

Podemos campaigns to jail former Spanish football chief Rubiales over women's world cup kiss

Alejandro López
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The reactionary and diversionary campaign to destroy the career and reputation of Royal Spanish Football Federation (RFEF) President Luis Rubiales over his kiss of midfielder Jennifer Hermoso intensified last week. The campaign is spearheaded by Spain's acting Socialist Party (PSOE)–Podemos government and various press outlets around the globe, including the *New York Times* and the *Guardian*. The European Parliament is set to debate the Rubiales question on Thursday.

On Sunday, Rubiales announced his resignation as chief of the Spanish football federation and also as vice president of the Union of European Football Associations (UEFA).

On August 20, after Spain's women's football [soccer] team won its first World Cup, Rubiales put his hands on either side of Hermoso's head and kissed her on the mouth. After the match, Hermoso initially said "it was the emotion of the moment, there is nothing beyond it. It will remain an anecdote. Very sure that it won't go any further." She added that she did not "like it" and that "she did not expect it."

The incident trended on social media. The following week, Rubiales repeatedly insisted the kiss was consensual, whilst Hermoso denied that. Subsequently, Spanish Prime Minister Pedro Sánchez, Minister of Equality and Podemos leader Irene Montero and other government officials and politicians have attacked Rubiales. Montero has asserted that the latter is guilty of sexual assault.

The campaign further escalated after the Administrative Court of Sport ruled Rubiales' actions were "serious," but not "very serious," temporarily allowing Rubiales to remain as head of the RFEF. The PSOE-Podemos government appealed the decision, claiming Rubiales' kiss had damaged Spain's reputation.

On Friday, the Prosecutor's Office of the National Court officially charged Rubiales with sexual assault and coercion. At the end of August, the office had opened a preliminary investigation into Rubiales's kiss, on the grounds it might constitute "sexual assault." Officials announced plans to

launch a criminal proceeding in "the shortest possible time." Hermoso was contacted and urged to file a complaint within 15 days, as otherwise the legal system could not proceed. Hermoso did so last Tuesday.

Rubiales now faces one to four years in jail.

The choice of venue underscores the politically unhinged character of the campaign. Rubiales is to be tried in the National Court, which tries major offenses such as crimes against humanity, terrorism, organised crime and drug trafficking. The court will use the new, broadened definition of sexual assault in the penal code championed by Podemos last year.

Rubiales will sit in the same courtroom where some of the infamous mass murderers of the 20th century have sat. These include former Chilean military dictator Augusto Pinochet, who was tried there in 1998. A former Argentine Navy officer, Adolfo Scilingo, was sentenced to 640 years in a Spanish prison for crimes against humanity, including extra-judicial executions of thirty people under the Argentine military junta, from 1976 to 1983.

In the Rubiales case, prosecutors will have to prove sexual assault under article 178.1 of the penal code. For this, three circumstances must exist and all three must be proven beyond a reasonable doubt. These are that (1) the kiss violated Hermoso's freedom and was not consensual; that (2) Rubiales' kiss violated specifically Hermoso's sexual freedom; and that (3) Rubiales knew he was performing a non-consensual sexual act but carried it out anyway.

The accusations fly in the face of publicly available evidence, including video footage of Hermoso and her teammates laughing and joking about the incident on the team bus and collectively chanting "Kiss! Kiss!" when an embarrassed Rubiales boards.

Several rulings of the Supreme Court have determined that a kiss on the mouth is not always sexual in nature.

The case will be tried in the midst of a media witch-hunt intended to destroy Rubiales' reputation. The press has dug

up every bit of dirt it can, none of which has any bearing on the Hermoso case.

His uncle, Juan Rubiales, for example, has accused Luis Rubiales of organising a party with Federation's money in a chalet in Salobreña, Granada, including eight to ten naked women. The media then termed it an "orgy."

Juan Rubiales, who has not been on good terms with his nephew since he was sacked from the RFEF in 2020, did not provide any evidence to back his claims. Even the pro-PSOE daily *El País*, at the forefront of the campaign, admitted that "sources familiar with the alleged party assure that the girls were not prostitutes, but rather brought from nightclubs and that their presence in the chalet did not force them to engage in sexual relations." This information was later removed from the article.

Meanwhile, Rubiales' life and those around him are being destroyed. Without salary from the RFEF and facing daily press harassment in front of his home, and with three mortgages, Rubiales has been forced to put his penthouse for sale. His mother was also hospitalised after she went on hunger strike in opposition to the witch-hunt.

Anyone coming out to defend Rubiales has also been targeted. Director Woody Allen, who has been targeted by #MeToo attacks and blacklisted in Hollywood, observed that the "kiss on the soccer player was wrong, but it did not burn down a school ... He wasn't raping her, it was just a kiss and she was a friend. What's wrong with that?" The director continued: "In any case, it is difficult to understand that a person can lose their job and be penalised in that way for kissing someone."

He immediately came under fire by Podemos spokesperson Pablo Echenique, who slanderously claimed Allen was a "known repeated pedophile." In reality, Allen has never been convicted or even charged once with such a crime, or any crime.

Even the crew of *MasterChef*, a reality TV cooking programme, came under attack when they said the latest season would be one of "humor and small kisses" and laughed off the incident. The programme was then forced to issue a public apology.

This campaign has no popular basis. September 2 protests called by feminist organisations tied to Podemos and its pseudo-left satellites, like the Revolutionary Left's feminist Free and Combative Front and the Morenoite Workers' Revolutionary Current (CRT), gathered dozens in cities across Spain. In Madrid, only a few hundred attended.

The persecution of Rubiales is a campaign waged by the PSOE-Podemos government machinery and allied mass media. It aims to whip up hysteria against Rubiales for the purpose of solidifying the PSOE-Podemos government base in the identity politics-crazed affluent middle class and

diverting attention from genuinely pressing social ills.

The government is unabashedly inciting these layers to participate in this campaign as a means to fight for their own social and financial advancement. Yolanda Díaz, acting deputy prime minister and labour minister of the acting PSOE-Podemos government, and top leader of the Sumar electoral coalition that includes Podemos, boasted that she will use her ministry's labour inspection to "correct the pay differences of female athletes."

Díaz also attacked the RFEF, claiming it violates the law as only 9 percent of its leadership are women. She called this "a pathology that cannot be considered specific or circumstantial, but systemic."

Jorge Vilda, who led the Spanish Women's team to victory in Sydney against England, became one of the first victims. The coach, who has led the team since 2015, was sacked and replaced by his female second in command, Montse Tome, who then became the "first woman to coach" Spain's national team.

Vilda commented: "I'm feeling as good as you can after becoming world champions 16 days ago, 10 days ago having your contract renewed with a higher salary, and then today being sacked, I think unjustly." Vilda's "crime" was to support Rubiales when he refused to resign as president of the RFEF on August 25.

Podemos' decision to whip up this witch-hunt comes after it barely avoided being routed by the right-wing Popular Party and the neo-fascist Vox party in last July's general election. It faces broad social anger in the working class, having repressed mass strikes by truckers and metal workers and implemented right-wing policies.

Podemos lost 600,000 votes in the recent election, after it supported the war on Russia in Ukraine, increased military spending to record levels and imposed severe pension cuts and labour law reforms while providing handouts of €140 billion [US\$150 billion] European Union bailout funds to corporations and banks. Podemos aims to renew its coalition government with the PSOE with an even thinner majority than it has had over the last four years. Under these conditions, it has cynically decided to stir up a campaign against Rubiales to bolster its support within certain susceptible social layers.



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