INTERVIEW WITH:
EX-LEGISLATOR ALFONSO FERRUFINO
***MOVIMIENTO BOLIVIA LIBRE* - MBL (FREE BOLIVIA MOVEMENT)**
LA PAZ, BOLIVIA
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JOHN: To begin, how's it decided inside the *bancada* (faction), what it's position will be regarding a bill *(proyecto*) or a voting?

ALFONSO FERRUFINO: The parliamentary *bancada* is usually part of the party's national leadership structure (*estructura de dirección nacional del partido*). Therefore, the *bancada* meets, together with the national leadership, to adopt a position (*criterio*) when some important decisions are going to be voted on. In principle, this is the voting position that each of the *bancada's* members should assume, with a margin of flexibility.

Diputados (legislators) from the same *bancada* may vote differently on certain matters; it's not frequent, but it does occur. In the specific case of the *Movimiento Bolivia Libre - MBL*, it has occurred when such delicate topics [are voted on] like the antidrug policy, in the previous period. The Chancellor of the Republic was the main party leader and the parliamentary *bancada* had a contrary position to the official policies, at least in the first stage.

JOHN: And what happens if a *diputado* or a senator votes against the party or against the *bancada*? Is there a disciplinary process, are there sanctions, or what?

ALFONSO FERRUFINO: No. There's no regulation establishing the obligatory vote, in all cases, by *MBL diputados*. There's an obligation that we can consider policy and ethics, provided the party's decisions have that basis. In other words, that they're politically unobjectable and ethically sustainable, but the *diputado* or the senator - in the case of the *MBL,* it hasn't had senators - ultimately has always had the freedom of voting according to his own conscience.

JOHN: When the presidential election doesn't produce any candidate with an absolute majority, it's necessary to form a multiparty coalition in Congress to elect a president. [Could you] please explain to me, how government coalitions are formed and how they are maintained?

ALFONSO FERRUFINO: Government coalitions have been - this is going to function since 1985 - decisions adopted strictly in the ambit of the political parties' highest leadership. Let's say that they haven't been democratic consultation processes of the group of militants of the partisan organizations. This was also the case, in 1993, of the *MBL* when it accepted to form part of Gonzalo Sánchez de Losada's government -; it was a procedure where the leadership, integrated by approximately thirty members, met together. There were three out of these thirty members who disagreed, but in the end the majority position was adopted. And of the three minority members who expressed their disagreement with the decision, one of them later withdrew from the party and the other two, due to political discipline, embraced, we could say, compliance with the decision. That was the decision procedure in *MBL's* case for 1993.

How is a coalition sustained? In Bolivia, government coalitions have functioned under the logic of a distribution of power. It's not necessarily a program, it's the sharing of the state power in a distribution that has been almost mathematical in some cases; in other words, by percentage. In other cases it's been, if you want, a more qualitative distribution. But the logic's that, it's an allocation of power quotas. This gives stability to the government coalition. That's to say, it guarantees to a certain degree that the parliamentarian majority is maintained, the majority that supports the government, but at the same time it introduces factors that are very rigid and have a lot of internal conflict. Why? Because it's a chessboard, no, it's more like a gear which moves a piece in the Congress, and that piece in turn affects the piece in the Executive, or a piece moves in the Prefecture (*Prefectura*), which is the government's departmental environs, and then this has a chain effect up until a certain moment when the coalition's cohesion at the level of the central government can be placed in doubt. So, it's a mechanism of stability nowadays, this has guaranteed that we have transition governments, from one government to another, a normal transition. This mechanism was adopted due to the *Unidad Democrática y Popular* (Democratic and Popular Unity) government's crisis in 1985. It was a minority government and it was a disaster; in other words, aside from the government's responsibility itself, the fact that it was a minority, the Congress blocked all of the government's policies. So, that induced the main parties, in 1985, to adopt the position to form government coalitions, that first, were more of a majority (*más mayoritarias*). And, second, that had a reasonable level of stability. In conclusion, there's stability, it's a very rigid machinery (*engranaje*); in other words, it's a very rigid system due to the quotas of power, an element here that affects the entire machinery. And, third, it leads to the excessive subordination by the Congress with respect to the Executive Power (*Poder Ejecutivo*). That's to say, it causes the Congress to carry out its functions inadequately.

