Games People Play:
International Regime and Domestic Actor Complexity
In Venezuela's Political Crises

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I. Introduction

In recent years a growing body of literature has sought to understand the consequences of international institutional proliferation, overlap and complexity for global governance,[1] including cooperation and problem-solving.[2] In the Latin American context, various authors have begun to explore how the recent proliferation in regional and subregional institutions, such as in the trade and security issue-areas, has affected regional governance processes and outcomes.[3] A focus on the interplay of complex institutional architectures and governance processes at the regional or subregional level has the potential advantage of illuminating how the politics of institutional complexity plays out on the ground in individual countries in the solution of concrete problems, yet few if any such studies exist yet in Latin America.

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[1] Following Thomas Weiss 2013, 32, global governance can be defined as "…collective efforts to identify, understand or address worldwide problems that go beyond the capacity of individual states to solve." In this paper we focus on regional governance in Latin America in the specific issue-area of the collective defense of democracy. In line with Elke Krahmann's 2003 analysis, in which global and regional governance share a series of core governance similarities, Weiss's definition is also pertinent at the regional level.

[2] Alter and Meunier 2009; Muzaka 2010; Orsini, Morin, and Young 2013.

[3] Gómez-Mera 2015; Nolte 2014; Weiffen, Wehner, and Nolte 2013

In this paper, we intend to fill that gap. One issue-area in which institutional proliferation has clearly left its mark on governance outcomes is the collective defense of democracy. During the 1990s, the countries of the Americas engaged in the construction of an Inter-American collective defense of democracy regime anchored in the Organization of American States, intended to provide international support to countries facing serious threats to their democratic constitutional orders. Regime development culminated in 2001 in the adoption of the Inter-American Democratic Charter. Over roughly the last twenty-five years, the evolution of collective efforts to protect democracy in the Western Hemisphere via the OAS has been accompanied by a steady proliferation of existing and new regional and subregional organizations with overlapping mandates in this issue-area: the Andean Community; the Caribbean Common Market (CARICOM); the Community of Latin American and Caribbean States (CELAC); the Ibero-American Secretariat-General; the Rio Group; the Southern Cone Common Market (MERCOSUR) and the Union of South American Nations (UNASUR). From more unified and coordinated efforts among this plethora of institutions during the first fifteen or so years of the regime's existence, as we shall discuss below, in recent years this complex architecture appears to have bifurcated into two distinct and rival regimes, the original one centered in the OAS and the other in UNASUR. We are interested in how trends in international institutional complexity in the collective defense of democracy issue-area interact with domestic constellations of actors to affect the real prospects for resolving political crises in Latin American countries.

As we shall analyze in this paper, Venezuela's travails with democracy provide an attractive case for this purpose. Against a backdrop of ongoing international institutional proliferation, complexity, and overlap, international, transnational and domestic actors engaged in

collective efforts to promote a negotiated solution to political crises in Venezuela during 2002-2004 and 2014-2015. In the wake of a coup d'état that briefly ousted President Hugo Chávez in April 2002, the Organization of American States (OAS) in conjunction with the United Nations Development Program and the Carter Center facilitated an intra-elite dialogue process which eventually produced an agreement between government and opposition in favor of a recall referendum as the exit strategy from the country's crisis. In February 2014, collective action by students triggered countrywide protests that threatened to bring down the government of President Nicolás Maduro. Beginning in March 2014, the Union of South American Nations (UNASUR) sought with some assistance from the Vatican to foster a negotiated solution to the political crisis, with a marginalized role for the OAS. UNASUR's repeated missions of a group of foreign ministers was unsuccessful in bringing the two sides together for a fruitful dialogue in either 2014 or 2015, though the organization did monitor the 2015 parliamentary elections. This outcome raises the question whether recent institutional fragmentation among democracy protecting organizations at the regional level, namely the OAS and UNASUR, played a role.

Our research on the international responses to the two crisis episodes in Venezuela confirms that institutional proliferation and complexity does matter in terms of the prospects for advancing a successful negotiated solution, but that the context of power and ideas crucially influences this relationship. The internationally-facilitated agreement which led to the 2003-2004 recall referendum was associated with a particular configuration of regional and subregional organizations, which shared common ideas and interests in terms of how democracy should be defended in the country, and in general rallied behind or reinforced the institutional leadership of the OAS. Since 2014, international efforts to resolve Venezuela's

crisis have been divided between UNASUR and the OAS. Importantly, the organizations and their respective supporters no longer share a consensus in terms of how to protect democracy, or indeed if a common definition for democracy exists.

Nonetheless, our research also signals that how international regime complexity plays out in relation to cooperation or conflict among regional organizations, as well as consensus or division among their respective ideas concerning democracy protection, only gives us a partial account for explaining the success or failure of collective efforts to overcome political crises in Venezuela. We argue that governance performance with respect to the collective defense of democracy depends on how *international complexity* interacts with *domestic actor complexity* to affect governance outcomes. That is, the superior performance of international efforts in Venezuela's crisis during 2002-2004 had to do with the unique juxtaposition between an articulated set of international actors who shared common ideas in terms of how to uphold democracy, and a particular constellation of domestic actors in Venezuela, in which both government and opposition were articulated into relatively coherent actors that could face each other in a united way across the negotiating table, thereby enabling to a certain extent international attempts to facilitate a negotiated resolution to the democratic crisis. This is in stark contrast with the 2014-present crisis situation in Venezuela, where not only were international actors and norms about how to defend democracy fragmented, but the domestic conflict structure was characterized by domestic actors both within the government and opposition who were themselves divided, impeding any international effort to promote dialogue.

Our analysis of the two Venezuelan crises suggests that a concrete way in which the juxtaposition of international and domestic actor complexity affects governance outcomes via the generation of distinct *bargaining games*, yielding different prospects for democratic conflict resolution. As we plot in a matrix toward the end of the paper, international institution-domestic actor interactions in the two periods produced two distinct governance games. The 2002-2004 crisis involved more of a classic Putnam-style[4] two-level game in which a relatively unified Inter-American collective defense of democracy regime led by the OAS attempted to help resolve a political crisis marked by the polarization between the government and its supporters, and their political opposition. The 2014-16 crisis has involved a more complex multilevel game, in which the original Inter-American regime has split into two separate, competing regimes led by the OAS and UNASUR, within an ideologically-polarized and institutional fragmented hemisphere. These divided actors in turn have interacted with fragmented government and opposition actors, both of which lack the unity characteristic of the earlier crisis episode. With respect to the collective defense of democracy, our analysis underscores that context matters for understanding how international regime complexity influences governance outcomes, both in terms of regional geopolitical and ideational trends, and configurations of domestic actors in the affected country.

In what follows, the paper is divided into four parts. The first section summarizes claims made in the mainstream and Latin American literature concerning the consequences of international institutional complexity and overlap for governance outcomes. Second, we

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[4] Putnam 1988.

sketch the evolution of the institutional architecture for the collective defense of democracy, from the construction of an Inter-American regime centered on the OAS during the 1990s and the first years of the new millennium, to regime bifurcation between the OAS and a South American *subsidiarity movement*[5] led by UNASUR. In the third part, we analyze the two-level game that emerged during the Venezuelan crisis of 2002-2004. In the fourth we examine the multilevel game that emerged with renewed crisis in 2014. Finally, in our concluding section we present a matrix that summarizes the potential ways in which international regime complexity and domestic actor complexity can interact to produce distinct governance games, and thus, differing governance outcomes.

II. INTERNATIONAL REGIME AND DOMESTIC ACTOR COMPLEXITY: FROM THE MAINSTREAM TO LATIN AMERICA

A growing number of scholars have posited that the international regime complexity and overlap that result from institutional proliferation can have important causal effects on global governance.[6] That is, regime complexity and overlap can serve as independent variables in terms of explaining governance outcomes. Here we look at two ways in which the literature indicates that they influence governance: the differing degrees of fragmentation in governance architecture and the creation of a transnational political opportunity structure for states. As we shall see, this interest in the consequences of international regime complexity

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[5] Acharya 2011.
[6] Alter and Meunier 2009; Muzaka 2010; Orsini, Morin, and Young 2013. Alter and Meunier 2009, 13 define international regime complexity as "…the presence of nested, partially overlapping and parallel international regimes that are not hierarchically ordered."

for governance impacts has carried over into the study of Latin American regional institutions. Yet in either case, global or regional governance, the literature is less clear about the determinants of when regime complexes produce favorable versus unfavorable outcomes. In this regard, we propose that particular juxtapositions of international regime complexity and *domestic actor complexity* produce different *bargaining games*, which in turn enhance or complicate the prospects for governance success.

First, the work of Biermann, Pattberg, van Asselt and Zelli suggests that thanks to continuous international institutional proliferation, all governance architectures are fragmented to some extent.[7] As they point out, institutional fragmentation need not necessarily be negative. It can be both advantageous and disadvantageous. Some fragmentation lends itself to opportunities for synergy or cooperation among participating actors, while in other cases it fosters conflict. According to their ideal-typical typology of fragmented governance architectures, cases in which institutional fragmentation can be synergistic or cooperative are distinguished by three important factors. First, institutional integration exists, wherein one institution is core and other institutions are closely integrated. Second, core norms are integrated across institutions. Finally, the relevant constellation of actors supports these institutions. By contrast, conflictive fragmentation is characterized by institutional disintegration, in which unrelated institutions compete, core norms are conflicting and the actors support different institutions. In a complimentary way, Betts asserts that institutional proliferation can create scenarios in which some established international organizations benefit as "reinforced institutions" while others become "challenged institutions".[8]

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[7] Pattberg, van Asselt and Zelli 2009.
[8] Betts 2009, and 2013.

