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Author(s): Thomas Legler

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A story within a story: Venezuela's crisis, regional actors, and Western hemispheric order upheaval

Thomas Legler

Univesidad Iberoamericana Ciudad de México

Abstract

This article explores why multilateral democracy protection in the Americas has been so ineffective in the Venezuelan crisis. The author contends that the state of hemispheric order can either help or hinder regional efforts to defend democracy. The current Venezuelan crisis has unfolded at a difficult moment when the Western Hemispheric order has undergone a particularly turbulent form of regional order transition that the author calls order upheaval. While serving as a structure of opportunities and constraints for both the defenders and transgressors of Venezuelan democracy, this order upheaval has impeded regional cooperation, the provision of democracy protection as a public good, and the ability for the Americas to serve as an effective filter or container for regional problem solving and against the incursion of extra-regional actors in Venezuela's crisis. *Keywords:* Venezuela, crisis, democracy, democracy protection, Organization of American States, UNASUR, regional order.

Resumen: Una historia dentro de otra historia en Venezuela: Actores regionales, crisis y conmoción del orden hemisférico occidental

Este artículo explora por qué la protección multilateral de la democracia en las Américas ha sido poco efectiva en la crisis venezolana. El autor plantea que el estado del orden hemisférico puede ayudar u obstaculizar los esfuerzos regionales para defender la democracia. La actual crisis venezolana se ha desarrollado en un momento difícil, en el que el orden hemisférico occidental ha experimentado una forma de transición particularmente turbulenta, a la cual el autor llama conmoción del orden. A la vez que ha servido como un marco de oportunidades y restricciones tanto para los defensores como para los transgresores de la democracia venezolana, esta conmoción del orden ha impedido la cooperación regional, la provisión de protección a la democracia como un bien público y la capacidad de las Américas de servir como un filtro o contenedor eficaz para la resolución de problemas regionales y contra la incursión de actores extra-regionales en la crisis venezolana. *Palabras clave:* Venezuela, crisis, democracia, protección democrática, Organización de los Estados Americanos, UNASUR, orden regional.

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Introduction

Since the multidimensional crisis in Venezuela first detonated in 2013-2014, regional actors have made repeated attempts to respond to the alarming deterioration in democracy and human rights. From the outset of the crisis, the Organization of American States (OAS), the Union of South American Nations (UNASUR), the Southern Cone Common Market (MERCOSUR), the Organ of Consultation of the Inter-American Treaty of Reciprocal Assistance (the Rio Treaty), and the informal Group of Lima have pressured Venezuelan authorities to promote a peaceful and negotiated political solution and/or to restore democracy. Their diplomatic measures have ranged from proverbial carrots to sticks: dialogue facilitation, international legal action, condemnatory diplomacy, targeted sanctions, as well as diplomatic suspension and isolation. These actions have been seemingly to no avail, as there is little indication that Venezuela's authoritarian authorities will leave office any time soon.¹

The toolkit of "democracy protection mechanisms" (Closa Montero, Palestini Céspedes, & Castillo Ortiz 2016) available to regional organizations has seemingly not been up to the formidable task of safeguarding democracy in Venezuela. It would seem that regional multilateral efforts vis-à-vis Venezuela's crisis have suffered like in many previous cases of hemispheric or regional interventions to safeguard democracy in the Americas from problems of implementation and agency. However, on a deeper level, the failure of regional attempts, and particularly the recent invocation of the Rio Treaty to address the situation in Venezuela are symbolic of an alarming state of affairs at the hemispheric level. The Rio Treaty is a Cold War era collective security arrangement created in 1947 that has long been linked with the United States' power, authority, and security interests in the Western Hemisphere. Last invoked on September 11, 2001 following the terrorist attacks on the United States that same day, it is a Cold War instrument that was designed to counter advances by the Soviet Union, communist China, and their allies that is something of an anachronism in the hemispheric security context of the new millennium. In short, invoking the Rio Treaty, as well as the inability of regional organizations to defend democracy in Venezuela, can be perceived as symptomatic of an even larger problem, namely a crisis of authority within Western Hemispheric order that affects the prospects for hemispheric or regional problem solving not only vis-à-vis Venezuela but across a wide array of governance issue-areas.

In this article, I explore why regional multilateral democracy protection has been unable to foster a peaceful, negotiated solution to political crisis, halt authoritarian backsliding or restore the previous democratic constitutional order in Venezuela. I emphasize that the practical challenges of applying democracy protection mechanisms in real problem situations cannot be separated from the concrete hemispheric or regional circumstances in which they are embedded, and accordingly, defending democracy has become more problematic since the 1990s and early years of the new millennium. I contend that democracy protec-

tion is context-sensitive, in the sense that regional order considerations can either help or hinder it. In this article, I draw on the contributions of scholars (Goh 2013; He 2018a, 2018b) who study the transformation of regional order in East Asia and Southeast Asia in order to evaluate how regional order in the Americas has been altered in the twenty-first century. Precisely in the years in which the current Venezuelan crisis has unfolded, the Western Hemispheric order has undergone a particularly turbulent form of regional order transition that I call *hemispheric order upheaval* that has hindered governance performance not only in relation to the regional collective defence of democracy but in terms of the overall ability of regional organizations to construct hemispheric or regional solutions to problems in the Americas. By hemispheric order upheaval, I refer to a particularly disorderly type of regional order transition in which interstate cooperation is seriously impeded by institutional balancing and the coexistence of power vacuum, crisis of authority, leadership deficit, and institutional dysfunctionality.

