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Daniel Flores Flores
Master in Social Sciences by the University of Guadalajara (Mexico)

Email: danielfloflo2@gmail.com

The (un)just war of the United States against Venezuela: hegemony, oil and geopolitics in the 21st century[1]

Abstract

This paper analyses 'US military actions in Venezuela'—as described by UN Secretary-General António Guterres—based on a critical re-examination of the notion of 'just war' developed by Juan Ginés de Sepúlveda in *Demócrates II*. The article is situated within the context of US foreign policy towards Venezuela during the Donald Trump administrations and the shift from the 'maximum pressure' strategy towards the direct use of force. From a critical geopolitical perspective, it examines the legitimising narratives constructed around democracy, drug trafficking and security, as well as their relationship with the control of strategic resources and the crisis of US hegemony.

Based on an analysis of the just causes of war, legitimate authority, right intention and the right way of waging war, it is argued that US military action does not meet any of the criteria that would allow it to be considered just. On the contrary, it is an unjust war aimed at the expansion of power and the reaffirmation of geopolitical dominance in Latin America, with profound implications for international law and regional stability.

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Keywords

International Law; Political realism; Venezuela; Global power; United States

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1 Introduction

Since 2014—and even before—talking about Venezuela has become, in numerous political and media discourses, an almost automatic way of talking about crisis. This immediate association is not unique to the Venezuelan case, but forms part of a political use of language that can also be observed in other contexts. Names such as Vietnam[2], Iraq[3] or Ukraine[4] almost instinctively evoke war, understood from a Clausewitzian perspective as an act of applying military force aimed at imposing the will of one state upon another (Jenkins, 1970). Whether it be the will of the United States over Vietnam or Iraq, or the will of Russia over Ukraine.

War, understood in this research from a sociological perspective inspired by the work of Nievas (2009), is conceived as the social activity through which states, as political-administrative-territorial entities, seek to subdue the will of others through the systematic and potentially rational use of violence. In this sense, war constitutes a central analytical axis of this study, insofar as it manifests itself in the semantic and political spheres through disputes surrounding the designation of the Venezuelan crisis and US foreign policy towards Venezuela during the administrations of Donald Trump (2017–2021 and 2025–present).

The analytical focus is on the two Donald Trump administrations, grouped under the category of 'Trumpism'. However, it is worth noting, as Juárez (2026) points out, that the attack on Venezuela and the capture of its president do not constitute an isolated event nor one exclusively attributable to these administrations, but rather the result of a long-term process, built up over more than twenty-five years on the basis of lies and manipulated truths. In this regard, Juárez argues that the administrations of George W. Bush (2001–2009), Barack Obama (2009–2017) and Joe Biden (2021–2025) laid the foundations for a strategy that Donald Trump ultimately brought to fruition in 2026.

As regards the political framing of the Venezuelan crisis, for critics of the Venezuelan government, journalists and various non-governmental organisations, what is happening in the country constitutes a 'humanitarian crisis' attributed to a

2 The Vietnam War, also known as the Second Indochina War, and referred to in Vietnam as the War of Resistance against the United States, was a military conflict fought between 1955 and 1975 to reunify Vietnam. This local conflict intensified due to the Cold War, under the US policy of containing communism (the Domino Theory) and the division of the country following independence from France in 1954.

3 The Iraq War was a military conflict consisting of two phases. The first was a brief war, fought conventionally in March–April 2003, in which a combined force of US and UK troops invaded Iraq and quickly defeated the Iraqi military and paramilitary forces. This was followed by a second, more protracted phase in which the US-led occupation of Iraq faced an insurgency.

4 The war in Ukraine is a large-scale armed conflict that began with Russia's invasion on 24 February 2022. It represents the largest military conflict in Europe since the Second World War, with roots dating back to 2014, and has led to a severe humanitarian crisis, thousands of deaths and geopolitical tensions between Russia and the West

Venezuelan political project which, according to Reid (2019: 208), embodies 'the most direct challenge to liberal democracy in Latin America so far in the 21st century'. For supporters of Chavismo, on the other hand, the situation in Venezuela is the result of an 'economic war' forming part of a hybrid war waged by the United States and its regional allies with the aim of destabilising and, eventually, overthrowing 'the most original attempt at alternative political and social construction that Latin America and the Caribbean have produced in the 21st century' (Tirado, 2019: 15).

Tirado Sánchez conceptualises hybrid warfare as:

> 'a type of conflict characterised by a combination of regular and irregular actions, carried out by traditional armed forces—that is, those linked to a state—which may operate alongside various delegated actors (private contractors, terrorists or organised crime) to confront forces of an irregular or regular nature' (Tirado Sánchez, 2020: 96).

Although both perspectives are contrasting and politically motivated—the first aimed at justifying a humanitarian intervention to bring about regime change, and the second focused on attributing to the United States sole responsibility for the profound difficulties facing the country—they ultimately complement each other in shaping a discursive scenario of confrontation and war within the framework of a geopolitics of security characterised by the dissemination of 'the idea of a necessary order, of a world that must be constantly intervened in and safeguarded' (Montoya-Arango, 2010: 107).

