

# Two Decades of Politics Without Parties, Growing Tensions Between Powers, and the Risk of Democracy in Peru

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## Abstract

*This work analyzes the relationship between the Executive and Legislative Peruvian branches for the 2001-2022 period through a longitudinal and comparative study. This period marked the beginning of democracy recovery after the departure of Alberto Fujimori and subsequent transition to Valentín Paniagua. In the first few years of this period, there was an apparent stabilization of the party system, which, however, did not consolidate; similarly, cooperation between the two powers was observed. However, from 2016 onwards, we witnessed a growing deadlock or clash between the Congress and Executive: more unstable cabinets, heads of state unable to conclude their mandates, and atomization of the party system. This period concluded with the most serious attack on Peruvian democracy since 2001: the failed coup d'état to Castillo in 2022. The factors that led to this outcome were a low institutionalization of the party system, the atomization of the congress, and the configuration of Peruvian presidentialism, which would have generated an unstable and difficult-to-predict political system. **Keywords**— Peru; Congress; Executive; Democracy; Party Politics.*

## Resumen

*El presente estudio analiza las relaciones entre Ejecutivo y Legislativo en el Perú ocurridas en el período 2001 – 2022 a través de un estudio longitudinal y comparado. Este período se destacó en su inicio por la recuperación democrática luego de la salida de Alberto Fujimori y la subsecuente transición hacia el gobierno de Valentín Paniagua. En los primeros años de este periodo se produjo una aparente estabilización del sistema de partidos que, sin embargo, no llegó a consolidarse; asimismo, se detectó una cierta cooperación entre poderes. No obstante, a partir de 2016 se viene observando un creciente bloqueo o choque entre Congreso y Ejecutivo: gabinetes más inestables, jefes de Estado incapaces de concluir su mandato y atomización del sistema de partidos. Este período concluye con el ataque más grave contra la democracia peruana desde 2001: el golpe de Estado fallido de Castillo en 2022. Los factores detrás de estos fenómenos fueron una baja institucionalización del sistema de partidos, la atomización del congreso y la configuración del presidencialismo peruano habrían generado un sistema político inestable y difícil. **Palabras Clave**— Perú; Congreso; Ejecutivo; Democracia; Partidos Políticos.*

## 1. Introduction

After the hasty departure of Alberto Fujimori in 2000, Peru regained its democratic institutionalism, putting an end to the phenomenon of "competitive authoritarianism" (Levitsky and Way, 2002) in the 1990s, and concluded the Peruvian exception—within the region—of not having fully transitioned to a liberal democracy. Since then, although there have been nine heads of state and one-tenth of Mercedes Aráoz's brief interim presidency in 2019, there have been five general elections and four completed presidential terms. A new party scenario has emerged. Prior to 1990, political forces had difficulty being competitive or even independent in Congress. This period has been characterized by high electoral volatility and varying political affiliations, although not always regarding candidates. During this time, there was also a growing rift between Congress and the executive branch, as evidenced by an increase in no confidence motions against cabinet members, impeachment attempts by

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the president, and the difficulty for incumbents to forge coalitions in legislative power. This tense relationship between the executive and the legislature has led to several political crises that have called into question the democratic continuity of a country. Castillo's failed coup in 2022 is the latest chapter.

The succession of political conflicts is not necessarily an exception in the region, but the parliamentary design of the Peruvian presidential system and the low institutionalization of the party system seem to generate increasing instability in both the executive and legislative branches, as many studies highlighted (Tuesta Soldevilla, 2005, 2015). Therefore, this paper addresses the following research question: What can explain the increase in the destabilizing political tensions between the executive and Congress for the 2001-2022 period? This study hypothesizes that political instability in the Peruvian government stems from three analytical elements: the presidential model of governance, the absence of a well-established party system, and a potential lack of unequivocal political commitment from key actors in both the Executive and Legislative branches. Consequently, these variables are analyzed from both a quantitative and qualitative standpoint, spanning over two decades of study, using the usual indicators regarding constitutional powers, legislative activity, and the party system.

The article begins with a brief analysis of the existing literature on executive-legislative relations and their incidence of democratic stability. This is followed by an explanation of the research design. Subsequently, a case study is presented, including an analysis of Peruvian presidentialism and its party system. Finally, 21 years of governments and congresses are examined to answer the question and hypotheses posed.

## 2. Literature Review

The study of executive-legislative relations is key to understanding the evolution of the political system and, thus, the stability of democracy. These are two of the three branches of government, but the main tasks of government, political control, representation, legislation, and the direction of the state reside. Shugart and Carey (1992) and Mainwaring and Shugart (1997) pointed out that the balance between powers is based on three main axes that combine constitutional design with the political situation: the distribution of legislative powers, capacity to influence the government agenda, and relationship of partisan forces. Based on how party powers and majorities are distributed along these axes, the political system could pivot towards the executive or legislature. In this way, they took up and made more complex the debate initiated years earlier by skeptics of presidentialism as a form of government under environments of scarce democratic tradition and lack of official majorities in the chambers, mainly represented by the studies of Linz (1990) and Linz and Valenzuela (1994) and which were positioned before the growing academic debate on the forms of government (Nohlen, 1998; Colomer and Negretto, 2005; Cheibub, 2007; Bobbio, 2022). Precisely, and as shown later, the Peruvian case is interesting and noteworthy within Latin America, given the configuration of its parliamentarizing variant of presidentialism and the tendency towards a divided government, as evidenced in the period of study of the present research.

From the study of these axes, it can be partially determined how the relationship between the executive and legislature develops. Indeed, several authors (Casar, 2001; Siavelis, 2001; Jones, 2002; Payne, 2006; Alcántara Sáez, 2022) states that the balance of relations between the two branches can determine an effective control and distribution of political power, a subjugation by one of them, or a blockage or paralysis of the political system. Thus, in relation to this last point of blockage, a clash or non-cooperation between powers is where the importance of its study for democratic quality can be framed. As shown by several authors at a comparative and regional level (García Montero, 2009; Santos et al., 2014), a non-obstructionist attitude on the part of the legislature is key to systemic stability, just as executive abstention from legislation by decree and invading congress is synonymous with limited government and cooperation between powers.

