

Venezuelan Journalists and Media in Resistance

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Regarding this edition on the human rights situation in Venezuela, the magazine *Democratización* has requested an article on the status of the right to freedom of expression and information during the government of Hugo Chávez, specifically focused on journalists.

To do this, we have turned to two important databases: the annual reports of the NGO Espacio Público and the indicators from the Varieties of Democracy Institute (V-Dem). These tools, along with testimonies from direct victims, allow us to reconstruct the media and press landscape we had in Venezuela between 1999 and 2012.

In an upcoming publication, we will delve into the dramatic and complex transformation that the media ecosystem and journalistic practices underwent starting in 2013.

About EP and V-Dem

Espacio Público (EP) is a Venezuelan NGO founded in 2002, based in Caracas. It is led by communicator and human rights defender, Carlos Correa. Since its inception, it has been dedicated to documenting violations of freedom of expression in Venezuela and providing legal support to persecuted journalists and media outlets.

EP publishes an annual report on the state of freedom of expression in Venezuela, the findings of which contribute to this work. The period from 1999 to 2001 will be addressed using various articles and publications from that time.

According to Espacio Público's methodology, each recorded case may contain more than one type of violation and more than one victim. The types of violations that Espacio Público records in its reports are as follows: assault, attack, threat, censorship, intimidation, legal harassment, verbal harassment, legal restrictions, and death.

The Varieties of Democracy Institute (V-Dem) is an international political research center based in Sweden, led and composed of the most prominent political scientists and researchers in Western Political and Social Science. Since 2017, V-Dem has annually published its index on the state of democracy in the world.

This index measures the electoral and liberal components of democracies since 1789, classifying countries from the lowest level (0) to the highest (1) of democracy. At least 15 of its more than 100 specific thematic indicators refer to freedom of expression and the behavior of traditional and digital media. Venezuela is one of the countries where V-Dem has a group of academics and researchers who help gather data for the country.

The four categories that V-Dem uses to classify political systems are:

- **Liberal democracy**, where there is a full functioning of rights, duties, guarantees, and democratic institutions

- **Electoral democracy**, where institutions function, and free elections exist, but there are limitations on the exercise of some rights;
- **Electoral autocracy**, where institutions, elections, and the enjoyment of rights are conditional and only serve to guarantee the permanence of a political group in power;
- And **closed autocracy**, where there are no elections, no rights and no independent institutions to protect citizens.

STATE OF LIBERAL DEMOCRACY (LDI), 2022

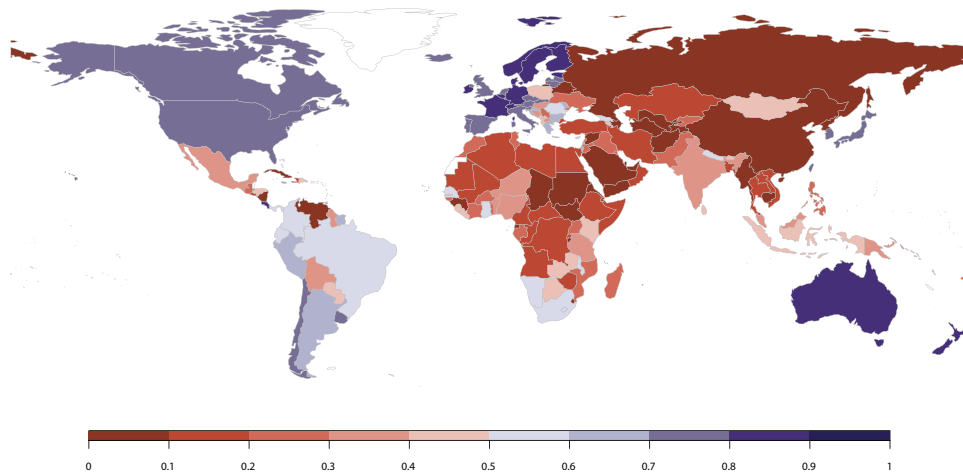


Figure 1. State of Liberal Democracy. V-Dem 2023 Report.
Scale 0 = autocracy; 1 = democracy. Obtained on 28 February 2023
in <https://v-dem.net/>

14 years, two stages and the harassment of journalists

For this account, we have divided Chávez's period in office into two stages:

- **1999-2006:** the foundations of the hegemon
- **2007-2012:** restrictions on freedom of expression are state policy

During this period of 14 years, the National Electoral Council organized 20 national, regional, or municipal elections, referendums, or party primaries. This amounts to an average of 1.4 electoral processes per year.

