

The Westphalian fracture

Since the Peace of Westphalia, territorial sovereignty consolidated itself as the structuring principle of the international order¹, binding political authority, territorial control, and state legitimacy within a single conceptual framework. For centuries, the equivalence between external juridical recognition and internal authority endowed the modern state with conceptual stability. In recent decades, however, this correspondence has become increasingly problematic. The persistence and proliferation of formally sovereign regimes whose representativeness, rights protections, and exercise of power are contested have opened a widening gap between legal sovereignty and effective political legitimacy.

The case of Venezuela constitutes a paradigmatic example of this fracture. Despite maintaining limited international recognition², institutional continuity, and territorial control, the Venezuelan regime faces a prolonged deterioration of its domestic legitimacy, stemming from repeated allegations of electoral irregularities, restrictions on civil and political rights³, and the consolidation of a highly centralized and coercive power structure, at times associated with organizations operating beyond the bounds of legality⁴.

This erosion has not entailed the disappearance of the state de facto, nor the automatic loss of its juridical sovereignty, yet it has generated a persistent debate regarding the legitimacy of its authority. In this context, the recent direct involvement of the United States (hereafter, the U.S.) in Venezuela further strains the limits of the Westphalian paradigm. Within the traditional framework, the classical principle of non-intervention protected sovereignty as the supreme value of the international order.

Nevertheless, external intervention in a state whose internal legitimacy is under dispute reveals a deeper structural transformation. The proliferation of formally sovereign regimes questioned in terms of political representation, democratic guarantees, and respect for fundamental rights has widened the divide between juridical sovereignty and effective political legitimacy. In this sense, the Westphalian principle persists as a normative

¹ Crystallized in United Nations General Assembly Resolution 2626 (XXV).

² Various diplomatic tallies conducted following the July 2024 presidential elections estimate that approximately thirty states (around 35-40 countries) publicly expressed their recognition or support for Nicolás Maduro's government.

³ A case in point is the devastating and clarifying Report of the General Secretariat of the Organization of American States following the 2024 elections. Available online at: <https://www.oas.org/fpdb/press/Informe-al-SG-sobre-Elecciones-Venezuela-2024-30-de-julio-para-distribuir-%281%29.pdf?utm.com>

⁴ The OAS has also explicitly expressed its rejection of the decisions issued by the Venezuelan Supreme Electoral Tribunal. One of the OAS press releases dated August 23, 2024, can be consulted online at: https://www.oas.org/en/media_center/press_release.asp?sCodigo=E-056%2F24&utm.com

framework, yet its practical application is no longer automatic or politically neutral.

This transformation cannot be explained solely through the evolution of international law. Rather, it reflects more profound changes in the global balance of power and in the modalities through which power is exercised. Following the end of the Cold War, U.S. hegemony promoted democratic legitimacy as an international political standard, although this normative expansion coexisted with clear strategic asymmetries. Interventions across diverse regional theatres⁵ demonstrated that the international evaluation of regimes was inseparable from security interests and geopolitical calculations.

In an increasingly multipolar environment, the tension between sovereignty and legitimacy has intensified. Great powers recognize, contest, or support governments not only on normative grounds but also according to strategic alignments, access to resources, and regional positioning. Sanctions, diplomatic pressure, support for opposition actors, and military deployments form part of a repertoire that transcends the classical logic of non-intervention. Legitimacy has ceased to function as a static attribute and has instead become a dynamic variable, shaped by the prevailing correlation of forces.

Within this context, the Venezuelan case crystallizes this structural mutation. Although it retains formal sovereignty, limited diplomatic recognition, and territorial control, the regime confronts sustained erosion of domestic legitimacy. From this vantage point, U.S. intervention and its framing within a renewed hemispheric priority illustrate how debates over legitimacy are no longer resolved exclusively in juridical terms but rather unfold within an arena where norm and power interact strategically. Venezuela thus emerges as an empirical laboratory of an international order that remains formally sovereign yet is increasingly hierarchical and permeated by geopolitical rivalry.

⁵ Examples such as Nicaragua and Panama reflect this dynamic, in which instruments ranged from external means (or proxies) to internal ones (including direct military intervention, as in the Panamanian case in 1989).

