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The Other Side of Leopoldo López

Roberto Lovato's article claiming to be about the bona fides of our client's democratic credentials wasn't that at all.

By: Juan Carlos Gutierrez and Jared Genser

On July 27, 2015, Foreign Policy published a profile of Venezuelan opposition leader Leopoldo López by Roberto Lovato entitled “The Making of Leopoldo López.” The article contained numerous problems we would like to address.

Lovato makes it appear López may be guilty of serious crimes but fails to explain that the government in its own indictment acknowledges López wasn’t even physically present on Feb. 12, 2014, where the alleged arson and property damage occurred and where Venezuelan security forces opened fire on a few dozen people, killing three. Instead, the government claims that López used “subliminal messages” to inspire people to violence. This isn’t just some bizarre claim; President Nicholas Maduro on national television said of López: “He has ... quite a crazy messianic vision ... that ... alienates and poisons people, making them crazy.” Lovato also did not consider it relevant that in López’s speech earlier that day before a crowd of hundreds of thousands he explicitly urged non-violence.

In the recently concluded trial, the prosecution had more than 70 hearings with 108 witnesses taking more than 600 hours of court time. Not one witness put López at the scene of the alleged crimes. Of his proposed defense witnesses, 59 of the 60 were rejected by the court and the other refused to appear. López had three hours to present his defense, no witnesses could appear in his defense, and more than 30 proposed exhibits were rejected by the court.

Lovato notes in the first paragraph of the article that President Barack Obama has called for López’s release. But he fails to mention that the U.N. High Commissioner for Human Rights, U.N. Working Group on Arbitrary Detention, U.N. Committee Against Torture, 33 former Ibero-American presidents and prime ministers, the European Parliament, Human Rights

Watch, International Crisis Group, and countless others, have called for López's immediate release. The article also downplays Amnesty International's position by citing to an old statement where it merely said his detention was "politically motivated." He omitted reference to numerous newer statements, where it demanded his "immediate release."

When asked in a Huffington Post Live interview if López was wrongly detained, Lovato limply said he "is not a lawyer." But when a person is a political prisoner, one does not require a qualification in law to understand they are being detained for their views and not because they committed a crime. He also claimed he was "not really privy to the details of the case." Yet Lovato had our White Paper, which is 105 pages and has more than 300 footnotes to primary source material about the case. He even cites it in his article.

The article also fails to mention anything about López's prison conditions, including that, as FP previously reported, over the course of his detention he has arbitrarily been required to spend some eight months in solitary confinement, which constitutes torture under the Convention Against Torture, and that his jailers have singled him out for "especially harsh treatment," which reaffirms the political nature of the charges.

While portraying López as a radical right-wing leader, Lovato fails to explain how his political party, Voluntad Popular, is an elected member of Socialist International, which as an organization unanimously urged López's release or that the editorial board of the New York Times called his trial a "travesty," and editorial board of the Washington Post called it "farcical." These institutions are hardly bastions of contemporary conservative thought.

The article also notes that opposition protest sizes have diminished, claiming that 3,000 attended a rally on May 30, 2015. It cites the low end of the estimates, even though other credible news sources like El Pais said 20,000, and the Wall Street Journal both spoke of "tens of thousands." He also states that these protests were "a sliver of the mass actions last year," but omits they had been dramatically impacted by a severely criticized government decree from January 2015 authorizing the police and military to open fire on protestors.

Moreover, Lovato fails to note a direct challenge to his central thesis that López's popularity has been impacted because the people of Venezuela believe he had "some role" in the unpopular 2002 coup. The article cites March polling from the independent firm Datanalisis showing the rising popularity of opposition leaders, but didn't cite the most extraordinary statistic: a hypothetical matchup between Maduro and possible presidential opponents in two-way races. In Datanalisis's most recent July 2015 poll, López would receive 52.5 percent of the vote to Maduro's 20.5 percent.

Lovato fails to address that *The Silence and the Scorpion*, a definitive account of the 2002 coup named by *The Economist* as one of its "best books" of 2009 and based on more than 100 interviews, does not include a reference to López, even in a footnote. Lovato presents no actual direct evidence that López supported the coup attempt but instead relies on guilt by association, hearsay, and complex interpretations of his on-the-record comments, such as arguing that when López urged the government to resign this was the same language used by the coup makers. Yet Lovato doesn't explain that López called for the resignation of the government the day before there even was a coup attempt.

Throughout the story, Lovato sticks to his fixed narrative of López as “elite,” “privileged,” and as the guy who “has done interviews shirtless.” Yet he omits opposing views. As one illustration, the World Mayors Foundation, which awarded López third place in its 2008 World Mayors Project said of him: “It would be easy to caricature him as the scion of the country’s wealthy elite, standing in the way of Chávez’ social justice crusade. But López’s record on activism has shown a commitment to promoting legal equality and his constituents speak passionately about a mayor who has delivered.” The article also omits that López was disqualified from running for mayor of Caracas when polls indicated he would win comfortably with 65 percent of the votes in a city where 89 percent of the population are classified as lower-middle income or poor.

Lovato wrongly claims that the barricades in Venezuela, which blocked many streets during last year’s protests, were a “preferred tactic of López’s youthful followers.” López never asked his followers to build the barricades and he never urged them to support the barricades. Sources such as Reuters and Agence France Presse reported that those building the barricades included students, lawyers, shopkeepers, and retirees, among others. And the Associated Press even reported “that many in the opposition view the barricades as a gift to embattled President Nicolas Maduro, who hasn’t missed an opportunity to highlight the hours-long traffic jams caused by the obstructions.” This claim is particularly offensive because numerous people were killed at the barricades and López has repeatedly advocated non-violence.

Moreover, Lovato’s bias is never hidden. While researching and writing this article, Lovato worked concurrently for Telesur, the state-run news agency of Venezuela, which had viciously and unfairly attacked Lopez for years, and was even a host of one of their programs. In this 6,000-plus word article, Lovato refers to López and his followers as “radical” seven times. A single reference might fairly be classified as an opinion, even if we disagree with his characterization. But Lovato never explains why he thinks López is radical. Credible news organizations seldom refer to López as a “radical,” but when some do use the word, it isn’t more than once or twice in a single article and mostly in the context of different approaches elements of the opposition have taken in their struggle for democracy and freedom.

Finally, Lovato writes of Lilian Tintori, López’s wife: “Vibrant in a bright orange windbreaker, with her flawless smile and long blonde hair, Tintori’s strengths as standard-bearer for her jailed husband’s message were on full display.” Lovato’s misogynistic assertion that her persuasive ability is exclusively linked to her beauty utterly devalues and belittles Tintori. Yet in our direct experience, Tintori’s intelligence, courage, and relentless actions have made her tremendously effective. Lovato’s dismissal of her as a pretty face omits that Maduro has publicly threatened to have her arrested for treason, that she has faced physical threats to her life, that she is raising two young children as a single mother, and that she has persevered despite extraordinary adversity.

When the less-than-objective state-run media of Venezuela publishes an article weaving crazy conspiracy theories with the claim that Lovato’s piece “served to shift the conversation around López in the United States, where the far-right leader had previously enjoyed an unparalleled level of support,” that should say everything any fair-minded reader needs to know.