

On unicameralism

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This is a bad idea whose time has come as a simplistic solution to the outlandish behavior of some members of our bicameral Legislature that has deeply offended Puerto Rican public opinion. The lavish privileges they have vested upon themselves, their waste of time on ceremonial banalities, their insensitivity to the desire of the Puerto Rican people to have a serious, hard-working legislature focused on our real problems has exasperated the public to the extent that it wants to change the Constitution to put the house in order.

This is understandable but the unicameral solution won't work. In fact, it will only make matters worse, because what must be corrected is the behavior of the legislators not the structure of the Legislature. A single chamber will only put more power in the hands of irresponsible legislators, magnifying their excesses and insensitivity.

Imprudent, offensive, and irresponsible behavior of elected officials should be corrected through the ballot box and through amendments to the laws under which they function. Amending the Constitution is a last resort, which needs very serious thought before engaging in such an effort.

A single chamber won't result in a more efficient government. The relation between the governor and the Legislature isn't of a subordinate nature. The Legislature is an autonomous branch of government whose members are responsible to the people who elect them, not to the governor. The president of the unicameral Legislature would be elected by the members of the Legislature. He or she will be, in effect, their leader and they will answer to him or her, not to the governor. He or she will hold immense power, because the Legislature makes the laws the governor must enforce and holds the power of the purse.

Under a system of separation of powers, such as the one we have, unicameralism will set up two government officials, each with immense power, constitutionally committed to check and balance each other. This is a recipe for trouble. Trouble with a capital T.

Depending on the personalities, on the stature of leadership, on the political aspirations, and the partisan relationship between the governor and the president of the unicameral Legislature, we will have more or much more conflict. In the best of cases, we shall see the power of the executive branch, which is the one that runs the country, diminished and that of the legislative branch substantially increased. With the same type of legislators that brought the Legislature into disrepute, this doesn't bode well for good government.

The worst scenario would be what we would have today if the Legislature were unicameral and Pedro Rosselló the president of the Legislature. In that case, we would haven't one, but two governors each one

using all his or her power to implement his or her party's platform and to diminish the other's chances for re-election. We would watch four years of political battles go by with precious time lost for the real task of governing.

The clash between two powerful leaders wouldn't be the only problem with a unicameral Legislature. The other major problem that looms on the horizon is the limitation of the opportunities for the people to participate in the legislative process, the deterioration of the quality of the laws that govern us, and the risk of dangerous, improvident legislation.

Our system of government is predicated on the rule of law. Laws govern every aspect of our lives, our property, our business, our families, our security, our health, our everything. Legislating is a serious business. It doesn't need much thought to understand that if two chambers must approve a bill so that it can be signed into law by the governor, this bill will receive a greater amount of attention and consideration than if it were entertained by just one chamber. The bill would be studied by at least two committees not one. Two committees—at least one in each chamber—would hold hearings on it allowing a greater opportunity for public participation. Two committees would have to report on the bill. Two legislative bodies would have to debate the bill. *Cuatro ojos ven más que dos* (four eyes see more than two), is an old proverb that distills popular wisdom.

And further, when a bill is approved with serious flaws in one body, or when it contains provisions that may be harmful, there is a chance to stop it, or correct it, in the next chamber before it goes up for the signature of the governor.

Good laws aren't produced through an assembly-line process. The efficiency of the legislative process isn't measured by time and motion studies. Good laws require careful study and investigations, ample opportunity for the public to be heard and listened to, dialogue and serious debate between legislators. While the unicameral legislature may produce more laws at a lower cost and faster than a bicameral one they won't necessarily be good laws. The bicameral system is by far superior as to the quality of the legislation and as a safeguard against improvident bills.

Amending the Constitution to provide for a unicameral legislature would be a serious mistake, which will only compound the problem that the public perceives with the Legislature. Instead of going that route, I suggest we try repealing the two laws, which have brought this problem upon us.

The first one that should be repealed is the law providing for two sessions of the Legislature, one running from January to the end of June, the other from August to November. When our Legislature functioned well there was only one session, running from January to the end of April. If the governor presents his message and the budget early in January, that affords enough time to work on the budget and the bills that need to be approved each year to run the government. Other important matters should be focused on through extraordinary sessions called by the governor for a limited time of 20 days and with a specific agenda.

The other law that should be repealed is the law for a full-time legislator. If we shorten the legislative sessions to the time frame that existed during the 40 years after the Commonwealth was inaugurated, we do not need full-time legislators. These changes will focus the legislators on the important matters of government. We ought to take these steps before we go on to a referendum on amending the Constitution.

