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Fujimori Strength Undermines Peruvian Government
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A little more than six months into Pedro Pablo Kuczynski’s presidential term in Peru, the opposition Fuerza Popular majority in Congress is determined to show it has significant strength, and that Kuczynski, far from holding his own, is ceding power to his leading opponent (NotiSur, July 1, 2016).

Fuerza Popular’s leader Keiko Fujimori lost the June 5 run-off election by a small margin, but she has refused to acknowledge the election results.

In the interest of governability, Kuczynski has appointed people close to Fujimori to government positions. Examples are Walter Gutiérrez, appointed to the office of ombudsman, and Víctor Shiguiyama, now in charge of the office that oversees customs and taxation (Superintendencia Nacional de Aduanas y de Administración Tributaria, SUNAT) (NotiSur, Sept. 30, 2016).

Civil rights posts unfilled
Many people are concerned about the actions of the ombudsman, who arguing for the need to rationalize the use of resources, has not renewed contracts for dozens of commissioners whose jobs are to defend civil rights, including those of indigenous peoples, persons with disabilities, and children and adolescents.

“Since its creation 20 years ago, the Peruvian Ombudsman’s Office has enjoyed great legitimacy as well as regional and international recognition for its firm defense of human rights and fundamental liberties,” Amerigo Incalcaterra, South American representative to the Office of the UN High Commissioner for Human Rights (OHCHR), said on Jan. 5. “These values, along with international human rights standards, should guide the actions of the institution and its officers and be applied to the workers in a manner consistent with its mandate.”

Fujimori allies at the Central Reserve Bank
In October, a month after these appointments, the pro-Fujimori caucus in Congress (73 out of the total 130 representatives), with the backing of the Partido Aprista, elected three men to the governing board of the Central Reserve Bank (Banco Central de Reserva del Perú), which is in charge of the country’s monetary policy: Elmer Cuba, an economist; José Chlimper, former vice presidential candidate for Fuerza Popular; and Rafael Rey, former congressman as well as former minister of defense under Alan García (1985-90, 2006-2011) and now an ally of Keiko Fujimori (NotiSur, July 1, 2016). Because the Constitution establishes that Central Reserve Bank directors have broad experience in economy and finance, representatives of the leftist Frente Amplio and Acción Popular challenged Rey’s appointment. Congress is responsible for selecting three of the seven bank directors.

“Rey has been questioned by several people regarding his competence for the job. Mr. Chlimper is under investigation for possibly having given adulterated audio tapes to a television station with the intention of prejudicing the DEA’s [US Drug Enforcement Administration’s] complaint against Mr. Joaquín Ramírez,” Frente Amplio Representative Marisa Glave told RPP Noticias. “The truth is that this is shameful.”
Ramírez was a financial backer of Keiko Fujimori’s campaign who resigned from his position as Fuerza Popular’s general secretary last May “in order to not disturb the presidential campaign.” He is being investigated by the attorney general’s office for money laundering.

Far from protesting Chlimper's candidacy, Kuczynski backed his appointment, noting that Chlimper had studied economics and is highly qualified for the position. Chlimper previously served on the central bank’s board between 2006 and 2010.

**Petroperú directors resign**

Kuczynski has paid dearly whenever he has tried to show his strength. In early December, he had to deal with the resignations of the president of Petroperú, the state-owned oil company, and its entire board of directors. They complained that Kuczynski’s vetoing of the appointment of Vladimiro Huaroc as the head of the recently created Office of Social Management constituted political interference. Huaroc—who during the Ollanta Humala administration headed the Dialogue Office of Peru’s President of the Council of Ministers’ (Oficina de Diálogo de la Presidencia del Consejo de Ministros, PCM)—had run for second vice president in Fujimori’s ticket, but was pushed out of the presidential campaign following a ruling by the National Elections Jury (Jurado Nacional de Elecciones) that he had made gifts to voters (*NotiSur*, March 25, 2016).

“He [left the campaign] because he had committed illegal actions during the election process. He cheated,” Mercedes Araoz, Kuczynski’s second vice president, told Perú 21. Her comments upset Petroperú’s board of directors.

Jurist Beatriz Mejía has called the current state of affairs a parliamentary dictatorship. “This government should act firmly,” she told Diario Uno. “If things become complicated, people should take to the streets and call for Congress to be shut down, because we cannot allow them to do what they are doing. The executive is allowing [Fuerza Popular legislators] to run the country from Congress. With this, what we want is to spark a political reflection in the country; we can no longer allow them to give us inadequately prepared authorities who lack moral fiber.”

**Education minister censured**

Conflictive relationships between the Frente Popular parliamentary majority and Kuczynski’s Peruanos por el Cambio (PPK) reached their highest level of tension with the Fuerza Popular caucus’s investigation of Minister of Education Jaime Saavedra Chanduví. In the end, Saavedra, a popular Cabinet member, was censured, and he eventually resigned.

The motion to investigate Saavedra was based on questions regarding alleged irregularities in the purchase of computers for the Education Ministry and the delay in the organization of the Pan American Games to be held in Lima in 2019. But congressional representatives from the PPK, Frente Amplio, Acción Popular, and some from the Alianza para el Progreso indicated the real reason had to do with the reforms Saavedra launched as education minister in the Ollanta Humala administration. Specifically, backers of Fujimori and the Partido Aprista wanted to bring down the university law to benefit private interests. At the end of the investigation, Fujimorists proposed the minister be censured.