JOHN: Are the quotas of power by ministerial folios?

ALFONSO FERRUFINO: They are in the environs *(ámbito*), they're ministries. In some cases, they're the integrity of the ministry, in other cases part of the ministry. It's usual - it's what's happening in the current government - for the levels immediately following the minister, the vice-ministries, this vice-ministry to be assigned to a party, another [vice-ministry] to another [party]. This has been different in each government. The problem's that - to close the previous observation - there's stability, there has been [stability] up to now, the mechanism is very rigid. Third, it drastically limits or reduces the exercise of the Congress' prerogatives, mainly its capacity of *fiscalization* (supervision), its control; and fourth, as a general result it's meant an increasingb loss of quality of the government's administration (*gestión*). That's to say, the fundamental concern of the components of a government coalition is to maintain their space, it's not the quality of the administration (*gestion*) as a whole.

JOHN: In what sense has the role of the Congress decreased? The Congress' power?

ALFONSO FERRUFINO: In the sense that the function of control is practically not carried out. The Congress rarely carries out appeals (*acciones de interpelación*), which is lucky in political judgement; sometimes these procedures have been started, and they've been interrupted, they've never ended in a censorship of the ministers. An exception to this was that on one occasion, during Victor Paz's government, well, that was indeed a censorship of the cabinet, but it was due

to an internal conflict among the parties of the government coalition; it occurred between the *Movimiento Nacionalista Revolucionario- MNR* (Nationalist Revolutionary Movement) and *Acción Democrática Nacionalista* (Nationalist Democratic Action), which at that time made up the "Pact for Democracy", if I remember correctly. So, they had a conflict which was a dispute over spaces of power and an appeal procedure was proposed; *Acción Democrática Nacionalista* voted in favor of censorship. The whole cabinet was censored. However, at that time the political constitution of the State of Bolivia didn't establish resignations of the ministers as an obligatory result of censorship, so the president simply didn't do anything and then he reestablished the coalition by starting with an improved distribution of the quotas of power. So, the rule is that the Congress doesn't exercise its functions of control, in the field of *fiscalización*. But, also, in the field of legislation, the Congress' weakness or this subordination of the Congress, is expressed wherein the bills that arrive from the Executive Power - and the most evident case is the budget bill - practically don't receive any modification in the Congress, or they go through very small, secondary modifications. And we well know that one of the factors of the Congress' authority is, in fact, to have the opportunity to influence on the elaboration, that's to say, on the budget's approval and then on the implementation (*execución*), on the pursuit of the budgetary implementation. Well, the Congress does very little in the elaboration, and as far as the implementation, [it does] practically nothing.

JOHN: But formally does it have the authority to change the budget in any way?

ALFONSO FERRUFINO: Formally, according to the Constitution, the Executive Power presents a bill, yes, it's its prerogative. The Executive Power presents the bill, but the Congress has the capacity to revise everything and to change and make completely different allocations (*asignaciones*) as it considers pertinent, but this parliamentary discipline mechanism causes it to practically not be carried out.

JOHN: So, in other words, that all of the legislators of the government coalition vote more or less together, in a disciplined manner, like a party, in the votings in the Congress?

ALFONSO FERRUFINO: Yes, yes that's the norm.

JOHN: It's interesting. It's totally different from any other presidencialist system; it's working more or less like a parliamentary system, but with both the popular election and the fixed period.

When is nominal voting required in the Congress, or when is nominal voting used?

