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## **A RUDE AWAKENING: THE UNDERSIDE OF VENEZUELA'S CIVIL SOCIETY IN THE TIME OF HUGO CHÁVEZ<sup>1</sup>**

**ABSTRACT** Civil Society and social movements have been heralded as vehicles for democratization in Latin America under the assumption that increased citizen participation in the political process could only strengthen democratic culture. After decades of social mobilization, participatory democracy was institutionalized in the Venezuelan Constitution of 1999 endowing Civil Society with unprecedented political powers and effectively legitimizing Civil Society's incursion into the political. While this institutionalization may have fomented democratic practices, it also unleashed a wave of violent confrontations between pro-Chávez and anti-Chávez forces weakening Venezuela's democratic culture in their wake. We explore how the ethical principles attributed to Civil Society were undermined by conflicts fueled by polarization and increased citizen participation in the political process.

**KEY WORDS** Civil society, sociopolitical polarization, sociopolitical conflicts, social movements, participative democracy, institutionalization of citizen's participation, Venezuela.

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<sup>1</sup> This article was submitted for publication before the death of Hugo Chávez.

## INTRODUCTION<sup>2</sup>

Since the 1980s, Latin American scholars singled out Civil Society as the purveyor of democratization processes. The present-day conflict in Venezuela has challenged this assumption. After decades of social mobilization and unrest, Venezuela's Civil Society achieved its goal in 1999<sup>3</sup>, Venezuela institutionalized what is called a "participatory democracy".<sup>4</sup> Introduced through a constitutional assembly and ratified by the population, the 1999 Bolivarian Constitution combined political representation with direct forms of citizen participation. Despite its controversial origin, the charter endowed Civil Society with unprecedented political powers. It gave "the people" the right to initiate legislation, recall public officials, and derogate international treaties – to name but a few of the rights enshrined within it. By consecrating plebiscitary measures and citizen-initiated processes to the level of higher law, the 1999 Bolivarian Constitution effectively legitimized Civil Society's incursion into the political.

Yet the institutionalization of Civil Society's participation within the Venezuelan State did not lead to the construction of a common collective interest. On the contrary, the constitutionalization of participatory democracy in the presence of a strong sociopolitical polarization exacerbated political conflicts endangering Venezuela's democratic regime. With Civil Society spearheading violent confrontations between pro-Chávez and anti-Chávez factions, Civil Society played a central role in the more than a decade of conflict with the State.

Civil Society's resort to violence in Latin American is largely the result of a process initiated by the economic crises of the 80s. Unable to satisfy society's demands, and challenged by the „constitutional" influx of direct democracy, Venezuela felt prey to a process of internal segregation. As a result, class cleavages permeated Civil Society and resulted in its ideological and political polarization and its fragmentation into social classes. This process highlighted the differences between groups operating within Civil Society eroding the common collective identity that could have prevailed among groups demanding State reforms. Consequently, different groups within Civil Society rallied around specific social class interests and adhered to zero-sum proposals when dealing with political conflicts. Within this context, different groups identified other

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<sup>3</sup> M.P. García-Guadilla, 'Actores, organizaciones y movimientos sociales en la Venezuela del 2002' in M. Ramos (ed.), *Venezuela. Rupturas y continuidades del sistema político (1999-2001)*, Salamanca 2002, pp. 247-273.

<sup>4</sup> Participatory Democracy refers to the institutionalization of participation of Civil Society in decision-making processes by using mechanisms of direct democracy such as citizen initiated legislation, popular assemblies, and referenda among others to complement representative democracy as well as.

social classes as the „enemy,” and their relationship with the State (as either friend or enemy) was based on their ideological affinity to the government of Hugo Chávez Frías.

The interclass violence that erupted in Venezuela contrasted sharply with the ideal of an organized Civil Society seeking to eradicate the exclusionary tendencies of Latin American governments. The model of Civil Society heralded by scholars in Latin America resulted in the mythification of Civil Society as an entity that could transform democratic regimes without having to resort to violence. Within this narrative, Civil Society could articulate the needs of the collective whole better than elected representatives. By staging peaceful demonstrations, Civil Society could exert pressure on politicians making them accountable to their constituencies. In this context, social movements provided the space where the heterogeneous mass converged. Within social movements citizens defended democratic values. In Latin America, social movements pressured the state to address the social question, and recognize the diversity of their population while fostering tolerance. It was through their experience in social movements, the argument went, that democratic values would be instilled in Latin America's populations.

The Venezuelan conflict proves Civil Society does not necessarily put aside particular interests for the good of the whole. Nor does it necessarily promote tolerance towards others or foment respect towards difference.<sup>5</sup> As the 2002 coup d'état against President Chávez demonstrated, a part of Civil Society did not necessarily adhere to legality to achieve its objectives; in this case, social actors resorted to using anti-constitutional means to overthrow President Chávez. Moreover, the leaders of this group were clearly willing to engage in violent struggles. Precisely because the Venezuelan conflict attests to the failure of conceptualizing Civil Society as an integrated entity in terms of its collective interests, it prompts us to reevaluate the relationship between collective mobilization and democratization processes. It begs the question: is an active citizenry organized in social movements, NGOs, or other forms of organizations, responsible for democratic transformations? In the face of multiple successes and failures, how can we explain Venezuelan Civil Society's role in democratization processes?

## DEMOCRATIZATION AND THE UPRISING OF NEW FORMS OF POLITICAL PARTICIPATION

At the end of the 60s, Latin America witnessed an unprecedented surge of mobilization. In the wake of Marxist-inspired proletarian and student-led New Left movements, grew a new form of citizen participation. Devoid of corporate forms of organization and lacking a coherent ideological doctrine, “new” social movements seemed ready to lead a new wave of reforms in Latin America.

<sup>5</sup> M.P. García-Guadilla, 'El mito de la sociedad civil cívica, democrática y pluralista: el caso venezolano', *Iberoamérica*, Año 4, Nº 13 (2004), pp. 179-196 and eadem, 'Social Movements in a Polarized Setting: Myths of Venezuelan Civil Society' in S. Ellner, M. Thinker Salas (eds.), *Venezuela. Hugo Chávez and the Decline of an "Exceptional Democracy"*, Lanham, MD 2007, pp. 140-154.

Given that Latin American governments had failed to eradicate high levels of poverty, unemployment, corruption and their embattled economies had deteriorated under the tutelage of the free market, it seemed obvious that future democratization attempts could not come only from the State and/or Market. The logical alternative was Civil Society. Consequently, Civil Society was the space where the State, the market, and the interests of atomized individuals intersected. It described associations that mediated between individuals and the state, the private and the public sphere, claimed their right to deliberate openly on shared interests, and expressed their views in terms of universal values<sup>6</sup>. Latin American literature focused on the normative dimension or the “*deber ser*” of Civil Society; that is, the space where individuals generated new values and where individual interests converged into general premises and agreements over the “organizational principles of society.”<sup>7</sup>

If Civil Society was to be the new vehicle for change, new social movements were its institutional expression<sup>8</sup>, and a normative framework was developed through which to describe and identify new social and popular movements. The allegation that new social movements fomented democratic practices was reinforced by the focus of the research. Scholars sought proof of the democratization of society by delving deep into the movements seeking to explain their democratizing potential as a result of their internal *modus operandi*.<sup>9</sup>

Along the same rationale, in the 80s and 90s the literature on Venezuelan social movements described their historical trajectory by highlighting the values and rights they upheld and explaining their attempts to defy political principles of organization.<sup>10</sup> In Venezuela,

<sup>6</sup> O'Donnell and Schmitter, cited in J.L. Cohen, A. Arato, *Sociedad Civil y Teoría Política*, México 2000.

<sup>7</sup> J. Habermas, *Legitimation Crisis*, Boston 1975.

<sup>8</sup> N. Cunill Grau, *Repensando lo Público a través de la Sociedad. Nuevas Formas de Gestión Pública y Representación Social*, Caracas 1997.

