

Hugo Chavez's Television Crisis

The Venezuelan government recently took over the nation's most popular TV station. Was it a move to return the airwaves to the people -- or political retribution for airing anti-Chavez programming?

DOROTHY J. KRONICK | June 6, 2007 | web only



Venezuela's President Hugo Chávez raises his fist during a rally to support his decision to not renew the license of RCTV broadcasting station in Caracas on June 2. (AP Photo/Fernando Llano)

CARACAS, Venezuela -- The nonstop clamor that carpets Caracas was even louder than usual this week. Among the customary honking and engine-gunning and omnipresent reggaeton were the sounds of a city reacting to the disappearance of its most popular TV station, Radio Caracas Television, which went off the air last Sunday at midnight.

Those celebrating the Venezuelan government's decision not to renew RCTV's broadcasting license partied in the streets, lighting firecrackers, blaring salsa music, singing. Others protested: families banged pots in their windows, businesses synchronized and set off their security alarms, thousands chanted "lib-er-tad, li-ber-tad" at the largest student demonstrations in Venezuela's democratic history. Helicopters crisscrossed the valley. Police fired tear gas and rubber bullets.

These loud eight days made headlines across the globe. Governments, journalists, NGOs, and academics of all stripes have broadcast their views -- some sanguine, some sinister -- of the non-renewal decision. Most of these observers, though, have taken sides without carefully addressing an important question: why did Hugo Chávez and his government decide not to renew RCTV's broadcasting license?

Speculating about the true motivation for any government action (the invasion of Iraq, for example) is an inherently vague exercise, but in the case of Chávez and RCTV (as in the case of Iraq) it is essential for interpreting what the controversy might mean for this divided nation.

The Chávez government claims that it did not renew RCTV's broadcasting license in order to protect Venezuelan society from improper use of public airwaves. "This private company has taken advantage of and benefited from and enriched itself using something that is part of the national domain, something that belongs to all of us," Chávez said recently. "And so I have decided not to renew its broadcasting license."

Alexander Main, an advisor to the president, explained, "Deciding not to renew the broadcasting license of a media that has actively promoted anti-democratic actions designed to topple elected authorities isn't political retribution; it's simply acting in the public interest."

If that were true -- that protecting Venezuelan citizens by enforcing telecommunication law were the government's goal -- there would be a good case for sanctioning RCTV. In April of 2002 civilian and military leaders executed a short-lived coup d'etat against the Chávez government. Several of the men that own RCTV were aware that there was a coup underway, and they used the station as a weapon. On April 11, anchors encouraged citizens to take to the streets in protest, in order to amplify the appearance of popular support for Chávez's ouster. The following day, when the coup leader took office, the station congratulated the new government and hosted its spokespeople. On April 13, RCTV aired cartoons and *Pretty Woman* instead of broadcasting the massive pro-Chávez protests that helped restore him to power.

The government says that these actions violated various telecommunications laws as well as the Constitution, which guarantees citizens the right to uncensored information. Though no court has heard the case, the claim that RCTV broke Venezuelan law appears to be true.

But there are several reasons to think that there is more to the story than public-spirited enforcement of telecom regulations. First, three other television stations also supported the 2002 coup, and none of them has been sanctioned. One station, Venevisión, even supplied its offices as a meeting place for the coup leader and his associates. Venevisión's broadcasting license was renewed last week. This inconsistency makes sense only in light of political considerations: after the coup, Venevisión and Televén changed their editorial line; the other coup-supporting station, Globovisión, reaches only a small audience. RCTV, in contrast, has Venezuela's highest ratings, and has wielded considerable political power in the past. In 1993, for example, RCTV coverage led to the impeachment of president Carlos Andrés Pérez, against whom Chávez had attempted a coup the year before. No doubt Chávez remembers this well, and likely does not want RCTV around should public opinion turn against him.

"The government's motives for not renewing the RCTV broadcasting license are of a political nature," said Marino Alvarado, president of Venezuelan human rights group PROVEA. "We have our doubts about the conduct of this and other media outlets, and we don't see a problem in general with monitoring the media and sanctioning them when necessary. But in this case, the government is looking to close spaces for criticism, promote self-censorship, and intimidate other media outlets."

Temir Porras, who began working in the Chávez government in 2001 and is currently an advisor to the minister of industry and commerce,

has a similar view. "Of course there are political motivations, and I support that. A media outlet should not adopt one particular political line," he said in an interview. "Venevisión and Televen, for economic reasons, realizing that Chávez will be around for a long time, re-accommodated their political line after the coup. RCTV and Globovisión didn't. They forgot that their existence depends on Chávez. I am sure that when the Globovisión concession expires, Chávez will not renew it -- we can say that right now. Unless, of course, they try to moderate their tone, which would make them look rather ridiculous. Essentially, those that collaborate with the government project will be left in peace -- that can be said about media outlets as much as landowners or other actors."

Telecommunications Minister Jesse Chacon says that the government singled out RCTV because it has the highest quality bandwidth of any television station. That bandwidth, he says, rightfully belongs to the people, and therefore should be used for the government's new public-service station, TVes. But Venezuelan law says nothing about adjusting media behavior standards according to bandwidth quality. Furthermore, RCTV will not be broadcasting on another bandwidth; in fact, Venezuela's supreme court ruled that the government would take possession of RCTV's antenna and other infrastructure. Nineteen minutes after midnight on Monday, May 28, TVes used that infrastructure to begin its broadcast.