ALFONSO FERRUFINO: Nominal voting, for example, is [used] for the election of the President and the Vice-president of the Republic. When the candidates haven't obtained the majority [vote] by the citizenship, they pass to the Congress and it's voted in the Congress since the last constitutional reform in 1994; the nominal vote is used because previously it was done by a secret vote and that led to tremendously scandalous manipulations. A price was placed on each *diputado*'s or senator's vote.

JOHN: And how was it confirmed that he voted in accordance with his party?

ALFONSO FERRUFINO: Sure, there was no way to establish it. So, the reform, the nominal vote was introduced since it had to do with the election of the President and Vice-president of the Republic. On the other hand, generally, when there are votes for people, they can't be nominal; generally, this is the exception. The exception with a clear political foundation.

In some cases, what's called the nominal vote confirmation (*comprobación nominal de voto*) can be requested, when there's doubt about a result and the *diputados* or the senators want verification of the result, then there's what you call the nominal vote confirmation. This can be done by using a sign (*signo*), or it can be done by *viva voz*, where each [*diputado* or senator] vocally expresses his vote. But what usually occurs in this confirmation mechanism is that the vote is made hand raising.

JOHN: I've been told in the office of the Congress' *oficialía mayor* that an electronic voting system is going to be installed after the current legislative session. It's very easy to make all of the legislative votings public with these systems, for example on the Congress' website. It's done in other many parliaments in Latin America. In your opinion, what effect would this type of public vote have on the legislative process?

ALFONSO FERRUFINO: I think that it's a good civic control mechanism over its representatives. What has happened in Bolivia is a luck of..., the representative's responsibility is weakened in the measure that there's no way to check on his performance in the Congress. There's no regular information on the bills that he presents, on the initiatives that he may have, not only in the confines (*ámbito*) of legislation, but efforts (*gestiones)* before the administration on matters that are of interest to his voters. In other words, there's no sense of *rendición de cuentas*, of "accountability", it doesn't exist. So, this mechanism and others that are developing, like that of the departmental parliamentary brigades' work - senators and *diputados* of the same department -, like the public meetings (*audiencias públicas*) of commissions and of departmental brigades - which is a new institution since 1977 -, all those mechanisms are oriented to make the representatives' performance transparent. From that point of view, it seems fine to me. I must mention that the [electronic voting] system already existed in 1985-86; the system was already installed but it never functioned. So, the system's installation alone isn't a guarantee that it will really operate. We'll have to see if the parliamentarians have the political and personal will for this system to enter into operation.

JOHN: It's a topic that it interests me a lot because I have visited a lot of parliaments in Latin America, and it just so happens that not only Bolivia has an electronic system that's not used. There are several reasons [for this]; some they claim are more or less due to technical [reasons]. The Bolivian system is a little old and it would be very difficult to ascertain that only the *diputado* or the senator has the vote and perhaps it has other technical problems. The most modern systems operate with fingerprints and they're much more secure, much more trustworthy.

ALFONSO FERRUFINO: I don't know what system will be installed, I don't know what kind of quality it's going to have, have they explained it to you?

JOHN: I've been told that it's one of the modern types. However, there are other Congresses, for example the Venezuelan Congress, that has had a very modern and secure system for five years, but it has never been used. Here the reasons have to be more political, no?

ALFONSO FERRUFINO: Yes, absolutely. They're between political and other reasons of lesser standing; I can understand the political reason. That's to say, there are certain elements that can even play with a certain stability of the parliamentary majority, that won't shed light on internal conflicts among the parties that integrate the government coalition, that won't be demonstrated in each voting, that would be a bad thing. But aside from those political reasons, which are debatable, there are others that are frankly unacceptable: which is the representative's intention and will to not be transparent in their effort (*gestión*). In other words, to say one thing to the public and to so something different inside the Congress.

JOHN: And do you believe that there's political will to use this type of a system and to make the transfer in Bolivia?