<sup>9</sup> In the 80s and through the 90s, the analysis focused on how these movements emerged by studying their identity. It concentrated on theories that described how solidarity was fomented (D. McAdam, ‘Cultura y Movimientos Sociales’ in E. Laraña, J. Gusfield (eds.), *Los Nuevos Movimientos Sociales. De la ideología a la identidad*, Madrid 1994; A. Melucci, *Nomads of the Present*, Philadelphia 1989) and how resources were mobilized (J.D. McCarthy, M.N. Zald, ‘Resource Mobilization and Social Movements. A Partial Theory’, *American Journal of Sociology*, Vol. 86, Nº 6 (1977); A. Escobar, S.E. Alvarez, ‘Introduction: Theory and Protest in Latin America Today’ in *idem*, *The Making of Social Movements in Latin America. Identity, Strategy, and Democracy*, Boulder 1992). The social movement focus mapped out the networks (A. Melucci, *Nomads...*), and framed the ideology and discourse (R.D. Benford, D.A. Snow, ‘Framing Processes and Social Movements: An overview and Assessment’, *Annual Review Sociology*, Vol. 26 (2000)) of social movements. It described its forms of communicative action (J. Habermas, *Teoría de la acción comunicativa*, 2 vols., Madrid 1999).

<sup>10</sup> See the following literature on social movements: R. de la Cruz, *Venezuela en busca de un Pacto Social*, Caracas 1988; M.P. García-Guadilla, ‘Crisis, Actores y conflictos sociopolíticos en la Venezuela post-saudita’, *Argos*, Nº 14 (1991), pp. 1-18; eadem, ‘De los movimientos sociales a las redes organizacionales liberales en Venezuela’, *Politeia*, Vol. 23, Nº 2 (1999), pp. 7-23; eadem, ‘Civil Society: Institutionalization, Fragmentation, Autonomy’ in S. Ellner, D. Hellinger (eds.), *Politics in The Chávez Era. Class, Polarization, and Conflict*, London 2003, pp. 179-196; L. Gómez Calcaño et al. (comps.), *Crisis y movimientos sociales en Venezuela*, Caracas 1987; M. López Maya, ‘La protesta po-

the line between political actors and Civil Society was historically determined as the re-enactment of democracy in 1958 resulted in the Pact of Punto Fijo of 1961 which created a pact or “consociational democracy”<sup>11</sup>; that is, powerful alliances within the main political and social forces for defending the stability of the new representative democracy.<sup>12</sup>

During the 70s, autonomous social organizations such as citizen and popular organizations, the cooperative movement, and new social movements based on gender or the environment came to be known as “Civil Society.” Throughout the 80s and 90s, and particularly during the Constitutional Process of 1999, those organizations and movements, which did not partake in the Pacto de Punto Fijo, united to achieve the goal of “democratizing democracy,” temporarily putting aside class interests and integrating strategically around this goal as a way of creating new participatory spaces that would allow them to permeate the State and Society with their new identities as they demanded State recognition and constitutional inclusion of their values and demands.<sup>13</sup>

The “deepening of democracy” as the Venezuelan neighborhood movement called the process of democratization during the late 70s and the 80s, was a pre-requisite for political inclusion. This relationship of social organizations and movements with the State was characterized by actions that avoided co-optation, maintained autonomy, and strove for inclusion in the legal system through institutional means, such as the Reform of the State (1984-1998) and the Constituent Process (1999).

The transition from a representative to a participatory democracy in Venezuela was initiated by presidential decree in the 80s through the “Reform of the State,” a period which paved the way for increased citizen mobilizations and citizen participation in decision-making processes throughout the 1989-1999 period.<sup>14</sup> These reforms contributed to improving representation and increased the political legitimacy of the new decentralized political actors, particularly at the local and regional levels.<sup>15</sup> The “Reform of the State”

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pular venezolana entre 1989 y 1993 en el umbral del neoliberalismo’ in eadem (ed.), *Lucha popular, democracia, neoliberalismo. Protesta popular en América Latina en los años del ajuste*, Caracas 1999, pp. 211-235; L. Salamanca, ‘Protestas venezolanas en el segundo gobierno de Rafael Caldera: 1994-1997’ in M. López Maya (ed.), *Lucha popular...*, pp. 264-339 and E. Santana, *El poder de los vecinos*, Caracas 1983.

<sup>11</sup> J.C. Rey, *El futuro de la democracia en Venezuela*, Caracas 1989.

<sup>12</sup> Social organizations and Civil Society as such were left out of this Pact. In this period, the concept of “Civil Society” was not yet utilized in Venezuela. Citizen groups were referred to as social or community organizations. In line with the historical trajectory of “Civil Society” in Venezuela, the term “civil society” will be understood empirically for this paper as those social organizations and movements that are autonomous from the government, the political parties and the main political alliances or pacts established between social or economic actors and the government (M.P. García-Guadilla, ‘Social Movements...’).

<sup>13</sup> M.P. García-Guadilla and E. Roa, ‘La red de organizaciones sociales liberales y la democracia en Venezuela: potencialidades y limitaciones,’ *Cuadernos del Cendes* Año 15 (1997), Nº35, pp. 55-80.

<sup>14</sup> N. Silva, *Descentralización y concepciones de ciudadanía en Venezuela*. Manuscrito Tesis de Maestría. Universidad Simón Bolívar, Caracas 1999.

<sup>15</sup> In Venezuela, the implementation of neo-liberal economic policies that followed a sharp decrease in the international price of oil, took a particularly hard toll on Venezuela. Throughout the 1980s, the neo-liberal economic policies implemented by Venezuela’s government led to a sharp decrease in the population’s standard of living. As a result, between 1984 and 1995, the percentage of the poor do-

helped social organizations and movements to eventually achieve legitimacy and access the State and the public agenda through incipient participatory-democratic mechanisms such as the established in the “Ley Orgánica del Régimen Municipal” of 1989 and the “Reglamento Nº 1” of such Law that regulated citizen participation at the local level.

From the 70s to the end of the 90s, Venezuelan social movements, like other Latin American movements, were neither revolutionary nor anti-systemic. They were “self-limiting” movements seeking to change the status quo but resisting the allure of political power.<sup>16</sup> They breathed life to a new form of politics but worked within the dominant framework of representative democracy in an attempt to better the model and bridge the distance between Civil Society and the State. What they had in common was the *mobilization of individuals based on a [shared] feeling of morality and injustice, and a social power based on the mobilization against deprivation (or exclusion) and for survival and identity*.<sup>17</sup>

## VENEZUELAN CIVIL SOCIETY IN A POLARIZED CONTEXT: THE ETHICAL VERSUS THE POLITICIZED MODEL

Within the Civil Society and social movement literature of the nineties, there was an emphasis on the “Ethical Civil Society” as an agent of change which challenged the understanding of political transformations as the privileged sphere of specialized representatives and it debunked Arendt’s allegation that violence was a necessary component of regime change.<sup>18</sup>

According to scholars, though Civil Society was composed of organized communities, it did not partake in politics as usual and did not adhere to the dogma of political representation; instead, it defended abstract interests laden with symbolic value [such as, democracy, human rights, and the environment] and as such, civil society was not bound to specific laws and regulations.<sup>19</sup> Moreover, Civil Society defended its right to choose *who would decide what, who would define common problems, and how these would be handled*<sup>20</sup> and in this manner, it contested the notion of citizens as electorate so predominant in realist or elitist democratic theories. Secondly, the new emphasis on

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ubled to 66% of the total population; of these, those classified as living in extreme poverty ascended from 11% to 36% (Roberts 2003: 80); Venezuela’s middle-class was also hard-hit by the economic downturn as the economy continued to deteriorate throughout the 1993-2003 period (Marquez 2003).

<sup>16</sup> J.L. Cohen, A. Arato, *Sociedad Civil y Teoría Política*, México 2000.

<sup>17</sup> A. Gunder Frank, M. Fuentes, ‘Diez Tesis Acerca de los Movimientos Sociales’ in R.G. Béjar, O. Fernández Reyes, M.L. Torregrasa (comps.), *El Juicio al Sujeto*, México 1990.

<sup>18</sup> H. Arendt, *On Revolution*, New York 1990.

<sup>19</sup> A. Brysk, ‘Democratizing Civil Society in Latin America’, *Journal of Democracy*, Vol. 11, Nº 3 (2000), pp. 151-165.

