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INTERVIEW WITH:
LEGISLATOR XAVIER NEIRA
LEADER OF THE *PARTIDO SOCIAL CRISTIANO* (SOCIAL CHRISTIAN PARTY) BLOCK CONGRESS OF ECUADOR
MAY 22, 2001

JOHN: To begin, how's it decided inside the block (*bloque*), what its position will be regarding a bill or a voting?

XAVIER NEIRA: The *Social Cristiano* (Social Christian) legislative block generally studies the different bills that are presented to the Congress and it deals with each of them according to the Social Christian Party's political line. We have a right-of-center (*centro derecho*) ideological position that favors the insertion of a social market economy (*sistema social de mercado)* in accordance with Ecuador's Political Constitution. However, since the country is one with an imperfect economy of competition, we believe that the State must exercise, sometimes forcefully, its regulatory capacity; this means to permit private economic agents to develop their activity under free enterprise (*juego libre*) based on offer and demand, but always with state controls in order to avoid the economic power's frequent abuses and its arbitrariness. We work on the different bills that reach the Congress using that conceptual definition, together with those doctrinal precepts which ideologically inspire the party's political spirit. So, generally we support all bills that address the strengthening of the application or the consolidation of a [social] market economy (*sistema de mercado*) in Ecuador. And of course, using that same emphasis, we question or criticize the bills that are to the contrary: those that seek to strengthen the State apparatus in an immoderate way; those that privilege an excessive interventionism by the State in the country's economic activity; those that seek the growth of the State's tentacles for the control of economic activities and those that seek to consolidate the State's active presence in the exercise of economic activities which can be delegated and developed perfectly well by the private sectors.

JOHN: Does the whole block generally vote together?

XAVIER NEIRA: All the time. We vote together because inside the block of legislators we previously discuss [the bills] and then we adopt a position. Once that position is adopted, it's the party's political line and no legislator can withdraw [from this position].

JOHN: And what would happen if a legislator breaks the party discipline and he votes in oppositon (*en contra*)?

XAVIER NEIRA: That's very rare, but when it does occur, the legislator is placed before the party's discipline tribunal in order for it to analyze and judge his conduct.

JOHN: And sanctions can be made?

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XAVIER NEIRA: Of course. We have even reached the point of sanctioning with expulsion from the party or the block, depending on what type of legislator a legislator is. In Ecuador, since 1996, it's possible for independents, with the sponsorship of political parties, to also be legislators. So, there are many legislators who have reached the Congress supported by X, Y or Z political party, but who aren't affiliated to that party; even without being affiliated to that party they are part of that legislative block.

JOHN: Do stable multiparty coalitions exist in the Congress?

XAVIER NEIRA: No, and that's a pity. We believe that there should be stable and long-lasting alliances, for the democracy's consolidation, which are inspired by the different political parties' ideological or doctrinal coincidences. Regrettably, in Ecuador, where political juncture (*coyuntura política*) is experienced, it's been impossible to achieve a long-lasting alliance despite the fact that the Social Christian Party has always sought this type of alliance.

JOHN: Is there an electronic voting system in the Congress?

XAVIER NEIRA: There should be, but it doesn't exist and that's one of the serious defects of the Congress.

JOHN: But has the adoption of such a system been considered in the Congress?

XAVIER NEIRA: Of course. Not only has an electronic voting system inside the Congress been considered to assure the transparency of the [voting] results, but it's been foreseen with the support of the IDB and that of some international institution, I don't remember its name.

JOHN: Will the adoption of this system be carried out?

XAVIER NEIRA: We hope that it's carried out; unfortunately, it hasn't been carried out up to now.
JOHN: Is there opposition to it?

XAVIER NEIRA: I believe that there's indifference for it to be implemented on the part of the Congress' administration.

JOHN: In your opinion, what effect would the adoption of such a system have on the legislative process?

XAVIER NEIRA: I believe that it would serve to contribute to the seriousness of the legislative laws (*actos*) and that [obviously], the voting results will accurately reflect what the legislators want to express.

JOHN: I have an interest on another topic and this is the executive urgency initiative (*iniciativa ejecutiva de urgencia*). What are the effects of this procedure, especially in combination with the President's partial veto, on the legislative procedure?

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XAVIER NEIRA: Well, the Ecuadorian Constitution has a prevision that the President of the Republic can decree the urgency of a bill only in economic topics; upon qualifying it as such, that bill has a special procedure where the same steps are followed as for a normal law, but the terms (*plazos*) established in the Constitution for a normal law are not respected. So that hypothetically speaking, an urgent economic bill can reach the Congress and theoretically a day after it arrives, it can be debated in the first discussion by the Congress and then, it's possible in theory that the following day, it can be debated in the second discussion. So, a bill can take two or three days to be evacuated by that Congress, if there's [indeed]the urgency that the case merits. In any event, the Congress has a maximum of thirty days to reach a decision on an economic urgency bill; the President, obviously after the Congress has made its pronouncement within those 30 days, conserves the constitutional capacity (*facultad*) to be able to totally veto the law if in his opinion it [the pronouncement] isn't advantageous (*no conviene*) to the country, or the President can partially veto the law if he believes that it ought to be modified. The partial veto must always be effectuated upon the text of the law that is partially vetoed; I say this because in the last tributary reform law, the President of the Republic made the error of seeking to veto a norm that doesn't exist and consequently, he has caused a political-juridical conflict that is currently being aired in the constitutional tribunal.

JOHN: Last topic. Do the legislators in their majority want to be re-elected to the Congress or do they want other political positions, or what?

XAVIER NEIRA: The legislators can be re-elected indefinitely.

JOHN: And in their majority do they want to be re-elected?

XAVIER NEIRA: That depends on what the political parties think, it's nothing definitive, it doesn't have to do with the legislator's will exclusively, nor does it have to do exclusively with the will of the party. I believe that here there's a combination of aspects where the party as well as the legislator or candidate to legislator, resolves to be part or not be part of a slate (*lista*). In other words, the parties have the capacity to name as candidates for legislator either those persons who are affiliated to their party or those who are independent, but in any case, they participate as candidates sponsored by that party.

JOHN: Well, those they are all of my questions. Thank you.