From the Westphalian paradigm to the crisis of legitimacy

The modern international system consolidated itself upon a juridical and political architecture whose core principle was territorial sovereignty. Authority was thus defined as exclusive within delimited borders, and mutual recognition among political entities became the mechanism through which structural uncertainty in an anarchic environment was mitigated. As an initial outcome, this configuration did not eliminate conflict but rather channeled it within a framework in which the sovereign state functioned simultaneously as both actor and limit.



Figure 1. Europe after the Treaties of Westphalia, 1648. Source: Espace Mondial

Within this context, legitimacy was not conceived in terms of internal normative standards, but rather as a functional derivative of control and recognition. The Westphalian order therefore privileged stability over the moral evaluation of regimes. So long as an effective monopoly of coercion and interstate acceptance persisted, authority remained juridically shielded. Non-intervention operated less as an ethical principle than as a guarantee of systemic survival.

Yet this structure contained profound tensions. First, sovereign equality was more formal than substantive. Since the Congress of Vienna in 1815, the European balance of power revealed that great powers exercised functions of systemic supervision. Formal sovereignty coexisted (and continues to coexist) with implicit hierarchies embedded within the international system. Any association or grouping of sovereign states tends to generate asymmetric⁶ relational dynamics, in which structural leaderships and positions of primacy emerge as differentiating factors among states. Thus, the Concert of Europe, and later the alliance systems prior to 1914, demonstrated that material power conditioned the practical interpretation of the principle of equality.

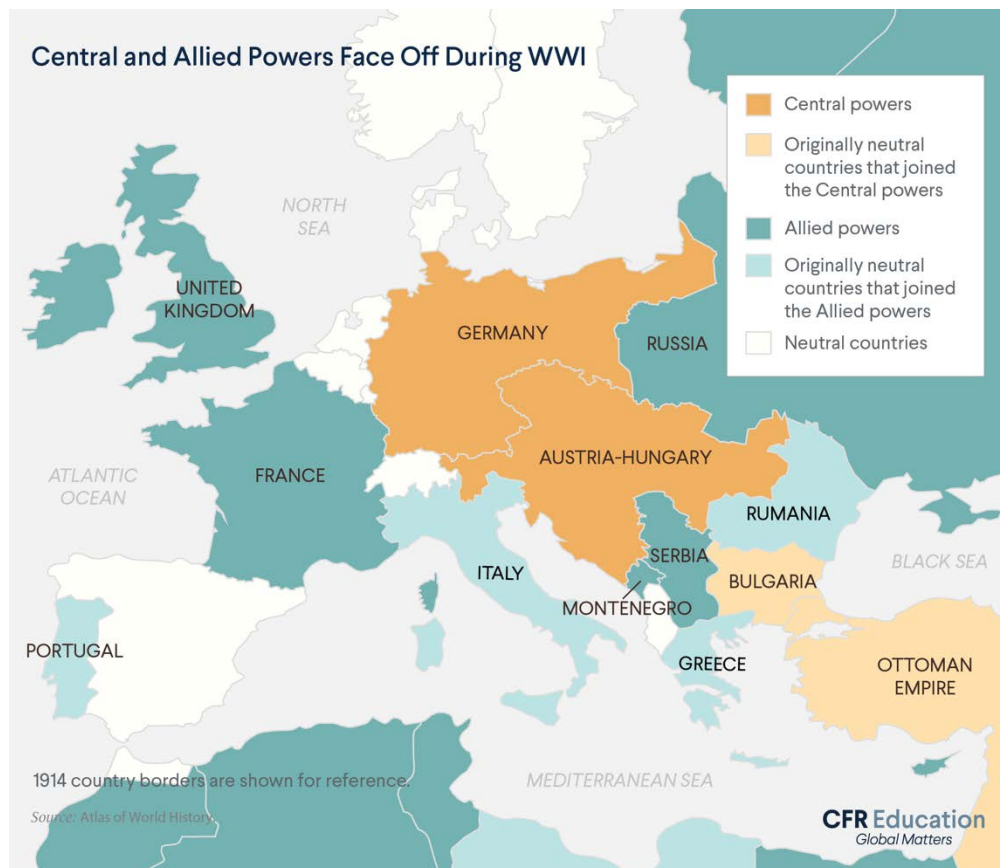


Figure 2. Alliance map prior to the First World War. **Source:** Council of Foreign Relations

