INTERVIEW WITH:
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CONGRESS OF PERU
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JOHN: I have an interest about the effect of the public vote. In other words, the registry of votings that are made public and the effect of this institution on the legislative process. To begin, explain to me how the public vote was carried out in the Congress during Fujimori's government.

JOSE CEVASCO: In reality, historically, voting in the Congress has always been public. The difference is that before we didn't have an electronic voting system, while now we have one. Historically speaking, public voting was carried out by *"el golpe de carpeta"* (literally, "the slamming down of a file folder"). After, starting in 1993 and through 1997, the public vote was carried out by handraising, except on those occasions when Congress members would request a special voting mechanism or in circumstances whereby established by the regulations, then voting was nominal. So, our records of proceedings (*actas*) and newspaper of the debates registered the Congress members' names and the way they voted. Beginning in 1997 and as part of a modernization program that was carried out by the Congress of the Peru, the Peruvian Congress installed the electronic voting system. It's new, it's very new. It's Peruvian technology and with this system it's possible for the voting result to be published on the Internet only 5 minutes after the voting's taken place.

JOHN: Upon reading the newspapers here in Lima, I've seen that the Parliamentarians' votings are discussed and they're analyzed. When the Parliamentarians decide how to vote, do they think of the implications of the votings on their political stature?

JOSE CEVASCO: No, with my experience - I've been in the Congress for 20 years and for the past 9 years I've held the position of *Oficial Mayor* (Administrative Officer) - it's allowed me to see many times very closely, what the reception is regarding the vote. The Peruvian parliamentary system allows for the political groups to be organized into parliamentary groups. Those groups hold weekly meetings where they analyze the topics on the Congress' agenda. All of the points that will be discussed by the Congress are on this agenda and I understand that in each of the meetings held by the parliamentary groups, that there's an analysis of the way the votes should be made. Logically there are cases of fortuitous votings or those that are the product of debate, where generally very quick coordinations are carried out. But these coordinations don't always allow for a collegiate vote (*voto colegiado*) by group. There are others where the parliamentary groups give their Congress members the freedom to vote according to their conscience.

JOHN: In the case of the current Congress members who were postulated for re-election during these last elections, were the votings that they made in the Congress debated in the campaigns?

JOSE CEVASCO: Yes, I see as something positive for the strengthening of the congressional institution the fact that now, thanks to the electronic voting, that the public opinion can really evaluate and verify what the difference is between the Congress member's campaign offer and if he fulfills what he offered or not, when he voted. Yes, now the citizens can contrast and evaluate the behavior of the Congress member's vote, something that was impossible or very difficult to know before. Now, you have to incorporate the fact that there's not only an electronic registry of the vote, but rather there's also a visual registry of the vote because we've installed television cameras, too, so the voting's televised on Channel N or Channel 6. The Congress has collaborated with private institutions and has allowed them to place permanent cameras of their television channels. The Congress has a free weekly publication for the public that's also helped; every Sunday a newspaper called *La Gaceta del Congreso* (The Congress' Gazette) is available to the public. Here, the most important votings are published and we invite the people to participate by entering our webpage through the Internet or by coming personally to the Congress so they can be informed about their Congress members' parliamentary behavior.

JOHN: And do they participate?

JOSE CEVASCO: Yes, they participate. We have a "virtual Parliament"on the Internet; here, we've established channels for debate, direct access to the Congress members' bills *(proyectos de ley*), to the votings, to the daily debates. For example, the session of daily debate corresponding to Thursday, it's at the public's disposition at two o'clock. So, we're stimulating (*incentivando*) more knowledge of the parliamentary institution with the aim to make the actions carried out in the Congress more transparent.

JOHN: Do you find that it's a resource that's used a lot.....?

