

# National Assembly Debates

PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF  
THE SECOND SESSION (2002-2005) OF THE EIGHTH PARLIAMENT  
OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE  
REPUBLIC OF GUYANA HELD IN THE PARLIAMENT CHAMBER  
PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN

62nd SITTING

2.00 PM

Thursday, 19 May 2005

## MEMBERS OF THE NATIONAL ASSEMBLY (68 )

### Speaker (1)

The Hon. Hari N. Ramkarran, S. C., M. P. - *Speaker of the National Assembly*

### Members of the Government - People's Progressive Party/Civic (34)

The Hon. Samuel A. A. Hinds, M.P.	-Prime Minister and Minister of Public Works and Communications
The Hon. Reepu Daman Persaud, O.R., J.P., M.P.	-Minister of Parliamentary Affairs
The Hon. Clement J. Rohee, M.P.	-Minister of Foreign Trade and International Co-operation
The Hon. Harripersaud Nokta, M.P.	- Minister of Local Government and Regional Development
The Hon. Gail Teixeira, M.P.	- Minister of Culture, Youth and Sport
The Hon. Dr. Henry B. Jeffrey, M.P.	- Minister of Education
The Hon. Saisnarine Kowlessar, M.P.	- Minister of Finance (AOL)
The Hon. Shaik K.Z. Baksh, M.P.	-Minister of Housing and Water (Absent)
The Hon. J. Ronald Gajraj, M.P.	- Minister of Home Affairs; Region No. 3-Essequibo Islands/ West Demerara
The Hon. Rev. Dr. Ramnauth D.A. Bisnauth, M.P.	-Minister of Labour, Human Services and Social Security
The Hon. Clinton C. Collymore, M.P.	- Minister in the Ministry of Local Government and Regional Development
The Hon. Satyadew Sawh, M.P.	- Minister of Fisheries, Other Crops and Livestock (Region No. 5-Mahaica/Berbice) (Absent)
*The Hon. S. Rudolph Insanally, O.R., C.C.H., M.P.	-Minister in the Office of the President with responsibility for Foreign Affairs (AOL)

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- \*The Hon. Doodnauth Singh, S.C., M.P. - *Attorney General and Minister of Legal Affairs*
- The Hon. Dr. Jennifer R.A. Westford, M.P. - *Minister of the Public Service*
- The Hon. C. Anthony Xavier, M.P. - *Minister of Transport and Hydraulics*
- The Hon. Bibi S. Shadick, M.P. - *Minister in the Ministry of Labour, Human Services and Social Security (Region No. 3 - Essequibo Islands/ West Demerara) (Absent)*
- \*\*The Hon. Manzoor Nadir, M.P. - *Minister of Tourism, Industry and Commerce*
- The Hon. Carolyn Rodrigues, M.P. - *Minister of Amerindian Affairs*
- The Hon. Dr Leslie S. Ramsammy, M.P. - *Minister of Health (Absent)*
- Mr S. Feroze Mohamed, M.P. - *Chief Whip*
- Mr Cyril C. Belgrave, C.C.H., J.P., M.P. - *(Region No. 4 - Demerara/Mahaica)*
- Mr. Donald R. Ramotar, M.P.
- Mr Husman Alli, M.P. - *(Region No. 7 - Cuywiri/Mazaruni)*
- Mr. Komal Chand, C.C.H., J.P., M.P.
- Mrs Indranie Chandarpal, M.P.
- Mr Bernard C. DeSantos, S.C., M.P. - *(Region No. 4 - Demerara/Mahaica)*
- Mrs Shirley V. Edwards, J.P. M.P.
- Mr Odinga N. Lumumba, M.P.
- Mr Heeralall Mohan, J.P., M.P. - *(Region No. 2 - Pomeroun/Supenaam)*
- Mr Ramesh C. Rajkumar, M.P. - *(Region No. 6 - East Berbice/Corentyne)*
- Dr Bheri S. Ramsaran, M.D., M.P.
- Mrs Philomena Sahoye-Shury, C.C.H, J.P, M.P. - *Parliamentary Secretary, Ministry of Housing and Water*
- Mrs Pauline R. Sukhai, M.P. - *(Region No. 1 - Barima/Waini)*
- Mr Zulfikar Mustapha, M.P.
- Mr Neendkumar, M.P. - *(Region No. 4 - Demerara/ Mahaica)*
- Mr Khemraj Ramjattan, M.P. - *(Region No. 6 - East Berbice/ Corentyne) (Absent)*

\* *Non-Elected Minister*

\*\* *Elected Member from The United Force*

**Members of the Opposition (30)**

**(i) People's National Congress/Reform (27)**

Mr. Robert H. O. Corbin, M.P.	- <i>Leader of the Opposition</i>
Mr. Winston S. Murray, C.C.H., M.P.	
Mrs Clarissa S. Riehl, M.P.	- <i>Deputy Speaker of the N.A</i>
Mr. E. Lance Carberry, M.P.	- <i>Chief Whip (AOL)</i>
Mr. Ivor Allen, M.P.	- <i>(Region No.2-Pomeroon/Supenaam)</i>
Mrs. Deborah J. Backer, M.P.	
Mr. Deryck M.A. Bernard, M.P.	- <i>Absent</i>
Mr. C. Stanley Ming, M.P.	
Mr. Vincent L. Alexander, M.P.	- <i>(Region No.4-Demerara/Mahaica)</i>
Mr. Raphael G.C. Trotman, M. P.	- <i>(Absent)</i>
Mr. Basil Williams, M.P.	- <i>(AOL)</i>
Mrs. Volda A. Lawrence, M.P.	- <i>(AOL)</i>
Dr Dalglish Joseph, M.D.,M.P.	
Miss Anna Ally, M.P.	- <i>(Region No.5-Mahaica/Berbice)</i>
Miss Sandra M. Adams, M.P.	- <i>(Region No.10-Upper Demerara/Berbice) (AOL)</i>
Mr. Jerome Khan, M.P.	
Dr George A. Norton, M.P.	
Miss Myrna E. N. Peterkin, M.P.	- <i>(Region No.4-Demerara/Mahaica) (AOL)</i>
Mr. James K. McAllister, M.P.	- <i>(Region No. 3-Essequibo Islands West Demerara)</i>
Dr Carl Max Hanoman, M.P.	
Miss Lurlene A. Nestor, M. P.	- <i>(Region No.4-Demerara/Mahaica) (AOL)</i>
Mr Abdul Kadir, J.P., M.P.	- <i>(Region No.10-Upper Demerara/Berbice)</i>
Mr Ricky Khan, M.P.	- <i>(Region No.1-Barima/Waini)</i>
Mrs. Rajcoomarie Bancroft, M.P.	- <i>(Region No.8- Potaro/Siparuni)</i>
Mr Nasir Ally, J.P., M.P.	- <i>(Region No.6-East Berbice/Corentyne)</i>
Miss Judith David, M.P.	- <i>(Region No.7-Cuyuni/Mazaruni)</i>
Miss Genevieve Allen, M.P.	- <i>(Region No.4-Demerara/Mahaica) (AOL)</i>

**(ii) Guyana Action Party/Working People's Alliance Party (2)**

Mrs Sheila V.A. Holder, M.P.	
Mrs Shirley J. Melville, M.P.	- <i>(Upper Takutu/Upper Essequibo) (AOL)</i>

**(iii) Rise, Organise and Rebuild Party (1)**

Mr Ravindra Dev, M.P.

**OFFICERS**

Mr Sherlock Isaacs, *Clerk of the National Assembly*

Mrs Lilawtie Coonjah, *Deputy Clerk of the National Assembly*

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## **PRAYERS**

**The Clerk** reads the **Prayer**

## **ANNOUNCEMENTS BY THE SPEAKER**

### **Leave**

Honourable Members, leave has been granted to the Hon Mr Rudolph Insanally up to the 24 May 2005, Hon Saisnarine Kowlessar, Honourable Members Mr Lance Carberry, Mr Basil Williams, Mrs Volda Lawrence, Miss Sandra M Adams, Miss Myrna E N Peterkin, Miss Lurlene A Nestor, Miss Genevieve Allen and Mrs Shirley Melville, all of today's sitting.

## **QUESTIONS TO MINISTERS**

**The Speaker:** Honourable Members, there is only one question on the Order Paper by Honourable Member Mr Raphael Trotman. The question is for written reply. The answer has therefore, in accordance with the Standing Orders, been circulated.

## **COMPENSATION GIVEN TO VICTIMS OF FIRE**

Can the Minister say -

- (i) During the period 2001 - October, 2004, how many victims of fire were given compensation and/or tax and duty concessions by the Government of Guyana, and what was the criteria used to identify such victims?

- (ii) What was the average value of the benefit received?

***Written replies submitted by the Minister of Labour, Human Services and Social Security:***

- (i) *The Ministry of Labour, Human Services and Social Security is one of at least three agencies that gave financial support to the victims of fire during the period 2000 to October, 2004. Two other agencies are the Ministry of Finance and the Office of the President.*

*The Ministry of Labour, Human Services and Social Security provided support through its Difficult Circumstances Programme.*

*During the period 2001 to October 2004, that Programme provided assistance to 51 persons to the tune of \$298,042.00*

*These persons were certified by the Guyana Fire Service as bone fide victims of fire. The Ministry's assistance was essentially a crisis response to immediate need. More substantial assistance came from the other agencies.*

- (ii) *The average benefit given was \$5,843.*

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**PUBLIC BUSINESS**

**MOTION**

**ADOPTION OF REPORT OF THE SPECIAL SELECT COMMITTEE ON THE INCREASE IN GEOGRAPHICAL CONSTITUENCIES SEATS.**

BE IT RESOLVED:

*That the Report of the Special Select Committee on the Geographical Constituencies Seats be adopted.*

**The Speaker:** Mr Donald Ramotar, Chairman of the Special Select Committee on the Increase in the Geographical Constituencies Seats, with the Motion set out in the Order Paper.

**Mr Donald R Ramotar:** Mr Speaker, I wish to move the Motion for the adoption of the report of the Special Select Committee of the Geographical Constituencies Seats.

**The Speaker:** Is there a seconder to the Motion?

**Mr S Feroze Mohamed:** I second it.

**Mr Donald R Ramotar:** Mr Speaker, I wish to recall that last year, on the 16 December 2004, the National Assembly met to debate a Motion that I had moved to set up a Special Select Committee to deal with the issue of the Geographical Constituency and other issues of the electoral system. It was a result, Sir, as I had mentioned at the debate, partly because the need to give time to the Elections Commission to prepare for the elections, which is constitutionally due in 2006.

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It also took into consideration, in moving that Motion, the campaign that was going on, at that point of time, by the Opposition, which was criticizing the PPP/C for not wanting to have these issues debated, for foot-dragging, and for not wanting to have these matters settled.

It was to try to bring all of these things to a conclusion that we moved that Motion, and we had hoped to come to an agreement with all Parties concerned for us advance the process generally, and for the benefit of the Guyanese people.

