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Public Life in the Time of Alberto Fujimori

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Commentary by
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PREFACE

This paper represents part of the work done by Catherine Conaghan, Associate Professor of Political Science, Queen's University, Kingston Ontario, when she was a Guest Scholar at the Woodrow Wilson Center during the winter months of 1995. While at the Center, Conaghan was researching a book focusing on the political changes in Peru in the wake of President Fujimori's *autogolpe* of April 1992. Carlos Basombrío, who has written the commentary, was a Woodrow Wilson Center Fellow during the 1994-95 academic year, and has since returned to the Instituto de Defensa Legal in Lima, Peru. Both Conaghan and Basombrío participated in a March 16, 1995, seminar at the Center on "Peru's Upcoming Elections: Prospects for Democratization." They were joined at the time by George Washington University Professor of Political Science Cynthia McClintock, and Peruvian Ambassador to the United States Ricardo V. Luna (see Latin American Program, *Noticias*, Spring 1995).

This paper was edited by Senior Program Associate Cynthia Arnson. Production assistance was provided by Program Assistant Michelle McCallum. Leah Florence was copy editor.

Introduction

In the wake of the President Alberto Fujimori's auto-coup of April 5, 1992, Peruvian social scientists and opposition activists wrestled with the question of how to characterize the new regime--*democradura*, presidential Caesarism, delegative democracy, and civil-military dictatorship are among the terms that have been used.¹ All of these categorizations represent the post-coup regime as a hybrid that combines some of the formalities of a democratic system with non-democratic practices.

Even as regime critics searched for a vocabulary to describe the altered state of the political order, the administration engaged in strenuous efforts to represent itself as a democratic government. In the weeks following April 5, Fujimori and administration officials used popular approval, as registered in opinion polls, as proof of the essentially "democratic" nature of the coup.² The subsequent election for the constituent assembly (Congreso Constituyente Democrático--CCD) in November 1992, followed by the municipal election of January 1993 and the referendum on the new constitution in October 1993, bolstered *oficialista* arguments. In public statements, Fujimori made frequent references to the untrammelled state of political competition and elections as proof positive of the democratic quality of the regime. Moreover, the reestablishment of press freedoms almost immediately after the April coup also served as an important component in official efforts to portray the regime as a democracy--that the cover of an opposition

¹ For a discussion of the regime as a *democradura* see Sinsesio López, "A donde va la democradura," *Cuestión de Estado* 1, no. 3, (May-June 1993): 28-32; "El régimen fujimorista y sus (monstruosas) criaturas," *Cuestión de Estado* 1, no. 2 (March-April 1993):13-17. For a discussion of the regime as an example presidential Caesarism, see Enrique Bernales, "Retorno al absolutismo," *Argumentos* 2, no. 9 (1993): 5-6. Henry Pease García discusses the civil-military nature of the regime in *Los años de la langosta: La escena política del fujimorismo* (Lima: Instituto para la Democracia Local, 1994), pp. 244-47. For an analysis of the regime as an example of plebiscitary authoritarianism see Julio Cotler, "Crisis política, outsiders, y autoritarismo plebiscitario: el fujimorismo," in his *Política y sociedad en el Perú: Cambios y continuidades* (Lima: Instituto de Estudios Peruanos, 1994), pp. 165-235.

² I have discussed the use of polls in the post-coup period in a previous work; see, "Polls, Political Discourse and the Public Sphere: The Spin on Peru's Fuji-golpe" in *Latin America in Comparative Perspective: New Approaches to Methods and Analysis*, ed. Peter Smith (Boulder: Westview Press, 1995), pp. 227-55.

magazine could depict Fujimori's head being flushed down a toilet was surely evidence that civil liberties were alive and well.³

Fujimori's interest in the debate over how the regime would be defined was not academic; reestablishing the democratic credentials of the regime became the key to fending off the diplomatic isolation and economic sanctions threatened by the international community in the wake of the coup. The decision to hold a constituent assembly election was the result of intense pressure from the Organization of American States to restore "representative democracy."

The reestablishment of electoral mechanisms defused much of the international pressure on the regime. Nonetheless, domestic critics and opposition leaders continued to point to the failure of the Fujimori government to live up to democratic norms beyond those of simply staging elections and permitting freedom of expression. Critics argued that respect for the rule of law, transparency in the management of public affairs, and accountability are basic components of contemporary democracy--that is, they were presented as criteria on which the Fujimori administration fell painfully short. These criticisms formed part of the discourse on "democratic institutionality" articulated in the platform of the Unión Por El Perú (UPP), the movement that contested Fujimori's 1995 reelection bid and fielded Javier Pérez de Cuéllar as its presidential candidate.⁴ For the most part, however, these abstractions were lost on a general public attracted to the simple, common-sense definition of democracy put forth by Fujimori that equated democracy with elections and civil liberties.

In the aftermath of Fujimori's decisive reelection victory on April 9, 1995, in which he polled 64 percent of the valid vote, the official effort to legitimize the regime as democratic seemed vindicated. Pro-government media jumped on the bandwagon, with one television channel promoting its coverage of Fujimori's July inauguration as the dawn of *democracia plena*. Nevertheless, precipitous actions

³ *Caretas*, 20 August 1992. The cover referred to the breakdown of negotiations between the government and opposition parties and Fujimori's decision to "pull the chain" on the talks.

⁴ The UPP stressed the separation of powers and the strengthening of inter-governmental oversight as integral elements in the development of democratic institutionality in Peru. The UPP position was summarized in "Prosperidad y paz hacia el siglo XXI: Lineamientos generales del plan de gobierno 1995-2000 (Resumen ejecutivo para la campaña electoral)," photocopy (Lima, 1995).

taken by the government-controlled majority of the outgoing CCD in May and June 1995 resurrected concerns about the administration's commitment to democratic norms and the integrity of the new post-coup institutional framework. The most notorious of the "midnight laws" passed by the CCD in June 1995 was a measure that extended amnesty to all armed forces and police convicted or accused of human rights violations since 1980.⁵

In light of the Fujimori administration's post-election behavior, questions linger about the nature of the regime and the quality of democracy in Peru. Fujimori and administration defenders certainly are correct when they assert that the new institutional framework resembles that found in presidential democracies elsewhere and that civil liberties are unrestricted. The disquieting features of post-coup democracy in Peru lie not in its institutional design per se or even in the concentration of power in the presidency--but in how post-coup institutions and the presidency operate in relation to an enfeebled public sphere.

The politics that unfolded in reference to the recent amnesty law is but one example of the peculiarities of public life in post-coup Peru. Dissent and debate do take place, but often with no discernible impact on institutional behavior. Controversies and contestations about policy and the conduct of public officials fail to resonate inside institutional structures, even as they fail to mobilize constituencies with the power to influence the behavior of institutions. Political scandals are revealed by the press, abuses are denounced by the opposition, and policies are challenged. But much of this political discussion is either ignored by authorities or "processed" by institutions in ways that do not fundamentally resolve or clarify issues; and even in those cases in which controversies are resolved, they are resolved in ways that virtually always reflect the government's position, and in many instances, defy widespread public opinion.