Along the same lines, but adding the partisan variable, it is worth highlighting that, since the be-

ginning of this century, research has determined the importance of legislative majorities in analyzing executive-legislative relations (Chasquetti, 2001, 2008; Lanzaro, 2012). The existence of coalitions, the atomization of Congress, or the ability of presidents to reach specific agreements should be considered in the normative study of presidential and legislative powers. In other words, a president in a legislative minority would not have an excessive capacity to deploy constitutional powers, whereas the opposite would be true in the case of a unified government. Consequently, this implies a certain parliamentarization in terms of the dependence that, in some way, the executive would have on the congress, since a persistent minority in the chamber would make it difficult for it to have a legislative agenda, but a majority in the legislature would grant it ease in the use of its powers, as happens in European parliamentary regimes (Nohlen, 1998; Presno Linera, 1999; Cheibub, 2007; García Roca, 2017). Subsequently, this debate was enriched with more systematized and comparative studies, adding the centrality of parliamentary coalitions to explain executive survival or to measure their capacity to influence the legislative agenda (Pérez-Liñán, 2008; Albala, 2009; Reniú and Albala, 2012).

Similarly, relations between the executive and legislative branches in Latin America have been key in explaining the evolution of democracies. See the cases of Argentina (Ollier, 2008; Gargarella, 2020; Zícarí, 2022), Mexico (Weldon, 1997; Casar, 2001; Hernández Rodríguez et al., 2023), and Chile (Siavelis, 2001, 2018) or Peru (Tanaka, 1998; Barrenechea and Vergara, 2023; Levitsky and Cameron, 2003; Encinas, 2016) among others. In this regard, it is interesting to highlight the importance of the presidential variables. However, several authors and case studies (Weldon, 1997; Casar, 2001; Siavelis, 2001; Hernández Rodríguez et al., 2023) suggest that strong presidents would have been the cause of democratic erosion; in other political systems, the situation would have been different, as in the case of Argentina (Ollier, 2008; Encinas, 2016; Zícarí, 2022) or Peru itself, as defended in this research. In other words, it is assumed that the presidential variable is relevant, but that, as already advanced in past research (Shugart and Carey, 1992; Mainwaring and Shugart, 1997) this is part of the explanation, and new variables must be used, such as partisanship (Chasquetti, 2001; Payne, 2006; Tanaka and Vera Rojas, 2010; Lanzaro, 2012; Campello, 2015).

### 3. Research Design

This study considers the Peruvian case to be of great interest. As developed below, it contains many elements that the literature has considered key to the development of democracy and the study of executive-legislative relations. Indeed, the parliamentary variant of its form of government, together with the persistence of ruling minorities, would become two clear triggers for potential clashes or distancing between powers. To this should be added the non-extensive democratic trajectory in historical terms as well as the precedent of Fujimori's 1992 self-coup. In other words, Peru can be considered a case study that contrasts the explanatory capacity of normative analysis (Linz, 1990; Mainwaring and Shugart, 1997; Jones, 2002; Bobbio, 2022) with those that adhere to the study of the party system (Chasquetti, 2008; Tanaka and Vera Rojas, 2010; Lanzaro, 2012; Torcal, 2015) and political culture (Levitsky and Way, 2002; Levitsky and Cameron, 2003; Levitsky and Loxton, 2018; Levitsky and Ziblatt, 2018).

Likewise, an element to be considered in the study of executive-legislative relations in Peru is the limited power of the government's attraction to the legislature to negotiate positions in the administration. Peruvian governments tend to be technocratic, with little party affiliation, which reduces the negotiating power of the heads of state and PCMs before deputies. The high instability of the governments, the low programmatic ties of the parties, and the limited negotiation of the heads of state to reach consensus on PCMs could be some of the answers to the absence of political parties in the government. In any case, the legislative and executive branches do not share the government's task. In this sense, an analysis of 21 years of executive-legislative relations in Peru can provide information on the hypothetical evolution or appearance of phases between these powers.

Regarding the form of government, a normative study of the main constitutional powers of the President of the Republic, the cabinet, the existence of the president of the council of ministers, and Congress has been carried out, in line with research on presidentialism (Nohlen, 1998; Linz, 1990; Linz and Valenzuela, 1997; Garrido and Nohlen, 2020). Given the importance of having comparative studies, research by various authors (Eguiguren Praeli, 2008; García Belaunde et al., 2009; Campos Bernal, 2023) on what type of presidentialism would be Peruvian based on normative studies and its situation in comparative perspective is discussed (Alcántara Sáez et al., 2005; Payne, 2006; García Montero, 2009; Santos et al., 2014).

In relation to the party system, common indicators are used for its analysis, such as the effective number of parties, presidential and parliamentary volatility, existence of a unified or divided government, and concentration of votes among leading parliamentary forces. These tend to be the most frequent both for categorizing the institutionalization of the party system (Meléndez, 2007; Crisp et al., 2015; Luna, 2015) and for its analysis (Laakso and Taagepera, 1979; Ruiz Rodríguez and Otero Felipe, 2013). Subsequently, the relationships between the two branches are analyzed based on indicators of legislative production, use of political control mechanisms, stability of executive and congressional members, and a brief qualitative analysis of the main events between these branches, following the outline of various authors (García Montero, 2009; García Roca, 2017; García Marín, 2018).