Importantly, on the basis of an analysis of global climate governance, Biermann, Pattberg, van Asselt and Zelli assert that differing degrees of fragmentation in governance architectures can affect governance performance in diverse ways. They hypothesize that their impact can vary in terms of four aspects: the relative speed in arriving at agreements; regulatory prospects; the level of actor participation; and, equity concerns.[9]

Second, institutional overlap and complexity creates something akin to *a transnational political opportunity structure* for states. States can engage in "forum shopping," picking and choosing from among a variety of institutional options the one that best suits their interests and needs in a particular moment.[10] Alter and Meunier write "…international regime complexity has a causal influence primarily by creating a political environment that alters the behavior and political salience of states, IOs, and sub-state actors".[11] Orsini, Morin, and Young assert that the characteristics of distinct regime complexes, such as whether they are fragmented, centralized, or dense, create opportunities or constraints for cooperation.[12]

In this sense, institutional complexity can serve as a "weapon of the weak." That is, a common strategy of the weaker states of the global South is to engage in *regime-shifting*: switching their efforts from institutional venues controlled by more powerful states to those more favorable to them.[13] In a related fashion, Acharya has identified an institutional

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[9] Biermann, Pattberg, van Asselt and Zelli 2009, 24-30.
[10] Busch 2007.
[11] Alter and Meunier 2009, 21.
[12] Orsini, Morin, and Young 2013.
[13] Helfer 2004, and 2009. See also Morse and Keohane 2014.

regionalization process that he calls *norm subsidiarity*: a process whereby local actors create new rules in order to assert or protect their autonomy from more powerful extra-regional states.[14] Interestingly, Muzaka observes in the intellectual property issue area that regime complexes can serve as tools for resistance and obfuscation for weaker actors.[15]

In recent years, scholars have begun to pay attention to how the overlap and complexity caused by the proliferation of regional and subregional institutions have affected regional governance in Latin America. Importantly, their work demands that mainstream analysts take the study of regional institutional complexity and overlap in relation to regional governance seriously, and not just their usual focus on global regime complexes and governance.[16]

Something of a debate has arisen in terms of the overall impact of institutional proliferation on governance in Latin America. Gómez-Mera, for example, presents a forum shopping-style argument in relation to the proliferation and overlap among regional trade agreements in recent years.[17] This increasingly institutional complexity operates through three mechanisms that affect trade governance in negative ways: enhancing rule ambiguity, governmental opportunism and interstate competition that erodes regional unity. She argues that the "spaghetti bowl" of regional trade and economic agreements exacerbates the lack of commitment and the ideological fragmentation among governments in the region with

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[14] Acharya 2011.
[15] Muzaka 2011.
[16] Gómez-Mera 2015; Nolte 2014; Weiffen, Wehner, and Nolte 2013.
[17] Gómez-Mera 2015.

respect to regional cooperation and integration.[18] Nonetheless, she does qualify her argument in the sense that the increase in the number of institutions in itself is not necessarily negative, but rather, the problem lies in how states opportunistically manipulate them for their own ends. Although their focus is not strictly on the governance consequences of international regime complexity, Malamud and Gardini worry that the continuing proliferation of regionalisms and subregionalisms in Latin America since the 1960s is not the sign of the success of economic integration, but of its disintegration, thinning out, and exhaustion. According to them, Latin American integration has "reached its peak".[19]

Detlef Nolte, on the other hand, argues that regional institutional proliferation can have either negative or positive effects.[20] In a similar vein, Diana Tussie has observed that regional institution-building has had both complementary and competing impulses.[21] Nolte suggests that the plurality of overlapping regional organizations can also have positive regional governance potential. Not unlike the aforementioned governance fragmentation analysis of Biermann, Pattberg, van Asselt, and Zelli,[22] Nolte proposes a taxonomy of possible specific interactions among such organizations in Latin America, including synergistic, cooperative, conflictive, or segmented.

But whether in the analysis of Biermann, Pattberg, van Asselt, and Zelli or Nolte, what explains when international regime complexity works in more synergistic or cooperative

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[18] See also Dabène 2012.
[19] Malamud and Gardini 2012, 117.
[20] Nolte 2014.
[21] Tussie 2009.
[22] Biermann, Pattberg, van Asselt, and Zelli 2009.

ways than conflict, competition or opportunism? As their work suggests, it is not a foregone conclusion that institutional fragmentation need necessarily have negative governance consequences. It is not only important to acknowledge and identify the positive or negative outcomes or effects of international institutional complexity, but to understand why and when they occur. It might well be then that its explanatory power as an independent variable might be limited or at least qualified. It is possible that the causal chain between international regime complexity and governance outcomes involves intervening variables.

There are various hints in the scholarship as to what these factors that shape outcomes in more positive or negative directions might be. For example, some point to specific characteristics of the institutional architecture itself.[23] Others suggest that global and regional power configurations and trends can affect the outcomes of international regime complexity.[24] Finally, the work of some suggests that there are important endogenous determinants that may condition the ways that international regime complexity affects governance outcomes.[25]

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[23] Nolte 2014, and Hofmann and Mérand 2012 who propose that webs of institutions, such as that comprised by the European Union, that possess "institutional elasticity," that is, that are simultaneously strong and flexible, enjoy superior governance performance. In the Latin American context, Nolte 2014, 10 indicates that governance complexes in which bridging elements exist across institutions, such as cross-cutting membership, may perform better.

[24] Flemes and Wojczewski 2011; Malamud 2011; Nolte 2014; Ortiz-Luquiz 2016; Schirm 2010. Dating back to Keohane's 1984 classic analysis, there has been a longstanding debate whether hegemony is a precondition or not for effective world order. Nolte's 2014 analysis draws attention to Brazil's recent role as a regional power in Latin America in relation to regional governance complexes, in the context of the relative decline of U.S. power in the region. In ongoing processes of global and regional power diffusion and multipolarization, various authors have begun to highlight the importance of global-regional dynamics of leadership and followership among emerging powers and secondary powers. See Flemes and Wojczewski 2011; Malamud 2011; Ortiz-Luquiz 2016; Schirm 2010.

[25] Dabène 2012; Legler 2013; Malamud 2015; Malamud and Gardini 2012. For example, in Latin America, what happens in terms of inter-institutional politics cannot be separated from the projection of presidential authority at the regional level. Regional politics is the domain of interpresidentialism and responds to the specific domestic needs and interests of presidents. See: Dabène 2012; Legler 2013; Malamud and Gardini 2012, and 2015. Indeed, Malamud 2015 points out that the dominant domestic regime form in Latin America, concentrationist presidentialism (versus the more diffuse presidentialism of the United States), in which

We agree that shifts in regional power configurations have important implications for the evolution of and coherence of regional institutional architecture. We further argue that ideological coherence or fragmentation at the regional level impacts governance, particularly in the value-laden area of the collective defense of democracy.

But our analysis also emphasizes that how inter-institutional dynamics at the regional level play out in terms of positive or negative governance outcomes cannot be separated from domestic context. We stress that international-domestic interactions in specific governance issue-areas entail differing juxtapositions of international regime complexity and *domestic actor complexity*. Just as international institutional architectures can be more unified or divided, the domestic actors involved in concrete governance problems can be more or less articulated. The particular combinations of the two forms of complexity produce distinct *bargaining games*. We believe that these bargaining games influence the prospects for governance success or failure in issue-areas such as the collective defense of democracy in the Western Hemisphere. As we set out in greater detail later on, it is a much greater challenge for international actors to help achieve successful negotiated settlements to democratic crises when playing a complex multilevel governance game involving divided international institutions and disarticulated domestic actors, than when a more classic Putnam two-level game prevails.[26]

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presidents enjoy historically even more concentration of authority than their U.S. counterpart, has underpinned the almost exaggerated protagonism of presidents at the regional level.

[26] Putnam 1988.

The concept of two-level games was introduced in 1988 by Robert Putnam to better explain outcomes of international bargaining between states relative to the single unitary actor approach dominant in the IR literature at the time. Opening up the black box, Putnam argues that Level 1 government negotiators at the international level are constrained by domestic constituents at Level 2, who circumscribe the win-sets of each negotiator. Strategic moves during the negotiation phase at Level I are influenced by the game at Level II between the domestic constituents and the state because of the need for domestic constituents to ratify the final agreement at Level I. "At the center of these interactions is political struggle and conflict. The two-level model offers an analytical framework for understanding policy outcome as a product of numerous political struggles among competing national and international interests".[27] Whether the win-sets of each player at Level 1 will overlap sufficiently to reach an agreement depends on the relative capacity of each negotiator to expand their win-sets, either by obtaining concessions from their opponent, or from their own constituents. Lehman and McCoy applied the concept to a situation of non-state actors (international private bank creditors) bargaining with a state (Brazil). Bonvicini, and Collinson, have expanded the concept to a three-level game analyzing EU negotiations at the level of EU-other international actors; within the EU; and within each member-state.[28]

Putnam's approach thus assumed political agency by actors engaged in political struggle as they determined their strategic moves. In contrast, George Tsebelis attempted to explain apparently suboptimal or irrational outcomes of political negotiations, assuming rationality

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[27] Lehman and McCoy 1992.
[28] Bonvicini 2008; Collinson 1999.

in "nested games".[29] His analysis of various European legislatures, for example, also looked at two levels of the game: Belgian parliamentarians negotiating policy while conscious of the need to be re-elected by their more intransigent constituents. Andreas Schedler applied the concept of nested two-level games to countries achieving democratization by elections, in which opposition parties compete in the short-term in a manipulated electoral game while simultaneously playing a meta-game to reform the electoral rules of the game.[30]

In our case, we are interested in bargaining outcomes between international organizations engaged in a collective defense of democracy regime at the regional level, and a government engaged in its own domestic conflict. The "game" we wish to analyze is that between regional organizations (primarily OAS and UNASUR) negotiating a role with the Venezuelan government during two different political crises to help resolve the crises peacefully while protecting the democratic order in the country. Within this meta-game, the game constituted by the political struggle, with occasional negotiation, takes place between the Venezuelan government and its opposition.