The state of hemispheric order establishes the parameters for any given or attempted regional multilateral intervention to safeguard democracy, in terms of the provision of democracy protection as a public good, rules-based behaviour, regions as filters or containers for problem solving, and a structure of opportunities and constraints. Accordingly, democratic crises that were already a considerable challenge to address in a timely and effective manner in previous decades when Western Hemispheric order was more robust have become even more difficult to resolve through collective intervention under the current state of regional order upheaval.

Regional democracy protection vs hemispheric order transition

This section provides an overview of the potential explanations provided in the scholarly literature for the inability of regional organizations to defend and restore democracy in Venezuela. Although many scholars correctly underline the recurring practical challenges and shortcomings of agency entailed in defending democracy via regional institutions, I assert that this type of analysis must be coupled with an evaluation of the evolving state of hemispheric order if we are to understand the failures of regional actors in the Venezuelan imbroglio. Accordingly, building on the concept of regional order transition developed by scholars who study East Asia and Southeast Asia (see Goh 2013; He 2018a, 2018b), I propose the concept of *hemispheric order upheaval* to capture the particularly problematic current state of Western Hemisphere order and for subsequent elaboration throughout the remainder of this article.

A sizeable literature on the difficulties of implementation, enforcement, and agency associated with the construction of an Inter-American collective defence of democracy regime during the 1990s provides possible reasons for the frustrated regional efforts to defend democracy in Venezuelan mentioned in the introduction.² It can loosely be divided into two analytical threads: shortcom-

ings with the diplomatic instruments and challenges of agency. First, a number of scholars point to flaws in the mechanisms of democracy protection themselves that need to be corrected. In this regard, Hawkins and Shaw (2007) underscore the legalization limits of the Inter-American Democratic Charter (IDC) that impede its timely and effective application. That is, as a special General Assembly resolution and not a formal treaty, the IDC carries relatively little legal weight to oblige its signatories to comply with and enforce it. Its text also does not delegate much authority to the OAS or its Secretary General and therefore must rely on the will of OAS member states to invoke it.³ An additional legalization limit to the IDC is its lack of precision. The IDC lacks a clear definition of what constitutes a serious threat(s) to democracy, which helps account for the historic difficulty that OAS member states have had in invoking the document in real problem cases (Ayala & Nikken 2006; McCoy 2006, 2007; see also Legler, Insanally, Mariani, & Shaw 2012). That is, without such definitional benchmarks, it is very difficult in fluid, problematic, and often ambiguous situations to know the precise moment when a country has crossed the threshold between normal problems that any democracy faces and those that will lead to a grave crisis if they are not addressed.

Second, various scholars have highlighted problems related to agency, or limits among the actors who defend democracy, including states, regional powers, and presidents. For instance, Barry Levitt (2006) argued that the sensitivity to domestic political factors among OAS member states puts their reliability as defenders of democracy in question and makes cooperation unstable over time and uneven across the region. In a related fashion, on the basis of their review of Argentinian, Brazilian, and Chilean involvement in collective defence of democracy, Feldmann, Merke, and Stuenkel (2019: 466) identify the phenomenon of *principled calculation*: “States continually have to square norms with material interests, political alliances and policy preferences.” Accordingly, they have difficulty in sustaining a consistent strategy of democracy protection in their foreign policy, suffering a gap between their formal regional commitments and their capability to honour them when a democratic crisis in the region requires collective action.

Van der Vleuten and Hoffmann (2010) have signalled the role of regional powers as key, in the sense that pro-democracy intervention occurs when it suits their interests. Similarly, Closa and Palestini (2018) contend that democracy clauses have emerged in part as tutelage mechanisms, through which more powerful states in the region expect to be democracy enforcers when it advances their interests. In addition to states and regional powers, some observers criticize presidents for having developed democracy protection instruments as tools to defend themselves when they face threats of being deposed undemocratically, but not for other branches of government, civil society, or ordinary citizens to invoke. Closa and Palestini (2015) have called this phenomenon “incumbent bias,” a serious challenge for the implementation of the IDC corroborated by former Secretary General José Miguel Insulza (2007). Cooper and

Legler (2006) have tied this bias to “executive sovereignty,” that is, a shared interpretation of sovereignty that privileges inter-presidential decision-making, such that collective interventions to uphold democracy occur when it suits the presidents of the member states, including often the one who may be guilty of authoritarian backsliding. Although the above-mentioned shortcomings in mechanisms and agency are pertinent, they are only part of a larger story of why it has been so hard to uphold democracy in Venezuela. The collective defence of democracy in the Americas has evolved in a specific historical, spatial, and political context: a changing Western Hemisphere order traditionally dominated by the United States.