Finally, the door is opened as a cultural variable. Starting from institutionalist postulates, the limitations of the analysis of the form of government and the party system present are recognized, bringing as a third explanatory variable the democratic culture and historical trajectory as potential explanations for the erratic democratic performance of Peru during the period of analysis. Thus, we discuss the reason for the weakness of state institutions in the absence of true leaders or authoritarian forces (Barrenechea and Vergara, 2023) or growing tensions between powers (Muñoz, 2021; Campos Bernal, 2023)). In addition, the partisan variable could be related to existing leadership in Peru and specifically to the limited democratic commitment of its political elites. Indeed, the low institutionalization of its parties, the low programmatic ties of party members, the weakness of the state, and excessive personalism would have created a context of weak institutions and threats to governability. Likewise, and in line with Levitsky (2018), volatility and difficulty in being reelected should be added as other factors that have tended to affect relations between the executive and legislative branches in an explosive manner, generating instability and non-transparent attempts to co-opt legislators.

## **4. Case study: Peru and the combination of a parliamentary presidential system without political parties**

This section introduces the Peruvian case, exploring the Executive-Legislative relationships through the lenses of its particular presidentialism and lack of consolidated party system.

### **4.1. Presidentialism as a form of government and the exceptionality of the Peruvian variant**

The country has a presidential system in which the head of the state is elected directly by the people, which typically results in runoff between the top two vote getters. In addition to being the head of the state, the president also assumes the role of the head of the government, creating a monistic fusion characteristic of presidentialism. Presidential elections, which coincide with legislative elections, are established by the Constitution and grant a five-year term, with the possibility of non-immediate re-election for both powers in the second term (Article 112, Political Constitution of Peru). Although their role in the Peruvian political arena is often limited, two vice presidents accompany presidential candidates on electoral ballots.

It is also important to note that since only an absolute majority of Congress is required to override a presidential veto, the president has limited power to veto or monitor legislation (total or partial; Article 108, Political Constitution of Peru). If the President refuses to sign and approve a bill (known as a pocket veto), the bill is replaced by the President of Congress for promulgation. Regarding decrees, the legislative decree is of particular importance since it involves a material and temporary transfer of legislative power from Congress to the Executive through an authorizing law (Article 104, Political Constitution of Peru).

Peru is a presidential regimen, although with certain characteristics that distance it from other classical models, such as those of the United States or Mexico. For example, this is evidenced by the existence of the President of the Council of Ministers (PCM), who assumed the functions of coordination, direction, and spokesperson of the government, as well as the responsibility to endorse executive decrees and propose appointments or dismissals of ministers to the president of the Republic (Article 122, Political Constitution of Peru). In turn, the PMC is appointed by the Head of State but requires approval from the Congress of the Republic within a maximum period of 30 days (through a vote of confidence) and needs tacit support from Congress to continue in the position thereafter (through a motion of censure or a defeat in a confidence vote; Article 132, Political Constitution of Peru). The removal of the PCM, whether by resignation, motion, or dismissal by the Head of State, implies a total cabinet crisis (Article 133, Political Constitution of Peru), although in many cases, their premature departure has been more related to an attempt to personify political wear and tear in their figure rather than seeking a new cabinet agreed upon by Congress. Similarly, ministers can also be dismissed by the legislature through motion, and are obliged to appear before the parliamentary chamber if summoned for interrogation (Article 131, Political Constitution of Peru). It is worth mentioning that both the existence of the PCM and the possibility of presenting a parliamentary motion against cabinet members are infrequent in the region but not exceptional.

Similarly, Article 120 (Political Constitution of Peru) promotes a collegial government characteristic of parliamentary systems by establishing that presidential acts must be endorsed by the Cabinet to be valid. The same applies to the dissolution of Parliament (Article 134, Political Constitution of Peru), which is authorized to the Head of State once two or more presidents of the Council of Ministers during their term have been removed by Congress. This provision acts as a check against any potential legislative insistence on the dismissal of the PMCs and rationalizes their parliamentarization.

Therefore, Peru can be understood as a presidential regime despite certain elements more typical of parliamentarism, as many authors have pointed out in this regard (Bonilla-Aranzaes, 2023; Campos Bernal, 2023). As a result, the Head of State requires a minimum majority in Congress to exercise their constitutional powers and provide stability to their government as well as to have some control over legislative activity, especially in terms of political control. Given its unicameral nature, the small number of congressional members (130 seats since 2011, previously 120), and the considerable investigatory and interrogation capacities (Articles 96 and 97) of the legislative branch, Congress can exert a significant influence on the direction and stability of executive power in situations of a divided government, something that has been common since 2001. This context finds support in comparative analysis because research on the subject tends to consider Peru as softened presidentialism (Meléndez, 2007; García Belaunde et al., 2009; Levitt, 2012; García Marín, 2018), with a president having moderate attributions and capacity to influence legislative activity (Jones, 2002; Alcántara Sáez et al., 2005; Payne, 2006; López Velarde, 2018).

Table 1: Leading parliamentary forces after each election and % of seats

Year	First Party*	Second Party*	Third Party*	Rulling Party
2001	Perú Posible (37.5)	APRA (23.3)	Unidad Nacional (14.1)	Perú Posible
2006	Unión por el Perú (37.5)	APRA (30)	Unidad Nacional (14.1)	APRA
2011	Gana Perú (36.1)	Fujimorismo (28.4)	Alianza Perú Posible (16.1)	Gana Perú
2016	Fujimorismo (56.1)	Frente Amplio (15.3)	PPK (13.8)	PPK
2020**	Acción Popular (19.2)	APP (16.9)	FREPAP (11.5)	No Party
2021	Perú Libre (28.4)	Fujimorismo (18.4)	Acción Popular (12.3)	Perú Libre

Source: Author's elaboration.

\* Refers to seats obtained at the time of congress formation.

\*\* Refers to extraordinary parliamentary elections.