The events that took place in the early hours of 3 January this year—namely, the capture of Venezuelan President Nicolás Maduro (2013–2026) and his wife, Cilia Flores, as part of an armed intervention accompanied by air operations and military actions that affected both the civilian population and strategic infrastructure—reignited the debate surrounding wars of conquest and imperialism. In this regard, the concept of imperialism remains central to understanding how, in the Venezuelan case, economic and security policies respond to external interests to the detriment of the needs and rights of the population. President Donald Trump's actions demonstrate that his priorities are directed neither towards the defence of democracy nor the fight against drug trafficking, but rather towards control of Venezuela's vast oil reserves.

In this context, US military action in Venezuela not only reshapes the regional geopolitical landscape, but also raises fundamental questions about the criteria that allow the use of force to be justified—or challenged—in the contemporary international system.

2 Statement of the problem

Viewed by various states—notably Brazil, Chile, Colombia, Mexico, Uruguay and Spain—as a serious unilateral military action with regional implications, the events of 3 January 2026 in Venezuela have called into question not so much the limits of international law, as set out in Article 2 of the United Nations Charter and in Resolutions A/RES/2625 (XXV) and A/RES/37/10, but rather its effectiveness. This is

because compliance ultimately depends on the will of states, which in practice allows the great powers to use force with impunity, with repercussions for peace and stability both in Latin America and the Caribbean and on a global scale.

In this context, a fundamental analytical tension emerges between contemporary justifications for military intervention—rooted in narratives such as the defence of democracy, the fight against drug trafficking, or the instrumental interpretation of the Responsibility to Protect (R2P) principle adopted by all Heads of State and Government, as articulated in the Final Document of the 2005 World Summit (A/RES/60/1)—and the classical criteria for the legitimisation of war. This tension is particularly relevant in the case of Venezuela, where US military action has been presented within various discursive frameworks seeking to confer legitimacy upon it.

Based on the characterisation of US military action in Venezuela as an act of aggression, according to the definition set out in United Nations General Assembly Resolution 3314 (XXIX) of 1974, which states in Article 1 that 'aggression is the use of armed force by a State against the sovereignty, the territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations' (United Nations General Assembly, 1974: 151), this paper links this notion with the definition of war presented in the introduction. On this basis, the aim is to identify the elements which, following Juan Ginés de Sepúlveda in *Demócrates II*, could be considered sufficient to justify the initiation of large-scale armed action.

According to Amaya Palacios, the cultural significance of Sepúlveda's treatise 'lies in the defence of specific interests of the Crown of Castile in the Americas at a crucial moment in Spain's consolidation on the continent' (2015: 6). In this regard, a review of the treatise is relevant for analysing the current geopolitical context, marked by the US attempt to 'reclaim' and reaffirm its dominance over the American continent and its strategic resources.

In light of the above, the guiding question of this research is: can US military action in Venezuela be considered a just war in the light of the criteria established by Juan Ginés de Sepúlveda? The research hypothesis holds that US military action in Venezuela cannot be considered a just war under the terms established by Juan Ginés de Sepúlveda, insofar as it does not meet the criteria of just cause, legitimate authority, right intention and proportionality in the use of force. On the contrary, such action responds primarily to geopolitical and geo-economic interests linked to the control of strategic resources and the reconfiguration of the regional order, which places it closer to a logic of domination than to a normative justification for war.

From a methodological perspective, the study adopts a qualitative approach of a critical-interpretative nature. Within this framework, the analysis is structured around a dependent variable—the legitimacy of war—which is assessed on the basis of an independent variable—US military action in Venezuela—operationalised through Sepúlveda's classical criteria for just war: just cause, legitimate authority, right intention and proportionality in the use of force.

The study draws, on the one hand, on a historical-conceptual analysis of the notion of just war in Sepúlveda, and, on the other, on a discursive and geopolitical analysis of US policy towards Venezuela during the two administrations of Donald Trump. Drawing on specialised secondary sources and official political discourses, a comparison is made between the classical criteria for the legitimisation of war and contemporary justifications for intervention, with the aim of assessing their normative and political coherence.

The argument is divided into two parts. The first contextualises the 'maximum pressure' policy deployed by Donald Trump's first administration against Venezuela, focusing on its diplomatic-political and economic dimensions. It also examines the strategy of Trump's second administration, characterised by a shift from maximum pressure towards direct military intervention, as well as a shift in the narrative from 'democratic transition' to a 'war on drug trafficking' and the supposed 'recovery' of Venezuelan oil. Finally, the second part offers a reflection on the U.S. military action against Venezuela from the perspective of, drawing on Sepúlveda's (1987) contributions regarding the just causes of war. The paper concludes with a series of final reflections.

3 From maximum pressure to military intervention: US policy towards Venezuela

3.1 The 'maximum pressure' strategy in the first Trump administration (2017–2021)

During his first administration (2017–2021), Donald Trump's government adopted a 'maximum pressure' policy towards Venezuela along two tracks (Piña, 2021), inspired by the traditional *two-track policy* applied during the 20th century. This policy combined diplomatic pressure exerted within multilateral organisations with military interventions preceded by destabilisation operations aimed at preparing and justifying a supposed political 'transition' (Tirado, 2019). This strategy was historically employed by Washington to overthrow governments considered contrary to its geopolitical interests. Among the paradigmatic cases are those of Jacobo Árbenz in Guatemala (1951–1954), João Goulart in Brazil (1961–1964) and Salvador Allende in Chile (1970–1973).

