

Democratization



Year 5, Issue 27

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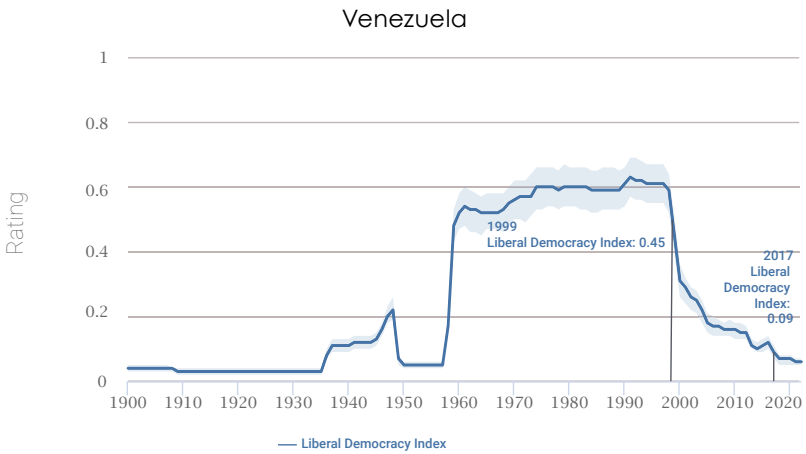
Campaign Coverage in Authoritarian Contexts. The Venezuelan Case 2013-2022

Maru Morales P.

In 2017, Venezuela left behind any vestige of the electoral democracy model that governed the country with ups and downs between 1958 and 1998, which might still have persisted by that year. Since then, the country has fully entered an electoral autocracy with characteristics of a closed autocracy, according to the parameters established by the Varieties of Democracy Institute (V-Dem).

The V-Dem Institute, based in Sweden, is directed and composed of the most prominent political scientists and researchers in Political and Social Science in the Western world. Their Index on the state of Democracy in the world is one of the indicators associated with the functioning of democracy, which has been published annually since 2017. This indicator measures the electoral and liberal components of democracies, classifying countries from the lowest (0) to the highest (1) level of democracy.

Venezuela's most prominent academic figures in Political Science refer to V-Dem indicators in their research on Venezuela's political regime and the necessary variables for a transition to democracy.



Highcharts.com | V-Dem data version 13

Figure 1. V-Dem Liberal Democracy Index. Scale 0 = autocracy; 1 = democracy. Obtained April 21, 2023 in https://v-dem.net/data_analysis/VariableGraph/.

As mentioned in a previous article¹ concerning the right to freedom of expression between 1999 and 2012, the four categories used by V-Dem to classify political systems are as follows:

- **Liberal democracy**, where there is full functioning of rights, duties, guarantees, and democratic institutions;
- **Electoral democracy**, where institutions function, and there are free elections, but there are limitations on the exercise of some rights;
- **Electoral autocracy**, where institutions, elections, and the enjoyment of rights are conditioned and only serve to ensure the permanence of a political group in power;

1 Maru Morales P., "Venezuelan Journalists and Media in Resistance", *Democratization*, 5, No 26. <https://red-forma.com/democratizacion-26/>

- And **closed autocracy**, where there are no elections, rights, or independent institutions that protect citizens.

When we look at the evolution of the Liberal Democracy Index for Venezuela from 1959 to 2022, on the mentioned scale of 0 to 1, we find the following:

- Between 1958 and 1998, Venezuela recorded an average of 0.56, meaning it kept the parameters of an electoral democracy that timidly pointed towards liberal democracy in the 1990s, reaching a score of up to 0.63 in 1991.
- Between 1999 and 2022, the average of this indicator for Venezuela was 0.16, clearly within the features of an electoral autocracy.
- During Hugo Chávez's period (1999-2012), the indicator was 0.22.
- During Nicolás Maduro's period (2013-2022), the average was 0.08, almost reaching the 0.05 recorded during the dictatorship that ruled from November 1948 to January 1958.

This index, according to V-Dem's explanation, captures the level of protection of individual and minority rights against both the tyranny of the state and the tyranny of the majority. In this parameter, the democratic or autocratic quality of the political system is measured by the constraints under which the government operates. These constraints are achieved with a balanced presence of constitutionally protected civil liberties, a

strong rule of law, an independent judiciary, and effective checks and balances that limit the exercise of executive power.

Este índice, de acuerdo a la explicación de V-Dem, recoge el nivel de protección de los derechos de los individuos y las minorías frente a la tiranía del Estado y a la tiranía de la mayoría. En este parámetro, la calidad democrática o autocrática del sistema político se mide por los límites bajo los cuales actúa el gobierno. Estos límites se logran con una presencia balanceada de libertades civiles protegidas constitucionalmente, un Estado de Derecho fuerte, un Poder Judicial independiente y controles y equilibrios efectivos que limiten el ejercicio del Poder Ejecutivo.

Electoral coverage under siege

With that conceptual framework and at the request of *Democratization*, we present this research that describes the journalistic work of covering electoral processes in authoritarian contexts, specifically in the Venezuelan case between 2013 and 2022, summarized as follows::

- Denial of access to the official electoral source: independent media outlets are unable to obtain exclusive interviews with the members of the CNE or their high-level technicians. Their ability to ask questions is limited during press conferences.
- Refusal by the CNE to issue accreditations for electoral coverage to certain media outlets or critical journalists, whether national, regional, local, or foreign.
- Denial of press access to polling stations or their expulsion, even with official accreditation.

- Unjustified detention of journalists during election coverage, ranging from minutes to days, in some cases, leading to the journalist being brought before courts.
- Destruction of informational material (photos or videos), confiscation of hard drives and/or equipment theft during election day or the electoral campaign.
- Physical assaults on journalists, news teams, or media outlets by supporters of a political trend, security officials, or public entity officials, before, during, or after elections.
- Threats, public intimidation, or judicial persecution of high-profile journalists by high-ranking state officials.
- Prior or subsequent censorship of content by public entities such as Conatel.
- Hacking of journalists' electronic accounts, social media, and/or communication devices by state officials or security agencies.
- Blocking of IP addresses of informational portals and suppression of cable services of international news media, ordered by the state, before, during, or after elections.

In the following pages, readers will observe how actions by the Venezuelan government, led by Nicolás Maduro since April 2013, have evolved against the right to freedom of expression and its effect on election coverage.

To achieve this, we have relied on the annual monitoring performed by the Venezuelan non-governmental organization *EspacioPúblico* (EP) since 2002. Throughout this paper, the data from V-Dem and EP will intersect.

As a conclusion to this research, we will refer to the report of the European Union Electoral Observation Mission for Venezuela regarding the November 2021 elections. The way the Venezuelan State accepts or dismisses the recommendations will shape how the media covers the 2023-2025 electoral cycle, which includes the opposition's primary election, the presidential election, and elections for the National Assembly, governors, and mayors.

I. 2013-2022: The worst 10 years for press freedom in Venezuela

As a starting point, it's pertinent to note that authoritarian practices in Venezuela didn't abruptly begin on Maduro's inauguration day. Instead, Maduro inherited and refined from his mentor, Hugo Chávez, a method of state governance specialized, among other antidemocratic elements, in diminishing the electoral space for participation and political alternation.

In a previous article², we delved into how the logic of restricting freedom of expression and persecuting the media was progressively constructed.

For an in-depth look at the use of elections and electoral conditions to undermine democracy, we recommend Javier Corrales' article, *"El retroceso democrático por irregularidades electorales: el caso Venezuela"*³.

For a more detailed description of the government period in question, we have divided these ten years into three stages.

2 Maru Morales P., "Venezuelan Journalists and Media..."

3 Javier Corrales, "El retroceso democrático por irregularidades electorales: el caso Venezuela", *Revista Europea de Estudios Latinoamericanos y del Caribe*. Obtained June 23, 2023 in: <https://www.jstor.org/stable/26936902>

The first stage spans from Maduro’s rise to Miraflores in April 2013 to the parliamentary election in December 2015.

The second phase covers the period from January 2016 to December 2020, when the ruling coalition led by Maduro closed all avenues of plurality and alternation in power.

And finally, the period from January 2021 to December 2022. During this stage, the ruling coalition allows minimal conditions for political participation, coinciding, not by chance, with the beginning of an investigation against its leaders at the International Criminal Court in The Hague.

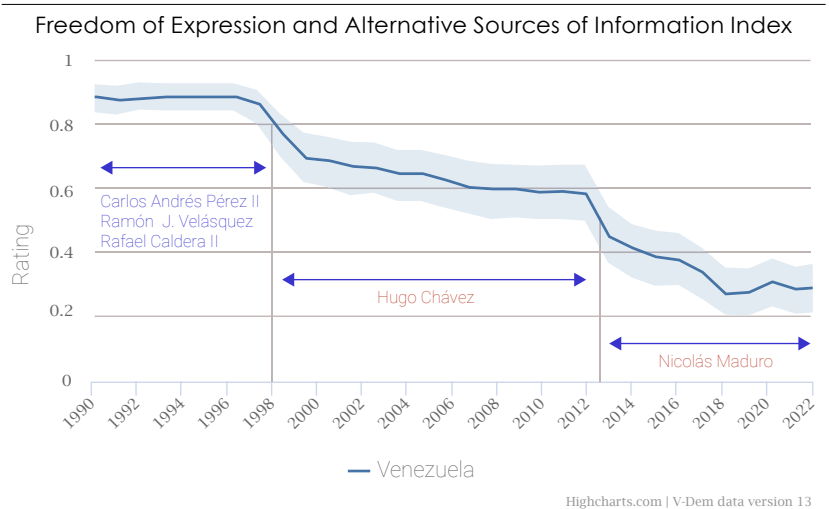


Figure 2. V-Dem Freedom of Expression and Alternative Sources of Information Index. Scale 0 = no freedom of expression; 1 = absolute freedom of expression. Obtained June 29, 2023 in https://v-dem.net/data_analysis/VariableGraph/

Between 2013 and 2022, the National Electoral Council organized 15 electoral processes, including national, regional, or municipal elections, as well as party primaries. Additionally, the

opposition carried out two self-organized popular consultations. On average, there were 1.5 electoral processes per year, similar to the average of the previous 14 years (1999-2012), which was 1.4 yearly elections.

Thus, the frenetic pace of the electoral processes remained during this period, alongside the overall government efforts to:

- Discourage political participation
- Prevent electoral success of actors other than the PSUV
- Nullify opposition parties
- Forcefully ensure that the primary communication reaching the population via the remaining media in the country promotes the government-party message of the PSUV.

During this period, two years –2016 and 2019– passed without any electoral processes. The first was filled with the commotion typical of an election year as it focused from January to September on preparations for the presidential recall referendum against Maduro.

However, the process did not materialize due to months of obstacles, imposition of requirements, and implausible timeframes by the CNE. Eventually, the ruling coalition resorted to a criminal judge in a regional court lacking electoral jurisdiction to suspend the process.

On the contrary, 2017 witnessed up to four electoral processes. However, according to the theoretical model developed by the V-Dem Institute, paradoxically, 2017 marked the onset of autocracy in Venezuela.

Since 2013, following Nicolás Maduro's rise to power, V-Dem exhibits a more drastic decline in nearly all democracy indicators in Venezuela. However, the biennium of 2016-2017 stands out as the period when institutions, elections, and the enjoyment of rights became clearly contingent upon alignment with the ruling coalition (or alternatively, the silence of any dissent).

On the other hand, during this time, elections, institutions, and the enjoyment of rights began to be perceived solely as tools to ensure the political group's permanence in power.