## 4.2. The Peruvian party system. What the data and previous studies tell us

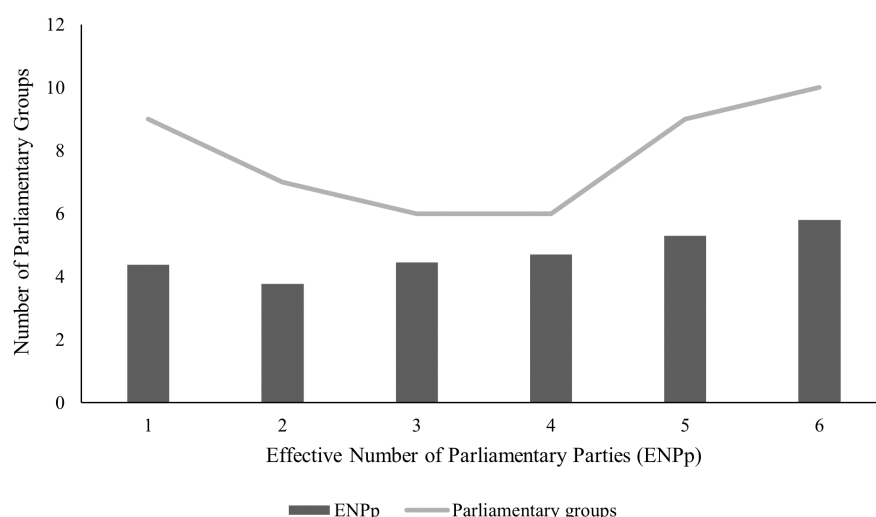
An additional variable that has determined the relationship between the executive and legislative branches in Peru during the study period is the party system, which tends to be considered collapsed or highly institutionalized in the literature (Levitsky and Cameron, 2003; Tanaka and Vera Rojas, 2010; Tuesta Soldevilla, 2017; García Marín, 2018; Levitsky and Loxton, 2018). Indeed, since the general elections of 1990, when Alberto Fujimori was elected, and during his decade of competitive authoritarianism, the existing party system underwent a severe breakdown and realignment (Tanaka, 1998; Tuesta Soldevilla, 2008), resulting in a state of indefiniteness that is yet to find stability. For example, as Table 1 shows, taking 2001 as the starting point, six parliamentary elections took place, with each having a different party as the most voted. Furthermore, in none of these elections did the ruling party achieve an absolute majority in the chamber, and coalitions were scarce, unstable, and short-lived, making the divided government a common practice. Likewise, no president has been able to secure reelection, and in several instances, they have failed to even present a candidate for the subsequent election (APRA 2011, Nationalism 2016, Peruanos Por el Kambio (PPK), 2021).

Fragmentation was significantly high, accompanied by a highly fluctuating composition of parliamentary groups during legislative periods within the same five-year term, due to frequent party switching, which further increased the atomization of the chamber. This situation challenged the meaning of citizens' votes and the predictability of legislative activity, as the emergence of new congress groups was accompanied by limited cohesion among its members. As an example of the progressive breakdown of caucuses due to party switching, we consider two ruling parliamentary groups. In 2011, Humala assumed presidency, and his alliance, Gana Peru, became the largest minority with 47 seats. However, by the end of the last legislative period of the five-year term, their caucus had dwindled to just 26 seats, making them the second-largest force in congress. In 2016, Pedro Pablo Kuczynski (PPK hereafter) and his political party began the first legislative period with 18 seats, but this organization dissolved in early 2019 after losing more than half of its deputies in the preceding annual periods. It is important to note that the atomization and volatility of the Peruvian party system in Congress occurs despite the possibility of the reelection of legislators, showing once again the low institutionalization of party organizations.

Therefore, the low institutionalization of parties and minority governments must be accompanied by an analysis of the evolution of parliamentary groups and the capacity of their leaders to determine the agenda of their organizations, which is frequently questionable (see Figure 1). Furthermore, this scenario was accompanied by volatility in both parliamentary and presidential realms, ranking among the highest in the region for the study period (García Marín, 2021; Duárez Mendoza, 2022), and a limited professionalization of politics. Despite the possibility of indefinite reelection for deputies until 2018, very few managed to secure reelection due to the volatility and precariousness of party organizations (Muñoz and Guibert, 2016; Paredes and Encinas, 2020). Additionally, it is worth highlighting the sudden and fleeting electoral success of outsider candidates, such as Humala and Castillo, with a technocratic profile and apparent non-affiliation to political parties, such as PPK, as well as the unexpected success of certain political organizations, such as Alianza por el Gran Cambio, FREPAP, and Peru Libre.

Partisan organizations, with very few exceptions (APRA and Fujimorismo), were characterized by a weak organizational structure (Vergara and Watanabe, 2016; Muñoz, 2021), limited programmatic ties with the electorate and among their own members (Tuesta Soldevilla, 2017), and difficulties in achieving parliamentary representation in consecutive elections. Some presidents such as Vizcarra and Boluarte could be considered to have been governed without a true party caucus of their own, although PPK and other presidents could also be included in this list. This trajectory depicts a party scenario in which protagonism fell on mere electoral vehicles serving specific leaders or sectors (Levitsky and Way, 2002; Barrenechea and Vergara, 2023), with limited electoral nationalization and low institutionalization of the party system.

Figure 1: Evolution of the Effective Number of Parliamentary Parties (ENPp) between 2001 and 2022



Source: Author's elaboration. The following formula was used:  $ENPp = 1/\sqrt{\sum vote_i^2}$

Parliamentary variability is replicated at the presidential level. All elected heads of state required a second round of electoral campaigns revolving around the candidate's personalism and the fear of other options winning, particularly around the cleavage of Fujimorismo versus anti-Fujimorismo or social justice versus neoliberalism. Except for García, the other presidents experienced various episodes of misunderstanding with their own parliamentary groups, which were sometimes comprised of non-affiliated deputies (Corvetto, 2014). Estimates of candidates' votes for the presidency were subject to change during the months and even weeks leading up to the election (Tuesta Soldevilla, 2017). This further complicates an accurate analysis of the contenders who participated in each runoff, except for Fujimorismo, which managed to reach the second round in the 2011, 2016, and 2021 elections, and has remained consistent in terms of electoral support since then. This situation reveals not only competitive stability, especially in the Peruvian context, but also the ability of winners in these electoral processes to attract non-Fujimorista voters to lend support for this purpose.

