



Latin American Program | July 2019

President Nicolás Maduro of Venezuela in 2018 (left) and Interim President of Venezuela Juan Guaidó in 2019/ Photos by StringerAI and Julio Lovera/Shutterstock.com

Venezuela: Is There a Way Out of its Tragic Impasse?

Abraham F. Lowenthal and Davild Smilde*

On April 30, 2019, the Venezuelan democratic opposition, led by Juan Guaidó, attempted to mount a decisive challenge to Venezuela's authoritarian government, led by Nicolás Maduro, bringing to a head a struggle that has been ongoing since the start of this year. But the uprising did not attract support from a critical mass of senior Venezuelan military leaders, and the effort did not trigger Maduro's overthrow. Venezuela thus remains mired in a catastrophic impasse: a free-falling economy, rampant inflation, devastated productive capacity, substantial violence, intense polarization, widespread suffering, and massive emigration.

Maduro came to power in Venezuela following the death of Hugo Chávez Frías, the charismatic military officer elected president in 1998, who used the bonanza of high oil prices to win support from large sectors of Venezuelans previously not included in the petroleum largesse and to bankroll assertive international policies to advance his project of "21st Century Socialism." A year before his reelection in 2012, Chávez was diagnosed with cancer. Before Chávez assumed his new term, it became clear that he was mortally ill, and he named Maduro as his designated successor. Maduro won the presidency in his own right in 2013, in highly contested and very close elections that were generally considered reliable, if not entirely free and fair.

A downturn in petroleum prices and growing concern about violence and corruption undermined Maduro's support over the years, but he held on to power by becoming more repressive and corrupt, winning reelection in May 2018 in a vote that was boycotted by the main opposition parties and not recognized by most Western countries. His approval rating, according to recognized pollsters, fell during 2018-19 from the low 20's to the mid-teens or lower. Still, Maduro maintains the support or acquiescence of most of the top brass of Venezuela's armed forces and national police, as well as of government-mobilized vigilante units.

The organized political opposition, long fragmented by personal rivalries and lack of a shared vision, coalesced in January 2019 behind Guaidó, president of the National Assembly that had been freely elected in December 2015, with opposition parties winning two thirds of the seats. Relying on a contested interpretation of Venezuela's constitution, Guaidó assumed the interim presidency upon the end of Maduro's previous established presidential term. He justified this bold move because the Assembly, which had been stripped of almost all its power through

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Maduro's machinations, rejected the May 2018 election results as illegitimate. Following secret prior consultations, the U.S. government immediately recognized Guaidó as Venezuela's legitimate president. Very soon thereafter most South American and European governments followed suit.

In fact, however—as the events of April 30th highlighted—Guaidó and his supporters hold no territory or relevant government institutions in Venezuela, manage no government programs, and do not yet command a substantial following in the armed forces. Many governments, led by the United States, have been pressuring the Maduro authorities through tough economic sanctions. They have also tried to make considerable Venezuelan government funds abroad available to Guaidó and his supporters, but this is not so easy and the opposition is still not well financed. At least 4 million Venezuelans—more than 10 percent of the population—have left the country since 2015; as growing numbers continue to emigrate, neighboring countries have begun to resist their entry.

In these circumstances, U.S. policy has mainly been to back Guaidó's efforts, including his April 30th attempt. Senior U.S. officials have repeatedly said over past months that



Venezuela's Independence Day march called by Juan Guaidó in 2019. Photo by David Jose Pena Alarcon/ Shutterstock.

“all options are on the table,” including the use of military force, to bring the Maduro government to an end. But Latin American and European governments say they do not favor and would not participate in a military intervention. There is also very little enthusiasm for this option in Washington, except in John Bolton’s office and among a few members of Congress and others linked to elements of the Cuban-American and Venezuelan diasporas; most career military, intelligence, and diplomatic officers are highly skeptical.

To resolve the stalemate, several European and Latin American countries have called for negotiation. U.S. officials, together with Guaidó and his inner circle, have often suggested that the time for dialogue with Maduro has passed, because they feel, not without reason, that Maduro used previous negotiations to divide and demobilize the opposition. Nonetheless, representatives of Guaidó’s team conducted secret negotiations with some officials from Maduro’s government about a proposed transfer of power to an interim regime, even while encouraging the April 30th attempt to induce a military uprising. In May, the Norwegian government arranged two meetings of representatives from the Maduro and Guaidó camps. A third round is likely to take place soon.