In other words, in Venezuela, starting in 1999, media coverage of electoral processes dominated journalists and the media's agenda and resources permanently. Consequently, most of the events against freedom of expression and the press occurred within the context of electoral coverage.

In fact, V-Dem indicators show that in Venezuela, harassment of journalists averaged a score of 2.1 out of 4 between 1999 and 2012. On this scale:

- 0 = no journalist can "offend powerful actors with his work" because he will be a victim of harassment or worse;
- 1 = some journalists occasionally "offend the powerful" and will always be harassed for it until they stop the "offense";
- 2 = some journalists who "offend the powerful" are forced to stop, but others manage to continue their profession;
- 3 and 4 = almost total or total freedom to report on the powerful without risk to personal liberty, integrity or life.

The V-Dem indicator measuring "government censorship effort" is no less concerning. Venezuela began the year 1999 with a score of 2.2 and then steadily declined to reach 1.3 in the year 2012, with an average score of 1.6 for this indicator. On this scale, censorship efforts are:

- 0 = direct and routine;
- 1 = indirect, but routine;

- 2 = direct, but targeting sensitive government matters;
- 3 = indirect but focused on very specific issues;
- 4 = no censorship attempts at all.

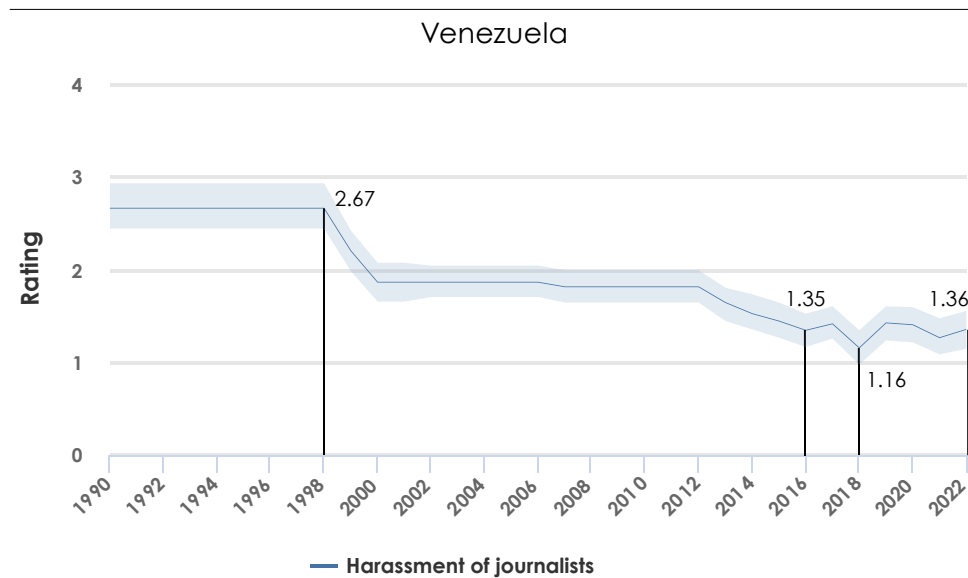


Figure 2: Harassment of journalists in Venezuela. V-Dem 2023 Report.
 Scale 0 = maximum harassment; 4 = no harassment.
 Obtained on 21 April 2023 in <https://v-dem.net/>

Both V-Dem indicators have a correlation in the reports by Espacio Público (EP) in the following data:

1. Reporters and photographers occupied two of the top three positions on the list of victims of violations of freedom of expression and abuses from 2002-2012.
2. The state and its official or unofficial agents are consistently the main violators of freedom of expression in Venezuela.
3. Between 2002 and 2012, EP recorded 1,365 individuals as victims of violations of the right to freedom of expression

(excluding media or institutions). Out of this group, 761 were journalists and reporters (55.75%), 177 were photographers, and 165 were camera operators, for a total of 1,103. This figure represents 80.8% of the total victims of these aggressions in those 11 years.