We argue that the contrasting regional and domestic contexts of the two political crises (2002-04 and 2014-15) affected the ability of the regional organizations to negotiate an effective role and in turn to influence the outcome of the political crisis.

III. THE CHANGING REGIONAL AND INSTITUTIONAL LANDSCAPE FOR THE COLLECTIVE DEFENSE OF DEMOCRACY REGIME IN THE AMERICAS

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[29] Tsebelis 1990.
[30] Schedler 2002.

In this section we paint in broad-brush strokes changing regional tendencies and institutional trends for the collective defense of democracy in the Americas, from the 1990s to the present. As we have stressed above and we show below, the politics of institutional complexity, including the actual international organizations as well as the collective defense of democracy regime, cannot be separated from or understood outside of the evolving regional and global context in which they take place. In the case of the issue-area of democracy promotion and protection, particular juxtapositions of regional context and institutional complexity at specific moments have produced different regional governance games.

The Inter-American Collective Defense of Democracy, 1990-2009: A Unified Regime

During the 1990s, the OAS and its member states set about constructing an inter-American collective defense of democracy regime. Following on the heels of the historic Third Wave of democratic transitions in Latin America, the regime created a set of diplomatic tools that could be brought into use if any of the Western Hemisphere's new democracies came under threat from anti-democratic forces. The regime was anchored in the Cartagena Protocol, Resolution 1080, the Washington Protocol, and the Quebec Declaration. Thanks to these documents, the OAS had the means to confront coups d'état and self-coups, procedures for responding rapidly and flexibly to serious threats to democracy, as well as apply sanctions against or suspend member states where democratic constitutional orders had been undermined. In 2001, the Inter-American Democratic Charter (IADC) brought these various instruments together in a single document. The IADC also provided for the first time ever for the hemisphere the equivalent of a definition of representative democracy as a human

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right. It provided additional tools for combating authoritarian backsliding by incumbent elected leaders, but it did not spell out what "alteration" of the constitutional order would constitute a violation and thus trigger its terms, instead leaving this determination to ad hoc analyses of the Permanent Council on a case-by-case basis.

The growth of this Inter-American regime was accompanied by the proliferation of democracy clauses in the foundational documents of diverse regional and subregional organizations. The Andean Community, the Caribbean Community, the Central American Integration System, the Rio Group, and the Southern Cone Common Market (MERCOSUR) all possessed democracy clauses with provisions for defending democracy that overlapped with the norms, principles, and rules of the OAS regime.

Nonetheless, the overall effect of this increasing institutional complexity and overlap was not negative, but rather reinforced the construction of a single Inter-American regime, in which the different parts frequently operated in unison. For example, in 1992, a variety of different organizations condemned President Alberto Fujimori's self-coup in Peru and adopted punitive measures, including the OAS, the Andean Community, the Rio Group, as well as diverse international financial institutions. Similarly, in 1996 the governments of Argentina, Brazil, and the organization MERCOSUR rapidly and successfully coordinated efforts with the OAS in order to thwart an attempted coup against the president of Paraguay. CARICOM lent its support as a junior partner to the OAS in international efforts to mediate in Haiti following the May 2000 electoral controversy.

Along the lines of Biermann, Pattberg, van Asselt, and Zelli, the fragmentation of governance architecture in these cases was accompanied by cooperative and synergistic impulses.[31] Following Betts' classification, institutional proliferation, complexity, and overlap in the area of democracy protection in this period worked to privilege the OAS as a *reinforced institution*, an organization whose prime authority was enhanced vis-à-vis other organizations with an overlapping mandate for democracy protection.[32] The OAS was undoubtedly the main interlocutor when it came to political crises in the Americas, in relation to governments, regional and subregional governments, and, as we shall see shortly, even domestic actors.

The politics of how international institutional complexity played out in this issue-area at the time has a lot to do with the prevailing material and ideational trends. Following the end of the Cold War and reflecting the emergence of a unipolar global structure of power, the United States emerged as the unrivalled power in the Americas. The liberal ideas espoused by its government, both in political and economic terms, became hegemonic throughout the hemisphere.

Unprecedented friendly ties between political and policy elites in Washington, D.C. and their counterparts in Latin America and the Caribbean during the 1990s underpinned the emergence of a twin liberal ideological consensus. On the economic side, this convergence was captured in the well-known Washington Consensus. On the political side, elites across the hemisphere shared a representative (liberal) vision of representative democracy that was

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[31] Biermann, Pattberg, van Asselt, and Zelli 2009.
[32] Betts 2009, and 2013.

later enshrined in the IADC. Drawing on Christian Reus-Smit's analysis, Arturo Santa-Cruz's work suggests that a hemispheric *constitutional structure* with roots going back to the nineteenth century comes to the fore in this period, which he calls the *Western Hemisphere Idea* after Arthur Whitaker's classic study.[33]

Certainly successive U.S. governments during the 1990s promoted hemispheric regionalism, with considerable receptiveness among most of the Hemisphere's governments, asserting that all countries, from Alaska to Tierra del Fuego, shared a common destiny and common values. The Summits of Heads of States and Government of the Americas, launched in Miami in 1994, became the principal mechanism for advancing hemispheric regionalism. The negotiation of a Free Trade Area of the Americas and the consolidation of the Inter-American collective defense of democracy regime became the key hemispheric regionalist projects. Interestingly, just as subregional democracy clauses did not seemingly put Inter-American democracy protection at risk, the proliferation of subregional preferential trade agreements in Latin America and the Caribbean also did not threaten the hemispheric free trade initiative. The so-called spaghetti bowl of hemispheric and subregional trade and investment initiatives was characterized by its shared emphasis on a particular liberal form or style of economic integration, open regionalism.

In sum, the combination of regional institutional complexity and the ideational and material trends summarized above produced a relatively unified and articulated regime in the international democracy protection issue-area. International actors responded to periodic

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[33] Reus-Smit 1997; Santa-Cruz 2005; Whitaker 1965.

political crises in the region by constructing soft interventions that were coordinated by the OAS and that sought to influence domestic outcomes by engaging local elites in terms of defending and strengthening democratic institutions. The most common mode of soft intervention was international facilitation of dialogue processes among opposing elites in an effort to construct negotiated solutions to crises, as practiced for example during the political crises in Haiti (2000-2004; Nicaragua (2005); Peru (2000), Venezuela (2002-2004).[34]

Nevertheless, numerous critics have pointed out that the OAS record in terms of defending democracy was decidedly mixed during this period. [35] This commitment-compliance gap[36] or institutionalization-implementation gap [37] shows the difficult in moving from norm acceptance to actually implementing it. One of the clear limitations on OAS pro-democracy action emerged from the ongoing norm tension between newer democracy protection or promotion norms and more established sovereignty norms. Given the history of U.S. interventions in Latin America and the Caribbean, many ostensibly on principled grounds to "defend democracy", leaders in the region were reluctant to cede national sovereignty in favor of strengthening the collective defense of democracy regime. Accordingly, the ability of the OAS to prevent political conflicts from becoming full-blown crises was limited and the organization was accused of "firefighting": arriving on the scene when the house was already in flames. This norm tension also impeded the OAS from countering authoritarian backsliding effectively, developing a stronger external (in)validation norm within election monitoring, creating peer review mechanisms or using the Inter-American Commission for

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[34] Cooper and Legler 2005, and 2006; McCoy and Diez 2011.
[35] Boniface 2007; Legler 2007, and 2011; Levitt 2006; McCoy 2006, and 2007.
[36] Risse, Ropp, Sikkink 2013.
[37] Betts and Alexander 2013.

Human Rights for monitoring compliance with the IADC, and being able to continue in situ with long-term democracy-strengthening activities once immediate crises had subsided.

Similarly, the phenomenon of *executive sovereignty*, deeply engrained in Latin American regional society, protected the privileges and prerogatives of the region's main foreign policy actors, the presidents themselves, while restricting the ability of other branches of government and citizens themselves to invoke the IADC to defend democracy.[38] In general, critics signaled their general disillusionment with the difficulties in putting the noble principles and provisions of the IADC into practice in defending democracy. Nevertheless, there are no apparent indications that regional institutional proliferation, complexity, and overlap were at fault for this impasse.

