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JOHN: Well, I'd like to ask you some questions about legislative procedures.

How is the faction's position communicated to the legislators before the votings? The position of the faction.

DE LA CRUZ: What are you doing your thesis on?

JOHN: My research has to do with the levels and sources of partisan unity in the parliamentary votings. I'm gathering data from many assemblies, mostly those in Latin America, but also in Europe, North America, and the Philippines, as well as some from the post-communist assemblies for a comparative analysis on decision-making and what determines the levels of partisan unity, especially among parliamentary coalitions.

For that reason I have an interest in how the party's discipline or unity is obtained. To begin, how is the faction's position communicated to the legislators (*diputados*) before the votings?

DE LA CRUZ: In *Fuerza Democrática* (Democratic Force Party) we divide the parliamentary work by the work of each of the legislators' offices. Currently, *Fuerza Democrática* has three legislators in the Congress of 1998-2002. So, each legislator is responsible for the organization of his own office with his advisors. Each legislator participates in different Legislative Assembly work commissions; in those work commissions he receives support from his advisors and he can request supplementary support from the entities and personalities that collaborate with the party, with academics or with universities, unions, social organizations and other groups.

The position that we have is to consult with groups that have an interest in the laws, so that somehow the legislator's work also reflects the interests of the groups that are positively or negatively affected by each law.

Each legislator has his own initiative to promote his own bills; the bills can respond to the legislator's initiative, as well as the initiative of the groups that each legislator assists.

The three legislators make up what's called the party faction. The party faction holds a meeting per week. In this meeting, that we hold on Monday afternoons, we discuss the parliamentary agenda - what's currently occuring in the parliament - and according to this we coordinate the efforts of the three legislators and the work of each office in an unified manner. Then, we proceed by giving substance to the unitary work of the party for decision-making. While there's a certain autonomy in the legislators's

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work, there's also some work that's absolutely collective. Once the position is defined, the three legislators vote it as their own (*la voten como propia*). So we work on this agenda and the faction passes its accords to the parliamentary advisors. Once the three legislators reach an agreement, the advisors can discuss it and give their opinion. If a firm agreement already's been made the advisors can help to improve the position; however, this can be altered during a parliamentary discussion or the faction's position can continue to be modified. There can be divergences between the legislators, but the minority yields to the majority. Unusually there are situations where some legislator says: "I don't agree" and his contrary opinion is tolerated. But the principle is to try to work as unitarily as possible and that the decisions in the work of the legislative plenary - the plenary is the group of all the legislators - be unitary.

The work in the legislative commissions is individualized, so decision-making is different. Individualized decision-making of an office and the collective decision-making of the plenary. In the plenary we usually have a collective position that's the result of the discussions held during the Monday meetings and a collective process related to this agenda.

The political direction of the *Partido Fuerza Democrática* is another body of political reflection with regard to the parliamentary work. The party's political direction meets on Wednesday morning; there, an evaluation is made of the legislative work and political suggestions can be made on what's being done in the Legislative Assembly. They're not legislators, it's the partisan political direction that has to do with the whole country, with the party's organization and the three legislators are included. So, the legislative work is also discussed there. Corrections can be made by the political direction but it's never happened.

JOHN: In the nominal, open votings which don't have to do with a unified position....What type of voting? What type of policies?

DE THE CRUZ: No, we in the legislative plenary try to act together, that the three legislators express themselves in a unified way. That publically they express themselves as a unit. Politically we're interested in the image of unity and around this, we also try to create political trust by demonstrating that the party is compact, that the party is united, and that the party is one alone and although there may be divergences, that there's unitary action; the party functions as a unit in it's actions, with a diversity of opinion.

JOHN: What would happen if a legislator regularly votes against his faction?

DE THE CRUZ: I think that we'd have to have greater levels of discussion on this legislator's votings. In our case it hasn't happened, but we'd have to carry out a deeper political discussion to see what it's all about. To determine if it's a political problem or whether it's a personal type of problem. If it's a political problem it should be solved politically. If it's a personal problem, it's more difficult.

JOHN: The members of the Assembly's directorate (*directorio*) are all from the majority party?

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DE THE CRUZ: Yes.

JOHN: How's the parliamentary agenda coordinated with the other parties?

DE THE CRUZ: The Legislative Assembly has a coordination body that meets Thursdays at noon. The legislative directorate meets with the faction leaders. In this meeting advisors can also attend, sometimes there's an advisor per faction. There, part of the parliamentary agenda is discussed. Here the parliamentary agenda is established by the legislative regulations; the requirement is that the sum of two political parties, or the number of political parties, add up to 38 votes. In this case, the National Liberation Party (*PLN*) and the Social Christian Unity Party (*PUSC*) have them by themselves. The other five parties that are in the Assembly, plus *PLN* or plus the *PUSC*, don't constitute the 38 votes. This is a difficulty for the establishment of a parliamentary agenda which is of common interest.