Is a negotiated democratic transition possible in Venezuela?

Venezuela is a country with democratic political traditions and substantial natural resources; for many years it enjoyed considerable political harmony, lubricated by petroleum. After the democratic election of Chávez in 1998, however, the country moved toward increasingly authoritarian rule, though formal democratic institutions remained in place, and efforts were made to expand popular participation. Already by 2008 a number of prominent opposition leaders were barred from taking or running for office, some were imprisoned, and others

went into exile, a process that is still occurring. The checks and balances of effective democratic governance have been overwhelmed by the chavista government's interference with the judiciary, the legislature, local government, political parties, the press, and the electoral system.

Venezuela's situation is also complicated because of its almost unprecedented economic collapse. Mismanagement, corruption, the narcotics trade and violence have all taken a terrible toll. The country is increasingly influenced by diverse foreign actors—especially Cuba, China, and Russia—on which it has become ever more dependent, and the policies of the U.S. government have exacerbated its political polarization. What is more, many senior military officers have been involved in economic corruption and organized crime.

Venezuela is certainly a tough case, but some historical perspective is in order. Past democratic transitions might look inevitable in hindsight, but they didn't when they happened. Every case has its own unique characteristics, and nay-sayers generally point to them in order to suggest that negotiation may have been possible in the past, but will not be in this case because of Venezuela's intense polarization, brutal repression, the role of Cuba, and the high level of corruption of a "narco-state."

But Venezuela is not, in fact, more repressive than Pinochet's Chile, or more polarized than South Africa was under apartheid. Nor is it more constrained by its ties to Cuba than Poland was by its links to Russia. Representing Venezuela as a "mafia state" confuses more than it clarifies. Venezuela does have extensive corruption as well as government and military involvement in illicit markets, but such terms as "cartel," "mafia state" and "narco-state" overestimate the degree of articulation and coherence of these criminal networks. The

existence of criminal networks is, in fact, an important reason for trying to achieve an orderly negotiated transition under law rather than risking a chaotic collapse in Venezuela that might leave criminal elements more room to operate.

Conflicts that appeared to be irreconcilable have sometimes been resolved in other countries that were once controlled by authoritarian regimes, and these experiences are

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relevant to Venezuela's plight¹. Authoritarian regimes expend considerable energy trying to make themselves look invincible. Opposition movements become frustrated after repeated failures to replace them, often turning to radicalism and violence as non-violent strategies come to seem futile. But when it becomes apparent that a change of regime on mutually acceptable terms is the only alternative to a painful stalemate, effective local leadership, with strong international support, can sometimes forge agreements that work. The divisions within Maduro's coalition that became evident on April 30th, coupled with Guaidó's inability to gain control of the armed forces, may finally have persuaded some key people on both sides that such a negotiated transition is the only viable way forward.

The best way to test this possibility, though by no means a sure or straight shot, would be to engage in serious negotiations explicitly aimed at reversing the economic disaster, reestablishing democratic governance, and beginning national reconciliation and institutional repair. Both sides would have to accept the need to make tough compromises, and recognize that the effort might well require help from international mediators they both trust. The meetings arranged by Norway are a good start, but they will need to make progress soon to show that they are viable.

What is the best way to achieve a negotiated transition?

There is no one-size-fits-all approach to a negotiated transition, but past experiences provide some pointers about how to proceed.

Practice strategic patience. Previous transitions may look inevitable in hindsight, but they did not seem so at the time. Most were surprising; they were not easy or quick, but experienced ups and downs, zig-zags, and often major setbacks. It is understandable in such circumstances to lose heart and to consider drastic measures.

Those who seek a durable transition from authoritarian rule to democratic governance need to cultivate and exercise strategic patience. This can be hard when there is such widespread suffering. But it is self-defeating to propose desperate measures or to be passive on the

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¹ Many of the points discussed below are based on the interviews conducted by Sergio Bitar and Abraham F. Lowenthal of 13 former presidents from nine countries who played important roles in transitions from authoritarian rule to democratic governance in the 1980s and 1990s, and from their analysis of these interviews and of the extensive literature on democratic transitions listed in their bibliography. See Sergio Bitar and Abraham F. Lowenthal, *Democratic Transitions: Conversations with World Leaders* (Baltimore, MD: The Johns Hopkins University Press and International IDEA, 2015).