<sup>20</sup> E. Jelin, “La Construcción de Ciudadanía entre Solidaridad y Responsabilidad”, in E. Jelin, E. Hershberg (comps.), *Construir la Democracia: Derechos Humanos, Ciudadanía y Sociedad en América Latina*, Caracas 1996, pp. 113-130.



Civil Society as an agent of change defied the notion that regime transformation was only possible through violent means. In the new paradigm, neither revolutions nor civil wars were necessary components of transitions to democratic systems since the state's monopoly over the means of violence could be transferred from one regime to the next through constitutional means.<sup>21</sup>

Buttressing this Ethical Model of Civic Society lay a series of ground-rules to be observed such as tolerance to diversity which required the acceptance of the "other" as an "other", to protect their rights to articulate their demands, allow them to expose their points of view, and be full participants within Civil Society<sup>22</sup>; as a consequence all life worlds had to be respected<sup>23</sup>. The ethical discourse also required socio-political actors restrain from violating basic rights that were the foundation for the metanorms of rational discourse. Equally important for the democratization potential of an *Ethical* Civil Society, was the establishment of an oppositional but self-restraining relationship between the State and Civil Society since the success of bottom-up democratization efforts depended largely on the ability of Civil Society and the State to practice this self-restraint: only in this milieu of tolerance and mutual respect could bottom-up democratization processes be successful.

Since the 70s and until the arrival of President Hugo Chávez at the end of the 90s, Venezuelan Civil Society did not conform to the Ethical Civil Society Model. Although it was autonomous from the State and its main objective was to deepen democratization in order to achieve institutionalization, the Constitution of 1961 which was eminently representative despite some reforms, did not have the capacity to institutionalize the specific values, demands and identities that social organizations and movements demanded. To assure the required levels of tolerance and pluralism, the Ethical Civil Society presupposes not only participative democracy but a democracy of differences as well; that is, the recognition of different values such as gender, indigenous and environmental ...etc. that were not recognized in the Constitution of 1961. The formal inclusion of these values and identities had to wait for the 1999 Bolivarian Constitution that derived from a constituent process and subsumed the values of different groups within its constitutional or legal framework; nonetheless, acute political polarization precluded the necessary tolerance and pluralism.<sup>24</sup>

The 1999 Constitution, for the first time in Venezuelan history enshrined the majority of the identities, rights, and values demanded by social organizations and movements institutionalizing participatory mechanisms that complemented the representative democratic framework and resulted in a "participatory democracy".<sup>25</sup> This

<sup>21</sup> U.K. Preuss, *Constitutional Revolution. The Link between Constitutionalism and Progress*, New Jersey 1995; and A. Arato, *Civil Society, Constitution, and Legitimacy*, New York 2000.

<sup>22</sup> J.L. Cohen, A. Arato, *Sociedad...*, p. 431.

<sup>23</sup> J. Habermas, *Teoría...*

<sup>24</sup> M.P. García-Guadilla, 'Organizaciones sociales y conflictos sociopolíticos en una sociedad polarizada: las dos caras de la democracia', *América Latina Hoy*, Vol. 42 (2006), pp. 37-60 and eadem, 'Social Movements...', pp. 140-154.

<sup>25</sup> Eadem, 'Actores, organizaciones...', pp. 247-273.

Constitution opened the door to an Ethical Civil Society,<sup>26</sup> allowed it to dabble in the political, and made it co-responsible for establishing the general will. In this manner, the value frameworks of Civil Society became institutionalized and, according to the charter, obliged the State to make use of them when mediating conflicts since participatory democracy, as defined in the Venezuelan conflict shares the power of the State to mediate conflict.

The National Constitution of 1999 was the cornerstone of the new hegemonic political project dubbed by President Chávez as, “La V República<sup>27</sup>” (the Fifth Republic) or “Proyecto Revolucionario Bolivariano” (Bolivarian Revolutionary Project). This radical revolutionary project was addressed to the “Soberano” (the Sovereign)<sup>28</sup>, a term used synonymously with the “Pueblo” (people) in the discourses of President Chávez. The „social subject” of the Bolivarian model was to be „el Soberano” incarnated in “el Pueblo,” or the poor. The distinction between classes which privileged the poor or “Pueblo” over the middle and upper classes that identified with Civil Society of the opposition, appeared to exclude the latter from his project. This constituted a sharp turn from Liberalism, the ideological base of the IV Republic, that despite its limitation had allowed Civil Society to redefine collective communal identities and interests within a coherent if pluralistic civil society. With the Bolivarian Revolutionary Project, however, Civil Society divided into two opposing groups according to class cleavages<sup>29</sup>: the opposition or middle and upper classes that opposed Chávez’s Project<sup>30</sup> and the poor, or “Pueblo” who supported it.

<sup>26</sup> The Constitution rarely refers to the term Civil Society; it more frequently uses the terms social organizations, associations, society, organized society, and organized community among other terms. However, in the post-Constituent period, the government and the opposition defined Civil Society differently: the term civil society was associated with the political opposition and supports of President Chávez used the terms *Pueblo* or *Soberano*.

<sup>27</sup> The Fourth Republic refers to the political system and hegemonic project inaugurated with the Constitution of 1961 that lasted until the Constitution of 1999 was drafted. This Fourth Republic has been derided as “neoliberal, corrupt and oligarchic” by President Chávez.

<sup>28</sup> Despite its lack of definition, the term “el Soberano” or Sovereign constituted a major point of reference in the Constitution of 1999.

<sup>29</sup> Neither the Bolivarian Project nor the Constitution of 1999 should be solely blamed for polarization or the fragmentation of Civil Society into two groups. The contributing factors were already embedded in the Venezuela’s economic and political system; the Bolivarian Project, however, brought these inequalities to light. Even before the formally democratic government was reinstalled at the end of the 50’s, social class cleavages existed in a submerged form in Venezuela; they surfaced with the increasing lack of legitimacy of Venezuelan institutional political actors, particularly political parties. The legitimacy deficit of political actors led politicians and academic scholars to look for new actors capable of holding common collective interests in relating to the State. This actor was found in civil society; its political potential to democratize democracy was supposed to be found in its organizations (called by politicians and scholars new social movements), which according to the existing literature were to be pluralistic, democratic, and included all social classes.

<sup>30</sup> The political opposition is ideologically heterogeneous and very diverse in identities and interests. It is composed of people, social and economic organizations and political parties dissatisfied with President Chávez’s performance, discourse, and political proposals. Social organizations and movements belonging to the opposition define themselves as “civil society” in contrast to those organiza-



The main purpose of the Bolivarian Revolutionary Project was to alleviate poverty and to achieve greater social equity. Under this banner, the poor and the many popular organizations in which they participated allied themselves with the government. Nonetheless, and despite the existence of participatory democracy, their interests were handed over to the State to fulfill. Chávez's relationship with the poor was not based on the mechanisms of participatory democracy sanctioned in the Constitution; instead, in order to satisfy demands for food, employment and housing, he used clientelist and populist measures that were frequently employed by the IV Republic; thus, Chavista civil society has tended to lose autonomy vis-a-vis the State.<sup>31</sup>

The majority of the middle and upper classes, including many of whom had voted for Chávez in the elections of 1998, and 2000, felt excluded from the hegemonic model inaugurated by the president, and joined the opposition. Their main objective was to regain the power and influence they had enjoyed during the IV Republic. Their strategies were directed at overthrowing Chávez from the Presidency by whatever means necessary, including non-institutional mechanisms. This goal led them to align with political parties and like pro-Chávez groups, they too lost autonomy.<sup>32</sup>

The alignment of social organizations according to class cleavages prompted Civil Society to put aside, at least temporarily, the universal values that these social organizations and movements shared hindering the construction of collective objectives. However, as Lander<sup>33</sup> and Ellner<sup>34</sup> have asserted, the previous ability of Venezuelan civil society to develop collective aims was problematical due to great social inequalities and a Market oriented economy that accentuated existing social disparities and increased

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tions from poor sectors that identify themselves with the term "pueblo" or community. Since its origins, the term Civil Society was appropriated by the middle class. Not all the members of the middle and upper classes oppose Chávez. There are groups of the middle class (such as the organization Clase Media en Positivo) and even entrepreneurial organizations and individuals from the upper class that continue supporting him. Chávez also has support from some university students, young professionals and intellectuals that belong to the middle and upper classes. The analytical dichotomy we have made between the two groups (poor vs. middle and upper classes) is based on the behavior of the majority. In President Chávez's discourse, the term Civil Society has a pejorative or negative meaning and it is being used to refer to the privileged sectors of society. For this reason, the poor have rarely identified with the term „Civil Society,” nor do they felt represented by the middle and upper classes.