4. The main violations of freedom of expression against journalists and media during the studied period are intimidation (488), physical assault (430), and censorship (340).
5. During this period, seven journalists were killed in Venezuela while performing their duties, according to *Espacio Público*.
6. Out of the 1365 people that EP records as victims of freedom of expression violations since 2002, a total of 444 were women (32.5%). Based on this, EP concludes that it cannot be claimed that there is a pattern of persecution or aggression based on gender in Venezuela regarding freedom of expression.

Women journalists on target

On this last point, I would like to offer a personal perspective. According to V-Dem, starting from the 1990s, women made up approximately 60% of the editorial staff in print and audiovisual media outlets in the country. Last year, 62.9% of professional journalists in Venezuela were women.

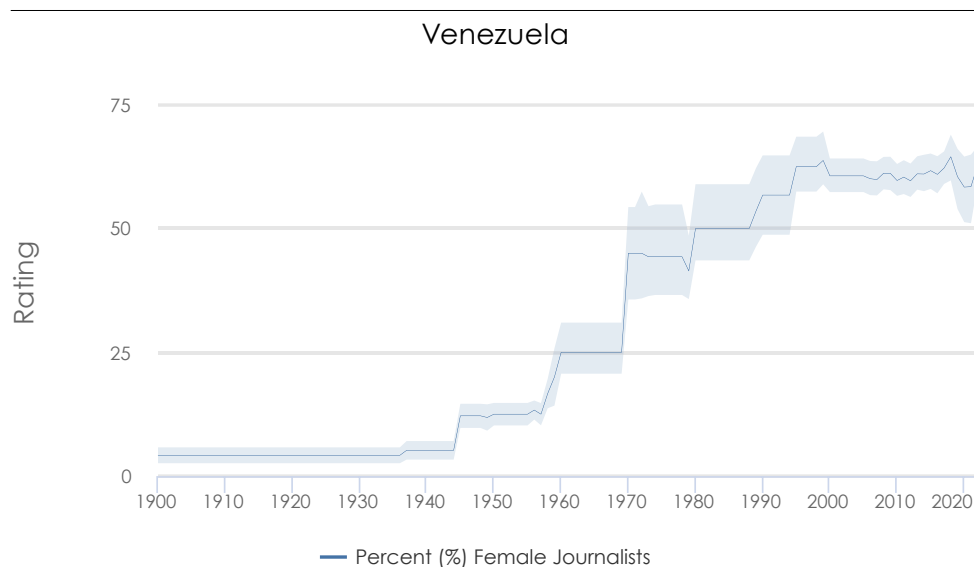
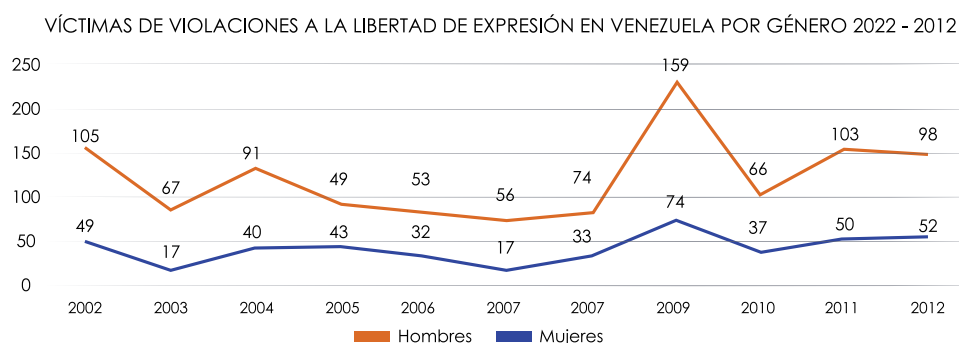


Figure 3. Women journalists in Venezuela. V-Dem 2023 Report.
Obtained on 21 April 2023 in <https://v-dem.net/>

Although *Espacio Público*'s data does not distinguish how many of the victims of freedom of expression violations between 2002 and 2012 were women journalists, it clearly indicates that 55.75% of the victims are journalists or reporters, and this percentage increases to 80.8% when photographers and camerapeople are included.

From the cross-referencing of data between the two records (V-Dem and EP), a question arises for future investigations: if, according to V-Dem, 60% of journalism professionals in Venezuela are women, and according to EP, 80.8% of the victims of freedom of expression violations are communication professionals, can it be asserted that the majority of the victims of freedom of expression violations in Venezuela between 2002 and 2012 were women working as journalists, reporters, camerapersons, or photographers?

