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INTERVIEW
DELEGATE CARLOS HURTADO
CONSERVATIVE ALLIANCE
PROPRIETOR DELEGATE OF THE NATIONAL ASSEMBLY OF NICARAGUA
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MANAGUA, NICARAGUA

JOHN: To begin, how is it decided what the position of your parliamentary faction when it votes in plenary will be?

CARLOS HURTADO: We usually have one meeting per week of the faction. I'm the head of the faction. We have a meeting once aweek, where we analyze, aside from the political juncture, the law initiatives that are to be seen in the Parliament. Then, depending on the analysis that's made, positions are taken in relation to the different topics or aspects of a certain law. There, a faction position is taken- in passing, our faction has five members - and we proceed to speak or negotiate with the other factions. Essentially, when they're laws that we consider important for governability, vis-a-vis, Sandinista initiatives, then what we do is we speak and negotiate with the Sandinista faction. Mainly with the liberal faction, that's the majority faction, the one that has more delegates.

JOHN: Do they have an absolute majority?

CARLOS HURTADO: No, it's a majority in number. Then we perfect the positions with them, we reconcile our points of view with their points of view and in these cases we go and vote together. What's important is to try to articulate positions and if you can and it's of interest, then we vote generally with the liberals. Rarely, by definition, - what's more, I can't recall - have we voted with the Sandinistas. What we also do -if we don't agree with the liberal positions- is make our proposals of how such an article or such articles of such a law should be approved and from there a negotiation process takes place. Or if the Sandinistas are those who have the initiative, what we try to do is establish an intermediate position in order to not vote with the Sandinistas. This doesn't mean - and I want to be clear - that the Sandinistas sometimes don't have good initiatives. In fact, frequently they have very good positions. But, well, we always try to establish some difference for merely political reasons. And I have to correct myself, because on occasions, yes, we have spoken and have negotiated with the Sandinistas on certain positions in relation to the articles of some laws. Yes, we have done it. What's more, together we have pressured the liberals so they modify their position in relation to a certain law or a certain article of the law. We have done it, but it doesn't come out as an exclusively Sandinista initiative, but rather now it's an initiative by consensus. We try - at least this is my experience over these three and a half years - to arrive at the plenary with positions of consensus. In other words, there's a previous negotiation.

JOHN: Consensus among?

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CARLOS HURTADO: In relation to the positions that are going to be adopted regarding a certain law. We try to reach it. Consensus doesn't always work, evidently, but we try to reach it. There are occasions where the two majority factions: the Sandinista and the Liberal, are in agreement. Then, depending on the topic, we take a position. Or we are in favor or we're against it. Over the last months reforms to the Constitution and to the Electoral Law have been on the table, which have been an agreement between the Liberals and the Sandinistas; we opposed and voted in opposition. I'll tell you something, it was for different reasons, because politically we don't consider it appropriate, or because they refuse the democratic steps of our reformation. They affect us as a small or minority party, however you wish to call it. In fact, it affected us because we lost legal capacity as a product of this arrangement between them. So, depending so on the topics, that's how it works.

JOHN: But, in general, do you vote together? In other words, your faction's delegates all vote "yes" or all vote "no"?

CARLOS HURTADO: Yes, I don't remember any cases where it hasn't been this way. We're five, so it's relatively easy to reach an agreement. Mostly, when they're positions related to certain topics.
JOHN: Is there a disciplinary process within the party if, for example, a delegate isn't in agreement with the faction?

CARLOS HURTADO: We respect the delegate's will, as a principle of the faction. If he/she doesn't want to join the faction's position, for whatever the reason, it's respected and it doesn't have any consequence in the faction's operation. We just try when they are politically important topics, where it's necessary to present an image of faction solidity, well then there yes, we try to take one position. But if the delegate decides no, there aren't any consequences. In other words, he/she won't be sanctioned.

JOHN: Is there any problem with the attendance with regard to voting in the plenary?

CARLOS HURTADO: In general terms I've found that attendance to the plenary sessions and the votings is good, it's high.

