed, which, despite operating for over 3 years, never produced a new constitution, as its sole purpose was to undermine the legislative function of the National Assembly.

It became clear that the problem for the opposition was no longer, as it was during Chavez's time, the articulation of an electoral majority but rather the challenge of asserting that majority against an autocratic regime that, by that point, was willing to bear all the political costs of disregarding electoral results. Or, to put it in the trendy language of political science, with Maduro, the transition from a *hybrid regime* or *electoral authoritarianism* to *hegemonic authoritarianism* was completed, as documented in indices such as V-Dem or The Economist. These circumstances, along with the sudden collapse of the national economy and the transition from rampant inflation to prolonged hyperinflation in 2017, triggered a new cycle of protests that also contributed to sowing discord within the MUD. As this unitary mechanism languished, the *Frente Amplio Venezuela Libre* (FAVL) was created in early 2018 but has yet to produce concrete results.

This authoritarian drift has only deepened over time, as Maduro carried out another blatant electoral fraud in the presidential elections of May 2018. The company Smartmatic itself indicated that at least one million of the votes attributed by the electoral system to the Chavista president-candidate were false. Faced with such a situation, certain sectors of the opposition conceived a new non-electoral course of action: the National Assembly, still controlled by the MUD, declared the usurpation of the presidency by Nicolás Maduro and appointed an interim government headed by the president of the National Assembly, Deputy Juan Guaidó of the *Voluntad Popular* party. The “interim government” was backed by the governments of nearly 60 countries.

Although the “G-4” –*Primero Justicia, Voluntad Popular, Acción Democrática*, and *Un Nuevo Tiempo*, the parties with the highest votes in the 2015 legislative elections– formally supported this initiative, their internal divisions became increasingly evident. While certain sectors supported popular protests and initiatives of the interim government, others preferred to participate in any electoral process regardless of the conditions under which it takes place, as well as in all dialogues in which Maduro has agreed to engage –Miraflores, Dominican Republic, Oslo, Barbados, Mexico, Colombia– even if he has never agreed to concede anything substantial.

After the embarrassing situations that took place in Cúcuta (February 22, 2019) and Caracas (April 30, 2019), the scandals related to the handling of Venezuelan state assets by the interim government, the consequences of political persecution, the resounding popular abstention in the 2021 regional elections, and the wear and discredit of a significant part of the leadership that has led the opposition to Chavismo for two decades are more than

evident. All opinion polls confirm this. However, the desire for unity persists, now under the new name of *Plataforma Unitaria*.

Balance and perspectives: What doesn't work in the "Unity"?

With the previous pages, we not only wanted to show to what extent the idea of "Unity" is ingrained in Venezuelan political DNA when the objective is to confront an authoritarian regime, but also the various ways in which this "Unity" has been interpreted, as well as the difficulties it has been facing. For two decades, the political opposition to Chavismo has presented the country with a series of unitary mechanisms that, despite their partial results, have yet to bring about a political change. *Coordinadora Democrática*, *Mesa de la Unidad Democrática*, *Frente Amplio Venezuela Libre*, and *Plataforma Unitaria* are different denominations for a recurring mechanism and a more or less common general purpose, although there is not always a unity of criteria when it comes to advancing towards it.

Now, what is the reason for this lack of results? We will outline here some considerations in this regard, which by no means pretend to be systematic or exhaustive.

1) Structural division between two strategic lines in the face of the fluctuating degree of authoritarianism of the regime: as is often the case when confronting dictatorial regimes, the political opposition in Venezuela has been divided between a sector that prioritizes partial understanding with the authoritarian regime, understanding that only through such cooperation democratization is possible, and others who believe that it is necessary to first establish a political force capable of promoting a general change, assuming that understanding with the autocracy

without the prior construction of that force does not weaken it but rather stabilizes it.

This division of opinions was temporarily sealed during the period 2006-2012, when the failure of other means of struggle, the economic boom of those years, the opposition's victory in the 2007 referendum, and the facilities granted by Chavismo to the opposition (reduced political persecution; the possibility of indefinite reelection since 2019, not only for the president but also for governors and mayors, etc.) strengthened the perception that change could be gradual and electoral. During that time, the population could lead a relatively normal life while opposition parties built a political foundation for change.

But with Nicolás Maduro in power, things changed drastically. An economic collapse accompanied his systematic disregard for opposition electoral victories reflected in an 80% contraction of the GDP in 8 years, as well as one of the most drastic and prolonged hyperinflation cycles in modern economic history. All of this triggered a humanitarian crisis that led to the exodus of over 6 million Venezuelans, surpassing a total of 7 million people living abroad today. Under such conditions, the need for change has increased, and the debate about the most suitable methods of struggle within the political opposition has necessarily been reopened.

In light of the above, it is important to highlight two particular aspects. Firstly, considerations regarding "Unity" cannot ignore the living conditions imposed on Venezuelans by the autocratic regime, as this will determine the sense of urgency that political action must assume. 24 years of Chavista domination have not only devastated the country and severely compromised the future of several generations of Venezuelans but also made

chronic collapse in the country increasingly likely. Secondly, the approach to electoral means must consider the levels of authoritarianism that the autocratic regime is willing to deploy since, while electoral authoritarianism may accept some defeats, hegemonic authoritarianism will not recognize any electoral victory that threatens its hegemony.

2) Selective intimidation, extortion, and co-optation by Chavismo: While Nicaragua under Daniel Ortega receives all the hemispheric criticism for its blatant and crude despotism, Venezuela under Maduro seems to always be given a certain benefit of the doubt on the international stage, where there is no shortage of sectors that appear more focused on calling for the lifting of foreign sanctions (coinciding with the demands of the authoritarian regime in Venezuela) rather than demanding the democratization of the Venezuelan political system.

None of this is coincidental. Chavismo surpasses the current Sandinismo in its capacity to exert true hegemonic control. This control is not only exercised through the primitive use of violence by state and para-state repressive forces, but for years it has deployed immense efforts to divide and co-opt entire sectors of the political opposition, many of which have become repeaters of the authoritarian regime's official discourse. While Chavismo has been forced to employ mass repression to repress street protests, it has used not only selective threats that can escalate to any form of violence but also more subtle forms of action such as blackmail, extortion, and co-optation to combat opposition parties.