Following John Ikenberry (2011: 36), “An international order is a political formation in which settled rules and arrangements exist between states to guide their interactions.” International orders can vary along spatial, political, and institutional lines, from the regional to the global, as well as hegemonic and non-hegemonic. In their regional form, orders are linked to regional trends and processes. From the perspective of comparative regionalism, Tanya Börzel and Thomas Risse (2016) posit that regional orders are region-specific combinations of top-down interstate forms of regionalism and bottom-up processes of regionalization driven by civil society actors. However, the analysis of regional orders as configurations of regionalisms and regionalization cannot be understood without reference to regional power distribution. Orders are hierarchical, entailing asymmetrical power relations among their constituent states (Ikenberry & Nexon 2019; Lake 2011). According to Ikenberry (2011), orders are constructed and sustained through a combination of power balancing, the use of coercion by dominant powers, but most importantly, the crafting of social contracts or institutional bargains that serve as codes of conduct upon which constituent states craft rules and institutions that simultaneously reinforce and restrict the exercise of authority by leading states while ensuring the active participation of weaker states in decisions that affect them and protecting their domestic sovereignty.

When regional orders function properly, they can foster propitious conditions for regional governance. That is, a relatively stable balance of power and the existence of social compacts or institutional bargains, normative consensus, and shared notions of regional identity and community can underpin regional decision-making in a way that promotes relatively stable interstate cooperation, the provision of regional public goods, as well as the regional filtering and containment of extra-regional actors. Nonetheless, regional orders are sensitive, contested, and evolving ecologies, or institutional environments (Cooley 2019). The organizational ecology (Abbott, Green, & Keohane 2016) of orders not only conditions the behaviour of participating states but also creates a structure of opportunities and constraints for their actions. As Goh (2013) and He (2018a, 2018b) have pointed out from the experience of East Asia and South East Asia, regional orders can be vulnerable to systemic disruptions or shocks of either intraregional or extra-regional origins, such as power shifts, economic

shocks, or even intense social developments. The end of the Cold War, the Asian financial crisis of 1997-1998, and the 2008-2009 global financial crisis are prime examples of systemic disruptions that triggered significant changes in the configuration of power among the states within a given order, or power transitions/shifts, and put into motion more profound processes of institutional change in East Asian and Southeast Asian regional orders. In her study of East Asia since the end of the Cold War, Evelyn Goh (2013: 16) has labelled this phenomenon *order transition*, understood as “significant alterations in the common goals and values, rules of the game, and social structures of international society.” Order transitions entail the redefinition of patterns of interstate cooperation and problem solving, governance institutions, the institutional bargains or social contracts that underpin those institutions, the corresponding roles, rights, and obligations of the states involved, as well as the actor set of states involved.

According to He (2009, 2018a, 2018b), the interplay of shifting power dynamics and multilateral institutional transformation that characterizes regional order transition in the East Asian and Southeast Asian cases is accompanied by what he calls a process of institutional balancing. This concept refers to the balancing behaviour among competing states for influence within formal regional institutions as well as to protect or redefine the rules that make up the normative structure of regional orders (He 2018: 4). He further asserts that institutional balancing strategies in multilateral forums can vary in terms of whether to include or exclude targeted rival powers. They can also be inter-institutional in the sense of the deliberate creation of one institution to counter-balance and replace another existing one. He’s concept is similar to Morse and Keohane’s (2014: 385) notion of *contested multilateralism*, that is, “the situation that results from the pursuit of strategies by states, multilateral organizations, and non-state actors to use multilateral institutions, existing or newly created, to challenge the rules, practices, or missions of existing multilateral institutions.” Nonetheless, He links institutional balancing more explicitly with regional order transition.

As contested and negotiated processes, regional order transitions are non-linear in terms of their eventual endings. They can be more orderly or disorderly, more or less disruptive as well as more peaceful or conflictive. In any event, these transitions are bound to have influence on the governance outcomes of concrete processes of regional problem solving. Among other things, they will potentially affect existing patterns of interstate cooperation, the provision of regional public goods, and which regional and extra-regional actors participate or are excluded from regional governance activities. Therefore, it is essential in the case of regional efforts to address the Venezuelan crisis that we consider not only the problems of implementation and agency associated with regional multilateral democracy protection but also the governance effects of regional order transition in the Americas.

Although much scholarly attention has been directed in recent years at the current transformation of the global liberal order and its linkages with the Americas (Altmann Borbón 2019; Long 2018; Serbin 2018; Weiffen & Duarte Villa 2017), until recently few academics have focused explicitly on the problematic of hemispheric order. Consistent with Amitav Acharya (2018), it is both conceptually and empirically accurate to speak of an evolving regional order in the Western Hemisphere that is reproduced by regional agency in a way that it is embedded within a global order but distinct. The Western Hemispheric order has had its own complex historical narrative unique from that of global order. It also reflects a shared history among a group of countries that have sought to define their own rules for how to govern the hemisphere while simultaneously delineating relations with outside actors and the global order. Among the handful of scholars who do study regional order in the Americas, Arturo Santa Cruz's (2005a, 2005b, 2020) analysis rescues Arthur Whitaker's (1954) notion of the Western Hemisphere Idea as an evolving constitutional structure of norms that has historically underpinned a United States-dominated hemispheric order across the Americas. Santa Cruz also emphasizes the study of regional order as regional hierarchy, comprised of differentiated relations of authority among states with asymmetrical power.

