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INTERVIEW WITH:
REPRESENTATIVE HERNAN ANDRADE
Bogotá, COLOMBIA
MAY 3, 2001

JOHN: First question. How is it decided inside the party - is it called the fraction (*bancada*)? - what the *bancada's* position regarding a project or a voting will be?

HERNAN ANDRADE: In Colombia at this date, - because the electoral system is not operating and there's excessive division (*fraccionamiento*), and practically all the members of our party, as in all of the parties, were elected (*salimos*) thanks to our own efforts - there's no feeling of unity and there's no operation in *bancadas* that allows for previous coordinated decision-making, except for in exceptional cases for very big topics: political reform, the topic of transfers, important topics for the country. We meet only for those exceptional occassions and we try to adopt concordant, coherent positions.

JOHN: And in these cases they're called, for example, disciplined votings, or not?

HERNAN ANDRADE: No, that doesn't occur. In Colombia a lot of indiscipline in the political parties is what's characteristic, in general.

JOHN: Then, generally, the members of the party don't necessarily vote together?

HERNAN ANDRADE: Only with a few exceptions. Except, not in bills (*proyectos*), unless they are political, partisan debates. A feeling of *bancada* is recovered when the partisan flag's agitated; do you understand what I'm trying to explain? When the other part attacks the government. Yes, there's a feeling of pertaining to a party (*sentimiento de partido*) in the aspect of political control in the parliamentarian debate. But positions of consensus by *bancada* are not adopted in the legislative course of bills (*proyectos)* .

JOHN: Which are the factors, the most important manifestations [that influence on] why the legislators don't vote along with their coparty members?

HERNAN ANDRADE: Because each is his own party. Each of us comes out (*salimos)* due to our own effort, with our own financing, with our own friends, without any clear ideology. Most of the times hiding the party which we come from. There's no channel *(hilo conductor*) that leads to the *bancada* , there's no partisan attachment. In Colombia, more and more, the attachment is stronger to the Liberal Party, in its *bancada* , but they - I'm conservative, from the *Partido Conservador Colombiano* (Colombian Conservative Party) - also have serious problems of political indiscipline.
JOHN: This is interesting. For me, this is the first parliament that I've visited where the *bancadas* don't meet on a weekly basis.

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HERNAN ANDRADE: No, here no. If we meet twice per semester, it's a lot. It's the truth.

JOHN: Do stable multiparty coalitions or any that include legislators of several parties or movements exist in the House *(Camera)* or in the Senate?

HERNAN ANDRADE: Coalitions are formed that move around the government in specific bills (*proyectos*). And coalitions that are very dynamic, coalitions that aren't sustained over time and coalitions can be formed around the government. The Executive is the one that agglutinates, due to the power that the Executive exercises. Then there are some multicoalitions, which are made up by some multiparties, for specific bills and once that voting is over, the coalition can be dissolved and a new coalition can be formed.

JOHN: For the next bill *(proyecto*)?

HERNAN ANDRADE: For the next *proyecto* , they're opportunity coalitions *(coaliciones de oportunidad*).

JOHN: That's part of what I was going to ask you. What are the most important factors that motivate the formation of coalitions, is it not a common ideology?

HERNAN ANDRADE: No, it's the government's, the Executive's bureaucratic power.

JOHN: When is it required or when is nominal voting used?

HERNAN ANDRADE: In the big topics with the television transmission of the public t.v. channel, the regulation allows it and it's not used a lot. But in the big topics where public opinion is very watchful *(pendiente*), one of the parliamentarians, any of them, usually requests nominal and public voting and it's an obligation to accept the nominal voting.

JOHN: Is it obligatory to have the nominal voting?

HERNAN ANDRADE: Yes, sure. From the time that any parliamentarian requests nominal and public voting, it's obligatory.

JOHN: Then I find it strange that it's not used more frequently.