This essay takes a closer look at the disposition of political controversies in post-coup Peru as a way of empirically examining relationships between the state and the public sphere. New theoretical and historical writing on the public sphere

⁵ Other "midnight laws" included the bill that permitted the government to intervene in and reorganize the universities of San Marcos and La Cantuta. For an overview of the flurry of CCD activity in its waning weeks, see "Congreso constituyente: Final a carpetazo limpio," *Quehacer* 96 (July-August 1995): 24-29.

speaks directly to issues concerning the quality of democracy; a focus on the interaction of the state and the public sphere may be an especially fruitful point of departure for understanding the current dilemmas facing democratic political development, not only in Peru but throughout the region.

The Public Sphere and the Quality of Democracy

The recent wave of scholarly writing on the public sphere was inspired by the English language publication of Jürgen Habermas's classic, *The Structural Transformation of the Public Sphere*,⁶ which examines the emergence of the public sphere and its close relationship with democratic political development. The public sphere, as defined by Habermas, is found in those discursive practices through which citizens come together to form opinions about politics. The public sphere is constituted through multiple acts of deliberation on the part of citizens. Habermas located the original venues of the liberal public sphere in eighteenth-century Europe in the salons, coffeehouses, and clubs where members of an emergent "reading public" gathered to discuss the political news of the day. In contemporary life, the mass media have assumed a dominant role in the structuring of political discussion.⁷

The development of the public sphere is closely intertwined with democratic political development in a variety of ways. Civil liberties are crucial to the formation of the public sphere; at the same time, the scrutiny of public affairs and the political criticism that emerges from discussions among citizens that take place in the public sphere are an integral part of the process that subjects government to democratic control.

Not surprisingly, Habermas's sweeping arguments about the historical development of the public sphere in Europe provoked intense critical reactions;

⁶ The original German version was published in 1962. The English translation was published as *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. T. Burger and F. Lawrence (Cambridge, Mass: MIT Press, 1989).

⁷ A short summary of these arguments can be found in Jürgen Habermas, "The Public Sphere," *New German Critique* 3 (Fall 1974).

these will not be rehearsed here.⁸ For the purposes of this essay, it is important to note that most critics (notwithstanding their particular disagreements with Habermas) have been reticent to dismiss his concept of the public sphere altogether and have instead suggested addenda that modify or extend Habermas's argument in new directions.

The unwillingness of critical theorists to surrender the concept speaks for its appeal as a normative referent in democratic theory--especially in its emphasis on access to information and deliberation among citizens as foundational to democratic life. As Michael Schudson notes, "One of the great contributions of the concept of a public sphere is that it insists that an ideal democratic polity be defined by features beyond those that formally enable political participation. It is not only the fact of political involvement but its quality that the concept of the public sphere evokes."⁹ As such, any "real life" public sphere can be evaluated from the perspective of what opportunities are afforded citizens to engage in informed deliberation about public affairs. These opportunities for citizen engagement in public life are conditioned by a variety of factors: socio-economic structures, the composition of civil society, the nature of the press.

Clearly, a democracy is not constituted simply by virtue of the fact that citizens are discussing public affairs or being informed by the press; in fully democratic systems, discursive practices in the public sphere are part of the broader processes through which government is subjected to popular control. As a number of critical theorists argue, the existence of civil society per se does not insure that a democratic public sphere exists. There can be a wide of array of autonomous social organizations in society, but these organizations may not necessarily be sites for politically relevant discussions; and even when they are, such organizations may

⁸ There is an extensive critical literature; see, for example, the essays in *Habermas and the Public Sphere*, ed. Craig Calhoun (Cambridge: MIT Press, 1993). For a discussion of the European critics of Habermas, see Peter Uwe Honneth, *The Institution of Criticism* (Ithaca: Cornell University Press, 1982), pp. 242-80. Reaction to Habermas is also found in Oskar Negt and Alexander Kluge, *Public Sphere and Experience: Toward an Analysis of the Bourgeois and Proletarian Public Sphere*, trans. Peter Labanyi, Jamie Owen Daniel and Assenka Oksiloff (Minneapolis: University of Minnesota Press, 1993). Also see the collection of essays in *The Phantom Public Sphere*, ed. Bruce Robbins (Minneapolis: University of Minnesota Press, 1993).

⁹ Michael Schudson, "Was There Ever a Public Sphere? If So, When? Reflections on the American Case," in *Habermas and the Public Sphere*, p. 147.

lack the clout to evoke governmental responsiveness and accountability. In a functioning democracy, the public sphere is "influential"; that is, the politically relevant discussions that go on in at least some of the organizations in civil society resonate in governmental institutions and affect the behavior of officials.¹⁰ Controversies that take place in the public sphere provoke governments to react--through congressional hearings, investigations, and court proceedings that are geared to resolve, clarify, or at least examine the state of affairs surrounding the controversy and the role of public authority in relation to the issues in question.

Contemporary American politics offer endless examples of the interactive nature of the public sphere and the state--from the Clarence Thomas-Anita Hill hearings to the winding course of the current Whitewater investigations. In such cases, the press plays a critical role in bringing to light the questionable conduct of government figures, triggering official inquiries, and generating broader public discussion of the issues involved. As Nancy Fraser notes, the Thomas-Hill hearings can be viewed as a classic example of how the public sphere operates in a democracy. The press and public opinion "forced" the Senate into a public hearing on the issue; and public opinion, in turn, was shaped in the course of that deliberative process.¹¹

This latest wave of writing on the public sphere converges with recent work in the field of comparative politics that emphasizes the central importance of state-society relations in the analysis of regimes and regime change.¹² At the same time, thinking about the public sphere brings us back to reflect on several classic issues in empirical democratic theory: (1) What are the processes through which public

¹⁰ For further elaboration of this argument see Craig Calhoun, "Civil Society and the Public Sphere," *Public Culture* 5, 2 (Winter 1993): 267-80.

¹¹ Clearly, there are a variety of readings and meanings that can be attached to the Thomas-Hill hearings. As Fraser points out, the hearings also constituted a struggle over the question of what sorts of issues and behaviors are "fair game" for debate in the public sphere. Thomas refused to deal with many of the accusations against him by maintaining that his rights to privacy were being violated. See her "Sex, Lies and the Public Sphere: Some Reflections on the Confirmation of Clarence Thomas," *Critical Inquiry* 18 (Spring 1992): 595-612.

¹² Criticisms of purely "state-centric" approaches to political life and an insistence on understanding state-society relations in analyzing regimes are the basis of two recent works; see the essays in Joel Migdal, ed., *State Power and Social Forces* (New York: Cambridge University Press, 1994), and Frances Hagopian, *Traditional Politics and Regime Change in Brazil* (New York: Cambridge University Press, forthcoming).

opinion is formed? and (2) Apart from elections, what influence does public opinion have on the conduct of government? With these questions in mind, let us briefly examine how political controversies are dealt with in post-coup Peru. How do public discussions about contentious issues take place? What impact do these discussions have on the behavior of the Fujimori administration?

Controversies, Institutions, and the Avoidance of Public Opinion

The coup of April 5, 1992, was executed in classic military style. Along with the arrest of some opposition party leaders, the offices of Lima's major media outlets were taken over by troops and news coverage of the coup was censored. Almost immediately, however, press censorship was lifted when it became apparent that no mass resistance to the coup would take place. Fujimori even paid a visit to the owner of Lima's biggest newspaper, *El Comercio*, and apologized for the heavy-handed military incursion. The reestablishment of press freedom was an important element in the administration's efforts to represent the coup as a non-repressive and popularly backed event.

