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Lawfare: the same script for the whole region

In Latin America, at the same time as the media lynchings were taking place, the judicial powers of the region justified the coups d'état in Honduras, Paraguay, Brazil and Bolivia, outlawed Lula da Silva, Rafael Correa and Evo Morales, persecuted and imprisoned countless leaders of the popular camp. Now, in Argentina, that advance known as "Lawfare" is deepening against Cristina Fernández de Kirchner. Democracy and power do not go hand in hand in the region.



Political persecution through the bombardment of the hegemonic media and a sector of the Judiciary has become the most recurrent strategy to try to end popular leadership in Latin America. This strategy, commonly known as "Lawfare", seeks to produce a media lynching to stigmatize the top figures of the popular camp, proscribe them, imprison them or, at least, weaken their public image and teach the rest of the political leadership with a clear mafia message: "whoever tries to challenge power will suffer these consequences."

Real power

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Cristina Fernández de Kirchner, today a victim of Lawfare's strategy, has raised on more than one occasion how the true structure of power is composed. Structure that conditions current democracies.



The current Argentine vice president (and president from 2007 to 2015), explained that when a popular political project wins the elections and assumes the head of the Executive of a country, it only gains control of a small part of power. Economic, judicial, media and other parts of real power remain in the hands of those sectors that have always held it and that do not submit to the rules of democracy.

In 2018, during his dissertation at the European Parliament, Fernández noted: "We have the same institutional structure (that the French Revolution left in 1789): Legislative Power, Executive Power and Judicial Power. With a monarchical remora in the Judicial Power, for life, they act as a counter-majority power. When any popular government makes decisions or measures that may affect interests, there will be, promptly, a judicial measure or a judge to restore the old order."

Elsewhere in his speech he added: "Does it occur to anyone, for example, that he could still be operated on a tooth or tonsils in the same way as was done in 1789? Surely not, and they would say we're all crazy. However, we have the same institutional architecture for a world that has changed by 180 degrees, absolutely. With new powers that are not legalized or controlled or regulated by any state constitution. That they are the power of international multilateral organizations, that of large international finance, that of large

multinationals, that of the large media that today format common sense and the thinking of citizens.

Beyond borders

Throughout Latin America, these sectors, which make up the power structure described by Cristina Fernández de Kirchner, are controlled by local oligarchies allied with the sectors of transnational power that are based in the United States and Europe, and that use their governments and intelligence agencies as a tool.

In 2013, during the Summit of the Americas held in Panama, the then Argentine president had pointed out: "It is true that the interferences that we remember and to which President Castro mentioned, for example, overthrows of democratic governments, perhaps the most emblematic those of Salvador Allende and Jacobo Árbenz, are part of history, of invasions or the outsourcing of coups through the local Armed Forces of each country. But it is also true that new, more subtle forms of intervention and influence in our governments have emerged through what are known as 'soft coups'. Soft coups where multinational mass media are used, false denunciations, capricious associations of States with other States to do I do not know what things and conspiracies. They are more subtle, they are more sophisticated, but they do not stop being interventions and always find their origin in new organizations under the name of NGOs [...] NGOs that always 'fight' either for freedom or for human rights or for all the laudable things that we all share, that you never know where they are financed, that are always willing to make the most esoteric denunciations, that can never prove them, but that clearly point to the destabilization of the governments of the region and, fundamentally, of those governments, curiously, that have done the most for equity, for education and for social inclusion".

After her speech and at a press conference, Cristina Fernández remarked: "There are other forms of intervention that are more subtle and sophisticated, in the form of NGOs that nobody knows where they come from or who finances it, but then it is discovered that they have secret meetings in some embassies."



The same script for the whole region

HONDURAS: On June 28, 2009, President Manuel Zelaya was forcibly removed from his residence by a group of soldiers who took him to the U.S. base of Palmerola (in Honduran territory). The president was held hostage for several hours and then transferred out of the country. The Honduran Congress formally removed Zelaya and the Supreme Court endorsed the impeachment. The coup had its legal framework. In an interview with him a year after the coup, on the program *Visión7 Internacional*, Zelaya said: "In Honduras, an oligarchy is consolidated that owns all the media, the means of production, the banking, all the main industries of the country, which is supported by the North American transnationals and by the United States government."

Elsewhere in the interview, the former Honduran president said: "All the decisions that the de facto government has taken and its substitute are in favor of transnational companies. They returned the privileges to the oil companies, the privileges to the banks, the privileges that the (American) Southern Command had at the Plamerola base, which we were turning into a civilian airport. The break with Chavez and with socialism and with ALBA gives us the conclusion that behind the coup were American interests."

PARAGUAY: On June 22, 2012, following an impeachment trial in record time, Paraguay's Congress removed President Fernando Lugo. The coup leader Federico Franco was quick to declare his intention to establish a Free Trade Agreement with the United States and express the need for Washington to reactivate the military base of Mariscal Estigarribia. Franco was the spearhead with which Unasur and Mercosur began to be attacked.

Paraguay's main newspaper, the ABC, did not stop attacking Fernando Lugo for a moment. During the impeachment trial, several opposition legislators used as an argument to attack the president the articles published by the Paraguayan newspaper. After the dismissal, the newspaper continued with its attack and criticized the attitude of the countries that condemned the coup. Paraguay's Supreme Court was quick to recognize the government as legitimate.

BRAZIL: In the South American giant, Lawfare had two parts. The first of these parts involved endorsing the coup against Dilma Rousseff, justifying it in the media and legally; the second, to imprison and outlaw Luiz Inacio Lula da Silva to prevent the Workers' Party (PT) from quickly returning to government.