Firstly, the Trump administration pursued a strategy of economic pressure based on the imposition of unilateral coercive measures (hereinafter UCMs) and, subsequently, on the establishment of an embargo against the Venezuelan oil industry, directly affecting the country's main source of revenue (Piña, 2021). Executive Order[5] 13808, issued on 24 August 2017, is an example of this, as it imposed new financial sanctions against the Venezuelan state by cutting off its access to US financial markets, thereby

5 An executive order signed by the president instructing federal agencies on how to conduct operations or enforce laws, without requiring congressional approval.

limiting its refinancing capacity and liquidity (US Department of State, n. d.). These measures fall within the framework of the 'national emergency' previously declared by the US on 8 March 2015, through Executive Order 13692 (Flores, 2025).

In Piña's words:

> 'this action was intended to deprive the Maduro government of resources in order to exacerbate the socio-economic crisis that had been dragging the country down for more than five years; furthermore, it sought to financially strangle a government that needed access to new loans to keep its social welfare programmes afloat, programmes which were partly based on the popular support it still enjoys' (Piña, 2021).

Describing this 'maximum pressure' strategy as an 'economic war'—in which, according to Kent (1994), the tensions experienced in the diplomatic and political spheres are transferred to the economic arena, within the context of a hybrid war involving both coercive diplomacy and the threat of military intervention—makes sense when one considers its effects in terms of human lives. In their report 'Economic Sanctions as Collective Punishment: The Case of Venezuela', Weisbrot and Sachs (2019) estimate that US sanctions caused the deaths of approximately 40,000 Venezuelan civilians between 2017 and 2018.

Executive Order 13808 restricted the Venezuelan state's access to international financial markets, limiting its ability to raise funds. Executive Order 13827 prohibited transactions involving cryptocurrencies issued by the Venezuelan government, including the Petro. Executive Order 13835 blocked the purchase and trading of Venezuelan and PDVSA debt, further restricting the state's sources of liquidity. Finally, Executive Order 13850 expanded the sanctions regime by authorising blocking measures against actors linked to strategic sectors—subsequently including the oil sector—and against individuals associated with corrupt practices or the Venezuelan government (US Department of State, n. d.).

Based on the National Survey of Living Conditions (ENCOVI), a 31% increase in overall mortality was identified during that period (Weisbrot and Sachs, 2019). Furthermore, it is estimated that more than 300,000 people were at risk due to a lack of access to medicines or medical treatment. These include around 80,000 people living with HIV who have been without antiretroviral treatment since 2017; 16,000 people requiring dialysis; a further 16,000 with cancer; and nearly four million suffering from diabetes and hypertension, many of whom cannot access insulin or cardiovascular medicines. As a historical reference, it is estimated that following Hiroshima—the first use of nuclear weapons against a civilian population—around 70,000 people died immediately (Weisbrot and Sachs, 2019)

It is in light of these figures that speaking of a 'humanitarian crisis' is no longer an exaggeration. However, the same data suggest that the MCUs constitute, *de facto*, a 'death sentence' for tens of thousands of Venezuelans. Therefore, narratives about an 'economic war' against Venezuela and the existence of a 'humanitarian crisis' complement one another, despite being employed by sectors with contrasting political agendas.

Secondly, and in parallel, an analysis of the data indicates that the Trump administration put pressure on the Venezuelan government through diplomatic channels, which resulted in a series of concrete actions. These include the recognition of Juan Guaidó as acting president in 2019, following his self-proclamation based on the National Assembly's decision not to recognise Nicolás Maduro's second term after presidential elections deemed fraudulent by large sections of the population and by the international community (Flores, 2023); the so-called Operation Cúcuta, aimed at delivering humanitarian aid from a Colombian city on the border with Venezuela and organised jointly by the Colombian government, sectors of the Venezuelan opposition and the US government; the designation of the Maduro government as 'narco-terrorist'; and, subsequently, the conduct of military operations off the Venezuelan coast (Busso, 2021)

However, despite the maximum pressure strategy, the expected political change was not achieved. The MCUs, which became the Trump administration's main focus after ruling out the military option, had a primarily domestic effect, as they were used as a means to boost the Hispanic vote in Florida during the 2020 presidential election (Flores, 2025). As for the socio-political effects, according to Flores (2025), the MCUs did not produce the expected effect of promoting the democratisation of the regime or driving a political transition, but rather led to greater reliance on more rigorous internal control mechanisms, aimed at sustaining political stability against a backdrop of growing economic instability.

The election of Democrat Joseph Biden in 2021 did not bring about any substantive changes in the US stance towards Venezuela. Diplomatic pressure was maintained through the recognition of Juan Guaidó until January 2023, as were the MCUs. Although in October 2023 the United States announced the temporary suspension of sanctions on oil, gas and gold in return for the agreement reached between the Venezuelan government and the opposition, in January 2024 the Biden administration (2021–2025) announced the reimposition of these sanctions following the disqualification of the then opposition candidate María Corina Machado from the presidential elections of 28 July, an election which, in a non-transparent manner, awarded victory to Nicolás Maduro.

In the so-called Trump 2.0 era—an analytical category used by Montoya (2025) to distinguish Donald Trump's second administration from his first—the US government appears to have shifted from a strategy centred on diplomatic pressure and economic warfare towards a logic of direct military intervention, as will be analysed below.