⁶ A paradigmatic case is that of the European Union, where it is possible to observe power dynamics aimed at occupying specific positions within the organization. Countries such as France, Germany, and Italy compete de facto to exercise leadership roles, giving rise to internal power structures within the Union that respond to the pursuit of hierarchical positioning. Such dynamics are readily observable in settings ranging from international forums such as the G20 to negotiation frameworks such as the Russian-Ukrainian context.

Second, the two World Wars exposed the limits of the classical paradigm. The system of sovereign states, originally conceived to contain violence, became the arena for unprecedented total industrial warfare. After 1919, the League of Nations attempted to introduce mechanisms of collective security aimed at moderating absolute sovereignty, after 1945, the Charter of the United Nations (hereafter, the UN) formalized the prohibition of the use of force⁷, while simultaneously institutionalizing structural hierarchy through the Security Council and the veto power of five permanent members. Sovereignty thus remained the guiding principle, yet it was now embedded within a normative architecture that openly acknowledged interstate asymmetry.

Subsequently, the twentieth century expanded the universe of states exponentially. Decolonization and the collapse of the Soviet Union multiplied the number of members⁸ within the international system, many of them possessing limited institutional capacities⁹ and state structures that, in numerous cases, foreshadowed the fragilities and failures visible today¹⁰. Sovereign equality was juridically universalized, but the gap between formal sovereignty and effective capacity became increasingly evident. The Westphalian system expanded, yet its functional homogeneity weakened.

During the Cold War, sovereignty was reinterpreted within a rigid bipolar logic. Although formally intact, the effective autonomy of numerous states was conditioned by their incorporation into spheres of influence¹¹, frequently subject to direct or indirect intervention by the hegemonic powers. While such interventions were often framed in ideological or strategic terms, the empirical reality demonstrated that the principle of non-interference coexisted with systematic practices that continuously undermined it.

With the end of this period, the U.S.-led unipolar moment reinforced the notion of both normative and material hegemony. Interventions¹² undertaken in the name of democracy, human rights, or international security introduced additional tensions between

⁷ Specifically in Article 2(4).

⁸ Since the founding of the United Nations, the organization has expanded from its original 51 members to the current 193.

⁹ The dissolution of the Soviet Union generated new states whose political and economic viability depended to a significant extent on external balances.

¹⁰ Although there is no official figure, according to the Fragile States Index, approximately between 10 and 15 states may be considered in a situation equivalent to “failed state” status due to extreme levels of institutional fragility and the collapse of basic state functions.

¹¹ For further information, see the following article: MELIÁN NEGRÍN, Miguel Á. The Return to Spheres of Influence. Opinion Paper IEEE 62/2025. https://www.defensa.gob.es/ceseden/ieeee/el_retorno_a_las_esferas_de_influencia (accessed 6 February 2026).

¹² Cases such as Iraq, Kuwait, Afghanistan, and Libya reflect the broad spectrum of military operations.

sovereignty and legitimacy. Simultaneously, in the twenty-first century, the rise of powers with revisionist or regionally¹³ assertive ambitions further complicated the system's hierarchical structure.

As a result, sovereignty no longer operates within a space of effective equality, but within a dense network of interdependencies, strategic dependencies, and power contestation. The Westphalian paradigm has not disappeared; it remains the juridical grammar of the international system. Yet its practical application has historically been mediated by hierarchies, systemic wars, state expansion, and hegemonic dynamics.

This historical evolution provides the analytical groundwork for understanding how, in the contemporary order, the legitimacy of regimes can become an object of strategic contestation without sovereignty juridically disappearing—of which Venezuela constitutes a paradigmatic case.

Venezuela and the structural erosion of legitimacy

Unlike collapsed or territorially fragmented states, Venezuela does not fit the classical category¹⁴ of a “failed state”¹⁵. It retains defined borders, a seat at the United Nations (UN), active diplomatic representation, and significant territorial control. From a juridical-formal standpoint, its sovereignty remains relatively stable. Yet, in substantive terms, this institutional framework coexists with a prolonged process of political legitimacy erosion that has profoundly altered the nature of the regime.