The press, especially print journalism, has played an important role in post-coup politics by drawing attention to human rights violations and corruption cases, and questioning government excesses in the exercise of power. Yet, the capacity of the press to act as an effective "watchdog" on government behavior has been constrained by the institutional reorganization that followed the coup. While the press itself was not subject to restrictions in regard to its news coverage or editorial opinions, its ability to evoke governmental responsiveness or accountability was greatly reduced by the coup-induced collapse of the separation of powers and the executive domination of all branches of government.

Government entities that previously had been charged with oversight functions vis-à-vis the executive branch were restructured and effectively subordinated to the executive. Congress was shut down completely from April through December 30, 1992. The suspension short-circuited a number of ongoing congressional investigations; among the most noteworthy was the congressional commission investigating the 1991 Barrios Altos massacre in which fifteen civilians were executed mistakenly as terrorists by an army death squad at a chicken barbecue in Lima. At the time of the coup, another commission was investigating charges in

the "donated clothing" (*ropa donada*) case, in which members of President Fujimori's family were accused of profiteering from the sale of charitable donations of used clothing made to the Peruvian government by Japan. The whistle-blower in the case was the president's spouse, Susana Higuchi.

Elections for a new constituent assembly (CCD) held November 1992 yielded a majority for Fujimori's party, Cambio 90-Neuva Mayoría (C90-NM) which subsequently controlled all congressional committees. Congresswoman Martha Chávez, one of the Fujimori administration's most vociferous defenders, chaired the CCD's Comisión de Fiscalización, the committee charged with investigating cases of political corruption and malfeasance. Under Chávez's direction, the commission was notable for its inaction on or dismissal of cases involving accusations against administration officials.¹³

The administration of justice was also affected profoundly by the institutional restructuring that came with the coup. Thirteen Supreme Court justices, along with the Attorney General and hundreds of lower level judges and prosecutors, were fired in April 1992.¹⁴ Judicial activity was paralyzed for a month after the coup; some pre-coup personnel were allowed to retake their posts, but hundreds of others were dismissed without recourse to any appeal process. The system was remounted with the naming of hundreds of "provisional" judges and prosecutors. An attempt to normalize the appointments came with the creation of the Jurado de Honor, a five-man committee charged with reviewing and renewing judicial appointments. Nonetheless, progress on judicial organization was slow, especially outside of Lima. By late 1994, an estimated 85 percent of judicial and prosecutorial appointments in the provinces remained "provisional"--clearly, a state of affairs that called into the question the autonomy with which such appointees could act.¹⁵

¹³ An excellent overview of problems regarding oversight and judicial processes in relation to corruption issues during the Fujimori administration can be found in Hernando Burgos, "Política e impunidad: Siempre la paja en el ojo ajeno," *Quehacer* 9 (May-June 1995): 37-50. Chávez as well as other C90-NM representatives have articulated an "anti-investigatory" discourse that justifies the lack of action on the grounds that oversight powers were misused in the past for political purposes.

¹⁴ Figures are from *Amnesty International Report 1993*, p. 236.

¹⁵ Figure is from *Oiga*, 21 November 1994.

Another important body dissolved in the coup was the Tribunal de Garantías Constitucionales (TGC), the entity charged with deciding on the constitutionality of laws and the practices of the executive, legislative, and judicial branches. Even though the new Constitution of 1993 mandated its reestablishment, the TGC remained inoperative. Appointments to the TGC are the responsibility of the legislature, but the government-controlled majority in the CCD never moved on the question of TGC appointments. Without a functioning TGC, there was no venue in which to settle questions concerning the constitutionality of governmental behavior in the period 1993 to 1995. The CCD also failed to create the office of Defensoría del Pueblo, another oversight body mandated by the 1993 constitution.¹⁶

The coup and the following constitutional restructuring created an institutional grid that was relatively impervious to controversies and resistant to pressures for public inquiry. The press was free to churn up stories about governmental abuses of power, but those controversies frequently were rendered irrelevant to the conduct of government given the absence of autonomy and political will in the institutions normally concerned with oversight functions. Without the attention that accompanies public inquiry, some "controversies" simply faded as news stories.

In a number of cases, the congressional oversight commission and the Attorney General's Office simply dropped investigations involving government officials and no public clarification was offered of what happened. In contrast to this inaction on alleged abuses during the current administration, the congress did make headway on the corruption investigation involving former president Alan García. Progress on the García case, however, only underscored the selective and partisan use of the investigatory apparatus of the state.

The Congress and the Attorney General's Office, headed by Blanca Nélida Colán, did not confine themselves to simple inaction on sensitive cases. In reference to human rights abuses, they acted forcefully to shut down ongoing

¹⁶ As the final draft of this paper was being completed, the 1996 Congress was working on appointments to the TGC and the Defensoría del Pueblo and legislation to enable the operation of these offices. Controversies about the appointments, as well as budget allocations for these entities, marked congressional debates on these matters.

processes of inquiry altogether. In 1993, leaks to the press and CCD opposition from sources inside the armed forces triggered what became a troubled investigatory process in the case of the ten "disappeared" individuals from La Cantuta University. In light of the serious allegations that an army death squad was responsible for the disappearances, the CCD struck a commission to investigate the charges. The commission's investigations were hindered in a variety of ways. Armed forces officials failed to provide congressional investigators with information, and CCD president Jaime Yoshiyama publicly questioned the legitimacy of the commission by arguing that a military-led investigation was the proper venue for the disposition of the case.¹⁷

The CCD commission issued a majority and a minority report. The majority report concluded that the armed forces were not only responsible for the disappearances, but that high-ranking officials had actively engaged in a cover-up. The minority report, authored by C90-NM congressmen Gilberto Siura and Jaime Freundt-Thurne, suggested that the individuals in the case might have staged their own kidnapping. The pro-government CCD majority approved the minority report in June 1993.

The discovery of the bodies of the disappeared in the La Cantuta case in a mass grave outside of Lima in July 1993 discredited the finding of the minority report and forced a reopening of the case. Attorney General Blanca Nélida Colán presided over an investigation that was criticized for its slow pace and its questionable treatment of the forensic evidence.

As the legal case developed, the armed forces asserted their jurisdiction over the matter and insisted that the adjudication take place within military courts. The jurisdictional dispute was to be decided by the Supreme Court in early 1994. When it became evident that the Supreme Court vote would fall short of the four votes needed to remand the case to the military court, the C90-NM congressional majority intervened to change the legal process. It quickly passed a law to reduce the number of votes necessary from four to three; this insured that the military would preside over the legal case. The constitutionality of such legislative action was questionable;

¹⁷ The course of the investigation is described in "Peru: Anatomy of a Cover-Up, The Disappearances of La Cantuta," *Americas Watch* 5, 9 (September 27, 1993).

but in the absence of the TGC, there was no institutional recourse open to the opposition to contest the measure.¹⁸

Congressional interference in judicial processes did not end with the La Cantuta case. By June 1995, another jurisdictional dispute between civilian and military justice broke out in reference to the Barrios Altos massacre. The civilian judge in charge of the case, Antonia Saquicuray, and the prosecutor, Ana Magnalles, refused to defer to the military and ordered high-ranking officials to testify in the case.¹⁹ In the early morning hours of June 14, 1995, the pro-government majority introduced an extraordinary piece of legislation. After quick debate it was voted on and immediately signed into law by President Fujimori as the Ley de Amnistia, No. 26479. The law extended complete amnesty to armed forces, police, and civilians charged with or convicted of human rights violations since 1980. The amnesty law freed the ten military men convicted by a military court in the La Cantuta case, and short-circuited the Barrios Altos trial. Several days later, the C90-NM majority followed up with Law 26492, a measure that obligated all judges to apply the amnesty law to all cases.²⁰

What is remarkable about post-coup institutional behavior is not only how governmental bodies have been able to resist scrutiny and criticism by the press, but the extent to which they can operate in direct defiance of widespread public opinion. In an administration that is especially attentive to the use of public opinion polls and focus groups for some (especially electoral) purposes, public opinion in other realms is simply disregarded.²¹ For example, a CPI poll taken two months after the

¹⁸ Pease García, *Los años*, pp. 247-51.