The work of Juan Pablo Scarfi, Andrew R. Tillman, and their collaborators (2016b) converges with that of Santa Cruz in advocating for the revival of the Western Hemisphere Idea as a useful framework of analysis. They support the Western Hemisphere "as a useful and flexible category for exploring the connections between cooperation and hegemony, engagement and domination, in United States-Latin American relations, as well as the complex diversity of the continent and its internal interactions" (Scarfi & Tillman 2016a: 3). Charles Jones (2007, 2013) suggests that the Western Hemispheric order is rooted in evolving continental and regional identities and imaginaries, a distinctive international society with shared rules of conduct, and even a unique "American civilization." In compatibility with Tom Long (2015), these scholars further call for limiting United States-centricity and underlining the role of Latin America agency in hemispheric processes. Although they suggest the existence of a common Western Hemisphere narrative, they are also sensitive to the nuances of how United States-Latin American relations have played out historically and spatially across different parts of the hemisphere in terms of hegemony and cooperation.

The Western Hemisphere has endured its ups and downs in inter-American cooperation (Corrales & Feinberg 1999; Mace & Thérien 2007; Mace & Migneault 2011). Gordon Mace and Jean Philippe Thérien (2007) have likened this seemingly cyclical pattern to the Greek mythological character Sisyphus. According to Corrales and Feinberg (1999), the Americas have enjoyed three periods of heightened cooperation that led to the institutional expansion of the Inter-American system: 1889-1906; 1933-1954; and, the 1990s. Since the last dynamic period of hemispheric regionalism in the 1990s underpinned by the

unipolar ascendancy of the United States, hemispheric order entered a prolonged period of order transition during the first decades of the twenty-first century that has culminated in recent years in what I call *hemispheric order upheaval*. By this concept, I mean a unique form of regional order transition that is especially unfavourable to interstate cooperation thanks to the combination of institutional balancing, power vacuum, crisis of authority, leadership deficit, and institutional dysfunctionality. I now turn to how this problematic order transition has affected collective efforts to defend democracy in Venezuela.

Defending democracy in Venezuela in a hemispheric order upheaval

Venezuela's democratic constitutional order has been steadily undermined by actions of the Maduro government since his arrival to power in 2013 following Hugo Chávez's death, leading to a multidimensional crisis that has spilled over the country's boundaries. The antecedents of Venezuela's current political crisis can be traced back to the controversial April 14, 2013 presidential election. According to the government-controlled National Electoral Council, Maduro defeated his opposition rival Henrique Capriles by 50.61 percent to 49.12 percent of the vote.⁴ In early 2014, the murder of former Venezuelan beauty queen Monica Spear and her husband in the midst of latent discontent with the state of politics, the economic situation, and public insecurity in the country detonated countrywide protests against the government. The crisis became an existential power struggle between the executive and the legislature after the opposition won control of the National Assembly in the December 2015 elections.

A series of political shocks thereafter definitively undermined Venezuela's democratic constitutional order. On October 20, 2016, the CNE suspended the opposition's bid for a recall referendum on constitutionally dubious grounds. On March 29, 2017, the pro-Maduro Supreme Court stripped the opposition-controlled Congress of its authority, a decision ostensibly reversed later on by judicial authorities following criticism from then-Attorney General, Luisa Ortega. In practice, however, the government continues to consider the legislature in contempt and thus ignores all its rulings while repeatedly harassing and persecuting its members. Subsequently, the Venezuelan government held an unconstitutional election for a National Constituent Assembly that was intended to assume plenipotentiary powers at the expense of the opposition controlled National Assembly. In 2018, Maduro's authorities illegally advanced the presidential election from December to May 20, a vote that was widely condemned as fraudulent and illegitimate as many opposition parties were banned and many potential candidates barred from participating (see Corrales 2020).⁵

It is also important to note that over this period, the concurrent virtual collapse of Venezuela's economy helped convert the country's problems into a multidimensional crisis, including not only political and economic but also humanitarian, crime, migration, and public health dimensions. Thanks to its

cross-border attributes like migration, public health, and transnational organized crime, we have also witnessed the regionalization of the Venezuelan crisis (Legler 2019; Legler, Serbin, & Garelli-Ríos 2018).

Since 2014, Venezuela's worsening crisis has prompted regional actors to pursue a wide array of responses in order to foster a peaceful, negotiated solution and/or defend democracy. With respect to the former, in 2014-2015, an UNASUR commission of foreign ministers from Brazil, Colombia, and Ecuador tried to promote talks. Thereafter, in 2016-2017, three ex-presidents, José Luis Rodríguez Zapatero of Spain, Martín Torrijos of Panamá and Leonel Fernández of the Dominican Republic, as well as the Vatican sought to engage the two sides in negotiations, for which they counted on the good offices and some technical support from UNASUR's Secretary General, Ernesto Samper, and the discrete encouragement of the Obama government. In the latter months of 2017 and early 2018, Dominican president Danilo Medina hosted yet another round of talks with the support of Zapatero and the foreign ministers of Bolivia, Nicaragua, St. Vincent and the Grenadines, Mexico, and Chile. During spring 2019, the government of Norway, with eventual support from the Caribbean Community, attempted to mediate between government and opposition in a series of meetings that were held in Oslo and later in Barbados. This process stalled when President Maduro announced the government's suspension of its participation following the imposition of a new round of United States sanctions. Finally, on September 16, 2019, the Venezuelan government and a small segment of the opposition formally installed a new "national dialogue table" that competed with the process that had been promoted by the Norwegian government (see Alfaro Pareja 2018, 2020; International Crisis Group 2019; Lowenthal & Smilde 2019).