There's a parliamentary agenda that's official (*de oficio),* which is legislative procedure. The laws that are already in process; the laws that will have a second debate; the laws that are admitted because they're the result of some consultation of constitutionality and they're in line waiting their turn. So, there's an established agenda. This agenda can alter the order of the bills (*proyectos*) in common agreement among the parties.

Fuerza Democrática is of the idea that the parliamentary agenda should respond to a collective plan of all the parties that participate in the Legislative Assembly. With consensus on topics of national interest and topics that can be agreed upon positively. Of course, they'll be topics on the agenda for discussion where there won't be agreements, but we believe that these topics should also be discussed. We also think that there should be a balance in the parliamentary agenda, so that the interests of all the political factions, of all the political parties which are represented in the parliamentary agenda are taken into account. If the Assembly is multi-partisan, the legislative agenda's interests should be multi-partisan. The parliamentary agenda itself should be a reflection of the society just as it's represented in the Assembly; the smallest parties should be given the opportunity to discuss their legislative bills, too. This is a problem of principles for us and we've struggled for it and we will continue to struggle for it. We believe that this is part of our democratic process.

JOHN: But in fact it has to do with cooperation between the two large parties?

DE THE CRUZ: In fact it's more than cooperation, it's a co-administration, it's a co-management, a co-government of the Legislative Assembly and of the country and of the interests, of an economic type, of a political type, that are mixed in those two parties, which are expressed in the parliamentary agenda. So, these two parties impose themselves. There aren't coalitions in the Legislative Assembly. In practice, there's coincidence. We ourselves can coincide with the *PUSC*, we can coincide with the *PLN*, or we can coincide with other parties that are in the Legislative Assembly. In the Legislative Assembly of Costa Rica there aren't majority parties right now, all are minority parties in the sense that none of them has the majority of the Congress. All are parties that are a little bigger than others, but all are minority parties. This is a concept that we understand due to the political work here. There aren't coalitions. The smallest parties, from *Fuerza Democrática* on down, haven't formed a coalition.

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Legislative work can be considered in these terms: legislative work of the government by the government's party, the government's legislators, by those of the *PUSC* and work of the opposition by those who aren't of the government, but the *PLN* and the *PUSC* act as if they're the same thing in the Legislative Assembly. So, the work of the opposition is reduced mainly to the *Fuerza Democrática* Party. The other small parties have occasional political opposition work. They're very coincident with the government's political projects and they give their votes to the legislative bills of the government on the condition of receiving some type of legislative or political favor. Previously there was an assignment system of allocations from the National Budget of the Republic - however, this is no longer accomplished in a direct way - so, they achieve it in an indirect way; they sell their vote, they auction it and this makes the opposition work of these parties invisible, it's not felt, it's not perceived. As political opposition, I dare to think that the only organization within the Legislative Assembly is *Fuerza Democrática* alone.

The Libertarian Movement Party (*Partido Movimiento Libertario*) is a party that carries out interesting and intelligent legislative opposition work. Their legislator is a man with good legislative logic, he's very active, very dynamic, but he's absolutely coincident with the economic development model that the government promotes. There's no political opposition. If the economic development model of the Libertarian Movement Party is the same as that of the government, then there's no political opposition. There's a political type of discrepancy, but there's no political opposition.

The *PLN* and the government don't have discrepancies nor opposition. The opposition is just bunch of words. I'll give you an example, in the past on May 1st the legislative directorate changes and by regulation the legislative directorate, the president of the Congress has the faculty to name and integrate the legislative commissions. The president decides. Sometimes, at the petition of the parties themselves, he can take into account requests that so-and-so a legislator be a member in such-and-such a commission, but it's up to the president's discretion as to how they're named. So, the president of the Congress elects the commissions.

The important commission of the Congress is that of the national budget. That commission has nine legislators and five are from the government. No political force is needed there to approve things. Five legislators from the government, three from the *PLN* and Justo Orozco, from a small party , who always votes in favor of the government. There's no difference, there's no opposition, there's no questioning of the budget, no political work to study the budget occurs. It's the most important work that's done in the commission and there's no parliamentary opposition party. When the *Hacendarios* Commission's report reaches the Congress, to the plenary, the report is very refined and focussed on general aspects. So the legislators hardly have time to discuss it and everything's filtered beforehand (*por debajo se filtra todo*). So, there's no opposition there. The *PLN*, the *PUSC* and the *Partido de Renovación Costarricense -PRC* (Costa Rican Renovation Party) control the budget.

The Commission on Agricultural Matters, integrated by the *PLN*, the *PUSC* and the *PALA (Partido de Acción Laborista Agrícola*)- a regional party of the province of Alajuela that represents an agricultural sector, a peasant (*campesino*) leader -. There are no differences in the agricultural

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development model that they want to promote in that commission, not from the *PLN*, not from the *PUSC*, not from the *PALA*. Aperture (*apertura*), reconversion, agricultural structural adjustment plans, everything's of the same thinking, there are no differences, there's no political opposition.