In the context of successive elections and citizen consultations between 2013 and 2022, the number of documented violations of freedom of expression by *EspacioPúblico* doubled compared to Hugo Chávez's government.

While between 2002 and 2012, the total documented cases by the NGO was 1,575, between 2013 and 2022, the total figure increased to 3,497. During Maduro's ten-year tenure, *EspacioPúblico* recorded:

- 1,839 cases of intimidation
- 1,452 cases of censorship
- 691 cases of administrative restrictions
- 595 cases of aggression
- 550 cases of verbal harassment
- 482 cases of threats
- 322 cases of judicial harassment
- 125 cases of attack

- 9 cases of journalist murders
- 8 cases of legal restrictions

Some preliminary definitions

According to *Espacio Público*'s methodology⁴, each recorded case may contain more than one type of violation of freedom of expression and more than one victim.

The types of violations primarily against journalists and media that *Espacio Público* records annually in its reports are:

- **Assault:** Journalists injured or assaulted by civilians or security forces.
- **Attack:** Press outlets damaged or attacked for disseminating news and opinions.
- **Threat:** Direct or indirect messages against the journalist or their family, attacks on their properties (home, vehicle), surveillance of their family.
- **Censorship:** Official prohibition, confiscated editions, restrictions or impediments to disseminating news or opinions, journalist dismissals, suspension of audiovisual spaces, confiscation or destruction of work equipment, discrimination in the allocation of official advertising, denial of visas to foreign journalists.
- **Intimidation:** Denied access to public buildings, travel restrictions, non-routine inspections, spying or surveillance, detention without a court order, threats

4 https://espaciopublico.org/informes_anuales/page/2/

from officials, and assault on journalists during their workday.

- **Judicial harassment:** Threats from officials to initiate legal actions, lawsuits for libel and slander to inhibit the dissemination of information, fines imposed, attempts to force journalists to reveal their sources, arrest or detention with a court order, raids on media outlets.
- **Verbal harassment:** Insults or disparagements, narrative portraying the press as a political adversary, approval of resolutions or statements by public entities to condemn journalistic articles.
- **Legal restrictions:** Approval of restrictive laws for press freedom or presentation of legislative projects or executive decrees for this purpose.
- **Death:** Journalists killed while on duty or due to their work after its completion.

II. 2013-2015: Devising the path for a new media ecosystem

Nicolás Maduro was declared the winner of the presidential election on April 14, 2013, following the repetition of the electoral process due to the death of Hugo Chávez, announced on March 5. The inauguration of what would become his communication policy took place on the same day as his election, with a nationwide Internet outage caused by the State, just as polling stations were closing and the first transmissions of electronic votes were occurring, as reported by EP in its 2013 report⁵.

5 Carlos Correa, coord. *Informe 2013: Situación del Derecho a la Libertad de Expresión e Información en Venezuela*. Espacio Público. Caracas, p. 15-16.

In April, when Maduro transitioned from acting president to constitutional president, violations of freedom of expression increased by 571% compared to the same month of the previous year.

Between 2013 and 2015, three electoral processes took place in Venezuela:

- 2013: Presidential election in April and municipal election in December.
- 2014: Municipal elections in San Cristóbal (Táchira) and San Diego (Carabobo) due to the removal of two newly elected opposition mayors in 2013.
- 2015: MUD primaries in May, PSUV primaries in June, and legislative elections in December.

According to EP, during these three years, there were 807 cases of violations of freedom of expression, 270 incidents of censorship, 233 of intimidation, and 163 of verbal harassment, affecting primarily reporters, photographers, websites, and media outlets.

The year 2014 was particularly violent against media outlets that covered street protests organized by an opposition sector against Nicolás Maduro's government. That year accounted for more than half of the incidents during the entire 2013-2015 period. Out of 159 assaults during this timeframe, 93 occurred in 2014. Similarly, out of 42 attacks, 30 were recorded that year, and regarding the 270 cases of censorship, 145 took place in 2014.

An instrument and a strategy against freedom of press

From a purely political and institutional perspective, the defeat of Chavismo in the 2015 parliamentary elections triggered a series of subsequent actions by the ruling coalition against democratic institutions and legality. However, two years before that event, Maduro had already clearly shown his action plan concerning the media.

In 2013, *EspacioPúblico* reported the shutdown of television and radio programs, along with the blocking of websites that shared a common feature: criticism of the government's management.

The same year, between the presidential election in April and the municipal election in December, Maduro's government created the instrument and strategy to silence criticism and dissent within his administration.

The instrument: the Alfredo Maneiro Editorial Corporation. The strategy: the acquisition of media outlets by business groups or entrepreneurs with ties to the government.

The objective of the Alfredo Maneiro Editorial Corporation was, from the outset, to prevent free access to currency for importing supplies needed for newspaper and magazine production and to monopolize access to newsprint⁶.

It's worth mentioning that the first president of Maneiro, Hugo Cabezas, was arrested in April of 2023 for involvement in a

6 Carlos Carmona, "Corporación Editorial Alfredo Maneiro". *Diario El Impulso*, January 5th 2017. Accessed March 2023 <https://www.elimpulso.com/2017/01/05/corporacion-editorial-alfredo-maneiro/>

corruption scheme within the state-owned *Corporación Venezolana de Guayana* and *Cartones de Venezuela*.

In any case, while the decline and transformation of print occurred in other countries due to technological advancements and shifts in public preferences, in Venezuela it resulted from a policy restricting the free flow of information.

First, the smaller newspapers, the regional and local ones with limited reach, folded, leaving inhabitants of regions outside the capital without spaces for critique, independent analysis, or comparison of governance or candidate proposals. Between 2013, 2014, and 2015, newspapers closed in Anzoátegui, Nueva Esparta, Caracas, Cojedes, and Sucre.

The transformation was evident in critical media outlets whose editorial stance shifted to echo the government's narrative amid opaque buying and selling processes. Emblematic cases included *Últimas Noticias* (Cadena Capriles) and *El Universal*, sold in 2013 and 2014, respectively, to business groups linked to Venezuelan government figures.

Globovisión, the television channel, was also part of this dynamic. After facing a decade of judicial persecution against its owners, administrative harassment, and attacks on its journalists, the outlet was eventually purchased in 2014 by businessman Raúl Gorrín. Five years later, in 2019, Gorrín was included in the U.S. sanction list due to alleged involvement in money laundering and bribery schemes.

III. 2016-2020. Breakdown of the constitutional order and imprisonment of journalist Roland Carreño

This period coincided politically with the 2016-2021 legislative term, theoretically led by the opposition after winning the majority of seats in the National Assembly. However, from Miraflores, that Parliament was sentenced to extinction: it curtailed its integration, disqualified, imprisoned, or forced its members into exile, withdrew its funding, stripped it of its constitutional powers, and led the rest of the state's powers and institutions to disregard it.

During this time, there were eight electoral processes in Venezuela:

- In July 2017, an opposition-held popular consultation (in-person) to reject the election of the Constituent Assembly; that same month, the Constituent Assembly election; regional elections in October; and municipal elections in December.
- In 2018, the presidential election was held in April and municipal council elections in December.
- In December 2020, the opposition held a popular consultation (both in-person and virtual) to reject the call for parliamentary elections. Shortly afterward, parliamentary elections were held.

The strategy to clamp down on independent media continued, leaving journalists with fewer national traditional platforms to carry out their work. Between 2016 and 2018, iconic Venezuelan journalism publications ceased their print editions: *El Carabobeño*, with 82 years of history, and *El Nacional*, with 75

years of circulation. Additionally, ten other regional and local media outlets closed their doors.

Over these five years, *EspacioPúblico* documented 2,219 cases of violations against freedom of expression, almost tripling the number recorded in the first three years of Maduro's government. Notably, instances of intimidation were the most frequent during this period, totaling 1,362 cases.

Following these were 844 incidents of censorship, 497 administrative restrictions, 427 aggressions, 313 threats, 350 cases of verbal harassment, 158 instances of judicial harassment, 71 attacks, seven deaths, and six legal restrictions.

2017, a fateful year

According to comparative research conducted by political scientist John Magdaleno, 2017 marked the onset of electoral autocracy in the country. The primary indicators signaling this dramatic shift in Venezuela's political system include:

- Breakdown of institutional order instigated by the Constitutional Chamber of the Supreme Tribunal of Justice⁷;
- Widespread repression of citizen protests recorded between April and July 2017, resulting in the death of

7 "Transparencia Venezuela. Con dos sentencias el TSJ le dio el último zarpazo a la democracia en Venezuela". Accessed July 18, 2023 in <https://transparenciave.org/dos-sentencias-tsj-le-dio-ultimo-zarpazo-la-democracia-venezuela/>

150 individuals, as documented by Provea⁸ and the Venezuelan Observatory of Social Conflict⁹;

- Installation of a Constituent Assembly in July 2017, illegitimate in its convocation and following a rigged electoral process, as later denounced by the company Smartmatic, a former contractor of the Venezuelan Electoral Power;
- Suppression of the minimum conditions for electoral competition by the National Electoral Council, undermining any possibility of access to power for the opposition, as reported by the Mesa de la Unidad Democrática (MUD) in October 2017¹⁰,
- Invention of procedures and formalities not foreseen in the Constitution, so the governors and mayors elected in 2017 could assume their functions;
- Increasing blockades of access to digital news portals;
- Persecution, harassment, and expulsion of foreign correspondents from the country;
- Approval of a “Law against Hate” by the Constituent Assembly to generate censorship, self-censorship, and prior censorship in social media communications¹¹.

8 Microsite dedicated to the protests of 2017 <https://provea.org/category/trabajos-especiales/protestas-2017/>

9 <https://www.observatoriodeconflictos.org.ve/sin-categoria/venezuela-2-675-protestas-y-95-fallecidos-desde-el-1-de-abril-2017>

10 Accessed March 28th, 2023 in <https://runrun.es/nacional/328649/comunicado-mud-exige-auditoria-total-cuantitativa-y-cualitativa-de-todo-el-proceso-electoral/>

11 Correa, Carlos; coord. *Espacio Público. Informe 2018: Situación del Derecho a la Libertad de Expresión e Información en Venezuela*. Accessed March 28, 2023

In that context, cases of violations against freedom of expression surged in 2017: a total of 708 cases, the highest record in all of *EspacioPúblico's* data. The actions against journalists and media were evident:

- 54 radio stations and eight regional TV channels went off the air.
- 17 print media outlets stopped circulating due to paper shortages.
- 5 international channels were removed from cable TV operators.
- 13 news websites were attacked or blocked that year.
- 17 foreign correspondents were expelled, denied entry, or detained and held without communication by airport police for several hours.
- 51 violations of the right to freedom of expression on the Internet.
- Over 20 journalists from Táchira, Mérida, Bolívar, Yaracuy, Nueva Esparta, Distrito Capital, and others were not accredited by the CNE to cover that year's elections.
- Conatel warned audiovisual media not to use the term 'popular consultation' to refer to the opposition's call for July 16 and to 'be careful with that coverage', as they considered the activity outside the scope of the Constitution.

in <https://espaciopublico.org/informe-2018-situacion-del-derecho-a-la-libertad-de-expresion-html/>)

- The National Electoral Council issued a document titled “Media Coverage Guidelines in Polling Centers,” which contained a series of prohibitions for the coverage of the Constituent Assembly election on July 29¹².

The National Union of Press Workers (SNTP¹³) reported that between March 31 and June 24, 2017, 376 press workers had been assaulted by security forces, and 33 others had been unlawfully detained. The years after 2017 weren’t any better for the press. For instance, in 2018, although the number of cases decreased from 708 to 387 compared to 2017, the number of acts of intimidation only slightly dropped from 304 to 245. In 2019, acts of intimidation even surpassed those in 2017, reaching a total of 334, and in 2020, the figure for intimidation cases reached 356.