Demonstrator fights to avoid detention in Venezuela 2019. Photo by Ruben Alfonso/ Shutterstock.com

grounds that things could not get worse—an assertion that is almost always wrong.

Make space for negotiation. Notwithstanding widespread skepticism in Venezuela regarding dialogue with the Maduro government, at some point a transition usually requires negotiation and compromise between the conflicting parties. This in turn requires conditions

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that foster discreet conversations, even while public confrontations between the established regime and the opposition proceed full blast. Without channels for such exploration, extreme positions and irreconcilably rigid formulations tend to be reinforced, sometimes making solutions impossible.

Don't cling to maximalist positions. An authoritarian regime must be confronted, denounced, and visibly resisted, and citizens must be mobilized in the streets on occasion to challenge its repressive and arbitrary rule. But the opposition must not demand or expect too much too soon. It must accept partial and sometimes unsatisfactory advances in order

to open up new possibilities for leverage. This sometimes calls for more political courage than clinging to attractive but impractical principles. In Venezuela's case, although Guaidó's agenda of ending Maduro's "usurpation," establishing an interim government, and holding

new elections is very popular, his coalition needs to make hard choices about priorities and sequence in order to achieve these aims.

To return Venezuela to democracy, much will have to be done. The authority of the popularly elected National Assembly needs to be reestablished. The National Constituent Assembly, which Maduro created to displace the elected body, should be dissolved. Political prisoners should be freed, and some amnesties should be negotiated. The impartiality and credibility of the judiciary must be restored through new appointments of well-respected jurists. The electoral system must be reformed. Provisions should be made to ensure that citizens and parties who supported the Maduro government can participate in elections on equal terms with other parties. These steps cannot all be taken, or even agreed upon, at once. One possibility to consider, for instance, might be to agree first on releasing political prisoners, establishing a new electoral council, and inviting international observation for new elections, and then to negotiate on other points in a second round.

Give the regime incentive to negotiate.

Opposition forces must induce elements within the authoritarian regime to consider a transition. This requires credibly promising that there will be no wholesale revenge against the former rulers and their main

supporters, and that certain economic and other interests of established power centers will be respected within the rule of law. The institutional integrity of the armed forces and police needs to be assured. The individual rights of former officials must also be protected. It is not easy to reconcile such assurances with the understandable aspirations of long-repressed opposition forces, but concrete efforts in this direction have been necessary in other transitions from authoritarian rule. Vague references to eventual amnesty and reconciliation, or even broad outline proposals for legislation, are not enough. Some detailed plans must be made in close consultation with affected parties.

It may be crucial to protect the physical safety of controversial key leaders.

Establish a transitional authority that includes all sides. Finding means of interim and medium-term power sharing, rather than insisting up front on specific outcomes or even rules, is crucial to moving beyond authoritarian rule. For example, accepting General Pinochet as senator for life and as chief of the armed forces for eight years helped make Chile's transition possible. Naming members of the Communist Party as ministers of defense and the interior facilitated the Polish transition. In South Africa, Nelson Mandela's appointment of F.W. De Klerk as deputy president was one of several pragmatic steps that made possible

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an historic change. In the case of Venezuela, some key officials of the Maduro regime and of the armed forces who want to be part of Venezuela's future, key leaders of the democratic opposition, and representatives of Venezuela's private sector and its civil society must all be included in the process of conflict resolution.

Build on common ground. In conflict situations, political leaders on both sides mobilize support by demonizing their opponents while claiming the righteousness of their own cause and the inevitability of triumph. But these mobilization messages can harden positions that make negotiation much more difficult. It is encouraging that each side sent relative moderates to begin the discussions brokered by Norway, a good first step. In order to build viable coalitions that can achieve the leverage to make a transition possible, opposition leaders must find common ground and sublimate their differences and rivalries. This may require sidelining the participation of "maximalists," especially those who want to employ all means of struggle, including violence or external intervention. This was necessary in Chile, Spain, South Africa,

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Brazil, and elsewhere. By the same token, the incumbent regime must reject those who counsel or undertake harsh repression.

