President Vizcarra dissolves Congress in response to conflict within Peruvian state

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President Martin Vizcarra is ruling Peru by decree after succeeding in dissolving the country's parliament. The legislative body will resume its functions only after new elections scheduled for January 26.

Vizcarra had announced the dissolution of Congress on September 30, hours after its members refused to debate a vote of confidence (*cuestion de confianza*), giving the president the constitutional power to dissolve Congress and call new elections.

The leadership of Congress immediately denounced the dissolution as a coup d'état and an "unconstitutional" action, refusing recognize its validity. Meanwhile, on the streets of Lima and other major cities, crowds came out to defend the president's decision.

The dissolution of Congress was the explosive culmination of a protracted struggle within Peru's state, a conflict between the executive and legislative branches. This battle had raged since Vizcarra's predecessor, the right-wing former Wall Street financier Pedro Pablo Kuczynski, narrowly defeated Keiko Fujimori, the right-wing populist leader of the *fujimorista* Fuerza Popular (FP), in the 2016 election.

Both Kuczynski and Keiko Fujimori are now being held under "preventive detention" while prosecutors gather evidence related to bribes that they both received from the Brazilian construction conglomerate Odebrecht (part of the so-called "Lava Jato" investigation).

Kuczynski took office in July 2016—with Vizcarra and the right-wing technocrat Mercedes Araoz as his first and second vice-presidents, respectively. He had no real base of support within the population, winning the election at the last minute thanks to the support of pseudo-left leaders Veronika Mendoza and Marco Arana, who lined up behind him as the "lesser evil."

However, 83 FP lawmakers were elected to Congress, giving the *fujimoristas* virtually total control over the legislative branch. Fujimori, embittered after losing an election she thought she had in her pocket, ordered her party members to obstruct and undermine Kuczynski's government.

Ever since, the FP has transformed Congress into its own reactionary political platform. It placed its allies and militants in key state positions, while protecting judges, prosecutors and its own congressmen from investigations. It voted down anti-corruption measures, undermining Kuczynki's government, while attacking and bringing down its ministers.

Among other things, it used a congressional commission formed to investigate presidents and other senior public officials who received Odebrecht's bribes as an instrument to clear Fujimori and Alan Garcia of the APRA party—its congressional ally—while trying to send its political rivals, such as former President Ollanta Humala (2011-2016) and Kuczynski himself, to jail.

But this abuse of power came with a high price: by mid-2018, opinion polls indicated that the FP had lost support within its working class and lower middle class base. The party had based itself on the populist legacy of the original *fujimorista* government of Alberto Fujimori (1990-2000), Keiko's father, who was jailed for the massacres carried out by his authoritarian regime. In response to the FP's thuggish and dictatorial methods, spontaneous protests began demanding the dissolution of Congress, mainly led by young people.

Kuczynki resigned in March 2018 amidst a scandal over vote-buying to avoid an impeachment set by FP congressmen. Vizcarra took office, and he and his cabinet decided not to pursue a confrontation with Fujimori or contest her control of Congress, in order to better implement the right-wing, neoliberal policies demanded by big business and the International Monetary Fund (IMF).

However, things changed in late October when a judge approved the demand by anti-corruption attorneys for preventively incarcerating Fujimori to prevent her from obstructing the Lava Jato investigation. The attorneys' theory is that Fujimori was the leader of a "criminal organization" that used the FP as an apparatus for laundering Odebrecht's bribe money. Fujimori has since been incarcerated in the Santa Monica prison for women in Chorrillos, Lima. She ordered her subordinates in Congress to pressure the judiciary and the courts for her release and to once again obstruct the executive power.

Meanwhile, Vizcarra was enjoying a relatively high approval rating. This stemmed mainly from his not having been charged with corruption or taking bribes from Odebrecht, like the last four presidents. He exploited this perception by announcing a set of reforms of the judiciary after a corruption scandal involving judges and attorneys.

One of the main props sustaining Vizcarra's government has been the refusal of the pseudo-left to confront his right-wing policies. The Vizcarra administration is defending and expanding the neo-liberal pro-business framework established by Alberto Fujimori in the 1990s, after he himself dissolved parliament in what amounted to a parliamentary coup. The government continues to hand over the country's rich mineral resources to international investors, without regard to the environment and the population. Pseudo-left forces such as Mendoza's Nuevo Peru and Arana's Frente Amplio refuse to engage in a fight against these policies for fear it would threaten the collapse of the whole capitalist state, which they support. Instead, they channel the anger of the working class and youth exclusively against the right-wing *fujimoristas* in Congress.

On July 28, during his Independence Day speech, Vizcarra announced his surprise proposal for early elections. He invoked the "voice of the people" for his decision but also presented it as a way to get the country out of the crisis provoked by the enmity between the executive and legislative powers. The measure was welcomed by the population with nearly 70 percent of approval, expressing widespread disgust with the FP-led Congress.

With dozens of congressmen facing corruption charges once their constitutional immunity as lawmakers ends, Vizcarra's proposal was unsurprisingly opposed by the right-wing opposition caucuses, chiefly among them the FP. This opposition was joined by Vice-President Araoz, a representative of big business in Peru.

On September 26, the Congressional Commission on the

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Constitution—dominated by staunch *fujimoristas*—voted to shelve Vizcarra's proposal for early elections, fueling the population's anger and immediately prompting new street protests demanding the dissolution of the *fujimorista*-dominated Congress.

Meanwhile, Fujimori, from jail, decided to play her last card for her release from prison, ordering FP congressmen to push forward the election of six new members of the Constitutional Tribunal (CT), a body of 10 judges that could vote to release her.