For years, significant sectors of the "political country" vehemently denied that multiple political figures, who were militants in opposition ranks, had been co-opted by the Chavista regime. But with the public revelation of the so-called "scorpions",

any doubts have been more than cleared. In addition to that, enormous difficulties have been imposed on the free financing and action of opposition organizations. The role of the so-called *“boliburguesía”*, as well as prominent frontmen of the ruling regime, has become increasingly evident in this regard, casting doubt on the true interests behind the actions of multiple “opposition” political organizations.

Ultimately, indefinite resistance becomes extremely costly in a society as frightened and impoverished as Venezuela. All of this impacts the stability, transparency, and purpose of the unitary mechanisms where, sometimes, not everyone who should be there is present, and many of those who are present do not truly belong. In the worst-case scenario, the “Unity” risks becoming a mechanism for disguising actions that are actually driven by the autocracy itself.

3) **The “secret life” of political parties:** Those who uncritically preach “Unity” as a necessary, infallible, and sufficient formula for fighting authoritarianism often –whether voluntarily or involuntarily– divert attention from a crucial factor: Who are the ones joining forces and what are they doing? Beyond the rhetoric about the unity of Venezuelans against the dictatorship, the advocated “Unity” is, in concrete terms, a mechanism that generates unified candidacies for elected positions, nominated by specific political parties to capture all the popular rejection of Chavismo. However, one of the least analyzed topics is the political parties’ functioning in this mechanism.

By definition, a political party represents a portion of the population. Modern representative democracy operates based on political parties because it recognizes the intrinsic plurality of society. Parties capture that plurality through their differentiated

platforms, where the differences are assumed to be *based on doctrinal reasons*: those who advocate for the same type of ideas come together to support the party that promotes them, and there will be as many parties as there are organized sets of ideas that need to be defended.

This is not the case in present-day Venezuela. Many parties and personalities opposing Chavismo do not typically integrate different political organizations based on their doctrinal or programmatic differences. In fact, the vast majority of them share a substantially similar ideology rooted in socialism or social democracy. So why don't they join forces in a single major social-democratic political organization, as *Acción Democrática* was in the 20th century? Firstly, since the decentralization process began in the 1990s, many leaders saw the direct election of governors and mayors as an opportunity to establish their own separate entities. Secondly, for many years, the traditional parties have not adequately facilitated the generational transition of their main leadership positions.

In other words, a significant part of the dispersion among opposition political forces is not due to a clash of values or different ideas about what the country should be, which should be a central aspect of public debate. Instead, it stems from *a clash of individual aspirations that cannot be managed under a unified party discipline*. Consequently, the "Unity" movement primarily focuses on resolving personal rather than doctrinal differences, which ideally should be managed within the same political organization. Additionally, problems related to corruption, clientelism, and the persistent practice of capturing public resources persist. While political parties inherently tend to operate as interest groups instead of systematically representing the interests of broad

sectors of the population, these tendencies are even more amplified within the current party system in Venezuela.

In addition to that, many of our politicians show a great reluctance to understand that the national political economy can no longer function materially as it did during the second half of the 20th century. The characteristic features of a rentier economy and a “populist system of elite conciliation”, which greatly contributed to the decline of Venezuelan democracy, are no longer viable in a country increasingly resembling those in Central America. Post-conflict devastation, endemic violence, weak state capacities, purely extractive economies, a small GDP, and a significant proportion of income derived from a large diaspora are often defining and decisive traits in these countries.

In summary, it seems unlikely that the “Unity” movement can possess a substantially different nature from the sectors that comprise it. Nevertheless, serious and methodical studies on this nature are scarce in Venezuela, possibly because the mechanisms of elite conciliation –whether political, economic, academic, or otherwise– continue to operate behind the scenes.

4) The blurring of the electoral path and the distortion of the purpose of “Unity”: In a democracy, when the population feels betrayed by their political representatives, the option of changing them in the next electoral process remains open. However, since Nicolás Maduro came to power, that option has been denied: his government does not recognize electoral defeats that would lead to a legitimate and peaceful transfer of power. This situation has also harmed the legitimacy of the opposition political forces themselves, as it forces them to confront a series of interconnected dilemmas:

- a) If Chavismo's refusal to recognize opposition victories prevents them from bringing about political change, what is the point of continuing to vote under the same electoral conditions without somehow increasing the political cost for the dictatorship to act fraudulently?
- b) If in the face of every undermined victory, the message from opposition leadership is to avoid conflict and focus on the next election, thereby creating incentives for a new victory to also be disregarded, what purpose does that opposition leadership serve in the eyes of the people?
- c) If the message of the opposition aligns with that of the Chavismo, and if opposition candidates who manage to be elected as mayors or governors only receive resources from the public treasury to the extent that they comply with the directives of the autocratic regime, what substantial difference exists, for the voter who expects effective governance, between voting for the opposition and voting for the Chavismo?
- d) If, under such circumstances, the "Unity" operates not so much as a community of transcendent purposes but rather as a cartel, monopolizing all available options to become the only alternative to Chavismo without making an effort to respond to the people, and preventing the voting mechanism from serving citizens to express their discontent and choose a specific option, is this "Unity" truly serving the Venezuelan people? Does the "Unity" then become a mechanism for self-preservation of political parties in the face of popular rejection, contributing to hindering citizen expression and disillusionment with politics?

In conclusion: What can be done?

The Puntofijo Pact, the foundational stone on which the main democratic period in our history was built, was agreed upon after the fall of the Marcos Pérez Jiménez dictatorship, involving a small number of highly representative leaders, each heading political organizations with clear ideologies that enjoyed significant legitimacy. They reached minimum agreements regarding the rules of political coexistence, as well as the tasks of governance, in a country that at that time had a thriving oil industry that allowed for significant public spending.

It is unnecessary to explain in detail that most, if not all, of the elements highlighted in the previous paragraph, are absent in today's Venezuela. Does this mean that the current "Unity" is an incorrect path to confront the country's democratization struggle? Rather, it means that much needs to be done for our current political organizations to regain the necessary conditions to deploy an effective unity mechanism, thereby honoring our political tradition of pacts and agreements in the face of authoritarian threats. This tremendous pending task is not solely the responsibility of professional politicians but also the citizens' responsibility.

On the one hand, if our political leadership wants to regain the trust of the people, and if they want the "Unity" to achieve its maximum effectiveness in confronting the autocratic regime, it would be highly recommended that, as a first step, public debates held by parties and political leaders revolve around doctrinal principles, programmatic proposals, and issues of general interest, rather than privileging more or less covert disputes based on personal antagonisms. Likewise, it would be extremely beneficial for organizations that do not have major ideological disagreements

to unite under the same party, avoiding divisions that are useless from every perspective for the citizens.