¹⁹ *Caretas*, 8 June 1995, pp. 32-33.

²⁰ Judge Saquicuray opposed both laws. She argued that the amnesty law violated both the constitution and international human rights laws and that subsequent Law 26492 could not be applied to ongoing cases in the legal system. Saquicaray's refusal to apply the amnesty law was overturned by a higher court ruling on July 14 by the eleventh district court (see the report in *La República*, 15 July 1995). For her audacious public opposition, Saquicaray subsequently found herself threatened with legal reprisals for her judicial conduct (see *Gestión*, 5 August 1995).

²¹ By insider accounts, Fujimori is said to be highly interested in and sensitive to polls and focus groups. The candidates for his C90-NM congressional list were selected on the basis of polling and focus group findings. Interview with media consultants on the 1995 Fujimori presidential campaign, 27 April 1995, Lima.

coup showed that 78 percent of the public favored continuing the judicial inquiry into the "donated clothing" scandal; nonetheless, the government made no effort to clarify the case.²²

In human rights controversies, the divergence between public opinion and institutional behavior has been even more marked. Polls consistently show strong public support in favor of the protection of human rights and in favor of public inquiries into alleged violations of human rights. In an Apoyo poll in February 1994, 64 percent of those surveyed indicated that they disapproved of the congressional measure that transferred the La Cantuta trial to a military court.²³ In May 1994, an Imasen poll showed that an overwhelming 96.7 percent of the public expressed support for public investigations into the case of alleged human violations abuses by the armed forces in operations in the Alto Huallaga.²⁴ The amnesty measure provoked strong widespread public disapproval, with 86 percent expressing opposition to the measure in public opinion polls. The disapproval registered in opinion polls was matched with public pronouncements by a wide range of groups in civil society that included the press, the Colegio de Abogados, the Episcopal Conference of the Catholic Church, and human rights groups.²⁵ Even the usually pro-government newspaper, *Expreso*, voiced its shock over the measure.

Public opinion data reveal important gaps between mass attitudes and institutional behavior in the post-coup period; polls tell us that the public strongly supports human rights and favors investigations of governmental abuses of power. These attitudes are also accompanied by low levels of confidence in institutions charged with oversight/investigatory functions. While President Fujimori's personal approval ratings have remained extremely high, public confidence in other governmental entities remains low. The judiciary and the Attorney General's Office are among the institutions in which the public expresses the least confidence; only

²² The CPI poll is cited in *Caretas*, 8 June 1992.

²³ Apoyo S. A., *Informe de opinión*, February 1994.

²⁴ Results reported in "Alto Huallaga: Hay evidencias suficientes para afirmar que..." *Ideele* 66 (July 1994), p. 45.

²⁵ Reactions by groups and the press are reported in "No, no, no, no, no, no, no, no..." *Ideele* 77 (July 1995), pp. 10-12.

political parties and unions rank lower. Confidence in Congress has recovered somewhat from its low pre-coup level, but still falls below 50 percent.²⁶

In contrast, public approval of non-governmental organizations that question governmental conduct--the press and human rights groups--has remained unequivocal. An Apoyo poll taken in May 1994 reported that 75 percent of those interviewed approved the work being done by human rights groups.²⁷ Similarly, public confidence in the press remains substantial, with ratings of over 50 percent.

The press, public opinion (as expressed in polls), and significant elements within Peruvian civil society have been at odds with the Fujimori administration over issues related to the ethical conduct of governmental institutions and public officials. How has the administration been able to resist responding to such controversies? Certainly, Fujimori's dependence on the military for political support is a key factor in explaining the administration's reticence to pursue issues related to the conduct of armed forces officials. But the administration's capacity to avoid adversarial public opinion and press scrutiny is also connected to limitations on the way the public sphere operates and the debilitated state of civil society and the party system. The critical press fails to reach much of Peruvian society--and even when it does, organizing adversarial public opinion is extremely difficult.

The Shape of the Public Sphere: The Press and Political Information

The mass media constitute the hub of the public sphere in every modern democracy; the media not only provide the political information that citizens need in order to be able to deliberate on politics, but organize and structure the public's conversations about political life. An assessment of the quality of any contemporary democracy necessarily entails reflections on the role of the press and its relationship to the formation of public opinion.

A quick glance at any newsstand in Lima gives the impression of a pluralistic and unintimidated press. Although the liveliness of the Peruvian press is

²⁶ For confidence figures, see Apoyo S.A., *Informe de opinión*.

²⁷ Apoyo S.A., *Informe de opinión*, May 1994.

unquestionable, the apparent pluralism and freedom that the press enjoys masks a more complicated reality. The capacity of the print press to shape public conversations about politics and affect governmental behavior is greatly reduced by the relatively small size of the "reading public" in general, and the even smaller audience that consumes the "critical press."

The Lima-based press is the most influential in national political life. The country's major newspapers--*El Comercio*, *La República*, *Expreso*, *Gestión*, and the government's official newspaper, *El Peruano*--are all published in Lima. The oldest, privately owned outlet, *El Comercio*, enjoys the highest circulation and readership; average sales in 1994 were estimated at slightly over 100,000 copies daily. Circulation of the other newspapers trails significantly behind, with *La República* and *Expreso* averaging daily sales ranging in the mid-30,000 copies. The overall size of the total newspaper market remains relatively small; with a population of close to seven million in the greater Lima metropolitan area, daily sales of the major newspaper outlets were estimated at 557,000 copies in 1994.²⁸ Market surveys of newspaper readership confirm that the "reading public" is a minority and that low-income consumers are less likely to read newspapers on a regular basis.²⁹ One study reports that only a little more than one third of those surveyed in Lima indicated that they read newspapers on a daily basis.³⁰

Traditional newspapers face competition from tabloid-style products. Thus far, *Ojo* remains the biggest seller in this genre and is among the most sober of the tabloid press; it does typically feature at least some political news in its lead pages.

²⁸ Sales figures are from a May 1994 study by Apoyo S.A.

²⁹ Illiteracy per se is not a major problem constraining the size of the "reading public" in Peru. The 1993 census estimated the national illiteracy rate at 18.3 percent of the population aged 15 or older. The rural illiteracy rate is higher, estimated at 29.8 percent. But Peru is highly urbanized, with 70 percent of its population in cities. Urban illiteracy is significantly lower, estimated at 6.7 percent. As one magazine editor pointed out to me, what is missing is not literacy skills per se in the population but the "habit" of reading.

