



Written by [Thomas R. Eddlem](#) on April 18, 2013

Venezuela Erupts into Chaos After Election

Violence has erupted across Venezuela after a disputed April 14 presidential election, where sitting Vice President Nicholas Maduro narrowly prevailed in official tallies over opposition candidate Henrique Capriles. The election was marred with thousands of voting irregularities, according to [third-party observers](#). The violence has included at least [seven deaths](#) in riots, hundreds arrested, and vandalism against Cuban-staffed health clinics across the country. Maduro — taking a cue from his mentor and predecessor, the late President Hugo Chavez — [blamed the United States government](#) for the unrest. The U.S. government has yet to rule on whether the election was legitimate, and Secretary of State John Kerry has called for a full recount.



Al Jazeera [reported](#) that the violence is a result of the narrow margin-of-victory for the incumbent socialist party. “The violence follows Sunday’s tight presidential election when Socialist Party candidate Nicolas Maduro beat opposition challenger Henrique Capriles by a margin of about 1.5 percent, or less than 300,000 votes. The opposition alleges the vote was unfair and is demanding a recount of ballots.”

Capriles has claimed voter fraud in the election. “Until every vote is counted, Venezuela has an “illegitimate president and we denounce that to the world,” Capriles tweeted the day after the election, [according to](#) the *Richmond Times-Dispatch*. Maduro countered with the claim that “Let 100 percent of the ballot boxes be opened.... We’re going to do it; we have no fear.”

But the courts created under the Chavez and Maduro regime appear to be blocking a manual recount, and are even claiming it cannot happen. “In Venezuela the electoral system is completely automated. Therefore, a manual count does not exist. Anyone who thought that could really happen has been deceived,” Venezuelan Chief Justice Luisa Estella Morales [told the press](#) after the election results were disputed. “The majority of those who are asking for a manual count know it and are clear about it. Elections are not audited ballot by ballot but through the system.”

However, ABC/Univision [reported](#) that a manual recount is quite possible in cases of fraud. “In Venezuela, voters cast their ballots electronically by pressing on the picture of their favorite candidate on a touch screen. The voting machine then prints out a paper receipt that says who the person voted for, which the voter must deposit in a ballot box.”

Opposition candidate Henrique Capriles denounced the violence, and called on the government to tolerate lawful protests as required by the Venezuelan Constitution. “The march to the center of Caracas will not be permitted,” Maduro [said](#) after he heard the opposition planned an April 17 protest march. “I will use a hard hand against fascism and intolerance. I declare it. If they want to overthrow



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me, come and get me. Here I am, with the people and the armed forces.” The remarks by Maduro prompted Capriles to [call off](#) the scheduled April 17 march and rally.

“Venezuelans are entitled to peacefully challenge the election results, by marching in the streets or by expressing their views in the media,” José Miguel Vivanco, Americas director at Human Rights Watch, [said](#) in reaction to Maduro’s remarks. “Maduro shouldn’t threaten to use an ‘iron fist’ to restrict and intimidate those who try to voice their opinions.”

The country’s [1999 Chavez-era Constitution](#) appears to protect the right of freedom of assembly, though it also provides a loophole where such assemblies can be banned by law:

Citizens have the right to demonstrate, peacefully and without weapons, subject only to such requirements as may be established by law.

The Venezuelan Constitution can be contrasted with the U.S. Bill of Rights, which [categorically prohibits Congress from passing a law](#) banning peaceful demonstrations and assemblies:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

The [Venezuelan Constitution](#) is in line with the United Nation’s idea of government-limited rights. The UN’s [Universal Declaration of Human Rights](#) allows the infringement of rights if government passes a law doing so, presumably for what government considers a good reason:

Article 29... (2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

The Maduro government did engage in a number of activities that took advantage of state resources that gave itself an advantage in the elections. ABC/Univision [reported](#) that “NGOs who monitored the election have also talked about dozens of cases in which voters were transported to polling stations in buses owned by state run companies, an indication that they could have been herded to polling stations in order to vote for Maduro.”

This kind of action may have been an explicit violation of the Venezuelan Constitution, which stipulates: “No financing of associations for political purposes with State funds shall be permitted.” But the [Venezuelan Constitution](#) also creates a government propaganda arm of the government called the Republican Ethic Council: “The Republican Ethic Council shall promote all types of teaching activities designed to contribute to the understanding and study of this Constitution; love for the native land, civic and democratic virtues and the transcendental values of the Republic.”

Photo of demonstrators in Caracas, Venezuela, on April 15: AP Images



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