3.2 From economic and diplomatic pressure to direct military intervention: the Trump 2.0 era (2025–2026)

Between 2025 and 2026, realist geopolitics, characteristic of the 19th century and the first half of the 20th century—and considered obsolete in the context of contemporary international relations following the signing of the United Nations Charter in 1945 and the consolidation of international law—, regains centrality as

an analytical key to understanding the current dynamics of power, conflict and war in 21st-century geopolitics. In this context, the so-called 'Trump corollary' applied to the Monroe Doctrine of 1823, and reflected in the 2025 National Security Strategy,[6] constitutes a paradigmatic expression of this return: a re-semantisation of the principle 'America for the Americans'[7] in the spirit of 'America First',[8] which explicitly translates into 'America for the United States'.[9]

Within this framework, the Caribbean—historically configured as a central geostrategic space for the United States since its rise as an international power in the late 19th century, following the Spanish-American War of 1898, and its subsequent consolidation of hegemony after the Second World War—takes on renewed significance. Between August and October 2025, the Caribbean Sea and the entrance to the eastern Pacific became the scene of a large-scale US military build-up, which included the deployment of guided-missile destroyers, F-35 fighter jets, a nuclear submarine and thousands of troops, as well as the presence of the USS Gerald R. Ford, the world's largest aircraft carrier. This deployment not only highlights the resurgence of power projection strategies in the hemisphere, but also reinforces the centrality of the Caribbean as a strategic control zone within the contemporary geopolitical architecture.

Under the guise of a supposed 'war on drug trafficking' and the Venezuelan government's alleged links to the so-called 'Cartel de los Soles', Washington sought to legitimise both the military deployment and the lethal use of force in maritime operations, presenting them as part of a campaign aimed at curbing the trafficking of fentanyl and cocaine to the United States. In this context, President Trump maintained that his country was engaged in a 'non-international armed conflict'—that is, a war against a non-state aggressor—with the Caribbean cartels, and instructed his administration to send a notification to Congress classifying the alleged traffickers as 'non-state armed combatants', in an attempt to provide legal justification for possible extrajudicial killings (Woodward, 2025).

However, according to a *New York Times* article, Venezuela is not a drug-producing country nor does it play a known role in the fentanyl trade (Glatsky, 2025). Furthermore, according to data compiled by Merino (2025), in 2020 only 8% of the cocaine reaching the United States passed through Venezuela, whilst the Pacific route

6 Available at: https://www.whitehouse.gov/wp-content/uploads/2025/12/2025-National-Security-Strategy.pdf

7 On 2 December 1823, US President James Monroe unveiled, in his annual address to Congress, the doctrine that would later bear his name and which became established as one of the historical pillars of US foreign policy, encapsulated in the slogan 'America for Americans'.

8 On 20 January 2017, during his inaugural address as President of the United States, Donald Trump stated that his administration would be guided by a new vision of government, encapsulated in the principle of 'America First'.

9 Available at: https://www.whitehouse.gov/presidential-actions/2025/12/america-250-presidential-message-on-the-anniversary-of-the-monroe-doctrine/

accounted for up to three-quarters of the cocaine flow from the main cultivation centres in Colombia, Peru and Bolivia. In this regard, empirical evidence suggests that Venezuela's role in international drug trafficking is, comparatively speaking, secondary to other predominant routes.

It is worth noting that, unlike during the first Trump administration, democracy took a back seat in US geopolitical discourse regarding Venezuela, whilst the emphasis shifted towards the fight against drug trafficking. This highlights that, in reality, democracy was never a priority for the Trump administration, unlike control over Venezuela and its natural resources.

Since early September, the US military has attacked vessels in the Caribbean Sea and the eastern Pacific Ocean which, according to the Trump administration, were involved in drug trafficking activities, resulting in 34 boats destroyed and at least 110 deaths as of 31 December 2025 (Zegarra *et al.*, 2025). According to Daniel Maurer, a retired Army general and current associate professor at the University of Northern Ohio, the killing of people stranded on a vessel, regardless of whether they are narco-terrorists designated by the president or not, or whether they are war criminals or not, could constitute a crime under the laws of war, international law or US legislation (Wolf, 2025).

These actions formed part of the so-called 'Operation Southern Spear', a military campaign led by US Southern Command and the Joint Task Force Southern Spear, whose stated aim was to expel so-called 'narco-terrorists' from the Western Hemisphere (France 24, 2025). Whilst the Trump administration justified these actions as part of an anti-drug operation, Chavismo maintained that the US siege was ultimately aimed at paving the way for armed intervention and regime change.

In December, the Trump administration began to focus its pressure on the Venezuelan oil sector, explicitly aiming to disrupt crude oil exports as part of its strategy against the Maduro government. This logic suggests that the so-called fight against drug trafficking functions, in practice, as a pretext for intervening in Venezuela's strategic resources. In this vein, Trump ordered a total blockade of sanctioned oil tankers entering or leaving the country and authorised the seizure of vessels in waters near Venezuela, under the public justification of cutting off revenues which, according to Washington, 'would finance narco-terrorism and other criminal activities' (Glatsky, 2025). Furthermore, speaking to journalists from an air base in Delaware, Trump stated that the naval blockade would remain in place until the United States managed to take control of Venezuelan oil (Carson and Brooks, 2025).

In the early hours of 3 January, as mentioned in the introduction, the US military bombed Caracas and various locations across Venezuela, resulting in the deaths of over a hundred people, including both military personnel and civilians, and the abduction of President Nicolás Maduro and his wife, Congresswoman Cilia Flores (García Fernández, 2025). This event cannot be understood as an isolated incident, but rather as a deeply worrying turning point for Latin America and the Caribbean, as well as for the rules-based international order.