Los años posteriores a 2017 no fueron mejores para la prensa. En 2018 por ejemplo, aunque el número de casos bajó de 708 a 387 en comparación con 2017, el número de actos de intimidación apenas descendió desde 304 a 245. En 2019, los actos de intimidación superaron incluso los de 2017, llegando a un total de 334; y en 2020 la cifra de intimidación alcanzó los 356 casos.

On October 26, 2020, Venezuelan journalist and activist from the Voluntad Popular party, Roland Carreño, was arrested. At the time of his arrest, Carreño was part of the political team of Deputy Juan Guaidó, who, since January 2019, was sworn in as the interim president of Venezuela following the declaration of a power vacuum by the National Assembly.

12 Capturado el 29 de marzo de 2023 en http://webcache.googleusercontent.com/search?q=cache:TcSqWVJw84J:www4.cne.gob.ve/web/normativa_electoral/elecciones/2017/centrosreceptores/documentos/guia_informativa_medidas_contingencia.pdf&cd=1&hl=es&ct=clnk&gl=ve&client=firefox-b-e

13 Sindicato Nacional de Trabajadores de la Prensa.

As of the writing of this text in July 2023, Carreño remains behind bars, and his trial has been initiated on four occasions. According to Venezuelan legislation, if a trial goes without a hearing for more than ten days, it must start anew. The most recent restart occurred on January 16, 2023.

IV. 2021-2022. Looking ahead to 2024 amid the ICC investigation

During the period from January 2021 to December 2022, three electoral processes took place in Venezuela: the PSUV primaries in August 2021, the elections for governors, mayors, and state and municipal legislative bodies in November 2021, and the re-run of the governor elections in Barinas in January 2022. This occurred after a political maneuver involving both the Supreme Tribunal of Justice (TSJ) and the General Comptroller's Office that annulled the victory of opposition figure Freddy Superlano on November 21, 2021.

In terms of political and electoral guarantees, there was a slight improvement leading up to the November 2021 election:

- The ruling coalition released certain political prisoners or lifted threats against some exiled leaders, allowing them to participate in the elections.
- Following an executive order, the seizure of one of the three party cards, which had been confiscated in 2020 by the decision of the TSJ, was halted, and the opposition's use of the electoral card from the MUD was restored.
- Most importantly, the entry of the European Union Electoral Observation Mission was permitted.

It's worth noting that these specific concessions occurred, not coincidentally, in the context of the initiation of an investigation by the International Criminal Court against the highest leaders of the Venezuelan state for alleged commission of crimes against humanity, which include systematic persecution against the political opposition.

Testimony: Alex Vásquez and how journalism is practiced in an autocracy

In terms of guarantees for journalistic work, there were no improvements during this two-year period. The testimony shared for this investigation by Venezuelan journalist Alex Vásquez serves as a window into that reality.

By April 2013, when Maduro came to power, Vásquez had only graduated three years prior. In other words, his entire professional practice in Venezuela unfolded under the political and communication model designed by Chavismo-Madurismo.

During his time in Venezuela –he has been living in Mexico since late 2021, working for an international news agency–, like many reporters under 45, he only knew one way of practicing the profession:

“There has always been persecution, intimidation, and threats; it has been a constant since I started practicing journalism. It intensifies when challenging elections for Chavismo are on the horizon. I've experienced attacks during electoral campaigns: stones thrown at us, roadblocks where they hit the car windows we move in, having to hide in a house to avoid being assaulted. Whenever I had to cover a campaign event near the

National Assembly, go to the Assembly during electoral periods, or when something particularly sensitive for Chavismo was being approved, the *colectivos*¹⁴ that usually threaten journalists with weapons would appear, chasing us and assaulting us”¹⁵.

In 2021, three months before that year’s elections, while Vásquez was still in Caracas, he was a victim of verbal harassment and intimidation by a high-ranking government official. Here’s what happened: on August 16, he was summoned to a press conference by President Nicolás Maduro at the Miraflores Palace¹⁶. Vásquez asked three questions regarding matters of interest for the international audience, which Maduro responded to with poorly veiled discomfort.

The following day, Mario Silva, a deputy of PSUV in the National Assembly elected in 2020, dedicated 29 minutes of his television program, *La Hojilla*¹⁷, to discredit Vásquez and other journalists and media present at the press conference, labeling them all as “communication mercenaries.”

Mario Silva discredited Vásquez and other journalists and media present at the press conference, labeling them all “communication mercenaries.” “Silva called me shameless, ridiculous, and stupid; he said the US pays me, that *Bloomberg*

14 In Venezuela, ‘colectivos’ refer to far-left armed paramilitary groups supporting the Chavista/Madurista government.

15 Interview with Alex Vásquez carried out for this investigation.

16 Video captured on March 22, 2023 <https://www.youtube.com/watch?v=MhOE-67bgYU>

17 <https://www.youtube.com/watch?v=Pms5yoP4xyE&list=PLSWb1qzjMBuIC59AhPdLvhtWN0T7rEms&index=120>

wrote my questions because I cannot think for myself, and so on,” the reporter recounted.

But that wasn’t the only experience he faced as a journalist in Venezuela: “There were situations where I had to be cautious due to the articles I published. For instance, in 2020, I reported on Operation Gideon (an attempt by a group of mercenaries to enter Venezuela via maritime route in May 2020), and another journalist who had published something similar warned me that he had spent an entire night detained by SEBIN and interrogated. I chose to stay away from my home for a couple of nights. That’s always been the case.”

Two related practices: intimidation to generate
self-censorship and direct censorship

Intimidation against journalists, like the case of Alex Vásquez, has a central objective: to generate self-censorship. That is, for the journalist to remain silent, not write, not report, not sign their notes, or refrain from asking questions and challenging high-ranking officials.

According to V-Dem data, between 2018 and 2022, cases of government effective censorship on social media increased, as did government efforts to censor the media in general.

Let’s take a look: from 2000 to 2012, the “Effective censorship on social media” indicator remains above 3 on a scale of 0 to 4. On this scale, the closer to zero, the more effective the censorship. Precisely from 2013, the indicator begins to decline. In 2019, the index is 2.8; by 2020, it dropped to 2.6, and in 2022, it closed at 2.5

When we review the indicator called ‘Government efforts to censor the media in general,’ the outlook appears much more dramatic. In 1999, the indicator stood at 2.25 points on a scale of 0 to 4. From that year onwards, it recorded a sustained decline until reaching its lowest point in 2018, when it was 0.07.

On this scale, a value of 0 reveals that censorship attempts are direct and routine; 1 indicates that censorship attempts are indirect but routine; 2 suggests that attempts are direct but limited to particularly sensitive issues; 3 signifies that attempts are indirect and limited to sensitive matters; and 4 implies that the government rarely attempts any form of censorship on the media, and when it does, the responsible officials are sanctioned for it.

For this indicator, V-Dem clarifies that indirect forms of censorship can include ‘allocation of transmission frequencies for political reasons, withdrawal of state funding, influence over printing facilities and distribution networks, discretionary allocation of advertising, burdensome registration requirements, prohibitive fees, and bribery.’ Virtually all, if not all, of these methods are present in the Venezuelan reality.

In its 2021 report, EP illustrates the extent of the devastation of print media with a statistic: by 2015, 38.8% of the population used national print newspapers for information; by 2021, due to the annihilation of the print press, that figure had plummeted to a mere 3.1%.

The NGO adds that 42% of the cases of violations of freedom of expression in 2021 occurred on the internet: ‘The relevance of internet-based media (social networks, websites, portals, instant messaging, video services) is associated with the progressive weakening of the traditional media ecosystem. All of this is

fostered by public policies driven by the national government and, to a lesser extent, by changes in consumption patterns due to the emergence of new modes of cultural and informational consumption.'

A final, undoubtedly dramatic, piece of information: between 2018 and 2022, the Venezuelan government focused on shutting down radio stations. According to *EspacioPúblico*, more than 110 radio stations were taken off the air by Conatel during that period, under two arguments: non-compliance with procedures to renew the concession or the clandestine or illegal use of the radio spectrum.

The owners, legal representatives, and directors of many of these stations have publicly denounced either not having access to an administrative procedure to present their arguments or having submitted renewal requests in a timely manner but receiving no response from the government, only the order to shut down.

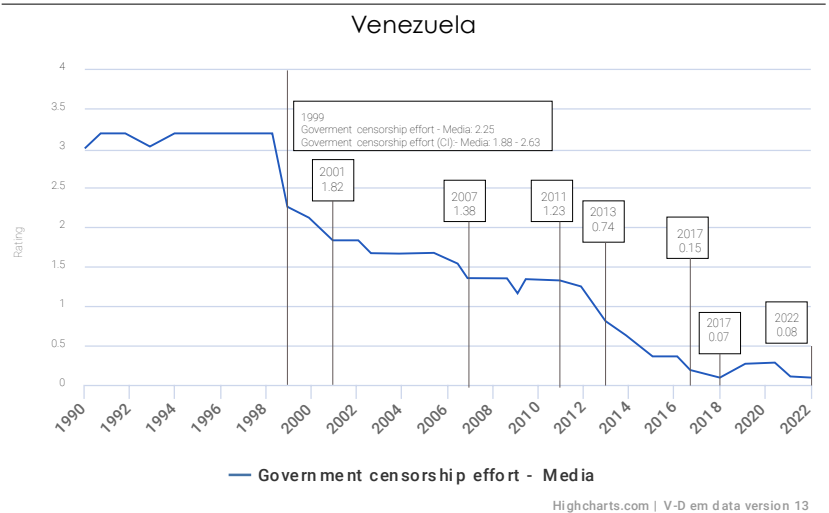


Figure 3. Government effort to censor traditional media between 1999 and 2022.
Source: Analysis of graphs by country by V-DEM https://www.v-dem.net/data_analysis/CountryGraph/

V. In conclusion: The EU EOM Report

The Report from the European Union Electoral Observation Mission on the November 21, 2021, elections provides a clear and objective reflection of the day-to-day reality of journalism in Venezuela, particularly regarding electoral coverage.

The EU EOM accompanying the 2021 election was the first in 15 years, with the previous mission present during the 2006 presidential elections.

The report on the 21st of November spans 88 pages, dedicating 19 pages to media coverage of the electoral process. The term 'media' appears 60 times within the document¹⁸.

Among the findings of the Mission regarding media and communication during the campaign, the following can be highlighted:

Entre los hallazgos de la Misión en materia de medios y comunicación durante la campaña, destacan:

- Self-censorship observed in media outlets across 21 states.
- Editorial changes in media influenced by political pressures in 13 states.

18 European Union Electoral Observation Mission for Venezuela, 2021. Informe de la MOE-UE para las elecciones regionales y municipales del 21 de noviembre de 2021 en Venezuela. Accessed on July 19, 2023 in https://www.eeas.europa.eu/eom-venezuela-2021/informe-final-moe-ue-venezuela-2021_es?s=4434.

- The National Telecommunications Commission sanctions media outlets and/or revokes their licenses without judicial verification of the infringement.
- Significant bias in national media outlets in favor of the ruling party.
- Internet has gained significant importance as a communication channel in Venezuela due to declining trust in traditional media.
- Government attempts to influence digital media include website blocking, smear campaigns against journalists, and propaganda operations.