Of course, we in the PPP/C have always worked, and the record is clear, that we have always been working, to have agreements on these matters of importance, and for us to move these things forward. At that time, I thought, the Motion would have been welcomed by all concerned, and it would have been a very simple matter to adopt, and for us to discuss these matters at the level of the Special Select Committee to come to a conclusion on the issue. I had miscalculated and I was mistaken, because I was surprised, actually, by the heat that was generated at that debate, and by the opposition to setting up of that Special Select Committee that we had, so much so that the opposition voted against that Motion.

However, the Parliament on that date, the 16 December, approved the Motion. The Special Select Committee was set up, but unfortunately, the opposition refused to participate in the work of the Special Select Committee. We were therefore, left with the possibility of doing whatever we pleased on these matters. *[Interruption: You always do.]*

Mr Speaker, we could have put everything that we wanted into these matters, but we were conscious of the fact that this was such an important national issue and to have everyone on board ... *[Interruption: 'Tell us about the ideas']*... especially the PNC/R. We wanted to have everyone on board on this matter. However, we also found that going in that direction would have, in a way, be putting these things, taking these decisions unilaterally, since the opposition were not partici-

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pating. So what we decided to do, Sir, at that point in time, was not to move ahead, although we had a lot of ideas to share with the opposition, and to debate on this issue.

One of the ideas we had was to increase the amount of Geographical Representation in the National Assembly, but we decided not to do so because, as I said, we did not want to take unilateral decisions, and we decided to propose to this National Assembly that the system on which we contested the 2001 elections should remain.

We decided that, Sir, because there was an agreement with the PNC/R and other opposition forces. This matter came to this Assembly and was voted on unanimously, and therefore, on this system that we are proposing, we have had thorough discussions on the matter, long-lasting meetings on them, and actually we have had agreement on this issue. As a result, we thought that since we had a position on which we had reached agreement in the past that nobody will accuse us of wanting to unilaterally change those positions and that is the proposal we are making, Sir, because we believe that it is ... probably the opposition did not participate in the deliberations of the Special Select Committee, because they maybe did not know what they want themselves, but since we have already had an agreement on some of these issues, we thought that it was the best way to go. *[Interruption: 'Tell us about the NRR']*

I will tell you all about that.

Mr Speaker, I therefore propose that we accept this Motion. I thank you. *[Applause]*

**The Speaker:** The Honourable Member Mr Corbin.

**Mr Robert H O Corbin:** Mr Speaker, I stand in this House today very disappointed, because I had hoped that this Honourable House, having accepted a Motion moved by the Honourable Member, Mr Ravindra Dev, sometime ago, to adopt the report of the Parliamentary



Standing Committee for Constitutional Reform, dated the 30 December 2004, which was unanimously accepted by all Members of this House, including the Honourable Member who spoke a few moments ago, that the report of this notorious Special Select Committee, which comprised only PPP/C Members of Parliament, would have had a paragraph at the end stating that the Committee, having recognized the adoption of the report of the Standing Committee for Constitutional Reform, which lists as a matter of priority, the question of determining Geographical Constituencies Seats and other electoral matters, that would recommend that these matters be now referred to that correct constitutional body.

What we now have is a non-report. All this Committee is saying is that they pursued an exercise in futility, having disregarded the recommendations and representations made in this Honourable House, at the time when the Motion was railroaded through this Parliament for this Special Select Committee to be established.

At that time, the Members of Parliament on this side of this House, took the time and pains to explain to the Honourable Members on the other side of the House, that to establish this Special Select Committee at a time when the Constitutional Reform Committee had already been established, and was already mandated to deal with this very issue, was to usurp the functions of the Parliamentary Committee on Constitutional Reform. That was what this House said then.

It was also an attempt at displaying a lack of confidence in the nominees of the Government on that Committee because, Mr Speaker, the Honourable learned Attorney General, for whom I have great respect, is an eminent practitioner, and I believe that representatives on the Constitutional Reform Committee also comprises of legal luminaries on the part of the Government, and one wonders, Mr Speaker, with such high-level representation by the Government on this Parliamentary Standing Committee, which experienced such great birth pains, to have been brought into existence, was prevented from carrying out its very first task which the Parliament expected it to perform. So one wonders whether these Members of the Government did not have the confidence,

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that whatever views the Honourable Member just expressed, whatever ideas the Government had which they had intended to present to this so-called Special Select Committee, could not have been represented by their representatives on the Constitutional Reform Committee.

Mr Speaker, as we stated then, the attempt to set up this Special Select Committee was a clear attempt by the PPP/C Administration to undermine one of the very important recommendations of the Constitutional Reform process. After spending years since the Herdmanston Accord on this Constitutional Reform Committee, this Parliamentary Standing Committee for Constitutional Reform did not come into being overnight at the whims and fancies of this Government. It did not come as some magical introduction or a display of magnanimity by the Government.

This Parliamentary Standing Committee for Constitutional Reform had its origin in the St Lucia Statement and the Herdmanston Accord. Both documents, to which this Government was a Party, recognized that, if Guyana is to move forward, there was need for us to implement certain changes in the way in which we did business in this country. In one particular area it had to do with how we would reform this very Parliament, which the PPP/C often claims credit for unilaterally making possible; but that is not the point . . . and so the Herdmanston Accord outlined a number of recommendations which, it was assumed, if implemented, would bring about some political stability, would create an environment of trust, and develop confidence in the people of this country.

It took us some years before the recommendations of the Constitutional Reform Committee finally saw the light of day in this Parliament, and I do not want to recap the circuitous route, and the difficulties which we have had, including the dialogue process that my predecessor, Mr Hoyte, and then the President Janet Jagan, followed by the dialogue between Mr Hoyte and President Jagdeo; and the reconvened, constructive engagement between the President and the present Leader of the Opposition, which resulted in a communiqué that was signed by both the President and myself on the 6 May 2003. In that communiqué there

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was a solid commitment that certain decisions of that Constitutional Reform process would have been implemented within a specific timeframe, one of which, Mr Speaker, was the establishment of the various new Committees of this Parliament - the Sectoral Committees, the new Sector Committees which would have oversight over the operations of the Executive, and of course the Parliamentary Committee on Constitutional Reform.

This Committee was established and eventually started to work in 2004. Now, if indeed the Honourable Member Mr Ramotar's, argument has any basis, one would have expected that the anxiety which he explains is the motivation for this Special Select Committee being established, was to ensure that preparations for the elections should be expedited, they should then move to have such a Special Select Committee to deal with this matter of Geographical Constituencies boundaries and other recommendations of the Constitutional Reform Commission should have preceded, the establishment of a Parliamentary Committee on Constitutional Reform, because then he could have validly argued that there was no mechanism in the Parliament to give effect to the recommendations of the Herdmanston Accord, and therefore he was seeking to have the consensus of this House to accelerate the preparations for the 2006 General Elections. But throughout this period there was a dilatory approach to all matters which related to preparations for the 2006 Elections, and I do not want to deal with that, but I am sure if it becomes necessary colleagues on this side could deal with it. But there were several dilatory measures put into place, during the period we were seeking, stridently, to have the Government agree that the recommendations of the Herdmanston Accord and the Constitutional Reform should be established.

It came into being with big fanfare and so proud was the Attorney General of his work as Chairman of this Constitutional Reform Committee that on the 30 December 2004, he took the liberty of presenting a report to this Assembly, outlining the work which this Committee had done, and he pointed out, if I may read from that report, which was submitted by the Honourable Member and Chairman of that Commit-

tee, Page 3 Item 6, which has the caption:

*Prioritizing of Issues.*

*Your Committee examined a number of issues that it considered fall within its Terms of Reference and decided that it would deal with the following matters as prioritized below:*

- (i) Article 160 of the Constitution - The Electoral System, with special reference to an element of geographical representation.*
- (ii) Article 51 of the Constitution - Establishment of Parliament, recommendation 9732 of the Constitutional Reform Committee, states,*

It is recommended that Parliament should consider the option of establishing an upper House, consisting of representative of each region and civil society. Such a second chamber should have its powers carefully defined so that it would not be able to frustrate the will of the elected lower House, and would be prevented from initiating money Bills, or Bills aimed at altering the Constitution.

- (iii) Articles 77 (a) of the Constitution - Parliament to provide criteria for the allocation of re sources by local Government organs.*

That is from this report which carefully highlights what the Members of the Constitutional Reform Committee of this Parliament, comprising of legal luminaries, headed by the Attorney General of this country, whom we cannot assume would misunderstand what this Terms of

Reference of this Committee is all about.

I think the Honourable Member Mr De Santos, a Senior Counsel, if I am not wrong, is also a Member of this Committee and the former Attorney General of this country. So there could be no doubt that this Committee, which comprised competent people, knew exactly what these terms of reference were, so we have the Parliament in a state of slumber, during the period when there was no action to implement the recommendations of the Constitutional Reform Commission. But as soon as the Constitutional Reform Committee - for which we fought so long to get into operation, begins to meet, assumes its mandate, and proceeds to set out its itinerary for work, the Honourable Member Mr Ramotar, and the PPP/C, sought to undermine its work by setting up a Special Select Committee. In fact, that is what happened, so therefore, we must question the seriousness of this Administration, with respect to the implementation of the many other recommendations of the Constitutional Reform process.

I say so, not without background information. There was a long-running debate in the media between the PPP/C General Secretary and other writers, seeking to interpret in the media, what the recommendations were in the final report of the oversight Committee on Constitutional Reform, which was developed out of Resolution No. 33/1999.

The Honourable Member, in his utterances to the media, for months sought to even deny that there was a requirement for reform in the geographic constituency boundaries. It took months before there was an acknowledgement in the media by the Honourable Member, and I assume he speaks authoritatively for the ruling Party, because he is the General Secretary, so if he speaks I have to pay attention to what he says. I mean if others speak I can say perhaps it is an aberration; However, when the General Secretary of the PPP/C writes in the national media I have to take cognisance; but for months instead of us trying to interpret properly what the recommendations were, what our mandate was in this Parliament as a result of these copious documents, which everyone could read, about what the Constitutional Reform Commis-

sion recommended.

I believe that they could even have sought advice from certain Members who were very prominent in the formation in this document, and I do not think that you are a stranger to these documents. I do recall going through the Minutes, and I do see a Ralph Ramkarran mentioned several times in the Minutes of these proceedings, so I presume that the PPP/C did not have to go far to get qualified first-hand information as to the spirit and letter of the discussions which took place at the Constitutional reform Commission - rather than wasting months of debate and arguments in the media, instead of getting round to the issue of preparing for elections.

It is well known, that when we finally agreed during the Constitutional Reform Commission Process that they should be Geographic Constituencies. There was a prolonged debate between two the major parties and participants in the Constitutional Reform Process, there were other inputs, but ultimately it came down to almost a deadlock between the two major parties as to even the number of seats that should be Geographic Constituencies.

There was a further debate as to whether there can be single-seat Constituencies and you will recall that there was an issue whether Region 1 or Region 9, Region 7 should have one seat or two.