Similarly, internal purification and timely generational change would help increase the credibility of these parties among the electorate. The unity mechanism should not serve as an excuse to postpone the necessary accountability to the citizens or to block any attempt to renew party leadership. The fact that the dictatorship distorts the electoral processes controlled by the State should not prevent opposition forces from holding their own internal electoral processes to guarantee the renewal and legitimacy of their leaders before the Venezuelan people. In the current situation, unified primaries held without the control of the National Electoral Council, which Chavismo oversees, would be a very positive step in that direction.

It is clear that the structural division within the opposition, between those sectors that tend to prioritize some form of cooperative action with the ruling regime and those that tend to reject such cooperation, complicates their joint action. However, it is important not to lose sight of the fact that this division is due to a natural plurality of perspectives, each of which reflects an aspect of reality. And despite each sector of the Venezuelan opposition accusing the other of a lack of results, the truth is that no course of action attempted so far has fully achieved the ultimate objective, although each may boast of having achieved certain partial results.

In reality, there has always been some level of basic cooperation among the different sectors of the opposition, partly because there is –or so we want to believe– a common overarching goal, and partly because this challenging cooperation has not necessarily arisen from conviction, but from necessity. Reality has

repeatedly shown that the fight against an autocratic regime like the one currently prevailing in Venezuela does not seem feasible, neither when conducted under the guidelines of the apostles of uncritical, obedient, and silent voting that ignores the conditions in which it takes place, nor from the standpoint of those who consider any electoral initiative to be utterly useless, relying on courses of action that have also proven incapable of practical implementation. At least from our point of view, reality seems to advise a difficult combination of means of struggle through the political construction of a force that will only be feasible if political organizations can articulate the urgent and profound desire for change that afflicts the vast majority of Venezuelans.

Regarding citizens who are not members of political organizations, they have the responsibility to actively participate in various aspects of political action, each according to their capabilities. This includes demanding respect for their human and constitutional rights, seeking the most accurate information possible about public affairs, engaging in national debates, and ensuring that the actions of political representatives align as closely as possible with their demands. In the context of present-day Venezuela, this implies closely monitoring the integrity of the unity mechanism, as it is a political resource that is justified in principle in the face of an autocratic system. However, it also, unfortunately, allows perpetuating the exercise of power by unrepresentative politicians and defending the interests of different sectors within the political and economic elites.

An opposition that does not oppose

Ana Milagros Parra

When looking at the political history of Venezuela from the early years of the so-called Bolivarian Revolution, one of its most notable characteristics was the pronounced dichotomy and division of society between Chavismo and the opposition. This process of social polarization intensified especially during the period 2000-2004 when various institutions (educational, religious, community-based, police, military, media, academic, etc.) and different social sectors took sides in favor of or against one of two positions: the government or the opposition¹.

The generation of those years grew up and developed in a society in conflict and divided between “the good guys and the bad guys,” regardless of which side they were on. Between the “reds” and the “blues,” between the illusion of change that was only possible if their side was in power, between the perpetuation of the new authoritarianism in the country and the fear of what was to come. Families, friends, work groups, and neighbors were engulfed in a sea of polarization, where political conversation was always present in gathering places and common areas, and

1 Mireya Lozada, “¿Nosotros o Ellos? Representaciones Sociales, polarización y espacio Público en Venezuela”, Scielo (*Cuadernos del Cendes*, December 2008), obtained from: http://ve.scielo.org/scielo.php?script=sci_arttext&pid=S101225082008000300006

one side believed that it was possible to change the government through institutional and democratic means.

Over the years, a group ensured that they would never relinquish power, and with the death of the patriarch of the regime and the need for adaptation and survival, especially after a Complex Humanitarian Emergency and waves of protests, the government of Nicolás Maduro gradually erased that duality that characterized the country's politics, turning it into a photograph full of shades of gray, making it increasingly difficult for the population to identify the actors, positions, and, above all, to point out the "guilty parties".

Venezuela is in a new stage of political conflict, with a ruler who inherited a hybrid regime (competitive authoritarianism) and turned it into full-fledged authoritarianism, or as referred to in this article, hegemonic authoritarianism. That is why there is a need to analyze its new characteristics in depth, to understand that they are not static in their way of existing, and to avoid the mistake of interpreting the new reality through the lens of the past decade. In this reality, the opposition was seen as a moderately homogeneous bloc with actors pursuing the same goal: achieving a change of government. Currently, everything is shades of gray. The situation is not that simple.

This text does not aim to delve into the complexity of this new stage but rather to focus on two aspects that allowed its consolidation: The difference between the Chávez and Maduro regimes, and the techniques used by power against the opposition to gradually turn it into an opposition that does not oppose.

Background

The era of Hugo Chávez in Venezuela was a period of political and social transformation, which saw the emergence of a strong opposition, primarily characterized by its rejection of the Chavista government's centralization policies and its authoritarian governance style. This opposition comprised a wide range of groups, including political parties, civil society organizations, business leaders, and student groups, who sought a change in the country's direction and feared the path on which their nation was heading.

It is important to note that the claim that the opposition and Venezuelans "never did anything" to change the government is far from reality, and within that narrative, there's a manipulation by a regime that strengthens its control strategies and justifies popular frustration. The is not to imply that the opposition was flawless and free of errors; nor is it to suggest that the government bears sole responsibility for the unsuccessful attempts at democratic transition. It is necessary to consider a complex causality where nuances exist, so discarding dichotomous views is a priority, as they cloud the overall understanding of the situation. The Venezuelan political landscape is unpredictable and constantly changing, with a regime that gradually mutates and evolves in its techniques of manipulation and control.

However, while the opposition group coordinated attempts at civil resistance and used all available institutional methods within the already battered Venezuelan democracy, they witnessed a government responding by intensifying its authoritarian processes, refining its strategies against the population and the opposition, and mutating to survive and remain in power. With a dying Chávez pointing out with his finger who the "people"

should choose as his successor, it was the final proof that only vestiges of democracy remained.