The Inter-American and South American Collective Defense of Democracy, 2009-2015: Regime Competition and Bifurcation

The convergence of certain material and ideational developments in the Western Hemisphere produced a qualitative shift and dramatic turning point around 2009 with respect to the international protection of democracy in the Americas. This year marks a definitive before and after, from a unified regime under the direction of the OAS to a new scenario of regime bifurcation and competition. Following the controversial international response to the Honduran crisis that year, South American countries took the historic step to create their own regime for protecting democracy under the auspices of the recently created UNASUR,

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[38] Cooper and Legler 2006; Legler 2011.

challenging the hitherto dominant role played by the OAS in this issue area. In terms of Bett's terminology,[39] by 2009, emerging global and regional trends combined in such a way that institutional proliferation, complexity and overlap altered the OAS' role in democracy protection, from a reinforced to a *challenged institution*. By the time Venezuela entered into renewed political crisis in early 2014, Latin American governments had closed ranks to exclude the OAS, and by extension, the United States and Canada, from any meaningful role in countering the crisis, in favor of the diplomatic efforts of UNASUR.

In the new millennium, the fortuitous circumstances mentioned above that helped reinforce inter-institutional cooperation and complementarity on the democracy protection front gradually began to take a turn in a more problematic direction. During the first decade of the new millennium, there were growing signs that the U.S.-dominated unipolar world was in decline. In contrast to the First Gulf War in 1991, the United States encountered difficulties enlisting significant allied, multinational support for its invasion of Iraq in 2003. The rise of the BRICs, in particular China, signaled a potential multipolar turn in global polarity. The attacks on the World Trade Towers and Pentagon on September 11, 2001, the same day the IADC was signed in Lima, Peru, marked a shift in U.S. foreign policy priorities from democracy promotion to homeland security.

In Latin America, economic prosperity and the public diplomacy of the Lula government converted Brazil into a rising power. Beginning with the election of Hugo Chávez in Venezuela in 1998, the "rise of the left" through a series of electoral victories across Latin

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[39] Bett 2009, and 2013.

America put nationalistic governments in office that were determined to resist U.S. domination in regional politics. At the same time, clumsy and poorly-advised policy decisions by the Bush Jr. administration, including campaigns against leftwing candidates in countries such as Bolivia, El Salvador, and Nicaragua, as well as documented attempts to destabilize leftist governments in places like Haiti and Venezuela, damaged U.S.-Latin American relations.

In ideational terms, the twin hemispheric liberal consensus captured in the FTAA and the Inter-American collective defense of democracy regime unraveled. The FTAA project was given its coup de grace by a group of South American countries led by Brazil and Venezuela at the 2005 Mar del Plata Summit of the Americas.

The hegemony of representative democracy as the dominant vision for democracy in the hemisphere was first challenged by the Chávez government in the context of the negotiations for the IADC in 2001. At that time, Venezuela was the lone critical voice among the 34 member states, against representative democracy and in favor of a more direct, plebiscitary, or participatory democratic vision; by the end of the decade it would be joined by Bolivia, Ecuador, and Nicaragua. At the societal level, across much of Latin America there was disenchantment with representative democracy for having failed to produce important material gains. The UNDP observed that many Latin American countries possessed democracies without citizens.[40]

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[40] UNDP 2004.

Trends in regional cooperation also took markedly different directions from the dominant patterns of the 1990s. Hemispheric regionalism entered into serious decline, in part because the United States government began to move away from hemispheric directions in its foreign policy in favor of subregional or bilateral focuses, such as Plan Colombia,[41] as it shifted most of its attention towards the Middle East. At the same time, a number of Latin American governments sought to promote new forms of regionalism that intentionally excluded the participation or membership of the United States and Canada. In this vein, the Brazilian government began a process of constructing a new South American space that gradually culminated in the creation of the Union of South American Nations (UNASUR) in 2008. In 2004, Venezuela launched the Bolivarian Alliance for the Peoples of Our America (ALBA). In 2010, Mexico's efforts led to the creation of the Community of Latin American and Caribbean States (CELAC). These initiatives parted from 1990s-style open regionalism in that their emphasis was more on political than economic integration, in particular creating regional and subregional spaces autonomous from U.S. influence that served as forums for political concertation among Latin American and Caribbean political elites and the articulation of common positions to be projected regionally and globally, as well the promotion of a return to developmentalism and away from the neoliberalism of the previous decade. Riggirozzi and Tussie have labelled this broad regional trend, particularly in South America, post-hegemonic regionalism.[42]

The effects of these changing regional material and ideational trends were not immediately felt in terms of how the politics of international institutional complexity played out in relation

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[41] Russell 2011.
[42] Riggirozzi and Tussie 2012.

to democracy protection. The OAS continued to be the main organization for responding to democratic crises, such as in the cases of Bolivia (2003, 2005, 2008), Ecuador (2005), Haiti (2000-2005), Nicaragua (2005), and Venezuela (2002-2004). Nevertheless, OAS credibility as a defender of democracy was hurt by the 2004 Haiti debacle which saw Aristide ousted, and its failure to respond decisively to President Lucio Gutierrez's undermining of democracy in Ecuador during 2004-2005.[43] During a transitional period (2001-08) between the two clear periods of collective defense of democracy regime articulation and fragmentation, then, the OAS continued to play an important role, but was hindered and challenged by the changing regional context and institutional disarticulation.

South American governments began to turn first to the Brazilian government rather than the United States in moments of political crisis, no doubt reflecting Brazil's growing South American leadership and its rising power. In addition, soon after its official creation in 2008, UNASUR became an important democracy defender, loosely coordinating its efforts at international mediation alongside the OAS during the Bolivian crisis that year.[44]

In 2009, the Honduran crisis briefly produced the last unified response by the governments and organizations of the hemisphere under the overall leadership of the OAS. Regional and subregional organizations such as ALBA, the Rio Group, SICA and UNASUR proclaimed their support for the OAS course of action, first for the suspension of Honduras' membership

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[43] It is worth noting that the OAS was under the leadership of an acting Secretary-General, Luigi Einaudi, when the political situation worsened in Ecuador, making it difficult for the organization to respond effectively. Nonetheless, anecdotally, there are possible indications that the United States government shielded the Gutiérrez government from possible mobilization by the OAS to counter its anti-democratic measures.

[44] Arugay and Bonifaz 2014.

and thereafter OAS-coordinated efforts to promote talks between representatives of the ousted Zelaya government and the de facto Roberto Micheletti government. They also adopted various economic and diplomatic sanctions that complemented and lent pressure to OAS efforts. In the months immediately following the coup, the Obama government also advocated in favor of a multilateral solution to the crisis through the OAS. Irrespective of ideological differences between the United States and the member states of ALBA, for several brief months, the governments of the region united behind the efforts of the OAS.

But international unity was short-lived. Originally, the countries of the region agreed not to recognize the November 29, 2009 presidential elections until the Zelaya government was restored to office. However, just weeks before the elections, the U.S. government and a small coalition of Latin American governments including Colombia, Panama and Peru signaled that they intended to recognize the electoral results, even though Zelaya had still not been returned to power or a national unity government put in place.

Following the Honduras fall-out, a series of events signaled an intentional process of *South Americanization* of democracy protection, one that directly challenged the dominance of the OAS and the Inter-American collective defense of democracy regime. In response to an alleged coup attempt against Ecuadorean President Rafael Correa on September 30, 2010, that same evening South American heads of state rapidly convened an extraordinary meeting of UNASUR in Buenos Aires. They agreed to travel to Ecuador that same day to demonstrate their support for democratically elected Correa, and to create their own democratic charter at the next UNASUR Summit to be held in Guyana on November 26. UNASUR's rapid action excluded and eclipsed the OAS. Even more importantly, the UNASUR Summit in Guyana

produced a bona fide democratic charter, the Additional Protocol to the Constitutive Treaty of UNASUR on Commitment to Democracy. Noticeable by its absence in the treaty was any mention whatsoever of the IADC or its legal provisions. It was as if UNASUR's Protocol was reinventing how to defend democracy collectively all over again.

It was also noteworthy that UNASUR's Protocol preceded a new wave of democracy clauses among the region's organizations. Just days after the creation of UNASUR's democratic charter, the member states of the Ibero-American Secretariat General (SEGIB) approved the Special Declaration on Defense of Democracy and Constitutional Order in Iberoamerica at the 2010 Mar del Plata Summit. In its Summit of December 2011, CELAC adopted the Special Statement on the Defense of Democracy and Constitutional Order. Unlike the original wave of the 1990s, in which the OAS and various subregional organizations created overlapping yet complementary legal instruments for collectively defending representative democracy, UNASUR's Protocol and these democracy clauses intentionally shared the common thread of making no reference to the IADC or other OAS instruments for protecting democracy. Likewise, they focused on protecting the executive's authority, rather than also including abuse of executive authority as a problem.

Finally, unlike previous crises in Bolivia (2008) and Honduras (2009), the OAS and UNASUR responded in distinct ways to the political crisis in Paraguay brought about by the controversial congressional impeachment of President Fernando Lugo in June 2012. Whereas the OAS expressed concern and sent a diplomatic fact-finding mission to the country, MERCOSUR and UNASUR took the more dramatic decision to suspend Paraguay's membership in response to what was perceived by South American leaders as a serious

disruption of the democratic constitutional order.[45] The Paraguayan episode is symbolic because it represents the first time that UNASUR's new democratic charter was invoked; it also demonstrated a clear rift between two competing institutional projects for collectively defending democracy, OAS and UNASUR.