<sup>31</sup> M.P. García-Guadilla, 'The Urban Land Committees: Cooptation, Autonomy and Protagonists' in D. Smilde, D. Hellinger (eds.), *Venezuela's Bolivarian Democracy. Participation, Politics and Culture under Chávez*, Durham, NC 2011, pp. 80-102; and M.P. García-Guadilla, 'La praxis del poder popular en Venezuela: ciudadanía, inclusión y autonomía de las organizaciones sociales bolivarianas' in, C. Büschges, O. Kaltmeier, S. Thies (eds.), *Culturas Políticas en la Región Andina*, Madrid-Frankfurt am Main 2011, pp. 137-153.

<sup>32</sup> M.P. García-Guadilla, *La constitucionalización de nuevas ciudadanías y racionalidades en Venezuela: actores sociales y gestión de conflictos sociopolíticos*, Grupo Interdisciplinario de Investigación en Gestión Ambiental, Urbana y Sociopolítica, (GAUS), Universidad Simón Bolívar-FONACIT, Vols. 1-3, Caracas 2010.

<sup>33</sup> E. Lander, 'Movimientos sociales urbanos, sociedad civil y nuevas formas de ciudadanía' in idem (ed.), *Neoliberalismo, sociedad civil y democracia. Ensayos sobre América Latina y Venezuela*, Caracas 1995.

<sup>34</sup> S. Ellner, 'Obstáculos a la consolidación del movimiento vecinal venezolano. La brecha entre lo nacional y lo local', *Revista Venezolana de Economía y Ciencias Sociales*, Vol. 5, N° 1 (1999), pp. 33-57.

poverty. The politicization of their interests, therefore, led to civil society to change its strategy: instead of networking within themselves and aggregating their collective interests to relate with the State as they had done in the past, social organizations aligned with pro- or anti-Chávez political parties in order to “salir de Chávez”, (get rid of Chávez) or to support him. In the majority of the cases, Civil Society seemed to be co-opted either by political parties that had lost their sympathizers due to their dwindling legitimacy or by a personal clientelist relationship with the charismatic leader, President Chávez.<sup>35</sup>

Within this scenario, a politicized Venezuelan Civil Society became a point of irreconcilable difference and the State's role as mediator was jeopardized as actors rejected its legitimacy to regulate conflicts because it espoused values, identities, and rationalities that diverged from their own. Unable (or unwilling) to adopt the value systems of Civil Society (or of a group within Civil Society) as the hegemonic project of the State, the government excluded these actors from the general will by prioritizing values that antagonized their interests. With no possibility of coexistence between divergent value systems, actors became embroiled in an existential struggle.

Best articulated by Schmitt<sup>36</sup>, the existential struggle can be defined as a political conflict dominated by the friend-enemy dichotomy where one value system will prevail over all others and conflict becomes a struggle for survival; defeat implies the end of a form of life. In Venezuela, the existential struggle materialized on the streets, avenues, highways, bridges, plazas, parks, public buildings, and other public spaces of the city of Caracas as these were transformed into the privileged locations in the fight for democracy. Street mobilization as a strategy of citizen participation in favor of democracy was used by the political opposition and the sympathizers of President Hugo Chávez<sup>37</sup> not only to support or reject the current government but also to demand greater participation in decision-making politics<sup>38</sup>.

The class alignments of civil society permeated those mobilizations and reproduced the social imaginaries of exclusion in the streets of Venezuelan cities. These imaginaries,

<sup>35</sup> In their association with political parties, social organizations and movements were usually at a disadvantage. For instance, important decisions of the Coordinadora Democrática, the coordinating entity of the opposition where political parties and “civil society” or social organizations participated, were taken despite the “silence” of many social organizations that disagreed with their decisions but did not want to weaken the Coordinadora by making their disputes public. This was the case with the declaration of the “Paro Cívico” or General Strike of December 2002. Likewise, the relationship of popular organizations that support Chávez is mediated either by political parties like the PSUV or by the charismatic figure of the President; that is the case of the Communal Councils and the Communes (See M.P. García-Guadilla, ‘La praxis de los Consejos Comunes en Venezuela: ¿Poder Popular o instancia clientelar?’, *Revista Venezolana de Economía y Ciencias Sociales*, Vol. 14, N° 1 (2008), pp. 125-151).

<sup>36</sup> C. Schmitt, *The Concept of the Political*, Chicago 1996.

<sup>37</sup> M. López Maya, *Del viernes negro al referéndum revocatorio*, Caracas 2005; and M.P. García-Guadilla, ‘Organizaciones sociales...’, pp. 37-60.

<sup>38</sup> Some of the most important mobilizations initiated in December 2001 were either those against the Laws enacted by Presidential Decree (such as the Organic Law on Land and Agricultural Development) which underestimated the reaction of the population and led to a coup d'état against President Chávez in 2002 or those, both, civil and violent, in favor of a Revocatory Referendum against him.

or social representations, considered the “other” as the „enemy,” and therefore barred the “other” from participating in decision-making processes and denied them access to the spaces where mobilization took place. Mobilizations in favor or against Chávez also reflected class geographies: while government supporters in Caracas gathered in the overwhelmingly poor western part of the city, the anti-Chávez protests took place in Altamira and other wealthy areas in the east. This led to the emergence of “spaces of fear”<sup>39</sup> defined as the dominion of the “others,” where violence against outsiders may occur. The capital city of Caracas was a city divided into social geographies where the daily mobilization of its inhabitants was restricted to the friendly spaces.<sup>40</sup> In the 2001-2004 period, to trespass into the popular barrio or the urbanizations of the middle and upper classes placed outsiders in danger since with increased frequency, the poor and the middle and upper classes confronted each other in the streets of Caracas.<sup>41</sup>

Chávez’s discourse heightened this social polarization reinforcing imaginaries of exclusion that led actors to define conflicts as existential struggles. In his discourses, the enemies were the “oligarchic and wretched” privileged sectors that he called the “*escuálidos*” (the squalid ones). He blamed the middle and upper classes for the existing poverty, social inequalities, and the exclusion of the poor from social benefits; in fact, Chávez’s discourse was sometimes used by some adepts to legitimize abuses such as land and house invasions through violent and non-institutional means.

## DISPARATE RIGHTS AND VALUES: FROM DISPUTES TO EXISTENTIAL STRUGGLES

Once the Constitution of 1999 was approved, the process of enacting a new body of laws transformed the relationship between pro- and anti-Chávez forces into an existential struggle. One of the reasons for the escalation of conflict was largely the result of the ambiguities of the term “participatory democracy” and the different interpretations of constitutional rights espoused by the groups within civil society that supported the opposition or the government. As conflicts arose that required the interpretation of the rights enshrined in the Constitutional charter, the state’s role as mediator of conflict was jeopardized. Chávez and his Bolivarian Revolution faced the complex task of resolving conflicts that adhered to divergent rights and values.

The Venezuelan political conflict under President Chávez developed along two normative axes that reflected the differences government’s supporters and the opposition had around the definition of democracy and the role of civil society. In line with the literature on representative and participatory democracy, the differences between

<sup>39</sup> S. Rotker (ed.), *Ciudadanías del miedo*, Caracas 2000.

<sup>40</sup> M.P. García-Guadilla, ‘Organizaciones sociales...’, pp. 37-60.

