

INAUGURACIÓN DEL PROCESO DE NEGOCIACIÓN Y DIÁLOGO, Y FIRMADO DE MEMORANDEO DE ENTENDIMIENTO DE VENEZUELA



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Photo credit: Venezuela's government and opposition hold negotiations in Mexico City: Gobierno de Mexico, August 2021

Where Does the Venezuelan Opposition Go from Here?

Phil Gunson

As talks between the government of Nicolás Maduro and the Venezuelan opposition begin in Mexico City, it is clear that deep tensions within the opposition over fundamental issues of strategy remain. These tensions have played out most visibly over whether to participate in upcoming regional elections scheduled for November 2021, and under what conditions. At virtually the last minute, on August 31, the main opposition alliance, known as the Unity Platform, announced its decision to take part. But some smaller parties and—and more importantly—the Platform's leader, Juan Guaidó – do not share the change of heart. Failure to overcome the divisions—between personalities and over visions for political change—could hamper the opposition, along with its international allies, in the search for a peaceful resolution of the Venezuelan crisis.

The main opposition leadership under Juan Guaidó, still recognized by Washington and several allies as the country's legitimate president, has always insisted that nothing short of an early free and fair presidential election was worth pursuing. Guaidó and his mentor, the exiled political leader Leopoldo López, have publicly maintained that regional and local elections on November 21, 2021, are a sham that will only shore up Maduro's hold on power. But a dissident faction, led by former state governor (and twice presidential candidate) Henrique Capriles, pursued a different route, centered on partial accords and electoral participation. The Maduro government, more politically confident since it recovered control of parliament in the rigged December 2020 elections that were boycotted by the opposition, has encouraged gradualism by granting some key concessions—most notably a more balanced electoral authority—but has not abandoned the iron fist. The July 13, 2021, arrest of Freddy Guevara, a leading member of López's and Guaidó's Voluntad Popular party (who was released after the August talks began), served as a reminder that Maduro's repressive apparatus remains fully intact, able to arrest members of the opposition at will in detentions that seem designed, at least in part, to fracture opposition cohesion.



Until it became evident that the “maximum pressure” strategy launched in coordination with the Trump administration in early 2019 had failed, the opposition’s strategy centered on the rejection of the Maduro government’s legitimacy and the creation of a parallel government with international support. For a time, that interim government enjoyed the backing of over 60 percent of Venezuelans and temporarily consolidated the various opposition factions around the undisputed leadership of Juan Guaidó. It was a dramatic contrast to the despair and disillusionment of late 2018, when the prevailing view was that Maduro had successfully thwarted all attempts to capitalize on the opposition’s sweeping victory in the 2015 legislative elections. The question now is whether the alliance can recover and regroup around a strategy that once again mobilizes opponents of the government and offers a realistic hope of reversing the current trend towards authoritarian consolidation.

In the opposition discourse, unity is, understandably, the Holy Grail. Even those who have done the least to promote unity among the *chavismo*’s opponents proclaim it as a *sine qua non* of success; and yet there are more competing opposition parties and rival leaderships today than ever before.¹ The fragmentation that prevailed when Hugo Chávez took power continually threatens to undermine a movement that, when united, has shown itself capable of obtaining significant victories. Even the G4 parties² currently represent no more than a sliver of public opinion and the differences among them are hard to define in programmatic terms.

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To a large degree most parties are vehicles for individual politicians who are focused on winning and exercising power. The vast majority of the several dozen parties on the opposition’s lists are not much more than a letterhead.

There are two main blocs, although their boundaries run through, not between, most parties. On the one hand there are those who

have—thus far at least—mainly favored an essentially insurrectionary route to power. This has been based on the assumption that mass mobilization and, in recent years, “maximum pressure” from external powers, including diplomatic isolation, draconian sanctions, and threats of military action, would bring about a collapse of the government similar to that of April 2002,³ and/or force its leading members to capitulate. The insurrectionary “*La Salida*” (“Exit” or “Way Out”) campaign of mass demonstrations in 2014, led by Leopoldo López, was based on this approach. In 2017 it was repeated, but with support from the other main parties. It failed on both occasions. When López’s Voluntad Popular (VP) party was

¹ No less than 27 opposition parties signed an August 2020 statement refusing to take part in the December 2020 legislative elections. The announcement the following month of a “unity pact” was signed by 37 parties, and 40 backed the new “unity platform” in April 2021.

² The G4 parties, which dominated the 2016-21 parliament, are Primero Justicia, Acción Democrática, Un Nuevo Tiempo and Voluntad Popular – the latter being the party of Juan Guaidó and Leopoldo López.