Our contention then was that you could not implement the Geographical Constituency System, under a system of Proportional Representation, if in fact you are going to have single seat Constituencies that the two proposals were mutually exclusive. That was our position then I could be guided by you if I am wrong, Mr Speaker, but the point is because of that disagreement we spent a great deal of time trying to arrive at that Consensus before the 2001 Elections, which consensus was not possible and so a compromise was arrive at for the 2001 Elections and that compromise saw twenty-five seats being agree upon for the 2001 Elections.

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It was agreed that because of time also it was not possible to deal even with the Geographical Boundaries because it would have required surveys in the field and that too might have been a mine-field for disagreement, if we could not easily agree on the numbers and the numbers in each Constituencies. And as a compromise arrangement in order to concluded the arrangements for the 2001 Elections, it was decided we will proceed with twenty-five seats allocated in a specific manner and that we will use the existing Regional Democratic Boundaries as the Constituency boundaries, but that immediately after the Elections of 2001, we would have more time to complete the Constitutional Reform Process that was recommended by the Constitutional Reform Commission. For indeed, Mr Speaker, those issues were only a few out of 197. I could be wrong again, but how many recommendations were they? *[Interruption: '171 recommendations']* Thank you, 171 recommendations were made.

The Honourable Member was a Member of that Commission. I was not a member. He should be educating us on them. I am just reminding you that there were 171 recommendations. It was obvious that there was need for work to be done in terms of completing the recommendations to the Constitutional Reform immediately after the Elections, but what did we have, a lot of procrastination, reluctance to proceed and eventually even a denial that the Constitutional Reform process was supposed to continue.

I actually heard the Honourable Member Mr Ramotar saying on television that all the recommendations were completed and there was no need to really to back to what was decided in 2001, unless it was the view of the Parliament that we should go there, in complete violation to recommendation which we could read once we understood English in these documents. In this context, one recognises that we have been subject to a series of deceptions in this Parliament. That is what we have been subjected to. A strong word I wrote in the media and I stick to it, because here we had a process in the highest forum of the land where arguments were made why this Special Select Committee should not be established? It was clear from the beginning that the PNC/R would not

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participate, that the other opposition parties would participate, because to do so would have been participating in a process that was undermining the Constitution provisions that we were part or parcel of. *[Interruption: 'You are talking to Ravi Dev.']* I cannot speak for him, I can speak from the record, and it is on the record and therefore, although the Government was forewarned of the position of the Opposition Parties, because of their temporary position as majority in this Parliament until 2006. *[Interruption: 'From 10 to 6 to 8']* You are dreaming again. *[Laughter]*

Mr Speaker, until 2006, they still railroaded the majority by going ahead unilaterally in a matter which the Honourable Member comes to this Parliament to say that having met and considered (if I am to use his word close as possible - I am not using his word exactly), but having gone through this entire process and having met as a Special Select Committee, they then remembered that on such matters it is good to have consensus.

I think that this Parliament has been taken for a ride, because as I said in my opening remarks, when the Honourable Member Mr Ravindra Dev moved his Motion in this Honourable House to have the report of the Honourable Member and Chairman of this Committee Mr Doodnauth Singh accepted and I learnt that the Members of the Government had agreed to vote for that Motion. I decided that I will not even to going to participate in the debate, why waste time in a debate when the Government was agreeing to the recommendations of their Committee, because I assume that having agreed and voted to accept this report which states that the very first item that the Constitutional Reform Committee will deal with is the Electoral System with special reference on element of Geographical Representation, it naturally followed that they were going to abandon the misguided path they had pursued about this Special Select Committee and allowed a very consensus that they were so anxious to achieve to be created in the correct forum of the Constitutional Reform Committee.

But something alerted me when the Honourable Member Mr



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Ramotar was concluding his presentation in that debate, which led me to the conclusion that we were being taken for a ride and you will recall that there was a little episode when I tried to get up late, because I did not plan to speak.

And so we are here today, Mr Speaker, to participate in a non-exercise, an exercise in either deception or waste of time, because we have been called here to accept a report from a Committee we never agreed should be established and which undermined the Constitution, without any reference from the Honourable Member as to what will be the situation with the constitutional requirement to have the Geographical Boundaries fixed before the next Elections, which is the issue that we should be addressing and I would expect that if there are other Members in this Parliament about to speak on this matter or if the Honourable Member when he is winning up this debate, will enlighten this Parliament on the more substantial issue which we would like to know and that is, whether it is the intention of the Government to follow the directions of our Constitutions, which states that we should complete these Recommendations through the Constitutional Reform Committee and have these Amendments with the respect to the Geographical Constituencies and other Recommendations implemented before the 2006 Elections and I await very eagerly to hear whether the Honourable Member will tell us whether the Government is honouring that commitment or hiding behind this façade of a Select Committee to advance an argument that there is no need to proceed on Constitutional Reform. Thank you very much.  
*[Applause]*

**The Speaker:** Honourable Minister of Tourism, Industry and Commerce.

**Hon Manzoor Nadir:** Mr Speaker, I rise to support the Motion moved by the Honourable Member Mr Donald Ramotar and had not intended to speak for a long time on the Motion, because I thought the Motion itself was quite clear in terms of signalling to the National Assembly the people the position of the Government with respect to with upcoming 2006 Elections. We support the Motion.

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Mr Speaker, but when I listen to the Honourable Leader of the Opposition, he carried on as if where we are at today is because of this notorious, bad, wicket Government and that no responsibility lies elsewhere and if we had listened to him very carefully, one of the phrases he used the Government was forewarned. *Warning* is a very strong word. He said that Government was forewarned with respect to how it was moving, with respect to the series of Recommendations and the different statements and agreements that were assigned to.

We knew and we saw what the results of that warning were. The engagement in terms of seeking a new political system for the 2006 elections that the responsibility can lie at the feet of all of us - every one of us. Listening to him carefully what came out strongly again, after the entire Constitutional Reform process and that was not only one book. There were three series of engagements. [*Interruption: 'What party you were in then?'*] The same party I represent now, the United Force and we participated fully in that entire process. In the end that process as the Honourable Leader of the Opposition mentioned resulted in a deadlock over a system that the two major Political Parties in this country could not have agreed to. We are back at this very system again and we also had some differences and in terms of the expediency of having an election that could be held to form a Government of a country that at the time was the important issue, while at the same time capturing some element of the Recommendations which we had laboured to produce during that process. After five years we are still very same process and the Honourable Co- Chairperson of the Local Government Reform process, knows how the process is stalemated, he knows how it is stalemated.

Mr Speaker, the argument being advanced is whether this Committee which dealt with the issue of geographical representation was undermining the principle and the spirit of the Constitutional Reform Committee which was set up after the last engagement. I want to posit that it is not, it is not undermining that. In fact, again, with respect to the work of that Committee and the establishment of the Committee, broad criticisms could be laid across many stakeholders.

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The Constitutional Reform Committee is not set up specifically to look at the elections alone; the Constitution Reform Committee was set up to look at a wide-ranging series of recommendations so that the Government - the State - can be adopting using, implementing worlds best practices in terms of Government and western-styled democracy and part of it will deal with finding an electoral system that can produce an election results that every one and the society at large will have some amount of confidence in, especially the confidence that the views are being taken into some account.

That process is a continuous process; one principle was saying that the part is only a part and that it will never guide the whole. You know that better than I do, but the part is a process that will generate a series of recommendations for the whole to consider.

There was again a long gestation in the Constitutional Reform Committee getting on with its work. The Elections Commission has less than eighteen months to the next General Elections. What we are being wooed to be convinced as that we could complete the search for new electoral system, educate the voter and implement it before the next general elections. We are told that this can happen. From my part, Sir, I find it difficult to believe that it can happen and what we need to signal right now, is that there is a process and this is the process, the Elections Commission and the National needs to look at the legislative changes that will enable that process to happen from now, that the voter, the citizenry could be educated so that they could participate fully.

I thought what I would have heard today, since the Opposition was so gung-ho with respect to this new system, was that they would have come today like a good opposition and propose an alternative too. But we are not hearing about what the other side has; we are not hearing about that, instead the opposition decided to condemn the process even before it began. When the Honourable Member move to set up this Special Select Committee in his Motion, they decided that it was a waste of time, that the whole was indulging in an exercise of futility, because the part is not being consulted and that is what they have said and so they

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have disengaged again and they disengage again..

We need clear, definitive positions with respect to the electoral system... *[Interruption: 'You are talking about the chicken problem.']* ...you were selling the long boots not me...

Mr Speaker, right now for us to have these elections and to have the preparations for them, a system needs to be agreed on now, Mr Speaker, there is only one system on the table - only one - and that system says that we go the elections under the rules and conditions under which we contested the 2001 Elections. This is a very clear signal on the part of the Government. There is a system that worked. This is a system that is going to meet the deadlines that we will set ourselves.

Mr Speaker, I am sure that if we set our mind with respect to a new electoral system from now, who knows, maybe there might be another general elections much less than the term that is prescribed under a new system, but they need to be this clearly defined set of rules and currently there is only one system on the table, which is that under which we contested the 2001 Elections. So I support the Motion moved by the Honourable Member Mr Ramotar. Thank you. *[Applause]*

**The Speaker:** Honourable Members, I wonder, has anybody ever thought of having joint meetings of committees to determine issues like this? Obviously there is a dispute to as which committee should handle the matter. It is too late now. Has anybody ever considered whether these committees could have jointly dealt with this matter?

**Mr Robert H O Corbin:** Mr Speaker, my information was that there was indeed some contact, but the Honourable Member went ahead.

**The Speaker:** The Honourable Member Mr Alexander.

**Mr Vincent L Alexander:** Mr Speaker, on the occasion when this Honourable House accepted the Motion for the adoption of the Report of the Constitutional Reform Committee, I said that I thought it was a historic moment in the life of this House. I felt that we had a tremendous

opportunity to do what we do not usually do, to agree unanimously on an issue and to work assiduously thereafter to bring to realization what we had agreed on.

We had agreed that we would adopt the Report, a Report which said that the Constitutional Reform Committee should work expeditiously to realize its objective, the first priority being the electoral system.

Today, Mr Speaker, I have to say, it is a sad day that we are apparently throwing away the historic opportunity, which was before us and today we have an attempt to have adopted another report, which seeks to say that we need not at this time deal with the question at hand in time for the Elections of 2006.

Mr Speaker, this Motion which has that intention is coming at a time when the Constitution Reform Committee is at work, having been directed by this House, it is working to try to arrive at an acceptable electoral system for the elections of 2006.

Mr Speaker, I rather suspect that the real objective of the Motion before us whilst articulated as an adoption of a report which says, let us accept the status quo is in fact to bring to a halt, the work of the Constitution Reform Committee with specific reference to the item *Electoral Systems*. Here we have a situation where a process is in motion; here we have a situation where Members are saying that the process in Motion is one which they all sought to have a Motion, notwithstanding the fact that a different mechanism was also proposed. The process is in Motion and those who said that indeed they wanted this process to be in Motion are now coming with a mechanism to bring to a halt that process.