<sup>41</sup> According to the human rights organization PROVEA, between October 2002 and September 2003, there were 465 mobilizations of which 22% were violent. In ‘Derecho a la manifestación pacífica’, Derechos Civiles y Políticos, at <[http://www.derechos.org/ve/pw/wp-content/uploads/03\\_derecho\\_a\\_la\\_manifestacion\\_pacificas.pdf](http://www.derechos.org/ve/pw/wp-content/uploads/03_derecho_a_la_manifestacion_pacificas.pdf)>.

these two forms of democracy rested on the emphasis they placed on constitutionally enshrined rights: the opposition civil society's model prioritized the civil and political rights of liberal representative democracy while the government and its supporters privileged the social, economic, and cultural rights that derive from a participative democracy and that emphasize inclusion and the redistribution of the power to face poverty and social inequalities. As a consequence, in the presence of socio-political conflicts that involved different constitutional rights, the government and its supporters subordinated civil and political rights to socioeconomic and cultural ones. The Fundación Juan Vives Suriá, ascribed to the "Defensoría del Pueblo", a judicial government body, strongly criticized the liberal approach to constitutional rights stating: (...) *the hegemony of the liberal doctrines in the development of human rights has been oriented to guarantee (...) the interests of the dominant sectors, acting as a ideological control mechanism of processes related with the vindication of the dignity*.<sup>42</sup>

In the process of resolving political conflicts that involve civil-political versus socioeconomic and cultural rights in a polarized society, neither side interpreted these constitutional rights as indivisible and interdependent, neglecting the integral view of human rights. In this context, the Inter-American Commission of the Human rights reminded the government in its Annual Report of 2009 that *to assure the access to health, education, food, work or housing, the government cannot reduce the importance or promotion of the right to life, equality or freedom of expression*<sup>43</sup> because human rights are interdependent and indivisible.

The principles outlined in the Constitution were supposed to underpin the legislative-legal framework (organic laws, ordinary laws and regulations) and govern the relationship between the State and society, but the process became highly politicized. Moreover, even if the Constitution of 1999 was approved by a high percentage of the population in a Referendum where the majority of the population supported it, the absence of legislation or of a legal body of rules that were supposed to be sanctioned with the participation of society, hindered the resolution of those conflicts between civil society and the government that involved competing values. Discussions on the Law of Citizen Participation, the Organic Law of Land and Agricultural Development, the Organic Law of Education and in general, all the laws that needed to be drafted in accordance with the new constitution, were the turning point that transformed the dispute into an existential struggle. Agreement was difficult to achieve in some cases; in other cases, it could not be reached due to the existence of antagonistic value frameworks.

For civil society, the Law of Citizen Participation that defined specific forms of participation was of paramount importance. But when social actors were summoned by the National Assembly to discuss the project, the interpretation of the term "participa-

<sup>42</sup> Fundación Juan Vives Suriá. Defensoría del Pueblo. Instituto de Estudios de Derechos Humanos, at <<http://www.defensoria.gob.ve/dp/escueladdhh/temas/iaedddhh.htm>>, 28 July 2012.

<sup>43</sup> Inter-American Commission on Human Right. Organization of American States, 'Annual Report 2009', at <<http://www.cidh.oas.org/annualrep/2009eng/Chap.IV.f.eng.htm>>.

tion” fell into two distinct and conflicting frameworks reflecting the existing divisions within civil society. The first definition of participation, supported by pro-Chavistas, conceived participation as *direct democracy* in the form of popular assemblies called on to make decisions on matters of public importance (as specified in Article 70 of the Constitution). As Haidée Machín, a popular leftist leader, stated *the proposed law (...) is nothing other than direct and protagonist participatory democracy in contrast to representative democracy*.<sup>44</sup> In this interpretation, representation and participation were somewhat counter-posed. The Machín proposal recognized the validity of participation of a wide-range of citizen organizations that included *groups with a legal character as well as those that were not [legally] registered but had demonstrated influence in, or which sprung from, community projects (...)*. In a second interpretation, supported by the opposition, direct participation appeared as a complement to representative democracy. This interpretation was supported by SINERGIA (2001), a network of organizations that embraced pluralism and liberalism. In the proposal for an “Organic Law of Popular, Citizen and Community Participation,” SINERGIA stressed participation through the mediation of social organizations “with a legal character,” although it recognized that participation could vary depending on the types of issues involved. This interpretation of SINERGIA was based on Article 15 of the Constitution, which emphasized that *legislative activity that is developed through participatory means shall respect the autonomy of the organizations representing the political, economic and social sectors affected by its application*. Since the relationship between the State and the opposition at that time was not characterized as an existential struggle, many of the differences between the two conceptions were finally overcome and a common proposal was drafted in 2001. Nonetheless and following legal procedures and consultations mainly with popular sectors through the “Street Social Parliamentarism”, a second proposal named “Ley Orgánica de Participación Ciudadana y Poder Popular” was drafted in 2006; finally, the “Ley Orgánica del Poder Popular” was approved in 2010 by the National Assembly where the majority were supporters of President Chávez whom decided in favor of direct democracy<sup>45</sup>; proposals of social organizations of the opposition such as representative democracy to be combined or to complement participatory democracy, were left aside.

Discussions surrounding the Law of Education though polemical did not immediately respond to the characterization of an existential struggle. Social and political actors agreed on a common proposal. Yet once again, the draft was shelved when President Chávez rejected it on the grounds the agreed upon proposal did not reflect his views.<sup>46</sup> The President’s attitude fueled the conflict and contributed to transform-

<sup>44</sup> H. Machín, ‘1er Borrador de Elementos para el Anteproyecto de Ley Orgánica de Participación Ciudadana’, Manuscrito del Equipo Comunitario Técnico de apoyo para la Participación, 2001.

<sup>45</sup> For Deputy Pedro Lander (MVR/DC), the Organic Law of Popular Power *is the law framework of all laws, it is one of the fundamental laws of our revolutionary process, our shift towards the Socialist model of the 21st century*. Lander quoted in Aporrea (at <<http://www.aporrea.org/contraloria/n81501.html>>, 29 July 2006).

<sup>46</sup> A. Mallén, *El Caso de la Asamblea Nacional de Educación. Una explicación contextual de la participación de la sociedad venezolana durante el premier periodo de Chávez*, Dallas 2003.



ing the relationship between the opposition and the government from a dispute to an existential struggle. Nonetheless, the Organic Law of Education was finally approved by the National Assembly in 2009 without taking into account many of the propositions done by civil society; for this reason, the opposition rejected it claiming it “reinforces socialist values”.

As opposed to the law of Citizen Participation and the Law of Education where the differences were between civil society and the government and not between pro or anti-Chávez groups, in the case of the Organic Law of Land and Agrarian Development, neither pro nor anti-Chávez groups could reach an agreement on; for this reason, this law was ultimately drafted through a Presidential Decree. In fact, most of the laws that were considered important by the government such as the above Land Law that included Agrarian Reform were enacted by Presidential Decree. This went against citizens' expectations of participating in their design through the mechanisms laid out in the constitution. These decrees, although legal in character, marked the change in the relationship between the middle and upper classes and the government. Their struggle assumed a bellicose demeanor and quickly escalated into an existential struggle. Moreover, the emergence of specific class interests in their relation with the State complicated the achievement of consensus and the aggregation of interests within Venezuelan Civil Society: there appeared to be no social organizations or movements among the different social classes able to claim the right to represent shared interests or universal values.

The approval of several important laws by Presidential Decree also marked the beginning of massive street mobilizations defying the government. On December 10, 2001, for the first time business organizations openly protested by calling a work stoppage in opposition to the recently promulgated agrarian reform and other legislation which allegedly jeopardized property rights. The protest was considered a success by the opposition because it paralyzed major cities; even employees who did not approve of the action stayed home out of fear of possible street violence. In contrast, large numbers of poor people from the countryside also demonstrated in the streets in support of the agrarian reform, while many members of the informal economy defied the strike by working that day.

Another excellent example of the complexity of resolving conflicts that involved different constitutional rights and values was the conflict of the “Tendido Eléctrico” or the Electric Power Line across the Gran Sabana (Canaima National Park) intended to deliver energy to Brazil. In 2000, the government of Hugo Chávez Frías sustained talks with Brazil to provide its Southern neighbor with cheap electricity. This initiative would reap economic benefits but required extensive construction through the Gran Sabana, an ecologically rich and bio-diverse ecosystem located in Canaima's National Park. This development put into conflict three constitutionally guaranteed rights: the right to economic development supported by the government, the right to environmental protection supported by the environmental movement, and the right of the indigenous population in the area to conserve their cultural identity, which was supported by indigenous groups and the environmental movement.