The government describes TVes as the "real face of the people, the face [RCTV] didn't let show." It plans to air five hours of user-created content per day, alongside cartoons, soap operas, movies, and 90 minutes of news programming. TVes includes no commercials except those advertising government programs. The station's first several news segments covered public gatherings supporting the establishment of the station, but did not mention rallies protesting the disappearance of RCTV. While Minister of Communication William Lara commented last month that the opposition would also be able to create programming for TVes, the Chávez-appointed president of the new channel, Lil Rodríguez, contradicted Lara in a press conference this week. "No no," she told a Brazilian journalist who asked whether the opposition would create content for TVes, "we will promote Venezuelan cultural diversity, not political diversity."

The response of Chávez and other government officials to this week's dissent provides another reason to distrust the regime's stated motivations in the RCTV licensing decision. Rather than acknowledge that the measure has upset the country's university students enough to drive them to daily protests and marches, various prominent members of the administration (including the foreign relations minister and the minister of communication) have alleged that the oligarchy is "using" the nation's youth for political gain and that the protests are funded by the CIA. Police have forcibly dispersed several peaceful demonstrations. On Friday, the government denied students a permit to march to the National Assembly. Yesterday, after ten days of protest, they changed tacks somewhat, granting the students an audience in the Assembly along with Chavista students.

When I asked a friend who is a member of Chávez's presidential staff when we could get together to discuss this, he replied, "Once these middle-class kids finally get bored with the streets of Caracas and return to their natural habitats (e.g. the mall), then we can hopefully get around to it."

The government has also moved against Venezuela's largest remaining anti-government television station, Globovisión. The week before RCTV went off the air, Globovisión reran various clips of classic moments in RCTV coverage, including Neil Armstrong's moonwalk. One of the clips was of the assassination attempt on Pope John Paul II. Globovisión played this clip along with a Rubén Blades song called "Tengan Fé," which includes the lyrics, "This doesn't end here." On the basis of this broadcast, Communication Minister Lara brought suit against Globovisión for inciting the assassination of Hugo Chávez. If found guilty, the host of the program that played the clip and one of the directors of the station could face 20 to 30 years in prison. In addition, the government recently reduced the duration of broadcasting licenses from 20 to five years. This means that those licenses which were renewed this year will expire during the presidential election of 2012.

Another indication that partisan political strategy (rather than impartial respect for the law) motivates the non-renewal decision is the government's neglect of due process. Venezuelan law states that the power to grant and renew broadcasting licenses rests with CONATEL, the equivalent of the U.S. Federal Communications Commission, except in the instance of grave threats to state security, when the president gains control over licensing decisions. Neither Chávez nor other government officials have argued that RCTV currently presents a grave threat to state security. Rather, Chávez and the minister of communication have asserted that RCTV violated a number of telecommunications laws as well as several articles of the Constitution. Violation of telecommunications law would place the penalty decision in the hands of CONATEL, and violation of the Constitution would place the decision in court. Nevertheless, Chávez made an executive decision in the case of RCTV. He announced the decision in a speech to the military in December, dressed in military uniform.

(The clause that empowers the executive to make licensing decisions in extreme situations is a legal anomaly that has no counterpart in U.S. telecom regulation; it is one of many such clauses in Venezuelan law, including an article that grants Chávez power to broadcast on all television and radio stations at any time, for any reason. He frequently makes use of this capacity.)

Even so, the non-renewal of RCTV's broadcasting license at the hand of the president is likely legally defensible. But that does not make it right. The power to regulate public airwaves is rooted in the belief that governments will use that power in the public interest. While the Venezuelan government casts the RCTV decision in that light -- taking public airwaves back from those who abuse them, returning those airwaves to their rightful owners -- there are substantial reasons to doubt the honesty of this presentation.

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Any week in Venezuela would feel quiet without the thunderous voice of the president. On Saturday, Chávez addressed tens of thousands of red-clad supporters who had marched halfway across the city in support of the RCTV decision. (Matching the government's accusations that students were paid to protest, a Globovisión anchor displayed letters requiring government employees to attend the supportive demonstration.) Chávez took the podium before a three-story poster reading, "Now Freedom of Expression is for Everyone."

June is the beginning of the wet season in Venezuela, and a rainbow bent across the sky. "Hey, it looks like the TVes logo," Chávez said, indicating the rainbow. "Who planned that?"

Perhaps the best way to understand why Chávez does what he does is to listen to him. Chávez spoke for two hours, recounting Venezuelan history, praising the accomplishments of his administration's first 140 days, and speculating about the meaning of the remaining five thousand (before 2021, the year until which Chávez promises to stay in power). He also issued a warning to Venezuela's private media:

"This time we were patient, and we tolerated the station for a while, waiting until the license expired. But no one should think it will always be like that," he said. "A license can end even ahead of the established time. A license can end, according to the law, for violations to the Constitution, for media terrorism, etc. ... If the Venezuelan bourgeoisie keeps broadcasting against the Bolivarian people, it will keep losing its outlets, one by one." The crowd cheered and blew shrill whistles.

"Today we begin what I like best: the counterattack," Chávez said. "I love the counterattack."



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