HERNAN ANDRADE: No, because everybody passes - in Colombia we say *"de agache"* -, the topics pass on by. But when they are the big topics, the people are expectant (*pendiente*), the parliamentarians who want to go against or are in favor of the bill or request the nominal voting, but only on a few opportunities. So that you know how things operate, which is what's being researched, the rest [of the voting] is done by *pupitrazo* (literally: hitting the desk). The voting's going to be carried out by *pupitrazo* and you hit the table and it's voted.

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JOHN: If there's a narrow [margined] or very disputed voting, isn't it difficult to distinguish with the *pupitrazo* if it was approved?

HERNAN ANDRADE: Yes, sure. But when it's very disputed, somebody requests nominal and public [voting]. In other words, when it the voting's very disputed, somebody stands up and requests nominal voting.

JOHN: But it's not frequent.

HERNAN ANDRADE: It's not frequent. Usually the *proyectos* in Colombia - and I believe in the world's parliaments - are passed by *pupitrazos.* I don't know if in all of them.

JOHN: Well, in their majority, in many parliaments, the great majority of *proyectos de mociones* are approved or rejected by consensus, more or less.

HERNAN ANDRADE: Here it also occurs, a lot of the *proyectos* pass, pass, pass on by and the people go voting, without any, without an intense debate. In Colombia, the great debate of the *proyectos* which occurs in the Commissions serves as a complement. The topics which reach the plenary are already sufficiently analyzed, they're *"muy cocinados"* (literally: very cooked) as we say in Colombia, very studied.

JOHN: How does the leadership of the House (*Camera*) or the Board of Directors (*Mesa Directiva*), know how the legislators (*diputados*) voted? Is it known how they voted?

HERNAN ANDRADE: In the cases of nominal and public voting there's an electronic record. There are electronic means which record the voting.

JOHN: And are they applied?

HERNAN ANDRADE: There are records (*actas*). Nobody asks for them but there are public documents on how they voted. There's an electronic board (*tablero electrónico*) to see the "yes" or the "no". There are electronic mechanisms.

JOHN: That I would be interested in looking at.

HERNAN ANDRADE: There's a board. For example, you see [the name] Andrade and you see "yes" or "no" and the voting. That is recorded in the computer, but usually no one consults those files.

JOHN: And where can they be obtained?

HERNAN ANDRADE: There in the Congress' Secretariat, it's public. So, how did he vote in the political reform?, and it appears there. In some research work the information is obtained.

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

HERNAN ANDRADE: Very weak. The clientelized voting (*votación clientelizada*), the tied voting (*votación amarrada*), the regionally partisan voting *(votación regionalmente partidista*) relationship continues being very strong in congresses. In the big cities there's an opinion vote, and in Colombia there's a statistic of 30% - 40% of opinion vote. But we, the parliamentarians from the countryside (*de provincia*), can have - in my case - a good opinion sector, but we continue depending on the rural vote and on the group vote (*voto grupista*). With that vote, we have personal contact with political outings (*giras políticas*). In Colombia personal contact is still used: handshaking, back-patting and contact. But we are very far away and very distant - I have tried to implement - to have contact with the electorate by electronic mechanisms, by letters, by column. We are very green, just beginning the work of permanence and the contact between the elected [representatives] and their voters. There's no electronic mail, nor do they answer us by electronic mail, there's very little contact. So, it's done through the media, by some radio programs, through some interviews. But this contact, with the opinion vote and with the voter, continues to be weak

JOHN: But do you [legislators] travel on the weekends?

HERNAN ANDRADE: Political outings. Most of the parliamentarians, 70% - 80% of the Colombian parliamentarians continue to be involved in politics, in spite of the difficulties of public order (*orden público*), we continue to make person to person visits to the electorate in our provinces. Of course this doesn't occur in Bogota, there's a lot, here *se juega más al voto* .

JOHN: But is the political atmosphere different in Bogota than in the regions?