Since the Supreme Court suspended the powers of Venezuela's Congress in March 2017, regional organizations and groupings have ratcheted up diplomatic pressure on the Venezuelan government in an attempt to restore democracy, including condemnatory diplomacy, membership suspension, diplomatic isolation, and targeted sanctions. This pressure intensified even more after the widely condemned inauguration of Maduro for another presidential term on January 10, 2019 following his controversial election victory on May 20, 2018, as well as in support of the contentious act by then president of the National Assembly, Juan Guaidó, to declare himself acting president of Venezuela on January 23, 2019. The United States, the twelve members of the Lima Group, and the European Union have repeatedly issued critical statements against the democracy and human rights violations of the Maduro government. They have also gradually increased targeted sanctions, primarily against Maduro government officials accused of corruption, organized crime, or human rights violations. Under president Trump, United States' authorities have applied a series of sanctions in an effort to deny Venezuelan officials vital revenues from the energy sector and to impede and punish those who would do business with them (See Congressional Research Service 2019a; and Bull and Rosales 2020). In terms of

diplomatic isolation, in August 2017, MERCOSUR formally suspended Venezuela's membership. The government of Peru withdrew its invitation to the Venezuelan government to attend the April 2018 Summit of the Americas, citing the democracy clause contained within the 2001 Quebec Declaration.

In September 2019, the signatories of the Rio Treaty held a Meeting of Consultation of Ministers of Foreign Affairs on the fringes of the annual United Nations General Assembly in New York City to address the situation in Venezuela. Sixteen of the nineteen ministers present agreed to increase their cooperation against officials of the government of Nicolás Maduro accused of corruption, human rights abuses, and organized crime, including a new network of financial intelligence, asset freezes, and criminal prosecution. In December 2019, the same countries adopted targeted travel and asset sanctions against an extensive list of Venezuelan authorities (OAS 2019). Yet none of these measures adopted by regional actors have had any discernible impact in terms of moving Venezuela closer to a peaceful, negotiated solution or the restoration of its democratic constitutional order.

There certainly has been evidence of the difficulty for OAS member states to invoke the Democratic Charter, even following the clear alterations against the democratic constitutional order mentioned above. OAS Secretary General Luis Almagro triggered controversy when he invoked Article 20 of the IDC on May 31, 2016, the first Secretary General ever to do so, a prerogative stipulated in the Charter but widely perceived as the right of governments. OAS member states were subsequently reluctant to define a course of action. Irrespective of the damning evidence that has accumulated concerning the anti-democratic excesses of Venezuela's *de facto* government, gridlock among the members of the OAS has prevented the use of the democracy protection mechanisms contained within the IDC's operative clauses, such as the provision for membership suspension in Article 21.

Consistent with Levitt's (2006) analysis mentioned in the previous section, domestic developments among OAS member states in the new millennium have taken their toll on the Inter-American collective defence of democracy regime. As I shall expand upon momentarily, recent changes in elected officials across Latin America have resulted in foreign policy changes that have affected regional multilateral democracy protection efforts against the Maduro government. Regional efforts by the OAS and UNASUR to address the Venezuelan crisis are illustrative of Feldmann, Merke, and Stuenkel's (2019) notion of principled calculation. That is, safeguarding democracy on a regional level has clashed with country-level questions of identity, ideological affinity, power, and geopolitics. Additionally, irrespective of its present economic woes, Venezuela remains a powerful state against which a collective intervention to defend democracy would not easily accomplish its objective. Accordingly, would-be defenders of democracy have had to calculate not only what is right *vis-à-vis* Venezuela in terms of support for democracy but also what is feasible and realistic for their country positions. However, the role of regional powers

perhaps has been more nuanced than suggested in the analysis of Van der Vleuten and Hoffmann (2010). It may well be that pro-democracy interventions occur when it suits countries like the United States, but the Venezuelan case underscores that the active participation of the United States as enforcer in such endeavours is not a guarantee that they will get off the ground or lead to timely and effective defences of democracy. The Maduro government continues in office despite repeated unilateral and multilateral efforts by the Trump administration to undermine it.⁶

The presidential factor and/or incumbent bias have been clearly present in the Venezuelan case. Until the dramatic events of 2017 that definitively undermined Venezuelan democracy, hemispheric leaders were on the whole reluctant to support any course of action that did not count with the express consent of President Maduro as that country's then democratically elected president. Notwithstanding the aforementioned practical challenges that the countries of the Americas have confronted in order to defend democracy collectively in Venezuela, as I elaborate in the remainder of this section, in the new millennium and especially since around 2014, the Western Hemisphere has endured a particularly problematic version of order transition that can be characterized as *hemispheric order upheaval*.

Before turning to its upheaval, it is worth noting that the rise of multilateral protection of democracy in the Americas was associated with a relatively stable and dynamic moment in hemispheric order. During the 1990s, following the end of the Cold War and the rise of a global liberal order underpinned by the unipolar moment enjoyed by U. S. power, the member states of the OAS created the Inter-American collective defence of democracy regime (see Bloomfield 1994; Cooper & Legler 2006; Heine & Weiffen 2015; Legler & Tiekku 2010). This feat stemmed from unprecedented cordial relations among North American, Latin American, and Caribbean political elites, dynamic hemispheric regionalism, as well as a dual ideological and policy consensus in terms of support for pro-market policies captured in the Washington Consensus and faith in representative democracy (see Corrales & Feinberg 1999; Domínguez 2000, 2016). Although the United States enjoyed unparalleled influence in the hemisphere following the collapse of the Soviet Union, much of the impetus for the specific innovations in the emerging democracy regime came from comparatively weaker states, such as Chile, Colombia, Peru, and Canada. The zenith of this moment in the history of hemispheric order came in 2001, when the governments of the Americas (minus Cuba) adopted the Inter-American Democratic Charter, albeit with explicit reservations expressed by President Chávez against the document's exclusive focus on representative democracy, quite possibly a harbinger of things to come in Venezuela.