Of the 23 final recommendations from the report, five directly relate to media and electoral coverage:

1. Ensure balanced coverage in state media during electoral campaigns.
2. Repeal the Hate Law to promote freedom of expression and prevent self-censorship.
3. Cease policies aimed at manipulating public discourse on social media platforms.
4. Enhance the monitoring capacities of social media by the CNE to raise awareness about campaign rule violations.
5. Establish clear procedures for controlling access to polling centers and verifying accreditations

In theory, implementing these recommendations relies on the National Electoral Council (CNE) exercising its autonomy and acting as an independent power. In the Venezuelan reality, it depends on political agreements between government sectors and

the democratic opposition, within the framework of negotiations that commenced in August 2021 in Mexico but that have been stalled since November 2022.

But beyond the implementation of the EU's recommendations, the report allows the international community, researchers, and other stakeholders interested in freedom of expression to have objective evidence that in the Venezuelan case, violations of freedom of expression and the persecution of the independent press and journalism are a systematic, recurring practice orchestrated through various methods.

The Venezuelan journalist has scarcely the resource of denunciation and documentation. Organizations like *Espacio Público*, the Press and Society Institute, the National Union of Press Workers, Provea, and many others advocating for human rights and freedom of expression serve as a megaphone to showcase these recurrent violations that, in most cases, do not attain justice. These violations primarily undermine citizens who have fewer voices, fewer spaces, and fewer media outlets to stay informed or to turn to in order to amplify a complaint, an issue, or even a proposal.

Between Fear and Freedom: Voting before Democracy

Tomás Straka

A Jaime Ybarra (1970-2022), *in memoriam*.

A long tradition

On June 30, 1937, an unprecedented event occurred: the opposition emerged victorious in an election. From what we now recognize as democracy, the elections were never free from challenges, to say the least: the principal opposition leaders had been expelled from the country in March, a significant portion of the population was disqualified from voting, a third-grade system introduced numerous checks and balances in the voting process and the presidential election, and above all the opposition faced the discouraging precedent set by the January partial elections, where the Federal Court and Cassation systematically annulled the victories of opposition candidates. However, considering that this transpired only a year and a half after the demise of Juan Vicente Gómez, the mere existence of opposition candidates, including leftist ones, and the fact that the voting process was sufficiently clean for them to secure victories in no less than fourteen of the twenty parishes in Caracas at that time, signals a revolutionary shift led by Eleazar López Contreras. Although the first universal, direct, and secret elections were still a decade away –October 27, 1946– this pivotal step laid the foundation for subsequent democratic developments. Without the municipal elections of June 30, 1937, the seventy-year autocracy that began in

1870 would not have concluded. This is undeniably a significant milestone.

Yet, as in any historical process, it had as many continuities as ruptures. It is not inconsequential that these changes were executed within the framework of existing legislation enacted during the concluding phase of the prolonged autocratic period. Lopez Contreras' initial reforms addressed the electoral issue, albeit through reform rather than innovation. This prompts the question of why a regime like Gómez's would be concerned with legislating elections. Were there ever elections, even at the municipal level, during his extended dictatorship? The answer is affirmative—even during the Gómez era, people participated in elections. As elucidated in the subsequent pages, voting never stopped in the Venezuelan political landscape, even during its most authoritarian phases. None of the Venezuelans who voted in 1937 were old enough to have engaged in the last somewhat free elections in 1892. If they possessed any recollection of campaigns and elections, it likely traced back to José Manuel “El Mocho” Hernández and the electoral fraud of 1898, sparking a series of civil wars, from which Juan Vicente emerged as the “Father of Peace” after the battle of Ciudad Bolívar in 1903 (although the frank and pure dictatorship had already been instituted by its then head, Cipriano Castro, who, among other things, was in charge of dismantling direct elections—but we will return to that later). The political misfortune of “El Mocho” should have served as a cautionary tale against elections. Nearly everyone had a *mochista* father or grandfather whose health they toasted when sipping watercress or lemon verbena bitters. However, by 1937, this was nothing more than a nostalgic, melancholic, and picturesque sentiment. Those who went to the polls likely did so with a blend of fear of a return to 1898 or a situation that had recently led to civil war in Spain while simultaneously harboring hope for the

freedom that appeared to be finally emerging. It mirrors the dilemma later observed by Germán Arciniegas as the fate of Latin America dominated by dictatorships¹ but was already unfolding in Venezuela then. An additional revelation emerged: voting was worthwhile. Despite all the impediments, voting played a crucial role in effecting change in the long run.

The commendation of the 1937 elections is noteworthy. Could a similar commendation be extended to the electoral processes during the Guzmancista and Gomecista autocracies? Were these elections merely instances of fiascos akin to those of 1898 or 1846? It is plausible to consider that these electoral exercises primarily served as symbolic gestures towards the established order, mechanisms designed to legitimize pre-existing situations, exerting minimal to negligible influence on power distribution. Nonetheless, the recently deceased historian Jaime Ybarra (who, regrettably, succumbed to COVID in his prime) asserted, after an analysis of 19th-century electoral processes, that substantial efforts and resources were devoted particularly at the local and regional levels, causing significant controversies, which at times escalated to violence, and were orchestrated with a quasi-religious regularity and could not be dismissed as mere theatrical displays for the benefit of the incumbent authority. He unequivocally declared their importance and advocated for their thorough study. Ybarra's assertion posited that these electoral events constituted a democratic tradition with roots more profound than commonly perceived, extending across the entire nation². It is this thesis that we endeavor to substantiate in the subsequent pages.

1 The article's title refers, as the reader may have noticed, to the famous essay by Germán Arciniegas *Entre el miedo y la libertad* (1956).

2 See: Jaime Ybarra, *Archipiélagos de poder. Historia electoral venezolana, 1870-1888*, Valencia (Venezuela), Asociación de Profesores de la Universidad de Carabobo, 2014.

In the tumultuous year of 2016, Ybarra accomplished a notable feat –a *democratic* feat, one might assert– by uniting historians of diverse persuasions. Some among them would not typically have collaborated, yet they collectively produced a book comprising distinct studies on 19th-century electoral processes under Ybarra’s coordination. Ybarra shares the coordinator role on the cover with none other than the then Governor of Carabobo, Francisco Ameliach. This development raised concerns and sparked discussions about the regional government potentially influencing the editorial process. Nevertheless, the compiled works exhibit substantial intellectual rigor, and the authors, in every instance, command high regard³. By perusing the book, cross-referencing it with additional data, and heeding Ybarra’s guidance, we aim to gain a panoramic understanding of Venezuela’s pre-democratic voting landscape. This exploration may offer insights into the challenges and opportunities inherent in post-democratic voting.

“Francoquijanismo”: the other tradition

The primary issue with the extensive voting tradition identified by Ybarra is the existence (and to a large extent, a resurgence) of another tradition, equally or even more potent, known during the era of López as “*francoquijanismo*.” Though the term is now obsolete –regrettably, solely the word– within the Venezuelan political lexicon of the 1930s and 1940s, it denoted a spectrum of deceitful practices and acts of advantage employed by governments to secure electoral victories. It would be ahistorical to claim the presence of *francoquijanismo* during Guzmán Blanco’s era, either because the term did not exist or because electoral

3 Jaime Ybarra & Francisco Ameliach Orta (Compiladores), *El mosaico electoral venezolano. Historia de procesos y formalidades electorales del siglo XIX y XX venezolano* (sic), Valencia (Venezuela), Gobernación del Estado Carabobo, 2016.

freedom was so limited the neologism was unnecessary, though not due to its essential absence. The massive fraud of 1897 bore a considerable resemblance to *francoquijianismo*, as did all elections during the Gómez regime (though this topic awaits thorough documentary study). If there is any distinction, it lies in the lack of concern for concealment, a nuance that became imperative from 1935 onward.

The term “*Francoquijianism*” traces its origins to Juan Francisco Franco Quijano (1896-1973), arguably the first individual in Venezuelan history deserving the title of *electoral technician*⁴. Born to a Venezuelan exile in Colombia, he earned a degree in philosophy from the Colegio San Bartolomé in Bogotá and pursued a career in the Conservative Party. Amid the Liberal Revolution of March 1934, he diverged from his father’s path and sought exile in Venezuela. Successfully practicing law, he gained renown and, by 1937, had earned the trust of López Contreras, serving as an advisor in his circle. Franco Quijano is credited with establishing the government’s party, the Bolivarian Civic Group (commonly known as the “Bolivarian Civics”⁵), and likely contributed to the president’s somewhat conservative Bolivarianism, reminiscent of the Colombian Conservative Party. Moreover, drawing from his Colombian experience, Franco Quijano presented an additional dimension: while Venezuela had not experienced competitive elections for fifty years, Colombia, despite its inherent opacity, had

4 Certainly, that’s how it is designated in the *Diccionario de Historia de Venezuela* by the Empresas Polar Foundation (<https://bibliofep.fundacionempresaspolar.org/dhv/entradas/f/franco-quijano-juan-francisco/>). We have no prior identification of an individual deserving of such a classification.

5 About this organization created by López Contreras, see: José Alberto Olivar, “La Agrupación Cívica Bolivariana: instrumento de control político electoral del Postgomecismo (1937-1942)”, *Mañongo*, No. 28, Vol. XV, January-June 2007, pp. 153-167

a relatively more competitive electoral landscape. This allowed a conservative politician to confront and win elections in a seemingly cleaner manner. This aspect likely left López Contreras and his associates astounded, grappling with the unprecedented scenario of an opposition consistently winning elections, surpassing even the attempts by the courts to rectify the situation.

The success of Franco Quijano's consultancy was resounding. Let's look at some facts: after the victory of the left-wing opposition in the Caracas elections in June, there was another, even greater, victory in the municipal elections of Zulia in October (the left won in six of the nine districts, very significantly in Maracaibo and in the Bolívar oil district); and a year later, on December 11, 1938, in the following municipal elections in Caracas, the left won nineteen parishes. It was an overwhelming growth that made many think (and many fear) that something like Spain might be coming, a reality all Venezuelans knew. But the figures from 1940 never cease to surprise: the government had completely turned the tables in two years, and the Bolivarian civics swept the entire country⁶. What happened? Indeed, the left was already hopelessly divided between what would soon become Democratic Action (AD) and the communists, with fierce fights among themselves (in a short time, communists and post-Gomecistas allied themselves against AD). Some may have feared things were going too far. In addition, the government had a national and well-oiled organization, the CívicasBolivarianas. Nevertheless, we cannot exclude from consideration what was universally labeled *Francoquijanismo*: the issuance of double documentation to voters enabling them to vote in multiple locations; manipulation of voting tables and scrutiny; arbitrary detention of opponents; suspension of opposition

6 Data on election results were taken from: Juan Bautista Fuenmayor, 1928-1948, Caracas, s/n, 1968; and Antonio García Ponce, *Ocaso de la República Liberal Autocrática. 1935-1945*, Caracas, Fundación Rómulo Betancourt, 2010.

candidates; relocation of government voters to specific polling stations, among other tactics. In defense of Franco Quijano, despite numerous complaints, no direct connection to any of these irregularities could be definitively established. However, it is crucial to acknowledge that virtually everyone in the country considered him the orchestrator behind these activities.

