



The Illiberal Experience in Venezuela: The Transition from Representative Democracy to Authoritarianism

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Abstract

At the end of the 20th century, Venezuela transitioned from being a representative liberal democracy to becoming a form of electoral authoritarian state through a hybrid regime based on illiberal democracy. The crisis of the representative democracy paved the way for a coalition formed by groups close to the radical left and the military establishment headed by Hugo Chávez Frías, who took the electoral route, after having first tried and failed to lead a coup, to reach the presidency with popular support due to widespread social unrest, to take power in 1999. This transition was carried out, at the local level, progressively by the actions of an illiberal and revolutionary regime, as a deliberate reaction against representative liberal democracy. The paper examines the illiberal experience in Venezuela between 1999 and 2007 and its background. While it is true that illiberalism does not always create the conditions that lead to the inevitable transition to an authoritarian regime, the Venezuelan case is an example of its use in the continual dismantling of the rule of law, an increasingly common phenomenon in various countries with a democratic tradition.

Keywords: Illiberalism; illiberal democracy; representative democracy; hybrid regime; Venezuela

When talking about the authoritarian regime that was installed in Venezuela under the government of Hugo Chávez, it is often omitted that this transition was initially brought about not through violent classic means, but through an illiberal model that gradually undermined the pillars of representative liberal democracy, where institutional and legal defenses, both domestic and hemispheric, were late and ineffective in the face of this threat.

In the paper I argue that, even though since 1999 the Venezuelan political system has demonstrated authoritarian practices, it remained democratic until 2007. Certainly, it was an illiberal democracy where the main liberal elements were progressively eroded by a new regime and ideology and populist style of the leadership, while maintaining the other basic elements of democracy: elections and respect for the will of the majority. In this sense, the main objective of this article is to offer an approach to the process of the establishment and rise of illiberal democracy in Venezuela in those first eight years under the Chávez administration, based on the examination of some landmark events.

In the first part of this paper, a very brief discussion of illiberalism as a concept and as a descriptor of a certain kind of democracy will be presented, while contrasting it with its counterparts, liberalism, and liberal representative democracy, for the purpose of clarifying how these concepts are understood and how their characteristics have manifested themselves in the Venezuelan political system. Additionally, some of the illiberal antecedents in the recent history of the country will be examined. This is to aid in understanding the background of the process through Venezuela's period of representative democracy, which lasted from 1958 to 1999. Finally, some of the milestones of democratic decay between 1999 and 2007 under the Chávez administration are examined chronologically to typify how illiberal democracy progressively undermined the previous regime in three phases: (1) establishment, (2) backlash, and (3) rise.

A Brief Discussion of Illiberalism and Illiberal Democracy

In the 20th century, with the advance of the third wave of democratizations, there was a tendency to assume that democracy and liberalism should go hand in hand. In some regimes, the emphasis could be on the former, and in others, on the latter, but these two aspects were understood as a joint package that, should go together, regardless of how difficult the relationship between them might be. However, with the third authoritarian wave, which began in the 1990s, and of which studies such as the Varieties of Democracy Project (V-Dem)¹ reports, two distinctive elements can be observed. On the one hand, this wave affects several democracies that were already established. On the other hand, many of them are progressively undermined not through a classic military coup d'état, but by movements or leaders who come to power through elections and subsequently initiate illiberal projects, as Levitsky and Ziblatt argue.²

¹ The Varieties of Democracy (V-Dem) Research Project takes a comprehensive approach to understanding democratization. This approach encompasses multiple core principles: electoral, liberal, majoritarian, consensual, participatory, deliberative, and egalitarian. Each principle is represented by a separate index, and each is regarded as a separate outcome in the proposed study. In this manner we reconceptualize democracy from a single outcome to a set of outcomes. See <https://www.v-dem.net/>.

² Steven Levitsky and Daniel Ziblatt. *¿Cómo mueren las democracias?* (Barcelona: Ariel, 2018), 13, <https://doi.org/10.17230/co-herencia.18.35.14>; for the original English edition, see *How Democracies Die* (New York: Broadway Books, 2018).

In the following paper, the term “illiberal democracy” in Venezuela is understood as the hybrid regime (as described by Morlino),³ that was established and grew in the period between 1999 and 2007, when representative democracy was deliberately and progressively stripped of its main liberal elements by a new regime and ideology, while maintaining the basic element of respect for the will of the majority. In this sense, in this study Zakaria’s coining of “illiberal” as an adjective of democracy is taken into consideration.⁴ But it also takes into account some elements highlighted by Laruelle in her concept of illiberalism⁵—specifically those related to a country’s previous liberal experience, the conservative update of the vision of the nation, the undermining of trust in institutions and the rights of minorities, the rejection of supranational and multilateral institutions in favor of national sovereignty, the weight of majority criteria and the direct leader-people relationship, and the promotion of a protectionist vision of the economy.⁶

Additionally, it also addresses “illiberal practices” as pointed out by Glasius,⁷ such as interference with equal treatment under law; infringement of freedom of expression, the right to a fair trial, or the right to privacy; violations of the right to humane treatment; digital surveillance; and restrictions on nongovernmental organizations. Also, other practices outlined by Applebaum,⁸ as well as by McCoy and Somer,⁹ are examined, such as the cooptation and/or lack of independence of the judiciary and electoral power, the use of polarization and conspiracy theories, the language of nostalgia, and the coercion of changes in communication patterns.

Although some experts refer to illiberal democracies, where such regimes effectively see their liberal components reduced or eliminated, for others this is an oxymoron, holding that a true democracy cannot be understood without its liberal component. However, other authors, such as Wagrاندl, point out that the original, ancient (and at least until the 18th century) idea of democracy was itself illiberal.¹⁰ The liberal component is incorporated only later to the point of the two becoming an almost indissoluble association. Finally, unlike the most common current cases in Europe and the US, inspired by extreme right-wing streams of thought, the Venezuelan brand of illiberalism as it became established and grew between 1999 and 2007 (as with some of the cases elsewhere in Latin America) was inspired by an extreme left-wing ideology and nationalism promoted by the Armed Forces. Applebaum herself, based on

3 Leonardo Morlino, *Changes for Democracy: Actors, Structures and Processes* (Oxford: Oxford University Press, 2012), 56–57.

4 For a deeper exploration of this concept, see Fareed Zakaria, “The Rise of Illiberal Democracy,” *Foreign Affairs* 76, no. 6. (November/December 1997): 22–43.

5 For a fuller treatment of this subject, see Marlene Laruelle, “Illiberalism: A Conceptual Introduction,” *East European Politics* 38, no. 2 (March 2022), 303–327, <https://doi.org/10.1080/21599165.2022.2037079>.

6 Nevertheless, even though it denounces neoliberal orthodoxy and promotes protectionism at the nation-state level, when in power, it implements some neoliberal reforms. See Laruelle, “Illiberalism,” 309.

7 Marlies Glasius, “Illiberal Practices,” in *The Routledge Handbook of Illiberalism*, eds. Andrés Sajó, Renata Uitz, and Stephen Holmes (London: Routledge, 2022): 339–350, <https://doi.org/10.4324/9780367260569-27>.

8 Anne Applebaum, “Frente a la amenaza del iliberalismo, lo más peligroso es la apatía” (interview translated from the English original), in *La amenaza del iliberalismo: Reflexiones y desafíos para la defensa de la democracia desde cuatro perspectivas*, ed. Francisco Alfaro Pareja (Buenos Aires: Stanley Center / Coordinadora Regional de Investigaciones Económicas y Sociales / GPPAC, 2021): 13–19, <http://www.cries.org/wp-content/uploads/2022/04/Anne-Applebaum.pdf>.

9 Jennifer McCoy and Murat Somer, “Political Parties, Elections, and Pernicious Polarization in the Rise of Illiberalism,” in *Routledge handbook of illiberalism*, eds. Andrés Sajó, Renata Uitz, and Stephen Holmes (London: Routledge, 2022): 486–504, <https://doi.org/10.4324/9780367260569-36>.