JOHN: Are there cases where entire factions don't vote or they retire from the voting to show... what? Opposition?

CARLOS HURTADO: To show opposition, to break quorum, etc., but yes it's happened with some frequency. The ones who do this are the Sandinistas because they're the second faction in numeric importance and because in any given moment they can break quorum. The quorum of the democratic sectors is quite precarious, so there are times when the votings are won by one vote. Perhaps it was hard to get all the delegates to show up this time. When I tell you that attendance is good, in general, I think that it's up to 90%, but usually those who are absent - it's curious - they're from the democratic factions. They're the ones who are most often absent.

JOHN: Why? Because they have other commitments?

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CARLOS HURTADO: Perhaps because they have other commitments, or perhaps they're out of the country. In other words, let's say if 9 people are absent, if there's 90% attendance - that's quite good, I believe - that's to say, 10% or 9 delegates are absent; most of these 9 delegates are from the democratic factions. Or because perhaps they didn't even accredit the substitute so he/she can attend. In the case of the Sandinistas, they are more disciplined. If the proprietor delegate can not attend, the substitute is accredited. So, their position and their vote are always covered.

JOHN: Then, are the Sandinistas the most disciplined?

CARLOS HURTADO: In this sense. Now, on a couple of occasions, we as a faction have not prevented a quorum, but rather have assured that there aren't a sufficient number of votes to introduce a motion and for it to be approved. We've done this to pressure about topics that are of interest to us.

JOHN: In the Assembly do coalitions or partisan alliances among several factions exist?

CARLOS HURTADO: Yes, they do.

JOHN: Which are the most stable alliances?

CARLOS HURTADO: The most stable alliance: Liberals, the Conservative faction - ours - and the patriotic faction who are delegates from different parties who joined together and formed a parliamentary faction. These still function with less discipline than we ourselves operate, because we're a faction with an ideological formula, conservative. Not them, they formed this patriotic faction, where there are delegates of Social Christian origin, where there are delegates that come from the Nicaraguan resistance, where there's a delegate - if I'm not mistaken - who's conservative and there are delegates who are liberal dissidents. So, in fact, they're constituted mainly in a parliamentary group to obtain some benefits that can only be obtained from being in or by forming a parliamentary group.

JOHN: Is this alliance a majority?

CARLOS HURTADO: No, it's not majority. They're between 8 and 12 delegates. The number fluctuates depending on the alliance. Then there is a faction that I believe has 4 delegates who are only liberal dissidents. These usually have very frontal positions. A Christian faction existed, from a party called Christian Path (*Camino Cristiano*) that was able to obtain four delegates but these split. So now perhaps one is in the liberal faction; another is in the patriotic faction. The Assembly's political map is quite dynamic in terms of parliamentary factions, in terms of the factions. It's very dynamic. There's a lot of change. Mostly in the small parties. Regarding the two big blocks: Liberals and Sandinistas. They've suffered splits but essentially they conserve a power in terms of the number of large votes. The Sandinistas have lost, if I remember correctly, I think 4 and I believe that the Liberals have lost another 4 or 6. So, there's a lot of dynamics. Then, suddenly, they disassociate themselves from here and they form another parliamentary group.

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JOHN: and why.....? because they have more legislative resources?

CARLOS HURTADO: They have more legislative resources obviously, and more economic resources.

JOHN: It's the key to maintain the unity?

CARLOS HURTADO: Yes, and because they have greater ideological and partisan cohesion.

JOHN: The big ones in this case?

CARLOS HURTADO: In this case. That's why there's no difference if you elected 40 delegates if four leave you. It undoubtedly affects you, but not a lot. But if you chose 4 delegates and two leave, they simply dismantle you. To be a parliamentary faction, you need 4 delegates. The minimum to make a faction is 4, so if you chose 4 delegates and 1 leaves, then you no longer have a faction. So, you have to look for where you can integrate yourself because the parliamentary factions have rights and administrative benefits. If you're incorporated into a parliamentary fraction, they provide you with an office, they give you stationery, they provide secretarial assistance and they give you cash that helps you to finance a series of faction expenses and your parliamentary work. But if you are not in a parliamentary faction, then you don't have these rights, you lose that money. Also that's why, mostly when they're delegates who were elected by small parties, they're extremely volatile. Today they're here and tomorrow they're there.