To better illustrate the Venezuelan opposition's attempts to bring about a change of government, the following are mentioned as the most decisive milestones:

Civic and oil strikes and coup d'état

Margarita López Maya describes the major milestones of the beginning of the century as follows:

Between late 2001 and January 2003, six confrontations took place in Venezuelan society between the government and the opposition. In December 2001, the confrontation led to a civic strike, the first of four, which was met with the hardening of the presidential discourse and threats from government party leaders against the democratic order. From then on, polarization and confrontation intensified, culminating in the second civic strike in April 2002, which served as a prelude to the coup d'état on the 11th. With this coup and Chavez's return to power 48 hours later, the depth of the Venezuelan sociopolitical fracture was revealed, and a political crisis ensued. The dialogue, negotiation, and agreement initiatives attempted in the following months did not produce significant results. In that December, an impasse was reached once again between the two blocs, leading the opposition to organize a fourth civic strike, which, like in April, resulted in an insurrectional situation².

2 Margarita López Maya, *Insurrecciones de 2002 en Venezuela. Causa e implicaciones*, (CLACSO, 2003).

The recall referendum of 2004

In August 2004, the opposition organized a petition to call for a referendum to revoke Chávez's presidential mandate. Over 2 million Venezuelans signed the petition, and the referendum took place in August 2004. Although the referendum's result favored Chávez, the opposition won 40% of the votes, demonstrating their electoral strength and popular support, once again highlighting the country's polarization.

The presidential elections of 2012/2013

In October 2012, the opposition presented Henrique Capriles Radonski as their presidential candidate to challenge Chávez in the presidential elections. Chávez won the election, but shortly after his victory, he passed away, leading to another presidential election between Capriles and Maduro. The result was a victory for Maduro, amidst protests of electoral fraud.

The 2014 protests

In February 2014, a series of protests began throughout the country against the government of Maduro, who had assumed the presidency after Chávez's death. The protests were called for by students and civil society, and were violently suppressed by security forces. The protests continued for several months and resulted in the death of over 40 people. The repressive and dictatorial nature of the government became increasingly evident.

The legislative elections of 2015

In December 2015, the opposition achieved a historic victory in the parliamentary elections, obtaining a qualified majority in

the National Assembly. The opposition's victory was a blow to the government of Maduro, who had been reelected in 2013.

2017 protests

The protests began in April 2017 after the Supreme Court of Justice (TSJ) issued a ruling dissolving the National Assembly, which was controlled by the opposition. This, combined with the country's economic collapse leading to one of the highest inflation rates in the world, prompted people to take to the streets to demand the restoration of the legislative power and denounce the growing government repression.

The government's response to the protests was violent. Security forces used tear gas, bullets, and other methods to disperse the demonstrators, leading to numerous violent clashes. It was reported that at least 125 people were killed during the protests. The world's attention turned to Venezuela due to the blatant human rights violations during the protests and the escalating humanitarian and economic crisis.

Proclamation of Juan Guaidó as interim president

The leader of Voluntad Popular assumed the presidency of the National Assembly elected in 2015, and later used his position to drive a new wave against the government, this time more institutional and focused on international support. It was one of the most challenging moments for the government. In the end, they survived.

Among the mentioned milestones, it is important to emphasize the legislative elections of 2015, as it was the decisive turning point in the process of autocratization of the

Venezuelan government system: It transitioned from a *competitive authoritarianism* to a completely closed and *hegemonic* one. The following section defines and characterizes each one:

Types of political regime

Competitive authoritarianism

In competitive authoritarian regimes, formal democratic institutions are considered the primary means to obtain and exercise political authority. However, rulers violate democratic rules so frequently and to such an extent that the regime fails to meet the conventional minimum criteria for democracy. The rulers in these regimes violate democratic norms enough to create an uneven playing field between the government and the opposition. Although elections are held regularly, and usually without massive fraud, rulers systematically abuse the media, harass opposition candidates and their supporters, and in some cases manipulate electoral results. Journalists, opposition politicians, and other government critics can be spied on, threatened, harassed, or detained³.

In this type of regime:

1. The ruling party or coalition dominates the state, uses state resources for its own benefit, and relies on state institutions such as the police and judiciary to harass, intimidate, or even imprison political opponents.

3 Steven Levitsky and Lucan A. Way., "Elections Without Democracy. The rise of competitive authoritarianism", *Journal of Democracy*, 2002.

2. The opposition enjoys limited political rights and freedoms, and is often subjected to arbitrary detentions, harassment, or physical violence.
3. Civil society and the media are often co-opted, repressed, or subjected to censorship, making it difficult for the opposition voices to be heard.

According to the above, it can be affirmed that a) the Venezuelan regime could be broadly classified as competitive authoritarianism, and b) it did not meet the minimum parameters to be considered a democracy, not even a “flawed democracy”. While formal democratic institutions are widely considered the main means to access power, its leaders’ increasing abuse of the Venezuelan state gives them a significant advantage over their opponents.

Under Chávez, Venezuela frequently held periodic and multiparty elections that, in general, appeared to be free and fair. The electoral façade gave them legitimacy to govern the country arbitrarily under the pretext of the “will of the people”. However, in 2015, a few years into Maduro’s government, the excuse for popular power through elections ceased to be viable. The government became vulnerable and needed to manipulate the tentacles of the State and its institutions to remain in power, obstructing the Legislative Branch and leaving the 2015 elections as the last electoral event where the population could effectively choose.

They made sure to close any avenue for the opposition to reach power institutionally, resulting in a consolidated and hegemonic authoritarianism.

Hegemonic authoritarianism

In this type of authoritarianism, “there can be a formally recognized political authority that assumes almost all political power. Despite having experienced processes of political liberalization, such as the recognition of political pluralism, only the parties or candidates associated with the ruling power have a real possibility of accessing public positions and institutions. Therefore, elections, although they may be pluralistic, exclude the opposition and are thus not competitive. Likewise, rights and freedoms are highly restricted and continuously subject to threats from the authorities. Certain ethnic, religious, and regional groups may be marginalized in terms of civil rights, and significant conflicts may exist in some of these areas”⁴.

Therefore, hegemonic authoritarianism is understood as a type of authoritarian regime in which a single political party or coalition dominates the political system and controls all aspects of political life but allows a certain level of opposition and civil society participation. This type of regime combines formal institutions such as elections and courts with informal networks of power and influence that operate outside of these institutions, enabling the ruling party or coalition to maintain control over the political system and society as a whole.