10 Ulrich Wagrاندl, “A Theory of Illiberal Democracy,” in *The Routledge Handbook of Illiberalism*, eds. Andrés Sajó, Renata Uitz, and Stephen Holmes (London: Routledge, 2022): 94–118, <https://doi.org/10.4324/9780367260569-9>.

most of her work, points out that “there is no reason why there cannot be an illiberal left as there is an illiberal right.”¹¹

A Brief Historical Overview of Illiberalism in Venezuela

From the second decade of the 19th century until its end, it is important to highlight the efforts that were deployed in the form of Venezuelan constitutionalism to guarantee freedoms, constrain power, and implement legal controls to avoid possible abuses by officials and authorities. As Casal says, “often without success, it is true, but in this embryonic moment in which the republic found itself facing all kinds of adversities, including war, it is sufficient that this tension, with its concrete manifestations ... has existed to merit this assessment.”¹² However, from the end of the 19th century through the first third of the 20th century a deliberate reversal of liberal advances and freedoms was observed, with the consolidation of a long period of authoritarian rule between 1908 and 1935 that brought order under the foundation of a positivist paradigm.

Laureano Vallenilla Lanz, who was perhaps the leading political promoter behind this trend, would emphasize in 1919, with the publication of his book *Cesarismo democrático* (democratic Caesarism),¹³ that the personal prestige of the strongman could not be replaced by the impersonal prestige of laws that did not correspond to the conditions of Venezuelan society. More advanced formulas could not be imported from other countries, so he argued, because the result was the disorder and civil wars that the country had suffered during the 19th century. As Vallenilla Lanz points out:

The true character of Venezuelan democracy has been, since the triumph of independence, individual predominance, having its origin and foundation in the collective will ... The democratic Caesar ... is always the representative and regulator of popular sovereignty. It synthesizes these apparently antagonistic concepts: democracy and autocracy, that is, democratic Caesarism; freedom under a boss; the individual power arising from the people above a great equal collective ...¹⁴

As Sosa Abascal, SJ, points out, Vallenilla Lanz’s theoretical reasoning appears quite coherent and consistent when taken on his own terms: Juan Vicente Gómez¹⁵ was a historical necessity, a transitory situation demanded by the laws of the development of the history of human societies. His deeds of force constitute the cost that must be paid to advance towards civilization. However, Sosa Abascal notes that, in the end,

11 Applebaum, “Frente a la amenaza,” 19.

12 Jesús María Casal, *Apuntes para una historia del derecho de Venezuela*, Colección manuales y obras generales, no. 3 (Caracas: Jurídica Venezolana, 2019), 18.

13 Laureano Vallenilla Lanz, *El cesarismo democrático* (Caracas: Biblioteca Ayacucho, 1991).

14 Laureano Vallenilla Lanz, quoted in Arturo Sosa Abascal, SJ, “El pensamiento político positivista y el gomecismo (fragmentos) (1983),” in *Cesarismo Democrático: A cien años de un gran libro—Entre el debate político y la crítica historiográfica, 1919–2019* (Caracas: Universidad Metropolitana) 186, <https://www.unimet.edu.ve/wp-content/uploads/2022/01/Cesarismo-democr%C3%A1tico-Vallenilla-Lanz.pdf>.

15 Military leader, statesman, President of Venezuela from December 19, 1908 to December 17, 1935. According to Velásquez, during the 27 years of his stay in power, he did not vary in his customs and maintained the same routine from his time as a landowner and warrior. He was characterized by simplicity in his habits, his distrust of cliques, his direct relationships with people from all social conditions, and his ability to use in his government the personalities of greater intellectual prestige that the country had. See Ramón J. Velásquez, “Gómez, Juan Vicente,” in *Diccionario de Historia de Venezuela* (Caracas: Bibliofep Historia, Fundación Empresas Polar), <https://bibliofep.fundacionempresaspolar.org/dhv/entradas/g/gomez-juan-vicente/#tope>.

this political theory of positivism became a form of political ideology too, with both aspects coexisting both in a complex relationship.¹⁶

Here, then, is one of the first illiberal antecedents in which it is deliberately proposed, from someone very close to power, to restrict liberal and proto-democratic advances through a concrete ideological approach: only through the order of our effective constitutions is it possible to evolve, “preparing these incipient democracies ... to meet the advanced principles stamped in our written constitutions.”¹⁷ This would be in spite of the concern in practice with maintaining an appearance of legality, rotation in office, and following constitutional procedures for passing legislation (as opposed to resorting to decree powers) in the Congress during Gómez’s autocratic government. Likewise, as Coronil points out, official rhetoric remained nominally liberal, despite blatant contradictions in practice.¹⁸

Another antecedent of illiberalism, was developed during the period known in Venezuela as the *Trienio* (Triennium, or three-year period), between 1945 and 1948. Carrera Damas calls it the First Liberal Democratic Republic, when political liberties never before seen in the country were promoted through the promulgation of the Constitution of 1947.¹⁹ Among them were universal suffrage by secret ballot, proportional representation of minority parties, the separation of powers, and a prohibition on immediate consecutive presidential re-election as expressed in Article 193: “The President of the Republic may not be re-elected for the immediately following constitutional term.”²⁰ However, considering the overwhelming majority obtained by the party Acción Democrática (AD: Democratic Action) in the elections to the National Constituent Assembly and, subsequently, in the elections for president and congress, there was a turning point when the principle of majority rule was imposed, to the detriment of the interests of minorities.

Regarding this point, Urbaneja emphasizes that the political climate during the Trienio tended to rarefy due to the prevailing attitude within the AD party: on the one hand, it was aggressive towards the conservative sectors of the country (the Catholic Church) and, on the other, arrogant and sectarian towards the minority political sectors led by the parties Comité de Organización Política Electoral Independiente (COPEI: the Independent Electoral Politics Organizing Committee, a Christian social democrat party), the Unión Republicana Democrática (URD: the Democratic Republican Union, a social republican party), and the Partido Comunista de Venezuela (PCV: Communist Party of Venezuela). Finally, AD began to monopolize all the spaces of power, which generated concern among its military partners.

Juan Carlos Rey points out that, although this was an initial experiment in representative democracy, especially during the prelude years of 1945 to 1947, the principle of majority rule tended to prevail over that of liberalism when it came to the fundamental question of limitations on power between 1947 and 1948.

16 Sosa Abascal, SJ, “El pensamiento político positivista,” 186–189.

17 Valenilla Lanz, quoted in Sosa Abascal, SJ, “El pensamiento político positivista,” 186–187.

18 Fernando Coronil, *El Estado mágico: Naturaleza, dinero y modernidad en Venezuela* (Caracas: Consejo de Desarrollo Científico y Humanístico, Universidad Central de Venezuela, Nueva Sociedad, 2002), 97.

19 Germán Carrera Damas, quoted in David Ruiz Chataing, “La larga marcha de la democracia en la obra de Germán Carrera Damas,” in *Tiempo y Espacio*, July–December 38, no. 74 (Caracas: Universidad Pedagógica Experimental Libertador, 2020): 433–444,

https://www.revistas.upel.edu.ve/index.php/tiempo_y_espacio/article/viewFile/8739/5293.

20 Constitución de los Estados Unidos de Venezuela de 1947 (Caracas: Ministerio de Educación Nacional, Dirección de Gabinete, no. 1, July 12, 1947), <http://americano.usal.es/oir/legislatina/normasyreglamentos/constituciones/Venezuela1947.pdf>.

As a consequence of this dynamic, a very strong opposition made up of opposing parties, circles close to the former dictatorship, businessmen, the Catholic Church, and professional and urban sectors that felt their interests threatened by the government or that they were powerless in the face of it, was generated, and ended in a successful coup d'état in 1948.²¹ However, these illiberal practices did not result in the consolidation of an illiberal democratic regime, because this dynamic played out over a short period of time.

Liberal Representative Democracy in Venezuela (1958–1999)

On January 23, 1958, the dictatorship of General Marcos Pérez Jiménez was overthrown by a military rebellion backed by civilians. The years of the brief illiberal prelude and the authoritarian setback lasting a decade left important lessons for the political, social, and economic sectors, and even for those military personnel who aspired to a democratic regime: it was necessary to avoid repeating the mistakes of the first democratic experiment and to unite around the consolidation of a new democratic project. Unlike the First Liberal Democratic Republic (1945–1948), when majority rule was privileged by the sectarianism developed by AD, the Second Liberal Democratic Republic (to use Carrera Damas' phrasing), which was established in January 1958, has been labeled by Rey as the *Sistema Populista de Conciliación de Élités* (Populist System of Elite Conciliation). It was characterized by privileging the principle of liberalism over that of majority rule, and by a maximization of consensus among political elites and a minimization of conflict, all facilitated by the distribution of oil revenue that would increasingly become a determining factor in the governability of the country.²²

In the words of Rey, contemporary representative democracy constitutes an attempt at conciliation and the synthesis of two political currents that are not only distinct but, at times, antagonistic: liberalism and democracy. Democracy is answer to the question, "Who should exercise political power?"²³ Liberalism, on the other hand, answers a different question, regardless of who exercises power: "How is a country governed, and what should be the government's limits?"²⁴ In this sense, this model of democracy combines a complementary and complex interaction of these two traditions: respect for the voice of the majority is combined with an institutional and practical framework that does not crush the minority but, on the contrary, ensures the protection of the minority's inalienable rights. Nevertheless, Rey adds the question, "For whom is it governed?"²⁵ since the mechanisms mentioned above are not enough to define a democracy as representative if the beneficiaries of the policies and public decisions of the government are not to be the people as a whole.