The aforementioned developments in the democracy protection issue-area are consistent with a broader regional trend across Latin America: *a subsidiary movement*, in the sense espoused by Acharya,[46] whereby various new Latin American and South American regionalisms sought to construct autonomous regions and subregions that intentionally excluded the Western Hemisphere's dominant power, the United States (and Canada), and promoted the indigenous generation of norms, values, and policies. ALBA was the most vocal advocate of the subsidiary movement, a movement that would ultimately threaten the established role the OAS played in dialogue facilitation. The movement grew to encompass UNASUR and CELAC as well. Indeed, countries such as Ecuador and Bolivia advocated for the conversion of CELAC into Latin America and the Caribbean's OAS, without the United States and Canada of course.

In sum, in the second decade of the twenty-first century, the OAS lost its uncontested status as the dominant organization for the promotion and defense of democracy. Whereas the global and regional configuration of power and ideational trends had previously fostered complementary and cooperative institutional proliferation, complexity and overlap, in recent years, the combination of global and regional context with new directions in institutional

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[45] Marsteintredet, Llanos, and Nolte 2013.
[46] Acharya 2011.

proliferation has contributed to competitive institutional fragmentation and polarization. Accordingly, the democracy protection problematic shifted from a two-level game linked to a unified regime, to a complex multi-level game at present characterized by regime competition and bifurcation. In the next section, we shall see how this played out on the ground in two crisis episodes where international actors have attempted to facilitate dialogue in Venezuela.

In what follows, our study of Venezuela's crises in 2002-2004 and 2014-2015 underlines that the potential governance impact of Latin America's plethora of overlapping regional institutions cannot be separated from the shifting constellations of domestic actors with whom they interact.

IV. COLLECTIVE DEFENSE OF DEMOCRACY IN TWO VENEZUELAN CRISES

The first international governance game followed the April 11, 2002 coup ousting Venezuelan President Hugo Chávez for a short-lived 48 hours. It occurred during a transitional period between an international/regional context of a unipolar world dominated by U.S. hegemony in the 1990s and a reinforced OAS with an articulated collective defense of democracy principle culminating in the 2001 Inter-American Democratic Charter, and a multipolar context in the 2000s characterized by rising regional powers, a growing nationalism and ideological debate over the meaning of democracy, and proliferation of regional political organizations. The game played between the Venezuelan government and

the international community to restore political stability and democratic governance after the 2002 coup in Venezuela thus occurred within the context of a regional institutional architecture in transition.

The second international governance game occurred after Chávez's death and the special election of Nicolas Maduro in 2013 in a closely fought election. Initial post-election protests in mid-2013 were renewed in early 2014 by students and opposition parties, and resulted in more than 40 deaths and detentions of hundreds of protestors. UNASUR and the Vatican attempted to facilitate a political dialogue between government and opposition in 2014 and again in 2015. By this time, the regional context had become much more polarized than a decade earlier, institutional complexity and overlap had increased with the proliferation of new regional organizations, and the collective defense of democracy regime had fragmented. The domestic crisis the international organizations were trying to address had also become more fragmented and complex, with both government and opposition factionalized.

The post-coup political crisis, 2002-04

On April 11, 2002, a massive demonstration against the Chávez government ended with nineteen people killed in unclear circumstances, leading the military to remove President Chávez from power. Within forty-eight hours, an outpouring of support for President Chávez in the streets, international condemnation, more deaths, and splits within the armed forces led military officers to reverse course and reinstall the president to his post.

International reaction was as confused as the events on the ground. After Chávez' detention, on April 12, the Rio Group Summit of Latin American leaders meeting in Costa Rica "condemned the interruption of the constitutional order"[47] and called for new elections (assuming that Chávez' resignation was a fait accompli) and a special session of the OAS. Within the hemisphere, only the U.S. and El Salvador recognized the transitional government, with U.S. statements implying that Chávez had brought the coup upon himself.[48] On April 13 at midnight, the OAS extraordinary session invoked the Inter-American Democratic Charter and condemned the "alteration of the constitutional regime," calling on the Secretary General to conduct a fact-finding mission in order to restore the democratic institutional framework (CP RES 811). Five hours later, Chávez was restored to power by his own military.

Shocked by the coup and feeling vulnerable, Chávez invited Jimmy Carter, and later the Organization of American States (OAS) and United Nations Development Program (UNDP), to facilitate a dialogue to help reconcile the country. That invitation led to two years of intensive involvement by the three organizations to help resolve the conflict and prevent violence in Venezuela. The international efforts, which included a six-country Group of Friends formed in 2003, spawned a "dialogue table" personally led by the secretary general of the OAS for seven months, a number of peacebuilding activities sponsored by the Carter Center and UNDP for two years, and the monitoring of a ten-month electoral process

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[47] The Inter-American Democratic Charter requires action whenever there is "an alteration or interruption of the constitutional order."

[48] "Though details are still unclear, undemocratic actions committed or encouraged by the Chávez administration provoked yesterday's crisis in Venezuela". Statement by Department of State Deputy Spokesman Reeker, April 12 2002.

representing the world's first presidential recall referendum. The international involvement

persisted through various manifestations of the conflict in Venezuela, from massive marches

and countermarches, at times erupting in violence, to a two-month petroleum strike that

paralyzed the country, an open military rebellion in a four-month "sit-in" by active military

officers, and social mobilization at different levels across the country seeking both to

exacerbate and to defuse the conflict.[49]

International Governance Game 1

The primary actors in the meta-game at Level 1 were the international Tripartite Working

Group (OAS, UNDP, Carter Center) and the Venezuelan government. This game revolved

around the international community attempting to apply its collective defense of democracy

and conflict prevention principles to help resolve the political crisis in Venezuela reflected

in the coup, the resistance it generated and continuing threat of instability and violence.

Within that meta-game was the national game of a continuing power struggle between the

Chávez government and its opponents in the political, economic and social spheres.

As suggested in the previous section, the regional context in April 2002 was in transition

from the unipolar post-Cold War world dominated by the United States and the liberal

democratic and market-oriented ideologies. The OAS was the dominant international

organization for political matters at the time, although the United Nations followed closely

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[49] For detailed accounts of the Venezuelan dialogue process facilitated by the OAS, UNDP, and the Carter Center, see Cooper and Legler 2005, and 2006; McCoy and Diez 2011.

any political crisis with security implications. Subregional organizations were focused on trade, and UNASUR and CELAC did not yet exist.

The Western Hemisphere had codified its collective defense of democracy principles in the Inter-American Democratic Charter, signed the same day as the attack on the World Trade Towers in September 11, 2001, and the Venezuelan coup in 2002 was its first application. However, the cracks in that unified regime had already begun to appear, as Venezuela was the only country to qualify its signing of the IADC and Chávez had already begun to implement his "Bolivarian Revolution" challenging the liberal vision at home and the unipolar world abroad. The United States had begun its swing from 1990s democracy promotion back to a post-9/11 security focus under George W. Bush, as it simultaneously shifted its attention to the Middle East.

The players begin their dance

At the OAS General Assembly on June 3-4, 2002, the United States attempted to gain approval of a resolution calling for OAS facilitation of a national dialogue through the Inter-American Democratic Charter. Annoyed by the clumsy attempt of the U.S. after showing up late for the negotiations, Latin American foreign ministers rebuffed the effort and instead approved a declaration reiterating an offer of OAS assistance for dialogue and reconciliation should the Venezuelan government require it, and welcoming all international assistance to Venezuela.[50]

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[50] AG/DEC 28 XXXII-O-02.

On June 4, 2002, former president Jimmy Carter received a letter from Venezuelan vice president Jose Vicente Rangel, asking him to facilitate a dialogue between the government and the opposition. The government had several incentives to invite Carter. First, Chávez was shaken by the coup and felt weak. The country was still extremely tense, pro- and antigovernment protests continued while labor leaders talked about another general strike, and the government was unsure of its support within the fragmented armed forces.

On the international front, the government felt it needed to respond to the OAS call for national reconciliation and dialogue in order to maintain its legitimacy and show that it was following OAS recommendations. At the same, the government resisted submitting to OAS oversight given the apparent satisfaction of the United States and a few other OAS members with the coup. The government was more open to the United Nations than the OAS, and asked UN secretary-general Kofi Annan to consider technical assistance for a national dialogue.[51] Foremost, however, seemed to be the government's interest in Jimmy Carter as facilitator. Chávez already had a relationship with Carter and the Carter Center from the latter's election observation missions in 1998 and 2000, and apparently believed that Carter's role would give the national dialogue the needed international legitimacy without sacrificing sovereignty.[52]

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[51] In fact, Annan sent Elena Martinez, regional director of the UNDP for Latin America and the Caribbean, on an exploratory mission to Venezuela in May. Jennifer McCoy subsequently consulted with Martinez.

[52] In a meeting on July 9, 2002, President Chávez told former president Carter that he was interested in the UNDP and OAS helping facilitate dialogue, in a technical capacity, but that he had some observations about the OAS. Namely, he was concerned that the secretary general had "practically recognized the de facto government, asking our ambassador not to go to the Permanent Council meeting" after the April 11 coup; that the secretary general was a Colombian—a traditional rival of Venezuela; and that he wanted to clarify the statutes of the OAS with regard to sovereign governments and to be very clear about the role the OAS would have in Venezuela.

