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Puerto Rico

Left advance faces lawfare challenge

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Antoine Larrache and Lauriane Misandro spoke to Rafael Bernabe of the Victoria Ciudadana movement about the current political situation in Puerto Rico.

First of all, Rafael, if you could introduce yourself a little bit for us, and then briefly explain the situation.

Of course, yes, I am a member of the Victoria Ciudadana movement, one of Puerto Rico's main political parties, and I am currently a senator. In Puerto Rico, the legislative branch consists of two chambers, the Senate and the House of Representatives. I am a member of the Senate, our party, the Victoria Ciudadana movement, has four legislators.

In the last election, our gubernatorial candidate, the women's candidate, won 14% of the vote. It was the third party that received the most votes in the last election. It is a left-wing party, resolutely progressive, anti-neoliberal, defending women's rights, workers' rights, the environment...

The situation we're going to talk about now has everything to do with this, doesn't it? That is to say, with the opposition that the parties are facing, precisely, they were opposed in some respects to the more traditional parties, to the neoliberal parties... Can you explain a bit about the context and the current situation?

Sure. In Puerto Rico, there are two political parties that have controlled Puerto Rican electoral politics since the 1960s. For almost 60 years, it has been two parties. One is called the Parti Popular Democrático (PPD), the other is called the Partido Nuevo Progresista (PNP), parties that define themselves as defenders of different options regarding the status of Puerto Rico.

Puerto Rico is a colony of the United States, and parties traditionally define themselves in terms of the relationship they want to have, or Puerto Rico wants to have with the United States. The PNP defends the election, wants Puerto Rico to become a state of the United States. The PPD defends the existing status, which is a colonial status, but which has the formal structure, let us say, of a partnership with the United States. And there is, of course, a pro-independence party that advocates the independence of Puerto Rico.

The two major parties, even if they have differences on the question of status, on the other issues, defend very similar policies, the policies of privatization, the policies of austerity, both against the working class, the policy of reducing employment rights or social rights, the neoliberal agenda that we are all familiar with in many countries.

Since about 2005, Puerto Rico has been going through a very serious economic crisis.

And one of the consequences of this very serious economic crisis has been a decline in the electorate's support for these parties. These parties have been deeply discredited. Historically, these two parties combined have won 97.98% of the vote. There is also a pro-independence party, which got 2% or 3%.

But since 2010, this support for the dominant traditional parties has been in free fall.

In 2016, for example, the candidate who won the governorship received only 42% of the vote. And he couldn't finish his term, because there was a huge rebellion in the streets in 2019 and he was forced to resign. He was unable to complete his term.

In the most recent 2020 election, the winner from the PNP received only 32% of the vote. While the Victoria

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Ciudadana movement, to which I belong, got 14%. The pro-independence party, which is also a left-wing progressive party, won an additional 14 percent. In other words, the left and progressive forces together got about 28% in an election where the winner got 32%. The situation of the electoral balance of power is this at the moment, interesting, for the left, which has benefited from growing support.

Faced with this situation, the two traditional parties have used all possible manoeuvres to try to stop the advance of the left-wing sectors. It started even before 2016. For example, in Puerto Rico, as in other countries, alliances between parties were traditional and legal, for parties to reach an electoral agreement and run together for office. In 2011, they banned alliances, they eliminated the possibility of electoral alliances, precisely in an attempt to prevent new forces from allying and gaining power.

In 2020, in the election for the mayor of San Juan, the capital of Puerto Rico, on election day, the winner was our candidate, Manuel Natal, from the Victoria Ciudadana movement, won the mayoralty of San Juan – which is the same as, for example, winning the mayoralty of Paris or Mexico City, since it is the largest city and the capital. But through a whole series of electoral traps, they stole this election from us.

And then, more recently, we, despite the fact that they are legally prohibited, have formed an alliance between the pro-independence party and the Victoria Ciudadana movement and in the elections, which will take place in November 2024, we will form an alliance. It is a de facto alliance because it cannot be “official”. The alliance ensures, for example, that we do not put forward a candidate for a certain place and that we call for a vote for the candidate of the other party. And in another locality, that this party does not propose a candidate of the Independence Party and calls for a vote for the candidate of our party.