Thus, the resulting winners began their journey with low levels of parliamentary support, which did not translate into votes for the ruling party during the first round, and with popular disillusionment (Vergara and Watanabe, 2016; Duárez Mendoza, 2022). Moreover, there was a tendency towards closely contested presidential victories: Toledo won the election in 2001 with a differential of 6.16 percentage points, García achieved it in 2006 with 5.26%, Humala in 2011 with 2.88%, PPK in 2016 with 0.24%, and Castillo in 2021 with 0.26%, accompanied by allegations from Fujimorismo regarding the cleanliness of the elections (Muñoz, 2021). These narrow results exhibited polarization and division, as well as presidents who had to seek support from numerous partisan organizations that did not make it to the runoff. However, the concentration of votes in the first round yielded somewhat more institutionalized patterns, following a regional shown in Table 2.

Therefore, it is a party system in formation characterized by a low level of institutionalization. Except for Fujimorismo, it is difficult to identify a political organization that, within the period analyzed (2001-2022), has shown a certain capacity to structure itself and compete in a stable manner, especially considering both legislative and presidential elections. However, Fujimorismo itself employed various electoral brands during this period -Cambio 90, Alianza Por el Futuro, Fuerza 2011, and Fuerza Popular- and played a secondary role in the early years of the century.<sup>1</sup> After the 2020 and 2021 elections, veto power was lost.

<sup>1</sup> In addition, Renovación Popular (led by López Aliaga) and Avanza País (led by Hernando de Soto), parties close to Fujimorismo but with enough ideological differences to make room for other party forces, could also be included.



Table 2: List of presidents of the Republic of Peru between 1990 and 2022

Arrival	Voting concentration
2001	62.28%
2006	54.93%
2011	48.45%
2016	60.91%
2021	32.3%

Source: Author's elaboration.

## 5. Results: The problematic Peruvian scenario and the threat of the political abyss

This section presents this study's results, emphasizing the uneasy relationship between the Peruvian Executive and Legislative, and its effect on democracy.

### 5.1. Executive-legislative relations between 2001-2022: From cooperation to distancing

Five general elections and one extraordinary congressional election were conducted between 2001 and 2022. However, this study period stood out for increasing instability in the executive and legislative branches as well as a growing clash between powers that culminated in Castillo's failed and solitaire self-coup in November 2022. For quick contextualization, please refer to Table 3.

Similarly, as discussed below, instability in the head of state was accompanied by numerous changes in ministries and the presidency of the Council of Ministers. In 2001, Alejandro Toledo assumed the presidency after a decisive victory over Alan García, with his political party, Peru Possible, becoming the leading parliamentary minority. However, it is important to note that in the previous year, the country witnessed the resignation and exile of Fujimori and his government, the successful removal of Congress, and the constitutional replacement of Valentín Paniagua with a mandate to hold elections and carry out constitutional reforms to ensure the recovery of the democratic path and the establishment of free, competitive, and reliable electoral processes.

During Toledo's term, there was moderate cooperation with Congress driven by the PP-FIM alliance and the low success rate of political control measures proposed by the opposition, such as motions of censure against ministers, of which only one out of nine achieved the required majority and no impeachment attempts. Fujimorismo played a residual role because of its limited electoral support (1.7%), while real opposition coalesced around the party. Legislative production exhibited balanced values between the branches of government, indicating a clear absence of parliamentary obstruction and capacity to reach ad hoc agreements. However, this did not prevent a pattern of instability regarding prime ministers and ministers throughout the analyzed period: the presidential term witnessed five heads of the cabinet, three of them without party affiliation (Dañino Zapata, Merino Lucero, and PPK), and a total of 71 ministerial changes. Peru Possible, like many other political forces, experienced a significant loss of congress members over the five years, starting with 45 seats and ending with 32. Internal disagreements gradually weakened the governing party, leading to the withdrawal of the constitutional reform project aimed at restoring bicameralism because of divisions within its own caucus and a marked decline in the popularity of the president and his party.

Table 3: Concentration of votes between the first and second presidential candidates by year of election

Arrival	Leaving	President	Way of coming to power	Reason of leaving office
1990	2000	Alberto Fujimori	Free elections	Flees the country
2000	2001	Valentín Paniagua	Constitutional substitution	End transitional period
2001	2006	Alejandro Toledo	Free elections	End of mandate
2006	2011	Alan García	Free elections	End of mandate
2011	2016	Ollanta Humala	Free elections	End of mandate
2016	2018	Pedro Pablo Kuczynski	Free elections	Resignation
2018	2020	Martín Vizcarra	Impeachment replacement	Successful impeachment
2019	2019	Mercedes Aráoz*	Congressional Order	Resignation, no support
2020	2020	Manuel Merino	Impeachment replacement	Resignation
2020	2021	Francisco Sagasti	Constitutional substitution	End of mandate
2021	2022	Pedro Castillo	Free elections	Failed coup d'état
2022	–	Dina Boluarte	Impeachment replacement	In office

Source: Author's elaboration based on data from the Congress of the Republic.

\* This presidency was not recognized either internally or internationally.