In 1943, Franco Quijano advised López Contreras' successor, Isaías Medina Angarita, on creating the Venezuelan Democratic Party. Exiled after October 18, 1945, he returned with the military coup that overthrew Rómulo Gallegos in 1948 and was once again employed as an election organizer, but as he was part of that unsolved mystery that is the assassination of Carlos Delgado Chalbaud, he was imprisoned for a short time, and then devoted himself to the private practice of law. Notably, in 1968, he published one of the most important books on electoral techniques in *Venezuela: Sistemática electoral*. In any case, *Francoquijanismo* was, nevertheless, an expression of Venezuela becoming democratized. I started from the principle that there would be competitive elections, or something close enough to them, that opponents would participate and that, to defeat them, one had to save appearances at least and limit oneself to advantage (although as things moved away from the big cities, that could change). López Contreras cannot be denied his stature as a modernizer and democratizer: it was not easy to transform a regime characterized by prisons, forced labor, torture, exile, and homicide in dealing with opponents into a democracy, especially amidst the tumultuous thirties, with the shadow of the Spanish Civil War and soon the looming Second World War. Regardless of any criticisms that may be voiced, it represented an extraordinary improvement over what preceded it. The proof lies in that the left-wing and democratic opposition, upon assuming power

in 1958, did not hesitate to acknowledge his status as a former constitutional president and Senator for Life.

However, as mentioned, the fact that the term *Francoquijanismo*, in a strict sense, may not be applicable beyond the 1930s and 1940s does not imply that what it encapsulated was not a tradition as enduring as that of voting. It constituted a lengthy experience replete with impactful and distressing events (the misfortunes of *Mocho* Hernández never failed to evoke sorrow or pity) that conspired against the act of voting. In the historical narrative of Venezuela, the balance between fear and freedom was markedly tilted, often leaning heavily towards the former. Let us briefly examine some of Venezuelan history's most notable intersections between fear and freedom.

"The people want to, but are not allowed to choose"

Between 1830 and 1846, Venezuela stood as one of the world's freest and most stable democracies. It's not a matter of perpetuating idealizations of this period, conventionally known as the "conservative oligarchy" thanks to José Gil Fortoul⁷ and largely fueled by end-of-century nostalgia, but when compared to the nation of caudillos and civil wars, this era seems to be a kind of lost golden age. While not precisely so⁸, the respect

7 In 1907, José Gil Fortoul's highly influential "Constitutional History of Venezuela" was published, ultimately spanning three volumes. In a remarkably irreverent departure from the official narrative of yellow liberalism, Fortoul asserted that the conservatives, contrary to liberal claims since 1840, were not just an oligarchy but had also functioned as one. Consequently, he divided the initial phase of republican life into two epochs: the conservative oligarchy (1830-1848) and the liberal oligarchy (1848-1858). This periodization left a lasting imprint on societal memory.

8 For a serene understanding of the period: Elías Pino Iturrieta, *País archipiélago: Venezuela, 1830-1858*, Caracas, Fundación Bigott, 2001. Another clarifying

for liberties, deliberation, autonomy of powers, stability, and relative alternability were indeed unique at a time when the two emblematic leaders of Latin America were Adolfo López de Santa Anna and Juan Manuel Rosas. Although there was a caudillo, José Antonio Páez, whose personalistic influence over the system conflicted with the idea of a democratic republic, in 1835, he faced a coup that ousted the democratically elected José María Vargas. Merely expressing his disapproval sufficed for the country to follow him, enabling the president to return to power⁹.

While the event is celebrated as an adherence of Páez to legality, which is largely true, it also demonstrated that his power extended beyond institutional boundaries. Nevertheless, during that period, a reasonable framework of deliberation, freedom of press, and liberal reforms were respected. There is consensus that elections were competitive to the extent that in 1835, a candidate other than the one promoted by Páez, the aforementioned Vargas¹⁰, could win. What other countries in the world offered a similar landscape in 1830? Great Britain, the United States, and perhaps a few more. In all cases, there were significant limitations on voting rights (in Venezuela, for instance, there were no racial restrictions, only financial ones), and generally more scandals in elections, such as vote-buying, physical altercations leading to the suspension of polling stations, and outright fraud.

work: Diego Bautista Urbaneja, *El gobierno de Carlos Soublette, o la importancia de los normal*, Caracas, Universidad Católica Andrés Bello, 2006.

- 9 The movement, led by Santiago Mariño, but which brought together various dissatisfied groups, including the Church, is known as the Revolution of the Reforms.
- 10 Classics on the topic are: Eleonora Gabaldón, *José Vargas, presidente de la República de Venezuela (las elecciones presidenciales de 1835)*, Caracas, FUNRES, 1986; and Alberto Navas Blanco, *Las elecciones presidenciales en Venezuela: 1830-1854*, Caracas, Academia Nacional de la Historia, 1993.

That period only endured until 1846. In the narrative of the Liberal Party, which had emerged six years earlier as opposition to the *paecista* group, which it dubbed the *oligarchy* and later *conservatives*, that year marked the beginning of all our troubles. It was an election year. The main liberal leader, Antonio Leocadio Guzmán, was the clear favorite. A combination of weariness with *paecismo*, in power in Caracas since the days of Gran Colombia, an economic crisis, and Guzmán's inflammatory rhetoric gave him a favorable wind. Still, there was a widespread fear that the victory would not be recognized. Consequently, an uprising erupted in Aragua, known in historiography as the Peasant Revolution of 1846, which, among other banners, raised support for Guzmán. There is no evidence that he was behind the movement, but as soon as Páez and other military leaders mobilized to quell the movement—something they did without any difficulty—Guzmán was accused of conspiracy, arrested, tried, and sentenced to death (the sentence was commuted to exile). Without the main opposition candidate, the government's candidate, José Tadeo Monagas, had no difficulty triumphing. However, this was only the beginning: sensing that popular favor was with Guzmán and desiring to free themselves from Páez's influence, Monagas approached the liberals (he was the one who commuted Guzmán's death sentence). The result was that the conservatives, the majority in Congress, discussed his removal. While this was underway, the liberals orchestrated an assault on Congress on January 24, 1848. Monagas remained in power, supported by the liberals, prompting Páez to attempt a response similar to 1835, rising to restore institutional order. This time he was defeated, imprisoned, and sent into exile¹¹.

11 See on this subject: Alexandra Beatriz Mendoza de Acosta, *Páez y Monagas. Relaciones del poder caudillista, 1846-1849*, Caracas, Ediciones del Instituto de Altos Estudios del Poder Electoral, 2022; Rafael Ramón Castellanos, *Páez, peregrino y proscrito (1848-1851)*, Caracas, Academia Nacional de la Historia, 1975.

It was a four-year crisis during which Venezuela slid toward authoritarianism. Typically, the disaster is solely attributed to the liberals, especially for the almost literal execution of the Congress in 1848. However, it was actually the result of actions from both sides and institutions' inability to channel the conflict. Moreover, for my purposes here, it left a lesson that would persist for a hundred years, until the municipal elections in Caracas in 1937: "the government does not lose elections." The hope that everything could change with the votes, harbored around Guzmán in 1846, was lost. In one of the foundational documents of Venezuelan democratic thought, the Proclamation of Palma Sola, Juan Crisóstomo Falcón explained it with two phrases that would become famous: "The issue is not whether the designed laws are good or bad; the issue is that the right to make them is not yours, but that of the majority because in republics, the exercise of all social powers belongs to them"; and "the anarchy in which we live is not the cause but the effect; the cause of which is its mother; people want to, but are not allowed to choose."¹²

Falcón wrote thirteen years later. Between 1848 and 1858, Monagas had been the great caudillo, ruling in a highly personalized manner without opposition from the conservative faction. While there were elections, it is an exaggeration to claim that they were competitive. Ultimately, Monagas also rid himself of the liberals, achieving the miracle of what was termed fusion in the political discourse of the time: the liberals and conservatives united to oust him from power. As expected, the fusionist idyll was short-lived, and the liberals rose in arms in 1859. This is the moment when Falcón was writing. He was disembarking to assume the supreme command of the revolution that had erupted

12 Proclama del General Falcón en Palmasola, *Documentos que hicieron historia. Siglo y medio de vida republicana, 1810-1961*, Caracas, Presidencia de la República, 1962, pp. 527-528

in February, known for its primary banner, federalism, and would come to be called the Revolution or Federal War, the longest and most consequential conflict in Venezuela. Strictly speaking, it lasted from 1859 to 1863, but in reality, it was part of a state close to anarchy (Falcón was correct in using this term) that extended until at least 1872.

By that moment (July 24, 1859, a date likely not coincidental), the rebellion had spread widely and taken on the characteristics of a social war, with Ezequiel Zamora, Falcón's brother-in-law, emerging as a prominent leader, notably for his involvement in the uprising of 1846. However, Falcón, a general and bachelor, and the head of the landowners and politicians clan in the Coro region, to which Zamora had joined through marriage to Estefanía Falcón, rightfully held the supreme command. He was also the one who could provide an ideological context for the uprising, while Zamora, a more skilled military leader but with fewer scholarly pursuits, took charge of the operations. "I am not the one bringing the war," he declared in the same proclamation, "it already exists, declared by the nation en masse against the oppressors, tyrants who audaciously appointed themselves rulers by divine right and, by infernal duty, impose on the people the obligation to obey them. Fools! How they forget the courage of Venezuelans!" In essence, this war was not declared by the liberals but by the *oligarchs* or *godos*: "The electoral violence of 1846 gave birth to the year 1848 and all that ensued."¹³

However, it had been the conservatives themselves who gathered at the Convention of Valencia (a constituent assembly convened to find a solution to the crisis) in 1858 and instituted universal suffrage for men. In part, they sought to curb the

13 Idem.

hurricane that erupted a year later. They held elections where they maintained enough control to do so, and thus, no less than a count (though the deeply committed family had renounced the title), Manuel Felipe Tovar, became the first president of Venezuela elected by universal suffrage. In what became the fate of almost all civilians who arrived in power through elections, he could not complete his term: he could not control the revolution, and the army, along with a broad sector of conservatives, believed that the only solution was to bring Páez back to perform the miracle of 1835 (which he had not been able to do in 1848). Tovar resigned, leaving power to the venerable republican and patriot from Bolívar's days, Pedro Gual. Neither his legend nor his gray hair served much purpose: the army simply staged a coup and shortly thereafter handed power to Páez, who, in a famous decree on January 1, 1862, abolished all powers, essentially dismantling the entire republic, and assumed a dictatorship with almost absolute monarchic powers¹⁴.

But Falcón was right: the issue was not whether the laws Páez proclaimed were good (and he proclaimed a lot, all very progressive!), but rather the right to make them (something he conspicuously lacked); and, above all, that the people wanted to choose, not endure a self-appointed Supreme Chief. The point is that Páez failed, and by May 1863, the federals, now led by a young officer who began to emerge in the war, Antonio Guzmán Blanco, son of Antonio Leocadio, were surrounding Caracas. Importantly, the idea of elections was planted: Guzmán Blanco proposed an agreement to end the war amicably, leave the government to an assembly with members appointed by both sides and call for

14 Decree of January 1, 1862 organizing the Government of the Supreme Chief, https://www.cervantesvirtual.com/obra-visor/decreto-de-1-de-enero-de-1862-organizando-el-gobierno-del-jefe-supremo/html/3f6b135b-f079-4937-80d6-46d653d648e8_2.html

elections (truthfully, in 1861, Páez had proposed something similar: a government of national unity, with him as president and Falcón as vice president¹⁵). Such was the Treaty of Coche. Elections were held for a Constituent Assembly, and after a new constitution was promulgated, for the president, which Falcón won.

