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JOHN: How's it decided what the position of your parliamentary faction will be when it votes in the plenary?

ARISTIDES ALVARENGA: In the first place, I would like to tell you that our faction, as do all the factions, meets one day before the plenary to know the agenda that's been proposed by the board of directors. The whole agenda is gone over in this session and specific or special points are chosen for the faction to intervene, or take a passive position on. In this session, in the first place, the main topics are assigned, and in the second place, which delegate will attend to them. If it's a piece of correspondence that enters, since it's a piece that will most likely be studied by a Commission, the position of the person who speaks is an eminently political position because it will be passed from the plenary to the Commission. If it's a pronouncement, now it corresponds to the delegate who's assigned to this Commission by the faction, to participate if the faction considers it necessary, or if it's not justified, the faction itself decides not to participate.

In other words, there are two moments. One when the piece enters and it goes to the Commission, and another when the pronouncement is made, which depends on how its been written; if it's favorable, unfavorable or to be filed. Depending on how it's been written and depending on the topic, the delegate, I repeat, now in the last stage, it corresponds to the delegate who's been assigned by the faction to the Commission that emitted the pronouncement.

JOHN: Do they vote together in the plenary?

ARISTIDES ALVARENGA: Yes, this is a norm that we still haven't been able to overcome, in the sense that the factions vote in a uniform way. If the faction decides "no", it's "no" and if it decides "yes", it's "yes". If there's an internal problem of one or two delegates who don't want to vote for a pronouncement or for a project, there are two paths. One is to leave the faction free - that that is very rare - and the other is to replace them with a substitute who will vote in favor with the faction's majority. In other words, if the majority of the faction decides "yes" but there's someone who doesn't want to, then he/she has one of two paths to take, they can either abstain or be substituted in order to avoid bringing about an image of division within the faction.

JOHN: If there's a delegate who has a position in opposition to the faction, is it necessary that he/she ask permission?

ARISTIDES ALVARENGA: Yes, he/she can request permission and he/shes will be replaced by a substitute who's in the condition to vote along with the faction. But this doesn't happen very often, it's an exception and usually we try to discuss the topics in depth and vote on them wherever it's possible; or he/she becomes part of the sector or convinces the faction that he/she's

in the right. We haven't had, in this stage nor in the previous one, someone who's rebelled in opposition. The discussions are held by us, not there in the plenary.

JOHN: It's interesting that the substitutes are thought of as an alternative to raise the discipline within the party. Is it necessary in any situation to make sanctions against a delegate who doesn't want to?

ARISTIDES ALVARENGA: When it's observed that there's a delegate who's constantly opposed to the faction's position, the faction brings it to his attention, privately. The faction meets, and we make him/her conscious of our observation. The faction can not, much less ours which is small, produce a fissure inside the faction. Up to now we have been able to get this person to straighten up and understand that the negative discussions of a bill have to be held within the faction and shouldn't be reflected in the plenary.

JOHN: Is there a control of attendance or the lack of votes in the plenary?

ARISTIDES ALVARENGA: Up to now we haven't had a lack of attendance. We've maintained the discipline more or less. Absences have been necessary perhaps due to health reasons, or because of family problems, but the proprietary delegate always informs the faction and a substitute replaces him/her to avoid the empty space.

JOHN: Are there cases where, as a way of showing opposition to a project, entire factions don't vote?

ARISTIDES ALVARENGA: Ah, yes. There are factions, depending on what the project is, it can be one or another and they express it. Here, the factions constantly remain consistent around the topics and when a faction says that it's not going to vote, no one votes. It's strange, I believe that in this Assembly only on one occasion, we've detected that a delegate's vote strayed from his faction's political line - we call it the *guacal* law (*"se salió del guacal"*). But now the type of calling to attention is resolved internally within the fractions.

JOHN: What's the most efficient method to oppose a project in the Assembly? To not vote, or to vote "no"?

ARISTIDES ALVARENGA: Well, opposition or support to a project are born precisely out of the in-depth study of what this means. When it means to not vote, it's because perhaps the project doesn't gather the minimum requirements that are called for. It could be that we don't vote because the project doesn't embrace a common good, a general interest that perhaps is what we're scrutinizing most, and it doesn't contain the fundamental details that we operate with. However, it's not due to political partisan issues, but rather doctrinal matters which ordinarily pass through the different laws and if all the details are outlined, including all the values that we deal with, then we don't have any objection to support it.

JOHN: Do party coalitions among several factions exist in the Assembly?