JOSE CEVASCO: I'd say yes, with quite a bit of regularity, because since the Peruvian Congress allows two or three commissions to meet at the same time, the press media can't always send their correspondents to cover all of these commissions. So, when we finish a commission meeting, or plenary or any other type of event that takes place in Congress, we send all the information, including photographs, by electronic mail to all the press media, so they have all the necessary elements and can really inform about what's occurring in the Congress of Peru.

JOHN: How interesting. Will the Congress' role change in the upcoming governmental period? How will it be changed?

JOSE CEVASCO: Well, really, that's a question which is a bit like playing "political futurology" (*futurología política*). I understand that the Congress will be very divided into different groups and that that will make possible, or rather, it's going to obligate the groups to find coincident points (*puntos de coincidencia*) for the votings and agreements. Let's hope that this behavior measures up to the circumstances that are affecting the country now and that the coincident points are all beneficial to the country, but also that it allows for more consolidation of the mechanisms for concertation (*concertación*) and the mechanisms of coincident points, so the legislative process doesn't stagnate. I think that that's important in the behavior of what can occur in the future.

JOHN: After the revelations of the "*Vladivideos*", has there been a stable majority coalition to legislate in the current Congress?

JOSE CEVASCO: A stable majority coalition. I believe that after the matter of the *Vladivideos* that there's been greater freedom to vote according to levels of conscience in the Peruvian Congress. Since the majority group that existed, which was *Peru 2000*, was no longer based on slogans (*consignas*), it's allowed on the other hand for the Parliamentarians to situate themselves where they're most comfortable with their political position and conscience; this has permitted the norms that've been approved in the Congress to no longer be the product of external pressures, but rather aspects strictly tied to his individual behavior as a Congress member.

JOHN: How interesting. More freedom for the Congress members.

JOSE CEVASCO: Totally, more freedom.

JOHN: How will a majority coalition be formed in the Congress without a partisan majority during the next period?

JOSE CEVASCO: Well, I presume that they will establish some policies (*líneas*) of common points and legislative coincidences (*coincidencias legislativas*). But that will depend on who's going to be the government's leader. After the second runoff *(segunda vuelta*) that will definitely define the norms (*pauta*) of what the groups are, or which is the group that will need an alliance.

JOHN: I'll explain to you a little about the analysis that I've already carried out because it's interesting. I've already looked at the votings comprehending the period of 1999 through the first months of last year, of 2000; in other words, estimating the levels of partisan unity before the government's fall. I found unity levels, of discipline, as high as in any other country of the world, including the disciplined parliamentary systems of Europe or of the *Partido Revolucionary Institucional - PRI* (Institutional Revolutionary Party) in Mexico before the present period. But up to now I haven't done an analysis of the most recent period, to predict or determine what I will find after I do the analysis; a decrease in the level of partisan unity in the Congress?

JOSE CEVASCO: This is very difficult. In the first place, after the Parliament of 1992's crisis, there was a crisis of parties in Peru. People stopped believing in the parties for different reasons. But what you will mostly find are coincidences of parliamentary blocks because there's a difference that you need to understand. In that time period and now, the Parliamentarians enter the Congress but they don't always remain the same as when they entered it. They begin to divide themselves into groups; they abandon their origin parties and they group together under other interests. So, you'll have parliamentary groups of six, the product of different parties, as well as groups of 30 or of 20 or of 15 people. But there are aspects that should be analyzed: Why do people group together? Many times they form groups for logistical support - let's say an office, a

secretary, a larger quantity of..., in other words, many times extra-political motives *(motivos extrapolíticos)* bring them to join together.

JOHN: But does it also have implications for the coalitions in the plenary?

JOSE CEVASCO: Logically. That parliamentary group of six, has a seat at the spokesmen's meeting (*junta de portavoces*). Not so much at the executive board (*mesa*) because the board, since it's the president and a vice-president, that deserves some points of greater coincidence in the assembly, but they have a seat on the Directive Board (*Consejo Directivo*), they have a separate office, they can have a greater possibility of negotiation at the internal level. So, you won't always find coincidences. So, when you analyze the votings from a historical point of view, you will mostly find coincidences of an individual character.