Many in the opposition were suspicious of the government's invitation to Carter, believing that if the government trusted Carter, he must be somehow beholden to the government. Chávez's trust in this third party could have been interpreted differently, however. Specifically, Chávez may have seen Carter's involvement as a potential means to foster "effective communication and facilitate the development of creative options during the negotiation process",[53] which is in fact what Carter's involvement helped allow. Those opposition figures interested in negotiations pressed instead for the OAS to facilitate a dialogue, believing not only that the OAS, as an intergovernmental organization, could better pressure the government, but also that it could enforce any agreement reached through a dialogue. They particularly believed that the OAS could "force" the Venezuelan government to comply with negotiated solutions under the Inter-American Democratic Charter.

President Carter traveled to Caracas the first week in July, and immediately after, the Carter Center invited representatives from the OAS and UNDP to meet in Atlanta on July 18 to explore a joint effort to offer Venezuelans assistance in a revamped national dialogue effort. From this meeting, the Tripartite Working Group on Venezuela was born—an unprecedented joint effort of an NGO (Carter Center) and two intergovernmental organizations (OAS and UNDP) setting up the foundations for a multitrack diplomatic effort coordinated in a new and unique way.[54]

Constituents of each player, ratifiers, and spoilers

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[53] Zartman and Touval 1996.
[54] See Diamond and McDonald (1996) for a discussion of multitrack diplomacy.

The capacity of each of the members of the international Tripartite Working Group to participate in and influence the Venezuelan crisis varied. The fact that the conflict had not erupted into civil war or cross-border conflict meant that the UN Security Council was not involved and the United Nations itself was limited in its engagement, providing technical assistance for the dialogue and working with the Carter Center on related peace-building activities.

Although the OAS Inter-American Democratic Charter was invoked for the first time after the April 11, 2002, coup against Chávez, it was not explicitly invoked to require an intervention to resolve the disputes over democratic deficits after Chávez returned to power. Instead, the OAS tradition of consensus decision-making meant that the Venezuelan government could limit the organization's criticism of and role in the country. The OAS secretary general was well aware of the limits to his invitation. On the other hand, the Carter Center, as a nongovernmental organization, was less constrained by diplomatic requirements, but it of course lacked leverage other than moral authority and trust of the actors.[55] Both organizations searched for a balance to achieve effective intervention without being overly intrusive.[56]

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[55] Chigas 2003.

[56] As Zartman and Tooval 1996 assert, the leverage of third parties can be increased or decreased by the actors themselves. Leverage comes from several sources: persuasion, capacity to extract attractive offers from the negotiations, and the threat of abandoning the process and its rewards. The courses of influence and leverage acquire relevance according to the needs of the parties of the conflict, such that the greater the need to obtain an agreement, the greater the influence of the third-party mediator.

The constituents of the international Tripartite Working Group included the member states of the UN and OAS, and government donors and other NGO partners for the Carter Center. The United States and Brazil, the most powerful members of the OAS, represented ideological counterpoints in the governments of George W. Bush and Lula Da Silva, and thus had unique access to each side of the Venezuelan game. The U.S. continued to provide financial support and technical assistance to Venezuelan opposition groups, while Brazil provided important commercial access and diplomatic legitimacy to the Chávez government, helping Chávez through the petroleum strike in late 2002/early 2003 and providing the chief of mission to the OAS electoral observation mission for the 2004 recall referendum.

For the Tripartite Working Group, the "ratifiers" included all those governments who would need to recognize the agreement eventually reached at the Table of Negotiation and Agreements, as well as the outcome of the recall referendum that became the primary conflict resolution mechanism in the end. Any government, particularly the United States, who did not endorse those outcomes could become potential "spoilers".

The constituents of the Chávez government included all those participating in the national-level game. At that point, the two sides were relatively unified: Chávez himself led his own team and had the strength to keep his "archipelago" of competing factions together.[57] The opposition Coordinadora Democrática umbrella organization included the primary organizations of the time – labor (CTV), business (Fedecamaras), political parties, NGOs, and media. It was much more difficult, however, for the cumbersome and quarrelsome

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[57] McCoy and Diez 2011, Ch 2.

Coordinadora to arrive at consensus decisions, and often the more vocal radical sectors dominated, impeding compromise and negotiation.

For the government, Chávez himself was the principle "ratifier" with the ability to impose his decisions, but he was concerned about maintaining the support of his own base, and also needed the acquiescence of his political adversaries in order to forestall any further international intervention. He was threatened by potential "spoilers" from the radical sectors of both government sectors (those who wanted to defeat the opposition and radicalize the revolution) and opposition (those who continued to believe violence and force were justified and needed to remove Chávez from power).

Reverberation

In a two-level game, each player may also try to influence its opponent by reaching out to the constituents of the opponent with either incentives or threats.

Within the Tripartite Working Group, OAS secretary general César Gaviria and Carter Center representatives (President Carter, Jennifer McCoy and Francisco Diez) used the comparative advantage of each, in a very coordinated way, with the Carter Center using its greater access to the Chávez government and Gaviria to the Coordinadora Democrática to influence the negotiations at different points in time.

The Venezuelan government, for its part, tried to control its image and preserve its autonomy first by inviting only Carter, then by acquiescing to the participation of the OAS and UNDP.

The government tried to reach out to the constituents of the OAS when it sought, and failed, to gain international advantage through the creation of a Group of Friends that would be truly friendly to the government. Finally, the government sought, and succeeded, to use its commercial advantage in the form of discounted oil and huge imports to seek friendly votes among member-states of the OAS and UN.

At the same time, constituents themselves can reach across the negotiators, attempting to influence the other side by engaging with its constituents. In the Venezuelan case, the national game players reached into the meta-game, as each sought international allies against the other. The government wanted legitimation of its position in power; the opposition wanted help to oust the government. Each side put continual pressure on the international actors to support its own position, and were very critical of the OAS and Carter Center at various points when it perceived that the internationals failed to take sides.

While the government had its institutionalized diplomacy, the Coordinadora Democrática became increasingly sophisticated in its search for international allies. It expanded from its early attempts to simply gain OAS involvement in the conflict and began an international lobbying effort in the capitals of the hemisphere, as well as a publicity war, enlisting influential journalists or media outlets such as the Latin American columnist for the *Wall Street Journal*.

Outcomes

After seven months of negotiations facilitated by the OAS and Carter Center, the Venezuelan government and the opposition Coordinadora Democrática signed an agreement in May 2003 that envisioned an electoral solution to the political crisis. Each side recognized the constitutional right for citizens to petition for a presidential recall referendum, a process that began in August 2003 and eventually culminated in the August 2004 recall referendum. Chávez won the referendum in a lopsided vote, winning 59 percent of the vote to the opposition's 41, endorsed by the international community, but challenged by opposition leaders. The electoral route had been championed by most foreign governments, though the Carter Center had warned it would not address the underlying roots of conflict in the country.[58]

At the end of the two-plus year intervention, Venezuelans had managed to avoid the widespread bloodshed that many thought likely in July 2002, and largely resolved the question of the legitimacy of President Chávez's mandate through the rejection of a recall initiative to shorten his term in office. Even so, the society remained polarized, a large number of citizens questioned the validity of the recall vote, and the underlying elements of the dispute remained unresolved, such as conflict over whether and how to guarantee a separation of powers and independent political institutions; the role of the state in the economy; whether and how resources should be redistributed to address social exclusion and inequality; and what constitutes legitimate and effective political participation and representation. The ultimate goal of preventing violence was achieved, but the underlying issues producing polarization and new forms of political exclusion were not resolved.

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[58] McCoy and Diez 2011.

The regional context of the early twenty-first century clearly affected the nature of the conflict within Venezuela and the capacity of the institutions that comprised the collective defense of democracy regime to intervene. The role of international norms and ideas had an evident impact on the actors, as each sought to enhance their own legitimacy internationally as well as nationally in the context of post–Cold War norms of democracy promotion and human rights.[59] Venezuela, along with the rest of the hemisphere, had approved the Inter-American Democratic Charter in 2001, committing itself to a particular form of democratic practice and to international sanctions if those forms were violated. This posed a constraint on the government, and a potential source of leverage to the opposition.[60] On the other hand, the limits of international influence and leverage were also apparent due to Venezuela's significant foreign revenues from petroleum and the resulting competing foreign policy interests of foreign governments.[61]

The post-Chavez political/economic crisis of 2014-15

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[59] Constructivists like Kratochwil 1989; Wendt 1999; Sikkink et al. 1999 argue that power resources may include ideas and social conventions, themselves defined in terms of identities and interests. Such ideas and social conventions may include sources of moral authority such as sacral or secular legitimacy, democracy, freedom, and self-determination. See Hall 1997, and Checkel 1998.

[60] For an analysis of the Inter-American Democratic Charter and its provisions for international intervention, as well as limitations on international intervention, see Comisión Andina de Juristas and Carter Center, *The Collective Defense of Democracy: concepts and procedures*, 2005 (papers by Shelley McConnell and Jennifer McCoy, Pedro Nikken, and Carlos Ayala).

[61] See, for example, Levitsky and Way 2006 on the varying influence of linkage (through integration and commercial relations) and leverage (ability to use power resources to influence the behavior of another state). They conclude that linkage without leverage will result in little influence. Venezuela's access to oil revenues, particularly as prices began to rise after 2,000, reduced the leverage of the international community writ large (international financial institutions, multinational corporations, and foreign aid donors). Even further, Venezuela's role as an energy producer and supplier not only to the United States but also to its neighbors in the Caribbean and South America complicated the interests of hemispheric governments that might have sought to influence the conflict, but that needed to consider their own commercial interests with Venezuela as well as security issues such as Colombia's guerrillas.

