

# **DOMINICAN REPUBLIC - "It's the Institutions, Stupid!" The Lack of Independent Political Institutions**

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Why is there so much corruption in Dominican Politics? Why do people drive down the wrong lanes, don't pay their electricity bill, and a hundred other things? I propose that these phenomena are the result of the lack or weakness of proper institutions. In previous articles I tried to stress the importance of institutions in shaping our behavior, and now I'm more convinced of this than ever before. That's why I told myself the other day, "It's the institutions, stupid!"

Here's a simple example. In the corner of Alma-Mater and Ureña, there are two sometimes three AMET agents (traffic cops), and traffic, more or less, flows fairly well. I've never seen a traffic jam there. Well, at the corner of the Isabel Aguiar and La Palma, there are seldom any AMET agents, and to go there at any time of the day is to waste a good half hour going only one block! What's the point? Institutions- in this case in the form of the AMET Agents - are instrumental in ensuring the flow of traffic. Like traffic, we need institutions to ensure that our society "flows" well.

A more substantial example is our political system. Our political system is riddled with lack of INDEPENDENT institutions. The justice department, the judiciary branch, and even the anti-corruption agency are all politicized. The electoral board - JCE - is becoming more and more independent, this thanks to international pressure in 1994-96. But the Dominican political system operates as a widely open & lawless arena where our political leaders, specially those in the executive branch are able to wield tremendous influence how government money is spent, who gets hired, how contracts are allotted, who is invested, who goes to jail, and so on. With a single phone call from the executive branch, goods can clear customs without paying any taxes, import licenses can be given to a party supporter, streets can be paved, pot holes filled, trees can be felled, and protected areas can be developed... All this, despite the seeming existence of proper channels/processes to deal with these types of issues.

The lack of institutions feeds the clientelistic nature of Dominican politics - see previous article on Clientelism - and the centralized nature of the Dominican power. The president, for example, controls well over half of the government budget and completely circumvent congress and the judiciary branches by governing through edicts. Checks and balances only exist on paper in the DR, not in reality. The judiciary branch, which should be independent, is just another branch of the party in power. It lacks its own resources and power.

The lack of independent institutions also feeds the DRAMATIC competition between the parties to gain control of the state and its resources. The parties during elections all claim to be representing the public's interests, and are hell-bent to eradicate poverty, inequality, and all other social ills, but continuously fail to make a dent on any of these issues while enriching themselves and party clients (e.g. Diandino Peña).

Why is this the case? I propose that it is the lack of proper institutions - or the presence of independent institution - that allows for this bizarre situation where political leaders who seemingly are eager to eradicate overall poverty, can only seemingly end their own economic problems... Just imagine any one given a pot of money to do with it as they think best - which is the logic of representative democracy; with no true guidelines that channel money directly to particular projects/agencies/services; with no oversight agencies; and with a history of impunity for political leaders who have been in power to enriched

themselves, friends, and family from government resources. How would anyone act? They would act like our past and current political leaders –they would take advantage as much as they could. They promise the world to the public during elections, but while in office they would channel money to special projects (Metro, Plan Renove, INESPRES, etc.) which directly benefit particular constituencies, and exclude others from those benefits. More importantly, these same political leaders, who promise to fight corruption in every single way, do NOTHING to change the institutional framework that gives them the power to channel resources to their constituencies without any oversight or repercussions.

There is a natural contradiction in the electoral promises to eradicate poverty, inequality, and corruption, winner-take-all mentality of elections, and efforts to implement checks and balances on government power. How can we trust the president to limit himself? How can we trust the party in power (regardless of the party) not to channel funds into fictitious NGOs? We would need enlighten leaders to push for institutional change that would create the type of institutions that would:

- Oversee government spending
- Identify and prosecute corruption cases, implement procurement processes
- Create a meritocracy (with affirmative action for historically oppressed and under-privileged populations) in the bureaucracy
- and ensure the overall “rule of law” versus oligarchic practices that benefit people with certain last names or connections

The only time in recent history that the DR has pushed for such institutions was when the international community exerted tremendous pressure for the DR to do so. I am thinking of the 1994 constitution changes which resulted after Balaguer’s last electoral crisis when he stole the elections from Peña Gomez. In short, we cannot trust our leaders to limit themselves.

Leonel Fernandez, the current president and president from 1996-2000, was a great hope for institutional change. But alas, even he fell into the same neo-patrimonial practices that sustained and continue to nourish the centralization of power in the executive branch; the lack of transparency and procurement processes; the clientelistic practices; and the weak oversight and prosecution institutions. I fear that a momentous crisis, a kin to 1994, may be needed for institutional changes to be implemented to create an autonomous and capable state bureaucracy, limit the politization of oversight institutions (like the judiciary and justice departments), and establish procurement processes that prevent jobs and contracts to be distributed to party supporters instead of the most capable and cost-efficient candidate or contractor.

Until the proper institutions are in place, political parties will continue to fight to conquer the government and divide the pie within the winning party’s political class and their main supporters. Until institutional changes takes place, we should continue to expect parties to claim to do the impossible to lower poverty and stop corruption, but continue with corrupt distribution of contracts, illicit allotments of jobs, and weakly funded public services (education, health, security, water, electricity, etc.). Without institutional change, politicians can promise all they want that things will change, but we, the people, should expect things to stay the same.

We can learn from 1994 that external pressure (external from political parties and government itself) is needed to push through institutional change. We can wait for the international community to exert such pressure, or we the people can call for this pressure ourselves. Civil society organizations can lead this effort of Mass mobilization for change. They can also follow the process and keep the public informed of the developments. The Dominican political system provides the space for such organizations to exist – e.g. Participacion Ciudadana – now it is up to them to help the continued development of Dominican democracy.