³ In April 2002 Hugo Chávez was briefly ousted from power after a mass march on the presidential palace ended with a score of deaths and a demand by the military that he step down. Squabbles among the coup leaders, both civilian and military, allowed *chavista* forces to regroup and restore him to the presidency.

scheduled to assume the presidency of the opposition-led National Assembly in January 2019, due to the rotation rule among opposition parties on how to appoint the president of the legislative branch, moderates fretted that its leaders would seek “*La Salida III*.” They were reassured by the fact that VP’s candidate—Juan Guaidó—was in the moderate wing of the party. But it was López who exercised control, and continues to do so, albeit with diminished force. The “*salidista*” strategy continued to prevail.

On the other side are the gradualists, willing to accept partial victories and even some defeats, as the price of building a movement that might eventually challenge *chavismo*’s hold on power through elections that can help to mobilize social discontent. The most visible current exponent of gradualism is former two-time presidential candidate (and Miranda state governor 2008-17) Henrique Capriles. Without formally breaking with the mainstream opposition, Capriles pursued an approach with much appeal for regional and grassroots politicians who feared being left out in the cold by the abstentionist strategy of the G4 leadership. By engaging with the government, the Capriles faction and civil society organizations obtained a number of concessions. They include pardons issued in August 2020 for 110 prisoners and exiles, including some high-profile opposition activists;⁴ permission for the World Food Program to operate in Venezuela, something that began in July 2021 with the distribution of meals to schoolchildren; and a much more balanced electoral authority (CNE), which has begun to redress some of the opposition’s most outstanding grievances.

During the two years in which Guaidó occupied the presidency of the National Assembly, the policy of recognizing him as the country’s legitimate president was supported by a reasonably plausible argument. Although the constitutional basis was vague,⁵ following the rigged 2018 presidential election, Guaidó was undoubtedly the leader of the only democratically-elected branch of government at the national level. The constitutional argument, however, collapsed almost entirely with the January 5, 2021, expiration of the mandate he and his fellow *diputados* obtained in the December 2015 legislative elections. An attempt was made to extend it, via a parliamentary vote and a consultation exercise open to Venezuelans at home and abroad, following the rigged December 6, 2020, legislative elections held by Maduro. But the consultation itself did not meet the standards of a free and fair election.⁶ Moreover, opinion polls make it clear that the electorate has become considerably more skeptical of the opposition parties and their leaders.⁷ And the tremendous difficulties the opposition has faced in attempting to restructure itself suggest that Guaidó is no longer a unifying factor. Just before it was dissolved, the outgoing National Assembly reformed the statute that lays down

⁴ There are still almost 300 political prisoners in Venezuela, according to the legal rights NGO Foro Penal Venezolano. Some disparage the release of prisoners as part of a ‘revolving door’ in which some are freed others newly detained.

⁵ It hinged on an interpretation of Art. 233, which states that the head of the Assembly shall assume the interim presidency for 30 days, pending a fresh election, in the event that an elected president is unavailable.

⁶ The opposition claimed some 6.5 million people voted, but it gave contradictory figures and no independent authority was able to verify the results. The organizers/arbiters had a stake in the outcome and the questions were criticized by election observers for their bias.

⁷ Ricardo Sucre, “Se debilitan los polos políticos?” *El Cooperante*, March 10, 2021.



Photo credit: Venezuela's Independence Day march called by the Interim President Juan Guaidó to protest against torture and death of the political prisoners: David Jose Pena Alarcon, Shutterstock, May 2019

how the interim government is to be run, but the Political Council it mandated has not been set up.

In order to make progress the opposition must first recognize, at least internally, that it is time to turn the page on the 2019-21 strategy and solve its leadership crisis. Of the almost 60 countries that recognized Guaidó's interim presidency, now only seven nations, including the United States, remain firm in their recognition. Turning the page on the earlier strategy must go hand-in-hand with a restructuring of the opposition movement. Any political leadership that had so thoroughly failed in fulfilling its core promise would probably have been ousted under normal political circumstances. But so long as the current opposition leadership is able to use its external recognition (albeit reduced, now that the EU and others no longer consider Guaidó the interim president) and its qualified control of the country's external assets (including cash, gold, and the U.S. refining arm of the state oil company) to stave off any challenge, it is naturally encouraged to cling to the status quo. A formula also needs to be found whereby the interim government's assets are managed in a transparent and appropriate way, pending a solution to the political crisis. The leadership's inability to produce a convincing and documented account of how it is employing the money at its disposal undermines unity, creates distrust, and weakens the opposition's legitimacy.⁸

Steps Toward Unity

On April 6, 2021, the mainstream opposition announced the creation of a new alliance of ten parties. But the ink was barely dry before its shortcomings were being openly debated. According to some disgruntled opposition party leaders, a pact supposedly intended to