I am not arguing whether we will arrive at decisions and how timely it will be, but there is an opportunity for us to explore a way forward on the question of the electoral system and a definite attempt is being made to ensure that that opportunity is no longer available to this House and that we will not let the attempt succeed. Yet an electoral system for

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2006 in keeping in what was agreed to during the course of the Constitutional Reform process.

And so Mr Speaker, it is rather sad day in the life in this House, another sad day, because we mostly have sad days that we have to see this act of kauffum, throwing kauffum, somersaulting and deception in attempt to undermine legitimate processes that can take the work of the ... *[Interruption]*

**The Speaker:** The words that Mr Corbin can use, you can not use.

**Mr Vincent L Alexander:** *Legitimate*

**The Speaker:** Proceed

**Mr Vincent L Alexander:** For a while I thought *legitimate* was not an acceptable word

**The Speaker:** Deception! Deception! Deception!

**Mr Vincent L Alexander:** Deception!

Mr Speaker, the final report of the Oversight Committee which came out of the Resolution 33/1999, in its Appendix 7(4) of Section 1 to 7 and 9 specifies:

*It has been agreed by the Joint Committee of the OSC and Task Force (b) that the Electoral System to be used for the general Elections targeted to be held in 2001 shall have the following characteristics:*

Mr Speaker, I emphasize, the Elections targeted to be held in 2001, it is clear at that time that the system we were going arrive at was not gong to be a system to be use beyond 2001. And that that system would have the following characteristics:

(A) *Seats in the National Assembly -*

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- (i) *Total numbers of seats in the National Assembly 65.*
- (ii) *Total number of Geographical Constituencies 10. The Geographical Constituencies will be the same as the current Regions.*
- (iii) *Total number of seats in the National Assembly deriving directly for the Geographical Constituencies 25.*

Mr Speaker, it is clear that one of things that we were going to review after 2001 would have been seats in the National Assembly as I just referred to them - one of the things.

Mr Speaker, there is also a characteristic (B) *Electoral Formula. All voting will be done on the basis of a party-list system.* It is clear that in so far as characteristic (B) is one of the things agreed to for the Elections of 2001 that this is also an area that is subject to review for future Elections.

Also subject to review is characteristic (C). Characteristic that party list must satisfy, issues such as:

*whether each contestant party must supply a National List separate and distinct from the Geographical Constituencies List.*

And finally characteristic (D), rules for determining which Presidential Candidate shall be chosen as President.

Mr Speaker, the report makes it unequivocally clear as I have alluded to that the electoral system made up of those four characteristics is going to be subject to review immediately after the election of 2001 and the intent was to have an agreed system, even if we agree to the same thing, an agreed to the system, for future elections, starting with the elections of 2006.

Mr Speaker, there has been a tendency in recent times for us to ignore agreements and for us to ignore Constitutional Provisions. For example, while our Constitution specifies what is require in terms of a system for Local Government Elections, our Constitution specifies that, there are those who would wish to tell us that the Elections should be held under the present system, clearly articulating that there is no need to adhere to our Constitution. Coming to the highest forum of the State and looking upon the Constitution - the supreme instrument of the State - and saying that the highest organ of the State must condone the non-adherence to our Constitution. And so, Mr Speaker, today that trend repeats itself. The Parliament having agreed that we will convene and deal with the question of the electoral system, here we have someone coming to us and saying forget what the Parliament agreed to, let us forget about it and get on with our business. In a situation where there is a Constitution Reform Committee at work and working on the specific item in question and in the face of that we have been told to ignore the work, to forget about it and let this Parliament collectively embrace the culture of breaching the Constitution, of breaching agreements and in fact to embrace a culture which is equivalent to something other than the rule of law.

Mr Speaker, the People's National Congress/Reform will not allow itself to be a part of that culture. The People's National Congress/Reform recognizes the role of the Parliament to uphold the Constitution and will not be party in this House to any attempts to undermine that Constitution. If we have to stand alone as representing the *upholdness* of the Constitution so we will do.

And so, we reiterate that at this point in time, the Constitution Reform Committee made up of all sides of this House is at work, the Committee has agreed to proceed with the review of Article 160 of the Constitution. The Article which deals with the matter at hand and if I am not mistaken, the Committee is scheduled to meet next Wednesday to proceed with this work and therefore it is unacceptable, unexplainable that this Assembly would be called to meet today to discuss one item, the being how do you bring to a halt the priority item of the Constitution



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Reform Committee, a Standing Committee of this Parliament, when at the same time all of the speakers, even those who are seeking to bring it to a halt are trying to embrace the progressive tendency of wanting to realize constitution reform, a tremendous dichotomy contradiction between general articulations and specific action on the other hand. So, Mr Speaker, the People's National Congress/ Reform cannot and will not support this Motion.

The People's National Congress/Reform supported along with the rest of the entire House, the Motion which said that the CRC should do its work expeditiously, the People's National Congress/ Reform observes that the select Committee was set up in a time when the CRC was already started to work, it was a parallel movement, it is now clear that the movement was intended to scuttle the work of the CRC, but the People's National Congress/Reform remains committed to dedicating its energies and it is time to finding a resolution to the issue before us and will not allow ourselves to be dragged into un-constitutional issues that are against the rule of law and we ask the rest of this House, not to put their conscience hopefully there is such a possession in abeyance, not to keep it in cold storage hopefully it is there and to bring it out, put it out to work for a change and transform today, another sad day into a possible historic day as the people of Guyana looked to us for leadership, decisiveness, principle approaches the issues of this Nation, given that we all accept that the electoral system use in 2001 was only used in 2001 as a matter of expediency, as a matter of convenience and that we agreed to convene immediately in order to get on with the work.

Mr Speaker, I rest my case and to my dear friend Mr Kumar, who is asking for the recall of Mr Trotman, I rather suspect that Mr Ramjattan would have supported me. *[Laughter]* Thank you. *[Applause]*

**The Speaker:** Honourable Minister of Foreign Trade and International Co-operation..

**Hon Clement J Rohee:** Mr Speaker, I have listened very attentively to what the Honourable Members on the other side of the House had said

so far on this report.

I will like to start out my presentation by stating that a review of the report shows that the Resolution was approved on the 16 December 2004.

The Special Select Committee was mandated to report to the National Assembly by February 2005, they were given two months to do so and on December 4, the Committee of Selection met to identify the persons to participate in this Special Select Committee and then the Special Select Committee had three sessions:

- one in January;
- one in March; and
- one in April.

Mr Speaker, within six months roughly speaking the Committee fulfilled its mandate and I think they ought to be congratulated for doing a good job. *[Applause]*

Mr Speaker, this is an excellent example to show how the Parliamentary process is at work in Guyana and not only at work, but was able to deliver. I think that we must appreciate this, because in no other part of the Caribbean, do we have a system like this in place, where Committees of this nature are set up within the Parliamentary process to conduct discussions and investigations on matters of this type and to deliver on matters of national importance. So I think, we need to congratulate the Members of this Committee for having delivered on their mandate. That is the first point I would like to make. *[Applause]*

The second point that I would like to make, in this Report, which I think is most regrettable is the fact that the opposition took the decision not to participate in the work of the Committee.

The Report stated on a matter which was considered with great impor-

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tance - such an important electoral issue treating with the question of Geographical Constituencies. Mr Speaker, why I refer to the regrettable fact that the PNC/R chose not to participate in the work of this Committee, when you look at the Davies Report on page 8, this is what it states:

*The Opposition appears to have adopted the position that the Opposition to the Government can only be achieved by a policy of non-cooperation... [Interruption]*

**The Speaker:** Just a moment!

**Mr Robert H O Corbin:** I think the Honourable Member is required to tell us the document from which he is quoting.

**The Speaker:** Yes, Honourable Member.

**Hon Clement Rohee:** Mr Speaker, I am quoting from the Report of the Common- Wealth Senior Parliamentary Staff Advisor to the Guyana National Assembly, 18 February, 2005.

Mr Speaker, this is what it says on page 8:

*The opposition appears to have adopted the position that opposition to the Government can only be achieved by a policy of non-cooperation and by not participating in the business of the Assembly. No Parliamentary System can work properly on that basis.*

I hope that my friends on the opposite side of the House have taken note of what has been said there.

Mr Speaker, I also hope that those who have been making the rounds in our country and speaking about the deficiencies of our democracy and the deficiencies of the Parliamentary system would recognize that by not participating in a Committee as important as this, by the very act undermining the Parliamentary process and the whole process of democracy in Guyana.

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Mr Speaker, the PNC/R keeps saying or harping on this point on whatever it is worth that this matter that we are currently discussing, is a matter that has its groundings in the Constitutional Committee and I think this is precisely where they start off on a wrong premise, because from the very outset it was made clear in the final report of the Oversight Committee, in the Report of Monday, 31 July 2000. Section 4 states:

*Even at the time of compiling this Report, the parties remain deadlock over the final details of the electoral system, what is to be the minimum number of seats to be allocated to the smallest Geographic Constituencies for the Elections Schedule for 2001.*

*This disagreement apart, it has been agreed that the present Reforms of the electoral system are being designed specifically for the next Herdmanston (General Elections) and are not meant to be final system for all time. This is of no small importance since the final Reform which seeks to implement the CRC Recommendation that they quote:*

*The Electoral System should include an element of Geographical Representation.*

Mr Speaker, I made this point because the Honourable Members on the other side of the House keep making a point or keep stating that this was a one-off arrangement when in fact it was not so. And further, Mr Speaker, we would like to emphasize again as we have said ad nauseam that to keep insisting that this matter has its rightful place in the Constitutional Committee is a false assumption, because it is certainly not so. This is a matter which rests precisely with the Representation of the People's Act which is clearly not a constitutional matter and we have made this point time and again.

Mr Speaker, we have said over and over again that to treat with this question of Geographical Representation, what is required is an

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Amendment to the Section 11 (3) of the Representation of the People's Act Chapter 103. Why therefore do the Honourable Members on the opposite benches keep ignoring this fundamentally important fact that this has nothing to do with the Constitution, but has to do with the question of the Representation of the People's Act?

What we find is clearly an attempt to sabotage the process by not attending the meetings of the Special Select Committee. This is precisely the stratagem that was adopted by our friends on the opposite side of the House. Apart from the total disclaimer that this a constitutional matter, the game which the opposition members clearly appear to be playing is on the one hand they are seeking to disrupt and sabotage the process, while on the other hand calling for improvements to the system. That is why I called it a game.

This is what they are seeking to do. On the one hand seeking to undermine the system, but at the same time calling for improvements in this system. It is precisely the same position they are taking, if I may by diversion, point out the position they are taking. for example on the question of investments in this country. It is the same position, claiming that this country needs investments but conducting a campaign outside of Guyana against investors in this country. This is precisely what is happening in this country.

Mr Speaker, clearly our friends on the other side of the House continue to make exaggerated demands, which are almost impossible to fulfil and you yourself were not able to do so.