In 2006, Alan García assumed his second presidency, following his first term between 1985 and 1990. During this period, greater discipline was observed within the ruling party, with the APRA maintaining a stable composition of 36 seats and being the second largest minority in the chamber. Fujimorismo and National Unity emerged as the most stable allies in Congress, granting them a degree of control over the legislative agenda with their respective blocs of 13 and 17 seats, thereby confirming the gradual shift towards conservative positions within the APRA. This was reflected in a balanced success rate between the executive and Congress in terms of legislation, although it decreased compared with the previous period. No attempts at presidential impeachment were recorded, although governmental instability manifested through numerous cabinet changes: 61 ministers shifted portfolios or were dismissed, and there were five prime ministers, four of whom belonged to the party. Consequently, the cabinets became less independent and more influenced by partisan considerations compared to any other period analyzed. However, like Toledo, García faced increasing social unpopularity, a decline in support from Congress, especially during the last legislative year, and frequent reliance on decrees and vetoes, resulting in the moderate nullification of these measures by both Congress and the Constitutional Court.

Humala was elected in 2011, following a runoff and his second consecutive attempt to become president, like Toledo and García. The ruling party emerged as the major winner in parliamentary elections (47 seats), although low cohesion among its members and ideological differences resulted in only 26 seats by the end of the period. Fujimorismo established itself as the main opposition thanks to its parliamentary bloc (between 37 and 34 seats) and strong electoral support from Keiko Fujimori, who managed to reach the runoff. However, because of a more structured and ideological opposition or the incapacity of the ruling party, it is certain that during this five-year period, there was growing distancing between the branches of government, manifested by increased obstruction from the legislature and a more reactive attitude. For example, executive power had seven prime ministers and 67 ministerial changes, while Congress threatened the removal process against the second vice president, who preemptively resigned and successfully removed Prime Minister Ana Jara. The executive's weakness was also evident in the decreasing success rate of legislation (see Graph 1) and the significantly low use of legislative decrees, the lowest since 1985 (Levitt, 2012; García Marín, 2018). The president's vetoes, in their various forms (total or partial), were overridden by the chamber in 50% of the cases. Like his predecessors, he ended the five-year term with very low social approval ratings (Paredes and Encinas, 2020) and difficulties in obtaining support from his proposed prime ministers.

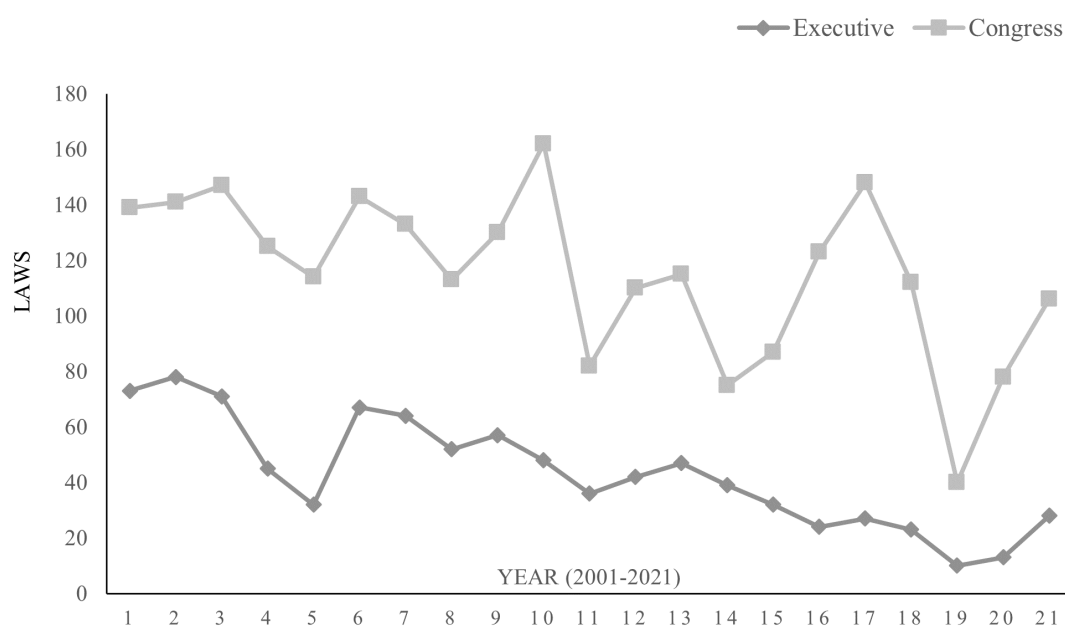
In 2016, PPK assumed presidency, initiating a new period of growing executive instability, weakening the ruling party's influence in the chamber, and a more organized and cohesive opposition imposing its agenda. This was demonstrated when PPK resigned from the presidency after a second impeachment attempt threatened to achieve the required majority in March 2018. Political polarization increased after PPK's negotiations with part of Fujimorismo, as the president negotiated the release of Alberto Fujimori from prison in exchange for his parliamentary support. Given the charges for which the former president was in jail and the strong social opposition to his release, street instability increased markedly. His successor, Vice President Martín Vizcarra, was successfully removed from office on November 9, 2020, following two constitutional crises. The first crisis occurred with an attempted congressional replacement led by his vice president Mercedes Aráoz on May 6, 2020, with the support of the chamber. The second crisis involved the dissolution of Congress, decreed by Vizcarra himself on September 30, 2019, which had to be resolved by the Constitutional Court. However, this presidential term was also marked by Manuel Merino, who held the presidency for only a few days (November 10-15, 2020) and Francisco Sagasti, who completed it. In total, there were five heads of state during the five-year period, and, as expected, the ruling party's parliamentary weakness resulted in a decline in legislative production (see Figure1) and numerous changes in the cabinet (Table 4).

Table 4: Concentration of votes between the first and second presidential candidates by year of election

President	Time in office (in days)*	Full term	Average PCM time and ministers (in days)**	Effective Motions of censure***
Toledo	1825*	Yes	365/25.7	Yes
García	1825	Yes	365/29.4	No
Humala	1825	Yes	260.1/ 27.23	Yes
Kuczynski	608	No	304/15.2	Yes
Vizarra	957	No	159.5 /10.2	Yes
Merino	5	No	6/4.9	No
Sagasti	252	No	251 /11.4	No
Castillo	497	No	99.4 /6.45	Yes
Average	975	–	226.25/16.31	–

Source: Author’s elaboration based on data from the Congress of the Republic.  
\* The full presidential term was 1825 days.  
\*\* For the calculation, all cabinet changes were considered, including officials who changed ministries and remained members of the government.  
\*\*\* Data from Bonilla-Aranzaes (2023).