The media stigmatization, led by the multimedia Red O Globo, and the endorsement of the Supreme Court of Brazil, allowed that, in August 2016, the parliamentary coup against Dilma Rousseff took place, who was dismissed without any crime having been proven.

In September 2018, Brazil's Supreme Electoral Tribunal (TSE) issued a ruling outlawing former president and leader of the Workers' Party (PT), Luiz Inácio "Lula" da Silva and thus guaranteeing the triumph of the far-right Jair Bolsonaro.

Since the coup in 2016, setbacks on workers' rights have been brutal in Brazil. Perhaps the most significant is that today 33 million Brazilians suffer from hunger and 125 million suffer from food insecurity.

The setbacks in terms of sovereignty have also been brutal, the alignment with the United States led to the fact that, only a few months after the coup, the de facto president Michel Temer, promulgated a law so that American companies could exploit the resources of Presal. It should be remembered that the Pre-Salt is the site of one of the most important oil reserves in the world and that at that time, according to Brazilian law, its exploitation was in the hands of the state company Petrobras.

The brutal privatization wave unleashed later by the Jair Bolsonaro – Paulo Guedes duo has at its maximum the loss by the State of Electrobras, the largest electric power company in Latin America.

ECUADOR: In 2017 Lenin Moreno, who claimed to represent the continuity of the government of Rafael Correa, as a candidate of the Citizen Revolution won the presidential elections. Barely taking office, he took a 180-degree turn, betrayed the leader

Among other measures, Lenin Moreno modified the Communication Law, approved during the Correo government and which prevented bank owners from also owning media, applied the policies of the International Monetary Fund (IMF), implemented an adjustment known as "paquetazo" that caused a social explosion in 2018. He alienated with the foreign policy of the United States has as a clear example the fact that Moreno allowed, in an unprecedented event, that the British security forces (at the request of the United States) enter the Embassy of Ecuador in London and will take by force Julian Assange (who at that time was already an Ecuadorian citizen).

BOLIVIA: The media and legal persecution of Evo Morales to remove him from the political arena began long before he was president of the Plurinational State of Bolivia, when he was a coca growing leader with growing popular representation.

Perhaps the clearest example of Lawfare against Morales is what happened after the 2019 coup d'état. Like the coup against Manuel Zelaya in Honduras and the coup against Dilma Rousseff in Brazil, the judiciary endorsed the de facto government, in this case, of Jeanine Áñez. An armed case was carried out against the former president of Bolivia and he was denounced for "terrorism".

In September 2020, as elections that would restore democracy in Bolivia were approaching, a court ruling outlawed Morales by disabling his candidacy for senator for Cochabamba.

In an interview with the newspaper *Contexto*, Juan Ramón Quintana, former government minister of Evo Morales, said "the vanguard of the coup in Bolivia was the media. Most of the media, analysts, columnists, journalists, formed 'a whole army' that became a very powerful bloc that swept away any possibility of defense of the government in matters of dispute, of debate. The hierarchy of the Catholic Church was strongly committed to destabilization; also a group of non-governmental organizations (NGOs) that from different areas (the environment, human rights, democracy, etc.) played their role, the leaders of the right with very strong financing from abroad, the business community, etc. That block was consolidated and, of course, the public and private universities entered, and finally the Police and, as a corollary, the Armed Forces made their seditious entry.

"Until November 10 [2019] that bloc worked, did its role, was assembled and articulated from the US Embassy with US resources and the support, in addition, of some countries of the European Union (EU), in fact, we must investigate in depth the role of the EU in the

coup d'état in Bolivia, because during the year 2019 its ambassadors were in charge of discrediting the Supreme Electoral Tribunal (TSE). There was a whole strategy of discrediting the TSE by the EU and its political operators, which are the NGOs to which they transfer economic resources."

ARGENTINA: The current attack against Cristina Fernández de Kirchner has elements that exceed the crude, such as the fact that one of the accusers, the prosecutor Diego Luciani, usually gets together to play football with one of those who must dictate sentence, Judge Rodrigo Giménez Uriburo, in the fifth of the main opposition leader, Mauricio Macri.

Despite the fact that she was prevented from expanding her investigative statement to defend herself against accusations that the prosecution included at the last minute, the vice president spoke through her social networks and gave a clear explanation of how they tried to force the evidence against her and hide evidence that involved other actors of the Macrista environment.

Pointing out that this is what is behind the attempt to condemn her, Fernández said: "This disciplines the political class so that no one dares to do the same thing twice. Twice pay the Monetary Fund and say 'walking'? Twice say no to Vulture Funds? Twice (nationalize) the AFJP? No. Sometimes Vaca Muerta? Nope."

"They need disciplined leaders. They need officials who have what the real power wants," he said, adding: "This is not a trial of Cristina Kirchner. This is a judgment of Peronism. This is a judgment of national and popular governments. This is a trial of those of us who fight for memory, truth, justice, salary, pensions, independence."

Prosecutor Diego Luciani and Judge Giménez Uriburo playing football in Macri's farm

Like a bad, but successful play

The script used to attack popular leaders is written beyond our borders and is replicated almost identically throughout the region, the faces of the cast. The interests behind this onslaught are also the same: local oligarchies in alliance with multinational powers based in the United States and Europe. Those in charge of the staging: the hegemonic media of communication. The executors of the work: judges and prosecutors without scruples or the slightest interest in the law. The result, if successfully executed, is also often the same: the destruction of social justice, political sovereignty and economic independence. Only the

people can decide whether they will remain as a passive public or if they will intervene to change the announced end.

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