However, the fate of overthrown elected presidents could not be overcome, not even by the now Marshal Falcón. His government collapsed in 1868 amid numerous armed conflicts with other warlords, essentially a continuation of the war. Falcón went into exile following a series of major and minor wars until Guzmán Blanco defeated the last pockets of resistance in 1872, established himself as the victorious great warlord, and, of course, called for elections... But he had no intention of being overthrown. In fact, those elections marked the decline of voting in Venezuela. Guzmán Blanco claimed he won with 99% of the votes. Faced with protests of fraud, in 1874, he decreed that, to avoid controversies in the scrutiny, votes would henceforth be public and signed. In other words, each voter would publicly declare whom they voted for and sign it in the minutes book. The result was obvious: only those who openly supported him voted. It quickly went beyond, imposing fines for those who did not vote. It was the beginning of seventy years of harsh autocracy.

The so-called “Swiss Constitution”¹⁶ of 1881 established a second-degree system whereby the people elected the Congress, which in turn appointed members of the Federal Council, one for each state (the federation’s states had been reduced to nine), who

15 This transpired in the interview between Falcón and Páez in Campo de Carabobo. While Falcón accepted the proposal, the rest of the liberals opposed it, perceiving it as a sign of weakness that prompted them to go all out. The war extended for two years.

16 It was called that because it was inspired by that of the Alpine country.

would take turns serving as the Republic's president every two years. Although the goal was to ensure that all the major warlords involved in the Council had a guaranteed turn to be president, the truth is that the system was a disaster from the start. The first appointed president, Joaquín Crespo, bypassed all other councilors to return power to Guzmán Blanco in 1886 in the so-called "Acclamation," a kind of national movement that practically begged him to return to power. Guzmán Blanco did so but decided to step down before the term ended and appoint an interim leader. Crespo dreamed of being chosen, but the pick for the 1888-1890 term turned out to be Juan Pablo Rojas Paúl, a civilian. Crespo responded with a rebellion. However, Rojas Paúl did the same by breaking with Guzmán Blanco, who was already in Paris, so no one paid attention to Crespo. After the term ended, the system finally seemed to work institutionally, and the presidency fell into the hands of another civilian, Raimundo Andueza Palacio. At times, this made some think, with astonishment, that the republic was starting to resemble something akin to a modern liberal state: two civilians in the presidency in a row!

Andueza Palacio decided to reform the constitution because the bienniums were impractical, which everyone agreed on. However, there was a problem: the president believed that the new four-year term began with him and not, as expected, with the next elected president. This was the opportunity Joaquín Crespo was waiting for. Once again, he rose, unleashing a conflict of great proportions, with the Liberal Party split in half. His banner was to defend legality against Andueza's *continuity*, so the new civil war was called the Legalist Revolution. In seven months, with the country in ruins, Crespo took Caracas and became the new

national warlord¹⁷. All of this history, which may be somewhat detailed for the scope of this work, serves a purpose: to see to what extent the vote was completely diluted. Technically, it was a democracy; the people voted (publicly and signed, it's true, but they voted) for a Congress that appointed advisors. However, everything indicates that, in the end, the election was in the hands of negotiations among powerful men, and when one disagreed, they settled the matter on the battlefield.

Crespo came to power with promises of democratic renewal. In fact, he convened a Constituent Assembly attended by many of Venezuela's brightest minds, discussing cutting-edge issues such as women's suffrage (which narrowly failed to be approved). With the 1892 Constitution, universal and direct suffrage for men was established. In fact, Crespo could have been elected president in 1894 with this system and an overwhelming 90% or more of the votes, with no evidence of fraud, at least on a massive scale. Freedom of the press was respected, and even a Workers' Congress was convened in 1896, where discussions about socialism began. Everything seemed to be going smoothly, but there were two events Taita Crespo did not foresee: a massive economic crisis due to the fall in coffee prices, the main export product, state debts, and the aftermath of the war; and the emergence of a powerful opposition party, the Nationalist Liberal Party, which chose a very popular politician, José Manuel "El Mocho" Hernández, as its

17 For an informed and lively narration of all these events, the classic by Ramón J. Velásquez, *La caída del liberalismo amarillo: tiempo y drama de Antonio Paredes* (1972) is still of use. Another classic is: Manuel Alfredo Rodríguez, *El Capitolio de Caracas; un siglo de historia de Venezuela* (Caracas, Congreso de la República, 1975). A monographic study on the Federal Council: Alberto Navas Blanco, "El Consejo Federal y el modelo oligocrático de gobierno en Venezuela de fines del siglo XIX", in Ybarra & Ameliach (coord.), Op. Cit. pp. 99-111

leader¹⁸. Moreover, *El Mocho*, who had lived in the United States, implemented American electoral techniques with notable results: in a situation similar to that of 1846, everything indicated that in 1897, *mochistas* would win overwhelmingly¹⁹. The story is well known: what almost everyone considers one of the biggest frauds in history was perpetrated. The government candidate, Ignacio Andrade, “swept” with over 99% of the votes. There are testimonies indicating measures such as imprisoning *Mocho* supporters in towns to prevent them from being at the voting tables, but the magnitude of the results speaks of a blatant fabrication of the outcomes.

Thus begins the misfortune of *El Mocho*, a sort of eternal but endearing loser in Venezuelan politics. He rose in arms –another civil war!– in what is known as the Queipa Revolution. The movement was a disaster, but it changed history, although not in the way *Mocho* supporters dreamed: Joaquín Crespo, who took command of government forces, died in Mata Carmelera due to the accurate aim of a sniper. The result was not *El Mocho's* seizure of power but the collapse of Ignacio Andrade's government (although he continued to fight until he managed to capture him), a kind of everyone-against-everyone situation. Seizing the opportunity, Cipriano Castro, a continuist exiled since 1892 in Cúcuta, organized his own revolution and invaded the country through Táchira in May 1899. It was the Restorative Revolution. Castro profited from the chaos, entering Caracas in October of that year, swearing to “restore” the shattered yellow liberalism after so many wars and dissensions but, in practice, leading it to

18 He was called “Mocho” because he lost two fingers in one of the many civil wars of the time.

19 A recent study: Frank Rodríguez, “El Mocho Hernández y la campaña electoral presidencial de 1897”, in Jaime Ybarra & Francisco Ameliach (coord.), *Op. Cit.*, pp. 191-211

the grave. The lesson from Mocho Hernández was the same as Antonio Leocadio Guzmán's in '46: *governments do not lose elections*, and the electoral path is for the naive or the deceitful.

However, according to research by scholars like Ybarra²⁰, Francisco Soto Oráa and Robinson Meza²¹, and Hancer González²², elections were conscientiously organized in towns, cities, and regions. Money was invested, controversies erupted, factions were formed, and candidacies were shaped with campaigns, media support, and public events. It was not a mere charade. The conclusion is that elections could make a difference at the local and regional levels at least. Perhaps voters chose what seemed less undesirable among the feasible options. It is likely that while the grand national game was beyond their reach, they could influence matters in their daily lives. And that, however humble, kept the flame of voting alive. As seen in 1897 and 1937, Falcón was right: the people want to choose. They may not be allowed, but they want to choose.

Epilogue: Before the resurrection

To the elections of 1846 and 1897, we must add the 1913 election as another fundamental milestone in the autocratization of Venezuela. Cipriano Castro established an outright dictatorship, much more authoritarian than that of Guzmán Blanco and, of

20 Jaime Ybarra, *Archipiélagos de poder. Historia electoral venezolana, 1870-1888*, Valencia (Venezuela), Asociación de Profesores de la Universidad de Carabobo, 2014.

21 Francisco Soto Oráa & Robinson Meza, "Las elecciones de posguzmancismo y las intervenciones del poder central en los grandes estados (1888-1890)", in Ybarra & Ameliacha (coord.), Op. Cit., pp. 139-164

22 Hancer González, "El Gran Estado de los Andes y sus procesos electorales", in Ybarra & Ameliacha (coord.), Op. Cit., pp. 111-137

course, Crespo. He no longer needed to commit frauds: after defeating all his enemies (including the *mochistas*²³) allied in the Libertadora Revolution (1901-1903), he simply had no legal opposition. In the 1901 Constitution, he established the third-grade system that persisted until 1945:

Article 82.- On October 28 of the last year of the Constitutional period, the Municipal Councils of each State will convene and vote for the President, first Vice President, and second Vice President of the Republic, declaring the vote of the District as that of the absolute majority of its members. The results of the vote will be submitted to the State Legislative Assembly.

Article 83.- The State Legislative Assembly, in the first days of its session, will scrutinize the votes of the Municipal Councils of the State and declare the citizens who have obtained the majority of the votes in the Districts as candidates of the State. A record of the results will be drawn up, of which three copies will be prepared and sent: one to the Senate of the Republic, another to the Principal Registry of the State, and another to the Federal Court. In the case of a tie in the votes covered by this article, chance will decide.

23 Castro freed Mocho Hernández as soon as he entered Caracas and appointed him minister. However, very quickly there is a breakup and Mocho rises again, but once again he is defeated and imprisoned. For this reason, the Mochistas joined their former enemies to defeat Castro. With the Blockade of the coasts in 1902, Mocho once again reconciled with Castro, in favor of the defense of the homeland, but after so many political ups and downs, his popularity began to decline.

Article 84.- The Senate of the Republic will carry out the general scrutiny, and if none of the Candidates has obtained an absolute majority, and in case of a tie, the Legislative Chambers will constitute an Electoral Body, and the election will be perfected for the Candidates who have obtained the highest number of votes. The grouping of Senators and Deputies from each State will represent one vote, which will be the majority of the grouping²⁴.

Therefore, the people would choose the municipal councils, the deputies, and the legislative assemblies of the states (which, in turn, would choose the senators). And they, on the patriotic 28th of October²⁵, would choose the rest. In the end, it was easy to control the municipalities, especially because under the Gómez regime, civilian leaders (who, despite the name, were always colonels) and state presidents (governors) had virtually police-like power over everyone, including elections. Hence, the room for surprises was almost nonexistent. The last one was in 1913 when the journalist Félix Montes was proposed as a candidate against the then widely beloved Juan Vicente Gómez. After Castro's authoritarian, conflict-ridden, and always financially tight government, the blow Gómez dealt him in 1908 was seen with joy by most Venezuelans and the international community. His first five years, in addition, were a period of consolidation, making amends with everyone, starting with Castro's enemies (whom he had defeated as his most talented general), the old yellow liberals, and even *El Mocho* Hernández. When the time came to call for elections for the 1914-1919 term, there were no doubts about the favorite candidate... Until the

24 Constitution of the United States of Venezuela 1901. <https://derechodelacultura.org/> Own translation]

25 Saint Simon's Day. Until the 20th century, the day of the Liberator's saint was celebrated, not his birthday. This became popular when Venezuelans abandoned the custom of celebrating saints.

journalist Rafael Arévalo González launched the candidacy of fellow journalist and lawyer Montes. It's challenging to think that he could have beaten Gómez's prestige, who came from his triumph in the Battle of Ciudad Bolívar and his status as the "Father of Peace," but it was the moment for the Benemérito to strike: announcing a supposed invasion by Cipriano Castro from abroad, he mobilized the army that was already starting to reform and modernize; he imprisoned the conspirators, real or supposed, like González (Montes was able to go into exile), and took the opportunity to dissolve the Government Council he had created in 1909, where some yellow liberals were (it wasn't until then that Gómez completely broke with yellow liberalism) and El Mocho Hernández, who then suffered his final political defeat²⁶.

Without rivals, Gómez was elected president, but, in a show of force not seen since the days of Páez in the 1830s, he decided not to assume the office but to stay as Commander in Chief of the Army, leaving Victorino Márquez Bustillos as the provisional president. It was a provisionality that lasted almost the entire term, until 1919. For everyone, the situation was clear: power was in the hands of the army commander, and the day-to-day administration, like that of a foreman on a hacienda, was carried out by a civilian.

