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Politics and Possibilities: III
Electoral Statute Revision,
Amnesty and a Civil Cabinet

American Embassy
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Dear Mr. Rogers:

In my last letter I described some of the more important arguments used by the opposition against the Law of Internal Security of the Republic. The repeal of that law heads the list of demands published by the anti-government forces. Running a close second is the revision of the electoral laws; further down the list are the declaration of a general political amnesty and the institution of a civil cabinet representing the various views of national political groups. As time goes on, more demands will be added, but for the present the four items mentioned above form the basis of opposition strategy.

According to Article 183 of the Electoral Statute: "Only when the results of the election returns or the validity of the election as a whole or in part are impugned is the Departmental Electoral Jury permitted to review partially or totally the confirmed election returns within its jurisdiction and, as a consequence of said review, confirm, correct or modify the results set down in the records of the election returns of each voting poll and annul the whole of the electoral proceedings which have taken place in a given poll or declare valid those (proceedings) which the personnel of a given poll have nullified." Because it gives the right of review to a group of men whose impartiality is thought to be doubtful, Article 183 has caused the same antagonism among opposition leaders as Article 31 of the security law (WHM-31). In Perú, ballots deposited in each voting place are counted in the presence of members of each political party which is running in the elections as well as a number of newspapermen. There is little opportunity for fraud to enter in on that level. However, the Departmental Electoral Juries are suspect in the opinion of the opposition groups insofar as they are appointed by the National Electoral Jury, a body now staffed with men who are in the main roundly distrusted by the opposition.

The National Electoral Jury, as set up by the Electoral Statute, is an extremely powerful organization. It appoints the regional juries mentioned above, inscribes or refuses to inscribe political candidates, and declares valid or void the elections themselves. As the ruling of this supreme board is irrevocable and unappealable, the men who make up the Jury must be almost superhuman in their impartiality, fairness and intelligence. According to the opposition, this is not so. They point out that among the Jury's members are: 1) a Supreme Court magistrate who owes his appointment to the hench to the present

regime and who supported the government's refusal to issue an entry visa to ex-President Bustamante y Rivero (WHM-31); 2) a representative installed by the Executive Power of the government; 3) two delegates (recently) appointed by Congress, both of them notoriously pro-government in their views and one of them, Temístocles Rocha, the archenemy of many opposition groups and one of the founders of the pro-government Partido Restaurador. Opposition papers and spokesmen point out that the impartiality of a Jury staffed by these men is an impossibility. They feel that the candidates in this June's elections will be designated rather than elected. In its January nineteenth editorial entitled "El Oficialismo y el Estatuto de Elecciones", the opposition paper LA PRENSA commented sarcastically: "Truly, the country would save itself a great deal of trouble (under the present circumstances) if the next President and Parliament were appointed by supreme decree."

The opposition demands that the members of the National Jury who are known to be impartial resign at once and that the electoral laws be amended so as to reduce the present decisive powers of the Jury system. However, the government has not yet replied to the demands.

In the field of political amnesty the government has been more placating in its attitude toward the opposition. On the twenty-first of January, the day after the deposed Minister of Government and Police, Esparza Zanartu (WHM-28) left the country, an official announcement was released to the effect that Peruvian consular officers throughout the world had been ordered to approve the entry visas of all those Peruvians who had been deported because of their political ideas. Exempt from the amnesty were all those individuals who by reason of their affiliation with international political parties (Communist, Aprista) had violated Article 53 of the Constitution ("The State does not recognize the existence of political parties of international organization. Those individuals who belong to them cannot engage in any political function whatsoever."). This was good news to men like Bustamante y Rivero who for years have been trying unsuccessfully to return to the country. Bustamante declared that he would leave Europe immediately, stop over in the U.S. and Panamá and land in Lima on or about the ninth of this month. Others followed suit. But in the rush to obtain entry visas, it soon became obvious to the opposition that the amnesty was strictly partial in nature. General Zenón Noriega, an alleged leader in the unsuccessful coup of August, 1954, was given his visa. Eudocio Ravines, famous author and ex-director of LA PRENSA, was turned away by the Peruvian consulate in Paris. Opposition papers and spokesmen began to howl. They wanted a complete amnesty, they said, so that everyone - Communists and Apristas, Christian Democrats and Revolutionary Unionists could have their say in the elections, in an orderly fashion.

The Interamerican Press Society sent a message to President Odría asking him to permit Ravines to return to Perú, and some national papers (chiefly LA PRENSA) have taken up the cudgels in the journalist's defense. The pressure of public opinion, coming as it does from outside and inside the country, may persuade the government to change its mind about the matter. In the meantime, the Palace of Government seems to be reserving the right to bar the door against those persons whom it regards as undesirable.



