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MAURITIUS

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THE USE OF PUBLIC RESOURCES IN THE 2005 MAURITIUS ELECTIONS

Bertha Chiroro

Introduction

The use of public resources in some elections in African countries is a contentious issue. Access to resources can be a divisive factor in electoral contests as the incumbents are always accused of having an unfair advantage over the opposition in accessing public resources. Opposition parties often complain of a lack of a level playing field especially on issues concerning the use of public resources. These rumblings are evident in Mauritius. The ruling MMM/MSM alliance, as with all ruling parties in the region has an advantage over opposition parties by virtue of its access to public resources such as government resources. A possible reason could be that there is no public funding of political parties. Mauritius is entering into the 2005 elections without any mechanisms for public funding of political parties put in place although the 2001 Sachs Commission had made recommendations for the adoption of a law providing for the public funding of political parties to be administered by the Electoral Supervisory Commission. However the exploitation of public resources for electoral capital by ruling parties is not confined to countries without provisions for the public funding of political parties.

Use or Abuse of Public Resources?

What constitutes use and abuse of public resources is sometimes difficult to delineate and it sometimes depends on the nature of ruling party in government. In cases of dominant party systems, where the line between the ruling party and the state has become blurred, accusations of the illegal use of state machinery and equipment are common. Abuse of public resources is much more apparent in the use of the broadcast media as propaganda machinery by the incumbents; use of state vehicles or the presidential jet for party campaigns; use of state personnel for party affairs and the use of official state events such as independence celebrations as a springboard for party campaign. However, Mauritius with its democratic culture has not gone that far. Nonetheless, a national survey carried out in 2002 showed that 58.3 per cent of the general public considered that public mass media and other public resources were not as accessible to

the opposition as they were to the ruling party during election time.¹

The MM/MSM alliance which is in power has already been accused of abusing public resources, in the form of advertisements on billboards and the media using the taxpayer's money on an advertising campaign on educational reforms two weeks after the date of the elections had been announced.² Berenger's government is accused of using official events such as political platforms for campaigning under the guise of laying foundations stones.³ These functions obviously attract large media and television coverage at the expense of other political parties and gives the ruling alliance with an unfair advantage. Whilst opposition parties complain of this, party broadcast in Mauritius is well codified to the satisfaction of most of the

¹ Darga Amedee Mauritius *Election Update* 2005 Number 1 17 June 2005.

² Mauritius Times Friday 3 June 2005.
<http://www.mauritiustimes.com/030605mkg.htm>

³ Mauritius Times Friday 3 June 2005

parties. Time allocation for political parties' broadcasts is worked out in consultation with stakeholders and is based on the number of seats held in the outgoing Parliament and the number of candidates fielded. The main parties are generally satisfied with this allocation except for the smaller parties that are not included.⁴

Conclusion

An uneven and an unequal access to public resources can contribute to an uneven and unequal electoral process, more so in a country like Mauritius where there is no public funding of political parties. There exists a general perception among opposition parties that the ruling parties have an unfair advantage on and exclusive access to public resources for campaign purposes and party administration. Generally opposition parties find it more difficult to raise comparable levels of election funding especially in countries where public funding of political parties does not exist. In order to hold a free and fair election in stable democracies such as Mauritius, it is imperative that rules and regulations should be put in place to regulate equitable access and the use of public assets to the satisfaction of all parties. Furthermore the issue of public funding of political parties should be made a critical issue for public discussion as it may alleviate the plight of smaller parties.

POLITICAL VIOLENCE AND INTIMIDATION – MAURITIUS ELECTIONS 2005

Grant Masterson

Political violence and intimidation prior to an election is often symptomatic of distrust in the electoral process by one or more actors. However, political violence can also further undermine the faith of political parties and other actors in the electoral process, and, as such should be moderated and addressed in an efficient and timely manner wherever incidences of political violence and intimidation occur. In addition to instituting effective and credible mechanisms for the resolution of election disputes and related conflicts in an orderly and non-violent manner, it is also important to "create a culture of peace and tolerance and general agreement on what constitutes acceptable and unacceptable conduct"⁵. It is important

for all electoral stakeholders to commit to a culture of peace and tolerance at all times; to put in place programmes and mechanisms that cultivate and promote such a culture before, during and after Election Day; and to adopt an enforceable code of conduct regulating the behaviour of all political parties and their supporters, which is accepted by all stakeholders concerned.