Hugo Chávez died from cancer on March 5, 2013, triggering a special election to choose his successor on April 13, 2013. Chávez's anointed successor, Nicolas Maduro, won a tight race against Governor Henrique Capriles by only 1.5% of the votes. Maduro struggled to consolidate his leadership not only among half of the population who were skeptical of his victory, but also among the various factions of his own government. Whereas the sheer force of personality of Hugo Chávez had imposed unity on this fractious movement, with his death, various ideological camps and power bases emerged.

The Chávez legacy also included serious economic stressors as government controls on the currency and nationalizations of private companies produced shortages of food and consumer products, inflation soared, and crime and corruption appeared to spiral out of control.

In February 2014, student protests in Merida against the economic crisis and personal insecurity spread to other parts of the country, with a massive protest on February 12 in Caracas resulting in 3 deaths. A triumvirate of opposition political leaders espousing street-led pressure on the government with the hopes of a resignation and early elections took advantage of the student protests to call for nation-wide protests demanding "La Salida" – variously interpreted as the exit of Maduro government, or the solution to the crisis.

The mostly peaceful protests included some acts of vandalism and violence, and more than 40 persons died over the course of the next two months. The government responded with a heavy-hand, arresting hundreds of protestors and sentencing two opposition mayors to a year in prison for disrespecting the Supreme Court's instructions to end the roadblocks in their

communities. The most well-known member of the triumvirate of political leaders, Leopoldo López, negotiated his own detention on February 18, 2013 while awaiting trial, a detention that ended up lasting to the time of this writing in May 2015 without a sentence.

The government convened a National Peace Conference on February 26, though most of the political opposition boycotted, and a more successful economic dialogue with the private sector soon followed. On March 7, the OAS passed a resolution calling for dialogue but mostly supportive of the government, over the objections of Canada, Panama and the U.S. The Venezuelan government proposed instead that UNASUR facilitate a dialogue. Thus a group of South American foreign ministers visited the country on March 25, meeting separately with the government and the opposition MUD, and named a 3-person delegation comprised of the foreign ministers of Colombia, Brazil and Ecuador to continue the visits.

During the UNASUR delegation visit April 8-10, 2014, the government and opposition agreed to a televised meeting that ran 6 hours, witnessed by the UNASUR delegation and the Papal Nuncio. Closed-door meetings in subsequent weeks followed this meeting, but the two sides failed to agree on preconditions, such as the opposition demand for the release of political prisoners and the dialogue effort, along with the protests, fizzled in May 2014.

The rest of 2014 the UNASUR mission of foreign ministers did not play any active role, while the Venezuelans remained locked in gridlock, without cooperation to solve the dire national problems and with the opposition MUD removing its leader and continuing to debate over its strategy.

By 2015, the attention of the political class turned to the National Assembly elections, constitutionally required to be held at some point during the year. The government weighed its political calculations about the best timing for economic policy change vis-à-vis elections, and the opposition worked on uniting its fractious group toward a unified slate chosen through partial primaries. Throughout, the date of the election remained in suspense, as the CNE refused to give an actual date.

Early in March 2015, UNASUR made a new attempt to enter the Venezuelan dialogue space with a visit of the three foreign ministers, calling for parliamentary elections as solution and disavowing unconstitutional attempts in the midst of coup rumors.[62] One week later the U.S. imposed economic sanctions against seven Venezuelan officials for human rights abuses and corruption, prompting a strident rejection of such sanctions by the organization of UNASUR.[63]

Attempting to address the increasingly unviable situation of food and basic product shortages in Venezuela UNASUR's Secretary General proposed that the organization help with an internal distribution system in Venezuela, without suggesting how exactly UNASUR could assist.[64]

Brazil began to take a stronger public stand when President Rousseff called publicly for the release of political prisoners in April[65] and then to fix an election date for the National

[62] El País, March 6 2015.
[63] UNASUR, March 13, 2015.
[64] UNASUR, April 9, 2015.
[65] Infobae, April 10 2015.

Assembly elections. UNASUR then shifted its Venezuela focus completely to the elections, getting agreement from the government to send a mission and pressing for a date to be announced. The new OAS Secretary General, Luis Almagro, meanwhile sought an invitation for an OAS election observer mission, backed by strong calls from the opposition for both the OAS and the European Union. In June, the CNE announced the election date for December 6, 2015 and confirmed that UNASUR would be the only international election accompaniment mission, declining to invite the OAS and European Union. OAS Secretary General Almagro subsequently made a series of high-profile statements and an extensive report about the deficits of the Venezuelan electoral system.

The tripartite foreign ministerial missions ceased and the organization focused instead on statements from the Secretariat with regard to elections, respect for the judicial process condemning opposition leader Leopoldo Lopez to 14 years in prison, and offers to mediate the Venezuela-Guyana border conflict and the flare-up on the Venezuelan-Colombia border in August. Then UNASUR began to prepare the election mission for the December 2015 elections, which were won decidedly by the opposition for the first time in 15 years.

International Governance Game 2

In the 2014-15 crisis, a meta-game at the regional level was underway in which the OAS competed with UNASUR and CELAC for regional influence. The Inter-American collective defense of democracy regime had spawned additional democracy clauses, but those of

UNASUR and CELAC were much less developed and aimed primarily at defending elected executives. In addition, the Inter-American human rights system had been seriously questioned by a number of Latin American and Caribbean countries, including Colombia, Brazil, Ecuador, Bolivia and even the withdrawal from the American Convention on Human Rights and the Inter-American Court of Human Rights by Trinidad and Tobago and Venezuela.

The primary bargaining game in which UNASUR, and to a lesser extent the Vatican, attempted to resolve the democratic crisis of one of its members thus became at the same time a test of the new organization's (and the new Pope's) mediation abilities. The game more closely resembled a three-level game, with intra-regional organization competition at the meta-level, the primary game involving negotiations between UNASUR and the Venezuelan government to structure mediation, and the national-level game. The national-level game had also grown more complex, with a weakened government and a fractured opposition.

Players

Constituents, ratifiers and spoilers

The constituents for UNASUR are primarily its seventeen member states, with a diverse set of ideologies and relationships with Venezuela. Nevertheless, most of the continent was concerned about the political stability of the country and the ramifications for its neighbors should the crisis implode, affecting the economies of the continent and with the specter of

emigration. Some were also concerned about human rights, while others prioritized the respect for sovereignty. The secretariat and the foreign ministers participating in the mediation delegations were also concerned about their reputations and that of UNASUR in the competition with other regional organizations.

The constituents for the Maduro government included first and foremost its primary bases of support – the military, its popular base, and the National Assembly, each including potential rivals to the president. Within the government, competing ideological visions debated whether to radicalize economic policy toward deeper socialism or more pragmatic mixed economic policies, and whether to engage or repress the opposition.

The Maduro government also needed to consider the various constituents of the opposition, and the student movement. Its heavy-handed repression of students bore international costs to its standing as a democratic government. In addition, it needed to make its own political calculations about its electoral chances as government approval declined, and whether to engage in an electoral competition with the factions of the opposition willing to participate, or whether to radicalize, betting on a winning strategy of polarization but risking unleashing more radical elements of the opposition or even driving its own supporters to join the protests.

Reverberations

At the meta-level, UNASUR continued to strive for influence at the expense of the OAS, even though all UNASUR members were also OAS members. A growing conflict between the U.S. and Venezuelan government in early 2015 threatened to disrupt a renewed UNASUR

attempt to regenerate the dialogue effort, as well as to disrupt the Summit of the Americas scheduled for April 2015 in Panama.

The Venezuelan government continued to rely on its Petrocaribe members[66] to support it, or to vote against resolutions condemning it, within the OAS. When the protests began in February 2014, the Venezuelan foreign minister began a round of visits to international capitals to present its version of events, and by September 2014 had won a UN Security Council seat, to the dismay of the United States. Soon after, the UN Working Group on Arbitrary Detentions determined that the arrest of Leopoldo Lopez had been arbitrary and demanded his release.

The opposition also sought international allies as the wife and the political party of Leopoldo López in particular mounted an impressive lobbying campaign in Europe, Latin America and the U.S. The Venezuelan government roundly condemned each government that indicated support to the opposition, such as Panama and Spain.

Venezuelan NGOs also made use of the Inter-American system of human rights, bringing complaints to the Inter-American Commission and receiving orders for precautionary measures, though the government ignored them.

Outcomes

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[66] An organization begun in 2005 in which Venezuela provided oil at preferential and long-term rates to its Caribbean and Central American members.

The first intensive attempts by UNASUR to negotiate procedures and an agenda for a dialogue between government and opposition, in March-May 2014, ended when the opposition suspended its participation in the absence of government refusal to release the opposition's list of political prisoners. At the same time, the street protests had weakened as the dialogue began, and without that pressure, the government's motivation to dialogue seemed to diminish.[67]

By October 2014 the ability for the moderates in each camp to talk to each other had virtually disappeared, in the National Assembly as well as the economic sector.[68] The MUD hoped that UNASUR would renew its efforts to spur the government to talk, but to no avail.[69]

In the wake of the failed dialogue in May, the MUD replaced its leader, Ramon Guillermo Aveledo, with someone from the grassroots who focused on a street strategy. The UNASUR also had a new secretary general by August 2014, former Colombian President Ernesto Samper, who had good relations with the Venezuelan government. The opposition viewed his initial statements as pro-government, but they continued to look to UNASUR to spur the dialogue.