Three more facts: The year with the highest percentage of female victims of freedom of expression violations during the period studied by EP was 2005 (46.7%). The year with the most women victims of these abuses was 2009 (74). The average percentage of women victims in EP's records since 2002 was 32.5%. However, there were years when the recorded percentages of women victims exceeded that average: 2006, 2010, 2012, all electoral years.



	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Hombres	105	67	91	49	53	56	74	159	66	103	98
Mujeres	49	17	40	43	52	17	33	74	37	50	52
Total	154	84	131	92	85	103	107	233	103	153	150
% Mujeres	31.8	20.2	30.5	46.7	32.7	23.2	30.8	31.7	35.9	32.6	34.6

Figure 4. Women victims of violations of freedom of expression in Venezuela.
Source: Espacio Público reports 2002-2022

1999-2006. The foundations of the hegemon

During the period spanning from Hugo Chávez's rise to power to his second re-election, seven elections and referendums took place. This entire period was marked by intense political turmoil, including a national strike, a coup d'état, an attempt to revoke the presidential mandate through elections, and a continuous clash between the president and the media.

As the discourse of disqualification towards the media grew and demands for defamation claims and summonses to prosecutors against Venezuelan journalists became frequent, the Chávez administration established seven new media outlets. This marked the emergence of the so-called media hegemony.

Additionally, the Law of Social Responsibility in Radio and Television was enacted, which instead of safeguarding plural communication and the use of media for societal education, represented open interference by the state in the programming and content, especially political and opinion-related, of the media.

Between 2002 and 2006, EP documented 616 cases of violations of freedom of expression (each case may involve multiple victims and multiple infringed rights), including 224 cases of intimidation, 164 cases of physical assaults, and 142 cases of threats.

Chávez's “*peleíta*” and journalist harassment

In an article titled “Chávez and the Venezuelan media outlets¹”, journalist Ángela Zago, a close collaborator of Chávez from before his rise to power until the middle of the year 2000, recounts that despite all the support the coup leader had received from the media, from the presidential campaign onwards, he chose to confront them. In a meeting held towards the end of 1999 regarding the drafting of the new Constitution, Zago reports that Chávez said about the media and freedom of expression: “*Esa peleíta yo la quiero dar*”².

1 Marinellys Tremamunno ed. *Chávez y los medios de comunicación social* (Alfadil Ediciones, 2002): 61

2 Translated as: “I’m up for this skirmish”.

The skirmish over the scope of freedom of expression and the fight against media outlets didn't take long to materialize. "Chávez Frías began a tough, ongoing, and violent confrontation against media owners and journalists," asserts Zago.

Pablo López Ulacio, Teodoro Petkoff, Ibéyise Pacheco, Patricia Poleo, Marianella Salazar, and Marta Colomina were the first journalists to become victims of defamation lawsuits by high-ranking government officials (and some business figures associated with them) for reporting or exposing alleged government corruption³.

Testimonies: Cecilia Caione and Rafael Fuenmayor, how the siege on journalists was closed

Political reporter Cecilia Caione, whose work contributed to *El Nacional* and *Últimas Noticias*, as well as the newscasts of *Unión Radio* and *Circuito X*, recalls that in those early years of Chavismo, she enjoyed a sort of protective shield: "I always covered the ruling party, from when Chávez won in '98. As (Chavista activists or leaders) always saw me associated with members of Chavismo, they rarely interfered with me." However, starting in 2002, she witnessed one of the challenges of journalistic coverage in Venezuela since the advent of Chavismo: the closure of official sources.

"After April 2002 and everything that happened that year, the sources began to close off. It wasn't easy. I could still manage to gather unofficial information because they had known me since 1998, but on the official front, it was quite challenging for me.

3 See Oscar Lucián, *Cerco rojo a la libertad de expresión* (Caracas: La Hoja del Norte, 2011).

Furthermore, as the early 2000s rolled around, we began facing public outcries like ‘tell the truth, tell the truth!’ from seemingly spontaneous individuals. That's when you could already see persecution against journalists,” she recalls⁴.