The model that was established beginning in January 1958 was outlined in the Pacto de Avenimiento Obrero Patronal (Labor and Employer Relations Pact), signed on April 24, 1958, and the Pacto de Puntofijo (Puntofijo Pact), signed on October 31, 1958 by the AD, COPEI, and URD parties. According to Urbaneja, the system was based on three fundamental characteristics: (1) a sharing of state power among political parties under the premise that the people were represented through them; (2) the

21 Juan Carlos Rey, "Los tres modelos venezolanos de democracia en el siglo XX," in *La democracia venezolana y sus acuerdos en los cincuenta años de su convenio con la Santa Sede* (Caracas: Konrad Adenauer Stiftung and Universidad Católica Andrés Bello, 2015): 5–34.

22 Rey, "Los tres modelos venezolanos," 5–8.

23 Rey, "Los tres modelos venezolanos," 5.

24 Rey, "Los tres modelos venezolanos," 5–6.

25 Rey, "Los tres modelos venezolanos," 5–6.

distribution of oil revenue among various sectors of society for the achievement of major goals that were important to the country's major interest groups (the business sector, the Church, trade unions, the military, etc.); and (3) the existence of decision-making rules for allocating oil revenue to different sectors and objectives. These rules were based on an obsession with consensus and an aversion to conflict. They had one fundamental objective: to ensure the consolidation of the country's fragile representative democracy above all else in an adverse environment, with real threats emanating from different sides of the ideological spectrum.²⁶

It is important to highlight that, even though the Puntofijo Pact formally ceased to be in force in 1962 (when the URD left the unity government coalition), in a broader sense the principles of the Pact would become the basis of the policy that would guide the country over the next 40 years. The Pact, rather than depending on the parties that formally signed it in 1958, was defined by its way of doing politics: the principles it established and which became part of the structure of the political system for decades. Therefore, it was consolidated in practice as a nonviolent way of political, social, and economic coexistence.

An example of this can be seen in the way in which the process of transition, consolidation of democracy, and the drafting and approval of the new constitution was carried out. In short, the process of the discussion, drafting, and legitimization of the new constitution was framed in terms of the uniting "spirit of January 23," and in the main lines of the Puntofijo Pact's ensuring basic popular legitimacy, but prioritizing agreement among political elites. The constitution was ratified in January 1961, with the support of all political forces (including the Communist Party, which was not a signatory of the Puntofijo Pact), thus consolidating the liberal representative democratic system.²⁷

Although the parties sought to strategically avoid conflict, there were sectors with some degree of influence in society with whom there was no possibility of reaching consensus. From the beginning, liberal representative democracy faced real and violent threats in several of the governing administrations from two fundamental sectors: groups in the armed forces supportive of military government, and the radical left. Over the years, the Populist System of Elite Conciliation tended to weaken. As Rey states, when there was an adverse change in any of the basic variables of the model (such as oil revenue, efficiency in meeting societal expectations, and the representativeness of the organizations), the threats to the stability of the system could be reasonably compensated for. However, if negative changes in the three factors occurred simultaneously, the sociopolitical system could be strained to its limits. And that is what happened after the first 25 years: representative democracy began to crumble.²⁸

In the last decade of the 20th century, three variables coincided decisively in a way they had not previously. Firstly, the political system, whose foundations were based on various agreements between the country's main parties and major interest groups, had been dramatically weakened. Secondly, the discontent of the population, feeling that the governing class was increasingly distant from their interests, was captured, on one hand, by an anti-political current of disenchantment with the AD

26 Diego Bautista Urbaneja, "La política venezolana desde 1899 hasta 1945," in *Temas de formación sociopolítica*, no. 39 (Caracas: AB Ediciones, Fundación Centro Gumilla, 2017), 12–14.

27 Jesús María Casal, "Apuntes para una historia," 206–214.

28 Juan Carlos Rey, *El futuro de la democracia en Venezuela* (Caracas: Universidad Central de Venezuela, 1989), 229–343.

and COPEI parties, and, on the other, by the emergence of a new political movement that coalesced diverse sectors around the figure of Hugo Chávez, one of the military leaders of the attempted coup d'état in February 1992. Straka explains that a kind of genealogy of the convictions of this new coalition includes at least two sources: the thoughts of the guerrilla communist left of the 1960s, especially of the most radical sector that was not pacified by the authorities; and the traditional nationalist Bolivarianism²⁹ of the Army.³⁰ Finally, these groups of actors who had threatened the liberal democratic system with an illiberal, authoritarian, and/or revolutionary project by violent means between 1958 and 1992, after many attempts, mutated in their strategy to rise to power by electoral means.

The Breakout of Illiberal Democracy: The Establishment Period (1999–2002)

Although Chávez had to follow the path of violence to gain power, his conviction to compete electorally was not always present. Jiménez points out that between 1994 and 1997, Chávez questioned his decision to take this path, because he presumed it was controlled by the “bourgeois state.” It will be the political leader of the traditional mainstream left, Luis Miquilena, who managed to convince him that the terminal crisis of the political system offered an extraordinary opportunity to gain power through elections.³¹ The surge in support for Chávez implied a deliberate break with the bipartisan political elite who had ruled the country for four decades. While these signs showed a potential rupture with the representative liberal-democratic system, in December 1998 Chávez won the election and the system reacted in a paradox of tolerance, recognizing the legitimacy of a victory by an intolerant politician. His participation in the electoral process and his distancing himself from violent means of taking power were taken as a gesture of rectification and readmission into the liberal-democratic order.

In February 1999, Chávez assumed the position of president at the National Congress and began taking the oath of office as traditionally prescribed, but he then ad-libbed by appending the words “on this dying Constitution”³² (in reference to the Constitution of 1961). This marked the beginning of the end of the Puntofijo Pact era and what Chávez dismissed as “the disastrous political model to which it [the Constitution] gave birth.”³³ Despite this symbolic gesture given just before assuming the presidency, many still thought that the country’s democratic institutions, which now shared power with one who posed a threat to their very system, would have the capacity to assimilate this actor and his coalition to the rules of the game and the

29 Bolivarianism is a current of thought that is based on the unrestricted support and exaltation of the ideas of Simón Bolívar, known as “The Liberator” for his leading role in winning the independence of the northern half of Spain’s South American colonies. This phenomenon, quite present especially in the Venezuelan Armed Forces, has been called by some historians as the “cult of Bolívar.” According to Irwing and Buttó, Bolivarianism can be found in the Venezuelan political reality over the past century, right down to the present, in two different and contradictory versions: (1) an original one, from the 1930s, which is anti-Bolshevik or right-wing to center-right and then, (2) from the end of the 20th century and the beginning of the 21st century, another peculiarly socialist or left-wing one. Both versions are self-proclaimed as authentically Bolivarian. Therefore, one may speak of “Bolivarianisms” (in the plural). Domingo Irwin and Luis Alberto Buttó, “Bolivarianismos y Fuerza Armada en Venezuela,” *Nuevo Mundo Mundos Nuevos* (online journal), Débats, January 18, 2006, URL: <http://journals.openedition.org/nuevomundo/1320>; DOI: <https://doi.org/10.4000/nuevomundo.1320>.

30 Tomás Straka, “Leer el chavismo: Continuidades y rupturas con la historia venezolana,” *Nueva Sociedad*, no. 268 (March/April, 2017): 77–86, <https://nuso.org/articulo/leer-el-chavismo/>.

31 Rafael Simón Jiménez, *El chavismo: Construcción y ruptura de alianzas* (Caracas: Inédito, 2020), 1.

32 “LEGADO DE CHÁVEZ: Chávez su Discurso Memorable, el día de la Toma Posesión 02-Feb-1999,” YouTube video posted by Mario González Ortega, February 2, 1999, original in Spanish, translation by the author, https://www.youtube.com/watch?v=4p_tDYgFRAX, (0:09–2:24).