ALFONSO FERRUFINO: I don't believe that there is at this time, but the system is going to be installed for the next Congress. And I hope, this is the work that I am carrying out in this foundation along with some others; we are carrying out a joint program to be developed at the beginning of the new constitutional period; it's a program that we have denominated as self-yielding (*de auto-rendimiento*) for the new parliamentarians who are lucky enough to be able to form a critical group of thirty or forty, among senators and *diputados*, who from the very first day assume with total clarity the nature, the importance of their functions, and not be prey to the routine of the old guard, since it's very difficult to revert. So we are thinking of that, together with the whole topic of public meetings of the departmental brigades, of the legislative process itself, etc., of the control mechanisms; these topics will be delivered in the most consistent and didactic way possible to those new parliamentarians who we plan to subject to - well, maybe that's not the most appropriate term - to offer an intensive training process. That's the idea and that, among other things, the importance of transparency of the parliamentarian's performance, of periodic accountability (*rendición de cuentas*) mechanisms is appreciated.

JOHN: And what's the organization that will foment this?

ALFONSO FERRUFINO: It's *FUNDAPAC*.

JOHN: *FUNDAPAC*.

ALFONSO FERRUFINO: Yes, but it's a joint program. In other words, the Conrad Adenauer [Foundation] supports this program, but we also have an agreement with *the Instituto Latinoamericano de Investigación Social - ILDIS* (Latin American Institute of Social Research) - you've probably heard of it - which also works on these activities. Well, incidentally, they are three German foundations; we're a counterpart of the Conrad Adenauer Foundation, *ILDIS* is [counterpart] of the Frederich Ebert Stiftung and *FUNDEMOS*, is the counterpart of Hans Sider or something like that, and here we are with *FUNDAPAC* Conrad Adenauer. Well, in this regard, we've already agreed for 2002, as soon as we have the official slates of elected *diputados*

and senators, to invite them to this intensive program. What regularly occurs is that the new *diputados* and senators, don't have much of an idea of what the parliament is, what's the role he is to fulfill in the State's democratic structure, and they are, as I previously said, quickly absorbed by the tactics, by the routines of the old parliamentarians who in fact, let's say, are not characterized by being very productive *(un alto rendimiento*), by their transparency, by their responsibility, etc. So, the idea is to snatch up these people and develop a much more autonomous vision about the Congress' role in them.

JOHN: How would you characterize, or how would you describe the relationship between the legislators and the citizens or voters?

ALFONSO FERRUFINO: Extremely weak, or nonexistent. In other words, it's in between weakness and an absence of a relationship. Sure, in some measure this has to do with the old election system that was by a full partisan slate (*lista partidaria completa*). Something's changed with the uninominals (*uninominales*), something, but let's say that this change isn't the dominant thing for several reasons: the first being that when the constitutional reform was made, the creation of the uninominal deputation (*diputación*) was a response which was quickly taken, not only to calm down the citizenship which demanded to elect, not only to vote but elect. So what do we do? Now, [we have] uninominal *diputados* in districts, but these uninominal *diputados* continue to be of the party slate. In other words, they are voted personally but they're candidates of a party.

JOHN: In other words, they're nominated from the parties, not at the district (*conscripción*) level?

ALFONSO FERRUFINO: No. It's evident in some cases, in order to obtain a good electoral result, that some parties have gone and said: "Let's see, what personality is there in this district who has support?" But there's no primary election. No, just a very quick sounding out (*sondeo*). That's to say, "Ah, this gentleman has a radio and he talks all day long, so he could be [a nominee]." But he's been incorporated into the partisan logic. So, there's that first factor. The second factor is that when the uninominal deputation was created, - however the *diputados* still hadn't been elected -, at that time the president of the Regulations Reform Commission of the House of *Diputados* (*Comisión de Reformas al Reglamento de la Cámara de Diputados*), after a hundred years it was possible to make a reform; it was there that we proposed to establish what the uninominal *diputado's* profile is with total clarity: what he should do and what should not be expected from the uninominal *diputado* and the mechanisms of institutional support to the uninominal *diputado's* efforts (*gestiones).* It wasn't accepted by anyone because what they were seeking was to create firstrate *diputados (de primera*) and second class *diputados (de segunda clase).*

JOHN: Are these second class [*diputados*], the uninominals?