The political cycle initiated with the rise of Hugo Chávez in the late 1990s introduced a structural transformation of the Venezuelan system. The charismatic and plebiscitary legitimacy of Bolivarian leadership enabled a constitutional and institutional reconfiguration that progressively concentrated power in the executive, ultimately subordinating the state to a Chavista-style authoritarian regime. During the oil boom of

¹³ All of which share the fundamental principle of contributing to the construction of an increasingly multipolar international environment.

¹⁴ Defined as a state that has substantially lost the capacity to perform the basic functions of the modern state—namely, maintaining an effective monopoly over the use of force within its territory, guaranteeing security and public order, administering justice, providing essential services, and sustaining operational political institutions with a minimum degree of internal legitimacy.

¹⁵ For further information, reference is recommended to Research Document 03/2022 of the IEEE entitled “Narratives, International Institutionalism, and the Use of Force in U.S. Foreign Policy after the Cold War.” Available at: https://www.ieee.es/Galerias/fichero/docs_investig/2022/DIEEEINV03_2022_HARBER_Estadosunidos.pdf (accessed 08/02/2026).

the first decade of the twenty-first century, rent redistribution and expansive public spending reinforced social support for the Chavista project. However, this legitimacy rested upon a dual dependency in terms of energy rent and the centralization of political power—both of which simultaneously constrained the country’s long-term developmental trajectory.

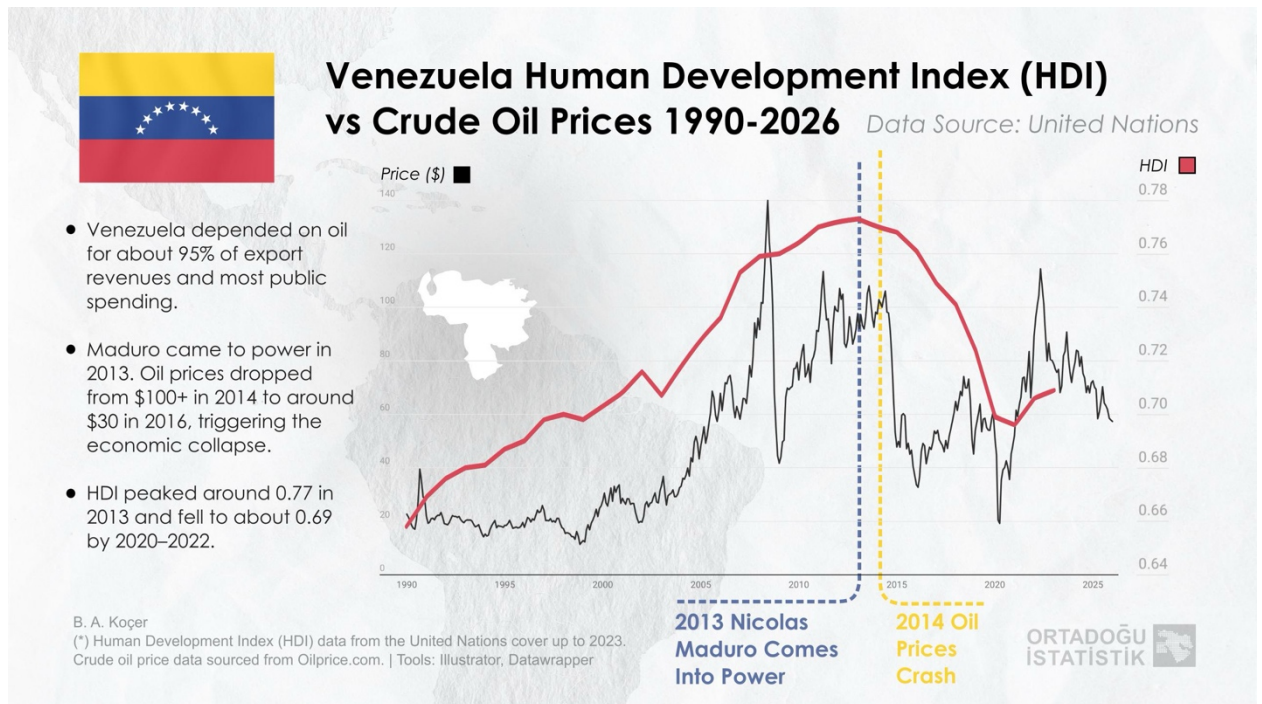


Figure 3. Relationship between oil prices and human development in Venezuela (1990-2026). **Source:** Ortadoğu İstatistik