It is also important to note that while 45 percent of the Peruvian population is classified as indigenous peoples, national print press and television journalism provide almost no information services in indigenous languages. Radio broadcasts are the principal source of news information in the indigenous languages.

³⁰ Figures from a survey by TeleDatum, 7-13 November, 1994, reported that 36.3 percent of their sample indicated that they read newspapers. According to the Newspaper Association of America, an estimated 62 percent of adults in the U.S. read a daily newspaper.

Most of the other tabloids have little political content and instead highlight crime stories and oddball features or specialize in sports. Among the top sellers are *Aja*, *El Mañanero*, and *El Popular*. When these tabloids do offer political news, it is done in a highly sensationalist style that almost always conflates politics with corruption or sexual escapades.³¹

The magazine market for serious political journalism is even smaller; in one survey, less than a quarter of the people polled in Lima indicated that they read magazines of any sort, including sports and beauty magazines.³² The three news magazines that do report on political news and undertake investigative journalism have low circulation and have been experiencing serious economic difficulties. The sales leader is *Caretas*, a weekly magazine that sells a little less than 20,000 copies. Its nearest competitor, *Oiga*, which averaged sales of around 10,000 copies per week, recently ceased publication as a result of financial problems. *Sí* magazine, with average sales of approximately 9,000 per week, is also reported to be in serious economic straits that put its future in question.

Clearly, the market for serious print journalism in Peru is a reduced one; when print outlets pursue controversial political stories, they do so for a very small audience. Moreover, the "contesting" capacity of the print press is further complicated by the extremely politicized character of some newspapers and the generally weak tradition of investigative journalism in the newspaper trade. Three major dailies have taken sharp editorial positions that clearly affect the content of their news coverage. *Expreso* and *Ojo* have both generally supported the Fujimori administration and have been loath to pursue news stories unfavorable to the government.³³

³¹ Among the most lurid is *Confidencial*, a tabloid that regularly reports on the supposed sexual preferences of public officials; among its favorite recent targets are Rafael Rey and Susy Díaz. Díaz is the showgirl who unexpectedly won a congressional seat; she has become a favorite topic for the establishment as well as the tabloid press. Her unconventional career is chronicled by Carlos Chávez Toro, *Susy Díaz: Anatomía de una democracia* (Lima: Arteidea Editores, 1995).

³² Data from survey by TeleDatum, November 1995, Lima.

³³ A high-ranking *Ojo* executive readily admitted that the newspaper's pro-government editorial position affected news coverage by the paper, particularly the tenor of its headlines; interview, 16 August 1995, Lima. The content of headlines is considered to be extremely important for shaping public opinion, in part because many low-income consumers who do not purchase newspapers scan the headlines on the boards on which they are displayed in front of newspaper kiosks.

In contrast, *La República* has been strongly identified with the opposition; but this identification frequently works to the detriment of its news coverage on controversial issues. *La República*'s stories are frequently dismissed by the administration as political smears that do not have to be addressed as serious reporting. Moreover, investigative reporting and follow-up stories have not been an especially strong suit for newspapers; this leads to an over-reliance on "official" sources for news. As a result, important issues can rapidly fade from the headlines when "official" discussion on them shuts down. A recent example can be seen in the coverage of the massive irregularities in the count of congressional results of the April 1995 election: when the Jurado Nacional de Elecciones and the Attorney General's Office went silent on the matter, news coverage of the matter virtually ceased.³⁴

Investigative journalism has been the province of the major political magazines: *Caretas*, *Oiga*, and *Sí*. All three have played an important role in the pursuit of human rights issues, perhaps most notably in their coverage of the La Cantuta case.³⁵ Yet, as noted previously, the audience for these magazines is limited, and their reporting is also subject to charges that it is "politicized" and, therefore, not to be taken seriously or deemed worthy of official response.

Ignoring the content of critical print journalism becomes more problematic for the government when the stories reach a larger audience through broadcast journalism. Most Peruvians receive the bulk of their political information via television or radio. When political controversies or scandals do make it to the airwaves, however, newscast coverage is not aggressive and is often dominated by official explanations of the issue. University of Lima researchers found that the pronouncements and activities of government officials (the president, ministers, majority congressmen) account for 42 percent of the news content of nightly newscasts. Crime and violence stories accounted for 35 percent of the content; news

³⁴ I have discussed the problems of the irregularities in "Troubled Accounting, Troubling Questions: Looking Back at Peru's Election," *LASA Forum* 26, 2 (Summer 1995): 9-12. *El Comercio* did make some effort to follow up on the story in a few reports during the month of May.

³⁵ Acting on the basis of a tip, Ricardo Uceda, the director of *Sí* magazine, led a group of reporters to the grave of the La Cantuta victims on July 8, 1995. Along with *Sí*, *Caretas* and the newspaper *La República* played important roles in following the case.

emanating from civil society (non-governmental) sources came in third, accounting for 22 percent of the content.³⁶

Peru's broadcast journalism is not noted for its investigatory prowess or audacious reporting.³⁷ By virtue of the government's control over licensing, television station owners are considered to be especially sensitive to official pressure for positive news coverage.³⁸ The two major political news magazine shows--Channel 5's *Panorama*, hosted by Guido Lombardi, and Channel 4's *Revista Dominical*, hosted by Nicolas Lukar, do attempt some investigative reporting, sometimes picking up on stories filed by the news magazines. But these shows have also been frequently criticized for reflecting the government's agenda in their content, for their handling of certain stories, and for "softball" interviews with government officials done by their hosts. It is also important to note that the ratings for these Sunday night shows are generally modest, falling far below the ratings of the nightly newscasts.³⁹

The structure of the Peruvian mass media as well as many of its own journalistic traditions serve as constraints on the distribution of political information and the quality of the discourse in the public sphere. A significant segment of the press is unambiguously allied with the administration. The most

³⁶ For a summary of the findings, see Helena Pinilla, "Hacer vs. decir: Formas de expresión política en la TV informativa," *Cuestión de Estado* 2, 10 (1994): 23-25.

³⁷ This weak tradition may be due in part to the effects of the state takeover of the press during the military regime of Velasco Alvarado in the 1970s. For an overview of the history of the press, see Juan Gargurevich Real, *Historia de la prensa peruana* (Lima: La Voz Ediciones, 1991). For a discussion of the media in the 1980s, see Cynthia McClintock, "Studies in Latin American Popular Culture 6 (1987), pp. 115-34.

³⁸ Government efforts to control news content are sometimes less than subtle. In June 1995, President Fujimori complained publicly about a Channel 2 news report dealing with the resurgence of guerrilla activity in Ayacucho, indicating that he did not think that such reports were beneficial. He also reportedly called the owner of the station to complain. The continuation of the report, scheduled to run the next day, was subsequently cancelled. The incident was reported in *Caretas*, 15 June 1995. A number of interviews I have conducted with reporters and news directors confirm that television station owners intervene frequently in "news" decisions, with considerations of the government's reactions in mind. Owners are also concerned with possible "backlash" from important advertisers who are pro-government.