According to Márquez de la Rubia (2026), unlike the two-track policy applied during the first Trump administration—limited to economic and diplomatic pressure—this intervention combines three unprecedented elements: 1) the direct and unilateral use of force; 2) the extraterritorial prosecution of political leadership; and 3) intervention aimed at the administration of strategic resources. This triad, the author argues, breaks with the normative assumptions of liberal multilateralism and heralds a new strategic framework based on the primacy of the sovereign decision of the great powers, the exercise of material power, and geo-economics.

Muñoz (2025), in an analysis published in *El País* months before US military action in Venezuela, identified five reasons which, in his view, explained why the conflict between the two countries had entered one of its most critical and dangerous phases. Beyond their descriptive value, these reasons can be reinterpreted analytically through the concept of just war, insofar as they highlight the arguments, justifications and rationales that seek to legitimise the use of force on the international stage.

In this sense, these reasons can be problematised in the light of what Sepúlveda (1987) conceptualises as just war, particularly with regard to the criteria of legitimacy, necessity and proportionality in the use of violence. This theoretical-empirical framework will be developed in the following section, dedicated to the theoretical-analytical framework of the research, where we will examine the extent to which the justifications for the conflict fall—or do not fall—within a logic of normative legitimisation of war.

4 Theoretical-analytical framework: the just causes of war in Juan Ginés de Sepúlveda

4.1 Critical application of the just causes of war to the Venezuelan case

For a war to be just, according to Sepúlveda's (1987) approach, it is necessary, first and foremost, that the use of arms be the only viable means of achieving peace. This premise, formulated in the context of 16th-century scholasticism, proves insufficient for understanding the contemporary logical of the exercise of power and inter-state coercion. In the 21st century, wars are no longer waged solely through the direct use of arms or military force, and their objective is often far from being peace.

In the case of US military actions in Venezuela, in addition to resorting to the use of force in terms typical of a conventional war, this action violates a fundamental principle of contemporary international law, established in the wake of the horrors of the two world wars and the Holocaust, and aimed at preserving international peace and security: the prohibition on the use of force to impose territorial claims or political demands (Türk, 2026). This principle is enshrined in Article 2 of the United Nations Charter, which establishes the obligation of States to refrain from resorting to the threat or use of force against the territorial integrity or political independence of any State.

Far from meeting the criteria of international peace and security, US military actions in Venezuela are primarily driven by a geopolitical agenda centred on the control of

strategic resources and the display of power within a context of structural decline as a hegemonic power. In the absence of international consensus and legitimacy, this strategy increasingly resorts to coercion, marking a shift from a hegemony based on consent towards a form of domination underpinned by the direct use of force.

Therefore, this first prerequisite of a just war is not met in the case of the US aggression against Venezuela. According to Muñoz (2025), rather than peace, Washington's real objective is control of what some interpret as its 'backyard', referring to its supposed 'sphere of influence' or Hinterland in geopolitical terms. As evidence of this, following the events of 3 January, President Trump stated that one of the main objectives of the military operation in Venezuela was to place the country's oil sector under US control and to allow US oil companies to participate in its reconstruction (Goldman, 2026).

However, García-Pelayo (1987), in his analysis of Sepúlveda's work, points out that this author does not offer an explicit and systematic conceptualisation of the just cause, but rather an enumeration of the circumstances in which it manifests itself: repelling force with force, recovering what has been unjustly taken, punishing wrongdoers, and cultural superiority. In this sense, rather than a closed definition, what is observed is a typology of justifications for the use of force. Building on this framework, each of these elements is then examined as applied to the case of US military actions in Venezuela from a critical perspective.

4.1.1 Repelling force with force (self-defence)

The first element of the just cause of war identified by García-Pelayo (1987) is the need to repel force with force or, in contemporary terms, self-defence. At the international level, Article 51 of the United Nations Charter recognises the inherent right of States to self-defence, whether individual or collective, against an armed attack by another State.

In the final months of 2025, and particularly since the start of the US military deployment, the justification put forward by the United States centred on allegations linking the Venezuelan government to large-scale drug trafficking and to the so-called 'Cartel de los Soles', allegedly led by Nicolás Maduro. However, in the legal proceedings against Maduro in New York following his capture—or abduction—the prosecution partially reformulated the case to focus on the alleged existence of a state corruption network linked to drug trafficking, rather than on the operation of a formal, structured cartel. According to Savage (2026), this shift in argument called into question the legitimacy of the Trump administration's designation of the Cartel de los Soles as a foreign terrorist organisation that same year.

Despite this, and under the guise of this premise—which was closer to an excuse than a cause—the US government carried out military strikes against alleged drug traffickers and, on 3 January 2026, launched a direct military operation on Venezuelan territory with the aim of capturing President Nicolás Maduro. Far from being an immediate response to an armed attack, this operation constituted a unilateral

incursion aimed at neutralising a political adversary, based on a logic that blurs the lines between criminal prosecution and military intervention.

In this scenario, the issue is not the use of force to repel a prior attack in the context of self-defence, but rather the exploitation of the rhetoric of the war on drugs as a mechanism to justify the unilateral use of force, in direct conflict with the criteria defining self-defence under international law.