That rallying cry of ‘tell the truth’ echoed for hours on January 8, 2002, when Chávez supporters took over the entrances to the *El Nacional* and *Globovisión* headquarters in Caracas. They distributed pamphlets and defaced the walls of both media outlets.⁵

While sources were beginning to close up for Caione, Rafael Fuenmayor, a reporter covering electoral matters for CMT Televisión, experienced the other side of the “Chávez’s peleíta.” Fuenmayor was also among the journalists covering political and electoral topics when Chávez took office: “Back then (1998, 1999), the treatment was very cordial with journalists, but that changed progressively. He began publicly naming and calling out journalists, particularly those reporting content that made him uncomfortable. It got more serious. Gradually, precautions were needed, like not going to certain areas or getting out at certain places. Covering the events was no longer the same.”

In 2003, during the opposition’s signature collection for the presidential recall referendum scheduled for the following year, Fuenmayor was on tour in the western part of Caracas, where the channel’s car was eventually set on fire, and the cameras and personal belongings of the reporting team were stolen.

4 Interview with journalist Cecilia Caione for this research.

5 Espacio Público, *2004 Report: Situación del Derecho a la Libertad de Expresión e Información*, p. 15, Obtained on March 15, 2023 in <https://espaciopublico.org/informe-2004-situacion-del-derecho-a-la-libertad-de-expresion-e-informacion/>).

“Before setting it on fire, they took all our equipment, and they stole my belt pack, where I had a utility bill for my house with my address and phone number. A few days later, I started receiving threatening anonymous calls,” Fuenmayor recounted.⁶

The following year, on August 15, 2004, Fuenmayor was arbitrarily detained for several minutes and physically assaulted by National Guard officers while he was inside the headquarters of the National Electoral Council, precisely on the day of the presidential recall referendum. This all happened because he persisted, live on air, in asking a question that made the then-president of the National Electoral Board, Jorge Rodríguez, uncomfortable. “Every election year, the conditions deteriorated. It was becoming increasingly challenging to do our work,” Fuenmayor recalled.

In its 2004 report, Espacio Público noted that “repeatedly,” journalists or reporting teams found themselves caught in the middle of a public demonstration that turned violent. “There were also cases where journalists were directly targeted, as they were believed to share the same views and ideas as the editorial lines assumed by the media outlets they worked for.”⁷

By 2006, at the end of this period, the Venezuelan government had already begun to solidify its new public media ecosystem, replacing the message and the messengers. They established new media outlets (VEA, Telesur, Ávila TV, Vive TV, RNV *Activa*, Tiuna TV, ANTV) and directly acquired others, such as the case of CMT *Televisión* in 2006.

6 Interview for this research.

7 2004 Report: *Situación del Derecho a la Libertad de Expresión e Información*, p. 15, Obtained on March 15, 2023 in <https://espaciopublico.org/informe-2004-situacion-del-derecho-a-la-libertad-de-expresion-e-informacion/>

2007-2012. Restrictions on freedom of expression are state policy

We begin the second period of this journey. Hugo Chávez and his power project are consolidating. Control over the communication space and the freedoms and rights associated with that space are strengthened, forming one of the four pillars that, in our view, support the project alongside military control, social control, and political-economic control.

During these six years, there were 13 electoral processes, and Espacio Público documented 959 cases of violations of freedom of expression. Once again, the primary mechanisms for violating this right were physical assaults (266 cases), intimidation (264 cases), and censorship (203 cases).

In this period, four significant events impacted the exercise of freedom of expression: the closure of RCTV, Chávez's defeat in the constitutional reform referendum in 2007, the closure of 34 radio stations in a single day by Conatel in 2009, and starting in 2011, digital censorship and harassment of journalists and media outlets.

Regarding the impact of the closure of RCTV, there is an abundance of literature and testimonies, summarized as follows by Venezuelan NGO Provea in one of its reports: "The suspension of these RCTV broadcasts strengthened self-limitation mechanisms that reduced the vigor of debates on public issues (...) It is a measure that has an inhibitory effect on other independent media outlets when it comes to making or allowing criticisms of the national or regional government."⁸

8 Provea, *Annual Report, October 2006, September 2007, Capítulo Derechos Civiles y Políticos, Libertad de Expresión*, p. 284, Obtained on February, 2023 in <https://>

Testimony: Hernán Lugo-Galicia and the chronicle that unleashed Chávez's wrath

The reduction of spaces for debate, which, according to Provea, was the result of RCTV's closure, occurred in the context of a constitutional reform proposal promoted by Chávez, which would be subjected to a referendum at the end of that year, 2007.