Having a CT run by friendly judges was also a matter of life and death for FP and APRA lawmakers, since it is the only institution that can deprive congressmen of their legal immunity. With new information coming from Odebrecht in Brazil about bribes given to congressmen, the FP and other opposition parties joined in frenetically rushing to the election of judges in a matter of days, a process that usually had taken months under previous governments. Further discrediting this election, the CT's incumbent vice-president, Maria Ledezma, revealed that an unnamed congressman had offered to re-elect her if she would vote for the release of Fujimori.

After failed negotiations with the opposition, Vizcarra responded on September 27 by announcing a vote of confidence for the implementation of a new bill that would reform and make "more transparent" the CT's election mechanism. On Sunday, he declared during a TV interview he would dissolve Congress if it rejected this vote of confidence. According to the constitution, the president can dissolve Congress if it rejects two votes of confidence. Congress had already rejected one vote of confidence under Kuczynski two years ago, so Vizcarra's dissolution would be technically constitutional.

On Monday, September 30, during a plenary session of the Congress, the full thuggery of the FP was on display when its members refused to allow Prime Minister Salvador del Solar, who was to present the vote of confidence, onto the floor of the legislature. Del Solar only managed to enter after some pro-Vizcarra congressmen rushed to open the doors for him while some FP congressmen taunted and insulted him. After Del Solar presented his case for the vote of confidence, the Congress president, Pedro Olaechea, sympathetic to the FP, decided to ignore it and proceeded to the CT election. With 88 votes they managed to elect one judge to the CT, Gustavo Ortiz de Zevallos, who was none other than Olaechea's first cousin.

As news reached to the presidential palace that Congress had ignored the vote of confidence, Vizcarra went on live television and announced the dissolution of Congress on the grounds that ignoring his proposed vote of confidence meant its "tactical negation." After denouncing Congress for rejecting his reforms and its contempt for public opinion, he called for new parliamentary elections, as the law demands, in four months. Congress responded by voting at the last minute in favor of the confidence resolution, but it was too late.

Thousands poured into the streets of the country's major cities to celebrate the decision to dissolve Congress, carrying Peruvian flags and makeshift banners denouncing the *fujimoristas*. Even mayors and regional governors who came to power with the FP slate were reported to be supporting the dissolution and declaring that *fujimorista* lawmakers had done nothing for their people and had lost support in their cities.

While workers and youth felt genuine satisfaction at seeing the FP evicted from the halls of Congress, what will follow is not a strengthening of democracy, but rather the implementation of the right-wing policies the government could not execute due to the conflict between the executive and legislative powers. As one right-wing analyst commented in the aftermath of the dissolution: "In order to have investments, there has to be a guarantee of stability".

After Vizcarra announced the dissolution, some congressmen that supported the decision started to leave the building carrying their belongings. The remaining FP and other opposition lawmakers, however, decided to defy the president's decision and voted for its "suspension" under the grounds of "temporal incapacity." After this fictional suspension was carried out by a now-suspended Congress, in a farcical spectacle, they "swore in" Vice-President Mercedes Araoz as the new and "official" president of the country.

In her "acceptance speech," Araoz argued that Vizcarra's dissolution of Congress was unconstitutional and illegal. She reportedly accepted the appointment after congressmen assured her that the armed forces would line up behind her.

Once news of this maneuver came out, the crowds that had taken to the street to celebrate Congress's dissolution began to protest and chant slogans against Araoz. On social media, she was ridiculed as a usurper and "president of only a few dozen congressmen." Vizcarra summoned the heads of the armed forces and the police, and they signed a document confirming their support for him.

The following day, the international media was reporting that Peru had "two competing" presidents. But the fictitious and pointless character of Araoz's swearing-in was becoming increasingly clear. In an awkward interview with CNN the same day, Araoz, while still denouncing Vizcarra's dissolution of Congress, declared that her swearing-in was, in fact, a "political act" and that the conditions to establish a cabinet of her own didn't exist.

After another interview in which she acknowledged people "detested" her, she announced her resignation as vice-president, effectively ending whatever claim she had to any state office.

Behind the *fujimoristas*' refusal to acknowledge the dissolution and Araoz's disastrous political "gaffe" lie the hostility and distrust of a section of the Peruvian corporate ruling class in Vizcarra and the way he leads the executive.

Unlike Araoz, Vizcarra—a former regional governor—does not belong to the traditional Lima ruling strata linked to finance, big business and international investors. He had already earned their ire after partially conceding to the workers and peasants opposed to the Tia Maria mining project in Arequipa. Future attempts to undermine his government are likely and may be led by Araoz herself.

Hildebrandt en sus trece, a popular left-wing weekly that supported Congress's dissolution, ran an article based on interviews with union and social organization leaders on the issue. To the editors' surprise, not all of them supported Vizcarra, with one miners' leader saying that Vizcarra didn't fight with the *fujimoristas* when they all approved the anti-worker "Plan of Competitivity and Productivity" bill late last year.

In the end, the constitutional crisis in Peru reflects the profound crisis of rule of the entire Peruvian bourgeoisie, wallowing in corruption, presiding over extreme social inequality and fearing an eruption of class struggle.

In a further manifestation of the sharp social tensions gripping Peru, a security force deployed by a gold-mining company in the northern district of Huamachuco massacred four peasants—three adults and one 14-year-old—on Sunday after protests over the company's deployment of the armed agents. Another seven peasants were wounded in the incident.

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