

Why is Obama Ignoring Pleas to Release Political Prisoner Oscar López Rivera?

Escrito por Matt Peppe / CounterPunch
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"The fact that Oscar López Rivera still sits unjustly in a prison cell is proof that the voices of Puerto Ricans simply do not matter to first-class American citizens on the mainland who hold power".

Two and a half months ago, asked by award-winning playwright Lin-Manuel Miranda about imprisoned Puerto Rican nationalist Oscar López Rivera – whose only crime, according to Nobel Peace Laureate Archbishop Desmond Tutu, is “conspiracy to free his people from the shackles of imperial justice” – President Barack Obama told the Hamilton creator that he “had [the case] on his desk.” Miranda, whose parents hail from Puerto Rico, used his invitation to the White House to bring up the issue of López Rivera’s continued incarceration, which is of tremendous importance to Puerto Ricans. Both on the island and in the diaspora, freedom for the 73-year-old political prisoner enjoys overwhelming popular support and has united people across the political spectrum.

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Sunday marked the 35th anniversary that López was imprisoned. He was convicted in 1981 of “seditious conspiracy” for trying to overthrow the U.S. government by force, as well as minor charges including possession of firearms and transporting stolen vehicles across state lines. López was accused of holding a leadership position in the FALN (Fuerzas Armadas de Liberación Nacional Puertorriqueña), a Puerto Rican nationalist organization, which he did not admit to but did not dispute. The group claimed responsibility for a series of bombings in Chicago and New York during the 1970s and 1980s, though as the Chicago Tribune noted the bombings were carried out “to damage property rather than persons” and the FALN “were out to call attention to their cause rather than to shed blood.”

López was never personally tied to any bombing or any other act of violence that resulted in the death or injury of any person. Undoubtedly, if the government possessed any evidence of his participation in, or organization of, a violent act they would have charged him with it in court. But they merely charged him with conspiracy to commit sedition, the same political charged used by the apartheid South African government to convict Nelson Mandela two decades earlier. López has now served seven more years in prison than Mandela did before being freed and becoming South Africa’s first post-apartheid President.

Thousands of people gathered Sunday in San Juan to mark the 35th anniversary of López’s imprisonment and demand his release. Marchers chanted “Obama, listen to me! We want Oscar free” and “We don’t want this board, we want to be free,” according to Fox News Latino.

The later slogan references the stipulation in the Puerto Rico Oversight, Management and Economic Stability (PROMESAS) Act that would create a financial control board made up overwhelmingly of members from outside the island and not appointed by representatives elected by Puerto Ricans. The board would be vested with power over all fiscal decisions, effectively overriding Puerto Rico’s own elected representatives. The bill was passed by a House committee on Wednesday and is expected to draw a vote in the full chamber next month. It has the support of leadership in both the Republican and Democratic parties in Congress as well as the Obama administration.

But Puerto Rican Governor Alejandro García Padilla and much of the Puerto Rican public are opposed to what they see as an overt imposition of colonialism by allowing unelected technocrats not representative of – or accountable to – the Puerto Rican people to hold veto power over spending decisions, and even decrease the minimum wage.

López himself opposes the financial control board, telling El Nuevo Día in a phone interview (prison officials denied the newspaper’s request for an in person interview): “This is a problem created by Washington. The problem is in Washington and Wall Street. The people of Puerto Rico should not accept it. No Puerto Rican should doubt that we can solve our own problems... We need for them to respect our right to self-determination and not depend on the crumbs that Washington gives us.”

Obama’s answer to Miranda about whether he would grant López a pardon or commutation suggests a sense of urgency. If the matter is indeed “on his desk,” he presumably intends to take swift action on it. However, this is clearly not the case. Both Obama’s record as having

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issued fewer pardons than almost any President in history, and his years of refusing to attend to López's case in particular, attest to Obama's indifference to the unjust detention of prisoners by the government he leads.

Since being elected seven years ago, Obama has been directly presented with appeals to free López Rivera from three fellow Nobel Peace Laureates, Puerto Rico's non-voting member of Congress, Puerto Rico's current governor and foreign presidents. Venezuelan President Nicolás Maduro even publicly offered to release opposition leader Leopoldo López if Obama released López Rivera. Yet the Obama administration has maintained its silence.

Last week, three Puerto Rican American members of Congress – Luis Gutiérrez, Nydia Velázquez and José Serrano, along with Puerto Rico's Resident Commissioner Pedro Pierluisi – revealed that they had sent a letter to Obama in February calling on him to grant clemency to the man who has now spent nearly half his life behind bars without ever being charged with an act of violence.

After months without receiving a response, the legislators decided to go public to try to put pressure on Obama to recognize the will of virtually all of Puerto Rico and issue a pardon.

"You know how much this means to us, because we have personally expressed it to you. To our understanding, there is no legitimate criminological objective in continuing the imprisonment of this 73 year old Puerto Rican, when his country and others that value human rights clamor for his liberation," they revealed that they wrote to the President.

Two and a half years ago, I argued that Obama's refusal to free López was emblematic of the propensity of the U.S. government to ignore the political demands of the Puerto Rican people and solely use the colonial relationship to pursue the perceived economic and strategic interests of the ruling class:

"Without any representation in Congress or a vote in Presidential elections, Puerto Ricans have their political rights subjugated to the U.S. government. Even on an issue as popular among Puerto Ricans as the release of Oscar López, they have no recourse to participate in the political process at the federal level.

There is no indication that Obama intends to even respond to López's clemency plea, much less grant it. In his speech at Nelson Mandela's funeral, Obama said that 'around the world today, men and women are still imprisoned for their political beliefs.' The overwhelming opinion among Puerto Ricans is that this description applies precisely to López.

The disregard that Obama has shown for recognizing the will of Puerto Ricans to free Oscar López demonstrates the uphill challenges Puerto Ricans face to shed their second-class status and obtain equal rights. If the President refuses even to grant a simple pardon, what chance do Puerto Ricans have of the U.S. government acting on the 2012 referendum and allowing them to achieve self-determination?"

The question of why Puerto Ricans would believe that anyone in the U.S. government respects

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their opinions or their political desires should be more urgent than ever. We are in the middle of another campaign season, which for many Americans is seen as an opportunity for them to participate in the political process by voting in elections. However, for Puerto Ricans it is another reminder that while they are American citizens, they are denied the right given to Americans in the states to select Congressional representatives and take part in the Presidential election.

The policies that will be decided after the election at the federal level will apply to Puerto Ricans, though they will have had no role in choosing those policies and no way to voice their dissatisfaction at policies they oppose by voting out those who supported them.

The only way Puerto Rico can recover from its economic and debt crisis, as López Rivera said in his interview with *El Nuevo Día*, would be to achieve sovereignty and self-determination. This would grant them the ability to prioritize local business and the needs of the population, and free them from being merely a captive market for U.S. products and a source of cheap labor for U.S. corporations.

But any promise that the 2012 referendum, in which a 54% majority rejected the current colonial status, had of achieving this has disappeared. The U.S. Congress, which must approve any change in Puerto Rico's political status, has not given any indication it will even consider doing anything to end the "Commonwealth" colonial status that Puerto Ricans voted against.

On the contrary, Puerto Ricans are being presented with the prospect of a financial control board that is a blatant affront to the idea that people should rule themselves, and a reminder of their powerlessness as colonial subjects.

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