Figure 2: Annual legislative production in Peru, 2001-2022 (by annual session)



Source: Author's elaboration

However, this period of high executive instability, open confrontation between branches of government, intervention by the Constitutional Court, and political and social crises reached their zeniths in the subsequent presidency. Indeed, in 2021, Pedro Castillo, an outsider and leader of Peru Libre, was elected with anti-establishment discourse (Dargent Bocanegra and Rousseau, 2021), which also yielded electoral gains in parliamentary elections, positioning the ruling party as the largest minority with 37 seats. During his 16-month government, he had five prime ministers and 76 ministerial changes, along with limited legislative production at the expense of congress (see Figure 1). From the beginning, he faced strong opposition in the Congress and media (Muñoz, 2021; López-Lozano, 2022), encountered difficulties in leading the ruling party because of the prominence of other figures in his party (Duárez Mendoza, 2022), and presided over a government that lacked technical and professional profiles. This situation quickly led to debates over his removal and weakness in the face of the chamber, which coupled with accusations of corruption and incompetence resulted in two presidential impeachment processes.

But, just before the legislature could carry out a third attempt, he declared the intervention of the judiciary -among other institutions- the dissolution of Congress and the calling for parliamentary elections, decisions for which he lacked constitutional authority and sought to emulate Fujimori's self-coup in 1992. After the swift failure of his intervention, he was removed by the Congress of the Republic and replaced by the first vice president, Dina Boluarte, who not only stood out for a high level of repression against protesters who protested against the political class (Barrenechea and Vergara, 2023), but also did not belong to Peru Libre and could not be said to have her own parliamentary bloc, which suggests a challenging path until the announced early call for general elections.

Therefore, it can be said that from 2001 to 2022, Peru experienced a process of growing distancing between Congress and the executive branch, resulting in high governmental instability, decreasing control of the legislative agenda by the ruling party, and various political crises that jeopardized democratic institutions, especially Castillo's self-coup attempt. Likewise, this distancing manifested in reduced legislative production by both branches of government (as shown in Figure 2) and the low social approval of Congress and presidents (Meléndez, 2007; Tanaka, 2015; Muñoz, 2021). Overall, there could be a certain dysfunctionality of the two main branches of the state and growing political crises that have questioned the continuity of democracy.

## 5.2. Unexpected democratic resilience

Consequently, it is necessary to understand that part of the response to these criticisms is the organic design of the Peruvian political system. Specifically, controversial parliamentarization or attenuation of the presidential regime and the establishment of checks and balances in the context of divided government and political parties with limited commitment to governance can lead to weak presidents and blocked institutions. This phenomenon can be observed in the case of the presidency of the Council of Ministers, an institution derived from parliamentary systems and present in constitutionally defined semi-presidential models, such as those of France, Poland, and Romania. An analysis of 21 years of Peruvian government reveals a high turnover of prime ministers, even though this position must have explicit support from the head of the state for their appointment and presentation before Congress. Chambers must approve their appointments through a vote of confidence. It is worth noting that an analysis of previous periods, starting in 1993, the year of the current constitution, shows relatively similar figures regarding ministerial instability, as indicated in various studies.

This motion of confidence, which should theoretically entail a government agreement or, at the very least, the sharing of a political agenda (Bobbio, 2018, 2022), has not yielded the expected results. By contrast, prime ministers have been used by all heads of state as escape valves in the face of political crises or questions regarding poor governance. The high frequency with which they have been replaced, the implicit threat of dismissal from Congress, and the lack of party affiliations among these prime ministers have rendered them unstable, paralyzing executive power and generating a governance impasse. A similar observation can be made regarding ministers, who not only face higher turnover in their positions but also largely lack party affiliations and support in the Congress.

Peruvian democracy's performance from its recovery in 2001 until 2022, the year of Castillo's failed self-coup, has been disappointing and presents a bleak outlook for the future because of the growing threats emerging from the political institutions themselves and engulfment of the system. Executive instability has been exceedingly high, affecting not only ministers and heads of the council of ministers, but also heads of state. In the past six years, there have been six successive heads of state. Furthermore, there have been attempts to use presidential power by vice presidents, such as Mercedes Aráoz, or deputies, such as Manuel Merino, without political legitimacy or the authority to do so. Constitutional power has also been used to dissolve Congress, as seen in the case of Vizcarra in 2019, or the disproportionate repression of protesters, as witnessed during the November and December 2022 protests under Boluarte's presidency. Additionally, a list of heads of state who have been convicted and sentenced to prison since 1990 exists, and opposition, particularly represented by Fujimorismo, espouses an illiberal discourse that failed to break away from the authoritarianism of the 1990s. Furthermore, political parties exhibit limited professionalization and commitment to the political game, with personal interests often prevailing over programmatic ties with the citizenry—characteristics that have accompanied the party system since 1990.

This has led to a dynamic in which certain constitutional mechanisms, which should be employed in exceptional and limited circumstances with a restricted political perspective, have become recurrent and opportunistic, diminishing Congress's political control over the constant undermining of executive powers. An example is the use of impeachment to remove the president of the republic. Apparently, this instrument, regulated in constitutional Article 117 (CPP), should not be employed under the accusation of alleged corruption because it is not explicitly listed as an enabling cause for its action (Eguiguren Praeli, 2008; Cairo Roldán, 2013), and it should not be easily applied to the alleged lack of moral capacity. However, both PPK and Vizcarra had to prematurely leave power due to allegations supported under this category, implying an extended interpretation of the most severe political instrument at their disposal by Peruvian deputies, and reinforcing the unpredictable and unstable nature of the system.