Mr Speaker, I want quote from the Stabroek News which our friends are always prone to quote from. Stabroek News of Monday 16 May News had this to say about these exaggerated demands by our friends:

*If one was to listen to the PNC/R's gerrymandering on the National Registration Register of Registrants, one might be let to believe that the country has the most antedilu-*

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*vian electoral laws littered with opportunities for electoral fraud. This is not the case., It is sometimes forgotten that under pressure from the International Community over its repetition for shamelessly rigging elections the PNC/R was force to make a series of fundamental changes to the electoral laws which enormously reduce the scope for fraud.*

Mr Speaker, that remains the situation today, that the capacity and the possibility for fraud in this country have been virtual removed so when these Honourable Members come to this House and seek to undermine the Parliamentary process, which is supposed to be making laws to ensure that we have a democratic elections, this is precisely the difficulties we encounter.

Mr Speaker, I want to conclude by stating that I doubt whether the PNC/R will achieve or will accomplish this strategy. I doubt whether they will able to do so. *[Interruption: 'What is the Strategy?']* You want to know what the strategy is. I will tell you what the strategy is in concluding my remarks, because I have a quotation here from Mr Vincent Alexander in a presentation on the 1 July 2003, at the University of Guyana, Clarke Atlanta Forum on shared Governance. This is what Mr Alexander had to say:

The PNC/R would worked to get shared Governance Constitution in place for the next Election., In fact the party will have to give serious consideration to whether or not it should participate in any future elections under the present winner takes all system.

What they are seeking to tell us here, they are setting conditions for the Nation, preconditions for their participation in the next elections. Mr Speaker, they are starting with the question of whether this is a constitutional matter or whether is a matter to do merely with amending the Representation of the People's Act. They are building up a crescendo, which will eventually culminate when we approach the elections and we will see the cloven hooves of the PNC/R and the opposition parties in

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respect of the next elections. Thank you, Mr Speaker. *[Applause]*

**The Speaker:** Honourable Member Mrs Sheila Holder.

**Mrs Sheila VA Holder:** Mr Speaker, as stated in the Report that is being debated in the House today, the issue of Geographical Constituencies came out of the Constitution Reform Commission's Report Recommendations of July 17, 1999. In that Report Recommendations were made, but changes to the electoral system.

On page 106 of that Report, at item 6.11.3 under the subheading *Submissions by Members of the Public*, it states:

*The submissions centred on whether the Propositional Representation System or the First-Past-the-Post System or a combination of both would be best in the context of Guyana. These matters are also important, because they go to the root of the issue of inclusionary or participatory democracy.*

*It was submitted that Guyana needs an electoral system that enhances governance at the national, regional and community levels with a view to increasing community participation and reducing the incidents of ethnic voting.*

*There should be an electoral reform, the framework of which would secure equitable representations of all groups in Parliament, Government and even within political party mechanisms.*

*There was a general call for a system that allows the public to be able to identify a representative, who was immediately accountable to them and to whom they could air their grievances. There was a suggestion that parties should be constitutionally required to provide lists that broadly represent the ratio and gender distribution of the country.*

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Mr Speaker, those were the views of the people of this country. It is therefore evident that the Honourable Member, the General Secretary of the People's Progressive Party/Civic, in no way, did his Motion on Geographical Constituencies seats, adopted in Resolution No. 54 of 2004, that informed the basis for the establishment of the Special Select Committee on the Geographical Constituencies seats attempt to address those issues that are of paramount concern to the Guyanese people.

It was for these reasons that the Parliamentary Opposition refused to participate in the work of the Committee - plain and simple. Since the focus was mainly on increasing the current number of Geographical seats from 25 to a maximum of 32, clearly with the determined intention by the administration to maintain this status quo of ethnic voting patterns and the inadequate representation while advancing the argument on proportionality standards as one based on the principle of a fairness and political legitimacy.

However, the fact of the matter is that in the context of Guyana the proportionality principle delivers what majority rule proponents assume and that is a fair allocation of seats, but it does not produce rules for decision making that promote reciprocity and accountability either in Government or in this National Assembly.

What the administration basically did through its General Secretary, the Honourable Member, was to narrow the scope of the discussion to the expansion of the twenty-five Geographical Constituency seats to a maximum allowed by the Constitution - thirty-two, fifty percent of the seats in this Honourable House.

The Special Select Committee provided no scope to address issues such as residency requirement, equity in size and population of the Geographical seats or indeed the issue of Constituency demarcation.

So, Mr Speaker, the exercise essentially kept the administration comfortable in their comfort zone of no meaningful change. While keeping entrenched in our own electoral system, the debilitating and destruc-



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tive elements of racial voting and ethnic insecurity. Have the administration been less self-interested or more focused on the needs of the Guyanese people, it would have seen the wisdom of leaving the mandate for such matters where they properly belong with the Standing Committee for Constitutional Reform. That would have been obliged to take cognisance of the unfinished work spelt out in the final report of the Oversight Committee on Constitutional Reform dated 31 July 2000.

With respect to voting systems, the Oversight Committee's Report had this to say in Paragraph 4.4.4:

*The reform of the electoral system has proven to be the most stubborn and intractable problems confronting, first the Constitution Reform Commission then the Special Select Committee established to consider the Recommendations and make proposals to the National Assembly and finally the Oversight Committee. Even at the time of compiling in this report, the parties remained deadlocked over the final details of the electoral system - what is to be the minimum numbers of seats to be allocated to the smallest Geographical Constituencies for the elections scheduled for the year 2001?*

*This agreement apart, it has been agreed that the present reforms to the electoral system are being designed specifically for the next Herdmanston General Elections and are not meant to be the final system of all time.*

I really wish the Honourable Member Mr Rohee would note that it says *not the final system for all times.*

*This is of no small importance since the final Reforms which seeks to implement the CRC Recommendations that (the Electoral System should include the an element of geographical representation) and further "Constitutional Provisions on the electoral system including the electoral*

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*list should be informed by the inclusionary Parliamentary Agenda as well as geographical representativeness" may be seen not unreasonably as considerably less than what is required to ensure acceptably adequate levels of gender and geographical representativeness.*

*For instance, the constraints imposed by the Herdmanston timetable have been implied the utilization of ten administrative regions as the geographical constituencies for the next General Elections since there is not time enough to engage on a process of a constituency demarcation never an uncontroversial matter, even under the best of political conditions, but the Constitutional changes drafted while establishing a framework in accord with the CRC's Recommendations and facilitating the specifics of 2001 electoral rules leaves this question as one as many yet to be resolved by the National Assembly for the future.*

Mr Speaker, since the introduction of the geographical constituency in 2001, along the lines of Propositional Representation some deficiencies have become evident.

The main deficiency being that the ten administrative regions are by far too large and complex to allow a Member of Parliament to be effective in his representation.

This is true both of the level of the National Assembly as well as at the geographical constituency level. The manner in which the PR System is applied in Guyana loses sight in some fundamentals.

The whole purpose of PR is intended to seek reason for implementing the electoral decision for that one legitimises that the decisions in the eyes of all voters even those who may lose.

The PR System in fact asks the question whether the process provides all voters with an equal opportunity to be part of the winning coa-

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lition, stated differently PR is a form of a political fairness in which no one is entitled to grossly disproportionate influence or a monopoly on control.

Of course, the majority should enjoy a majority of the power it goes without saying, but in a fair system, a permanent majority should not exercise all the power and a permanent minority should not always lose. To the extent that happens in a racially heterogeneous society like ours, the system is flawed and ought to be corrected.

Towards this end, Mr Speaker, a meaningful examination of our electoral system must of necessity include an interactive, deliberate, legislative decision-making process that encourages fair political competition. The challenge, therefore, is to provide all voters the equal opportunity to vote for a winning candidate as a universal principle of political fairness, one vote equals one value. It is in embracing that paradigm that Guyana will be capable of becoming a shining example to the world. The challenge therefore, Mr Speaker, for this National Assembly as I see it, is in overcoming the fear of changing the electoral system. I thank you.

**The Speaker:** Honourable Member Mr Ravindra Dev

**Mr Ravindra Dev:** Mr Speaker, it had not been my intention to speak this afternoon. It was a hope that it would not have been necessary for me to stand up and speak here today, because I could not believe that the Government of the day would have introduced and gone through with this Motion as it is doing here today.

Mr Speaker, there is during the dark days of South African dictatorship there was a novel written *Cry the Beloved Country* and today I say that what is unfolding in this House should cause this House to cry and the country will cry if we proceed down this path.

Mr Speaker, as I listened to those on the opposite side of the House - the Government benches - I was reminded of something that Vaclav

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Havel said about the dictatorships that existed in Eastern Europe and Russia during the not-so-far past. He talked about the concept of truth under such regimes, that truth was not something that one went out to seek, to find, to discover and to live by. Truth was what those who control the State decided that it was. This is what I am hearing here today that contrary to the facts that are in front of us to the facts that are recorded and not in any ordinary book but are inscribed in our very Constitution. Today I hear those facts being traduced and reduced to lies and yet we go along with this, Mr Speaker ... *[Interruption]*

**The Speaker:** Honourable Member, the word *lies* is not a word that is acceptable in Parliamentary debates.

**Mr Ravindra Dev:** To *untruths* then, Mr Speaker *[Laughter]*

**The Speaker:** It means the same thing Honourable Member. You have to find some creative way.

**Mr Ravindra Dev:** Mr Speaker, I therefore want, that ultimately what this budding democracy that we say we have here in Guyana, it will depend intrinsically on the integrity of the individuals on the other side not to go along by what those in the cabal of hate of which I hear about decide is truth and to speak their conscience.

The Honourable Minister Rohee cannot stand in this House ... and I am forbidden to use the word *lies* so I will not say that the Honourable Minister lied. I am saying that after all he is an Honourable man, but I say that when he said that only the Members of the Opposition are saying that the proper jurisdiction of this matter of geographical boundaries is not in the Committee on Constitutional Reform, he is therefore, saying that all the Members from his side of the House are lying, because I sit on that Committee, Mr Speaker, and yesterday ... not a matter of coincidence, but as a matter of fortuity that this was place d in my hands, the Minutes of that Committee, because I sit as Member of that Committee and this Committee sat with the Mr Bernard past Attorney General of this country saying and proposing that this Committee that we all sit on

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should consider Article 160, which has to do with the Electoral System that we may consider all the elements and after exhaustive discussions the Committee unanimously agreed that the matter properly lies before the Committee on Constitutional Reform that is what they desire on. It is said here that after exhaustive discussions the Committee unanimously agreed to commence its work with an examination of Article 160 of the Constitution which deals with the electoral system.

Mr Speaker, again it comes down with the integrity of those who want to see this country go forward or who want to see it cast asunder. Those individuals on the Government benches cannot sit idly by... *[Interruption]*

**Mr Bernard C De Santos:** I rise by a point of order, Mr Speaker, just to correct an error. I do not know whose is lying here, but the Honourable Member has credited me with something I hope when he is refers to the formal Attorney General, he meant me, but I do not think he is right when he read the Minutes. The Mr Bernard there is not me. The Mr Bernard is the Member of the other side. *[Laughter]* So he should correct that.