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Published in the February 1st edition of LIBERTAD, organ of
the anti-government Social Progress Movement.
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Suspicioning that the partial amnesty was meant to deflate their campaign programs, opposition groups began to dig into rumors that the government had made a deal with the Apristas (members of the Alianza Popular Revolucionaria Americana) in order to go back on the offensive again. The APRA party has been operating for over thirty years, although it has been outlawed in recent times; its policies are left wing and have been known to verge on the Communist Party line, although it has more often been in favor of a socialistic State. Recently the Coalición Nacional paper COALICION devoted two pages to what it claimed to be an exposé of a pact made between Ramiro Priale, an APRA chief, and the then Minister of Government, Esparza Zañartu, whereby the APRA or People's Party would work with the government in return for certain political favors. COALICION claimed that several APRA leaders had been allowed to return to the country and were now working up a following to heckle and disorganize the opposition parties. As proof of its claim the paper pointed out that the pro-APRA sheet EL VOLCAN had recently changed its anti-government tune and was coming close to defending Esparza, even though the ex-Minister of Government had been largely responsible for holding APRA in check. On the sixth of February LA PRENSA reported that a large group of Apristas working in the open had broken up a Coalición Nacional demonstration in Trujillo with the aid of loudspeaker-equipped cars parked near the CN speaker's stand.

Obviously, there is no way of checking the APRA-government pact story; unbiased observers in possession of the facts are a rare find in Lima today. The story may be exaggerated or wrong, but it is being used with success by the opposition. APRA is still an outlawed party, and the charge that the government is conniving with it is a

serious one. If the story is true, many people who fear the APRA movement think that the present campaign may degenerate into a series of scuffles between the Apristas and the opposition parties. The Apristas are famous for their stone-throwing, mob-organizing style of political activity, and in the present state of excitement, physical violence is the last thing that thinking people would ask for.

The replacement of the present military cabinet with a civilian group is, in the opinion of the opposition parties, absolutely necessary if the coming elections are to be honest in fact as well as in spirit. Fear of the military is deeply rooted in this country owing to the prevalence of military coups and juntas in the national history. When President Odría named an all-military cabinet to replace the one which was forced to resign with Esparza as a result of the general strike in Arequipa, it was generally believed that he did so out of a desire to rekindle a little of that fear. The present cabinet is regarded by the opposition as a threat to the freedom of the country. Should things go badly for the government, they say, the cabinet could use the armed forces as they saw fit, and that in a matter of hours. Even if such a drastic step were not resorted to, the mere presence of the generals and admirals gathered in one powerful group is enough to cause consternation in the ranks of the opposition. With the military removed from the scene, anti-government groups think that they would be able to wage a more candid and, therefore, more effective campaign. A civil cabinet which included men partial to opposition ideas would be less likely to call out the troops or threaten the political liberty of a given party on the grounds that its activities constituted a threat to the peace and security of the country.

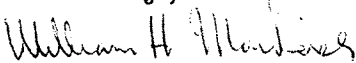
With respect to the resignation of the military cabinet, the official organ of the Christian Democrat party DEMOCRACIA thought it had the answer. Before Carnavales (beginning February 12th) the present cabinet will be replaced by a group of civilians; it announced. General Juan Mendoza, Minister of Education, will be the only military man to remain in his post. If the paper's headline is accurate, the government will have acceded - if only in part - to three of the four principal opposition demands, election law reform being the holdout. I have heard no further rumors on the subject, however, and none of the opposition or government propaganda sheets, with the exception of DEMOCRACIA have mentioned it.

Up to this moment there has been little if any attempt on the part of the government to restrict or censor the newspapers of the country. Reporters of LA PRENSA have been arrested and held for a few hours, but otherwise there appears to have been little restrictive action taken to date. In the past few months, opposition parties and government supporters have put a rash of four- and six-page newspapers on the stands, most of them bi-weekly sheets filled with party propaganda, attacks on party enemies, cartoons and crimson headlines. Whatever libel laws there are in the country seem to have been suspended for the duration. With the exception of President Odría, government leaders and ex-leaders are verbally whipped and disgraced at an astonishing rate. Now that Esparza is out of the country, he is used as a whipping boy by government and opposition papers alike. On the other side of the fence, Pedro Beltran and Pedro Rosselló (a CN leader) are accused of being "Los Miserables", among other things, by the pro-government CLARIN.

Newspapers on both sides are swinging wildly at each other, charging their opponents with being cowardly liars, bloodthirsty villains, etc. The vitriolic attacks are not limited to enemies outside the party, however. Both the Partido Restaurador and the alliance of opposition parties seem to be having a little difficulty in keeping their respective houses in order, witness the recent campaigns to clean out the fence-sitting elements in both camps who sympathize too openly with their opponents' point of view.

Not only government and opposition papers but also those sympathetic to Aprismo can now be bought on the newsstands. It would seem, therefore, that freedom of the press is alive and kicking, an important point to consider when one thinks of the newspaper throttling now going on in nearby Colombia. Whatever may be the dictatorial measures which have been taken by the present regime, restriction of press liberties is not among them at the present time.

Sincerely,


William H. MacLeish

Received New York 2/13/56.