33 “LEGADO DE CHÁVEZ: Chávez su Discurso Memorable,” (1:05:41–1:05:49).

pacts that had been in place for decades. But, as will be seen from this point on, this would not be possible.

Upon reaching power by electoral means, Chávez started to dismantle the structures of representative liberal democracy through several procedures. García Ponce points out that at first he did it through the proposal of a new constitution and the substitution of some official mechanisms for others; second, by appealing to the sovereign power born from the unlimited popular will; third, by issuing calls to do things “the easy way,” or else threatening to have to do them “the hard way”; and fourth, through the creation of the Bolivarian Circles (and later other groups) he put in charge of communal and propaganda tasks and also, if necessary, being ready to take up arms in defense of the so-called Bolivarian Revolution.³⁴ Specifically, according to Decree No. 3 (contained in *Official Gazette* 36.634) of February 2, 1999, after his having only been in office for a few hours (and when he had already announced that he would ask Congress to approve an enabling law), Chávez dictated the decision to summon the people for a consultative referendum on forming a national constituent assembly, without going through the necessary procedures for reforming the Constitution of 1961.

As García Soto highlights, the drafting of the decree was contrary to the provisions of the Constitution of 1961, the Organic Law of Suffrage and Political Participation, and the same rulings issued by the Supreme Court of Justice (CSJ), because it: a) converted the referendum into a sort of decisive plebiscite; b) subverted the Constitution of 1961 through a mechanism not outlined therein; c) delegated to the newly-elected president the regulation of the manner of election of the members of such National Constituent Assembly (ANC); and d) allowed for such an elected assembly to assume control of the state, instead of the duly constituted public authorities.³⁵

In spite of several injunctions petitioned for by numerous lawyers in the country, the Supreme Court rejected them and the consultative referendum was held. Faced with this event, the diminished legislative and judicial branches of government reacted weakly, citing how this actor was acting within the democratic framework (at least in terms of respecting the will of the majority and the spirit of popular sovereignty), and thinking that their accommodating stance could appease the president in his pursuit of this political project. On April 25, 1999, the call for the creation of a constituent assembly was approved, and on December 16, the new constitution was approved, both by consultative referendum.

An example of the use of the principle of majority rule over that of constitutional liberalism is the struggle that took place in the interim of this process between the constituent assembly and the constituted public authorities. As pointed out by Combellas, the constituent assembly decided to occupy the facilities of the Congress and to directly exercise a tutelage role over the constituted parliament through the creation of a legislative commission. In regard to the judiciary, the strategy was to assume a subordinate coexistence with the constituent assembly in the hopes of not being removed, through the creation of an emergency judicial commission. This dynamic divided the Court. While some justices abstained and the chief justice chose to resign, most of the justices opted to open the door to the constituent process

³⁴ Antonio García Ponce, *Adiós a las izquierdas* (Caracas: Alfadil Ediciones, 2003), 110–111.

³⁵ Carlos García Soto, “¿Cómo fue el proceso constituyente de 1999?” in Prodavinci (Caracas: May 20, 2017), <http://historico.prodavinci.com/blogs/como-fue-el-proceso-constituyente-de-1999-por-carlos-garcia-soto/>.

and adhere to the principle of the “supra-constitutionality of the ANC [Constituent Assembly].”³⁶

Whether it was due to weakness, inability, moral extortion, or the belief that, by relinquishing the Court’s authority, this adversary would cease his unlimited demands at some point, the ongoing appeasement of Chávez that characterized the period between February and December 1999 had been unsuccessful. The duly constituted public institutions had made important concessions (without getting anything comparable in return) to the executive branch through the constituent assembly, being very permissive in the presence of an adversary that was getting stronger and progressively more ambitious.³⁷ While, on the one hand, the new Constitution of 1999 concentrated many more of the legal powers in the executive, unified the Armed Forces into a single body, permitted immediate consecutive re-election for all democratically-elected offices for a single additional term, and eliminated bicameralism; on the other hand, it did not eliminate the term “representative democracy” and it incorporated the concept of “participatory democracy” (emphasizing the need for open representativeness beyond the structures of parties and interest groups). In addition, it incorporated a full section dedicated to human rights and maintained the fundamental values of the rule of law. However, Chávez soon began to distance himself from the Constitution, moving first towards an illiberal and majoritarian democracy and, years later, towards an authoritarian regime.

According to Martínez Meucci, the tendency of the Venezuelan government was to promote a model based on direct democracy that sought to replace representative mechanisms in the hopes of reviving a kind of ancient democracy.³⁸ Additionally, Chávez displayed populist characteristics in the sense outlined by Spirito: a) a notion of politics as the confrontation between the people and the elite or oligarchy; b) extreme nationalism; c) appeals to the threats posed by an external enemy; d) the deliberate confusion of the roles of the state, the party, the leader, and other intermediate bodies; e) the permanent mobilization of the masses; f) in the economic sphere, the creation of networks to distribute patronage in exchange for political obedience; g) a charismatic form leadership based on a direct relationship between the leader and the people; and h) the reduction or elimination of intermediate bodies or instances.³⁹

According to Chaguaceda, “illiberalism is a way of understanding the social and political order in a society and populism may be the specific way in which this way of understanding the order in a society and a policy is implemented in practical politics, in speeches, in demonstrations—that is, in congregations.”⁴⁰ Both illiberalism and

36 Ricardo Combellas, “El proceso constituyente y la Constitución de 1999,” *Politeia*, no. 30 (January–June, 2003), 183–208, <https://www.redalyc.org/pdf/1700/170033588013.pdf>.

37 Francisco Alfaro Pareja, “Apaciguamiento en Venezuela (1994–1999): Una aproximación a la luz de las amenazas a la democracia liberal,” *Poliarkia: Revista de Ciencia Política y Gobierno*, no. 2, (2019–2020), 73–106, <https://revistasenlinea.saber.ucab.edu.ve/index.php/poliarkia/article/view/5550>.

38 Miguel Ángel Martínez Meucci, *Apaciguamiento: El Referéndum Revocatorio y la consolidación de la Revolución Bolivariana* (Caracas: Editorial Alfa, 2012), 327–333.

39 Fernando Spirito, “Hugo Chávez y el populismo del siglo XXI,” in *Desarmando el modelo: La transformación del sistema político venezolano desde 1999*, ed. Diego Bautista Urbaneja (Caracas: Instituto de Estudios Parlamentarios Fermín Toro, Abediciones, Konrad Adenauer Stiftung, 2017), 117–150.

40 Armando Chaguaceda, “Hay que articular una defensa global y transideológica de la democracia,” in *La amenaza del liberalismo: Reflexiones y desafíos para la defensa de la democracia desde cuatro perspectivas*, ed., Francisco Alfaro Pareja (Buenos Aires: Stanley Center / Coordinadora Regional de Investigaciones Económicas y Sociales / Global Partnership for the Prevention of Armed Conflict [GPPAC], 2021): 29, <http://www.cries.org/wp-content/uploads/2022/04/Armando-Chaguaceda.pdf>.

populism reduce social diversity and, at the same time, deny pluralism because, beyond being an abstract aspiration, pluralism is precisely the idea that social entities can have a voice of their own, and must be expressed through institutional channels such as parties, congress, and civil society organizations.⁴¹

These populist characteristics can be seen in his speech made on February 4, 2000, during the campaign for the mega-elections.⁴² On that occasion, Chávez, dressed in military uniform, openly talked about a “movement” rather than a “party.” He appointed himself as the leader of the people and the political movement, though not as a member of any party (even though he established at least three political parties between 1994 and 2008). He exulted in the heroic action of the people and recognized the work of the former members of the National Constituent Assembly as the “gravediggers” of the old institutions and “midwives” of the new ones. He questioned old laws (insinuating that they adversely affected the interests of the poor) and supported the creation of a new legal framework for the benefit of the working class. He rejected the distinction between civilian and military spheres made by opposition parties. He discredited the former Congress and demanded his supporters stage a very big demonstration to “elect real revolutionary representatives” to the new National Assembly, saying:

We have to change all the laws of false democracy that existed here ... we have to throw away so many laws that do not work and elaborate new revolutionary laws ... like an efficient army, we need to keep advancing into the territory until we get to the heart of the enemy.⁴³

At the international level, even though Chávez signed the Inter-American Democratic Charter (IDC) on behalf of Venezuela in September 2001, he did so with reservations. Although the Charter is binding on all Organization of American States (OAS) member states, and stipulates that “the effective exercise of representative democracy is the basis of the rule of law and the constitutional regimes of the member states,”⁴⁴ the Permanent Mission of Venezuela to the OAS presented a proposal urging the inclusion of the concept of participatory democracy because reliance upon the first concept alone (that of representative democracy) ran the risk of becoming a prohibition on delegative democracy, whereby citizens relinquish direct political control over their leaders.⁴⁵ In fact, if it is compared the first Economic and Social Development Plan from 2001 to 2007 (during the first Chávez term), with the second one being from 2007 to 2013, there was a clear mutation within the conceptualization surrounding representative democracy. While in the first such plan it was stated that “the principle of participation ... means, besides expanding and complementing representative democracy ... a greater control by society over the matters that directly

41 Armando Chaguaceda, “Hay que articular una defensa global” 29-30.

42 This election is known as the “mega election” because people voted, the same day, for the election of president, national assembly, governors, mayors, and regional and local assemblies.