The most recent development is that candidates from other parties, traditional parties, have taken us to court, accusing us of having violated the law in the selection process of our candidates, that is, the candidates of Victoria Ciudadana.

Our two angles of response are these: First, it's not true: we didn't break any “laws.” And second, the way we choose our candidates does not affect the other parties in any way. I am in no way affected by the way the PPD chooses its candidates. They choose as they wish. It doesn't hurt me, the way they act.

But they went to court to affirm their version, according to which we did not respect certain provisions of the electoral law. And the trial judge agreed. In this way, he has disqualified for the moment five important national candidates of the Victoria Ciudadana movement from the positions of Puerto Rico representatives in the United States Congress, without the right to vote, but with one vote to represent us.

A major figure in Puerto Rican politics, a female candidate, was “withdrawn” from the election. And two of our Senate candidates and two others in the House of Representatives, have also been “removed” from the ballots, including myself.

An appeal of this decision is pending before the courts, but we know that the only way to overturn this decision will be a broad mobilization here in Puerto Rico and an international call to uphold the basic rules of democracy, so that each party can choose its candidates and that the electorate decides -at the ballot box- who should occupy the positions, elective positions. We are in the process of carrying out these mobilizations.

And the obvious reason for taking this case to court and trying to exclude these candidates is not that these mainstream party figures are worried about the electoral law or compliance with the rules of the Electoral Commission. It is because they see Victoria Ciudadana and the left-wing alliance as a real threat and want to put an

end to this threat.

Last year, for the first time, the business sectors of Puerto Rico were organized, the industrial sectors, the Chamber of Commerce, the construction association, all the major associations of the large business sectors, which have traditionally trusted the PPD and PNP to represent their interests, to defend them in the government. They created a political action committee, to campaign against the alliance, that is, they also perceive the alliance as a threat to their privileges and they are mobilizing.

In the three years that I have been in Parliament, we have introduced bills to raise the minimum wage in Puerto Rico, to protect the environment, to defend women's right to choose, to defend the right to abortion. A whole series of progressive measures that these conservative or privileged sectors want to stop. They fear that an alliance victory will pave the way for the approval of such measures and want to avoid it at all costs.

Thank you very much for the clarification. Now that we have a somewhat clear picture, perhaps you could present your ongoing petition initiative, which is still circulating and makes this situation possible to report and make visible? We also wanted to come back to your demands, let's say, beyond the dissemination of the petition and the signature, let's say, and any element of visibility of the situation, what are the means by which we can support from other geographies, the current mobilizations in this direction in Puerto Rico.

As you point out, there is a petition on Change.org that they can sign in support of the Puerto Rican case. The other thing they can do is record short videos to demand respect or simply say, "We are against the disqualification of Victoria Ciudadana de Puerto Rico candidates, push for the rights of Victoria Ciudadana candidates to be respected. Any written or video message in which the person can, if possible, identify themselves, i.e.: "I am speaking from Paris, Germany, Brazil", whether I am a worker, a member of parliament, a feminist, an ecologist, all these messages can be sent to us, for example, on our networks (Facebook, Twitter) Rafael Bernabe @BernabeNBC and those of Movimiento Victoria Ciudadana Puerto Rico.

Whatever mechanism is used to send us support, we will then pass it on to the courts that will review this case or to the Electoral Commission, or any other entity, as relevant. I should have mentioned that what we are experiencing in Puerto Rico is a modality that we know internationally as lawfare, the misuse of the judicial system as a political weapon, in the electoral process. As we say here, what they can't get through the ballot box, they try to get in court, by disqualifying candidates, by discrediting them, by making false accusations that then require a lot of resources to answer. It happened to one of our legislators, so it is an additional modality of this phenomenon observed in many countries, also present in Puerto Rico.

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