Continuing with criticism of institutional design, it is important to mention the configuration of the Congress of the Republic. Its unicameral nature, along with its low number of seats (130 since 2011), grants it the capacity to act autonomously in relation to executive power in situations of marked

official minorities and opposition. Previous literature (Alcántara Sáez et al., 2005; García Montero, 2009; Santos et al., 2014)) tend to consider bicameralism an organic check on legislative power itself, supported by both a historical perspective (Blanco Valdés, 2010) and a comparative analysis of recent cases in the region (Chasquetti, 2001, 2006; Albala, 2009, 2016) The Peruvian experience since 2001 follows the path outlined in the literature: the prevalence of divided government and the absence of coalitions around the ruling party have increased the distance between the powers of the state and, above all, have strengthened Congress's capacity to unilaterally determine the fate of executive power, increasingly affecting the head of state. Moreover, this occurs in a fragmented Congress with multiple oppositions but with occasional capacity to agree on the deployment of political control mechanisms.

However, and possibly unexpectedly, Peruvian democracy managed to survive this accumulation of threats, risks of rupture, and institutional incentives for unilateral unlocking without consensus. In fact, a positive interpretation of the analyzed period could highlight the difference in the outcome of the self-coup led by Castillo in 2022 compared to Fujimori's in 1992. On this occasion, democratic institutions were ultimately able to resolve, redirect, and sanction attacks against the current legal framework while also demonstrating a clear social opposition to the concentration of political power by the presidency. Similarly, the Constitutional Court intervened, albeit later, to legally validate the dissolution of Congress, sponsored by Vizcarra in 2019. Additionally, the electoral authorities were able to carry out and provide certainty to closely contested presidential elections, despite the narrow differences in the runoff rounds and the suspicions of bias that Fujimorismo tended to insinuate after their defeat (Muñoz and Guibert, 2016; López-Lozano, 2022; Barrenechea and Vergara, 2023).

Therefore, it must be asserted that institutional design indeed played a decisive role in the trajectory of Peruvian democracy during the 2001-2022 period. It fostered instability in the executive branch and failed to promote cooperation among powers through the figure of the President of the Council of Ministers. Moreover, it encouraged the parliamentarization of the president's fate by removing them from office in situations of a clear minority in Congress and replacing them with members of the chamber, as was the case in Paniagua in 2001, and Merino and Sagasti in 2020. In other words, the divided government turned into a loss of confidence by the chamber and acted as soon as it had the opportunity to gather a qualified majority. Simultaneously, political parties exhibited the negative effects of low institutionalization, as highlighted in the literature (Levitsky and Cameron, 2003; Campello, 2015; Luna, 2015; Molina Vega, 2015; Levitsky and Loxton, 2018): electoral vehicles serving leaders or factions with particular interests, limited programmatic ties with their voters, low cohesion in the chamber, a tendency towards fragmentation of parliamentary groups, unpredictability of the legislative agenda, and prevalence of ad hoc agreements over alliances or coalitions that would transparently represent parliamentary agreements and generate certainty within the system.

Nevertheless, despite the prevailing negative constraints during this period, Peruvian politics was characterized by the weakness of key actors, which, according to Muñoz (2021) and Barrenechea and Vergara (2023), ultimately prevented an authoritarian movement or leader from capitalizing on the fragility of institutions and the lack of social legitimacy. This raises the question of the capacity of more structured and efficient entities to prevent threats to democratic institutions.

## 6. Conclusions

The erratic democratic trajectory of Peru between 2001 and 2022 clearly demonstrates the importance of analyzing constitutional design to understand the relations between the executive and legislative branches and their potential evolution. Indeed, the definition and significance of checks and balances inherent in any liberal regime provide guidelines for possible actions that institutions can undertake when the situation permits and warrants them. In this regard, applying it to the analyzed case, the existence of a Prime Minister, along with the necessary acquiescence of Congress for their tenure and that of the entire cabinet, formally generates a dependency of the executive on the legislative,

shaping a parliamentary feature within Peruvian presidentialism. Adding to this line of thought is the executive counterpart, the prerogative, under certain assumptions, to dissolve Congress, which represents another feature inconsistent with presidential regimes and a departure from its original idea of reinforcing stability through the clear separation of power

However, according to theory (Linz and Valenzuela, 1997; Linz, 2013; Bobbio, 2022), these constitutional innovations should incentivize cooperation between branches, inviting partial sharing of the governing task represented by the Prime Minister. Nevertheless, partly due to the existing party system and the lack of solid majorities for the ruling party, the resulting outcomes tended to increase executive instability, fragmentation of Congress, and a progressive clash or confrontation between the branches, jeopardizing democratic continuity in 2022, but with evident tensions dating back to the earlier periods.

Therefore, the combination of parliamentary presidentialism from its organic design, along with weakly institutionalized party organizations and limited commitment to democracy, led to a prolonged crisis of representation, eroding the institutions' image, social legitimacy, and ability to effectively operate the political system, as observed in the study period. Certainly, Peruvian democracy exhibited resilience, as the failed self-coup attempt by Castillo in 2022 and the excessive intervention of other leaders in preceding situations—Aráoz, Merino, Vizcarra, and Keiko—were resolved through institutional mechanisms. However, these incidents should possibly be considered precedents to an ongoing political crisis, highlighting Peruvian democracy's incapacity to channel natural political differences within society and provide stability to the country.

Finally, the Peruvian experience invites further research since 2001 that can shed light on the performance of Peruvian democracy. On one hand, it would be interesting to deepen the analysis of the internal rules of political parties for the selection of candidates and their effects on parliamentary discipline or institutional commitment. However, new questions arise about the lack of partisan positions in the cabinet and their effects on executive-legislative relations, especially on the ability to establish minimally durable and predictable alliances.



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