**Mr Ravindra Dev:** But Mr Bernard De Santos, Mr Speaker, Mr Bernard De Santos in our deliberations and it is recorded there that the Committee unanimously agreed to commence its work with an examination of the Article and Mr Bernard De Santos was to assigned the task of analysing the Article for the Committee. So I apologize for crediting you with the first one.

Mr Speaker, what it comes down to ... as I said, it has to do with the integrity of the individuals that they cannot be party to this violation of our Constitution, to sacrifice our Constitution on the altar of political meritoriousness.

Mr Speaker, when I was here the President of this country was in Russia so I do not think that we can talk about these things. Mr Speaker, yesterday as part of giving life to Article 13 of our Constitution ... *[Noisy]*

*Interruption]*

**The Speaker:** Please, let us have some silence Honourable Members

**Mr Ravindra Dev:** As part of the stipulation of our Constitution that civil society should be involved in decision making, because it affects them - Article 13. Even though the Government of the day prefers to side-line civil society, the opposition has been meeting various civil society organisations and individuals to bring them up to date as far as the arrangements on the electoral matters are proceeding. And yesterday in front of the FITUG, I made a declaration that today will be watershed day in the history of Guyana and explicitly I said that if the PPP/C decides to proceed with this Motion and to ramrod it through this House today, then any hope of instituting democracy into this land will be dead and buried, because I have talked about the notion that you cannot disjuncture means from ends the PPP/C cannot talk of instituting and installing and getting democracy to grow in this land when it is using anti-democratic methods.

Mr Speaker, I come back to truth. What is the truth that is on the records of this House?

*(a) That the Constitution Reform Committee met and began work on a work programme. As soon as the outlines of such a programme began to take shape and the integrity of those Members of that Commission were putting on the table to be discussed matters that would really take democracy forward,*

*(b) occurred; what was*

*(b)? That the Honourable General Secretary of the PPP/C introduced this Motion, which is to remove what the Members of that Committee had already decided on matters that were properly before it to take those matters and put it outside.*

(c) *After that Committee reported .*

(d) *this Parliament with full cognisance of that report by the Ramotar's Committee (if I may call it that) with the full cognisance that report gave the Constitutional Reform Committee the mandate, gave its imprimatur that it must take up its work programme and work expeditiously and I note giving special priority to electoral reform.*

I said in the Committee, in our deliberations, alluding to these facts that I have just stated that maybe the law as it said maybe an ass, but I hope that Parliament is not an ass. In fact I asserted that Parliament was not an ass.

The point is, Mr Speaker, if we go through with full cognisance of these series of steps that this Parliament takes, it makes very clear to the people of this country that we are not serious in this House, so like God, the party of democratic centralism gives and then takes it back, but that is not democracy is all about. Democracy has to do even though it is something difficult for the party that grew up and were nourished on that diet, it involves consultations, it involves taking aboard opinions of the people, it involves maybe accepting that the process maybe slower, but in the end you gained legitimacy. This is why Vaclav Havel, who later became the President of Czechoslovakia, when he talked about the way that truth was handled in those societies, he predicted that those societies would fall and fall they did. Mr Speaker, if we are to trying to build democracy in this country on those same foundations of sand, we are going nowhere.

So I caution and I ask and I request the Honourable Members on the Government side to look into their conscience and to see what is actually going on here and to make a determination that is for all Guyana.

Honourable Minister Rohee again reiterated a position which Mr Alexander in front of this House expatiated on and I thought made it pellucid that even a neophyte would understand what was in front of us

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(when I say us in terms of the Committee on Constitutional Reform) that that Committee did not depend on its mandate, does not just extend to constitutional changes but it can go on to consider whether the Articles of the Constitution have been given life, if they are given effect and if they maybe necessary enabling legislation that maybe that should be fourth coming and that we would present such proposals to this House. So for Mr Rohee to ignore such utterances in this House and to go on blithely as they were never said, (again I could not use the word) Mr Speaker, but it is not to represent the truth.

Mr Speaker, I say this that the necessity for Committees to be introduced in the Westminster System was made necessary by this acknowledgement that there were some matters perchance maybe all matters that need more consensus than can be generated between a House as we are a House divided.

As I spoke on my last statement on this matter when Mr Romotar's Bill was being considered, I hope that the Government would have allowed this matter to be in that Committee where individuals whom they considered to be legal luminaries, who are Constitutional experts, men who are steep in the traditions of law in this country, they would have given us the benefit of their long service at the feet of the law and would have then presented to this House.

Mr Speaker, the fact to that Committee would have present something to this House, the PPP/C could still have voted on it, because they still have the numbers, but it shows a mind set in the Government. As I said, it comes back to this notion that what it declares to be truth at any historical conjuncture (I know Mr Rohee would like that term) all of the people should agree that is truth.

Mr Speaker, as I conclude, again I hope that the Members of the Government benches will understand the import what is happening today and would let good sense take its course to have this matter return to the Committee on Constitutional Reform, which is its proper place and for there to be this process of democracy where there can be give and



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there can be take; they cannot only be giving and the other side having to take. There has to be some give and some take and perchance we may craft an electoral system that all Guyanese will see as a legitimate and that we will not descend into disorder as has become customary after each of our elections. I thank you, Mr Speaker. [Applause]

**The Speaker:** Honourable Members, it is now 16:00h. It is time for the suspension, but before I do so, I would just like to make one observation.

I am very distressed at the very unparliamentarily language which is being used in the National Assembly willy-nilly including by very Senior Members of Parliament who know better.

Ladies and gentlemen this Parliament belongs to you and to the Nation and I would like you to treat it with the respect and the care that it deserves. Please let us keep the standards up. I will take the suspension now.

**16:02H - THE SITTING IS SUSPENDED**

**16:37H - THE SITTING IS RESUMED**

**The Speaker:** The Honourable Minister of Culture, Youth and sport

**Hon Gail Teixeria:** Mr Speaker, while I have been sitting, listening to the debate on the Motion before the House, I have been made to recall the witches' scene in *Lady Macbeth*, Shakespeare's famous play, when the witches were cooking up their brew of mischief and confusion, but instead of frog's tails and eel's eyes, what we had was a cook-up of words, words being bandied around *Constitutional Reform*, *electoral systems*, *Committee*, *Commissions*, et cetera. They boiled and boiled and more and more mischief was afoot.

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I think that it is an issue of us really taking the position of what we are dealing with in this House very seriously. There have been presentations made from the legal end, constitutional end, and political end, but when we talk about electoral systems, electoral reform, we have to also deal with what is in the Constitution of Guyana. This is a constitutional State, in other words, a State that is governed by a Parliament and a Government and a society that is governed by the supremacy of the Constitution. The Constitution as is provides for an electoral system.

There are issues to do with electoral reform that may have to do with practices and procedures and changes to the National Representation Act and the Electoral Act and so on. But those are not necessarily constitutional issues. The issue of constitutional reform requires many aspects and I do feel that it is slight of hand to say to this Parliament by the opposition that the existence of this Report from this Special Select Committee is in some how undermining the role of the Constitutional Reform Committee, because the two are not mutually exclusive.

The Constitutional Reform Committee and I will talk later about the Constitutional Reform Commission. The Constitutional Reform Committee was formed in April 2003 and appointed in June 2003. It met between September and November 2004, it has met so many times this year. However, the issue of constitutional reform is also not the exclusive responsibility of the Constitutional Reform Committee. Any Parliamentary Committee or Constitutional Committee or Sectoral Committee can in its wisdom make a proposition to the Constitutional Reform Committee of what it thinks need to be examined and reviewed in terms of Constitutional Reform. This is a dynamic process which our Constitution provides for. It is not a one-off nor is it a process that will ever have an end. We will be long gone and the constitutional reform ... *[Interruption: 'You']* I am talking about a physical being Sir ... we will be long gone, and the next generation and the next generation will also be discussing constitutional reform., because constitutional reform deals with the needs, expectations and challenges of society, it goes through its own metamorphosis to each generation. So this is not something that the *be-all* and *end-all* of this Parliament. It will be the mandate and the

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responsibilities for many Parliaments to come. But when we are talking about electoral system, our Constitution provides for electoral system. The 1980 Constitution which we all know how it came to be, we all know when those Honourable Members on the other side beat their breast about democracy that the 1980 Constitution was delivered and the gestation period and its delivery as a constitution was a slap in the face of every Guyanese.

However, my friend, Hon Ravi Dev should have been crying for the Nation since then, but times have changed. The 1980 Constitution provided for what is a closed list of proportional representation system in which it provided for Members of Parliament fifty-three and twelve from the regions; ten from each of the regions and two from what was the local democratic organs. We dealt with that from 1980 to 2001. When we look at the whole constitutional process and the whole issue of electoral systems ... it is a very interesting debate and I think the opposition lost the opportunity and I would say this to you, you have lost a golden opportunity absolutely golden in the history of this country to be able to seriously make serious propositions on electoral system. *[Applause]* In the sense, in the world today, there are debates going on about:

- Proportional Representation verses First Past to Post;
- Closed PR System verses Opened PR System;
- Single Transferred Votes versus Hybrid Systems; and so on.

The European countries have a PR system; some have a closed system, some have an opened while others have First Past to Post as in Britain. It has taken the United Kingdom eighty years to make a shift for Scotland and Wales and to allow them to have a mixed PR system. So when the opposition members on the other side and I include all the opposition members I am not directly speaking to the PNC/R and when you are talking about Constitutional Reform of electoral system I am

lost.

What are you proposing? Do you want a PR system as is with a mixed hybrid system? Are you talking about a Single Transferred system? What are you really talking about? If you are not defining that, you are not using this Parliament for the purpose it is meant for.

The Motion here is talking about examining the National Representation Act which provides for geographic constituencies based on the 2001 Constitution Reform Commission and the Oversight Committee recommendations. In which we move from what was twelve seats on a strictly PR system to twenty-five seats on a geographical constituency system. Now, as I said, the opposition has lost a golden opportunity, because in that Special Select Committee, it could very well have stated, yes we agree, no we do not agree, we have an alternative, we have a proposal, but you lost it. You backed out and you lost it and the whole issue of constitutional reform obviously will continue, but that the issue of what this Motion is addressing is the issue of geographic seats.

It was an opportunity for us at the political level to examine, should we increase it or not? It was not a constitutional issue.

As I have said, if I have been misunderstood the Constitutional Reform Committee of this Parliament can continue for the next year until the elections and a new body will be set up and they will talk about constitutional reform, including electoral system. There is nothing to stop you from doing that; there is nothing to have stopped you from 2003 from doing that. It is now 2005, where a Special Select Committee appointed in this House to examine specifically the issue of whether there should be an increase in the geographic seats in this Parliament.

As I have said, we have heard many, many discussions and I have really come to the conclusion that there has been an attempt to *kafuffle* the whole debate and the Speaker will advise me whether *kafuffle* is a Parliamentary word or not, and I bow to his wisdom.