It was the demise of elections. They continued to be called, naturally, but to no one, or very few, did it matter. Hence, the enormous significance of what happened in 1937. It was a true resurrection of the vote. Like the sleep of the just, it was there, latent, only waiting for its moment. And it came, like a whirlwind, after the death of Gómez. Despite all the hindrances and the *franquiquijanismo* of the hour, it managed to move forward, even

26 A detailed study on this process: Napoleón Franceschi, *El gobierno de Juan Vicente Gómez, 1908-1914*, Caracas, Universidad Metropolitana, 2018.

to triumph. Despite everything, the people, who never gave up on their desire, were finally allowed to choose.

Securing Venezuelans' Votes in the 2024 Presidential Election: Navigating Legal, Technical, and Political Challenges

Eugenio G. Martínez

A reliable voter registry is a fundamental pillar for upholding the integrity of any election.

A robust registry must ensure inclusivity, safeguard electoral rights and adhere to legal obligations.

While it is evident that the voter registry is directly influenced by demographic characteristics and changes within the population at a given time, the sociopolitical dynamics and decisions made by the administering organizations also significantly impact the design of these databases.

Updating the Electoral Registry for the 2024 presidential elections is pivotal to the electoral process. This involves acknowledging the decisive participation of Venezuelan migrants, whether they are granted the opportunity to vote abroad or face restrictions on exercising their political rights.

The Bolivarian Constitution of the Republic of Venezuela¹ confers the right to vote upon all citizens who are eighteen years of age from the cut-off of the Electoral Registry to the day of the election, provided that such registration is completed before the cut-off date.

However, Article 124 of the Organic Law of Electoral Processes (Lopre) restricts the right to vote outside the country ‘to voters who have residency or any other legal status indicating their permanence outside Venezuela.’ This limitation poses a challenge in the analysis of voter registration in Venezuela.

Under electoral legislation², the voter registry is intended to be a continuous process, allowing citizens to sign up or update their data anytime.

In practical terms, this option is constrained outside of electoral periods, as updates within Venezuela can only be

1 Article 68 of the Constitution of the Bolivarian Republic of Venezuela (CRBV) states: “Suffrage is a right. It is exercised through free, universal, direct, and secret ballots. The law will guarantee the principle of personalization of suffrage and proportional representation.”

Article 64: “Electors are all Venezuelan men and women who have reached the age of eighteen and are not subject to civil interdiction or political disqualification.”

2 Article 28 of the Organic Law of Electoral Processes (LOPRE): “The following principles will govern the Electoral Registry: 1. Public in nature: All people can access and obtain the information contained therein, with the limitations established by law. To guarantee each person’s right to privacy and intimacy, access to data related to residence will be limited and can only be obtained through requests from judicial or administrative authorities. 2. Continuous in nature: It is not susceptible to interruption due to the conduct of an electoral process. All people can register or update their data at any time, as well as request the rectification of data that is erroneous or affects their right to vote.” [Own translation].

undertaken at the National Electoral Council (CNE) offices in state capitals. For a voter to register or request a change of voting center, they must visit the Regional Electoral Office of the CNE in the capital. Venezuelans abroad must travel to their respective consulate or embassy.

Although the CNE, through the Civil and Electoral Registry Commission, holds legal and operational control over the civil registry of Venezuelans (births, deaths, marriages, etc.), there are still no automated processes to include individuals in the voter registry upon turning 18 or, conversely, remove them from this database upon death.

This persists despite the Organic Law of Civil Registry mandating the automatic incorporation of citizens' data into the Electoral Registry once they reach voting age. However, both the Organic Law of Electoral Processes and the General Regulations of the Lopre stipulate that registration in the Electoral Registry is a voluntary process initiated at the request of voters before a registration and updating agent of the CNE.

For Venezuelans abroad, the process is even more complex. Logistically, it is limited to electoral processes and the availability of consular personnel. However, the primary obstacle lies in meeting the requirements outlined in the Organic Law of Electoral Processes to be recognized as a voter abroad.

Twelve years of backlog

The legal and operational challenges faced by most Venezuelans abroad in exercising their right to vote played a decisive role in the 2013 presidential elections, resulting in Nicolás Maduro's victory over Henrique CaprilesRadonski by a margin of

230,000 votes. At that time, only 100,495 citizens were registered outside the country, despite conservative estimates indicating that the number of eligible Venezuelans abroad was around 800,000.

Official data from the National Electoral Council reveal that 92% of votes cast abroad favored CaprilesRadonski in that election. It is crucial to note that the Electoral Registry of Venezuela, despite the provisions in the National Constitution, is characterized by its discontinuity and backlog.

The potential reactivation of political negotiation mechanisms presents a valuable opportunity to address electoral issues at the negotiation table. Given the intricacies of the registry stemming from internal discrepancies and the scale of migration, it is imperative to approach this matter with sufficient notice and a spirit of cooperation.

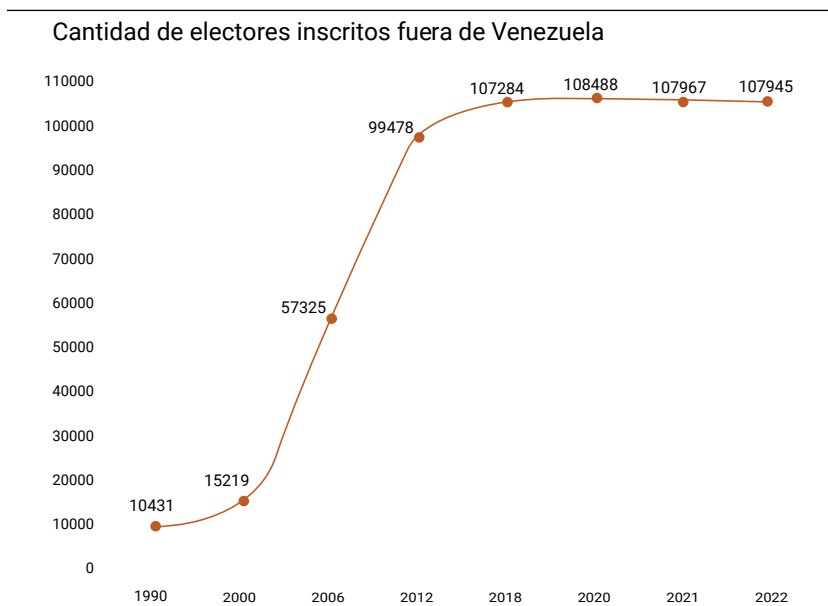


Illustration 1 Evolution in the number of people registered in the Electoral Registry to vote outside of Venezuela

While CNE data indicate that the Electoral Registry comprises 21,129,519 voters, only 107,892 are authorized to vote abroad. This implies that, in the event of national elections this week, only this small fraction would have the right to vote from overseas.

The situation becomes even more dire when considering that 36,000 of those eligible to vote abroad are registered in the United States, where there are no recognized diplomatic representations of the Venezuelan government.

The number of voters registered abroad starkly contrasts with data provided by the Coordination Platform for Refugees and Migrants of Venezuela, jointly led by UNHCR and the International Organization for Migration. Their estimate puts the number of Venezuelans abroad at 7,134,132, equivalent to 21.3% of the population estimate provided by the National Institute of Statistics of Venezuela for 2022.

Among the total number of Venezuelans abroad (7,134,132), it is estimated that 4,897,709 citizens, representing 68.98% of Venezuelans abroad, are over 18. However, only 2% of those over 18 years old (107,904) are registered in the Electoral Registry abroad and could potentially vote in a presidential election.

The causes of the problem abroad

The distortion of extraterritorial suffrage is primarily attributable to four main factors: (i) restrictive legal regulations contradicting constitutional foundations and international suffrage standards; (ii) a complex migration situation exacerbated by the Venezuelan humanitarian emergency; (iii) deficient administrative practices severely limiting the issuance of identification documents –such as identity cards and passports–

to Venezuelans both within and outside the national territory; and (iv) an irregular and inefficient administrative practice of electoral registration through the foreign service. This practice fails to provide suffrage abroad with the same guarantees as suffrage within the national territory.

The main impediment to extraterritorial voting by Venezuelans revolves around the requirement of legal and permanent residence in the receiving country. This condition applies to both registration or updating in the Electoral Registry and the actual exercise of the vote. Such a requirement is deemed disproportionate, unjustified and therefore arbitrary.

Six guidelines for action have been recommended by Venezuelan civil society organizations to guarantee that Venezuelans abroad can participate in the 2024 elections:

1. Overcome the main obstacle of determining legal residence

The legal residence requirement for voting abroad should be interpreted expansively. All Venezuelans residing outside the country, aged 18 and above, and not subject to civil interdiction or political disqualification, have the right to vote and consequently should be eligible for registration in the Electoral Registry. The legal residence condition specified in the Organic Law of Electoral Processes must be construed broadly and in a manner favorable to exercising the right to vote.

In this context, legal residence should be understood as the status of a migrant who fulfills the permanence requirements set by the receiving State, irrespective of the conditions under which they entered that country. Legal residence encompasses not only

situations where migrants gain and maintain status through formal authorization (such as visas or permits) but also includes migrants considered legal in the receiving State, irrespective of possessing a visa or permit. This includes situations arising from direct protection mechanisms (such as refugees and asylum applications), complementary ones (special and temporary residence permits, as in Colombia and the US), or people benefiting from regularization processes.

2. Revise the powers of consular offices

Clearly define the scope of authority for diplomatic and consular offices as auxiliary and occasional electoral bodies, ensuring that their interpretation of the normative acts of the National Electoral Council does not lead to the imposition of additional restrictions on the updating of the Electoral Registry and the exercise of suffrage abroad.

In certain instances, diplomatic offices have taken on the responsibilities of immigration authorities in the host countries, determining the criteria for legal permanence and demanding additional documents beyond those stipulated by law for updating the voter registry. This practice should be curtailed to maintain the integrity of the electoral process and uphold the rights of citizens abroad to participate in the electoral system without unnecessary hindrances.

3. Incorporate international agreements

The specific regulations governing overseas voting should mandate the National Electoral Council to enter into institutional agreements, soliciting the collaboration of international entities throughout various phases of the electoral process for Venezuelans

residing abroad. These agreements may be in the form of memorandums of understanding or pacts with (i) the host country, (ii) international or regional entities, such as IOM, UNHCR, or other UN bodies, or (iii) non-governmental organizations involved in assisting refugees and forced migrants or organizations specializing in electoral cooperation. This collaborative approach ensures a more comprehensive and inclusive electoral process for Venezuelans abroad.

4. Rely on international observers

It is imperative to enhance international and national electoral observation mechanisms to uphold transparency and integrity throughout every stage of extraterritorial elections, aligning with global standards. Adequate regulations must be implemented to facilitate international and national electoral observation, enabling the assessment of the legitimacy of the electoral process across all phases. These mechanisms should be able to gather and process information and subsequently generate evaluative reports and recommendations in a public and transparent manner, as endorsed by the MOUE in its Final Report on the 2021 elections.

5. Update the registry

Prompt initiation of online registration and continuous in-person registration at official centers in all diplomatic and consular representations.

Immediate execution of comprehensive citizen identification operations, both domestically and internationally, to streamline voters' acquisition of identity documents, particularly identity cards and/or passports. If required, the National Electoral Council may engage in inter-institutional or inter-administrative

agreements with relevant administrative bodies and autonomous services responsible for identification and migration matters and consular representations to facilitate the expedited issuance of these identity documents. This proactive approach aims to enhance accessibility and ensure the timely documentation of voters within and outside the national territory.