In the absence of specific legislation to resolve the conflict, a Negotiation Participatory Table was set up between the government's Vice-president and the social



and political actors involved. Nonetheless, it was blocked by President Chávez who feared the results could jeopardize international agreements with Brazil. Finally, the decision to prioritize economic development for that region was taken by Presidential Decree, which neglected not only the rights defended by the environmental and indigenous social movements but also the constitutional right of the organizations to co-participate in the decision.<sup>47</sup>

Abandoning its role as mediator of the conflict, President Chávez accused his opponents, particularly the environmental groups, of being “traitors, spies, and foreigners.” Moreover, the incipient indigenous movement became politicized between “pro-power-line Chavistas” and “anti-power-line Chavistas,” obscuring the larger issues involving economic development, identity, and the environment. These social imaginaries and the politicization of civil society transformed the dispute into an existential struggle; that is from a scenario where it was possible to build common and shared values from the plurality to another where a particular set of values prevailed.

### THE ESCALATION OF CONFLICT: SOCIAL IMAGINARIES, MOBILIZATIONS AND VIOLENCE

From the April 2002 mobilizations that led to the overthrow and return of President Chávez, to the violence that erupted at the end of February 2004, when the opposition protested the decision of the Consejo Nacional Electoral (National Electoral Council), not to recognize the validity of the signatures necessary to stage a recall referendum against Chávez, violence dramatically increased causing more than fifty deaths and hundreds of injuries.

Although conflict was articulated in terms of a dispute during the first two years of Chávez’s presidential term, after the April 2002 coup d’état the existential struggle became the primary means of expressing difference. The coup d’état of April 11, 2001 was carried out by a group of entrepreneurs and high-ranking military following a mass mobilization of the opposition against President Chávez. Representatives of important civil organizations such as “Queremos Elegir” and the “Asamblea de Educación” among others signed a letter congratulating the new government; the letter appeared the day after the coup in *El Nacional*, one of the two most important daily newspapers. The self-proclaimed president, Pedro Carmona Estanga abolished the Constitution of 1999 that resulted from a Constituent Process, the National Assembly that was elected through democratic elections, the regional and local representatives such as the governors and mayors that were democratically elected after the State’s decentralization process in the 80s and 90s. In sum, the interim president dismantled the democratic institutions that resulted from decentralization and that were legitimated through the Constituent Process and institutionalized in the Constitution of 1999.

<sup>47</sup> M.P. García-Guadilla, ‘El movimiento ambientalista y la constitucionalización de nuevas racionalidades: dilemas y desafíos’, *Revista Venezolana de Economía y Ciencias Sociales*, Vol. 7, Nº 1 (2001), pp. 113-132.

In this competition over resources, influence, and power, the actors in dispute employed strategic discourses, organization, mobilization and even violent actions to achieve their aims. There were no boundaries to the type of action actors, the political opposition, civil society or the government, engaged in. Even if the explicit purpose of the conflict was not violent confrontation, violence was unleashed during the events of April 11 to 15, 2002, leading to the overthrow and return of President Chávez. The role of the government and the two groups of civil society in these events that resulted in *the deaths of at least 50 people and the wounding of many others during the failed coup between 11 and 14 April 2002* has yet to be explained according to Amnesty International.<sup>48</sup>

The 2002 coup d'état did not put an end to the exclusion of the "other" from the normative models proposed by each faction. The General Strike of December 2002 that lasted until February of 2003 carried out by the opposition in defiance of the government was another example of the use of the existential struggle as a means of articulating difference. The main objective of the general strike, called a "Paro Cívico" or "Civil Strike" by the opposition and "Subversive Strike" by government supporters, was to force President Chávez to resign by disrupting the national oil national industry. This general strike was called by the "Coordinadora Democrática", an entity that represented the alliances established between political parties and social and economic organizations belonging to the opposition. Civil organizations in the opposition supported the strike despite the fact the government did not recognize it as legal and even threatened to fire public employees participating in it. The threat materialized when more than 25.000 persons according to the Secretary of the Venezuelan Workers Confederation (CTV) and according to government supporters more than 5.000 persons working in the State owned Oil Company, "Petróleos de Venezuela" and its research institute INTEVEP, were fired.<sup>49</sup> During the two months of this general strike, there were numerous street mobilizations and violent confrontations; the social imaginaries of the opposition and the government fueled the conflict. The government labeled citizens participating in the strike as the "enemies," the "traitors," and "anti-patriotic" and the strike was declared "illegal." The opposition, however, justified their actions appealing to Article 350 of the constitution that legitimizes civil disobedience<sup>50</sup> and the general strike was de-activated only after it proved to be unsuccessful.

Violence again erupted at the end of February 2004 when the National Electoral Council (CNE) postponed the much-expected publication of its decision on the

<sup>48</sup> Amnesty International, 'Annual Report 2004', at <<http://www.unhcr.org/refworld/country,COI,AMNESTY,ANNUALREPORT,VEN,,40b5a20514,0.html>>, 12 July 2012.

<sup>49</sup> 'CTV exige amnistía para despedidos de Pdvsá', *El Universal*, 10 January 2008, at <[http://noticias.eluniversal.com/2008/01/10/pol\\_art\\_ctv-exige-amnistia-p\\_665840.shtml](http://noticias.eluniversal.com/2008/01/10/pol_art_ctv-exige-amnistia-p_665840.shtml)>; L. Bracci, 'Cronología del sabotaje petrolero: 6 años del más duro golpe a la economía', YVKE Mundial Radio, 1 December 2008, at <<http://radiomundial.com.ve/node/196664>>, 12 July 2012.

<sup>50</sup> Article 350 of the 1999 Bolivarian Constitution reads, *The people of Venezuela, loyal to its republican tradition, its fight for independence, peace and liberty, will disavow any regime, legislation or authority that contravenes values, principles and democratic guarantees or impairs human rights.*

validation of signatures gathered to petition a recall referendum for President Hugo Chávez. As was anticipated: *there was a high potential for conflict around this decision because the CNE required further validation of signatures gathered.*<sup>51</sup> Thus, the strategy of “civil disobedience” as the opposition called their protest was linked to the decision of the CNE to declare as “non valid or subject to ratification” a great number of signatures supporting the Recall Referendum against President Chávez. This decision, which according to the opposition was based on “questionable rules that were set a posteriori,” initiated mobilizations known as the plan “Guarimba.” This was a strategy of civil disobedience utilized by the opposition in the major urbanizations of Caracas with the purpose of creating chaos and disrupting the streets in order to pressure the CNE to validate the signatures in question. It consisted in closing the streets in the middle and upper class urbanizations to vehicular transit; the main highways and avenues leading to those urbanizations were also closed. Barricades of rubber tires, wood, furniture, among other objects, were built and set on fire on the highways and streets of the major urbanizations and municipalities where the opposition lived.

The highways of Caracas, its main plazas and even certain mixed social class urbanizations, experienced clashes between pro- and anti-Chávez protestors and between the opposition and the police forces. A report by Amnesty International (2005) stated that *At least 14 people died during nationwide anti-government demonstrations in February and March. As many as 200 were wounded and several of those detained were ill-treated or tortured by members of the security forces.*<sup>52</sup> Once again, the polarization and the social imaginaries about the “other” that fed the existential struggles stimulated the conflict. While the government labeled this plan an “insurrection”<sup>53</sup> the opposition defined it as “civil disobedience” legitimate under Article 350 of the Constitution.

## FINAL REFLECTIONS AND CONSIDERATIONS

The Venezuelan conflict proves Civil Society does not necessarily put aside particular interests for the good of the whole. It does not always promote tolerance towards others nor does it foment respect towards difference. Pluralistic in values and heterogeneous in social class composition, Civil Society does not necessarily have common collective interests. In countries besieged by extreme inequalities, class cleavages create deep divisions making universal proposals difficult to articulate.