The key characteristic of hegemonic authoritarianism is the “dual structure of power” created by the ruling party or coalition. This dual structure includes formal institutions such

4 Inmaculada Szmolka Vida, “Los regímenes políticos híbridos: Democracias y autoritarismos con adjetivos. Su conceptualización, categorización y operacionalización dentro de la tipología de regímenes políticos”, *Revista de Estudios Políticos*, Universidad de Granada, 2010.

as elections and courts, as well as informal networks of power and influence operating outside of these institutions⁵. The ruling party or coalition utilizes this dual structure to maintain control over the political system and society as a whole, allowing them to implement all the “playbook” strategies against anyone who opposes them, even within their own ranks. The current government of Nicolas Maduro in the country serves as the best example of this phenomenon.

What explains, then, the evolution of the regime type in Venezuela? What role does the opposition play?

The change in the game’s rules for an opposition that was never prepared for the authoritarian and repressive political system transformation is relevant to explain the shift between types of authoritarianism in the country. While the government found ways to keep its coalition strategically united against any threat, the opposition struggled more and more to unite in order to confront the sole adversary. It is for this reason that, upon recognizing the weakness of a fragmented opposition, the government⁶ implemented traditional strategies of division, which are explained below:

To mitigate the persistent threats that cannot be eliminated through free elections, authoritarian regimes have two strategies up their sleeve: repression and cooptation. These strategies are not mutually exclusive, but rather the political context determines

5 Guillermo O’Donnell, *El Estado Burocrático Autoritario* (Editorial Belgrano 1982).

6 Both Chavez and Maduro, but in the article, the focus is on the government of Maduro.

the manner and aggressiveness with which one or the other is applied⁷.

Repression: Repression is perhaps the most obvious survival strategy in authoritarian or dictatorial regimes. It is fundamental and constitutes part of their nature and way of governing. It is a form of sociopolitical control the authorities apply against those who engage in activities or hold beliefs that the regime perceives as threatening to political order⁸. This is effective as it increases the costs of opposing the government, making disloyalty the least attractive option. Governing through fear.

Repression comes in many forms depending on the ruler's purpose; the two main categories are *a)* repression of empowerment rights and *b)* repression of physical integrity rights. The first form of repression targets civil liberties: censorship, restrictions on civil associations, and other actions that typically affect the general population. The second form of repression primarily affects individuals and is the most severe: torture, forced disappearances, and increased political prisoners.

Nicolas Maduro has been accused of human rights violations through the worst type of repression, systematically carried out within his ranks. However, currently, the following type of strategy predominates due to the government's need for an institutional facade in front of the international community.

7 Erica Frantz and Andrea Kendall-Taylor, "A dictator's toolkit: Understanding how co-optation affects repression in autocracies", *Journal of Peace Research*, 2014.

8 Robert Goldstein, *Political repression in Modern America: From 1870 to the Present*, (Cambridge, 1978).

Cooptation: Cooptation is defined as the intentional extension of government benefits to opposition elites by autocratic leaders in exchange for their loyalty, acquiescence, or cooperation. Autocrats coopt opposition party leaders by providing them access to patronage resources, appointing them to key political positions, and/or granting them limited political concessions. In return, opposition leaders are expected to cooperate with the rulers by supporting their political initiatives and refraining from undertaking collective actions against the regime⁹.

Accumulating loyalties through cooptation is instrumental in maintaining political order, as repression comes with its costs and increases popular discontent, becoming a breeding ground for protests. Therefore, “encapsulating” opposition groups (political parties, business federations, significant segments of the population) is important because it allows the autocratic regime to control them so that, in any circumstance, especially when they feel destabilized, they can be used in their favor and help improve their image. Cooptation is particularly effective when these groups are integrated into state institutions.

Cooptation is insidious, as coopted opposition members often remain within their parties while following a conciliatory line in line with the objectives of the authoritarian regime. Many of them have their own parties, which, in exchange for the aforementioned benefits, are allowed minor public positions that do not threaten the stability of the government in power. Over time, this leads to different “oppositions” that differ in their objectives. This is how authoritarian regimes manufacture an opposition that does not truly oppose them.

9 Berker Kavasoglu, *Opposition Parties and Elite Co-optation in Electoral Autocracies*, (V-Dem Institute, University of Gothenburg, 2021).

Having discussed the two predominant strategies of authoritarianism, it is important to emphasize the current reality in Venezuela. The objective of the article is to highlight the contrast between an opposition that once confronted the regime and the current opposition, which has been driven into a kind of clandestinity, with many covertly coopted faces, while there are other parties and leaders who are openly aligned with the regime. With Venezuela entering a new political phase, there is an opportunity for opposition regrouping, albeit in a much more limited and dangerous context where distrust prevails, and the tools for opposition become increasingly perilous. Adding to this is the population's apathy, as they do not see true representatives in the opposition, and the government propaganda attempting to sell a stability and economic boom that is far from reality.

Perhaps the most vocal opposition currently is the one that does not truly oppose, but the discontent among the people longing for freedom is growing. The opposition will hold significant untapped political capital, waiting to be harnessed honestly and responsibly.

The Elephant and the Truth

Julio Borges

We live in an era where more and more decisions seem to be driven by visceral sentiment, prejudice, and labels rather than reflection. My intention is not to add more noise to what already exists, but to try to understand what underlies an increasingly polarized and divided world; a world where the word “truth” has either been emptied and turned into something invisible or transformed into a highly uncomfortable word that needs to be destroyed.

I don’t believe that classifications of right versus left, progressive versus conservative, underdeveloped versus developed, or even democracy versus totalitarianism can capture the underlying problem.

A simple, yet accurate way that I have always used to get to know someone, is by asking them whether or not they believe that truth exists. I believe that this basic question can reveal much more than any of the labels we live with, which are usually limited to proclaiming, “that is your truth, but I have my truth, and all truths deserve respect”. It is upon this debate that I would like to elaborate in the following lines.

A civilization crisis

The atmosphere of global chaos that has been brewing for decades is fundamentally a crisis of the notion of truth. As

expressed by C.S. Lewis in his article “The Poison of Subjectivism”: *Before the arrival of Hegel, the majority of the philosophical tradition agreed that one could access a degree of truth whose nature was immutable. Accidental truths change over time, but the essence of our nature, for example, as human beings, is immutable. Even though the human heart can change over time, the laws of causality do not. When poison becomes fashionable, it does not cease to poison*¹.