³⁹ For example, ratings of the top forty shows provided by TeleDatum for November 1994 indicate that *Revista Dominical* was in fortieth place; *Panorama* did not make it within the top forty list.

critical journalistic outlets reach a small audience and their reporting is subject to credibility questions due to the highly politicized tenor of this segment of the media. The Peruvian journalistic establishment has no equivalent of *The New York Times*, *The Washington Post*, or even *60 Minutes*--that is, news sources that, by virtue of their prestige and their audience, can *compel* the government to respond to the controversies they report on.⁴⁰ President Fujimori may have felt it to be politically advantageous to apologize to Alejandro Miró Quesada for the impolite military occupation of *El Comercio* on April 5, but his administration has not felt compelled to respond to press concerns about controversial issues through any systematic processes of public inquiry.

Muffled Voices: Parties and Civil Society

The ineffectiveness of the Peruvian press as a watchdog on government is not solely a result of the structure of the mass media, local journalistic traditions, or a limited audience. The press in any democratic system is just one link in the chain of mechanisms that is supposed to function as a check on state power and compel government to account for its actions. Even when it operates under optimal conditions, the press cannot play the critical roles that should be assumed by other institutions, such as political parties.⁴¹ The debilitated state of the party system and weaknesses in Peruvian civil society also facilitate the government's ability to ignore adversarial public opinion and brush aside demands for accountability. Both political parties and other groups in civil society have floundered in their efforts to mount effective oppositional campaigns based on the public's inquietude regarding human rights and ethical issues.

⁴⁰ Cynthia McClintock pointed out to me that Peruvian political programs in the 1980s, especially those hosted by journalist César Hidelbrandt, did engage in serious investigative reporting and did have an important impact on political debates. Most journalists and observers now agree that the critical, investigative edge faded from news programming in the 1990s.

⁴¹ Analysts of American democracy have expressed their concerns about the overarching role of the press and the weaknesses of other institutions such as parties; see, for example, Thomas Patterson, *Out of Order* (New York: Random House, 1993). The importance of the role of institutions, rather than an exclusive focus on the press, is stressed by Michael Schudson in his analysis of Watergate; see his essay, "Watergate and the Press" in his *The Power of News* (Cambridge: Harvard University Press, 1995), pp. 142-68.

The crisis in the party system has occupied center stage in virtually all recent analyses of contemporary Peruvian politics; a complete review of the arguments on what went wrong with the party system will not be attempted here.⁴² For a variety of reasons, Peruvian political parties lost the loyalties of their traditional constituencies even as they failed to win support among newly formed groups in Peruvian society, such as those within the informal sector.⁴³ Public opinion polls have tracked the growing detachment of Peruvian voters from parties: in 1988, 61 percent of those surveyed in Lima reported that they were "independents"; by 1995, 80 percent claimed to be independents.⁴⁴

The massive disenchantment with traditional political parties was manifest most recently in the results of the national election of April 9, 1995. The parties that had once been the central protagonists of Peruvian political life--Acción Popular, APRA, Partido Popular Cristiano, and Izquierda Unida--suffered the worst defeats in their electoral history. APRA attracted only 8 percent of the vote in the congressional race, with each of the remaining parties polling under 5 percent. Their performance in the presidential race was even worse. The inability of parties to attract the public was not only evident in the election-day results, but was visible during the campaign itself. In a retreat from long-standing campaign practices, parties backed off from holding mass rallies so as to avoid the embarrassment of poor turnouts; parties had clearly lost their ability to physically mobilize supporters to any significant degree.

⁴² Among the analysts who have addressed the sources of the party crisis in Peru are Enrique Bernalles Ballesteros, "Crisis y partidos políticos," in *Del golpe de estado a la nueva constitución*, ed. Comisión Andina de Juristas (Lima: Comisión Andina de Juristas, 1993), pp. 11-83; Julio Cotler, "Political Parties and the Problems of Democratic Consolidation in Peru," in *Building Democratic Institutions: Party Systems in Latin America*, ed. Scott Mainwaring and Timothy Scully (Stanford: Stanford University Press, 1995), pp. 323-53; Romeo Grompone, *El velero en el viento: Política y sociedad en Lima* (Lima: Instituto de Estudios Peruanos, 1991), pp. 141-88; Sinesio López Jiménez, "Perú 1992-1995: Partidos, outsiders y poderes fácticos en el golpe y la transición política," paper presented to the XIX International Congress of the Latin American Studies Association, Washington, D.C., September 28-30, 1995.

⁴³ For a discussion of this point, see Maxwell A. Cameron, *Democracy and Authoritarianism in Peru: Political Coalitions and Social Change* (New York: St. Martin's Press, 1994), pp. 39-58.

⁴⁴ Figures are from Apoyo S.A., *Informe de opinión*, Lima, April 1995.

The devalued status of opposition parties, coupled with their minority status in congress (both in the 1993 CCD and the 1995 congress) and their obvious inability to engage in mass mobilization, has made them into voices easily dismissed by the administration. Indeed, Fujimori's vehement anti-party discourse (both prior to and after the coup) has been bent on stripping whatever remained of the legitimacy of parties. Fujimori has consistently hammered away at parties as archaic remnants of a corrupt and discredited political past. Parties have battled this disdainful official discourse with difficulty and have not been able to cast themselves as credible advocates of morality and ethics. The demands for accountability made by opposition party leaders are often simply ignored by the administration because party leaders cannot back up their demands through mass mobilization.

Groups in civil society have not been able to compensate for the ineffectiveness of the political opposition in demanding accountability and transparency in the management of public affairs. In the view of many analysts, Peruvian civil society is weakly organized; available statistics on associational density indicate that most citizens are not engaged in organizations in civil society. As the survey data shown in Table 1 indicate, neighborhood associations rank as the top choice among those who do participate in social organizations, but such participation attracts only a minority in all income categories. In the lowest two income categories, 50 or more of those surveyed report no membership in social groups. Among upper income categories, group membership is more frequent, but there may be little in the way of political debate or deliberation on public issues taking place in many of these groups, such as private social or sports clubs. With the exception of the Colegio de Abogados, professional associations have remained at the margins of political debates.

In addition to the generalized weaknesses of organizations in civil society and their lack of inclusiveness, the distance in the relations between such organizations and what remains of the opposition political parties has made problematic any concerted cooperation among these forces. While vigorously denouncing the 1995 amnesty law, opposition parties were sluggish at following up in organizing against the measure. Human rights groups have been left on their own to organize a campaign aimed at forcing a national referendum on the issue. In the meantime, however, that campaign's most powerful prospective backer--the Roman Catholic Church--found its energies diverted by the heated debate on birth control policy

provoked by President Fujimori in remarks made during his July inaugural address.⁴⁵

Finally, another element that exacerbates the difficulties that oppositional parties and groups face in attempts to mobilize adversarial public opinion is the relatively lower salience of opinion on these issues in comparison with "bread-and-butter" issues. Economic issues--especially employment--remain at the top of the list of Peru's "problems" for most people, with human rights and corruption at the lower end of the hierarchy of concerns.⁴⁶

While adversarial public opinion exists in Peru in regard to issues such as human rights, neither parties nor other groups have been successful in translating or transforming that opinion (as expressed in polls) into concrete political practices that push the administration toward greater accountability.

Conclusions

President Fujimori likes to characterize the regime as a "new style" democracy--one unencumbered by the corrupt practices and institutions of the past.⁴⁷ But a closer look at the conduct of the administration reveals much that is not "new" and much that does not fit with contemporary sensibilities about how democracy is supposed to work. The lack of responsiveness and accountability that marks government-society relations is certainly not the single-handed invention of the Fujimori presidency or the auto-coup of 1992. Weaknesses in the operation of the public sphere, the party system, and civil society were painfully evident in the politics of the previous administrations of Fernando Belaúnde (1980-85) and Alan García (1985-90).