ALFONSO FERRUFINO: No, this fear was of the parties and of the *diputados* who are usually party *diputados*. In other words, no, here we are all the same class of *diputados*. The election is different but afterwards we are all the same. So, when elections were called, the candidates for

uninominal *diputados* didn't know what they had to do exactly, what their profile was, what proposal to present to the voters. Most of them simply made and presented a program that was the same as what a candidate might introduce to a municipal government, municipal [public] works (*obras*). So they were chosen, they reached the Congress and they were there in the Congress without knowing exactly what they had to do. And that occurred for at least two years, until, let's say, between the third and fourth year, when some initiatives were promoted by institutions like *FUNDAPAC*, such as the Democratic Development and Civic Participation Project, that's supported by AID. In short, [these inititatives] have begun to generate, let's say, to develop the uninominal *diputado's* profile. So there have been events in some districts and today there are some uninominal *diputados* who I believe, who already have been able to acquire a clear idea of their work and I imagine that in the next elections they will obtain re-election. But they are not the majority, unless from now until the 2002 elections there's a dramatic change, but it's not anticipated.

So, let's go back to the beginning, which is: What is the relationship between the representative and the voter? It's weak or nonexistent in the case of the plurinominal *diputados* of the partisan slate (*lista partidaria*). It's still very weak between the uninominal *diputados* and their voters, although there are exceptions where much more stable, organic nexuses have already been established through the civic institutions that are in the uninominal *diputado's* district, but generally [the relationships] with total clarity are weak.

JOHN: Was there no pressure by the uninominal *diputados* to increase the Congress' role in the budgetary process after promising municipal projects or budget expenditures (*partidas del presupuesto*) in their uninominal campaigns? Because I find that it's a very familiar dynamics to North Americans: that afterwards the *diputados* of uninominal districts are at the Treasury's door requesting their guarantees?

ALFONSO FERRUFINO: Yes, there's been pressure, but at a very reduced scale. Initially, the uninominal *diputados* even planned to form an association of solely uninominal *diputados*, in order to have more negotiation leverage, but that didn't work and in fact, it was never actually formed. I have to say that the uninominal *diputados* were the ones who were the most absorbed by the parties' logic.

When the uninominal deputation was created, the political parties had two hypothesis: a positive one and a negative one. The positive hypothesis was the renovation; that these *diputados* would be very anxious to learn and would be very dynamic in their work; that was the positive hypothesis. The negative hypothesis was that they would enjoy more autonomy by being elected directly by the citizens and then they would present partisan discipline problems. Neither of the two hypotheses were fulfilled. They were very disciplined, perhaps even more disciplined than those of the slate, and they didn't introduce a new work dynamics, at least during, I reiterate, the first two years. However, it must be said, that from the beginning of the third year some uninominal *diputados* were already manifesting, had already achieved a better profile, an increased performance (*desempeño*). But as far as having an influence on the budget, this has not been developed. There are very specific demands that haven't been expressed at the budget discussion stage, but rather have been expressed later on. In other words, their going to the

administration and saying, “I need some resources for such-and such a thing”. So then, the legislation, if such-and-such *diputado* has a good political influence and it’s of interest to the government, etc., to keep him happy, they may have supported him occasionally, but it’s not the rule. And the idea that the *diputados* can influence decisively on the budgets’ formulation has not been developed. That’s why I was telling you, one of the main weaknesses of the Congress, as an institution, is that it doesn't assume its constitutional role in defining the budget.
JOHN: It would be very interesting to see if they develop after about two periods or more and the *diputados* get used to the system. Do the legislators in their majority want to be re-elected to the Congress? Or do they want other political positions, or do they want to discontinue their political career, or what?