The Venezuelan experience also demonstrates that Civil Society does not always adhere to legality. It is willing to resort to violence to achieve its objectives. The polarization of Venezuelan society, further demonstrates that class interests can become

<sup>51</sup> M.P. García-Guadilla, *La constitucionalización de nuevas ciudadanas...*, p. 352.

<sup>52</sup> Amnesty International, ‘Informe 2005. El estado de los derechos humanos en el mundo’, p. 423, at <<http://www.amnesty.org/en/library/asset/POL10/001/2005/en/5d0645a9-e979-421a-be07-40a8b9c09f5d/pol100012005es.pdf>>.

<sup>53</sup> M. López Maya, *Del viernes negro...*, pp. 37-60.

political interests and interfere in the definition of the common collective good, particularly in the presence of antagonism with the hegemonic model of the state.

In a scenario of existential struggle, between the State and a politicized Civil Society, the role of regulating or mediating conflict assigned to the State proves difficult to execute. Moreover, when a part of Civil Society does not recognize the legitimacy of the State as mediator and regulator of conflict, this role can no longer be successfully assumed by the State.

The institutionalization of divergent values further complicates the state's role in conflict-resolution. In the case of Venezuela, the inclusion of antagonistic values in the 1999 Bolivarian Constitution gives the State little guidance as to how to resolve conflicts where different rights are being disputed. This problem is aggravated by the principle of the "indivisibility and interdependence" of rights, which stipulates that different rights have the same priority and can only be upheld if they are simultaneously guaranteed. Within this framework it is necessary to ask, how should the State mediate between competing rights while upholding their status as "indivisible and interdependent"? As the conflict of the "Tendido Eléctrico" reveals, it is not easy to abide by this principle. In the case of the electrical transmission line, for example, should priority have been given to economic development, environmental rights or the right to protect the cultural identity of indigenous populations? Is the right to citizen participation more important than national security?

Conflict, however, does not necessarily weaken the state. In a democratic system, it is part of ordinary politics and arises due to the coexistence of a plurality of values. Indeed, what make societies modern are the multiple interests, needs, values, and opinions of its population; thus, conflicts as a part of the political process are resolved through agreements between affected parties. However, as in the case of Venezuela, conflict threatens the political system when it is "antagonistic" because society cannot define its common collective interest nor is it able to contribute to the general will. Worse yet, as happened in Venezuela when civil society and the State cannot agree upon the definition of the general will because they have antagonistic ideological frameworks, then social actors or civil society become politicized and attempt to make their particular interests synonymous with the general will. This scenario begs the question: can greater citizen participation (or participative democracy) lead to existential struggles and to the emergence of a Politicized Civil Society due to the interpretation of political conflicts as antagonistic?

In the case of Venezuela under Hugo Chávez, once citizen participation was formally institutionalized (through the 1999 Bolivarian Constitution) the praxis of "participatory democracy" created new dilemmas regarding the role social organizations and movements played vis-a-vis the State, leading to debates over what their contribution would be to the articulation of common collective values and interests. Thus, when analyzing the democratic effects of Civil Society on Latin America, the following new questions should be addressed: Can Latin American civil society transcend social class cleavages and define a common collective identity to relate to the State? How can we

define this common collective identity in the presence of great ideological polarization and the acute social inequalities that divide civil society into two contrasting interests groups? How can we define this common collective identity before ameliorating class differences? Can civil society practice tolerance and self-restraint to spearhead the region's democratization when the main issue is that of achieving basic rights for the great majority of its members? Should the achievement of greater equality be defined, then, as the common collective issue for all? In the case of Venezuela, how should civil society define a common collective identity to relate with the State when a part of it rejects the legitimacy of the State to continue regulating conflicts through constitutional means?

In Venezuela, there is still an opportunity to transform the existential struggle back into a dispute. As in any existential struggle, there is a space for arbiters (other than the government) to mediate the conflict. In fact, after the failure of the two major attempts to overthrow President Chávez, who was elected democratically, the opposition changed its strategy and turned their efforts to the Constitutional Recall Referendum against the President. As a result of the mediation of the Secretary of the Organizations of American States (OAS) César Gaviria, the support of the United Nations Program for Development (UNPD), and the Carter Center, a Negotiation Table was created to search for a solution to the acute political problems. On February 18, 2003, the two factions reached a formal agreement and issued the "Declaración contra la violencia, por la paz y la democracia en Venezuela" (the Declaration against Violence, and for Peace and Democracy in Venezuela). With the help of these arbiters, three months later, the leaders in the conflict signed the "Acuerdo entre la representación del Gobierno de la República Bolivariana de Venezuela y los factores políticos y sociales que lo apoyan y la Coordinadora Democrática" (Agreement between the representation of the Bolivarian Republic of Venezuela government and the political and social entities that support it and the Democratic Coordinator). These agreements attest to the possibility that opposing parties might accept to resolve their differences through constitutional means.

Given the degree of polarization and the escalation of violence that has characterized the Venezuelan conflict, it seems necessary to find an alternative model of "participatory democracy." To face social inequalities, transcend class cleavages, and the polarization of civil society, perhaps it is necessary to use an integral view of human rights and reinterpret "participatory democracy" as a model that seeks to satisfy both personal liberties and material necessities. This can only be fulfilled if governments transcend liberal individualism and approach justice, equality, and community. They must go beyond formal "equality" – or equality before the law – and establish equality within the social realm. If the rights to subsistence, security, and liberty are the cornerstones of participatory democracies; it is therefore, possible to surmise that only when citizens are provided with a decent chance at a healthy and active life (of more or less normal length, barring tragic interventions,) can they partake in other endeavors and exercise their constitutionally granted political and civil rights.

## REFERENCES

- Amnesty International, 'Annual Report 2004', at <[http://www.unhcr.org/refworld/country\\_COI,AMNESTY,ANNUALREPORT,VEN,,40b5a20514,0.html](http://www.unhcr.org/refworld/country_COI,AMNESTY,ANNUALREPORT,VEN,,40b5a20514,0.html)>, 12 July 2012.
- Amnesty International, 'Informe 2005. El estado de los derechos humanos en el mundo', p. 423, at <<http://www.amnesty.org/en/library/asset/POL10/001/2005/en/5d0645a9-e979-421a-be07-40a8b9c09f5d/pol100012005es.pdf>>.
- Arato A., *Civil Society, Constitution, and Legitimacy*, New York 2000.
- Arendt H., *On Revolution*, New York 1990.
- Benford R.D., D.A. Snow, 'Framing Processes and Social Movements: An overview and Assessment', *Annual Review Sociology*, Vol. 26 (2000).
- Bolivarian Constitution*, 1999.
- Bracci L., 'Cronología del sabotaje petrolero: 6 años del más duro golpe a la economía', YVKE Mundial Radio, 1 December 2008, at <<http://radiomundial.com.ve/node/196664>>, 12 July 2012.
- Brysk A., 'Democratizing Civil Society in Latin America' *Journal of Democracy*, Vol. 11, No. 3 (2000), pp. 151-165.
- Cohen J.L., A. Arato, *Sociedad Civil y Teoría Política*, México 2000.
- Cruz R. de la, *Venezuela en busca de un Pacto Social*, Caracas 1988.
- 'CTV exige amnistía para despedidos de Pdvsa', *El Universal*, 10 January 2008, at <[http://noticias.eluniversal.com/2008/01/10/pol\\_art\\_ctv-exige-amnistia-p\\_665840.shtml](http://noticias.eluniversal.com/2008/01/10/pol_art_ctv-exige-amnistia-p_665840.shtml)>.
- Cunill Grau N., *Repensando lo Público a través de la Sociedad. Nuevas Formas de Gestión Pública y Representación Social*, Caracas 1997.
- 'Derecho a la manifestación pacífica', *Derechos Civiles y Políticos*, at <[www.derechos.org/ve/pw/wp-content/uploads/03\\_derecho\\_a\\_la\\_manifestacion\\_pasifica.pdf](http://www.derechos.org/ve/pw/wp-content/uploads/03_derecho_a_la_manifestacion_pasifica.pdf)>.
- Ellner S., 'Obstáculos a la consolidación del movimiento vecinal venezolano. La brecha entre lo nacional y lo local', *Revista Venezolana de Economía y Ciencias Sociales*, Vol. 5, N° 1 (1999).
- Escobar A., S.E. Alvarez. 'Introduction: Theory and Protest in Latin America Today' in *idem*, *The Making of Social Movements in Latin America. Identity, Strategy, and Democracy*, Boulder 1992.
- Fundación Juan Vives Suriá. Defensoría del Pueblo. Instituto de Estudios de Derechos Humanos, at <<http://www.defensoria.gob.ve/dp/escueladdhh/temas/iaedddhh.htm>>, 28 July 2012.
- García-Guadilla M.P., 'Actores, organizaciones y movimientos sociales en la Venezuela del 2002' in M. Ramos (ed.), *Venezuela. Rupturas y continuidades del sistema político (1999-2001)*, Salamanca 2002.
- García-Guadilla M.P., 'Civil Society: Institutionalization, Fragmentation, Autonomy' in S. Ellner, D. Hellinger (eds.), *Venezuelan Politics in The Chávez Era. Class, Polarization, and Conflict*, London 2003.
- García-Guadilla M.P., 'Crisis, Actores y conflictos sociopolíticos en la Venezuela post-saudita', *Argos*, N° 14 (1991).
- García-Guadilla M.P., 'De los movimientos sociales a las redes organizacionales liberales en Venezuela', *Politeia*, Vol. 23, N° 2 (1999).