By March 2015, the UNASUR secretary general offered to mediate between Venezuela and the United States after Venezuela accused the U.S. of sponsoring a slow coup against the government, slapped on a new visa requirement for U.S. citizens and demanded the U.S.

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[67] Author's interview with UNASUR diplomat, Caracas, Oct 3 2014.
[68] Author interviews with opposition diputado and private sector representatives, Caracas, Oct. 1-4 2014.
[69] Author interview with MUD representative.

reduce its embassy personnel from more than 100 to 17 (the number Venezuela had in its U.S. embassy). Then Obama implemented individual sanctions against 7 Venezuelan officials for human rights violations, following the Congressional action the previous December.

UNASUR sponsored one more trip in March 2015, led by the Secretary General and including the three foreign ministers, but the visit produced no results.

The end results of the two-year effort by UNASUR to mediate a dialogue among Venezuelans, and to guarantee democratic elections, had decidedly mixed results. The dialogue itself failed to produce any real results, but may have helped to prevent further violence as the protests in the streets faded as the dialogue picked up steam in April-May 2014.[70] Without the street protests, though, it seemed the pressure on the government lessened and the UNASUR mission was unable to mediate an agreement to satisfy the opposition's preconditions.

In 2015, UNASUR's focus, along with Venezuelan political leaders', turned to the upcoming legislative elections, and the last tripartite foreign minister's mission in March along with secretariat and individual government declarations calling for a date to be announced may have contributed to pressure on the government and National Electoral Council to finally announce a date in June.[71] Nevertheless, there is no evidence the government did not intend to hold elections, in contrast to the 2004 referendum experience where international pressure

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[70] This is the view of a Brazilian diplomat. Author's interview, Caracas, February 25 2016.
[71] This is the view of a Brazilian diplomat. Author's interview, Caracas, February 25 2016.

from the OAS and Carter Center was clearly necessary to result in the invocation of the recall referendum.

UNASUR played the same role it had in the previous two Venezuelan elections in 2012, and 2013, sending an accompaniment mission that endorsed the process without making public criticisms or any public report. It did not appear to encourage the government to invite additional international missions. The presence of UNASUR may have helped increase confidence among voters, but the overwhelming frustration with the government's economic and security performance were probably the main reason for the high turnout and overwhelming victory of the opposition.

CONCLUSIONS

Our analysis of international efforts to promote a negotiated solution in two episodes of democratic crisis in Venezuela (2002-2004; 2014-2015) suggests that at least in the issue-area of the collective defense of democracy in the Americas, international regime complexity could not explain by itself divergent governance outcomes. Rather, the effect that institutional overlap among diverse hemispheric and regional organizations with a mandate to protect democracy had on the ability to resolve the particular democratic crisis was linked to particular configurations of international and domestic contextual factors. Regional power and ideational trends shaped the prospects for inter-institutional synergy, cooperation, conflict or competition among these formal institutions, resulting in a more unified collective defense of democracy regime in the first episode, versus a bifurcated regime in the second crisis. In turn, in each case, the particular regime configuration interacted with domestic actor

complexity, that is, specific constellations of government and opposition actors, to affect the real prospects for a negotiated solution to democratic crisis.

The polarized domestic context in both crises required partnerships on the part of the international mediators. In Case 1, the government required the UN and the Carter Center, and the opposition required the OAS. Because of the relative ideational consensus still evident in 2002, however, these three organizations were able to form a closely-coordinated partnership in the form of a Tripartite Working Group, with agreed-upon goals and methods. The reinforced OAS took the lead, though mediators had to work hard to gain the trust of both sides.

In Case 2, the former partnership was no longer possible for two reasons. First, the regional context had changed and had become more fragmented and polarized. The new organizations of UNASUR and CELAC had been deliberately created without the United States and Canada, and the Venezuelan government turned to the organization whose creation it had strongly supported and represented the most concentrated support for its sovereignty: UNASUR. The opposition reluctantly agreed to UNASUR, but also insisted on the Vatican, with its new Argentine Pope, whom the government also admired. Although the Episcopal conference within Venezuela had been a strong critic of the Chávez and Maduro governments, the Vatican secretary general had recently been the Papal Nuncio (ambassador) in Venezuela and enjoyed good relations with all sectors, while Pope Francis' messages of equality resonated with the Bolivarianists.

A second reason the Tripartite Working Group could not be replicated during Case 2 was due to the difficulty of mediating the same crisis twice. The OAS and Carter Center had been strongly criticized by the opposition after their international election observer missions endorsed the recall referendum results, and the MUD did not want to remind its supporters of what they viewed as a failed mediation.[72] The government had rejected the OAS, with the presence of the U.S. and Canada, on sovereignty grounds as it accused both countries of interfering in Venezuelan affairs.

The change in regional context also affected the capacity of the international actors to establish agreed upon formal rules of engagement in their mediation attempts. In Case 1, it took the Tripartite Working Group two months to reach an agreement with the domestic players on the rules and agenda of the negotiating table, but they achieved it, and after seven more months the table produced a written agreement signed by both sides.

In Case 2, the polarized context and institutional complexity meant that a relatively uninstitutionalized player – UNASUR – was tasked with the mediation effort. The methodology of three foreign ministers periodically visiting the country was insufficient to sustain a mediation effort, with no infrastructure in place in Venezuela to support them. The Vatican was reluctant to become fully engaged at the beginning of the new Pope's tenure without clear signals of potential success.[73]

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[72] Author Interviews with MUD leaders.
[73] Author's confidential interviews with diplomatic corps.

The domestic fragmentation further impeded a successful mediation. In contrast to the unity imposed by the charismatic and unquestioned leadership of Hugo Chávez over his movement, and the formation of the Coordinadora Democrática to provide a coordination mechanism for a unified economic, social and political opposition, and thus a single interlocutor for the opposition in Case 1, the domestic situation in Case 2 appeared chaotic. The government of Nicolas Maduro struggled with a sinking economy and challenges to his leadership from within his own movement, while the opposition unity table of the MUD was divided between the "moderate" longer-term electoral strategy and the "radical" shorter-term strategy to force Maduro out. The MUD represented only political parties, unlike the Coordinadora, and thus the private sector entered its own dialogue with the government, while students initiated and attempted to maintain their autonomy in the protest movement. Thus no single interlocutor existed for negotiations on the opposition side.

As we stated at the outset of this paper, the juxtaposition of particular configurations of international regime complexity and domestic actor complexity yielded different international-domestic bargaining games in 2002-2004 and 2014-2015. As captured in Figure 1 below, our analysis suggests that the nature of the particular bargaining game that resulted from interactions of a more or less articulated collective defense of democracy regime and more or less articulated domestic actors either increased or hindered the prospects for a negotiated solution. In 2002-2004, a more classic Putnam-style two-level game prevailed: international efforts on the part of the Tripartite Working Group, endorsed by other regional organizations such as the Rio Group, operated in the context of a more unified regime and more articulated domestic actors in the form of the Chávez government and the Coordinadora Democrática, eventually leading to an important agreement. By contrast, in 2014-2015, a

more complex bargaining game developed, failing to foster a negotiated agreement. During the second crisis, a bifurcated regime involving UNASUR-OAS rivalry and fragmented governmental and opposition actors seriously hampered international efforts.

As Figure 1 indicates, there are additional possibilities for bargaining games in the collective defense of democracy issue-area, such as political crisis scenarios where international actors operating in the context of a more unified regime sought to promote dialogue among fragmented domestic actors. It is possible that this situation existed during the Haiti crisis of 2000-2005. As is well known, the international community failed to facilitate a negotiated solution on that occasion, and President Aristide was forced to flee the country in February 2004.

As illustrated by the possible cases of Honduras (2009) and Paraguay (2012), there have also been political crises in which international actors sought to put an end to political crises in the context of a divided regime and articulated domestic actors (government versus opposition). In both of these cases, either international efforts to promote a negotiated solution failed (Honduras), or did not occur (Paraguay). Future research on these and other cases must establish to what extent the particular nature of these bargaining games affects the prospects for successfully defending democracy.

		DOMESTIC ACTOR COMPLEXITY			
		ARTICULATION		FRAGMENTATION	
COLLECTIVE DEFENSE OF DEMOCRACY REGIME	**(UNIFIED REGIME) ARTICULATION**	**2A**	PREDICTED OUTCOME: 2-level game Mediated agreement E.G. VENEZUELA CRISIS (2002-2004) 2-Level Game Outcome: mediated agreement	**AF**	PREDICTED OUTCOME: Indeterminate E.G. HAITI CRISIS (2000-2005) Outcome: failed mediation
	(BIFURCATED REGIME) FRAGMENTATION	**FA**	PREDICTED OUTCOME: No mediation E.G. HONDURAS CRISIS (2009-2011) Multi-level game Outcome: failed mediation PARAGUAY CRISIS (2012) Outcome: No mediation; UNASUR-MERCOSUR suspension of Paraguay; sidelining of OAS	**2F**	PREDICTED OUTCOME: Multi-level Game Indeterminate E.G. VENEZUELA CRISIS (2014-15) Multi-level Game Outcome: failed mediation

Figure 1. Bargaining games in the collective defense of democracy

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