JOHN: I wish I could make a more historical analysis, but...

JOSE CEVASCO: We have the votings recorded since 1997.

JOHN: But not before?

JOSE CEVASCO: Unfortunately, not before that. It cost a lot of money.

JOHN: I imagine so, because it's recorded in the official newspaper, no?

JOSE CEVASCO: Yes, there are registries, but you can also research it. In short, we have the records if proceedings.

JOHN: I did it in several countries where there aren't electronic systems and it's hard.

JOSE CEVASCO: Yes, it's a lot of work. But yes, you'll be able to verify things and a lot has to do with..., let's say, the direction of the vote; you're also going to have to analyze why people who still pushing the button to say they're present *(aún machucando el botón de presentes*) don't vote.

JOHN: Here in Peru the votings are made by relative majority in their majority; in other words, the majority of those who're present. If there's quorum, then it's a majority... In other countries, for example in El Salvador, Russia, sometimes in Brazil, it's done by absolute majority; that's to say, not voting is the same or it's equivalent to voting "no".

JOSE CEVASCO: Those are levels of interpretation. Here we've sometimes had problems in that the abstentions are greater than the "for" or "against" votes. So, tell me what passed (*aprobado*) or not passed (*desaprobado*)?

JOHN: Abstentions count towards the quorum. So, can there be a voting of 1 to 0?

JOSE CEVASCO: Exactly, so the problem comes there.

JOHN: Has it happened?

JOSE CEVASCO: Zero "against" and one hundred and ten abstentions, what happens there?

JOHN: Yes, it's happened? When making important decisions?

JOSE CEVASCO: Not to that extreme, but there have been times when the abstentions are larger than the "yes" and the "no"votes.

JOHN: It seems to me that that would constitute a lack of trust in the institution.

JOSE CEVASCO: Logically that's it; I don't think that anybody forgives the indecisions. So, for me, abstentions shouldn't exist.

JOHN: But for the Parliamentarians?

JOSE CEVASCO: It's that, well it's the topic, when you are a Parliamentarian I think that you reflect more on the rules you have, that is always going to bring about a behaviorial change, no, overall verbal. But now the people, while the actions in my circle become more public, the people, the Parliamentarian reflects more about what he's going to do.

JOHN: Now, is there the level of abstention with the public vote?

JOSE CEVASCO: I haven't analyzed it.

JOHN: Well, it'd be difficult to analyze, but I find it interesting because in the United States we've had public voting for around thirty years, more or less, and the level of abstention and of not voting is much lower than in any other Parliament that I've analyzed. I believe that it has to do with the fact that in the electoral campaigns it doesn't only matter if I voted, but how I voted. If I don't vote, and I'm a Congress member, and if I don't vote a number of times, in the next campaign my opponent will campaign with a list of the votings where I didn't attend nor voted. It's an important issue for the political career. Well, I don't know if it would also be.....

JOSE CEVASCO: It's that this will be important in the measure that your electoral masses are really interested in politics or in the politician's behavior. So, what happens? Our electoral system establishes that the vote's obligatory, so by increasing the quantity of voters, of that amount of people, the majority of that group isn't always interested in what occurs in the Congresses nor with the politicians; a lot of times the voters go to the polls because if they don't vote, they're penalized with a fine. So, that greatly distorts the voting results; you don't know if the election of a person has really been the product of his good behavior when he was a Congress member, or if the voting result is simply because it's a...

JOHN: Last question. From the Peruvian citizen's perspective, from the voter's point of view, what are his demands, what does he demand of the Parliamentarian? That's to say, specifically, he demands the orientation, the support or opposition to a government program? Personal

attention to the demands of the group of voters that supported the Parliamentarian with the presidential vote? Attention to the department's regional necessities? or what?