Political Climate in Mauritius

As one of the long-standing democracies in Africa, Mauritius has historically avoided serious incidences of political violence and intimidation in the contestation of elections. This can be traced back to the first independent, multi-party elections that were held in Mauritius in 1968. Soon after the country's independence, the emergence of the Mouvement Militant de Mauricien (MMM) prompted the newly independent Mauritian government of Seewoosagur Ramgoolam to postpone new elections scheduled for 1972, to which the MMM responded with a series of general strikes. These turned into violent protests, and led to the declaration of a state of emergency from 1972 to 1976. This period proved to be seminal in the development of the Mauritian democracy, as both the government and the MMM rejected the politics of extremism in favour of the ballot box to contest power, laying a secure foundation of non-violence in future elections.

Mauritius also faces the challenge of ethnic diversity during elections, with a large Hindu ethnic group as well as minority Muslim, Franco-Mauritian and Creole minority groups. Ethnically motivated political violence is rare in Mauritius, but is not unheard of. In December 2000, three local political leaders of the Muslim Hezbollah Party were arrested for the murder of three political activists in 1996. This prompted a spate of ethnically motivated reprisals, but no deaths were reported and the situation never escalated. Despite these isolated incidences, ethnic violence remains almost non-existent, and despite the existence of ethnically aligned political parties such as Hezbollah, campaigning in Mauritius has not been hampered by ethnically divisive rhetoric.

Build-up to the 2005 Elections

A single incident of political violence has been reported in the build-up to the present elections, where a man was stabbed and later died of his wounds during a political party gathering. Initial reports suggest that the deceased was involved in a drunken quarrel with

⁴ Election Update Mauritius 2005 Number 1 17 June 2005.

⁵ *The Principles for Election Management, Monitoring and Observation in the SADC Region*. Electoral Handbook 13. EISA/ECF, 2003.

an opposition party supporter and the argument turned violent. The campaign period has been conducted peacefully and without major incident, in keeping with the non-violent nature of Mauritian elections since 1976.

Conclusion

The electoral environment in Mauritius is widely accepted to be both peaceful and free of political intimidation. Mauritius has an established track record of peaceful polls and incidences of violence during the election period are rarely politically motivated. The current elections in Mauritius have also been free from any overt signs of political violence and intimidation. Despite a few minor incidences, political parties and their supporters have campaigned free of any significant violence or intimidation.

CIVIC AND VOTER EDUCATION IN MAURITIUS: A CASE OF CONVENIENCE?

Sydney Letsholo

Introduction

Civic and voter education are integral parts to the electoral process. All SADC member states undertake civic and voter education with the assistance of Non-Governmental Organisations (NGOs) and other organised civil society formations⁶. But Mauritius is a completely different story altogether. Civic and voter education is not provided for in the country's constitution or by political parties and NGOs do not undertake or dispense voter education as is the case in other countries. There are various reasons that explain this unusual scenario. Chief among these is the notion that Mauritius is an established democracy and most of its citizens are familiar with the electoral system. The primacy of this article is to stress the importance of voter education as a public awareness mechanism and discuss the recommendations proposed by the SADC Principles and Guidelines. Furthermore, civic and voter education allow the public to make informed electoral choices. This in turn increases the chances of state accountability and transparency.

The Importance of Civic and Voter Education

Late in 2004, SADC Heads of State signed the SADC Principles and Guidelines Governing Democratic

Elections, as did Mauritius. One of the many principles that were agreed upon in the meeting was the need for civic and voter education to be prioritised. In Mauritius, no reason has been given for the non-introduction of voter education. Furthermore, it is disheartening to note that this is the same place where these principles were adopted. With each election, the various political parties in Mauritius organise public rallies with the aim of gaining electoral support. The absence of voter education implies that political rallies provide the only mechanism through which the electorate gain familiarity with their political environment. There are no CSOs involved in civic and voter education since democratic practice is well established in Mauritius and it is felt that there is no need for them⁷. The argument that Mauritius is an established democracy and does not need voter education is faulty. If civic and voter education is not catered for in schools, how will the new electorates become educated and informed about the electoral process? Civic education is required on a permanent basis not only in new democracies but also in old democracies. This is why other countries perceived to be the champions of democracy in the SADC region continuously focus on the provision of civic and voter education. Among these are Botswana and South Africa where the citizens are well placed to make informed decisions but this is complemented by voter education. In these countries, civic and voter education campaigns take place in both the urban and rural areas. Furthermore, not only is this the duty of the Electoral Management Bodies (EMBs), but also of political parties and CSOs. Whether the electorate is illiterate or not civic and voter education are seminal to the electoral game.