The Commission of Economic Matters. The *PUSC*, *PLN*, and the Libertarian Movement. There are no differences among the *PLN*, the *PUSC* and the Libertarian Movement regarding economic aperture, privatization, globalization aspects, the breaking of monopolies, reconversion, in short, everything's the same, there are no differences.

Government and Administration. Four legislators from the *PLN*, three from the *PUSC*. Total harmony. The *PLN*, having the parliamentary majority in that commission, can elect the commission's president and secretary; however, it votes for the president and the secretary to be from the *PUSC*. They're completely united, there's no political opposition.

On what commissions does *Fuerza Democrática* participate? On commissions dealing with social matters and juridical matters, which are commissions of no great importance.

JOHN: Then there's a hierarchy of commissions?

DE THE CRUZ: The commissions' hierarchy is determined by the nature and subject matter dealt with in each commission and the importance given to it.

Another thing, the bills in this Legislative Assembly have a procedural and location error because although a bill related to agricultural matters should be directed to the Commission of Agricultural Matters, the President of the Congress can send it to the *Hacendarios* Commission or he can send it to the Commission of Economic Matters. So the legislative work is distorted in a political way. And very important aspects that correspond to a commission, can possibly be sent to another commission because it's to their interest that the bills be approved in another commission. It's a political distortion of the legislative process. In this country it's necessary to struggle against this; it's part of the country's political corruption. *Fuerza Democrática* believes that this is political-parliamentarian corruption, because it distracts, it doesn't center the things where they should be and there's a manipulation of the parliamentary agenda, of the national political discussion, of national interests, as well as discrimination and exclusion of legislators who can carry out opposition work or work more constructively and more propositively. They shouldn't be allowed to minimize the parliamentary work like it happens with us. In other words, it takes a lot more effort for parties such as ours to participate in the Assembly.

JOHN: And are there matters where the two bigger parties are divided, so that the *PLN* would be the balance of power?

DE THE CRUZ: Look, they're very circumstantial situations. I'll give you an example. A law's just been approved that they call "*El Combo del ICE* " (ICE "Combo"), it's a group of three or four laws that have to do with telecommunications, electricity, the transformation of the Costa Rican Institute of Electricity (*ICE*), etc. At a popular level, that law was rejected. There were three weeks of strikes.

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The Assembly, the government, they made a political pact outside of the Legislative Assembly, the Special Mixed Commission (*Comisión Especial Mixta*), that's permitted within the Legislative Assembly.The Special Mixed Commission was formed; the *PLN* and the *PUSC* had been in agreement on the whole *"Ley del Combo "* ("Combo" Law). In this Mixed Commission the *PLN* was also in agreement but it carried out a work of opposition in words only, in reality they continued to be in agreement. That's the situation. Decision-making is done in this way; it's very difficult to work in this atmosphere. We try to study the tactics of the strategy of each situation. What approach? How to do it? How to act? How should we strike out? How do we support this? Those are the questions. For us, part of decision-making is important, of a legislative type; it's that the Legislative Assembly's directorate should also be a multi-partisan directorate. At this time, the party that has the majority of votes wins the directorate, it appoints. The *PUSC* has the whole directorate. Although the *PUSC* doesn't have all of the votes, it obtains them from two small parties: from the *PRC -Partido de Renovación Costarricense* and from the *PALA-Partido Acción Laborista Agrícola* . Then it appoints the whole political directorate. For the first time, in 1998, we promoted in this Congress, the necessity to integrate a shared multi-partisan directorate; one that reflects the make-up of the Assembly equally, with a parliamentarian work plan that's also based on ethical principles that we establish, of work in the Legislative Assembly, of austerity, opportunity and other questions which are important to us. But neither the *PLN* nor the *PUSC* accepted this proposal. They're not interested in political ethics, or they have a different ethics.

Legislative decision-making in this Congress now and perhaps in the previous Congress, is influenced a lot by the Presidential House (*Casa Presidential*). The parliamentary agenda is mainly a presidential agenda, of the government. Our Congress has two stages: the legislators' initiative stage and the presidential house's initiative stage, but the agenda, the main elements of the agenda, even in the period where the initiative of the laws is with the legislators, the bottom-line is the Presidential House's interest via the government's legislators. The government's legislators meet once a week with Mr. President, they have breakfast or they eat lunch with him and they discuss and plan a part of this work.

JOHN: Is this new?

DE THE CRUZ: Perhaps it's not new, but now the thing is that it's open, more public, more evident. This can block the parliamentary work a lot because it takes initiative away from the government's legislators and it decreases the possibilities of internal work, such as: negotiations, pacts, agreements, to value each legislator in their own initiative. It's a difficulty, sometimes, mainly the government's legislators, have a manacle, they're bound by a straight jacket. The legislators of the *PLN* occasionally act this way, with certain types of laws. The party gives them a position, a party line, and they don't have any margin for movement.

JOHN: Thank you. These are all of my questions and I've learned more than what I asked.