ARISTIDES ALVARENGA: It's necessary because the Assembly's conformation at this time, only a single party can...in other words, no one has the majority and therefore an effort must be made to win the votes of another faction. At other times there are alliances from the commencement of the Assembly, some sort of alliances and they're committed but not bound, as they say, because at any moment, if the project doesn't gather the previous requirements, they may not vote. So, if A and B have an alliance from the time they're born and at a certain moment in time B doesn't want to vote, then it must look for C so it goes along with him. So, the factions can move. Here there are votings, for example, of the right with the left; right with the center; center with the left, depending on the type of project that comes up. I think there've been other types of observations related to the increase from 6% to 8% in..... and more than anything, it seems that there's a problem regarding the appointment of the new Attorney General. So the FMLN doesn't want to go along with ARENA's idea, we'll have to see if ARENA plays its cards well and advances; if not, they'll have to wait for another moment, lobby, return to the Commission and lobby again and leave it for another week. Perhaps by that time they'll be in more favorable conditions.

JOHN: Do they change frequently?

ARISTIDES ALVARENGA: They change frequently, they're not stable. ARENA or the FMLN have to be very careful when permanently applying the session alliance with their homologous party. Because if it permanently applies the 43 votes with this party, there are a number of votings that requiere 56 votes; then they'll need the other party. So, it's going to demand some sort of payment for their having permanently dealt with the 43 on that side.

JOHN: Then, what are party coalitions based on? Common ideology, electoral interests, support for the executive, control of the parliamentary agenda, control of public prebends? What are they?

ARISTIDES ALVARENGA: In our case, we do enter into an alliance with somebody and then we see what the ordinary concept of their project is. If the project has elements that are related to our doctrine. It's logical that it's another party and we aren't going to coincide in everything, but there are some things that coincide and if this benefits the alliance, well, we can help.

In the second place, we can't ignore that in all alliance there's an agreement regarding responsibilities. If the alliance wins, what responsibilities correspond to us, or what responsibilities correspond to them. In any case, I believe that these types of alliances are healthy, because one isn't going to support a project if the other won't share the responsibility for its implementation. For us, as Christian Democrats, that's the main thing, we negotiate and if we're able to reach an agreement, well, we push it; if not, perhaps it's not worthwhile and it's better to push on our own and wait for better results.

JOHN: Votes are made by handraising in the plenary, no?

ARISTIDES ALVARENGA: It's a big mistake. It's a great defect and here it's necessary to be honest because the technician - the one who counts the votes - he can make an error or help the decision by one or two votes. If the faction that's voting in opposition doesn't pay attention to

the attendance of those who vote, it can affect the votings. Several cases have occurred. There've been complaints regarding votes which have been counted incorrectly. Votings have been recounted two and three times and sometimes they've been improved by one or two votes. So, I say that it's an error - I've been saying this time and time again - and I haven't been heard in the terms that they require, because the transparency, the importance of a voting that's going to affect or benefit a real population, should have clarity and the outcome of the voting should be certain. Not only that, I believe that the moment has arrived where in El Salvador -if we are delegates by departmental circumscription- the departments should know how its delegate voted to see if there's really justification to continue supporting him or the community itself will have to observe his behavior towards the department's interests.

So, I think that in the country, voting by handraising should be a thing of the past. This stage should have been overcome and we should've passed to a more reliable system, by computer, that allows for voting... we have observed in different Congresses in the world, but in countries like Malaysia, there already are voting systems by computer. What's more, the panel appears and the greens, reds and yellows emerge - negative, positive, abstention - and there are correction mechanisms if someone made a mistake when voting, they can repeat his/her vote. Sure, there are systems which will need security mechanisms so the apparatus won't be used by somebody who isn't the person who's assigned to the parliamentary seat so they won't manipulate it because once the law made, there's a way to go around it. Here you make a law and in advance they're already looking for the weak point of that law to violate it; so, in this way, the apparatus also has to be reliable so there won't be more problems than there are with handraising.

JOHN: Do you know that, for example, some years ago in Nicaragua electronic voting machines were installed? In Mexico, too. In Mexico I've seen that they have a machine to recognize each of the delegates digital impressions to avoid fraud.

ARISTIDES ALVARENGA: It seems like it's perfect. It's activated when one's present.

JOHN: In Venezuela there's a verification machine so you can't change anything.

ARISTIDES ALVARENGA: Yes, I'd like to tell you that I've been here for so many years and one observes the public's behavior and I'm going to tell you, in all honesty, there are moments that are embarrassing. First, because the people don't understand how the recount can be done so quickly. They say, the project that's been read will go to vote: 43 votes, fifty and some odd... But this is due to one thing that it also must be recognized, how the faction votes, so they have the votes of a party's faction counted and of another and when a faction votes there are 30, there are 29, and some odd and then the operation is quick, but the people don't always understand and they laugh at the voting that we're taking. This is embarrassing, especially when it's observed. When the opposition already has programmed to observe it and they recount and it's modified, it's all because the votings were right. It's different when they're maintained. Then, they're counted and there are fifty votes, but now when there aren't fifty but rather there are fifty-one or fifty-two, then the opposition was right. But yes, it's necessary to stand up to them because they're leaving us in disadvantage before people who we have a duty to.