⁸ A series of scandals over alleged corruption and misuse of public funds during Guaidó's two-year tenure as president of the National Assembly were met with promises to investigate but remain unresolved.

broaden the alliance, improve the decision-making process, and reach out to civil society⁹ had barely been discussed beyond a small group around Guaidó and its operational details remained to be agreed upon. The alliance’s formal launch some two weeks later added little additional detail, although the ten original signatories had grown four-fold. When Guaidó launched his proposed “National Salvation Plan” on May 11, 2021, he included a thinly-veiled dig at Capriles; however, the latter publicly declared his support for the plan two weeks later, suggesting that behind-the-scenes moves to restore unity to opposition ranks—brokered in part by foreign governments—had had some effect.

The new plan centers on a return to the full-scale negotiations held in 2019 with Norwegian facilitation, which were abandoned by the government in protest over the US announcement of secondary sanctions. The first session was held in Mexico City on August 13, 2021, and a second from September 3-6. While the new opposition strategy contains elements of previous proposals, it does not call for Maduro to step down as a prerequisite for holding free and fair elections. It includes an offer to establish guarantees for both sides, including a transitional justice system, and to ensure the gradual elimination of sanctions in exchange for the restoration of institutional rule. From the perspective of the government, however, a free presidential election is tantamount to “regime change” and there is no indication that Maduro is willing to contemplate such a move. Moreover, there is suspicion in the Capriles camp that the Guaidó/López side is not fully committed to negotiations and is using the talks primarily as a way of retaining its hegemony within the opposition. The gap between the aspirations of the two sides remains huge: on May 26, 2021, Maduro declared that his preconditions for talks included the removal of all sanctions, recognition of the legitimacy of the current National Assembly, and the return of all state assets currently in the hands of the interim government.

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The repackaged alliance (informally known as “G-plus”, for G4 plus smaller parties, or the Alliance for Free Elections) can be seen as a tentative return to the *modus operandi* of the opposition’s most successful alliance, the 2007-16 Mesa de la Unidad Democrática (MUD). Unity candidates in the November elections will stand on the MUD ticket, after the government lifted a ban on its use. But to replicate that formula successfully would require—*inter alia*—reviving the figure of a coordinator/general secretary empowered to forge consensus. And that is something the current opposition leadership is unlikely to view favorably. The MUD, moreover, was essentially an electoral alliance, held together by the need for unity candidates in order to avoid splitting the opposition vote. It remains to be seen

⁹ The text said: “...mejorar y reforzar la necesaria articulación entre los partidos políticos democráticos y la sociedad civil...” (“...improve and strengthen the necessary articulation between democratic political parties and civil society...”)

whether a new mechanism for choosing a leadership will emerge from the return to electoral politics.

Partial Agreements: A Step Forward? Or a Sell-Out?

The elements of a new strategy are slowly emerging. Some opposition moderates are convinced that even a hard-core abstentionist like Guaidó himself will soon soften his opposition to electoral participation. The Capriles faction, along with important elements of civil society insistent on its autonomy vis-à-vis both government and opposition, have openly discarded maximalism in favor of partial or sectoral agreements with the government.

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The most important of these from the point of view of a political transition concerns the appointment on May 3, 2021, of the new electoral authority, the Consejo Nacional Electoral (CNE). Given the government's stranglehold over the National Assembly, which is charged with appointing the CNE, its composition (two of five principal rectors are

weighty figures from the opposition side) reflects a political calculation on the part of the government. But there is reason to hope that those in power will find it expedient to grant somewhat freer electoral conditions, in part because that might exacerbate the split in the opposition between abstentionists and anti-abstentionists. If, as is possible, government candidates sweep the board without the need to manipulate the vote count, a proposed electoral observation mission from the European Union might offer the government some comfort but would also help consolidate a more realistic strategy on the opposition side.

Maduro needs at least a simulacrum of competitive politics in order to sustain the argument that Venezuela is a democracy, but his bid to create a loyal opposition centered on the minority parties of the National Dialogue (MDN) and G4 breakaways (known derisively among critics as “scorpions”) proved to be a flop.¹⁰ Another significant incentive is that a more balanced CNE is explicitly regarded both in Brussels and Washington as a necessary condition for beginning to break the logjam; and it could provide an important boost to the new negotiating process facilitated by Norway. But instead of waiting to evaluate the efforts of Capriles and others in negotiating a more balanced electoral board, the Guaidó-led coalition initially resolved to reject it *ex ante* and to urge its foreign allies to do likewise. The argument is that efforts at piecemeal negotiations undermine the comprehensive talks that are required.