4.1.2 Recovering what has been unjustly taken

The second element identified by García-Pelayo in Sepúlveda's work consists of 'recovering what has been unjustly taken, not only one's own possessions, but also those of one's allies' (García-Pelayo, 1987: 19). This criterion is open to various interpretations. Strictly speaking, Venezuelan oil belongs to the nation-state and, therefore, its protection and administration fall to the Venezuelan government.

However, in a context where the legitimacy of the Venezuelan government is being questioned—especially following the elections of 28 July 2024—and where the opposition led by María Corina Machado is regarded as an ally of the United States, it could be argued, from this narrative, that the aim is to 'recover' Venezuelan oil for the opposition and, consequently, for the 'people of Venezuela', presented as victims of the 'Maduro dictatorship'. As evidence of this, the opposition leader herself expressed her support for the seizure of an oil tanker off the Venezuelan coast by the United States in December 2025 (The Guardian, 2025).

Nevertheless, the US government's behaviour suggests that its actions are guided not by allies but by interests, in line with the tenets of *Realpolitik* and the realist school of international relations (Velázquez Flores and González Cruz, 2016; Kissinger, 2015). As for expendable allies, despite having recognised Edmundo González Urrutia's electoral victory in 2024 and highlighting the opposition leadership of María Corina Machado—winner of the Nobel Peace Prize in 2025—President Trump chose to negotiate directly with the Chavismo regime still in power, led by acting President Delcy Rodríguez. It is worth noting that, after failing to receive the expected backing—as she was deemed to lack sufficient support or legitimacy to govern—Machado attempted to appeal to Trump's goodwill by offering him her Nobel Peace Prize, which she had previously dedicated to him (Pager *et al.*, 2026).

With regard to interests deemed essential, the Trump administration went so far as to refer to the Venezuelan oil industry in terms that likened it to an extension of US interests. Venezuela has the world's largest proven oil reserves, with approximately 298 billion barrels in 2014, as well as significant deposits of natural gas, iron ore and bauxite, the latter being a key mineral for aluminium production (Crooker, 2025).

Prior to the intervention, Trump himself publicly demanded that Venezuela return 'all the oil, land and other assets' which, according to his narrative, had been seized from the United States (Olmo, 2025). This logic intensified following the military actions. The US government not only promoted mechanisms for direct access to Venezuelan crude oil, but also sought to influence its control and marketing. In this

regard, it was announced that between thirty and fifty million barrels of oil would be shipped to the United States, with the proceeds to be administered directly by the US presidency, on the grounds that they would be used for the benefit of both the Venezuelan people and Washington's own interests (BBC Mundo, 2025).

Thus, the idea of 'reclaiming what was unjustly taken' is reframed not as an act of restitution, but as a mechanism of appropriation underpinned by a narrative of political legitimisation. Consequently, the criterion ceases to operate as a normative principle aimed at redressing grievances and becomes a rhetorical device that enables intervention and reconfigures power relations in accordance with geopolitical interests.

4.1.3 Punishing wrongdoers

The third element is that of 'punishing wrongdoers whose crimes have gone unpunished in the state to which they belong, or those who, having a duty to punish them, have failed to do so' (García-Pelayo, 1987: 19). At this point, two discourses promoted from Washington throughout Donald Trump's administrations come into play.

The first, characteristic of his first term, portrays Nicolás Maduro as a dictator and justifies US intervention as a means of supporting the Venezuelan people in their quest for freedom against a repressive government incapable of guaranteeing their well-being in the context of the humanitarian crisis. This narrative omits, however, the role played by US sanctions both in the regime's drift towards authoritarianism and in the deterioration of the population's living conditions (Flores, 2025).

The second, more recent narrative links Maduro to narco-terrorism, to the extent of offering a reward for his capture. However, as Muñoz (2025) points out, this narrative is undermined by contradictory decisions within US policy itself. In particular, the pardon granted to Juan Orlando Hernández—the former president of Honduras sentenced to 45 years in prison for facilitating the shipment of large quantities of cocaine to the United States—introduces an element of tension that highlights the double standards in the application of the anti-drug discourse.

Taken together, both discourses—that of defending democracy and that of combating narco-terrorism—form a framework of legitimisation that seeks to present the intervention as a necessary action in the face of the Venezuelan state's alleged inability or unwillingness to punish those responsible for serious crimes. However, the internal inconsistencies and tensions within these narratives, as well as their selective nature, call into question their claim to universality and undermine their normative foundation.

A telling example of this selectivity can be seen in the field of international criminal justice: whilst the International Criminal Court has moved forward with issuing or requesting arrest warrants against the Israeli Prime Minister, Benjamin Netanyahu, for alleged war crimes and crimes against humanity in Gaza (UN News, 2025), in the case of Venezuela the Court itself is keeping the situation at the investigation stage without having issued an arrest warrant against Nicolás Maduro.

Thus, rather than strictly adhering to the criteria of a just war, these arguments appear to be part of a logic of the political instrumentalisation of law and morality, aimed at justifying the use of force in the service of geopolitical interests.

4.1.4 Cultural superiority

Finally, the fourth element of a just cause is the notion of cultural superiority. The foreign policy promoted by Donald Trump aligns with the Monroe Doctrine and Manifest Destiny. Both ideological frameworks have historically served as a justification for US expansion on the continent, by promoting the idea of a civilising mission based on the presumed cultural superiority of the Anglo-Saxon world and on the duty to spread democracy according to Washington's parameters.