Hernán Lugo-Galicia, a seasoned political reporter who was writing for El Nacional at that time, experienced the outcome of this election as a victim of intimidation. His perpetrators were none other than the President of the Republic and the High Military Command.

Let's set the context. Wednesday, December 5, 2007, Miraflores Palace, Caracas. The High Military Command, led by the Minister of Defense, General Gustavo Rangel Briceño, issues an unusual statement following the referendum on the constitutional reform held on December 2. The proposal presented by President Hugo Chávez to reform the constitution and make a complete shift towards political and economic socialism was defeated. Rangel Briceño targets Lugo-Galicia for a chronicle published the previous day with inside information about the President's reaction to the defeat.

"In my chronicle, *'Un Chávez iracundo se negaba a admitir su derrota,'* I narrate how the electoral day unfolded, what Chávez had eaten, and how, at the close of the event, he exploded with rage and destroyed an office in Miraflores Palace. The following day, due to the impact of the chronicle, the High Military Command called a

provea.org/publicaciones/informes-anuales/informe-anual-octubre-2006-septiembre-2007/

press conference to accuse me of being ‘bought by the empire’ and deny what was written,” said Lugo-Galicia for this investigation.

As Rangel Briceño was delivering an address, broadcast live on all national media, Chávez entered the room where he was speaking and interrupted him. After exchanging some greetings and allusions to the peaceful outcome of the electoral day, Chávez paraphrases an interview by the journalist Oriana Falacci, where her interviewee talks about the rust on coat-of-arms. The president, with the High Military Command behind him, makes an analogy from that text to directly point to Lugo-Galicia:

You can approach those coat-of-arms, and you will see them as rusted. Time has turned things, materials, into rust, and that has two components: blood and shit. We are human beings, after all. Pay attention, Lugo-Galicia, because yours is the latter, the latter of what I just mentioned. You see? That’s it, shit.⁹

Upon being directly mentioned by the President of the Republic, surrounded by the High Military Command, the reporter felt in danger: “Out of fear of an attack, I took some security measures. I changed my residence and daily route for a while, and even requested some time off to distance myself from Caracas.”

Digital harassment is here to stay

The other event that marked this period, as mentioned earlier, was the beginning of digital harassment. This occurred in 2011

9 “Te podrás acercar a esos escudos de armas y podrás ver como una herrumbre. El tiempo convirtió cosas, materias, en una herrumbre y eso tiene dos componentes: sangre y mierda. Somos seres humanos pues. Toma nota Lugo-Galicia, porque lo tuyo es esto último, esto último que he dicho. ¿Ves? Eso es, mierda”.

when the absence of elections on the calendar did not stop the government's strategy.

Starting in late August of that year, cases began to emerge in which individuals with high public exposure who were associated with the opposition or critical of the government (writers, journalists, opinion columnists, comedians, politicians, human rights activists, and even family members of these individuals) fell victim to identity theft on social media and intrusions into their electronic communications privacy.

Espacio Público documented 30 victims of this kind between August 31 and November 30, 2011: eleven journalists, nine professionals from other fields with roles in opinion or news media outlets, eight political leaders and/or their relatives, one institution (*Vicaría de DDHH*), and one university dean. In 2012, there were 51 digital attacks, with the majority occurring in October, the month of the presidential election.

Two of V-Dem's indicators serve to observe this phenomenon, but the Swedish institute primarily assesses its impact from 2012 onwards, when EP had been recording its incidence for a year. These indicators are the one measuring government-induced internet shutdowns and the one measuring government-induced censorship on social media.

When looking at the timeline between 1999 and 2022 for these two indicators, it can be seen that before 2012, both kept a score above 3 on a scale of 0 to 4. However, starting in 2012, both of them decrease sharply.

On the scale applied to these two indicators, 0 reflects that internet blocking or censorship on social media is a permanent

practice of the government; 1 indicates that it is recurrent, and these blocks and acts of social media censorship happen numerous times a year; 2 reveals that such practices occur several times a year; 3 indicates they rarely occur, and 4 means the government almost never or never engages in these practices.

To conclude this period, one more piece of information: foreign correspondents enjoyed a certain degree of protection that kept them off the government's radar, as well as away from the sympathizers of Chavismo in the streets and law enforcement. That was the case until 2012.