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Let us look at the whole issue of this country's movement forward. It is important for us and not to just come and talk about things that are not factual.

When in 1953 we achieved Universal Adult Suffrage, it was a major achievement for the people of this country - a major achievement - and it was also very important for women of this country, because women could not vote at that time, and even a women of property could not vote except on the basis of her own income, not her husband's income. It was a major victory for all of us, but the issue is that when 1964 came and the British agreed to change and jerrymanded the elections from fourteen districts to thirty-five and to move from what was first past to post to PR, which was very advantageous for the British and obviously for the PNC and the United Force at the time. So we moved into PR. It is highly ironic that at this time in the British Parliament and with the Blair Government since 1997. There is big debate going on, on moving the British Electoral System from First Past to Post to PR. There is reason for it, because the issue is that we are dealing with what were the 2001 electoral changes. We passed in this House before the 2001 elections ten constitutional amendments, in which one of the key ones, the Constitution (Amendment) No.3 Act No. 14 of 2000 together with the Elections Law (Amendment) Act No. 15 of 2000, provides for the new electoral system which is:

*A system of proportional representation which provides for geographic constituencies and gender representation.*

It then goes on to define the make up of the Parliament. Forty seats what was called National Top up and twenty-five elected members from geographic constituencies. Under the bases of the Act of that piece of legislation, the Special Select Committee examined that part of the legislation to see whether we should increase.

It was an important intervention, but let me do some correcting, because the issue of constitutional reform and statements have been made in this House about what and what not the Constitution Reform Com-

mission verses the Committee decided on. There have been quotations in some cases, but on page 211 of the Constitution Reform Commission Report it states that -

*the electoral system for general elections should be a system of proportional representation which ensures that the proportion of seats in Parliament achieved by each party is as close as possible from the proportion of votes it receives from the electorate.*

Secondly -

*the electoral system should include an element of geographic representation.*

And I believe that those who are part of the writing of that document were extremely prominent and very experienced Guyanese across the political divide, who in their wisdom felt that there was no need to change PR, because if they had thought that then they would have made a recommendation for such a change. And probably they were wise, because when one examines what happens in First-past-the-Post and to answer Honourable Member Mrs Sheila Holder's point that in the First-Past-the-Post system, you can have an individual who contest the constituency who wins a majority, wins the Seats, but who is in fact a minority against all the opposition votes. So you can have someone who wins 22,000 votes, the two opposition candidates could have between them thirty thousand votes and yet that person becomes a Member of Parliament. So this whole issue is being examined and we have to not just throw things out of the straw but to be able to sensibly try to direct this country.

The Constitution Reform Commission in its wisdom and I repeat that, did not present a proposal to the Oversight Committee nor to the Parliament before 2001 of an electoral system being changed in terms of moving from PR. In fact it recognised that the existing constitutional reform is still fundamentally PR ... *[Interruption: 'It is a hybrid system.']*

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Mr Alexander it is not a hybrid system, it is still fundamentally PR. The Constitutional Reform Commission considered the existing constitutional provisions including Article 160, which provides for the Electoral system.

The CRC did not recommend an alteration of the Constitution, but merely that the electoral system should have an element of geographic representation. It then brought in later under the oversight, the issue of Gender representation and this is how we are the only country in the English speaking Caribbean and in many Commonwealth countries that have a prerequisite that one-third of all of the names of a list of candidates must be females. We, as women in the Parliament should not be satisfied with this nevertheless it is quite a radical move in terms of trying to get women's representation in Parliament. In fact, the CRC then went and reported to the National Assembly and then an Oversight Committee was established. It has been quoted here that the representatives of the PNC/R while recording their agreement with the recommendation contended that there was need for the timely engagement of the services of an expert on electoral formulae on this issue and to complete the reform constitution in time to commit the holding of elections no later than 2002.

Therefore, by influence there was no agreement, that there should be additional constitutional reform in terms of electoral system. It appeared as if the PNC/R in agreeing to have an expert come in and review the system that they were open to either change or no change, because it was not a recommendation that there must be change. It was just a review. The fact is that Article 160 allows for up to half of the seats of the National Assembly to be elected by First-Past-the-Post while maintaining proportionality. So the Constitution already allows that this Special Select Committee ... *[Interruption: 'You are technically wrong.']* ...yes it was there since 1980 Constitution that is correct, I am not denying that. But the issue is that we already have in our Constitution the provision that we can make changes up to fifty percent of the Parliament through Geographic representation.

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Why is this problem when we have heard debates on the other side? They have to answer for that, not me, but the fact that this Assembly in 1980 and throughout the years up to 2001 and even up to today has not proposed any change to that. However, we do not require constitutional amendment to move up to fifty percent geographic constituency. We do not require that. We need a legal change, a legislative change in terms of the Representation of the People's Act.

But why did the Constitution not go past fifty percent? It is important for us to understand that, because it wanted to maintain what was the first part it enshrines and that is proportional representation. Because if you moved it past fifty percent geographic constituencies you would then be dealing with undermining the Constitution which talks about proportional representation.

*[Interruption: 'You are taking too long. ']* You can get up and speak Sir. I listened to you.

Mr Speaker, the Oversight Committee then recommended amendments in relation to a framework for gender representation and to update Article 160 in lined with the geographic seats that were proposed - twenty-five.

*Interruption: 'When will you get to the Motion? ']* ... Listen and you will learn, I have had to listen to you Mr Murray and I will advise you to listen to me out of respect for the House as the Speaker pointed out earlier.

The fact that the final report of 31 July 2000 in section 7, on the areas of concern, concerning the revision of the Constitution Page (22) said:

*Even at the time of compiling the report the parties remain deadlocked over the final details of the electoral system.*

*This disagreement apart it has being agreed that the present reforms electoral system has being designed specifically*



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*for the next Herdmanston general elections and are not meant to be final for all time.*

*Final for all time, not final for 2006.* But that obviously in the process of electoral reform in the process of constitutional reform changes could be made by 2006 and hereafter and to the end of time. And so it is rather convenient of the opposition to try to make it appear as if somehow we were locked into some kind of agreement that said these constitution reforms had to come by 2006. That was not the understanding and if there is a misunderstanding on the Constitutional Reform Commission's Report then obviously the records of Parliament and the verbatim reports would hopefully show that the PNC/R got up or any other opposition body got up and made a statement to that effect.

The fact is, both the Oversight Committee's report and the Constitutional Reform Commission's Report showed that the PPP/C did not disagree to further constitutional reform of the electoral system or the Constitutional Reform Commission or the Oversight Committee recommitted any further reforms. We made a major step forward in creating what was fundamentally a proportional representation system that allowed for geographic and greater inclusivity. *[Interruption: 'A hybrid system.']* It is not exactly a hybrid because it is still proportional representation. Because the hybrid system that you are talking about has slightly different manifestations, but what is interesting is when we examine the experiences of other countries on the same issue - in the South African experience the Constitution enshrines proportional representation, but that they departed from the First-Past-the-Post system even when they knew that this will increase the numbers of seats. But because there was a multi-ethnic, multi-cultural, multi-lingual society that in the wisdom of the South Africans and all their constitutional reform debates and discussions which were very controversial many times AMC and the opposition walked away from the table to come back, but nevertheless they agreed to have a PR system. And I will just quote from a document that was put up by the Centre for Conflict Resolution, Volume II - 3 November - May 2002 which says:

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*In choosing PR the South Africans constitution makers embrace the philosophy of LB Johnson,*

*It is better to have that SOB inside the tent throwing stones out than outside the tent throwing stones in.*

In short, it was of their view that *it was better that the Parliament has as many interest groups as possible participating in its deliberations rather than excluding a significant minority from the political system.* That is from page 30.

What is very interesting, is that when we look at the whole issue of geographic representation in Guyana, as we have it with the ten regions, it is a way in which the 2001 and the 1997 elections showed it, that the elections results unlike the First-past-the-Post where a minority can actually get more seats in Parliament and that has been the British Labour experience in the recent elections of this year and the 1997 elections.

Of course if we look at the American elections, the results of the 1997 elections in Guyana showed that even without the geographic representation that was added in 2001 that the smaller parties were able to get into Parliament and so you had a situation where if you had even with the PR system that we have which is generally a two-party system you had the situation where smaller parties were able to win seats by the top up system the left over vote by a mathematical formula. In fact, when you tinker with the electoral system and I have heard people skirt around the issue that in fact a First-Past-the-Post system in Guyana would exclude many women Parliamentarians and it would automatically exclude many of the smaller parties in the country who right now have a seat in this auspicious House.

However, in the 1997 elections, before the geographic representation was allowed in a formal way with the twenty five seats, there were three parties/ four parties in the House. In the 2001 elections, the interesting difference in Guyana (let us say) in the United States with the Bush and Gore elections in 2000, there was a margin of 30,000 votes be-

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tween Bush and Gore. In Guyana with the PR system with the geographic representation and the earlier form of it in 1997 and the more sophisticated in 2001, at no point do all the political opposition parties together have more votes than the party that wins which is a converse of what happened in the United Kingdom.

In the United Kingdom you can have a party and it has already happened several times where a party has won, but has a minority percentage than those who are in opposition. But in Guyana, with a voting population of 396,000 voters in 2001 elections, there was a situation where five parties were able to sit in this Parliament. Two of which under the First-Past-the-Post system would never have had a seat in this Parliament, because the mathematical formula allowed them to collect seats from the two larger parties. That the issue of proportional representation.

Why I am going into these details is because when the opposition glibly throws terms around with no substance so we do not know what they are talking about, then I am testing you to see what you are talking about, because when you are talking about electoral reform to do with the electoral system, you can only be talking about PR, First-Past-the-Post, mixed system, hybrid system single transferable, what are you talking about? None of you said it, not one of you name it here, but along with that, you have also not been able at any time in this House or in the Special Select Committee ... you abandoned , you abrogated your right to sit there as the opposition and you want to suck your thumb now [Laughter] well, go ahead and suck your thumb.

It is important, the Special Select Committee which was set up ... [Interruption: 'That was a set up. '] I stand corrected ... was established by this House - this house established that Committee. If you want to get into semantics, I would love to. Do you want to take me on? The issue is that at no time has the opposition in all the talk about beating its breast about constitutional reform ever came to any level to say exactly what you mean by constitutional reform of the electoral system. [Interruption]

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**The Speaker:** Your time is up Honourable Member

**Hon Reepu Daman Persaud:** I move that the Honourable Minister be given fifteen to conclude her presentation.

*Question put and agreed to.*

**Hon Gail Teixeira:** Mr Speaker, this Motion that is before the House was a very important intervention, because we could have increased the seats by legislation, not by constitutional reform. One can talk about the Constitutional Reform Committee, but this Committee was free in the last two years and it will be free for the next year until elections determine, what are the constitutional changes which it is to recommend? It is time for us, as a House in my mind, to have discussions whether on this floor or in committees of the pros and cons of the various electoral systems. What is important to note is that at this point in the political history and global political history, there is a move by the majority of emerging democracies as well as even Commonwealth countries to move back or move to from a First-Past-the-Post to a PR system and in some cases hybrids and mixtures, some of which are quite torturous, some are highly complicated and so on.