JOHN: Is 43 necessary in all the votings, or the quorum's half plus one?

ARISTIDES ALVARENGA: That's it, half plus one of the entire Assembly are 43 votes. 39 assistants, not the ones who have attended the plenary but the elected delegates.

JOHN: So, to not vote is more or less the same as to vote "no"? Because for example, only 50 people vote, and 43 vote, however 43 would be necessary to approve a project.

ARISTIDES ALVARENGA: Of the fifty who arrived, 43 have to vote "yes" or "no". But there have to be 43 votes.

JOHN: But what if, for example, there was a voting of 30 "yes" votes against 20 "no"votes?

ARISTIDES ALVARENGA: That has another risk: one, that since there's been no resolution it goes to file. If it's a law, the regulation says that if it goes to file and doesn't have a resolution, it can't be seen again for six months. That's one of the risks that you run when you don't have the necessary votes at the moment of voting. There is a way out, if that project was voted on during the plenary and there still are other points, at the end of the plenary a reconsideration of the voting or a reconsideration of the point could be requested, which would have to be known after six months. So, we subject it to voting to reconsider it and then the point returns once again to the table. Since it doesn't have the votes, then it's requested that it be returned to the Commission - that's a bit twisted and it's an invention that's been used here because an issue that gets lost, gets lost. Here one looks for a side to everything -, it's studied once again by those who requested it, those who gave us the votes to complete the 43, then it goes to the Commission and at least they're able to see it during the course of eight or fifteen days when it returns to the Commission, to the plenary.

JOHN: Last question. Why are nominal and public votings so rare?

ARISTIDES ALVARENGA: Because there are only special cases where the Constitution itself contemplates what has to be vote for vote. In other words, if we changed the process to a computerized system, practically everything would be vote for vote. The only thing is that each person wouldn't be asked for whom he/she voted in the case of Supreme Court magistrates, in the case of the District Attorney. They are qualified votes because they're for 56 votes, however, in the case of the Accounts Court of the Republic (*Corte de Cuentas de la República*) they're also elected by nominal and public vote even though they are 43. But the part related to the Accounts Court stipulates it. So, only in these cases and in the case of the loss of suspension of constitutional rights, they're also by nominal and public vote. First because it's considered that it should be in an act that it was voted publicly for one or another thing. On the other hand, in the other one it says: 56 votes but they don't know who voted in favor. That is the difference: in one their name appears voting for another, and in the other they appear all jumbled up together.

JOHN: Are votes taken by name?

ARISTIDES ALVARENGA: It's done with a registry of names. I call the roll and I go through name by name and the magistrate's proposal goes to voting. As a rule there's a previous agreement where those who will pass are so-and-so or such and such a person. I've always been an opponent to that type of voting because we in my party have decided that we only go to a voting because there's more than one, but when there's only one, it's ridiculous to vote if one alone is going to vote. I've always maintained this but I haven't been able to, I mean, appearing to be ridiculous, observing that type of voting because if only Juan Pérez is there, I don't see why we all have to vote. Even though there's one, no, because there can be abstentions. They can be votes in oppositon without proposing anyone else. It could be but it seems to me that it doesn't fit in with the reality of a voting when there's only one person.

JOHN: Do you think that it's possible that they'll vote for an electronic system?

ARISTIDES ALVARENGA: Look, it's a topic that's already been discussed. But since it was so many years ago, that matter was brought up around 1985 or so. There was the possibility of a panel. It seems that AID observed the matter and offered it and at that time since matters were so complicated - we were in the middle of a war - sometimes it was even necessary to manipulate the votings to come out ahead - and they said that it wasn't applicable at that time and let's wait a while.

I think that at this point we should already be more convinced of the system. I repeat, any other system other than the one we have. The way it's proposed, I don't believe that it's healthy for anybody. I at least, advocate for it to happen. Hopefully it will be decided with more vision, but that's something that all the factions will benefit from and they demand a panel of this nature. I've observed it in Costa Rica. There's a panel in Costa Rica and the President has the screen below where he immediately sees at how the results came out and they can still be rectified. If someone says, I want to modify my vote, then they erase the voting and they vote again but it is much quicker and more reliable than handraising. Personally, I believe that we should rescue it.

JOHN: Well, thank you.