According to media reports, 16 legislators are connected to private universities; nine of them are in Fuerza Popular and the others are members of the Alianza para el Progreso and the Partido Aprista.
Although Saavedra responded clearly and adequately to the document’s 18 questions, legislators who spoke later focused their criticism on issues that had nothing to do with the inquiry, including the new basic school curriculum, which they say promotes a “gender ideology.” Fujimorists and conservative Catholics led by Cardinal Juan Luis Cipriani object to the curriculum because they argue it threatens the proper education of children and adolescents.

“The new school curriculum is not focused on a gender ideology, but rather on gender equality, which means the respect of all persons, who regardless of their gender identity have the same responsibilities, rights, and opportunities,” Cecilia Ramírez, head of the Ministry of Education’s basic education department told the newspaper La República.

The university reform is backed by students who, on Dec. 12, demonstrated in an event called Take to the Streets, asking the government to not yield to Fujimori and her Fuerza Popular.

“There are sectors that are more concerned with defending their own self-interest and [the interests] of their friends in the education sector. Congress isn’t its own private enterprise; it should listen to the citizenry,” Verónica Mendoza, who ran for president as the leader of the Frente Amplio (NotiSur, April 22, 2016), told the press. She said the Frente Popular was seeking to corner the government in order to secure government jobs for its followers.

Some called for Saavedra to resign in order to keep Fuerza Popular from proceeding with the censure. Others proposed a complex political maneuver: Fernando Zavala, the president of the Council of Ministers, would offer to submit the Cabinet—with Saavedra as education minister—to a vote of confidence in Congress. If the result was a no-confidence vote, the government would then form a new Cabinet, this time with Saavedra in a different Cabinet position, and ask for a new vote of confidence. If Congress once again returned a no-confidence vote, the president could dissolve Congress in accordance to Article 134 of the Constitution, which states, “the president has the right to dissolve Congress, if [Congress] has censured or given a no-confidence vote to two Cabinets.”

A censure vote was eventually approved Dec. 15, followed by the official acceptance of the minister’s resignation Dec. 18.

“I leave in peace and satisfied that a path toward reform has begun,” Saavedra said on the Sunday program Cuarto Poder (Fourth Estate). “The ground has been laid for ensuring strong, quality public education that offers opportunities to all Peruvians.” He added that his removal from the Cabinet had been “legal but unfair, because there is no solid reason for this censure.”

Historian Carmen McEvoy says one of the government’s problems is the absence of political players who, beyond their technical ability, can handle the task of persuasion. In an interview with the newspaper La República, she argued that the members of the Fuerza Popular caucus “assume both legislative and executive powers for themselves, so they think they can do whatever they want with the president of the republic.” Many believe the Fuerza Popular caucus follows orders from Keiko Fujimori.

In an effort to appear open to dialogue and not obstructionist, Fujimori arranged for Cardinal Cipriani, her close friend, to invite her and Kuczynski to meet at Cipriani’s home, which they did on Dec. 19. It was their first encounter since the run-off elections.

“We all know that Peru faces major challenges ahead and many agree [with Fujimori] that our job is to propel the country forward … There always will be differences, but I don’t doubt that we can
work together to promote a Peru that reaches the year 2021 with modernity and prosperity,” the president told reporters after the meeting.

For her part, Fujimori said, “Fuerza Popular will respect and strengthen our democracy and will respect constitutional order. In this dialogue, we have touched on various issues ... We have common ground but also very different ways of carrying out policy. However, these differences aside, we will always put Peru first in our thoughts.”

Many criticized the fact that it was Cipriani, Fujimori's friend, who played the role of mediator, and noted that the meeting should have taken place inside the Government Palace.

A presidential vacancy?
The question of whether Kuczynski will serve his full presidential term or be the subject of what in Peru is known as a vacancia presidencial—“presidential vacancy,” or removal from office—is already being asked in the public arena.

Journalist Rosa María Palacios commented that Saavedra’s censure “will open the door to the slow destruction of the presidency itself.”

In his column in El Comercio, political analyst Fernando Rospigliosi wrote: “Unfortunately for the country’s stability, the possibility of a presidential vacancy is already being openly discussed. Two of the three basic conditions for removing a president by constitutional means are already present.” The two existing conditions are the presence of political scandals that affect the president, and a majority in Parliament that is willing to censure. “The third and most important,” he added, “is that the economy goes very badly and the masses take to the streets to protest against the government and confront the forces of order.”

Rospigliosi added, “When employment and income are up, the population can put up with corruption and scandals. But corruption becomes intolerable when things are going badly.”

The question of a presidential vacancy—and early presidential elections—has come up at a time when Peru is grappling with the unveiling of a corruption scandal in which a Brazilian company is accused of bribing Peru’s public officials during the administrations of Alejandro Toledo (2001-2006), García, and Ollanta Humala (2011-2016) (NotiSur, Jan. 13, 2017). The scandal could extend to Kuczynski, who was economic minister and president of the Cabinet under Toledo.

In an interview with Radio Pachamama, Frente Amplio Rep. Alberto Quintanilla said that members of Fuerza Popular had proposed the idea of removing the president on the grounds that he suffers from senile dementia. “The only ways to vacate the presidency would be those in the Constitution, and one of them is [the existence of] a serious, incapacitating illness. This has been discussed.” But Rep. Alejandra Aramayo of Fuerza Popular denied Quintanilla’s statements.

It is expected that tensions between the executive and the majority opposition in Congress will continue this year and—with a weak government lacking political operatives—the outlook does not seem good.

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