43 “Legado de Chávez: Discurso 04 de febrero de 2000,” YouTube video posted by Mario González Ortega, February 4, 2000 (8:52–9:01, 17:43–17:51, 18:49–19:02), original in Spanish, translation by the author, <https://www.youtube.com/watch?v=1MjSmJ5z7I>.

44 Organization of American States, Inter-American Democratic Charter, Part I, Art. 2 (Washington, DC: Organization of American States, September 11, 2001), http://www.oas.org/OASpage/eng/Documents/Democratic_Charter.htm.

45 Permanent Mission of Venezuela to the Organization of American States (OAS), *Venezuela: Comentarios y propuestas de los Estados miembros al proyecto de Carta Democrática Interamericana*, GT/CDI-2/01 add. 9, Working Group to Study the Draft Inter-American Democratic Charter (Washington, DC: OAS Permanent Council, August 13, 2001), Spanish version, https://www.oas.org/charter/docs_es/venezuela_es.htm. (English version: <https://www.oas.org/charter/docs/reportes.htm>.)

affect them,”⁴⁶ in the second one, it was emphasized that, “Since sovereignty resides in the people, they can run the state by themselves, without the need to delegate their sovereignty ... and not as in representative democracy in which, under the guise of individual freedom ... the interest of minority groups, opposed to the general interest of society, is legitimized.”⁴⁷

By the end of 2001, Chávez took advantage of the weakness and lack of independence of the judiciary, to advance with forty-nine (49) decree laws, the centralization and cooptation of public authorities, and the opening of several investigations into officers of the Armed Forces. In a few years, democratic institutions based on liberalism had been weakened, co-opted, or neutralized through illiberal democracy.

Illiberal Democracy and Backlash: The Period of Confrontation (2002–2004)

This dynamic led the country into a period of chronic and inextricable political conflict that extends to the present day, generating the conformation of two great political coalitions or archipelagos: one framed in the promotion of illiberal and revolutionary values, initially headed by Chávez, and the other headed by diverse political and civic actors, in the defense of the liberal-democratic system.⁴⁸ The erosion and progressive institutional collapse, the use of polarization as a way of doing politics, and the increase in the illiberal character of the regime, all amplified the levels of violence. On December 9, 2001, faced with his rejection by the Federación Venezolana de Cámaras de Comercio y Producción (FEDECAMARAS: the main Venezuelan Chamber of Commerce) because of some decree laws he had promoted, Chávez said:

If FEDECAMARAS, that oligarchic leadership that made a historic alliance with the Puntofijo Pact, to ignore workers’ rights; that made a pact with corruption, is calling for a national strike against the Revolution, it means that we are on the right track ... There are two positions here: those who are with democracy, the constitution, Venezuela and progress ... and those who are not. They are the same ones they tried to prevent: Chávez being president, the constituent referendum and the approval of the 1999 Constitution. They don’t learn.⁴⁹

Then there were two critical moments. The first one came in the form of the attempted coup d’état of April 11, 2002, along with the countercoup two days later; and the second such moment coming during the strike by employees of the state oil company, Petróleos de Venezuela, SA (PDVSA), which took place between November 2002 and

46 Hugo Chávez Frías, *Líneas Generales del Plan de Desarrollo Económico y Social de la Nación 2001–2007* (Caracas: Ministerio del Poder Popular para la Comunicación y la Información, 2001), 19, original in Spanish, translation by the author, <http://www.mppp.gob.ve/wp-content/uploads/2018/05/Plan-de-la-Naci%C3%B3n-2001-2007.pdf>.

47 Hugo Chávez Frías, *Líneas Generales del Plan de Desarrollo Económico y Social de la Nación 2007–2013* (Caracas: Ministerio del Poder Popular para la Comunicación y la Información, 2007), 30–31, <https://faolex.fao.org/docs/pdf/ven187253.pdf>.

48 Francisco Alfaro Pareja, “Archipiélagos políticos bajo la tormenta en Venezuela: Coaliciones, actores y autocratización,” in *European Review of Latin American and Caribbean Studies*, no. 109 (Amsterdam: Centre for Latin American Research and Documentation, Universiteit van Amsterdam, 2020): 21–40, <https://www.erlacs.org/articles/abstract/10.32992/erlacs.10568/>.

49 “Aló Presidente, N° 88 con Hugo Chávez y Luisa Estella Morales,” YouTube video posted by Luigino Bracci Roa, December 9, 2001, original in Spanish, translated by the author, (32:01–32:20, 48:16–49:01), <https://www.youtube.com/watch?v=8YyTJaLLIRU>.

February 2003. As retaliation, by April 2003 Chávez had fired nearly 18,000 PDVSA workers (47% of the total workforce), violating their labor rights and arguing that the strike had been politically motivated and not for labor reasons. López Maya points out, regarding the dynamics of this phenomenon, that polarization found its political expression with the emergence of Chávez, who emphasized the existence of two irreconcilable groups in the society: the people and the oligarchies, which besides representing different interests, promote mutually-exclusive political and ideological projects.⁵⁰ In fact, as Brandler notes, the polarization strategy was used as a divisive rhetorical tool to mobilize bases of popular support around the Chavista project but ended up, for example, fracturing the women's rights movement and forcing them to submit to his ideological project if they wanted to participate in his government or assume other public positions.⁵¹

Due to the deliberate destruction of institutional mechanisms for political dialog and conflict management, such as negotiation in congress and between parties; independent judicial authorities; and free, transparent, and fair elections; the need was created to install alternative mechanisms for dialog and negotiation between coalitions, with the participation of the international community as impartial third-party observers.⁵² In the mechanism, established between 2002 and 2004 and called the Mesa de Negociación y Acuerdos (Table for Negotiation and Agreements), there was a strategy in favor of a negotiated and electoral solution, directed by a Three-Party Working Group comprised of the OAS, the Carter Center, and the United Nations Development Program (UNDP).⁵³ Among the main achievements of the agreement, signed on May 29, 2003, it is worth mentioning that both sides accepted the legitimacy of the constitutional mechanism of the Presidential Recall Referendum to implement the "constitutional, democratic, peaceful, and electoral" solution demanded by OAS Resolution 833.⁵⁴

One of the illiberal practices used by Chávez to achieve popular support during the campaign for the Presidential Recall Referendum (and even in previous ones) was to appeal to nostalgia for "the common project" that, according to him, was betrayed in the past, after the independence era of conflict (1810–1846) and during the Federal War (1859–1863). On nostalgia, Applebaum emphasizes that illiberal projects use it as a very common way of undermining the present system, building a feeling around the idea that: a) the past was better than the present; b) that the present political system is bad; and c) that the present system must be dismantled and changed in order to return things to the way they were or restore something.⁵⁵ From the beginning, Chávez defined his movement as the heir of others that had been frustrated in the past and that would be brought to fruition by his Bolivarian

50 Margarita López Maya, "Apuntes sobre la polarización política en Venezuela y los países andinos," *Revista Ecuador Debate*, no. 80. (Quito: Centro Andino de Acción Popular, FLACSO Andes, August 2010): 95–104, <https://repositorio.flacsoandes.edu.ec/handle/10469/3481>.

51 Natalia Brandler, *La participación de las mujeres en posiciones de poder político en Venezuela: Un recorrido histórico* (Caracas: Instituto Holandés para la Democracia Multipartidaria, 2021), 16, <https://nimd.org/theme-brochures/the-participation-of-women-in-politics-in-venezuela/>.

52 Francisco Alfaro Pareja, "Mecanismos alternativos de diálogo y negociación en el conflicto político de Venezuela (2002–2018)," in *Pensamiento Propio*, year 23, no. 47, eds. Thomas Legler, Andrei Serbin Pont, Ornella Garelli Ríos (January–June 2018, Buenos Aires: Coordinadora Regional de Investigaciones Económicas y Sociales): 37–68, <http://www.cries.org/wp-content/uploads/2018/09/007-Alfaro.pdf>.