The transition to Nicolás Maduro’s presidency coincided with the decline in international oil prices, macroeconomic deterioration, and growing domestic polarization. Economic contraction, hyperinflation, and the collapse of basic services eroded the material foundations of regime support and significantly worsened living conditions. Simultaneously, repeated allegations of electoral irregularities, the disqualification of opposition actors, and the consolidation of an institutional framework aligned with the executive deepened perceptions of democratic deficit.

From a strictly analytical perspective, the central issue is not merely whether the regime preserves formal mechanisms of legality, but rather how its effective authority and leadership legitimacy are sustained. In Venezuela, regime survival has rested upon three fundamental pillars: control of the coercive-military apparatus, strategic management of

energy rents, and the construction of international alliances that mitigate Western isolation.

The role of the armed forces has been decisive. Far from operating as a neutral institution, the military establishment has been progressively integrated into the governing structure, assuming administrative and economic responsibilities. This fusion of civil and military power reinforces internal regime stability yet simultaneously shifts the source of legitimacy from popular consent toward coercive capacity in managing an increasingly reactive civil society, both domestically and within the diaspora.



Figure 4. Protests following the 2024 Venezuelan presidential elections in countries with significant Venezuelan populations. **Source:** ACLED

Externally, Venezuela has articulated a network of strategic support that includes ties with Russia, China, and Iran¹⁶, among other actors. These alignments are not explained solely by ideological affinity, but by convergent interests in the energy, financial, and geopolitical domains, particularly vis-à-vis the U.S.¹⁷. Access to credit, technology, and diplomatic

¹⁶ In recent years, Iran has promoted an increasingly expansive presence, with the case of Bolivia exemplifying the Persian country's strategy in this region. In an article by Rocío de los Reyes, this issue is examined in depth. REYES RAMÍREZ, Rocío de los. Under the Persian Spell: The Rise of Iran in Bolivia and Its Consequences for the Region. IEEE Analysis Document 33/2024. https://www.ieee.es/Galerias/fichero/docs_analisis/2024/DIEEEA33_2024_ROCREY_Bolivia.pdf (accessed 06/02/2026)

¹⁷ For further information, see the following article: MARQUEZ DE LA RUBIA, Francisco. Regional Implications of the

backing has enabled the regime to cushion the impact of Western sanctions and pressure, producing a scenario in which the international legitimacy of the Venezuelan government is neither uniform nor entirely absent.

Taken together, this configuration reveals a central paradox. Venezuela retains juridical sovereignty (albeit constrained) and internal coercive capacity, yet its political legitimacy¹⁸ remains deeply contested. The regime has neither been replaced nor uniformly delegitimized at the international level. Rather, it has been progressively encapsulated within a logic of sustained survival.

From this vantage point, the Venezuelan crisis cannot be reduced to a domestic anomaly. It constitutes a concrete manifestation of a broader fracture between formal sovereignty and substantive legitimacy in the contemporary international system. The regime has persisted not because it has resolved debates over its legitimacy, but because it operates within a geopolitical environment in which material power, strategic resources, and external alignments condition how legitimacy is assessed and contested.

This configuration explains why Venezuela has become a site of systemic friction—an intersection of representational crisis, energy dependency, and hemispheric geopolitical rivalry. It is at this nexus that legitimacy ceases to be a purely normative issue and becomes a central variable in international strategic contestation.