In this sense, both the rhetoric and the actions of the Trump administration are rooted in this same historical framework, reinforcing US primacy under the slogan 'America for Americans', now reconfigured, in a context of hegemonic crisis, into slogans such as 'Make America Great Again'. Thus, the appeal to a supposed cultural superiority—albeit not explicitly—not only serves as the symbolic foundation of US foreign policy but also as a mechanism of legitimisation that normalises intervention and subordination within the Western Hemisphere.

4.2 Additional requirements of just war: authority, right intention and right manner of waging war

According to Sepúlveda (1987: 69), 'just war requires not only just causes for its undertaking, but also legitimate authority and right intention on the part of the belligerent, as well as a right manner of conducting it'. In this sense, the notion of just war is not limited to the existence of justified causes, but also implies the fulfilment of three fundamental requirements: legitimate authority, right intention and the right manner of conducting it, as detailed below.

4.2.1 Legitimate authority

The Charter of the United Nations establishes in Chapter VII (Articles 39 and 42) that the Security Council is the body empowered to authorise the use of force for the purpose of maintaining international peace and security. In this regard, no State—including the United States—has, in principle, the authority or power to unilaterally undertake military action against another. However, in the 2003 war against Iraq, the US government invoked a broad interpretation of previous Security Council resolutions, particularly Resolution 1441 of 2002, as well as the argument of preventive self-defence, in order to justify an intervention without express authorisation (Hein, 2023).

This course of action not only strains the limits of the international legal order, but also demonstrates how the law can be instrumentalised to enable actions which,

strictly speaking, lack a clear basis of legality within the international system. Consequently, the absence of explicit authorisation by the Security Council calls into question compliance with the requirement of legitimate authority as set out in the principles of just war.

4.2.2 Right intention

Righteous intent implies acting in 'good faith' in the use of armed force, that is, on the basis of moral and ethical considerations. According to Muñoz (2025), the purpose of US military actions off the Venezuelan coast, in the period leading up to 3 January, was to bring about a regime change aligned with its interests and to reposition itself geopolitically through control of Latin America and its strategic resources.

In this sense, the events of 3 January do not constitute a break, but rather the realisation of that previously outlined logic, by translating those objectives into direct military action in which, although there was no regime change in the strict sense, the Venezuelan government ended up assuming a sort of US tutelage following the military action and the capture of Maduro. From the realist school of international relations, this objective may be considered rational; however, from the Sepulvedan criterion according to which 'waging war for the sake of plunder is a sin' (Sepúlveda, 1987: 71), the military action responds more to the logic of *Realpolitik* than to the pursuit of a higher good.

This logic is embodied in the ambition regarding Venezuela's strategic resources—the country possesses the world's largest proven oil reserves (303.221 million barrels)—and in the aforementioned official statements which, days after the US military actions, suggested the direct administration by Washington of up to 50 million barrels of oil (OPEC, 2025; BBC Mundo, 2025). Consequently, the use of force can hardly be interpreted as guided by a righteous spirit, insofar as the aims driving it appear to respond to strategic interests rather than universal ethical principles.

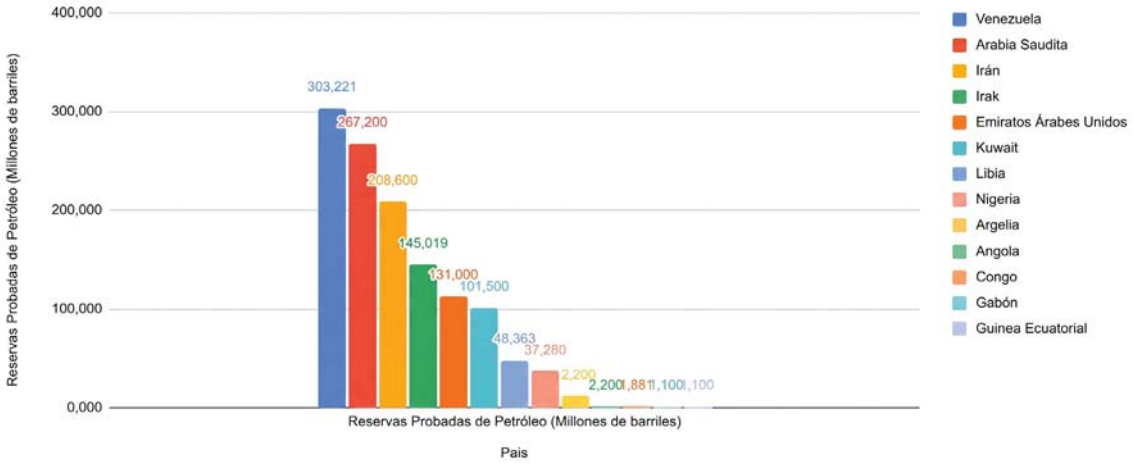

Gráfico 1. Reservas probadas de petróleo en países miembros de la OPEP (Millones de barriles)
Fuente: Elaboración propia con datos de la OPEC (2025)

In this vein, from the perspective of the 'war for the spoils' referred to by Sepúlveda (1987), Venezuela's vast natural resources and the US government's overt interest in securing strategic control over these assets blur the narrative of humanitarian intervention to reveal, at its core, a logic of appropriation aimed at dominating energy resources that are fundamental to the material reproduction of US global power.