What do SADC Election Instruments Recommend for Civic and Voter Education?

The Norms and Standards for Elections in the SADC Region is an election instrument that was drafted in 2001 by the SADC Parliamentary Forum. Predictably, the instrument also alludes on the importance of civic and voter education. The Norms and Standards document accurately asserts that EMBs should be required by law to provide for a satisfactory and adequately funded voter education programme that helps voters to be acquainted with the voting procedures and other aspects of civic awareness. EISA's Principles for Election Management, Monitoring and Observation in the SADC Region (PEMMO) should also be noted. As is the case with

⁶ See PEMMO

⁷ *Election Update 2005* (Mauritius) No.1

other election instruments, PEMMO also calls for adequate civic and voter education.

PEMMO recommends the following principles for civic and voter education that the authorities in Mauritius might want to take into consideration:

- In the interest of deepening democracy, enhancing participation and encouraging informed choice, civic and voter education should be given high priority.
- To ensure consistency and quality control, overall responsibility for the co-ordination of civic and voter education should rest with the EMBs.
- Civic society capacity such as NGOs, Community Based Organisations (CBOs), faith based organisations and other institutions should harness and support civic and voter education to ensure effective distribution throughout the country; and
- Political parties should provide their supporters with civic and voter education and information about the voting process which should be consistent with the voter education and information provided by the EMBs.

Conclusion

The article has examined the absence of civic and voter education in Mauritius. This, as it has been demonstrated, is one deficit that should be prioritised. Civic and voter education makes a positive impact on citizens regardless of whether they are illiterate or not. This might even reduce the every increasing trend of voter apathy. The article has also noted the various election instruments which all fully support civic and voter education. SADC members also need to engage the authorities in Mauritius by emphasising the need for civic and voter education regardless of the educational level of the citizens.

References

- Election Update, 2005* (Mauritius), Vol.1
Norms and Standards For Elections in the SADC Region (SADC Parliamentary Forum)
Principles for Election Management, Monitoring and Observation in the SADC Region

DELIMITATION IN MAURITIUS

Selby Matloga and Maureen Moloi

Introduction

The delimitation process is an important aspect of the electoral process. The purpose of the delimitation of constituencies is to ensure that each constituency contains approximately the same number of eligible voters.⁸ Delimitation guarantees the development of smooth voter registration, campaign processes and reasonable political contestation during elections. It is the responsibility of Electoral Management Bodies (EMBs) to ensure that the delimitation process is independent and impartial. This article looks at the technical process as well as the politics surrounding the delimitation process in Mauritius.

The Role, Composition and Nomination of the Electoral Boundaries Commission (EBC)

The process of delimitation is meant to facilitate smooth voting and a fair political race amongst political actors for state governance. The Constitution and electoral laws in Mauritius stipulate which body is responsible for undertaking the delimitation of constituencies during elections period and the concomitant technical requirements. For instance, the following aspects must be taken into consideration when undertaking delimitation: population density, ease of access to transport and communication, administrative and financial capacity of the electoral area.⁹

The Constitution of Mauritius has provided for three independent bodies, namely, the Electoral Commissioner, Electoral Supervisory Commission (ESC) and the Electoral Boundaries Commission (EBC). Each of these bodies has constitutionally designated functions. The EBC, as its name indicates, is responsible for the delimitation of constituencies. While it has a well defined role, it shares its staff with another body, the ESC. The members of the ESC are also members of the EBC. The ESC and EBC structures are comprised of the following members: Mr. Y. H. Aboobaker, C.S.K, S.C: Chairman and Mr. D. Basset, S. C, Dr. C. Yip Tong, Mr. P. Bissessur, Mrs. N. Bundhun, Mr. G. A. Robert, Mr. O. D. Cowreea as members. Miss M. Madhub is the

⁸ Principles for Electoral Management, Monitoring and Observation in the SADC Region (PEMMO), Electoral Handbook No 13 EISA & ECF. 2003 November p14

⁹ Ibid.