U.S. intervention as catalyst

First, direct U.S. involvement in Venezuela cannot be interpreted as an isolated episode of foreign policy. Rather, it constitutes an inflection point in the contemporary debate over sovereignty and state legitimacy, in which the United States has advanced a redefinition of the pillars underpinning the current international order. Within the classical Westphalian framework referenced earlier, intervention in the territory of a sovereign state constitutes a violation of the principle of non-intervention. Yet when the internal legitimacy of a regime is structurally contested, the automatic application of that principle ceases to be politically neutral.

United States Operation in Venezuela: A Wounded Hemispheric Geopolitics. IEEE Analysis Document 01/2026. <https://www.defensa.gob.es/ceseden/-/ieee/implicaciones-regionales-operacion-estados-unidos-venezuela-geopolitica-hemisferica-herida> (accessed 06/02/2026).

¹⁸ Understood as free adherence, effective electoral competition, and the protection of rights.

The U.S. action of January 3 must therefore be situated within this zone of ambiguity. On the one hand, it strains Venezuelan territorial sovereignty, on the other, it is justified on the grounds of the regime's illegitimacy, the contested nature of its leadership, and broader regional security considerations. This duality reveals a deeper transformation in which sovereignty no longer functions as an absolute shield when the regime exercising it is perceived as democratically illegitimate or associated with regional destabilization dynamics.

The geopolitical dimension is, in this respect, inescapable. Venezuela is not merely one of the most controversial regimes of the twenty-first century, it is also a pivotal energy actor and a locus of hemispheric competition. This episode must be read in light of the new U.S. National Security Strategy¹⁹, which explicitly designates the Western Hemisphere²⁰ as a central vector of American foreign policy and promotes U.S. preeminence in the region as a condition for national security and prosperity—politically, economically, and militarily.

In essence, this strategic document revisits historical principles such as the Monroe Doctrine, reinterpreting them to justify a reinforced presence in the Western Hemisphere in response to the penetration of external competitors and in defense of “strategically vital” interests. This orientation has crystallized in an unprecedented U.S. military deployment in the Caribbean and adjacent areas, involving naval and air units as well as expeditionary capabilities aimed at consolidating operational control over critical regional nodes.

¹⁹ Available online at the following link: <https://www.whitehouse.gov/wp-content/uploads/2025/12/2025-National-Security-Strategy.pdf>

²⁰ A region facing a multitude of economic, political, and social challenges which, if it seeks to maintain a significant role within the global architecture, will need to develop mechanisms to respond effectively to these pressures. Analysts such as Juan Pablo Toro examine this context from a geopolitical perspective framed within the so-called Global South. This issue is addressed in the following article: TORO, Juan Pablo. Latin America: How to Escape the Global South Trap? IEEE Analysis Document 56/2025. [https://www.defensa.gob.es/ceseden/-/ieee/latinoameica como escapar de la trampa del sur global](https://www.defensa.gob.es/ceseden/-/ieee/latinoameica%20como%20escapar%20de%20la%20trampa%20del%20sur%20global) (accessed 08/02/2026).

The U.S. Military Buildup in the Caribbean

U.S. military presence as of December 1, 2025



Figure 5. U.S. Military presence in the Caribbean as of December 2025. **Source:** Council of Foreign Relations

Operation Southern Spear²¹ constitutes a paradigmatic example of this new strategic logic. Its scale, frequency, and lethal character exceed what would typically correspond to a conventional criminal²² interdiction campaign. The operation reflects an expansion in

²¹ In which a maritime and aerial deployment is presented, aimed at detecting and combating alleged narco-trafficking networks in the Western Hemisphere.

²² This operation has generated broad domestic political debate in the United States regarding potential violations of

the U.S. use of force²³ under the justification of confronting hybrid threats such as “narcoterrorism,” operating within a broad-spectrum national security framework in which the boundaries between counter-organized crime efforts, power projection, and political pressure on a contested regime become increasingly blurred.

Taken together, these developments confirm that U.S. policy toward Venezuela and the broader region no longer adheres to classical non-intervention, but rather to a strategic interpretation of sovereignty and legitimacy conditioned by great-power competition, the defense of economic interests, and the redefinition of hemispheric geopolitical space.