In October of that year, on the eve of the presidential election, the first two harassment cases of foreign journalists occurred. The victims were the Argentine journalist Jorge Lanata and the team from *Radio Caracol Noticias*, both unjustifiably detained for hours at the Maiquetía International Airport.

By way of conclusion

The right to freedom of expression is a human right, intrinsic to the concept of democracy. When looking at the deterioration of this right in the Venezuelan case, the breakdown of democracy seems natural, expected, almost an inevitable consequence.

Hugo Chávez's government cornered traditional media outlets, nearly extinguishing them or forcing them to transform. They pressured them through legal and administrative means, threatened their owners, and stigmatized street reporters. When none of that worked to silence criticism and accusations, they chose to shut them down, as happened with RCTV and the initial 34 radio stations.

In the essay titled “Los medios de comunicación como factor de poder en el proceso venezolano,” in the book *Chávez y los medios de comunicación social*, cited earlier in this article, Venezuelan editor Rafael Poleo argues that in the Chavista model’s own conception, the idea of freedom of expression had no place, and, in fact, both concepts were antagonistic.

Poleo points out that starting in February 1999, after taking office as president, Chávez merely waited for the right moment to openly confront the media. This, according to Poleo, was motivated by the only real factor influencing his relationship with the press: “This real factor is that Hugo Chávez’s political project is not achievable with freedom of information,” says Poleo.¹⁰

He suggests that the end of the honeymoon period between Chávez and the media can be interpreted in two ways. One interpretation stems from Chávez’s unorthodox personality, and the other arises from “the essential incompatibility between Chávez’s political project and freedom of the press”¹¹. To eliminate any doubts, he adds, “Chávez never hid his contempt for the Western concept of democracy.” His project, as described by him, revealed a “total power project, which is obviously incompatible with freedom of the press”.¹²

Today, we can observe that Venezuelan democracy is undoubtedly weak. However, many journalists remain in Venezuela, Media Studies faculties continue to educate professionals in this field, and the landscape of traditional media

10 *Chávez y los medios de comunicación social*, p. 42.

11 *Chávez y los medios...* 43.

12 *Chávez y los medios...* 44.

has transitioned into one with a strong focus on digital production and research.

Ángela Zago's testimony and Oscar Lucién's account (cited works) are useful for better understanding that Chávez's escalating conflict with the media was not merely a result of the April 2002 coup, as it was often justified in the official narrative for many years. Instead, it was inherent to the nature of his project, closely linked to the nature of his personality.

- 2000. February: Blames the media for "echoing the enemies of the process of change." June: Accuses the newspaper *El Nacional* of "serving interests contrary to the people" and coins the term "escuálidos" to refer to the opposition and the media.
- 2001. June: creates the shock groups known as *Círculos Bolivarianos*, which in the following months and years would harass the headquarters of the media and journalists. December: discusses the content law (approved in 2004 as the *Ley Resorte*).
- 2002. January: three months before the coup, in a public event, he calls for protests against the media; in February 2002, he admits that he feels increasingly distant from journalists and accuses the media of manipulating polls.

Furthermore, a decade after his death, I tend to think that in his relationship with the media and journalists, Chávez displayed a complete lack of understanding of two central elements for successfully engaging in that "*peleíta*" he mentioned to Zago as far back as the end of 1999: one, how a journalist's mind works, what their ethics consist of, what drives them to do their scrutiny work.

Chávez mistakenly thought that journalists were a kind of puppets of media owners, devoid of their own ideas.

Perhaps that was an error on his part because by having their own ideas and convictions, journalists have given and still continue to defend the very reason for the existence of this profession: to report the facts and provide citizens with the tools to form their own judgments about those facts.

The other flaw in Chávez's logic, in my opinion, was his lack of understanding of how news media work, how a newspaper or a news show is organized, how coverage is planned, and what the focus of a story should be (which varies depending on the medium, of course). Looking back, I tend to think that deep down, Chávez conceived media outlets as military units, where one gives the order, and everyone else obeys without questioning. Or perhaps as flat entities, with the sole purpose of making money.

And yes, media outlets are for-profit businesses, but by having committed journalists on their staff who are dedicated to information and the society they serve, media outlets are also much more than that. They are living entities in the service of the society of which they are a part.