- García-Guadilla M.P., 'El mito de la sociedad civil cívica, democrática y pluralista: el caso venezolano', *Iberoamérica*, Año 4, Nº 13 (2004).
- García-Guadilla M.P., 'El movimiento ambientalista y la constitucionalización de nuevas racionalidades: dilemas y desafíos', *Revista Venezolana de Economía y Ciencias Sociales*, Vol. 7, Nº 1 (2001).
- García-Guadilla M.P., *La constitucionalización de nuevas ciudadanías y racionalidades en Venezuela: actores sociales y gestión de conflictos sociopolíticos*, Grupo Interdisciplinario de Investigación en Gestión Ambiental, Urbana y Sociopolítica, (GAUS), Universidad Simón Bolívar-FONACIT, Vols. 1-3, Caracas 2010.
- García-Guadilla M.P., 'La praxis de los Consejos Comunales en Venezuela: ¿Poder Popular o instancia clientelar?', *Revista Venezolana de Economía y Ciencias Sociales*, Vol. 14, Nº 1 (2008).
- García-Guadilla M.P., 'La praxis del poder popular en Venezuela: ciudadanía, inclusión y autonomía de las organizaciones sociales bolivarianas' in C. Büschges, O. Kaltmeier, S. Thies (eds.), *Culturas Políticas en la Región Andina*, Madrid-Frankfurt am Main 2011.
- García-Guadilla M.P., 'Organizaciones sociales y conflictos sociopolíticos en una sociedad polarizada: las dos caras de la democracia', *América Latina Hoy*, Vol. 42 (2006).
- García-Guadilla M.P., 'Social Movements in a Polarized Setting: Myths of Venezuelan Civil Society' in S. Ellner and M. Thinker Salas (eds.), *Venezuela. Hugo Chávez and the Decline of an "Exceptional Democracy"*, Lanham, MD 2007.
- García-Guadilla M.P., 'The Urban Land Committees: Cooptation, Autonomy and Protagonists' in D. Smilde, D. Hellinger (eds.), *Venezuela's Bolivarian Democracy. Participation, Politics and Culture under Chávez*, Durham, NC 2011.
- García-Guadilla M.P., E. Roa Carrero, 'La red de organizaciones sociales liberales y la democracia en Venezuela: potencialidades y limitaciones', *Cuadernos del Cendes*, Año 15, Nº 35 (1997).
- Gómez Calcaño L. et al. (comps.), *Crisis y movimientos sociales en Venezuela*, Caracas 1987.
- Gunder Frank A., M. Fuentes, 'Diez Tesis Acerca de los Movimientos Sociales' in R.G. Béjar, O. Fernández Reyes, M.L. Torregrosa (comps.), *El Juicio al Sujeto*, México 1990.
- Habermas J., *Legitimation Crisis*, Boston 1975.
- Habermas J., *Teoría de la acción comunicativa*, 2 vols., Madrid 1999.
- Inter-American Commission on Human Right. Organization of American States, 'Annual Report 2009' at <<http://www.cidh.oas.org/annualrep/2009eng/Chap.IV.f.eng.htm>>.
- Jelin E., "La Construcción de Ciudadanía entre Solidaridad y Responsabilidad", in E. Jelin, E. Hershberg (comps.), *Construir la Democracia: Derechos Humanos, Ciudadanía y Sociedad en América Latina*, Caracas 1996, pp. 113-130.
- Lander E., 'Movimientos sociales urbanos, sociedad civil y nuevas formas de ciudadanía' in E. Lander (ed.), *Neoliberalismo, sociedad civil y democracia. Ensayos sobre América Latina y Venezuela*, Caracas 1995.
- López Maya M., *Del viernes negro al referendo revocatorio*, Caracas 2005.
- López Maya M., 'La protesta popular venezolana entre 1989 y 1993 en el umbral del neoliberalismo' in M. López Maya (ed.), *Lucha popular, democracia, neoliberalismo. Protesta popular en América Latina en los años del ajuste*, Caracas 1999.
- Machín H., '1er Borrador de Elementos para el Anteproyecto de Ley Orgánica de Participación Ciudadana', Manuscrito del Equipo Comunitario Técnico de apoyo para la Participación, 2001.

- Mallén A., *El Caso de la Asamblea Nacional de Educación. Una explicación contextual de la participación de la sociedad venezolana durante el premier periodo de Chávez*, Dallas 2003.
- Marquez P., '¿Porque la gente votó por Hugo Chavez?' in S. Ellner, D. Hellinger (eds.), *La Political Venezolana en la Epoca de Chavez. Clases, Polarizacion y Conflicto*, Caracas 2003.
- McAdam D., 'Cultura y Movimientos Sociales' in E. Laraña, J. Gusfield (eds.), *Los Nuevos Movimientos Sociales. De la ideología a la identidad*, Madrid 1994.
- McCarthy J.D., M.N. Zald, 'Resource Mobilization and Social Movements. A Partial Theory', *American Journal of Sociology*, Vol. 86, Nº 6 (1977).
- Melucci A., *Nomads of the Present*, Philadelphia 1989.
- Prensa AN, 'Dip. Lander: La Ley Orgánica de Participación Ciudadana y Poder Popular es fundamental para el proceso revolucionario', *Aporrea.org*, 29 Julio 2006, at <<http://www.aporrea.org/contraloria/n81501.html>>.
- Preuss U.K., *Constitutional Revolution. The Link between Constitutionalism and Progress*, Atlantic Highlands, N.J. 1995.
- 'República Bolivariana de Venezuela. Asamblea Nacional', at <[http://www.asambleanacional.gob.ve/index.php?option=com\\_content&view=article&id=10421&lang=es](http://www.asambleanacional.gob.ve/index.php?option=com_content&view=article&id=10421&lang=es)>, 23 July 2012.
- Rey J.C., *El futuro de la democracia en Venezuela*, Caracas 1989.
- Roberts K., 'Polarizacion social y resurgimiento del populismo en Venezuela' in S. Ellner, D. Hellinger (eds.), *La Political Venezolana en la Epoca de Chavez. Clases, Polarizacion y Conflicto*, Caracas 2003.
- Rotker S. (ed.), *Ciudadanías del miedo*, Caracas 2000.
- Salamanca L., 'Protestas venezolanas en el segundo gobierno de Rafael Caldera: 1994-1997' in M. López Maya (ed.), *Lucha popular, democracia, neoliberalismo. Protesta popular en América Latina en los años del ajuste*, Caracas 1999.
- Santana E., *El poder de los vecinos*, Caracas 1983.
- Schmitt C., *The Concept of the Political*, Chicago 1996.
- Silva N., *Descentralización y concepciones de ciudadanía en Venezuela*, Manuscrito Tesis de Maestría. Universidad Simón Bolívar, Caracas 1999.

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