Project a compelling vision of a feasible future. Those who seek a democratic transition must project an attractive, optimistic, inclusive, and credible vision of the future that can help ordinary people overcome frustration and crippling fear. Negotiations should begin by concentrating on identifying and pursuing the interests all parties have in common before trying to resolve what divides them.

Craft a transitional justice process. Transitions from authoritarian, repressive, and exclusionary regimes to democratic governance require ways to recognize and document human rights violations and to strengthen the rule of law without triggering repression or revenge. Exactly how these difficult balances can be struck differs from case to case. Tough issues may not necessarily be resolved in a single step, but they can be tackled in stages over time. It is vital to work toward mutual tolerance and acceptance, even if full justice is elusive.

Recognize the legitimate role of the armed forces and police while working to establish firm civilian control. Anyone who assumed that the humanitarian crisis, international pressure, and threats of intervention would induce the military to defect *en masse* against Maduro underestimated the complex play of interests, norms, and values involved. For example, assumptions that almost all Venezuelan military officials are neck-deep in corruption—while



Empty supermarket shelves in Venezuela in 2018. Photo by Sunsinger/ Shutterstock.com

common in some circles in Washington and Miami—probably underestimate the degree to which some in the military still honor the codes of their profession.

A key challenge in democratic transitions is to bring the armed forces, police, and other security institutions under effective democratic civilian authority while recognizing their legitimate roles, their appropriate claims on some level of resources, and their need to be protected from reprisals. Taking responsibility for all security and intelligence forces and subjecting them to firm civilian control is often a protracted challenge, requiring repeated confrontations and enforced discipline for several years; it cannot be assured by simple fiat or ambiguous promises.

Leverage international engagement but ensure the primacy of domestic actors. Democratic transitions are achieved primarily by domestic forces and processes, but they have often been importantly assisted by specific international actors: governments, international organizations and coalitions, civil society organizations, trade unions, business firms and organizations, professional associations, and religious organizations and leaders. International actors clearly have their own interests and priorities, and they should not be expected or asked to resolve internal issues in Venezuela. But international actors can sometimes do a great deal to nurture and reinforce democratic transitions—patiently, quietly, and in coordination with local actors who have their own strategies. They should not try to displace domestic actors, who should take and retain the lead. International actors can exert pressures, offer incentives, facilitate negotiations, and perhaps help with their logistics. But if they become the leaders of efforts to replace a government or thwart an opposition, or try to promote prepackaged solutions, these steps might well unleash counterproductive responses and unintended consequences.

What should the first steps be?

As tentative first steps begin toward a negotiated transition, representatives from the two Venezuelan “governments” and the international community should work together as soon as feasible on specific practical problems that everyone understands are urgent, such as providing emergency food, medicine, and other basic necessities. This could go a long way toward establishing basic trust. The attempt to use the offer of humanitarian aid to provoke a split in Venezuela’s armed forces was exactly the wrong approach.

Repairing infrastructure and laying the bases for restoring the economy are also urgent steps, in everyone’s interest. They could begin soon, drawing in part on Venezuelan funds abroad that have been frozen by international sanctions and in part on international relief and investment. Alleviating the widespread misery affecting most Venezuelans is vital, not only on humanitarian grounds but also to provide space for the negotiating process, and to begin developing public support for the possibility of a negotiated solution.

Venezuelan security forces, the democratic opposition, and trusted international participants also need to focus together as soon as possible on how to reduce Venezuela’s horrific violence and to restore a level of civil order that could help Venezuelans work together. Drawing on the experience of other countries that have successfully negotiated transitions from authoritarianism to democracy could be especially helpful here.

None of these very tough challenges will be easy to resolve. Even good-faith efforts will encounter obstacles and setbacks in such a highly polarized and distrustful environment. It is very hard to conduct discreet and confidential negotiations and to fashion tough compromises in an atmosphere where so many different actors have access to means of espionage and instantaneous communication. This access allows various players to circulate highly confidential details in order to disrupt ongoing talks. But a deliberate and mutual effort to move together in a positive direction, strongly supported by the relevant international community, could begin to build on itself if both parties understand that no better alternative is feasible.

What is the role of the international community?