Building a civilization under the premise that truth does not exist or that everything can be true is a highway to self-destruction. However, this trend of the impossibility of truth is overwhelmingly expressed today in every corner of public opinion, and we can simplify it as the belief that outside our own minds, no truth binds and obligates us. This view has come to dominate all expressions of society to the point of legalizing relativism, even in the United States Supreme Court. Astonishingly, in the case of *Planned Parenthood v. Casey*², Justice Anthony Kennedy established that at the heart of liberty is the right to define one’s own concept of existence, of meaning, of the universe, and of the mystery of human life.

As we can see, we are simplistically faced with two options, black or white: either there is a truth to be discovered outside of our own minds, separate from our likes and feelings, as has been defended since Plato, or, on the contrary, truth is something that each individual defines, even to give meaning to the world and human life, as Justice Kennedy declared.

1 C.S. Lewis, *El veneno del subjetivismo*, 1943.

2 *Planned Parenthood v. Casey*, 505 U.S. 833 (1992).

How did we get here?

With the arrival of scientific modernity, with Descartes and company, the notion of truth was limited to the notion of certainty. Truth is what is certain and mathematically verifiable, for example, through physics: the acceleration due to gravity will always be 9.8 meters per second squared, or through chemistry: water will always be two hydrogen atoms and one oxygen atom. The truth is what is certain and mathematical; anything outside of mathematical certainty is mere words.

By believing that science is the only path to truth, we start abandoning the other path of over 2000 years of human tradition, which sought to deeply comprehend truth by understanding reality beyond the certainty of science and mathematics.

Adopting the position that truth is exclusively scientific certainty and that everything else is subject to individual preference leads to amputating and reducing our value as human beings. Let's see: when C.S. Lewis expresses that *truth is what is beyond and within ourselves*, he expresses the same sense as Saint Augustine when he asks God, "*Let me know myself and know you*". This self-knowledge, which stems from the same thread as Socrates' "know thyself," does not mean that Socrates, Augustine, or Lewis are inviting us to consider that there are two types of truths: 1) the truth that I wildly and sovereignly discover within myself, as expressed by Justice Kennedy, and 2) the mathematical truth of the sciences. It is a different dynamic: to the extent that I can read in reality, in addition to the mathematical order of science, that there is an order in the universe that I do not fabricate, but rather must discover and decipher, to that same extent, I am capable of discovering myself as part of that order, as a dignified person, that is, as a unique and irreplaceable individual, the owner of

my freedom, but at the same time the possessor of a nature and purpose beyond myself and deep within me. In other words, I am part of that order, and reason and my conscience in the innermost part of myself are the doors that open to the entire universe and to others; they are not a dark room where the meaning of the world is manufactured.

As C.S. Lewis reminds us, the search for truth consists of going beyond truth as adequation/conformity³ and achieving a comprehensive understanding of reality. This implies trying to see reality from different perspectives. Truth is much larger than the simple here, and now that surrounds us at this moment. For Lewis, truth as adjusting is about reality, it reflects reality, but it is not reality itself. Let's replace the word "truth" and use the word "science" to understand it better: science is about reality, it reflects reality, but it is not reality itself, there is something beyond and greater than the data of science. To attain a comprehensive sense of reality, we need not only truth as adequation/conformity, and science but also other paths such as imagination, faith, and myth.

3 Truth as adequation is the classical thesis of common sense that defines what truth is. Maritain (*Introduction to Philosophy*, II, 4) summarizes the tradition clearly: Knowledge consists of a conformity/ adequation between my understanding and the reality that surrounds me. Truth is that which aligns what my mind perceives with the reality outside of my mind. I look out the window and see and perceive a tree on the street. The tree is true and real. The important thing is that, from this perspective, reality is the cause, source, and measure of intellectual truth. In other words, there exists a real world outside of my mind. This may sound obvious, but an important part of philosophy, with respectable arguments, argues the opposite: there is no tree outside or the tree is more of what I fabricate in my mind than what objectively exists outside of my mind.

Truth and Reason

An important part of the problem regarding truth lies in how we value reason in order to comprehend reality. Does reason lead us to truth? Modern and postmodern thinkers have radically questioned the human capacity to deeply understand reality. Modern thought reduced reason to a mere scientific calculator of means to achieve ends, and in the case of postmodernity, frustrated by the modern scientific worldview, reason has been further diminished. If reason was once seen as a calculator, postmodernists view it as a flickering candle that can only weakly illuminate the fleeting here and now of a subject within their culture, without the capacity for universal thinking. Therefore, we can summarize our discussion as follows: the crisis of truth is largely a crisis of how we understand reason. According to modern thinkers, we are merely calculators, while according to postmodernists, we are shortsighted individuals in the darkness. Both views lessen the power of reason.

What's important is to reposition reason as a starting point to open ourselves to reality. As Mariano Fazio expresses, there are two ways to conceive reason: *one open to transcendence and another closed to immanence*⁴. We are not simply a calculator of means to achieve ends, as modern thought believed, nor are we a small candle deciphering shadows in the middle of the night, as postmodernity suggests. We need, as reiterated by Ratzinger time and again, a broad reason, that is, a reason open to transcendence and capable of grasping and valuing truths of existence that can never be isolated in a test tube or under a microscope, nor fabricated out of nothing within our own minds. We are referring

4 Mariano Fazio, *Secularización y crisis de la cultura de la Modernidad*, obtained from: <https://www.unav.edu/documents/58292/7179289/2.+V%C3%81ZQUEZ+DE+PRADA.pdf>

to self-evident truths of life such as justice, the dignity of every human being, beauty, love, or the meaning of existence. That broad aspect of reason is what the medieval thinkers called *Intellectus*, the eyes of the mind, which allows us to see truths that are evident in themselves. According to the medievals, reason has two components: *Intellectus*, which intuitively grasps these great principles, and *Ratio*, which is subordinated to *Intellectus* and deals with the capacity to calculate means for practical ends. Some simple examples that are still questioned help us understand these intuitions of *Intellectus*: parents must take care of their children and children must take care of their parents, violating is wrong, beauty is preferable to ugliness, or I can give my life for a friend or for my country. From the modern era, primarily from Descartes onwards, the decision was made to close off this part of reason, considering it imprecise and uncertain compared to mathematics. However, history has taught us that without this broad reason, capable of appreciating and valuing life beyond our immediate concerns, human beings end up lost in the nihilism that dominates life under the apparent happiness of photos and filters, celebrities, serotonin inhibitors, fentanyl, and likes on social media. Life withers away when it comes to the grand themes that are not the object of the sciences and technology.