JOSE CEVASCO: Look, on this topic really I ... the people sometimes demand things of the Congress that the Congress can't do, and many times the Congress member's guilty of that, because in his electoral campaign he promises things that he won't ever be able to fulfill. So, that lie to the electorate causes this Congress to quickly lose its legitimacy. In a five year period, the Congress' legitimacy is lost in the second year. So, what I think is that in principle the people, the common denominator of what can be requested of a Parliamentarian is morality, transparency, but a lot of times you can't forget that the public generally evaluates a Parliamentarian's performance by repeating the media's opinion of the Parliamentarian; so, if the press has a certain opinion regarding the Parliamentarian, when the citizen reads that newspaper he'll repeat that media's opinion. So, this is why we, as Congress, have a concern to seek a channel for direct information to the public; that channel of direct information to the public will allow the public to evaluate for itself. Because the journalistic market (*mercado periodístico*) is freedom of enterprise (*libertad de empresa*), but freedom of the press is freedom of enterprise, so each media obeys a legitimate interest to inform what's of interest to the media. Within that press market, the Congress should have its own instrument of information for the public.

JOHN: Like *La Gaceta* (The Gazette).

JOSE CEVASCO: Like The Gazette, like our radio program, we do a radio program every Saturday, it's a meeting point with the Congress, like on the Internet. So, that yes, it allows to strictly evaluate the Congress member. Now I repeat, unfortunately, the politician offers highways, salary increases, things that he's never going to be able to fulfill. However, on the other hand, the public, the Peruvian citizen in general, is practically not interested in politics in its real essence, we're more interested in the Congress member who suddenly appears on a comedy program, because we do see Parliamentarians who become singers and they sing on the television comedy programs, they dance or they play *rudito*, with the only objective of capturing attention and the citizen's vote. But in reality what's lacking in this country is a larger degree of conscience. On the other hand, we should be realistic about the fact that the vote should be free in order for the people, or a few people who are interested in voting, to really vote according to their consciences and not due to other interests; if voting's are made by conscience, I'm sure we'll have better Parliamentarians. It's also necessary to modify the requirements to become a Parliamentarian. There's a lot of talk in the country that the Constitution only requires that the Peruvian who would like to become a Congress member, be eighteen years of age; it doesn't even require that you to know how to read or write. So, at an extreme, imagine us having forty people in the Congress who don't know how to read or write, where decisions must be taken on budget laws, tributary laws.

JOHN: But the Congress already has...? It doesn't have forty people in the Congress who..?

JOSE CEVASCO: No, but what if it happens because the law allows it? It's a debate that's emerging now in the country, if the requirement's necessary or not for people to be able to postulate to become a Congress member, what requirements should be demanded of them?

JOHN: In the United States we only have three: age, place of residence and to be a citizen.

JOSE CEVASCO: That's how it is, but here we're reaching another level, that of greater demands. I think that this whole policy of transparency, and this has to do with your questions, for example we have published - have you seen the last Gazette? - that the Congress has an acceptance rate of 51% inside Peru.

JOHN: Yes, that surprised me. It's higher than the North American [rate of acceptance].

JOSE CEVASCO: Exactly. And if you're aware, the levels of acceptance during the last periods in the Peruvian Congress, are in this average 50, 40, 30, 37, 28, which is high in comparison with other Congresses. And I believe that it has a lot to do with the fact that now there's more information and the people, - I think, it seems to me, it's a very personal opinion - there's more direct information available to them of what's going on in the Congress and no longer is there trust in the middlemen.

JOHN: Well, then perhaps everyone will be happier.

JOSE CEVASCO: I think that in order for the Parliaments to subsist it's necessary to increase the transparency levels, as far as the expenditures, most of all the expenditures, of how they vote, if they spoke, if they presented bills *(proyectos*), how they spend [the budget], because here the Parliamentarians also use a budget of the Congress to buy things; there should be transparency with all of that. Because yes, if we are legitimate, if we are transparent, this Congress will be more and more legitimate.

JOHN: Those are all my questions.