Ultimately, the golden moment of 1990s hemispheric cooperation in the Western Hemispheric order was short lived. There have since been two disruptive systemic trends contributing to on-going regional order upheaval during the first two decades of the twenty-first century: the attempt via so-called post-

hegemonic regionalism to construct an autonomous South American regional order separate from hemispheric order; and, a more recent period of both hemispheric and South American institutional decay, stagnation, and uncertainty. First, an overall downturn in inter-American forms of cooperation coincided with the rise of new post-hegemonic or post-liberal regionalisms in Latin America and especially South America (Briceño-Ruiz & Morales 2017; Cienfuegos & Sanahuja 2010; Ruggirozzi & Tussie 2012). A coalition of Latin American and Caribbean countries led principally by the region's two competing rising powers, Brazil and Venezuela, promoted these region-building initiatives during a serendipitous moment of global and regional power shift, a "Pink Tide" of newly elected governments on the left, a boom in the prices for Latin American commodity exports, and the distraction of the United States government with its global war on terrorism. These countries attempted a bold re-definition of the formal institutional and normative parameters of the Western Hemispheric order in the form of a distinct South American regional order that would empower regional powers like Brazil and Venezuela and promote regional and national autonomy via newly created regional institutions such as ALBA, CELAC, and UNASUR (see also Chodor 2014; Chodor & McCarthy-Jones 2013).

In this period that lasted roughly ten years, from 2005-2015, Inter-American forms of cooperation suffered a precipitous decline across various key issue-areas through institutional balancing initiatives associated with the unfolding hemispheric order transition. In 2005, a coalition of South American countries in which Chávez and Lula's leadership figured prominently, terminated negotiations for the Free Trade Area of the Americas at the Mar del Plata Summit of the Americas, the other great hemispheric initiative alongside the IDC. Despite the 2003 Declaration on Security in the Americas and the creation of the Secretariat for Multidimensional Security at the OAS in 2005, the attempt to define a new hemispheric security doctrine called multidimensional security to replace the anachronistic Cold War collective security regime enshrined in the Rio Treaty met resistance and competition from ALBA and UNASUR. In 2012, the ALBA countries of Bolivia, Ecuador, Nicaragua, and Venezuela withdrew from the Inter-American Treaty for Reciprocal Assistance. In a process akin to what Acharya (2011) has termed norm subsidiarity,⁷ UNASUR created a South American Defence Council that promoted an independent South American security project to the detriment of traditional United States-controlled Inter-American security parameters. It is noteworthy that ALBA allies advocated for the conversion of CELAC into a new OAS without the United States or Canada. ALBA members also strongly criticized the Inter-American human rights system for its supposed control by the United States (see Engstrom 2016).

Of particular salience for regional responses to the Venezuelan crisis, exclusive institutional balancing fuelled the emergence of a second rival democracy protection regime anchored in UNASUR that competed with the original

Inter-American regime. The OAS went from being a reinforced or hub institution (Betts 2013; Cooper & Stubbs 2017) among cooperating regional organizations with an overlapping mandate for defending democracy to an organization locked in an existential struggle with UNASUR in this domain. Beginning with the 2008 Bolivian crisis, UNASUR took an increasingly independent course of action in terms of democracy protection in South America, assuming the leading role while marginalizing the OAS with respect to collective responses to the political crises in Ecuador in 2010 and in Paraguay in 2012 (see Morales Martínez & Preta Oliveira de Lyra 2018). In 2010, UNASUR adopted the Additional Protocol to the Constitutive Treaty of UNASUR on Commitment to Democracy as its own version of a democratic charter. Symbolically, the Democratic Protocol made no references in its text to the IDC, thereby favouring South American solutions to South American democratic crises. UNASUR's Democratic Protocol also offers less protection against democratic backsliding by incumbent elected governments than the IDC and more against coup-style threats to those governments. Finally, under the influence of radical participatory and plebiscitary experiments with democracy in Venezuela, Bolivia, and Ecuador, as well as Chávez's vocal opposition to the IDC, the spirit of UNASUR's support for democracy emphasized respect for political self-determination among South American member states more than the OAS's focus on representative democracy.

The effects of order upheaval on defending democracy in Venezuela

The regime competition that accompanied hemispheric order transition had important consequences for regional efforts to respond to Venezuela's mounting crisis. Beginning in 2014, South American countries with widespread support among Latin American and Caribbean member states undertook a successful exercise of regime shifting in which they effectively blocked the OAS, and by extension the United States and Canada, from playing any significant role vis-à-vis Venezuela while empowering UNASUR as the exclusive regional interlocutor for the first several years of the crisis (see Nolte 2018). UNASUR mediation efforts were ultimately unsuccessful and the OAS has remained largely side-lined during the crisis, first because of the UNASUR role and afterward due to ideological divisions among its member states precisely concerning the situation in Venezuela. Nolte (2018) contends that how mandate overlap between the OAS and UNASUR played out during the Venezuelan crisis had the effect of watering down democratic standards to the advantage of the Maduro government and promoting norm subversion with regard to international electoral monitoring in the country. In relation to the latter, in two electoral processes, the 2013 presidential election and the 2015 legislative election, the Venezuelan government refused to invite an OAS election observation mission, while inviting an UNASUR "accompaniment mission" whose terms of reference were less about the validation of the electoral process and more

about solidarity with the incumbent government while potentially offering it legitimization.