.....: There's a detail that I would like to bring up. In Nicaragua, the delegates as people, don't have an office, they don't have a desk, they don't have personnel like secretaries, assistants or advisors, they don't have a computer, they don't have a telephone, they don't have a fax.
JOHN: All that belongs to the factions?

CARLOS HURTADO: Through the faction something's received. I'm aware that the Liberal faction, which is the faction of the party that's currently in the government, has perhaps four telephone lines for 38 delegates. They have some small cubicles where they can maneuver without much privacy and perhaps there are 4 secretaries for all of them. Let's not speak about the smaller factions, like ours, where there are still more difficulties. But difficulties that are incredible. In other words, if I didn't have an assistant, who I pay for by myself, I wouldn't have anyone to dictate a letter to. I don't have anyone to inform, see, this is my agenda, I need you to do this for me. The majority of the delegates don't have an assistant. So, one works in really difficult situations.

JOHN: In other words, the coalitions, the changes in conditions or changes of factions are largely based on the legislative resources to carry out the work?

CARLOS HURTADO: Yes, in the case of the small parties. In the case of the large parties, no. There there's already a much higher degree of party discipline, of party commitment, which by itself helps to position the faction a great deal. I'm going to describe it so you can get an idea. 42 Liberal

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delegates were elected, of them one is Conservative - that's me - I was elected on the Liberal slate. Yes, in an electoral alliance that was made with the Liberals. The Sandinistas elected 36. This adds up to 78. There are 4 from Christian Path (*Camino Cristiano*). Then 3 were elected from the Conservative party.

JOHN: And why weren't you placed on the Conservative slate?

CARLOS HURTADO: Because of political differences.

JOHN: But now you are the head of the faction?

CARLOS HURTADO: Yes, I'll explain it to you. Later one left for 1-96. This citizen is Conservative. This was an electoral alliance that elected a delegate and it turns out he was Conservative, but that didn't come out here. Conservative, look at what an interesting mosaic. Then we have one more who's from ANC, this is another conservative party that was elected by another side. So now we're up to 87. One from the Nicaraguan Resistance, ex-contra. Another *tronal* . Five are missing, there are 93. There are two former presidential candidates in their own right (there's Ortega from the Sandinista Front, a Conservative and a Christian). The PLI chose one and a Social Christian. There it is, that's it, and one MLS. So, look at how many parties you have here, eleven parties. These blocks are solid.

JOHN: The big ones.

CARLOS HURTADO: Yes, the big ones. Then we, Conservatives, were able to make a block of five. Out of six Conservatives who reached the Assembly from different places, five of us are here and we make up an ideologically identified parliamentary group. But among all of those who are here, you have people who are just floating around. Four separated from the Liberals, so these 4 join with the rest of this group. From the Sandinistas 4 also disassociated, and they also join this group. So, here a dynamics of alliance is formed. So, this number of delegates is very dynamic.

.....: Also, depending on what is being voted on, there are delegates who are more connected. For example, if there's a law brought forth by the governing party and there are matters of political interest to them, they join and vote together. Those from the PLI, for example, and the PNM vote with the government's party.

CARLOS HURTADO: That's what has caused a very strong dynamics. It's even what's inclined the scale towards one side or the other. Especially these two blocks. Here nobody has an absolute majority.

JOHN: But, the Liberals could have an absolute majority if they could attract them? But it's not been achieved?

.....: No, it's not in all the cases.

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CARLOS HURTADO: Absolute, no. There are laws that perhaps are very controversial and perhaps the Liberals achieve a majority by one or two votes. A simple majority is very precarious, but an absolute majority, no. So, the majority of all those who are here vote in opposition.

JOHN: But the reform has been achieved? What's the reform?