Whether specific international actors can be helpful in resolving the crisis depends in part on how they have weighed in so far. Some—particularly the Organization of American States and the Lima Group of nations which have withdrawn diplomatic recognition from the Maduro regime and recognized Guaidó—are not now in a good position to lead diplomatic efforts, although they can provide important political and diplomatic support. The International Contact Group—involving several European nations as well as Bolivia, Canada, Chile, Costa Rica, Ecuador, and Uruguay—is better placed to play a direct role, though it has made it clear that

it favors new elections in Venezuela. The diverse perspectives, ties, and experiences of its member countries could well be helpful.

The steps already taken by Norway present an important opportunity for a negotiated solution. Norway has substantial experience in facilitating difficult international negotiations. It aims to strengthen its reputation and influence as a peacemaker, not to take sides with one party or another. Although Norway did not recognize Venezuela's last presidential elections and has clearly called for new ones, it has maintained its reputation as an impartial straight-dealer. The Secretary General of the United Nations has also offered to provide diplomatic "good offices;" these might be helpful when the outlines of a possible agreement emerge.

Countries that are strong allies of the Maduro government, including Cuba, China, and Russia, cannot constructively participate directly in the negotiating process. Neither can countries that have adversarial relations with Venezuela, including the United States and Colombia. But they all could encourage pragmatism and problem-solving by offering advice, support, and incentives for moving toward a negotiated settlement. Achieving these goals would help China get its loans repaid, allow Russia to play a positive role, and could provide regional stability and perhaps energy security to Cuba. Cuba, in particular, could play an important role in pushing the Maduro regime toward pragmatic compromises, just as Havana influenced the Revolutionary Armed Forces of Colombia (FARC) in the Colombian peace process; a soft landing in Venezuela would be better for Cuba than a sudden and violent one.

Those international actors who want to help Venezuela achieve a transition must not apply or threaten military force. Military intervention almost certainly would be a disaster, costing lives, inflicting physical destruction, and exacerbating the regional migration crisis. What is more, even threats of military force tend to silence moderates and lead hardliners to dig in.

What is most needed now from the international community is skillful diplomacy and commitments to help the parties move toward a settlement. International actors should assure Venezuela of international assistance to reconstruct its economy and reintegrate it into international trade and investment flows; to open and monitor negotiations and the processes of transitional justice; and, if requested, to organize and monitor eventual free, fair, and credible elections. Sustained efforts along these lines will be indispensable. Too many cooks could spoil the broth, but a combination of key international actors with clearly defined roles could help produce positive results.

What is the role of the United States?

For historical and especially for current reasons, the U.S. government is not well-placed to play a major direct role in helping Venezuelans negotiate a peaceful transition. Instead, Washington

should unambiguously support concerted international efforts to help bring this about. Anyone who can encourage the U.S. government to take this approach should do so. It would be an unnecessary and avoidable tragedy if impatience, presumption, domestic political or geopolitical considerations, or the predilections of particular officials were to drive U.S. policy to undermine the negotiations. Washington's playing the role of spoiler would surely make Venezuela's future, and U.S. relations with Latin America generally, even more difficult.

Washington should not seek shortcuts or discourage the search for compromise. Its diplomats should explore, highlight, and help reinforce the interests that the United States and other international powers actually share: to see Venezuela stable and peaceful, with a recovering economy and a healthy petroleum industry. All Venezuelans, and the United States, should welcome these outcomes.

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Acknowledgments

The co-authors wish to thank each other and several readers of an earlier draft who made helpful substantive and editorial suggestions: Sergio Bitar, Michael Camilleri, Rt. Hon. Joe Clark, Richard Downie, Laura Gamboa-Gutierrez, Jane Jaquette, Celso Lafer, Daniel Levine, Tom Long, Linda Lowenthal, Cynthia McClintock, Boris Muñoz, Thomas Pickering, Thomas Shannon, Michael Shifter, Pamela Starr, Juan Tokatlian and several Canadian and Venezuelan colleagues who spoke with us confidentially.

We are especially grateful to Cynthia Arnson, director of the Wilson Center's Latin American Program, for her collegial review and comments and her publication of this Policy Brief, and to Catalina Casas of the Program's staff for expertly formatting and presenting the text in a reader-friendly way. We would also like to thank Oriana Van Praag for her revision of the translation. None of these colleagues is responsible for any errors, for which we take responsibility.



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