53 Between 2002 and 2022, at least six (6) alternative mechanisms have been developed in Venezuela with the participation of the international community as third-party observers.

54 Declaración "Respaldo a la Institucionalidad Democrática en Venezuela y a la Gestión de Facilitación del Secretario General de la OEA." See year 2003, Document CP/RES. 833 corr. 1, https://www.oas.org/en/council/CP/documentation/res_decs/.

55 Applebaum, "Frente a la amenaza," 16–17.

Revolution. In his *Blue Book*, which serves as a collection of some of his thoughts and quotes, he put it this way:

What is the reason why we are here and now announcing and promoting profound changes at the beginning of the last decade of this lost century? ... a single and powerful reason: it is the project of Simón Rodríguez, The Teacher; Simón Bolívar, The Leader; and Ezequiel Zamora, The General of the Sovereign People; a truly valid and pertinent reference with the socio-historical character of the Venezuelan being. ... This project has been reborn from the rubble and rises now, at the end of the 20th century, supported by a theoretical-political model that condenses the determining conceptual elements of the thinking of those three illustrious Venezuelans.⁵⁶

But the president went further and, starting from one of his family ancestors, he weaved a line between himself and this project that would end up being part of the Official History once he secured his hold on power. As Straka points out, Chávez knew the history of his great-great-grandfather, Pedro Pérez, who served in the federal army in 19th century, one of whose *caudillos* (strongman leaders) was Ezequiel Zamora, who was reputed to have been the leader of the working-class wing of the Federal Army, an avenger of the unresolved social conflicts of the independence period. According to Chávez, the project of the social revolution of the Federation died with the murder of Zamora and was betrayed by those of his own side who capitalized on their victory in the war. However, some dissidents (among them Chávez's great-grandfather, Pedro Pérez Delgado, who also went by the name of Maisanta) followed the original nation-building project decades later and vindicated it.

In this sense, Chávez's family history was intertwined with this unfinished project. Additionally, Chávez's imagination, he assumed that the signers of the Treaty of Coche in 1863, and those of the Puntofijo Pact in 1958, were heirs to this treason, the representatives of that historical oligarchy that always "postponed the interests and vindications of the people" that he and his project now represented.⁵⁷ In fact, the electoral campaign staff members in support of Chávez during the recall referendum were called, on June 9, 2004, the "Maisanta Commando," and bellicose rhetoric was used to frame the electoral event as a defining military battle between "two irreconcilable enemies," as had happened in the 1859 Battle of Santa Inés, during de Federal War.

Another practice of Chávez's was to implement emergency economic measures. Spiritto calls this "macroeconomic populism," and it was a crucial tool that allowed the president to increase his popular support before the referendum. The upward trend of oil prices was accompanied by the establishment of a parallel economy based on an immense distributive and clientelist system of patronage, whose objective was to expand the political base of support for the president⁵⁸—in particular, the

56 Hugo Chávez Frías, *El libro azul* (Caracas: Correo del Orinoco, 2013), 20–21, original in Spanish, translation by the author, <http://www.consulvenevigo.es/subido/LIBRO%20AZUL%20DESCARGA.pdf>.

57 Tomás Straka, "Imperfecta y denostada: La paz del Tratado de Coche (1863)," in *Venezuela en clave de paz: Breve historia de la convivencia nacional (1820–2020)*, eds. Francisco Alfaro Pareja y Manuel Zapata, SJ (Caracas: Fundación Centro Gumilla y Academia Nacional de la Historia, 2020), 65–92.

58 Spiritto, "Hugo Chávez y el populismo del siglo XXI," 140–141.

establishment of the so-called “missions”⁵⁹ allowed Chávez to develop an instrument of mobilization and political control to increase his support at a time when polls did not give him the advantage.

Although Chávez won the recall referendum, which was held in August 2004 (despite of clear signs of misuse of public resources such as unequal access to television and radio airtime and advertising, and despite boycott and noncompliance with government regulations), his emphasis on the result over the procedural conditions; power-sharing; or allowing the opposition any room for coexistence based on the independence of public authorities, the rule of law, or respect for the rights of political minorities, argued a position of weakness for the defeated.⁶⁰ At the time, Francisco Diez, the Carter Center’s facilitator in the Three-Party Group’s alternative mechanism of dialogue and negotiation, had warned in a private letter to former US President Jimmy Carter that, because both sides viewed each other as an existential threat, “the electoral solution is not a democratic solution at all.”⁶¹ In the end, he was proven right.

According to Martínez Meucci, this is summed up in the fact that the underlying problem, the confrontation between two types of democracy (liberal and illiberal), was not addressed. This effort of facilitation, and the electoral observation process carried out by the OAS and the Carter Center, while de-escalating the violence, did not resolve the conflict. In the end, these measures ended up being ineffective and insufficient and led to a failed attempt at appeasement.⁶² A few months later, the conflict would enter a new phase of polarization and escalation of violence.

The Peak of Illiberal Democracy and Transition to Authoritarianism, 2004–2007

Beginning in 2004, the rise of illiberal democracy in Venezuela entered its peak phase, following new steps taken by the national government. A few days after his victory, Chávez declared that Venezuela had arrived at a new stage in the revolutionary process. Rhetorically, the Bolivarian ideological precepts were replaced with a now openly-declared radical socialist character of the regime, although it still officially maintained its recognition of the will of the people in the form of elections under the principle of majoritarian democracy. In a statement made in August 2004, after his victory in the referendum, he openly denied the existence of the opposition coalition called the Coordinadora Democrática (Democratic Coordinator). To this end, he claimed that:

It is necessary to wipe the Coordinadora Democrática off the

59 The “missions” were social policy measures of the Chávez government to offer basic services to a large contingent of those in the population with the least resources, where the universalization of social rights is limited by the financial capacity and institutional restrictions of the state. Although they are characterized as lying outside of conventional public institutions, with the purpose of achieving greater administrative agility, they also suffer from a greater lack of coordination, from duplication of costs, and from gaps in monitoring and evaluation that have hindered their managerial effectiveness. They also depend, to a large extent, on the discretion of the president. See Maingon, as cited in Alberto José Hurtado Briceno and Saldici Zepa de Hurtado, “Misiones Sociales en Venezuela: Concepto y Contextualización,” *Artículos de Investigación, Reflexión y Artículo de Revisión, Sapienza Organizacional* vol. 3, no. 6 (Caracas: Universidad de los Andes, 2016): 37–64, <https://www.redalyc.org/journal/5530/553056828003/html/>.

60 Miguel Ángel Martínez Meucci and Francisco Alfaro Pareja, “Asimetría del conflicto y mecanismos alternos de diálogo y negociación en Venezuela (2002–2019).” *En América Latina Hoy*. Vol. 85. (Salamanca: Universidad de Salamanca, 2020), 18. <https://dialnet.unirioja.es/servlet/articulo?codigo=7550145>.

61 Francisco Diez and Jennifer McCoy, *Mediación internacional en Venezuela* (Barcelona: Editorial Gedisa, 2012), 182.

62 Martínez Meucci, *Apaciguamiento*, 418.

map of the continent ... I do not recognize this Coordinadora as the political opposition. I do not recognize it anymore! And there is no dialog with this Coordinadora; we cannot dialog with those who do not recognize the Constitution and the people.⁶³

This radicalization was also reflected, for example, in the publication of the database of all voters who had signed the recall petition against Chávez in 2004. This database became known as the Tascón List⁶⁴ because the congressman of the then ruling party, Luis Tascón, was the one who published it at the request of Chávez and with the apparent tacit consent of the National Electoral Council. The excuse given for this was that it would allow for the public reviewing of these signatures, as many of them were presumably considered fraudulent. But the truth was that the Tascón List served to promote for many years, on the one hand, the persecution, discrimination, and differential treatment before the law of those in the minority and, on the other hand, the erosion of trust in institutions due to the publication of this confidential information in violation of the right to a secret ballot.⁶⁵

Additionally, this radicalization advanced with legal and judicial procedures to limit the freedom of the press and of the media. In this regard, since 2004, the number of television, radio, and press media outlets under the control of the national government increased within the framework of what is known as its strategy to develop a “Communications Hegemony,” in order to, on the one hand, enhance the state’s communications levers of control and, on the other, eliminate or diminish as much as possible the role of independent media. In this sense, in December 2004, the pro-Chávez majority in congress approved two legal instruments that facilitated the placing of restrictions on communications and journalistic work.⁶⁶ Perhaps one of the most impactful measures came at the end of 2006, when Chávez publicly announced the government’s denial of the request by Radio Caracas Televisión (RCTV), the biggest and most popular private television channel in Venezuela, for renewal of its license to freely use its range of the available airwaves spectrum. Chávez accused it of having played a part in the attempted coup d’état of April 11, 2002:

There is a gentleman, one of those representatives of the oligarchy ... that the former governments of the AD and COPEI parties gave him license to have a television channel. Now he goes around saying that this license is eternal. But it expires in March [2007] ... There won’t be a new license for that coup’s television channel called RCTV ... No media that is at the service of the coup, against the people, against the nation, against

63 “Chávez desconoció a la Coordinadora Democrática como su opositora,” *El Universo* (Guayaquil, Ecuador), August 22, 2004, original in Spanish, translation by the author, <https://www.eluniverso.com/2004/08/22/0001/14/99B1245FF9E84E188537DEC8A339A74C.html>.

