

A Deal That Could Save Venezuela

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It was a stunning victory. As results began to trickle in from around the country, they showed the opposition winning by a more than two-to-one margin. The once-formidable political machine in power proved to be no match for millions of voters who sent a clear message to their authoritarian leader: Your time is up.

But despite the landslide, the ruling party ignored the will of the people, and the leader's allies proclaimed him president.

Those events took place in Poland in 1989 under the rule of Gen. Wojciech Jaruzelski. But they could just as well have described Venezuela in the aftermath of its presidential election on July 28. The cases differ in key ways — unlike Venezuela's Nicolás Maduro, Mr. Jaruzelski was never accused of misrepresenting election tallies (as I strongly believe Mr. Maduro has done), and the election in Poland was for the legislature, which then appointed Mr. Jaruzelski president. But I believe there is something to be learned from this comparison, and especially from its aftermath.

As the international community contemplates how to react to Mr. Maduro's apparent election theft, a sense of understandable fatigue has set in for observers hoping for an end to his long, corrosive and antidemocratic rule. After all, it seems either the international community or the country's opposition have tried just about everything. Targeted sanctions aimed at regime officials? Done that. Oil sanctions to starve the government of resources? Tried that, too. Easing sanctions as an incentive to hold free elections? That didn't work, either. Put a \$15 million reward on his head? Try to spur a military uprising? Check, check. None of it worked.

All these attempts had one principal goal in common: to drive Mr. Maduro from power. And of course, since the problem with dictators is that they hold power illegitimately, wanting to drive them out makes all the sense in the world. But we don't always get what we want.

This is where the Polish example comes in. Rather than stepping down after the humiliating loss in the parliamentary elections, Mr. Jaruzelski came to an agreement with the opposition Solidarity movement. Mr. Jaruzelski would continue to formally head the government as president and his Communist party would also maintain control of the interior and defense ministries. A Solidarity leader would become prime minister, with the power to appoint his cabinet.

The deal was harshly criticized by many in the opposition. Sharing power with a dictator who they said suppressed and tortured them was, they thought, morally unacceptable. But the agreement essentially worked. Mr. Jaruzelski largely refrained from using his executive powers, and it set the stage for one of Eastern Europe's most successful transitions to democracy, heralding the end of Communism in Eastern Europe.

A starting point for thinking about what a national unity government in Venezuela could look like was actually produced by the U.S. government in March 2020. Called the Democratic Transition Framework for Venezuela, the plan contemplated the creation of a Council of State, a body that would have representation from various parties and serve as the executive branch while new elections were organized.

The framework was proposed too late in that stage of the Venezuelan crisis, after the United States had spent more than a year unrealistically demanding that Mr. Maduro cede power to the opposition leader Juan Guaidó, who claimed to be the country's legitimate interim president.

But it serves as a useful starting point today. The contours of a viable power-sharing agreement in Venezuela would likely include a division of responsibilities within the executive branch. The opposition and nonpartisan experts would be best poised to occupy ministries in charge of economic and oil policy. Chavistas — the name for followers of Mr. Maduro's mentor, Hugo Chávez — could remain at the helm of the security and interior ministries. The parties would need to agree on a plan of action to address the country's humanitarian and economic emergency, while the international community could promise to financially support the new government's effort at economic reconstruction.

There is time before the start of the next presidential term on Jan. 10 to negotiate and put before voters,

in a referendum, a project of constitutional reform that would enshrine the guarantees needed to make a national accord work. It should limit the current powers that the presidency has to subordinate other branches of government to its decisions, and thus provide a firm and credible commitment that an incoming government will abide by and respect the separation of powers.

Facilitators who have tried to help broker a deal for a peaceful transition in Venezuela have underscored that effective guarantees for losers are a vital part of such an agreement. But only the Venezuelan state can ensure the protection of thousands of pro-government leaders who fear retribution and the loss of political rights in case of a change in government. The best way to provide that guarantee is by ensuring that Chavista officials remain at the helms of the security forces and the prosecutor's office, and by having the incoming government relinquish the power it currently has to dissolve the judiciary by convening a constitutional convention. President Biden should offer to back this agreement with a commitment to grant clemency to Mr. Maduro and other government officials currently under indictment on charges of narco-terrorism in the United States.

A postelection power-sharing deal can act as a political truce that allows a country to move beyond the stalemate of a disputed election. After postelection violence led to hundreds of deaths following Kenya's disputed 2007 polls, both sides reached a deal that divided ministerial posts equally between them, eventually leading to effective governance and major reforms. Closer to home, both Venezuela and Colombia used power-sharing agreements to lend stability to their nascent democracies in the 1950s.

Would Mr. Maduro accept a power-sharing deal? Perhaps not. But leaders almost never give up power voluntarily; they are forced to do so when they face a fracturing of their governing coalition. Mr. Maduro's coalition so far has rallied around him largely because of fears of retribution if the opposition comes to power. A power-sharing deal would allow them to continue to participate in the country's political life with reasonable guarantees. The leftist leaders of Brazil, Colombia and Mexico, whose political movements were partly inspired by Mr. Chávez, are best poised to convey to Mr. Maduro's allies that they can reclaim the legacy of their movement by helping build a way out of the country's current political impasse.

Resistance to a power-sharing agreement may also come from the opposition camp. Many in the opposition will see a power-sharing deal as unfair, unjust and unacceptable. Mr. Maduro lost the election, they may argue, and the only negotiation that the world should be having is about him abandoning power.

But the question that opposition leaders must face at this juncture is how they can honor their commitment to bring democracy and prosperity to Venezuela. Venezuela must avert a descent into what could be the country's darkest period of authoritarianism. Let us hope that Edmundo González, Mr. Maduro's opponent for the presidency, and María Corina Machado, the charismatic leader of the opposition movement, have the temperance and vision to understand the compromises that need to be made to turn Venezuelans' dreams of democracy into reality.

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