⁴⁵ For a discussion of Fujimori's ongoing conflict with the Roman Catholic Church, see the cover story, "El laberinto con la iglesia," in *Caretas*, 21 September 1995.

⁴⁶ In an Apoyo survey of April 1994, 48 percent of those surveyed cited unemployment and the lack of work as Peru's major problem; these were followed by poverty (34%) and hunger (27%). Corruption was cited as a principal problem by 20 percent of those surveyed and human rights violations by 16 percent.

⁴⁷ On many occasions, President Fujimori has argued that he is constructing a new type of democracy in Peru. On the evening of his reelection on April 9, 1995, he repeated these arguments in the press conference held at the Hotel Crillon.

Public inquiries and judicial investigations did indeed have a troubled history in Peru prior to the coup of April 5, 1992. Yet, as troubled as that track record was, the previous administrations on some occasions did find themselves having to respond to pressures for information and rectification of public controversies.⁴⁸ What sets apart the Fujimori administration from its predecessors is its systematic efforts to skewer the already weak institutional mechanisms of accountability and undercut further the capacity of societal actors to contest policy. The political reorganization that followed the coup exploited, reinforced, and deepened the existing disconnections between the state and society in Peru; post-coup political reorganization further diminished the potential of the public sphere to influence officials or shape public policy.

The disjoining of the public sphere and the state in Peru may be extreme, but it is not unique as a manifestation of the problematic state of democratic political development in the region. Silvio Waisbord's scholarship on the media in Argentina also points to the tendency of state institutions to disregard the controversies exposed by the press during the current Menem administration. In Peru and Argentina, the unwillingness and incapacity of institutions to follow up on the abuses and corruption brought to light by the press diminishes the meaningfulness of press freedom.⁴⁹ The critical press is free to "speak out," in part because much of what it says to the public can be rendered inconsequential to the actual conduct of government.

Recent events in Peru underscore the importance of maintaining an analytical focus on the variables that affect the quality of democracy. Valerie Bunce's

⁴⁸ For example, President Belaúnde created a commission of inquiry to probe the deaths of eight journalists covering the war against Sendero in Uchuruccay in 1983. Headed by Mario Vargas Llosa, the commission delivered controversial findings that were portrayed as a cover-up of military involvement. During the García administration, a commission was charged with investigating the prison massacres of Sendero prisoners at Lurigancho and El Frontón in 1986. In relation to paramilitary violence during the García administration, the congress also struck investigatory commissions. For a discussion of the findings of those commissions see Elena S. Manitzas, "All the Minister's Men: Paramilitary Activity in Peru," in *Vigilantism and the State in Modern Latin America*, ed. Martha K. Huggins (New York: Praeger, 1991), pp. 85-103.

⁴⁹ Silvio Waisbord, "Knocking on Newsroom Doors: The Press and Political Scandals in Argentina," *Journal of Political Communication* 11 (1994): 19-33; "When Watchdogs Bark: Press and Political Accountability in South American Democracies," paper presented at the annual meeting of the American Political Science Association, Chicago, IL, August 31-September 3, 1995.

observation is well worth keeping in mind: "Democratic elections, in short, are nice, but democratic governance is crucial."⁵⁰ As this analysis shows, the obstacles to democratic governance in Peru remain substantial. The post-coup political restructuring has created an institutional framework that is resistant to the aspirations of citizens for governmental accountability. That resistance is possible, to a great extent, because of the fragmented state of society and the collapse of the party system. As elsewhere in Latin America, the future of democracy in Peru will depend, to a great extent, on the capacity of its citizens to forge an influential public sphere and join in collective efforts to "talk back" to the state.⁵¹

⁵⁰ Cited in Shannan Matiaze and Roderic Ai Camp, "Democracy and Development: An Overview," in *Democracy in Latin America: Patterns and Cycles*, ed. Roderic Ai Camp (Wilmington, DE: Scholarly Resources, 1996), p. 6.

⁵¹ The notion of "talking back" to the state is taken from C. Wright Mills's discussion of the characteristics of a democratic public. In the absence of effective mechanisms that citizens can use to express their political opinions, citizens are reduced to "masses." See his classic discussion in *The Power Elite* (New York: Oxford University Press, 1956), pp. 298-324.

Table 1: Participation in Organizations					
	Total	Socioeconomic Group *			
	%	A %	B %	C %	D %
Neighborhood Associations	17	31	16	14	18
Catholic Church Clubs	11	8	19	12	6
Local Sports Clubs	10	8	12	9	10
Community Service Groups	8	12	13	8	5
Professional Groups	6	42	19	3	1
Workplace Clubs	4	12	10	2	2
Provincial Clubs	4	0	7	2	4
Private Clubs	4	46	11	2	0
Unions	4	0	2	3	5
Non-Catholic Religious Clubs	3	0	1	2	5
Military/Police Clubs	2	4	5	1	1
Soccer Fan Clubs	1	4	2	0	0
Political Parties	1	0	1	1	0
Others	5	0	6	4	6
None/No Response	47	8	28	50	56
Total: Multiple Responses	635	26	113	232	264

- * **A = Highest income group, 4.1% of population**
 B = Medium income group, 18.7% of population
 C = Lower income group, 36.1% of population
 D = Lowest income group, 41.1% of population

Source: Apoyo S.A., Informe de Opinion, July 1993.

**Comments on Catherine Conaghan's
"Public Life in the Time of Alberto Fujimori"**

Carlos Basombrío Iglesias

With Alberto Fujimori's landslide victory in the elections of April 9, 1995, it was argued that the cycle of illegitimate rule that began April 5, 1992, had ended. The majority view, both in Peru and abroad, is that after reasonably clean and free elections, and considering that there is a multiparty Congress, Peru has regained the basic conditions for democracy. In addition, it has also been said that the second period of Fujimori's rule would witness "democratic institutionalization of reforms" and the end of "emergency measures" in law.

In her paper, Catherine Conaghan goes against the grain of this perspective, offering a different interpretation of what we Peruvians are experiencing: "President Fujimori likes to characterize the regime as a 'new style' of democracy--one unencumbered by the corrupt practices and institutions of the past. But a closer look at the conduct of the administration reveals much that is not 'new' and much that does not fit with contemporary sensibilities about how democracy is supposed to work."

Conaghan reaches this conclusion after her analysis of the Peruvian political situation since the 1992 coup, which focuses primarily on the relationship between civil society and the state, based on the concept of the "public sphere": "The development of the public sphere is closely intertwined with democratic political development in a variety of ways. Civil liberties are crucial to the formation of the public sphere; at the same time, the scrutiny of public affairs and the political criticism that emerges from the public sphere are an integral part of the process that subjects government to democratic control."

We could rephrase her statement and note that Conaghan's argument is that the receptiveness of the state to the demands and concerns of its citizens, whether expressed through the mass media, political party action, or the initiatives of the minority groups in the Congress, is very important in making democracy possible in a given country.