ALFONSO FERRUFINO: We did a survey with the uninominal *diputados* and after the second year, the majority of them thought that they wouldn't return to the Congress again. That’s to say, that their experience had been bad. Some thought that it wasn’t worthwhile. There were others who thought they didn't know exactly what they had to do and therefore, well, they didn't know what they had to do after they hadn’t received institutional support from the House (*Cámara*) of *Diputados* and that their effort (*gestión*) was therefore condemned to be a failure; consequently, they didn't have any expectation of being re-elected. I would say that today that tendency may have changed a little, but I imagine that around 60% of the uninominal *diputados* don't have re-election expectations.

JOHN: And [what about] the plurinominal [*diputados*]?

ALFONSO FERRUFINO: The plurinominal [*diputados*] is much more unpredictable because it will depend on the situation of each party with regard to the elections. In other words, it’s the handling of the correlation of forces of the internal groups in the parties. It’s very difficult to know about it now. In 1997, the renovation between uninominal and plurinominal [*diputados*] was to the order of 85%.

JOHN: I’ve been told that; it’s a very high rate.

ALFONSO FERRUFINO: It’s very high. It’s very high and sure, especially when there was the illusion that the Congress was also going to be much more dynamic and that didn’t happen either. As far as whether they have expectations to pass to other types of functions: Generally, of the representatives, I’d say that most of the *diputados* would like to be senators and I don’t really understand why. I’ve been a *diputado* for seventeen years and I believe that the House of *Diputados* is much more important than the Senate is, due to its nature; due to the political composition the House of *Diputados* is much more pluralistic than the Senate. Supposedly it’s the scenario of the national agenda’s debate, it’s the main scenario; even the media’s coverage of a debate in the Senate is much less important than the coverage of a debate of *diputados*. In short, there’s a series of reasons that lead me to think that the House of *Diputados* in Bolivia is more important than the Senate. But a *diputado*, any *diputado,* thinks that, well his aspiration is [to become] a senator; well, eventually a minister if some possibility is opened up to him, but to become a senator is taken like a promotion.

I'll tell you an anecdote. Ex-President Sánchez Losada was a *diputado*, and he made some comments in the corridor that he would only become a senator if they punished him; after that, he became a senator. But he was a senator because in his party - he didn't have a lot of influence in his party at this time - they distributed the candidacies for deputation in such a way that he ended up with a completely deferred place, without any possibility of being elected. So they gave him the option: "either or you are here [in this place] or you can be a candidate for senator", because they were sure that they were going to lose the election to the Senate. He accepted the bet and he was able to enter into the Senate.

JOHN: What's the most important thing that a *diputado* should do to be re-elected or to run for the Senate or a ministry?

ALFONSO FERRUFINO: Up to now the fundamental thing has been to have the party leader's trust, the trust of the sub-leader, the trust of the party president. It can be of weight and a presence in the regions has weight; there are certain regions that have a specific weight for the country, for example Santa Cruz. Santa Cruz is a department with economic power - although now it's in an a very strong crisis - but to be a parliamentarian of Santa Cruz gives you greater options to obtain a position in the ministry, such as the Ministry of Agriculture, notwithstanding the regional weight, we could say. In some cases - in some, in the lesser ones - a public image can have weight for certain ministries that are of a more political character, a public image can have weight. But the essential thing is the specific weight that that person has inside his party and mainly in connection with the party's power structure which in the Bolivian parties is usually tremendously vertical, with a very authoritarian and personalized internal structure. The party leader decides practically everything. So the relationship with the party leader, with maximum level of authority (*de dirección*), is very important.

JOHN: Those are all of my questions. Thank you very much for your collaboration.