Secretary for both bodies. The duties of these two bodies differ. The ESC is responsible for the supervision of the registration of electors for the election of members of the National Assembly. The EBC is tasked to delimit and to review the constituencies and their boundaries. Consequently the EBC's technical duties are to simplify operation of geographical demarcation of boundaries in Mauritius.¹⁰ It is difficult to comprehend why two bodies with two different responsibilities are constituted by the same members.

The EBC chairman is appointed by the President in accordance with the advice of the Judicial and Legal Service Commission and not less than two or more than seven members are appointed by the President acting in accordance with the advice of the Prime Minister. This is tendered after consultancy with the leader of the oppositions.¹¹ It is further stipulated in the Mauritian electoral laws that the EBC personnel is not allowed to be a member of, or candidate for election to the Assembly or any local authority, or be a public officer or local government officer.¹² Moreover, member of the Commission are appointed for a term of five years as per the provision contained in section 38 of the Constitution.¹³

Review of the delimitation of Boundaries

The first delimitation of the constituency in Mauritius took place in 1966. Subsequently, the EBC has thrice reviewed the boundaries of the constituencies, namely in 1976, 1986 and 1999.¹⁴ Under Section 39 (2) of the Constitution, the Electoral Boundaries Commission has the duty to review the boundaries of the constituencies every ten years and to present a report to the National Assembly. However, Section 39 (2) of the Constitution adds that the Commission may at any time carry out a review of the boundaries of the constituencies and present a report to the Assembly if it considers it desirable to do so; the holding of an official census of the population of Mauritius could be such a reason.¹⁵ The guiding principle of delimitation process is that the number of inhabitants of each constituency should be as nearly equal as is reasonably practical to the population number. There are presently 21 constituencies in Mauritius. The island of Mauritius

comprises 20 constituencies and Rodrigues forms the 21st constituency. ***See constituency Table 1 below with number of electors as at 2004.*** Section 5 (1) of the Constitution stipulates as follows: "In order to ensure a fair and adequate representation of each community, there shall be 8 seats in the Assembly, additional to the 62 seats for members representing constituencies, which shall so far as is possible be allocated to persons belonging to parties who have stood as candidates for election as members at the general election but have not been returned as members to represent constituencies".¹⁶ This law aims to ascertain fairly allocated seats in each constituency, not only to the most successful candidates but across presented and appropriate communities, even the minor ethnicities.

Conclusion

In the interest of the integrity of elections, it is of utmost importance that the electoral management bodies be free from any kind of interference from the government of the day or other political parties. The Constitution of Mauritius has provided for an Electoral Boundaries Commission with the purpose to manage the delimitation process. This body has acted as a neutral umpire in the electoral processes. The Delimitation Commission enjoys the moral confidence and political trust of all contestants and other election stakeholders. This is due to the fact that this Commission is insulated from undue political influence from the ruling parties.

¹⁰ EISA Web Encyclopedia, Mauritius: <http://www.eisa.org.za/WEP/mauritius.htm>

¹¹ Ibid.

¹² <http://www.mauritiustoday.com>

¹³ The Constitution of Mauritius Section 38

¹⁴ <http://www.mauritiustoday.com>

¹⁵ The Constitution of Mauritius Section 39

¹⁶ The Constitution of Mauritius Section 5 (1)

Table 1: Constituency boundaries and number of Electors

CONSTITUENCY		
<i>No.</i>	<i>Name</i>	<i>No. of Electors</i>
1	Grand River North West and Port Louis West	37,518
2	Port Louis South and Port Louis Central	23,878
3	Port Louis Maritime and Port Louis East	22,145
4	Port Louis North and Montagne Longue	42,432
5	Pamplemousses and Triolet	51,606
6	Grand Baie and Poudre d'Or	44,907
7	Piton and Rivière du Rempart	38,042
8	Quartier Militaire and Moka	38,257
9	Flacq and Bon Accueil	47,185
10	Montagne Blanche and Grand River South East	44,077
11	Vieux Grand Port and Rose Belle	36,456
12	Mahebourg and Plaine Magnien	33,998
13	Rivière des Anguilles and Souillac	31,118
14	Savanne and Black River	53,002
15	La Caverne and Phoenix	49,537
16	Vacoas and Floreal	40,957
17	Curepipe and Midlands	42,223
18	Belle Rose and Quatre Bornes	40,073
19	Stanley and Rose Hill	36,633
20	Beau Bassin and Petite Riviere	39,405
21	Rodrigues	23,856
TOTAL		817,305

Source: <http://www.mauritiustoday.com>