Nihilism, nothingness, is the most direct consequence when it is assumed that truth does not exist. As expressed by one of the leaders of postmodernity, Gianni Vattimo, *the focus is not on verifying what objectively exists, as is the case with adequation, but rather on agreeing, reaching a consensus on what is being discussed under a rhetorical horizon of truth*⁵. In other words, a postmodernist like Vattimo will say that in the end, truth is what we all agree it is because there is no truth outside of ourselves. But what is

5 Gianni Vattimo, *El pensamiento débil*, (1988).

more serious is that Vattimo will argue that this agreement is not constructed through logical arguments, but through pure seduction. Since truth does not exist, neither does logic; only the seduction of rhetoric exists, according to Vattimo. In short, whoever tells the best story in the most attractive way, whoever posts the best content, gets the most likes, and gains the most followers, is the one who determines what is true and what is false in the world. It is a truth without any pretense of going beyond the here and now, always remaining provisional. It is a truth with a lowercase “t” tied more to our gut than to our head. Truth is what I like, falsehood is what I don’t like.

Are Vattimo and Justice Kennedy right?

Surely, at this point, many of you will say: “What Vattimo and Justice Kennedy think is true, subjective freedom is the truth. Each person is free to feel and interpret what is true and what is false!” However, I must caution you before rushing into this choice. Let us consider what implications this way of viewing existence has for social life and politics. If we accept that our reason is weak, not universal, or merely a limited calculator with few functions, to the same extent, human life is reduced to something more resembling a confused herd than a dignified and strong individual who has the right to rise above time and space through reason and emotions⁶.

6 When I speak of emotions, I do so in a radically different way than feelings. I refer to emotions as that experience that moves us, makes us tremble, and puts us in tune with something good like beauty or something bad like injustice. Emotions place us, they capture not only our minds but also our hearts, focusing us on something that is good or bad, something that needs to be evaluated, that matters. I use the term “feeling” to refer to the subjective, the instinctive, the visceral, the gut reaction.

Vattimo's postmodern view of truth clearly expresses his Nietzschean heritage and represents not a strengthening of personal freedom but its reduction. Nietzsche inaugurates an era of interpretive plurality in a relativistic landscape where nothing is true or untrue. There are no facts, only interpretations. Truth, for Nietzsche and Vattimo, is merely interpretations (hermeneutics), and it is the only way to access a truth that is constructed by the individual and not discovered outside the subject. Truth is subjective interpretation; *it is not the conformity of the mind with an objective datum of reality, but an ephemeral and changing response to any fact of life, a constant shifting from one sign to another without accessing the thing in itself*⁷. Ultimately, this is the nihilism embraced by Vattimo: *the end of belief in an objective reality with its structures attainable through thought*⁸. It is, as Ratzinger critically puts it, the subject locked in a room full of mirrors.

Thus, truth and interpretation are necessarily linked as a result of these postmodern considerations in a very peculiar way. Truth is what is interpreted as useful for life, that which empowers and resolves it most conveniently. Vattimo argues in favor of this view, stating that *those who fail to become autonomous interpreters in this sense perish: they no longer live as individuals, but merely as numbers, statistical units within the production-consumption system*⁹.

However, I understand it differently. Let's take a closer look: this gloomy portrait that Vattimo warns about could be the unintended result of his own postmodern ideas. From the moment nihilism leads to denying any possibility of objective knowledge or

7 Gianni Vattimo, *Diálogo con Nietzsche*, 2002, obtained from: <https://ebiblioteca.org/lecturas/?/v/133813>.

8 Ibid.

9 Ibid.

value, that void can be filled by utilitarianism¹⁰ through the law of the strongest. With the impossibility of knowing something true or having a binding value that obliges us, the only criterion becomes the choice of what is most useful for the arbitrary purposes of those who hold more power: the superman, the superior race, the state or the single party, the imposition of lobbying.

At this crucial point, Ratzinger would argue to Vattimo and postmodernity that if truth is not an inherent value, if truth is not pursued as something intrinsically good, the only measure for knowledge will be calculation and benefit. Therefore, truth does not have value in itself, but it is valued based on someone's agenda: *If man cannot properly know truth, but only the usefulness of things, then consumption will be the sole parameter for all actions and thoughts, and the world would be reduced to material for construction*¹¹.

In short, the individual ceases to be a subject with dignity and becomes malleable material under the will of control and domination of any tyrant, technocrat, or influencer. Let's imagine a world where justice means whatever "the president" decides; a world where truth is whatever the ruling party feels like; a world where the powerful determine what is good. That is nihilism, what happens right after I say no truth binds and obligates us all. Human dignity disappears in the local, the contingent, the fleeting, as it cannot be rooted in a more universal and unquestionable essence. If freedom means doing whatever I want without being rooted in any truth, then Hitler or Maduro have arguments to do as they please.

10 We use utilitarianism in the sense of prioritizing utility over any other value when making choices.

11 Joseph Ratzinger, cited by Eslava, 1993b, p. 37.

To summarize once again: by attempting to separate truth and freedom, human dignity is left at the mercy of whatever is useful to any tyrant, be it political, technological, or communicational, who seeks to fulfill any whim. The crisis of truth, more than being a crisis of misunderstanding reason, is also a crisis of misunderstanding freedom.

What is true in human beings

Therefore, we must understand that the antidote to utilitarianism is respect for what is true in human life, that which has inherent value, that cannot be bought, sold, or rented. Contrary to what the postmodernists believe, without truth, it is impossible to fully exercise human freedom because everything is reduced to the arbitrariness of the desires of the strongest. Truth must be a prerequisite for freedom because it is only when I accept what is true in human beings, that which does not change, that which constitutes us, such as our dignity, our right to free conscience, our inviolable human nature, our communal character, that I can be free and responsible at the same time. We are dignified individuals solely because we are free to act, and if we are free to act, we are also responsible for what we do or fail to do, and responsibility can only be measured by how committed we are to what it means to be human.

The tribunal of conscience constantly challenges us regarding this. Freedom is not about doing whatever I want; freedom is the responsibility to become as fully human as possible. The freedom of man, as explained by Berdyaev following Dostoevsky, becomes slavery *when someone rebels and tries to ignore what is above them. And if there is nothing above, the human being disappears. If freedom loses its*

*content, then man is also lost; because if everything is permitted, freedom becomes slavery*¹².