64 L. B., “Página web de Luis Tascón permite chequear si firmaste el referendo consultivo,” *Aporrea* (website), January 27, 2003, <https://www.aporrea.org/actualidad/n4550.html>.

65 Fourteen years afterward, in 2018, the Inter-American Court of Human Rights ruled that the publication of the Tascón List constituted a case of political persecution and human rights violation. However, the ruling has not yet been adhered to nor complied with by the Venezuelan Government. See José Ignacio Hernández, “La Lista Tascón y la persecución política: A propósito de la sentencia de la Corte Interamericana,” *Provinci* (website), June 6, 2018, <https://provinci.com/la-lista-tascon-y-la-persecucion-politica-a-proposito-de-la-sentencia-de-la-corte-interamericana/>.

66 Andrés Cañizales, “Hegemonía y control sobre la comunicación masiva: El modelo chavista,” in *Desarmando el modelo. La transformación del sistema político venezolano desde 1999*, ed. Diego Bautista Urbaneja (Caracas: Instituto de Estudios Parlamentarios Fermín Toro, Abediciones, Konrad Adenauer Stiftung, 2017), 423–446.

national independence, against the dignity of the republic, will be tolerated here. Venezuela respects itself.⁶⁷

At the international level, Chávez developed a foreign policy that distanced the country, on the one hand, from the Inter-American system, as well as from the United States and, on the other hand, brought the country closer to undemocratic, illiberal, and authoritarian regimes such as those of Cuba, Russia, China, Syria, India, and Iran, to mention only a few. For instance, in the Economic and Social Development Plan (2001–2007), during Chávez's first term, although there was talk of maintaining an active presence in multilateral forums (such as the United Nations Council on Human Rights and the OAS, and ratifying the Statute of the International Criminal Court), he also advocated for what he called a more balanced world, in which he sought to reverse the traditional concentration of power in international organizations and to promote structural changes to strengthen the position of developing countries. Likewise, although there was talk of maintaining relations with countries such as the US and in Europe, he also proposed consolidating a "multipolar pluralism" with countries such as China, Russia, Cuba, and India, and strengthening Latin American regional integration.

In the second Plan, put forward by Chávez in 2006 in preparation for his second term, his foreign policy was more radical. He talked of promoting a "new international geopolitics,"⁶⁸ based on national sovereignty, in order to break the hegemony of the United States of America's imperialism. In addition, he promoted the idea of new multilateral organizations (such as the Bolivarian Alliance of America),⁶⁹ whose center revolved not around values such as those promoted by liberal democracy and human rights, but rather around an anti-imperialist vision and a posture of nonintervention in developing countries' domestic affairs.⁷⁰

Regarding this, Cardozo emphasizes that the idea of national sovereignty in government referred to the principles of self-determination and nonintervention was aimed at countering, on the one hand, institutional guarantees, and procedures for the direct and indirect exercise of popular sovereignty and, on the other hand, the international protection of democracy, international electoral observation, and the supranational human rights protection system. The oil boom that had begun around that time allowed Chávez to exert an important influence over some countries, especially over the Caribbean Island nations, to guarantee support for his position in multilateral organizations.⁷¹

Another trend that increased beginning in 2004 was the blurring of the line between the civilian and military spheres. While in a liberal democracy the political party is the representative instrument par excellence, being differentiated from the work and nature of the armed forces, in the ideology of the Bolivarian Revolution this

67 "Presidente Hugo Chávez decide no renovar la concesión a RCTV," YouTube video posted by Luigino Bracci Roa, December 28, 2006, original in Spanish, translation by the author, <https://www.youtube.com/watch?v=bR-ZYzC3Xxs&t=98s> (0:06–01:13).

68 Chávez, *Líneas Generales del Plan de Desarrollo Económico y Social de la Nación 2007–2013*, 46. <http://www.mppp.gob.ve/wp-content/uploads/2018/05/Plan-de-la-Naci%C3%B3n-2007-2013.pdf>.

69 The group's acronym, ALBA, spells out the Spanish word for dawn.

70 Chávez, *Líneas Generales del Plan de Desarrollo Económico y Social de la Nación 2001–2007 and 2007–2013*.

71 Elsa Cardozo, "Entornos, ideas, estrategias e institucionalidad: El papel de las relaciones internacionales en la reconfiguración del sistema político venezolano," *Desarmando el modelo. La transformación del sistema político venezolano desde 1999*, ed. Diego Bautista Urbaneja (Caracas: Instituto de Estudios Parlamentarios Fermín Toro, Abediciones, Konrad Adenauer Stiftung, 2017): 291–330.

concept was quite different. Since 2001, Chávez had created the so-called Círculos Bolivarianos (Bolivarian Circles), sociopolitical organizations promoted with the purpose of fostering and sustaining the “revolutionary process” under his leadership and based on the myth of the unity of the armed people. Armed members of these Circles confronted antigovernment protesters on April 11, 2002. On this point, López Maya highlights how Chávez began to talk about “people power” instead of “popular sovereignty.”⁷²

The main difference is that popular sovereignty as contemplated in the words of the constitution implies that representation is a form of direct participation, that this meets the requirements of individual civil and political rights, and that it meets the definition of a modern democracy by vesting power in the people as the government’s constituents. On the contrary, people power is not a part of the 1999 Constitution—it is presented as a balance of constituents’ power versus the constituted government’s power. Power derives from collective assembly spaces, not from the branches of government—that is, its political subject is collective, not individual.⁷³

It is in this sense that, since 2004, the structure of the National Armed Forces distanced itself even more from the principles of the Puntofijo Pact regarding the separation of the civilian and military spheres and, as described by Sucre, the partisanship of the military became radicalized as a means of guaranteeing its commitment to the revolutionary process, neutralizing possible new rebellions, and integrating it with society through a paradigm of civil-military union.⁷⁴ In a speech given to the Armed Forces at the Military Academy of Venezuela, on December 6, 2006, Chávez called upon the military to advance towards a socialist project, increasing the civil-military union, and he questioned those who still defended the traditional institutional vision of the military:

They shielded themselves behind a false institutionalism to evade responsibilities and to attack the republic and betray their supreme responsibilities ... Let’s understand it once and for all: to be an institutional soldier today is to be revolutionary, because the revolution today has been institutionalized.⁷⁵

Chávez, who progressively radicalized his project, said in August 2007, in a statement delivered before the National Assembly, that the reforms he proposed to be made to the 1999 Constitution were put forward because “the people have asked us to move forward, to break down barriers, obstacles that stop us ... to deepen Bolivarian popular democracy ... to build a socialist productive economic model.”⁷⁶ As Jiménez points out, far from being “a tailor-made suit” (as some of Chávez’s critics said at the beginning), the Constitution had become a “straitjacket” for the president.⁷⁷ In order

72 Margarita López Maya, “Socialismo y comunas en Venezuela,” *Nueva Sociedad*, no. 274 (March–April 2018), 60 <https://www.nuso.org/articulo/socialismo-y-comunas-en-venezuela/>.

73 López Maya, “Socialismo y comunas en Venezuela,” 60–62.

74 Ricardo Sucre, “El papel de la estructura militar en la configuración del nuevo sistema político,” *Desarmando el modelo: La transformación del sistema político venezolano desde 1999*, ed. Diego Bautista Urbaneja (Caracas: Instituto de Estudios Parlamentarios Fermín Toro, Abediciones, Konrad Adenauer Stiftung, 2017): 331–382.