The combination of a renewed normative strategy and a robust operational posture transform the Caribbean and northern South America into a theatre of prolonged contestation, where counternarcotics operations and pressure on regimes deemed illegitimate converge within a comprehensive security policy. In this context, U.S. intervention responds not only to the internal illegitimacy of the Venezuelan government but also to a logic of strategic containment. Consequently, the regime’s alleged illegitimacy²⁴ becomes an argument embedded within a broader struggle over regional influence and resource control.

Several systemic implications follow from this dynamic. First, it confirms that sovereignty remains operative as a juridical norm, yet its application is selective and conditioned by the prevailing balance of power. Second, it demonstrates that the internal legitimacy of regimes has become part of the strategic calculus of major powers—not necessarily as a coherent normative criterion, but as an instrumental variable. Third, it illustrates that the contemporary international system has not transcended the Westphalian paradigm but has transformed it into a hierarchical and competitive structure in which sovereignty and power are continuously reinterpreted.

Thus, the intervention in Venezuela reflects the regime’s internal legitimacy deficit, but it does not establish a new universal normative principle regarding legitimacy. What it reveals is something more structural: the classical equivalence between sovereignty and

international law and internal legal protocols governing the execution of such actions.

²³ Including attacks on vessels in the Caribbean and naval blockades targeting sanctioned ships.

²⁴ A Chavista regime whose core structure has not been entirely dismantled and which, consequently, continues to govern Venezuela de facto. Nevertheless, the current state of the Chavista regime is considerably weaker than under Maduro’s leadership, given the close contacts between the Trump Administration and the Venezuelan government headed by Delcy Rodríguez aimed at opening a process of political transition.

legitimacy has fractured and is now managed within the arena of geopolitical competition. In this framework, sovereignty no longer automatically guarantees legitimacy, and internal illegitimacy does not necessarily entail absolute isolation. Both dimensions interact within an international arena where power, resources, and strategic alignments condition the recognition and contestation of regimes.

The new equilibrium of state legitimacy

Considering the foregoing, the Venezuelan case constitutes a clear manifestation of the mutation of the contemporary international order. In this regard, state legitimacy has ceased to function as a stable attribute derived from juridical recognition and has instead become a contested variable within a global system where norms and power coexist in permanent tension.

This reality confirms that the classical relationship between sovereignty and legitimacy no longer operates as an automatic equivalence. While the Westphalian architecture continues to structure the juridical interstate order, its explanatory capacity proves limited when examining regimes whose internal authority is subject to sustained contestation and whose geopolitical positioning is shaped by dynamics of strategic competition.

Thus, Venezuela exemplifies this fracture. It retains formal sovereignty, limited diplomatic recognition, and significant territorial control. However, the prolonged erosion of democratic guarantees, the concentration of power, and the systematic reliance on coercive structures have weakened both its domestic and international political legitimacy. This dissociation has not led to state collapse or complete expulsion from the international system, but rather to an intermediate condition in which juridical sovereignty and substantive legitimacy coexist in persistent tension.

Within this framework, U.S. intervention must be situated within a more complex strategic layer. Far from representing a transcendence of the Westphalian paradigm, external action reveals its selective reinterpretation in accordance with geopolitical interests. The regime's legitimacy becomes an argumentative instrument within a broader contest over regional influence, resource control, and strategic positioning in the Western Hemisphere. In this way, the debate over internal state authority is projected outward into the international system, where norms and power interact contingently rather than coherently.

The resulting system is neither post-Westphalian nor consistent with the classical ideal of full equality among states. It is a formally sovereign yet hierarchical and strategically competitive structure, in which state legitimacy is negotiated and contested according to alignments, capabilities, and balances of power. Consequently, sovereignty no longer guarantees legitimacy, and internal illegitimacy does not necessarily entail isolation or immediate regime substitution.

In conclusion, the Venezuelan experience should not be understood as a peripheral anomaly, but rather as a lucid manifestation of the structural transformation of the international order. In this context, state legitimacy has ceased to be a stable attribute derived from international juridical recognition and has become a dynamic variable shaped by the interaction between domestic crises and geopolitical rivalries. Understanding this mutation is therefore indispensable for analyzing the contemporary challenges facing the sovereign state within an increasingly competitive, tension-filled, and complex global environment.

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