Regional order transition has taken a more dramatic turn in recent years, in which institutional balancing through vibrant autonomous institution-building embodied in ALBA, CELAC, and UNASUR has given way to institutional decay, inertia, and uncertainty (Altmann Borbón & Rojas Aravena 2018; Van Klaveren 2017). The fortuitous circumstances that gave rise to dynamic post-hegemonic or post-liberal regionalisms were replaced around 2014-2015 by a systemic shock that renewed political, economic, and social adversity across Latin America and South America. The material support for these experiments eroded when years of commodity boom gave way to a dramatic drop in global prices for Latin American primary exports, triggering renewed economic problems in a number of countries. Shifting electoral outcomes affected the ideological make-up of governments such that renewed ideological confrontation between left and right undermined the pluralist regional consensus that favoured South American autonomy and region building. Following the fleeting moment of rapprochement between the United States and Cuba during the Obama presidency that seemed to promise overall improvements in United States-Latin American relations (see Serbin 2016), the ascendance of Trump has reinforced a division in Latin America between countries aligned with the United States and left-leaning governments critical of U.S. authority in the Americas. Finally, the exit of Chávez, Lula, and Obama from regional and hemispheric politics left a crucial leadership deficit that remains unfilled.

In this profound state of *malaise*, not only hemispheric but also Latin American and South American interstate cooperation have virtually ground to a halt. Indeed, apart possibly from the Pacific Alliance's ability to sustain interstate cooperation among its four member states around a modest economic integration agenda, regionalist experiments have been non-existent in recent years. Ideological and interpersonal tensions among South American presidents and the resultant inability to name a new Secretary General led to the death of UNASUR in 2018 (see Mijares & Nolte 2018). The same strains have also hampered CELAC, whose presidential summits have suffered from a noticeable absenteeism in recent years. The OAS has also been deeply affected by these divisions among its member states, most noticeably surrounding attempts to develop responses to current political crises in Venezuela, Nicaragua, and Bolivia. In this polarized context, the coherence and impartiality of the OAS commitment to upholding democracy has been called into question by its lack of action with regard to recent democratic backsliding in Guatemala and Honduras, countries whose governments have aligned with the United States and joined the Lima Group in their punitive actions against the Maduro government.

In the current juncture, it is difficult to speak of the continued existence of either a hemispheric or a regional public good called democracy protection. The Americas have moved from a situation of competition and conflict be-

tween Inter-American and South American regimes to a predicament where attempted collective action on Venezuela through the OAS has remained largely deadlocked and UNASUR no longer exists. Traditional consensus decision-making at the OAS has eroded and been replaced by divisive votes on attempted collective courses of action vis-à-vis Venezuela. While stonewalling efforts to address the worsening human rights and democracy situation via the OAS in the first half of 2017, the Venezuelan government and its allies attempted to switch forums to CELAC, where they expected a more sympathetic treatment for Venezuela and where the United States and Canada would be excluded. However, CELAC would also suffer its own impasse as seven countries boycotted the special summit organized in San Salvador on May 3, 2017 to address the situation in Venezuela, a number sufficient to prevent the organization from having the quorum necessary to take decisions or pass a resolution.

In this present state of order upheaval, the crisis of formal institutions has prompted the creation of more informal, mini-lateral, and cross-Atlantic arrangements to pressure the Maduro government for democratic change (see also Legler, Serbin, & Garelli-Ríos 2018). Since its launch in August 2017, a coalition of roughly twelve countries belonging to the OAS called the Lima Group has utilized condemnatory statements, targeted sanctions, and diplomatic isolation in an attempt to apply leverage against that government in order to alter its undemocratic behaviour, enter into negotiations with the opposition, and in support of the interim government of Juan Guaidó. The problematic institutional landscape in the Americas also contributed to the rise of a new cross-Atlantic network, the International Contact Group (ICG). The membership of the ICG is comprised of the European Union (EU), eight EU member states, and five Latin American countries.⁸ Whereas the Lima Group has been highly critical of the Maduro government and has focused on negative forms of pressure, the ICG has promoted a peaceful, negotiated, political, and electoral solution to the Venezuela crisis that has included support for Norwegian mediation (see Smilde and Ramsey 2019). In a possible good cop-bad cop arrangement, in mid-2019, the ICG and the Lima Group began to explore possible forms of cooperation and coordination (European External Action Service 2019). In any event, given the poor state of formal regional institutions in the Americas, these two informal multilateral groupings became the main collective responses to the situation in Venezuela.