We had an opportunity to very simply do this. I know that the opposition when we go to vote on this Motion will then cry wolf ... *[Interruption: No, they will vote for it.]* ... well I would hope so, because it will be an indictment of the opposition that they want their cake and they must eat it too. It is important for us also, for those of us who are women Parliamentarians particularly those who go to overseas conferences to represent us as women Parliamentarians when we as women Parliamentarians do not even know that they have gone to a conference of the OAS to represent us, because there was no consultation before that ... *[Interruption: 'Like Bibi']* ... I know she has gone to another conference. However, I take umbrage as a woman Parliamentarian representing us overseas when we have never been convened to give our opinion if that was what it was about. However, Mr Speaker, the present situation now, with women and representation of women in

this Parliament that the system does improve the percentage of women in Parliament other than what existed before and what is in comparison to many other Commonwealth countries. *[Applause]* In fact, this helps and therefore if we are talking of geographic representation and gender representation the Constitution already provides for them. The onus is not on constitutional reform to how we get the geographic balance and how we get the gender balance because the constitution already provides for that. What is required is those of us in the political parties to ensure that we have the best names on the list and the best representatives of the people. That is our duty as political parties. It is not a constitutional issue. We have ... *[Interruption: 'That letter has the venom of you']* ... I only learnt it when I read it. I did not know that is what you went for my dear Honourable Member. But anyway, Mr Speaker, I believe that it is a shared ruse in this Parliament to come to try to say that this Motion before the House is in any way contradicts or gets into trouble with the fine and outstanding work of the Constitutional Reform Committee. There is no contradiction - none. In fact if the Constitutional Reform Committee has been meeting then, I assume it would be coming up with some ideas too. We are anxiously awaiting the ideas from the Constitutional Reform Committee. However, it is a ruse, Mr Speaker, to come to this Parliament and say that this Motion undermines the Constitutional Reform Committee; it is a ruse to come to this Parliament to say that we need to have constitutional reform to deal with the electoral system at the Parliament level. It is not so. Therefore one can only wonder what is on the agenda. I talked about the witches' brew to sow confusion and mischief and therefore... *[Interruption; 'You']*... I am always a good witch ... they deliberately attempted to confuse and create mischief in this Parliament; to confuse the people of this country by throwing a pot of words all over the place. Therefore let us look seriously at what was the historical experience; how we ended up where we are and to recognise that this Constitutional Reform Committee proceeds and will have an amazing amount of work to do. This Special Select Committee's Motion that has been brought to this House, deserves the support if not by default of the opposition, because the opposition defaulted on its responsibilities to come in and even if it wanted to

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pelt stones to pelt stones on the Special Select Committee, but it did not do that.

So Mr Speaker, I wish to lend my support for the Motion that is before the House presented by the Special Select Committees on its Report. *[Applause]*

**The Speaker:** The Honourable Member Mr Ramotar

**Mr Donald R Ramotar:** Mr Speaker, one of the main arguments of the opposition or what they are trying to imply, is that the CRC's Report stated that the present electoral system should not be used in elections after the 2001 elections. I challenge them to show me where. It is not there. Even what Mr Alexander read just now did not say that the system used in the 2001 elections must only be for the 2001 elections.

What was recognised then, Mr Speaker, I was part of some of those discussions with Mr Alexander. On several nights we dealt with these issues and what was recognised then, is in those documents that he was reading and which was read by the Honourable Member Miss Teixeira just now that that arrangement was not meant to last forever, but it did not say that it should only be for the 2001 election. That is false. I noticed that not only the members on the other side are seeking to misinform the Guyanese people about that arrangement, but I noticed in a huge Article on Monday 16, Mr Roopnaraine made the same point. This is false Mr Speaker. It is wrong. It is inaccurate. There is nowhere, no document in which the opposition can point to say that the arrangement for the 2001 election was meant only for that election. That is the first point I would like to make.

Secondly, when we debated this matter in December 2004 it was a time when the Elections Commission was telling us ... the Honourable Member Mr Alexander and I were at one meeting where the Elections Commission was saying that we have to settle this matter urgently so that they could put arrangements in place in order to have elections on time. We thought then that a Special Select Committee was the appropriate

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body to enable us to focus our attention on this issue. I had mentioned to Mr Alexander and I also said it when we spoke at the last Parliament. When I saw him on another occasion and I heard him saying he told someone else that they had proposed this at the Constitutional Reform Commission, I mentioned to him that I did not know that they had raised this matter at CRC, but even now being informed that they had put this matter to the CRC, I still do not believe that it was a constitutional arrangement, that a Special Select Committee was the more appropriate body for us to have that discussion and come to some conclusion on the matter.

Even though I am not a lawyer, I want to say that the Constitution has pronounced on our electoral system in which the PNC/R participated fully. In fact Mr Haslyn Parris was the Secretary of that Commission. We also had oversight committees and other type of committees to bring these matters to Parliament.

While it is true that even constitutions were not meant to last forever and they are not cast on stone - the elements there - I do not believe that anyone envisages that the provision should last from elections to elections or from year to year or week to week.

We noticed a situation in the United States, where a President was elected with the minority of the votes. At that point in time, I thought that they would have changed their electoral system. However, right here at a reception held at the first Secretary's House, the Honourable Member Alexander and I were there when they brought a specialist to speak here and they said they are not changing their constitutional system, because constitution was not made to be changed willy-nilly in that matter. But the point I am making, is that we set up in a very elaborately way to write a new constitution, but before the ink in that constitution is dried, our friends on the other side are calling to make big changes on the issue. The actual number of seats as far as the geographical constituencies are concerned is mentioned in our Constitution - the actual number of seats is there. It is not a constitutional question. It is a question of amending the Representation of the People's Act. It is not a question whereby we

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hear our colleagues argue on the other side that this is such a major constitutional issue and that is why we thought these matters could be handled.

Mr Speaker, my suspicions are proving to be true. The PNC/R and the other opposition forces, who are tied behind their coattails, actually they want to slow down, they do not want to have an election process in this country, they do not want to face the people of this country at free and fair elections.

I want to say, Mr Corbin spoke, and made points about why we did not bring this thing to the National Assembly and all kinds of moralistic and biased statements here..

Sir, the fact is that the PNC/R was out of this Parliament for two years and they are now coming to tell us here that we should have had discussions long ago in this Parliament and the two colleagues on the other side, in the two years of their absence never raised anything about the electoral system and constitutional reform but they come here today and say that we want to undermine the electoral system.

Thirdly, Mr Speaker... *[Interruption]*

**Mrs Sheila VA Holder:** It is inaccurate. I have had a question pending on this matter for years.

**Mr Donald R Ramotar:** A question is a different thing from a Motion or putting it in the Parliament here.

Sir, let me continue. ... The other issue that was touched on very briefly, was the question of demarcation of boundaries and we are not the ones who said it all the experts most recently Mr Hathaway who gave a report said that we cannot complete the work of drawing boundaries at this point and time one of the colleagues read it, that in the most favourable condition it is a contentious issue.

One year before elections it is unrealistic and almost impossible to



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talk about drawing boundaries at this point in time. But we have used the boundaries that the former PNC government has established for us. What is the opposition to that? What is wrong? What are you against now?

Mr Speaker, I just want briefly to correct one other point that was raised by the Honourable Member Mr Corbin. The Honourable Member in making his presentation quite rightly boosted the image of his party by making the great role that they played in this new constitution and saying this was not the PPP/C's generosity, how he fought for it and so forth .

Mr Speaker, the Honourable Member, obviously as a serious politician did not read the PPP/C's manifesto of 1992. In the 1992 manifesto of the People's Progressive Party, we stated that we committed ourselves to changing the Constitution of this country. *[Applause]* More than that Sir ... *[Interruption: 'Then you said that you love the 1980 Constitution.']*... Let me correct you again, It seems this afternoon, I have to be correcting my honourable colleagues very often. I said that we never condemned the 1980 Constitution *in toto*, that we were against the powers that the President had in which he could not be impeached and we committed ourselves to changing that power of the President of the country and we changed it.

Apart from that Mr Speaker, just for the record's sake; just to correct this misinformation that has been put here. Immediately after the 1992 elections, we set up a Constitutional Commission under the Honourable Member Mr Bernard De Santos to write a new Constitution. The PNC/R absented themselves, as usual, for one year. As a result, they could not reach the deadline of changing the Constitution before the 1997 elections.

Mr Speaker, the motive behind the Motion that we put and debated in December 2004 and the report that we put forward in this National Assembly was merely to settle this type of system so that the Elections Commission could get on with their work. And in all the reports, all the audit reports which were done in this country on elections

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system, the elections database and so forth, if they talked about problems and mistakes they always mention the element of time and in fact they accused the Elections Commission in one of the reports - the report of the Audit and Systems Review of the 2001 elections processed by the International IDA, they criticised GECOM in this way:

In certain instances it would appear that GECOM and its staff were too accommodating to the demands and sensitivities of the political parties.

You can take out those words *political parties* and read the PNC/R and the other opposition forces in this country. They were the ones who were putting this type of pressure and this is the same pattern we are seeing.

This Motion was for us to get enough time for us to have a proper election that all the Guyanese people can be proud of. I thank you for your attention. *[Applause]*

**The Speaker:** Thank you.

Question -

That the Report of the Special Select Committee on Geographical Constituencies Seats be adopted.

**Mr Robert HO Corbin:** Division, please.

**AGAINST**

Mr Dev

**FOR**

Mr Neendkumar

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Mrs Sheila Holder	Mr Mustapha
Miss David	Mrs Sukhai
Mr Ally	Mrs Sahoye-Shury
Mrs Bancroft	Dr Ramsaran
Mr R Khan	Mr Rajkumar
Mr Kadir	Mr Mohan
Mr Mc Allister	Mr Lumumba
Dr Norton	Mrs Edwards
Miss Ally	Mr De Santos
Mr Alexander	Mrs Chandrapaul
Mrs Backer	Mr Chand
Mr Allen	Mr Alli
Mrs Riehl	Mr Ramotar
Mr Murray	Mr Belgrave
Mr Corbin	Mr Mohamed
	Miss Rodrigues
	Mr Nadir
	Mr Xavier
	Mr Collymore
	Dr Bisnauth

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Mr Gajraj

Dr Jeffrey

Miss Teixeira

Mr Nokta

Mr Rohee

Mr Persaud

Mr Hinds

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**The Speaker:** Honourable Members, there are 16 votes AGAINST and 28 FOR.

*The Motion is carried.*

Honourable Members, this brings us to the end of our business for today.

**Hon Mr Reepu Daman Persaud:** Mr Speaker, I moved that the National Assembly stands adjourned to the day to be fixed

**The Speaker:** The National Assembly is so adjourned.

*Adjourned Accordingly at 17:35h*