4.2.3 The Right Way

Sepúlveda (1987: 3) argues that, in war, harm to innocents must be avoided and that its conduct requires moderation and virtue. This approach is consistent with the principles of international humanitarian law, particularly the Fourth Geneva Convention of 1949, which establishes the protection of the civilian population in contexts of armed conflict and occupation.

Within this framework, the criterion of 'just war' can also be problematised in relation to the distinction between stratagems of war and acts of perfidy. Whilst the initial justification for intervention on humanitarian grounds during Trump's first administration does not, strictly speaking, constitute an act of perfidy—as it does not necessarily involve the betrayal of legal protection in the immediate course of hostilities—it does highlight a n instrumentalisation of humanitarian discourse that strains the principles of good faith and humanity that should govern the conduct of war.

In the case of US military action in Venezuela during Trump's second term, this requirement is not met. United Nations experts have condemned the US military action as constituting a serious violation of international law and the right to life, as well as a dangerous precedent for regional peace and stability (OHCHR, 2026).

Therefore, based on a critical review of the elements constituting a just war according to Sepúlveda (1987), it can be concluded that US military action in Venezuela constitutes an unjust war. Far from being directed towards the achievement of peace—the ultimate goal which, according to the tradition of just war, should guide the use of violence—this intervention responds to a logic of power expansion and domination.

There is no just cause to legitimise it beyond discourses serving political expediency: whether from those who celebrate the intervention because it implies the fall of the 'Maduro regime', or from those who seek to 'whitewash' the Venezuelan government's mistakes through anti-imperialist slogans. The 'righteous intent', for its part, is rooted in the logic of *Realpolitik* rather than in the pursuit of ethically justifiable ends, whilst the manner in which military action is conducted departs from the criteria of moderation and virtue that Sepúlveda himself considers indispensable.

Taken together, these elements not only allow the intervention to be characterised as an unjust war, but also highlight a broader tension between the normative frameworks seeking to regulate war and the actual practices of power in the contemporary international system, where the legitimisation of the use of force appears to be increasingly subordinated to strategic imperatives.

5 Conclusions

The events of 3 January 2025 demonstrate that the policy of maximum diplomatic and economic pressure, combined with operations of destabilisation and military threat—such as airspace blockades, large-scale military deployments and persistent bellicose rhetoric—,has pushed the traditional US two-track policy towards a new qualitative threshold: direct armed intervention as the preferred instrument of foreign policy.

Unlike previous phases, this transformation of the policy of maximum pressure into open military action is taking place against a backdrop of a crisis of US hegemony, which Wallerstein (2007) traces back to the 1970s and which finds one of its most visible political expressions in Donald Trump's rise to the presidency under the slogans 'America First' and 'Make America Great Again'. In this scenario, the exercise of power tends to shift from forms of leadership based on consensus and international legitimacy towards increasingly coercive methods aimed at preserving domination even in the absence of such consensus. In terms of international relations, this represents the abandonment of soft power and the return of hard power as a foreign policy strategy.

Within this framework, the two-track policy ceases to rely on indirect legitimisation through internal opposition actors to bring about regime change and is reconfigured as a strategy of direct and disproportionate use of force against a sovereign state, with the aim of imposing, from Washington, the fundamental guidelines of its domestic and foreign policy. This shift reflects not only a tactical change, but a more profound transformation in the way the regional and international order is conceived, and the role of force in its maintenance.

Drawing on a critical reading of Sepúlveda (1987), this study has argued that such unilateral military action—which is not limited to armed intervention but also involves economic coercion, extraterritorial prosecution and control of strategic resources—constitutes an unjust war. In this regard, the analysis carried out confirms the research hypothesis: the intervention does not meet the criteria of just cause, legitimate authority, right intention or proportionality in the use of force, and responds, rather, to geopolitical and geo-economic interests linked to the control of strategic resources and, , the reconfiguration of the regional order. Far from being oriented towards peace as its ultimate goal, it is part of a logic of domination that goes beyond the normative frameworks of the tradition of just war.

In a context in which the United States seeks to reaffirm its global position amidst its hegemonic decline, Venezuela re-emerges as a strategic geopolitical space to ensure, at least within the Latin American and Caribbean sphere, the continuity of its dominance. This is explained both by the control of energy resources and by the symbolic value the country holds as a paradigmatic case of political defiance against the regional order promoted by Washington.

What is happening in Venezuela today—regardless of the political stance one takes towards the current government—must be the subject of critical reflection and unequivocal condemnation. Not only because it jeopardises peace and security in

Latin America and the Caribbean, but also because it sets a precedent that empowers the United States to wage this kind of unjust war against other countries, resorting to shifting—yet equally problematic—arguments such as democracy, drug trafficking or security. In this way, a practice is being consolidated that stands in open contradiction to the principles of international law and to the commitments made after the Second World War to prevent the normalisation of the unilateral use of force as a mechanism for conflict resolution.

Finally, from a European perspective, and particularly with regard to Spain, this scenario poses significant challenges in terms of foreign policy, security and strategic positioning. The pressure to align with US directives—evident in Washington's recent criticisms of Spain for failing to support military operations against Iran, as well as in its refusal to allow the use of military infrastructure and airspace—together with the impact of these dynamics in the Euro-Atlantic sphere, compels a reconsideration of the scope for strategic autonomy and the costs of potential involvement. In this regard, both the Armed Forces and Spanish institutions are faced with the need to balance their international commitments with respect for the rule of law and the preservation of a foreign policy consistent with the principles that have historically guided their actions within the international system.

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