Despite the apparent freedom implied by each person being free to define their own world, meaning, universe, and life, the real consequence in flesh and bone will be the control of the strongest over the weakest, nullifying any notion of freedom. For this reason, Lewis warns that *the best way to dominate someone is to make them believe they can do whatever they want*¹³.

The passage from the Gospel of John (8:31), stating that *the truth will set you free*, indicates that only because truth exists can humans aspire to freedom once they have discovered the truth that lies beyond appearances and within our conscience. Vattimo, on the other hand, ironizes: *the truth that sets us free is true because it sets us free. If it doesn't set us free, it must be discarded*¹⁴. It is clear that for Vattimo, pure freedom implies the rejection of any bondage to a higher reference point above our desires. This equivalence of freedom as the elimination of constraints dangerously aligns with conceptions of freedom as a mere revolutionary break from all established authority, as expressed in Marxist interpretations of freedom as anarchy, once again the law of the strongest. This narrow conception of truth ends up being more weak than illuminating. In the words of John Paul II, *once truth is taken away from man, it is pure illusion to pretend to make him free. Indeed, truth and freedom either go together or perish miserably together*¹⁵.

12 Nicolas Berdiaeff, *El credo de Dostoievski*.

13 C.S. Lewis, *La abolición del hombre*, 2016.

14 Gianni Vattimo, *Ecce Comu: Cómo se llega a ser lo que se era*, 2009, obtained from: <https://es.scribd.com/document/189231223/183963534-Vattimo-Ecce-Comu>

15 Juan Pablo II, *Encíclica Fides et ratio*, 1998, obtained from: https://www.vatican.va/content/john-paul-ii/es/encyclicals/documents/hf_jp-ii_enc_14091998_fides-et-ratio.pdf

How to rediscover meaning?

The world after the fall of the Berlin Wall has experienced, up until today, an emptying and general discrediting of political doctrines. In many past and present contexts, the debate over ideas has fueled the fury of passions and political hypersensitivities. The problem of distortion of values leads to a false freedom that conceals, behind hermeneutics, the law of the strongest. This is the enormous danger of a postmodernity that disregards any relationship between truth, freedom, and human reality. Both Nazism and Chavism were movements that promised a transformation and reinterpretation of truth through a new way of telling history, sweeping away the status quo, or applying justice. They promised to redefine all traditions and history as oppressive, eliminating truth because the revolutionary event possesses its own truth derived from its “free” interpretation of reality, which has resulted in oppression, violence, millions of murders, and millions of displaced individuals. If truth is disregarded, there is no real democracy, only the monopoly of how to understand reality by the current Hitler, Putin, or Maduro, as masterfully taught to us by Orwell in 1984: *Who controls the past controls the future; who controls the present controls the past.*

There are no individuals, only a mass to mold and use

Fortunately, the great thinkers of humanity, such as Plato and Aristotle, Augustine and Thomas Aquinas, and more recent authors like Lewis or Chesterton, teach us that the best philosophy is that of life and common sense. When speaking of truth, we do not refer to imposition, dogma, or fundamentalism. We are referring to the existence of a small island of truths in a sea of opinions and relative perspectives that allow us to anchor truth in reason and freedom, which is not mere oppressive subjectivism but the

capacity for the transcendent and the universal. St. Augustine explains this reality of truth in a simple and unsurpassable way: If both of us see that what you say is true, and both of us see that what I say is true, where, I ask, do we see it? Certainly not in you within me, nor in me within you, but both of us see it in the same unchanging truth that is above our minds.

Now, to reach that place above our minds where truth resides, it is possible to follow different paths that are not mutually exclusive: science is one path, faith is another, reason is another, intuition is another, hermeneutics is another, myth is another, and so on, opening different paths to the same destination. The problem arises when one wants to assert only one path, outright excluding all others. At that moment, it ceases to be a path to truth and becomes an ideology.

Finally, the elephant

To conclude, how can we begin to address this crisis of truth? Firstly, it is important to understand that these different paths to truth are complementary and do not imply a relativization of truth. Rather, truth can be observed and reached from different angles and perspectives without embracing a relativistic stance. Perhaps the human drama lies not in the absence of truth, but in an overabundance of truth.

Additionally, the pending task is to broaden and widen human reason. To reclaim reason's capacity to perceive principles that do not require eyes but are self-evident, serving as the foundation to demonstrate human truth by rescuing the beautiful, the good, the true, the worthy, and the free in an era filled with disenchantment and emptied of meanings and purpose. Life has ceased to be an

adventure and has become flat, which is why escapism from the mundane has become the norm rather than the exception.

Rescuing the meaning of existence and truth may seem daunting and abstract, but it is not at all. On the contrary, it is a simple decision about how to live and approach daily life with awe, passion, and a sense of transcendence towards truth, focusing on the small things rather than grand treatises or books. Rescuing life is rescuing truth, and rescuing truth is rescuing life. Truth liberates; it does not oppress. Responsibility liberates; it does not oppress. Truth, beyond the realm of sciences, enlarges rather than diminishes existence.

There is a story that Ratzinger recounted in a conference at the Sorbonne¹⁶, which reflects the situation of the modern human being: One day, a king from northern India gathered all the blind inhabitants of the city in one place. He then brought an elephant before them and allowed some to touch its head, saying, "This is an elephant." Others touched the ear or the tusk, the trunk, the leg, the rear, or the hairs of the tail. Afterwards, the king asked each person, "What is an elephant like?" And based on the part they had touched, they answered: "It is like a wicker basket," "It is like a container," "It is like a plowshare," "It is like a deposit," "It is like a pillar," "It is like a pestle," "It is like a broom"... Then, as the parable continues, they began to argue and shout, "The elephant is like this!" "No, it's not! It's like this!" until they started throwing punches at each other, much to the king's amusement.

16 Joseph Ratzinger, *¿Verdad del cristianismo?*, conference, The Sorbonne, Paris, 1999, obtained from: <https://rsanzcarrera.wordpress.com/2012/09/11/conferencia-del-card-joseph-ratzinger-en-la-sorbona-de-paris-27-de-noviembre-de-1999/>

Our current world, like the king who finds amusement, wants us blind, unable to think of the entirety of the elephant, but diminished and fighting over small parts that we believe represent the whole. Only the possibility of truth, of knowing the elephant from all its angles, will give us a full sense of ourselves, our life, its meaning, our responsibility, and what transcends us as human beings.

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