Building on the Opposition's Assets

As with the parties, no individual leader in the opposition—including Guaidó—can irrefutably claim the mantle of leadership. Nor is there a system that would allow a leadership with popular backing to emerge. Most opposition parties are still run either by their founders (in the case of newer parties) or by at least part of the leadership that was in

¹⁰ In a newly-expanded, 277-seat parliament, the “opposition” obtained a mere 20 seats.



Photo credit: Venezuela's Interim President Juan Guaidó speaks during a rally in Caracas, Venezuela: David Jose Pena Alarcon, Shutterstock, May 2019

place when the *chavista* era began. By agreeing to take part in the regional and local elections due to take place on November 21, 2021, the parties are increasing, albeit modestly, the possibility that a new generation of politicians may emerge. A return to the electoral path, including the holding of primary elections, is an essential part of the revitalization of the leadership at all levels, without which a democratic transition is hard to envisage. The crisis of representation in Venezuela is not confined to the issue of the legitimacy of its institutions.

The lack of a coherent, unified opposition with a viable strategy is not, of course, the only (or even the principal) obstacle to resolving Venezuela's crisis. Aside from the refusal of *chavismo's* ruling clique to contemplate reforms that could jeopardize its grip on power, a number of other factors conspire to frustrate a transition. Not only is there limited space in which opposition parties and civil society can operate, the country's descent into mass poverty and the collapse of its private sector create conditions more conducive to

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authoritarian consolidation than democratic transition. Maduro also has powerful external allies in the form of authoritarian governments that include two permanent members of the UN Security Council.

It is, therefore, vital to conserve and build upon the few assets the opposition still has. Despite the aspirations of some of its rulers, there is still some space for the opposition to mobilize in Venezuela. A key task for those international actors committed to finding a way out of the crisis is to push back against the Maduro government's further repressive steps,



such as the arrest of civil and political activists, the imposition of harsh new regulations on NGOs and the harassment of what remains of the independent media. The opposition's foreign backers—and in particular the United States—should encourage its leaders to see an autonomous and flourishing civil society not as a threat but as an essential building block for the country's return to peaceful politics and legitimate state rule. While external support for a democratic transition is vital, the solution to the Venezuelan crisis must be sought within the country.

Critical Steps for the Future

As the late Teodoro Petkoff—a former Venezuelan guerrilla leader-turned politician and newspaper editor—often remarked, the struggle to restore democracy in Venezuela is a marathon, not a sprint. Although government collapse cannot be entirely ruled out, a strategy centered on that idea is unlikely to prosper. The opposition movement is currently weak and in disarray. It needs a new strategy and leadership, which are only likely to succeed if they emerge from genuine engagement with grass-roots Venezuelan society. In turn, a focus on elections, even in the absence of equitable conditions, and on the construction of new social and political networks will be essential. Only a comprehensive political pact will ultimately lay the basis for resolving the multiple, interlocking crises that afflict the country. But the refusal thus far of the main opposition alliance to engage in, or even tolerate, efforts to negotiate partial accords with the government is unrealistic. Venezuelans cannot be expected to postpone their demands—on everything from a vaccination program to a revival of the economy—while the politicians create the conditions for negotiating such a pact. Partial accords need not imply a recognition of the Maduro government's legitimacy: they simply acknowledge the reality on the ground.

The opposition has, not surprisingly, been most effective when it has been united. Unity is not a photo opportunity but a joint commitment to a particular strategy, and in the past that has almost always involved mobilization in pursuit of electoral goals. The most promising way forward at this point would be for the main opposition alliance to recognize that it is possible to combine a commitment to an “integral” negotiated solution with separate negotiating tracks focused on specific issues—electoral conditions, humanitarian assistance, economic reform, and so on. The parties also need to formulate an appealing program, rather than simply insisting on “Maduro out!” and achieve consensus on a new method for choosing an opposition leadership—a process which would be rendered more authentic if each of the parties renewed their own. The negotiating process that began in Mexico City on August 13 remains incipient and vulnerable, but the prospect of a satisfactory conclusion is nonetheless greater than in 2019. Its credibility will depend in part on how representative the negotiators are of the society in whose name they seek to reach agreements.

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About the Author

As Andes Project Senior Analyst, Phil Gunson researches and produces International Crisis Group policy materials and conducts advocacy on political issues in the Andes region, focusing primarily on the Venezuelan political situation.

He has spent almost 40 years reporting on Latin America for a wide variety of news media, including the BBC World Service, *The Guardian*, *Newsweek*, *The Miami Herald* and *The Economist*. In the 1980s he covered the wars in Central America, and in the late 1990s he was Latin America correspondent for *The Guardian*, based in Mexico City. He has co-authored two books on the region, including a two-volume political dictionary of Latin America and the Caribbean.