HERNAN ANDRADE: Yes, here the majority is an opinion vote. The big cities play with a free vote, a loose vote. But neighborhood, small rural community (*vereda*) politics, continues to be carried out. However, in the countryside (*area rural*) the presence is much stronger. There's an advantage, the Colombian public channel - *Señal Colombia* - transmits the Congress' debates and if you could measure the public's tuning-in (*sintonía*) in the countryside, it would demonstrate that it's close to 100%. The campesino is very pending of the Congress' debates, while in the big cities this is not the case. Ironically, there [in the countryside] television is viewed more.

JOHN: There are fewer distractions.

HERNAN ANDRADE: Sure, less activities and they arrive [home] at five in the afternoon to see *Señal Colombia's* debate.

JOHN: That's interesting.

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HERNAN ANDRADE: I'm telling you about it. On the other hand, in the city, because of their occupations, the people reach home at nine o'clock at night, tired, and they don't give a damn at all about the Congress members' debate.

JOHN: They've been transmitted for a long time ?

HERNAN ANDRADE: It's been several years and now the campesinos have a medium [level] political culture.

JOHN: Is it growing?

HERNAN ANDRADE: Political culture in the rural sector is growing, a lot. It's a thing that I go out to the countryside and the campesino, at his level, comments on the debates. Yes, in the countryside the situation's impressive.

JOHN: Interesting. In their majority, do the legislators want to be re-elected to the Congress?

HERNAN ANDRADE: Yes. It's like a profession in Colombia. Political activity is a profession, there's no limit to permanency; it's usually necessary to remove the legislators by votes because there are no voluntary retirements in Colombia, they stay until they lose the elections.

JOHN: What are the most important things that should be done to be re-elected?

HERNAN ANDRADE: To increase the opinion percentage, the incidence of opinion in the re-election of the Congress member. Colombia, due to the moral crisis, basically elects by conviction of the image that the person generates. Although that percentage is increasing, there's still a majority percentage which elects its Congress members, not due to the way they perform in the Congress on national topics, but because they took national resources to their provinces. The influence (*injerencia)* of what the Congress member brought to the small province still continues to be very strong as far as his position, as articulator *(articulador*) between the State and the small province. So, that's why it's difficult to make opposition here. Since Colombia's an underdeveloped country, the Congress member who brings electricity to such-and-such small rural community (*vereda)* is a good Congress member.

So, a majority percentage, 60%, comes from that type of favors of the State. But more and more in Colombia the percentage increases to a greater extent. I think that in close to 40% of the votes cast, they vote for the image generated by the candidate; this has been increasing. And if you go deeper into the study of the political system, in what regards public opinion, it gets stronger for the governorships (*gobernaciones*), mayorships (*alcaldías*), for the local elections and for the President of the Republic. For president the prebend is broken and the governorships, mayorships and president are played *mayoritariamente* . For the local and national executive, it's played *mayoritariamente* , there the percentages are inverted and public opinion plays *mayoritariamente* . For the Congress we're all subjected to the region, to the department. So there's a very big influence of public opinion in the local, and territorial elections as well as for the President of the Republic.

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JOHN: Well, to finish, I have two questions about the political reform that has been proposed. In your opinion what effect would the adoption of a public vote for everything have in the legislative process?

HERNAN ANDRADE: It's not that important because that's [the reason] why the Congress isn't working badly. I reiterate, in the large debates the voting ends up being public, and in the smallest topics - that the Congress considers smaller - the people aren't concerned about the topic. So, the fact of whether or not the vote should be public doesn't impact greatly on the Congress' operation.
JOHN: The other aspect of the political reform that interests me, is the reform of the electoral system that's been proposed. In your opinion, what would be the best electoral system for Colombia?