At this juncture, the incursion of a multiplicity of extra-regional actors suggests that neither the Western Hemisphere nor South America serve as effective regional filters or containers for regional issues such as the Venezuelan crisis. That is, the crisis of authority and institutional inertia evident in hemispheric order upheaval have meant that hemispheric and regional actors, whether individual states such as the United States or regional organizations, have lost much of their ability to constrain the influence and actions of extra-regional actors. One clear implication has been the global geo-politicization of the Venezuelan crisis in recent years. Thanks to this trend, the Venezuelan case

has experienced the rise of “autocracy protection”: vital symbolic and material support for the authoritarian regime in Venezuela from countries outside the Americas, such as China, Russia, Iran, and Turkey, that has helped it to survive and overcome hemispheric and regional democracy protection efforts.⁹

Another consequence has been the de-regionalization of governance problem-solving. When regional orders function relatively well, their configuration of authority privileges the agency of regional actors in the pursuit of regional solutions to regional problems. However, Western Hemispheric order upheaval is now such that regional actors are seemingly incapable at present of regionalizing solutions to the Venezuelan crisis. The trend of growing involvement by extra-regional actors in Venezuelan crisis management began with the efforts of Spanish former Prime Minister José Luis Rodríguez Zapatero and the Vatican to broker talks between government and opposition, and have continued with Norwegian mediation supported by the ICG. Whether for good or bad, China, Russia, and the European Union have all become stakeholders alongside the countries of the Americas in whatever becomes of Venezuela and its government.

Conclusion

The inability of regional organizations to influence events in Venezuela in a positive direction is about much more than the practical limits of hemispheric or regional multilateral democracy protection. The bigger story has to do with profound problems with Western Hemispheric order during the new millennium. The Western Hemisphere, including Latin America and South America, is in a prolonged slump, in terms of hemispheric and regional forms of authority and interstate cooperation, not only with regard to the collective defence of democracy but also other crucial issue-areas such as security, integration, and development. The usual problems with praxis that the would-be defenders of democracy in the Americas encounter are compounded by this ongoing upheaval in Western Hemispheric order. This contention on my part is not filled with nostalgia for a lost United States-dominated hemispheric project. Rather, irrespective of whether we are speaking about the construction of regional authority under United States, Latin American or South American leadership, the prospects for effective regional governance depend on the underlying conditions of order.

The Venezuelan crisis clearly underscores the worrisome state of affairs concerning Western Hemispheric and South American order. Indeed, in recent decades, Venezuela has been a key agent and crucible for both the deterioration of democracy protection as a hemispheric or regional good and the deconstruction of order in the Western Hemisphere more broadly and South America more specifically. The multidimensional crisis in Venezuela worsens in the context of a dysfunctional hemispheric and South American governance architecture. Order upheaval is so profound that governments and regional organiza-

tions in the Americas are not only unable to craft their own regional solution for Venezuela, but also seemingly incapable of preventing actors from outside the Hemisphere from influencing what occurs in that country. The implication of the intertwined stories of Venezuela and the Western Hemisphere is clear: hemispheric or South American order must be repaired before a regional multi-lateral solution to the Venezuela crisis becomes possible.

Thomas Legler is research professor in the Departamento de Estudios Internacionales, Universidad Iberoamericana Ciudad de México. His research focuses on regional governance and institutions in the Americas.

Address: Prolongación Paseo de la Reforma 880, Lomas de Santa Fe, 01219 Ciudad de México.

Email: thomas.legler@ibero.mx

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Notes

- 1 On the deterioration of democracy and human rights at the hands of Venezuelan authorities in recent years, see IACHR (2017), IAJC (2019), OAS (2018), UNHCHR (2019).
- 2 Following Jon Pevehouse (2005), democracy protection denotes international efforts to ensure the survival of democracy in countries where it is under threat. The defence of democracy is a separate problematic from democracy promotion. Following Jorge Heine and Brigitte Weiffen (2015), whereas democracy promotion refers to forward-looking activities to promote liberalization, democratic transition, or to strengthen existing democratic regimes, democracy protection entails specific actions that seek to prevent, halt or reverse the undermining of democracy. The analysis of the collective defence of democracy contained in this article adopts the essential elements and components of representative democracy contained in articles 3 and 4 in the Inter-American Democratic Charter as the point of reference for the type of democracy being safeguarded.
- 3 On the concept of legalization, see Abbott, Keohane, Moravcsik, Slaughter & Snidal (2000).
- 4 Consejo Nacional Electoral, Divulgación presidenciales 2013, available at http://resultados.cne.gob.ve/resultado_presidencial_2013/r/1/reg_000000.html

- 5 For background on the evolution of the Venezuelan crisis, see Buxton (2018); Cannon and Brown (2017); López Maya (2018); Pantoulas and McCoy (2019).
- 6 For analysis and description of United States' actions against the Maduro government, see Camilleri (2018), Congressional Research Service (2019b), and Bull and Rosales (2020).
- 7 Acharya (2011: 97) defines norm subsidiarity as "a process whereby local actors create rules with a view to preserve their autonomy from dominance, neglect, violation, or abuse by more powerful central actors."
- 8 The ICG's European members are France, Germany, Italy, Netherlands, Portugal, Spain, Sweden, and the United Kingdom. Its Latin American members are Bolivia, Costa Rica, Ecuador, Panama, and Uruguay.
- 9 There is a growing literature on the phenomenon of autocracy promotion or support, that is, "any actions carried out by external actors aiming to guarantee that the expected level of regime stability after such actions is higher than the expected level of regime stability without such actions" (Yakouchyk 2018: 4). The reference to autocracy protection rather than promotion or support here is an intentional reference to how the forms of assistance given to countries like Venezuela by their allies impede or neutralize conscious regional or international efforts to engage in democracy protection.

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