CARLOS HURTADO: What's going on? The Constitution was reformed in some aspects and the Electoral Law was also reformed. As a product of that reform, one of the reforms to the Electoral Law is that now for next parliamentary period - in the next elections in 2001 - let's say, in 2002, the conformation of the Assembly will essentially be and I would say almost exclusively, Liberal, Sandinista, Conservative Christian Path and Conservative. These are the parties, no others, because they're the only ones that were still alive after the electoral reforms.

JOHN: And the electoral reform was to broaden participation?

.....: No, it was to reduce the space for participation, to hinder it. It's been modified to a minimum for entry. There were 23 parties that participated in the last election. It was really an exaggeration. Too much division. Of the five parties.....

CARLOS HURTADO:..... 23 parties don't affect the democratic process in any way. The only thing that they're going to do is perhaps make the way the concepts are handled in the Assembly a little more difficult . But out of the 23 parties that participated last election, only two remained. In spite of the reform, or rather, if the reforms hadn't been made and the old electoral law was still in effect, only eight parties would have gone to the elections. Only eight, and of those only five or six would've remained. In other words, there wouldn't have been a great difference. Considering the political cost that it's had, the reform wasn't necessary, when the country's own social and political dynamics were going to eliminate the parties in a natural selection process.

JOHN: Even without the reform?

CARLOS HURTADO: Yes. The natural selection process would've occurred and the number of parties would've been reduced, thereby eliminating those parties. But now, no, now it was done via the reform and a heap of parties were removed from the proceedings, including mine which has me extremely annoyed. I'm extremely annoyed, but well, we'll see how we get back at them for this.

JOHN: Are the votings in the plenary taken electronically?

CARLOS HURTADO: Yes. However, once the Sandinistas took the controls, and they took the system and it was necessary to vote by hand.

JOHN: Why?

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CARLOS HURTADO: Because they didn't agree with a law that was going to be approved, so they got up and took over the plenary, they took the controls, they took the podium, they removed the sound system.

JOHN: But why, so that there'd be no recording of the voting that was taken?

CARLOS HURTADO: To avoid the voting. Then it was taken by hand.

JOHN: Interesting. Has the the electronic voting system changed the legislative process?

CARLOS HURTADO: Yes, it's changed.

.....: In what way has the electronic system brought about a change?

JOHN: Yes, in the legislative procedure.

CARLOS HURTADO: In some way, yes, because each delegate's vote is more evident. So, if perhaps they didn't vote before for some law or they didn't agree, there was no accountability. Now there's more accountability.

JOHN: To who? To public opinion?

CARLOS HURTADO: Yes, of course.

JOHN: But are they paying attention to the citizens?

CARLOS HURTADO: Yes, the media. The press, and also the public, can enter into the Assembly. The Assembly's open to the citizens in the plenary as well as in the Commissions. There's more accountability.

JOHN: And the votings of the factions or of the delegates enter or are they part of the electoral debate?

CARLOS HURTADO: The truth is that up to now, yes. But it's not a big issue. It's part of the electoral debate, but it's still not a central part of the electoral debate. Because even though the media records the votings, it still doesn't penetrate in the population that much, but instead a certain position will decisively sway a voting at the moment of some elections. At least that's my opinion.

JOHN: So how has the process' transparency or the delegates' dependability been improved?

CARLOS HURTADO: It's easier for someone to say to you, look, you're saying that when you're the president or when you're the mayor, that you will be such and such a thing, but look, you voted on that occasion in a completely opposite way to what you're saying now. We're learning how to manage that type of information in the political debates.

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JOHN: It's a process that's just beginning?

CARLOS HURTADO: Yes it's a process. Because it also requires that the electorate, all the political analysts, let's say, keep a record of this. It's not so simple to keep this record because it requires a certain infrastructure, a certain culture, a certain systematizing. Here there isn't any independent center, that I know of, that keeps a record of how the State has voted. In United States yes, there's are, there are several that keep a complete detailed record. Now, that's more sophisticated. I believe that eventually we'll come to that, but right now there's certainly a lot...it's not so easy. It sometimes happens, that a certain delegate is singled out for certain position.

JOHN: Those are all my questions. Thank you.