HERNAN ANDRADE: As you know, in electoral law there are no absolute truths. We've listened - I've been an opponent of the reform since 1998 - to political scientists and political systems worldwide on bicameralism and unicameralism and the Congress' operation. Here in Colombia, in my personal case, my perception is that the single slate [of nominees] (*lista única*) with the Jon system, a figure distributor (*cifra repartidora*), a gradual threshold of a one, a two or a three, in Colombia you can't remove the independents who come in a conformation process, of elevation of the opinion. With these gradual group stimulation systems, we can return to an electoral system of parties in Colombia, that are missing because they're separate islands. So, I find that the electoral mechanisms which we are working on in the reform, are right. But in my particular case, for example, the system of previous consultations would not work in the single slate [of nominees] because it would play on the clientelized machinery (*maquinaria clientelizada*). In the House (*Camara*) we believe that the answer (*salida*) is the preferential vote, that on election day the people organize their own slates and reorganize the slate. And for us, a central point of the reform is the campaign financing. Colombia has had a very strong involvement (*injerencia*), due to its economic model - of the actors of the market and the licit and illicit monies in the campaigns - coming from big economic groups and from drug trafficking. Although in other parts of the world state funding is on the come back, right now in Colombia we need a very strong or exclusive state funding, to disengage the actors of the regional politics' market and to extricate Congress members from being agents and defenders of the private sectors, because in Colombia we're not mature enough for a corporate democracy where the Parliamentarians defend interests.

JOHN: Not in the United States either.

HERNAN ANDRADE: It's an area that's very difficult to attain. So, in this effect, we believe that part of the solution is to isolate the politics from those licit and illicit monies and to try to control the money through the operation of the law. Here there's the Public Prosecutor's office (*Fiscalía*), the Ombudsman's office (*Procuraduría*) and electoral norms and other sanctions of loss of investiture (*pérdida de investidura*) and other mechanisms, that would simply be the application of the law which would allow for a more transparent system. But it seems to me that the topics of the reform: grouping (*agrupación*), transparency, surveillance of resources, financing - with a topic that's forbidden to discuss in Colombia-, access to the media, because here the media is, in its great majority, of the big means. But we would improve the Colombian political system if a trasparent financing system, by the state, could be guaranteed, that has equitable access to the media, because here good people don't

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have a way to compete in the Colombian electoral system. Because here a Senator of the Republic can spend five hundred thousand dollars to reach the Senate and those five hundred thousand dollars - at the income level of Colombians - very few have that sum or can be financed. So, in Colombia you get big entrepreneurs, Frachar, Rerley, contractors, a whole class of politicians who spend five hundred thousand and, listen to this, even up to a million dollars, to reach the Senate of the Republic. So, if we don't cut that channel (*hilo conductor*) between businesses and politics, the system won't improve, whether or not we establish a threshold or figure distributor (*cifra repartidora*). But yes, it's a step forward, be it the preferential vote, or that there's a single slate that guarantees that it will be better for me inside the party and it's to my advantage that the party does well. So I believe that the formula of the single slate, with the Jon system, with a threshold and with the preferential vote, can be imposed and finally, it can be of use to the electoral system because what there is now is a series of small parties that we, each parliamentarian, represent ourselves in, and each of us is an electoral company. As you can observe, in Colombia there are sixty eight parties with a certain image in formation. So, once everything's been conformed - although the reform may not solve the situation during this first period-, towards 2006 five, eight or ten parties could remain in Colombia and not the seventy or a hundred [parties] as where we've been heading if we don't legislate in this respect.

JOHN: Do you think that the single slate (*lista única*) will be adopted?

HERNAN ANDRADE: Yes, I think it'll be passed. The debate yesterday was not voted on, next Tuesday - if it passes to the Senate of the Republic on Tuesday - in the House (*Camera*) which I represent, the single slate has never lost a voting. So, the "test of fire" (*prueba de fuego*) is next Tuesday, May 8th, in the Senate of the Republic. That's the definitive one [voting].

JOHN: And will the President support it if it passes in the Congress?

HERNAN ANDRADE: The government's totally playing it, with the ministers.

JOHN: Thank you.