75 “Salutación de fin de año de Hugo Chávez a la Fuerza Armada Nacional Bolivariana,” YouTube video posted by Luigino Bracci Roa, December 28, 2006, original in Spanish, translation by the author, <https://www.youtube.com/watch?v=oYnqBR1vU&t=2116s>, (34:27–35:20).

76 “Presentación Reforma Constitucional a la AN,” YouTube video posted by Zippo1965, August 15, 2007, original in Spanish, translation by the author, <https://www.youtube.com/watch?v=y2O3yxUfmxs>, (2:10–2:42).

77 Jiménez, *El Chavismo*, 204.

to reform it, and based on the great popular support received in 2006 for his second re-election, Chávez promoted a consultative referendum in 2007.

Nevertheless, a breaking point was reached: the coalition led by him suffered an important fracturing, which contributed to its defeat in the referendum. In spite of the fact that the reform proposal included some changes that could be debatably considered as potential improvements in social rights, the vast majority of the proposal would have overtly increased the illiberal character of democracy and even threatened to seriously propel the nation towards a transition to becoming an authoritarian political regime. The former minister of defense, General Raúl Isaías Baduel, who retired in July 2007, openly opposed this referendum because for procedural reasons, and because the new Constitution:

Instead of moving towards a progressive interpretation of the constitutional text, it is moving towards a regressive interpretation, limiting fundamental rights ... People of Venezuela, defend your rights and don't let them [the executive and legislative branches] fraudulently take power away from you.⁷⁸

Reviewing the proposal, Brewer-Carías points out that, at the political level, it proposed to: replace the social-democratic state's forms of law and justice with those of a socialist state; replace representative and participatory democracy with participative in radical populist forms of direct democracy; allow for the indefinite re-election of public officials in a presidentialist system and increase the length of the terms in office; increase the powers of the president, to the detriment of the other two branches of government; generate a direct relationship between the executive branch and the people (through figures such as the communal councils, the workers' councils, and the peasants' councils), to the detriment of intermediary bodies such as political parties; weaken the structure of decentralization and regional and municipal public power; change the Armed Forces from an essentially nonpartisan professional institution at the service of the nation, into a patriotic, anti-imperialist one acting on behalf of the people, including a new component formed by the Bolivarian National Militia.

At the economic level, the proposal was to: reduce the weight of private property and create new types of social and collective property of an ambiguous nature; prohibit monopolies in the private sector; reserve to the state all natural resources, the right of exploration and exploitation of hydrocarbons, and the provision of essential public services; incorporate the Social Missions into the formal structure of public administration; increase the powers of the state to ensure food sovereignty; grant the power to manage the country's international reserves to the president in coordination with the Central Bank of Venezuela, which lost its autonomy and came under the control of the executive.⁷⁹

Being a sore loser, Chávez refused to recognize the political and juridical consequences of the referendum's results and initiated the transition towards a form of electoral

78 "Reacción de Raúl Isaías Baduel contra la reforma constitucional de 2007," YouTube video posted by Globovision, November 5, 2007, original in Spanish, translation by the author, <https://www.youtube.com/watch?v=6HbOjfCKrKE> (2:13–2:32, 5:21–5:29).

79 Allan Brewer-Carías, "La reforma constitucional en Venezuela de 2007 y su rechazo por el poder constituyente originario," author's personal website (New York, December 27, 2007): 1–39, <https://allanbrewercarias.com/wp-content/uploads/2008/08/569.-.-568-La-rechazada-reforma-constitucional-de-2007-por-el-poder-constituyente-originario.pdf>.

authoritarianism. Right during the press conference after the announcement of the results by the electoral body, dressed in military uniform and accompanied by the Military High Command, President Chávez remarked that “a new offensive will come ... So I would not declare victory, gentlemen of the Opposition. ... Know how to manage your victory ... it is a shitty victory.”⁸⁰ The OAS recognized a democratic advance in the result of the referendum, and its acceptance by President Chávez (ignoring, that is, his morally disqualifying it), because it reflected the will of the authorities to consult the public on major national issues. However, the hemispheric organization had not understood that the health of a democracy depends not only on the recognition of a legitimate electoral outcome, but also on the ways in which power is exercised and the legal framework is applied.

Gradually, beginning in 2008, Chávez forcefully introduced the precepts and changes that had been rejected in the referendum by the majority vote of the population, taking advantage of the fact that his party had a supermajority in the congress,⁸¹ and that he even had direct influence over the judiciary: the ideas of commune, of people’s power, of civil-military union, of indefinite re-election, and of 21st-century socialism, all moved the country closer to a revolutionary conception of politics. Thus, the basic principle of democracy as “respect for the will of the majority” as mediated through the ballot box had been violated for the first time since the ascent of Chávez to the presidency. It was no longer possible to talk about the mere threat of illiberal democracy. What Chaguaceda warns of had already happened: “illiberal democracy kills liberalism but ends up committing suicide by suppressing the popular will as the basis of government.”⁸² In this sense, the formerly hybrid regime had by now mutated into one of electoral authoritarianism that would extend until 2016 when, finally, it would transition to becoming a fully hegemonic form of authoritarianism under Chávez’s successor, President Nicolás Maduro Moros.

Conclusions

Based on the definition of illiberal democracy examined above, it can be said that this type of regime became established in Venezuela between 1999 and 2007. Although there were authoritarian practices during the first eight years of the Chávez administration, the regime remained democratic, albeit illiberal, until 2007. This point is important to keep in mind because it allows us to identify how the illiberal threat operated and how the defenses, both local and hemispheric, failed to act in a timely and effective manner to prevent the death of one of Latin America’s longest-lived liberal and representative democracies at the time. The main reason for this was because they were prepared only to face up to the classic threats to liberal democracy, not a threat such as illiberalism evolving through a hybrid regime.

At the local level, the loss of the liberal components of Venezuelan democracy at the end of 20th century was closely related to the loss of legitimacy and representativeness of intermediate bodies and responsiveness of authorities to the people as outlets for their main demands and needs. However, as shown above, this was not the only cause. The institutions and the parties reacted to illiberal threats from a position of

80 “Chávez insulta al país – victoria de mierda,” YouTube video posted by Tony S, December 6, 2007, https://www.youtube.com/watch?v=3Hx_WejAEmQ&t=140s.

81 In the congressional elections of 2005, the opposition coalition decided not to participate, alleging legal trickery by the Supreme Court and citing distrust in the automated electoral system, in the national electoral authorities, and in the measures for guaranteeing the people’s right to a secret ballot. This gave Chávez full control of the congress between 2006 and 2011.

82 Chaguaceda, “Hay que articular una defensa global,” 27.

weakness. In this way, illiberalism was manifested in actions such as the abuses of the rights of minorities by the majority, the polarizing rhetoric of independence-era nostalgia, the direct relationship between the leader and the people, the subversion of intermediate instances, the judicial system intervening in the range of legal freedoms for participating in politics and parties, the undermining of the independence of public authorities, violations of the freedom of the press, the rhetoric of reclaiming sovereignty, the rejection of multilateral organizations, the promotion of economic protectionism, and the use of direct, structural and culturally-accepted violence.

At the international level, while institutional and legal defenses were prepared to be activated in the face of traditional threats, such as classic military coups, the slow and progressive erosion of liberal democracy through elections was a phenomenon to which they had not been able to adapt. Although the Inter-American Democratic Charter was signed by all OAS member states in 2001, the principles of this document were clearly subverted in Venezuela and the reaction to this was late and ineffective.

While it is true that an illiberal democracy can lead to authoritarianism, it is not an inevitable result, especially if there are checks and balances on the exercise of power. Although illiberalism is a current threat to democracies in Latin America, most of them have not devolved into authoritarianism. Venezuela still is one of the exceptional cases, where liberal defenses were progressively eroded and/or neutralized in various ways. These gradual changes simplified the transition towards electoral authoritarianism, which finally took place in 2007 when the will of the majority was expressed against Chávez through a consultative referendum but he no longer wished to submit to it. In this gradual transition, the populist component in Chávez's leadership was very important. While populism is an ingredient of some illiberal political regimes, not all illiberalism is populist, nor is all populism illiberal. But the Venezuelan case was both illiberal and populist.

Sixteen years later, the government led by Nicolás Maduro still does not acknowledge its own authoritarian and hegemonic character. Despite the rejection of his regime by the international democratic community, since 2016 he has continued to present a view of his agenda as that of the majority, as that of a participatory democracy, in open repudiation of the liberal representative-democratic model. Despite holding power, the quest for the stamp of legitimacy given by recognition as a democracy remains elusive but important.