By approaching the analysis of Peruvian political reality in this light, her findings are conclusive. She says of the mass media, for example: "The structure of the Peruvian mass media as well as many of its own journalistic traditions serve as constraints on the distribution of political information and the quality of the discourse in the public sphere. A significant segment of the press is unambiguously allied with the administration. The most critical journalistic outlets reach a smaller audience and their reporting is subject to credibility questions due to the highly politicized tenor of this segment of the media."

On political parties: "The devalued status of opposition parties, coupled with their minority status in Congress (both in the 1993 CCD and the 1995 congress) and their obvious inability to engage in mass mobilization, has made them into voices easily dismissed by the administration. Indeed Fujimori's vehement anti-party discourse (both prior to and after the coup) has been bent on stripping whatever remained of the legitimacy of the parties."

Or on "accountability" (it is revealing that there is no adequate translation for this word in Spanish): "While the press itself was not subject to restrictions in regard to its news coverage or editorial opinions, its ability to evoke governmental responsiveness or accountability was greatly reduced by the coup-induced collapse of the separation of powers and the executive domination of all branches of government."

While I essentially share her views, the Peruvian situation needs to be seen in a broader context. Never in Peru's history as an independent nation have we had any experience fundamentally different from the current situation. In general, the periods of representative democracy (short and interrupted regularly by military coups) have been weak and showed characteristics similar to those attributed to the Fujimori government.

This is even true of the period beginning with the 1978 Constitutional Assembly and ending with the 1992 *autogolpe*, one of the longest and most open periods of representative democracy in the country. Nonetheless, the administrations of Fernando Belaúnde and Alan García both faced problems similar to those that Conaghan notes were faced by Fujimori: limited receptivity to the

demands of society or the political opposition, absolute control over Congress and abuse of its status as majority force in the Congress, pressure brought to bear on the mass media, efforts to dominate or influence the judiciary, lack of control over the armed forces, and so on.

Perhaps the main problem is not that such problems exist. After all, democracies in Latin America, and in this case Peru, are weak and far from consolidated. The problem is that there is a tendency to backslide. In other words, in 1996 the situation is more fragile than that of twenty or thirty years ago. While some understanding is to be found within the logic of how the institutional set-up operates in Peru, and without seeking to justify the current situation, one can turn to other characteristics of our recent history for an explanation of this.

The combined effects of the worst economic crisis in Peru's history and the spread of political violence nationwide brought the country to a total collapse and had profoundly negative repercussions in all the areas analyzed by Conaghan. Perhaps, then, we should not be surprised that Peru is in an institutionally precarious state, but instead try to find out where were those surprising reserves found that prevented the disaster from becoming even worse.

But let's look ahead, to the likely development of the Peruvian political situation in the areas of concern to Conaghan. We can begin by noting that because of the dizzying speed with which political changes have been occurring in Peru, some of the assumptions and data on the basis of which her paper was written already began to change just a few months later.

There has been no dramatic turnaround in the Peruvian situation, but there are important indications that the "blind and impassioned love affair" of the majority of public opinion with the Fujimori government is giving way, if not to a break-up, at least to a more critical and demanding coexistence.

A series of factors combined to make this possible. First, with respect to the economy, where the government has scored its main achievements, problems are beginning to emerge: the trade deficit has been mounting due to a significant decline in the exchange rate, which creates a disincentive to exports; the total opening to imports; and much higher service on the external debt than in previous years. In

order to reduce this dangerous gap the government has adopted a series of measures to "cool down" the economy, which has met with protests by affected sectors and which, in December 1995 and January 1996, resulted in a downturn in GDP for the first time in almost three years; there is also a moderate but sustained increase in inflation (in the last five months it has risen gradually from 0.56% to 1.56% per month).

In that context the poorest sectors of the population are beginning bring an end to the implicit truce in their demands. As there is no sign of improvement in employment or income (Peruvians' most deeply felt needs), street protests have resumed for the first time in many years, and a certain sense of desperation is spreading.

At the same time, as a series of politically sensitive issues have come to the fore--such as privatization of the oil industry, negotiations with Ecuador, the cancellation of some development projects in border areas, and mistreatment of the local governments, and in particular the successive mayors of Lima--the government has not been responsive to public sentiment. This has contributed to the president's loss of 10 to 15 percent popularity in the polls.

It is certainly not a terminal political crisis. Rather, we are entering a more "normal" stage, characteristic of both advanced and less-developed countries, that includes conditional support, more numerous opposition forces, and the need to make concessions. Given our present-day political reality--which Conaghan has described with such insight--this "normalcy" may end up posing problems for the future stability of the country as a whole. We can cite two examples.

Centralized decision-making in the executive, and in particular in the person of President Fujimori, is beginning to be seen by some economic actors as a problem not just for democracy (to which they certainly were and would be indifferent), but also as a problem for economic stability and development in the medium term. Therefore, independent of whether such decisions are beneficial for Peru, the executive has arbitrarily and suddenly changed the rules of the game that were assumed to be stable in the economic sphere (the duty-free status of border areas, agreements to limit tax liability in jungle areas, and freedom to import used vehicles are among the most controversial). This is all done with no public debate

whatsoever, without any discussion with the sectors involved, and without the participation of the legislature; nor was there any real possibility for the persons affected to have recourse to the judiciary with any guarantee of impartial treatment. As Conaghan indicates: "What is remarkable about post-coup institutional behavior is not only how governmental bodies have been able to resist the scrutiny and criticism by the press, but the extent to which they can operate in direct defiance of widespread public opinion. "

Second, the political alternatives are very weak. I fully agree with Conaghan when she indicates that: "For a variety of reasons, Peruvian political parties lost the loyalties of their traditional constituencies even as they failed to win support among newly formed groups in Peruvian society, such as those within the informal sector.... Fujimori's vehement anti-party discourse (both prior to and after the coup) has been bent on stripping whatever remained of the legitimacy of parties.... Groups in civil society have not been able to compensate for the ineffectiveness of the political opposition...."

Therefore, while it is still a medium-term issue, these first signs of political change require that one ask: After Fujimori, what? The answer is worrisome if we think in terms of democratic alternation in power, of power-sharing arrangements, of non-traumatic transition processes, of maintaining the positive aspects of what was done in the past and avoiding the complete swings of the pendulum that have characterized our history. Not only are there no alternative political parties that the citizens trust, there is no sign of any such party emerging.

None of the "historical" parties that have played prominent roles in politics in the last twenty years--APRA, AP, PPC, and IU--represents any significant sector of the population today. Moreover, except for AP, they do not even enjoy the right to operate legally as political parties, based on the number of votes they garnered. It is also revealing that the Unión Por El Perú, the movement organized to support the candidacy of Javier Pérez de Cuéllar and which came in a distant second in the elections, now sees itself as "the country's second-leading electoral force," dramatically confusing support for the candidacy of a single person with the existence of a relatively stable following.

Given the changes just now being perceived, thinking about the future, and in light of Conaghan's conclusions on the problems of the current institutional situation in Peru, some disquieting questions need to be addressed: What might happen in Peru if Fujimori has to govern for a relatively long period, managing a crisis, and with public opinion consistently opposed to his policies and results? What would happen if, in addition to the weakening of the government, public opinion and key social forces (business sectors, the armed forces, etc.) fail to perceive a viable alternative for institutional restructuring in the political opposition? How would such a situation impact on the extra-institutional actors, in particular Shining Path and narcotics traffickers?