6. Enhance documentation flexibility

Enhance the flexibility of documentation requirements for the Electoral Registry abroad. For registration or updating in the Electoral Registry outside the country, it should be deemed adequate for the voter to present either (i) the laminated identity card, whether current or expired, or the original, current, or expired Venezuelan passport; and (ii) any documentation demonstrating residency or any other arrangement indicating the legality of their permanence. This approach involves applying the presumption of good faith of residence, as stipulated by the law regarding the Electoral Registry, a provision that has hitherto not been extended to the Electoral Registry abroad.

Migration vs. Internal displacement

Over the past decade, Venezuela has undergone significant transformations in population dynamics that are bound to impact the Electoral Registry. Factors such as internal displacement stemming from the country's complex humanitarian crisis, migration patterns, and demographic changes due to a prolonged decline in fertility have all contributed to these noteworthy changes.³

3 Demographic consistency report of the Electoral Registry. 2012

The traditional sources used to track population trends and assess the demographic coherence of the voter registry are currently outdated. The existing population projections rely on data from the 2011 Population and Housing Census, while mortality statistics and the country's entry-exit records are neither centralized nor accessible to electoral oversight bodies.

The absence of population projections based on the Census, which should have been conducted in 2021, results in a substantial lapse of time and a lack of updated data. Consequently, the projections available for evaluating voter registration carry significantly high margins of error due to the considerable temporal gap used as a reference point for their calculation.

Furthermore, the lack of updated data exacerbates the challenges when attempting analyses with increased disaggregation, leading to a further escalation of margins of error. According to demographic data shared by the National Electoral Council with political parties participating in the 2020 parliamentary elections, Figure 2 illustrates the age distribution within the registry. Notably, the pyramid's base highlights the delayed voter registration in the age range of 18 to 30 years.

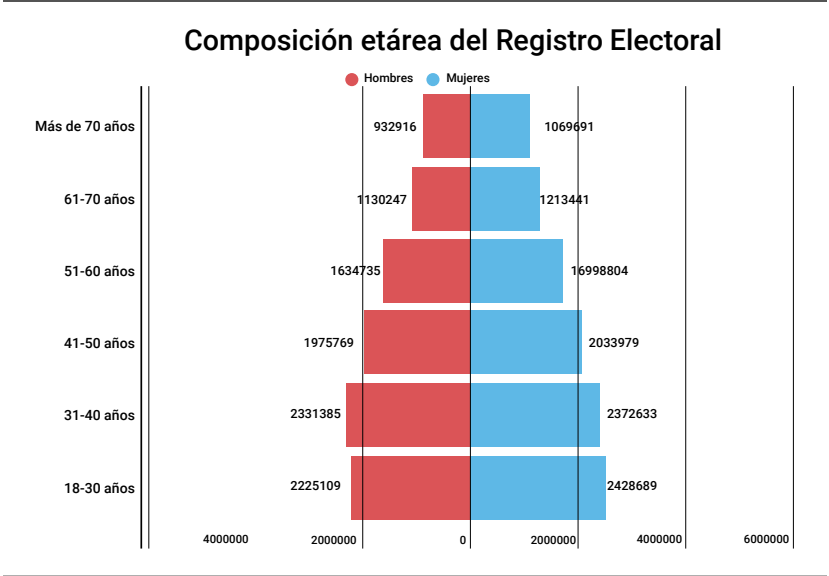


Illustration 2 Age composition of the Electoral Registryl

National demographics’ characteristics and changes over the last decade, together with the sociopolitical dynamics that have generated an unprecedented migration in Venezuelan history and substantial internal displacement, render the procedures used to keep the Electoral Registry as similar as possible to the population universe ineffective.

How to purge the voter registry?

As previously indicated, the Civil and Electoral Registry Commission of the CNE is responsible for managing the Electoral Registry⁴. This database contains the following personal data:

4 Organic Law of the Electoral Power. Article 57: The Civil and Electoral Registry Commission is the body in charge of centralizing the information on the civil status registry of natural persons, which is formed in the manner provided for in the respective law. They also assume the civil and electoral registry's training, organization, supervision, and updating. [Owntranslation].

- Name and last names,
- Identity card number,
- Date of birth,
- Nationality,
- Sex,
- Address,
- Assigned voting center,
- Indication of disability and literacy,
- Fingerprints.

According to the National Electoral Council, fingerprints of 96% of registered voters are included in the electoral registry. However, it is crucial to note that the last comprehensive audit of the Electoral Registry occurred in 2005, the last audit of the fingerprint database was conducted in 2015, and a comprehensive review of the File of Venezuelans and Cedulated Foreigners has not been carried out for over two decades.

As highlighted earlier, despite the Electoral Registry being a permanent feature, in practice, this option is severely limited outside of the special operations conducted before electoral processes. Moreover, these operations have often exhibited partisan bias in their geographical deployment.

The following fundamental courses of action are recommended to enhance the Electoral Registry's demographic correspondence to the overall population universe:

- Conduct a comprehensive audit, evaluating its consistency with demographic trends.

- Initiate an independent registry or census of voters abroad.
- Conduct a thorough assessment of diplomatic and consular missions, determining their adherence to the voter registry's registration and data updating processes. Establish an ad hoc commission within the National Electoral Council to oversee the entire process of voter registration and voting abroad, modeled after the formation process of regional electoral offices.
- Promote the municipalization of voter registration efforts.
- Develop targeted information campaigns tailored to specific audiences.
- Engage in discussions to evaluate potential legal changes in the medium and long term aimed at safeguarding the integrity of processes related to the administration of the Electoral Registry.
- Implement substantial operational changes in the activities involved in forming and maintaining the Electoral Registry to ensure efficiency and accuracy.

General audit

Electoral oversight organizations have proposed that all voter registry review processes adhere to two fundamental random criteria or tests. These assessments should gauge both the presence of "ghost voters" (deceased individuals, duplicate names with distinct voter ID cards, and foreigners) and the improper exclusion of eligible citizens (individuals who have registered but are not included on the list as they should be).

The primary field tests for the voter registry should encompass two key areas:

1. “Person-registration” tests: These tests aim to assess the currency of the voter lists. The goal is to identify instances where individuals are included on the list but should not be, such as deceased individuals, or where information may be outdated due to marital status or residence changes. Testing staff endeavors to locate citizens from a randomly selected voter list sample to determine the accuracy and timeliness of their personal information.
2. “Persons-registration” tests: These tests aim to evaluate the thoroughness of the voter lists. The objective is to identify cases where individuals should be on the lists but are not. Testing staff randomly select eligible voters in public locations and then scrutinize whether these voters are included in the registry and whether their personal information is correct.

A broad review of the Electoral Registry has never been conducted in Venezuela. However, in 2006, Capel executed⁵ an international review comprising six modules:

1. **Electoral Registry:** The database information was compared to the last official cut published at 100%.
2. **Fingerprints:** Each fingerprint of the selected sample was compared to the fingerprint linked to the ID number of the AFIS system (Automated Fingerprint Identification System).

5 IDHH/Capel. Auditoría Internacional al Registro Electoral de Venezuela. 2005

3. **Deceased files:** The sample of the deceased file of the National Institute of Statistics was compared against the ER.
4. **Update sheets:** The ER update movements during the last five years were analyzed.
5. **Verification of ID cards:** The voters' information with no movements in the ER before the five-year registration check-up was reviewed.
6. **Comparison of birth certificates:** Of the voters without movements within five years of the review, a sample was systematically prepared to locate their birth certificates and compare them with the registry

In addition to conducting fundamental field tests for the registry (registration/person and person/registration), the audit of the voter database should encompass a thorough review of individuals' addresses. This review should involve cross-referencing with the Civil Registry to ensure accuracy. Additionally, the audit process should include purifying records for deceased individuals, handling objections, updating data for citizens who have moved nationally or internationally, and registering new voters.

For this review to be effective, the CNE must allow full access to the data contained in the RE database:

- Names and lastnames
- Fingerprints
- Addresses
- Contact information

- If there are any objections to the voter (deceased, disqualified, deprived of liberty, membership of a political party, etc.)
- Voter participation in all previous electoral processes.
- Date and place of data entry into the system
- User who entered the data into the system or made the corresponding modification

Moreover, to safeguard the integrity of the Electoral Registry audit, it is imperative to conduct a preliminary examination of the specific attributes of the ER Database, outlining the design of routines that will facilitate the documentary statistical analysis. These routines should be applied meticulously, encompassing all the data contained in the ER. Defining the equipment and computer applications supporting the required processing capabilities is crucial, ensuring their independence to uphold the technical reliability of the data detected in such situations. Any audit conducted on the ER must:

- Identify aspects of the ER that might compromise the reliability, security, quality, and outcomes of electoral processes. This involves evaluating the current composition of the ER and its overall and specific statistics at various levels of aggregation (Voting Centers, Parishes, Municipalities, States, National).
- Estimate and quantify potential inconsistencies and omissions within the ER, comparing with prior versions and conducting segmentations based on categories (e.g., geographical divisions) and types of situations to be studied (e.g., repeated IDs, names, and surnames, addresses, relocations, exclusions, inclusions, internal and external migrations, double ID cards, among others).

Special audit

A special exhaustive review of the Civil Registry of those registered in the Electoral Registry between January 1, 2004, and December 31, 2015, is also recommended. This review is pertinent to verify that the income reported in the Electoral Registry corresponds to voters.

Additionally, periodic reviews of the following elements are required:

- Homonyms (voters who share the same identity card number)
- Reversal of Unsolicited Relocations
- Purification of deceased
- Criteria for the creation of new voting centers and the closure of others
- Log of ER movements by user and equipment used
- Detail of claims made, both corrected and rejected

Municipalization of the Electoral Registry

The re-institutionalization of the CNE necessitates the implementation of public policies geared towards enhancing electoral processes. In the context of the Electoral Registry, the law underscores administrative efficiency and automation as guiding principles for governing this process.

The National Office for the Supervision of the Civil Registry and Identification must coordinate and disseminate ample information through various channels about session scheduling for issuing and delivering identity cards concurrently with the

planning of registration and update sessions in the Electoral Registry.

At this juncture, it is imperative to consider regions within municipalities that pose accessibility challenges, developing special plans in coordination with other state institutions.

The immediate undertaking of achieving the municipalization of the voter registry involves the following steps:

1. Collect information categorized by municipality and compile the registry of registration and update centers based on:
2. Accessibility for voters
3. Presence in hard-to-reach sectors
4. Inclusivity for all segments of the population.
5. Prepare and publish the registration and update centers list, specifying the center's address, the names of the respective registration and update agents, and operating hours.
6. Develop a profile for registration and update agent selection. These agents should undergo training provided by the National Electoral Registration Office.
7. The Civil and Electoral Registry Commission, through the National Electoral Registry Office, should create information categorized by municipality, containing details about the address of registration centers, responsible agents, periods, and schedules, given the public nature of the ER.
8. Establish a profile for the selection of registration and update agents.

9. Organize electoral education courses at the municipal level targeting individuals designated as registration and updating agents. These activities should be evaluated regarding attendance and the performance of those selected.
10. Expand citizen verification to counteract involuntary relocations.
11. The Civil and Electoral Registry Commission must maintain strict control over the authorization of mobile centers.
12. As part of the motivational and informative campaign directed at those needing to register in the ER, we recommend using text messages and social networks for communication.

Authors

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- “La comunicación bajo asedio. Balance de 17 años” (UCAB-Konrad Adenauer, 2016) with the essay titled “Barco a la deriva.”

- “Saldo Rojo. Comunicación y cultura en la era bolivariana” (UCAB-Konrad Adenauer, 2013) with the essay “Chavez’s Show.”

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