ELECTORAL REFORM FOR GREATER DEMOCRACY

Women In Politics (WIP) was set up in February 2009 with the objective of attaining gender parity in the number of women elected in Parliament and Local Government in Mauritius. A great step was taken in 2012 in the context of the Local Government Election with the introduction of a gender neutral quota which imposed an obligation to include 33% of either gender in a party list. The result is obvious: we have seen an increase in the number of women from 6% to 26% at Village Council level and an increase from 12% to 33% at Municipal Council level.

There is no ideal measure to jumpstart the greater inclusion of women in politics. We substantiate the necessity of written laws to compensate for the years of historical injustices to women which is subsisting today. The rise of women in politics around the world did not happen “naturally” but was helped by specific laws or through changes in the constitution of a country and political parties.

In that respect, we welcome the proposal for inclusion of women in the Electoral Reform. However, inclusion of women cannot be considered in isolation. We make the following observations and recommendations on the Electoral Reform proposal.

OPERATION OF THE PR SYSTEM

1. We fully support the retention of 3 votes per constituency and the introduction of the PR system. This system will surely correct the disproportion between votes obtained by parties and the number of seats allocated to parties through the FPTP. We suggest the allocation of not more than 16 PR seats which is reasonable given that a ratio of 78 parliamentary seats to number of inhabitants is more than adequate.

2. We are also in favour of the closed rank-based PR list submitted to the Electoral Commission on Nomination Day. The other options, which give the political party or the leader the freedom, after the elections results to choose the names of those who get elected on the PR list, may open the door to all sorts of manipulation and corrupt practices.

3. We understand that a threshold is needed for a party to qualify for seats under the PR system and that a too low threshold will open the door to a situation where we may end up with lots of small parties and thus instability. We insist, however, that the threshold of 10% seems too high.
That threshold would marginalise smaller but strong political parties. We propose a threshold of not more than 7.5% instead to ensure a fairer election process.

BEST LOSER SYSTEM

4. The Best Loser System was introduced to support minority representation. To this day, the system is obsolete. It is impossible for the Best Loser System to be sustainable based on an outdated census and conducting a new census would mean that we are imposing a religious or ethnic tag on each person which is counter-productive in encouraging nationhood. In that spirit, we propose the subsuming of the Best Loser System and encourage responsible politics by requiring political parties to ensure adequate representation of the colours of our society.

OPERATION OF GENDER NEUTRAL QUOTA IN THE FPTP AND PR LIST

5. We strongly support the introduction of a gender neutral quota that would ensure at least one third of candidates presented for the FPTP to be women candidates. We emphasise that this is not a favour being done to women but it is about correcting the injustice to women. Having more women would surely improve the quality of our political agenda and ensure that we make full utilisation of the skill, talents and knowledge of our human resources.

6. However, we insist that the gender neutral quota be applied in relation to EVERY constituency and not a third of the TOTAL number of candidates presented by a party. In short, we recommend that in every constituency, there should be at least one man or woman (1 in 3 formula to be applied). This would ensure equilibrium across all constituencies and avoid a concentration of men or women in certain constituencies only.

7. We support the requirement for 33% of either gender on the party PR list and we emphasise the requirement of having at least 1 person of either gender out of 3 sequential candidates on the closed rank PR list. Any outgoing PR MP should be replaced with the next person on the PR list.

8. There is no mention of the sanction to be applied for not complying with the gender neutral quota. We propose that in case of non-compliance a party list should be rejected by the Electoral Commission. This is the stand taken in the Local Government Election and we insist on the same sanction. We substantiate our opinion by taking the example of France who enacted a 50 percent quota and its law calls for a financial penalty for non-compliance with the quota and many major political parties prefer to pay the financial penalties than comply with the law. We outright reject any potential proposition for financial penalties.

9. Our long term goal is to achieve parity with equal representation of men and women in parliament and we insist on the support of political parties by including this objective in their respective manifesto.

UNCHANGED BOUNDARIES AND SIZE OF CONSTITUENCIES

10. Boundaries and size of constituencies is not an unfamiliar issue but we acknowledge that we cannot introduce all changes at once. We insist on obtaining the commitment of the
government and political parties alike that this issue will be addressed in the future and that a date is agreed in this respect.

NO CROSSING THE FLOOR TO BE ALLOWED

11. We hold the view that an MP is elected in a constituency through FPTP not solely on his or her own merits but also because he/she represents a particular party. Therefore, we propose that if an MP elected through FPTP leaves his/her party, a bye election should be organised. Same applies in case of death or resignation from the National Assembly (except in case of an MP resigning from his/her party and sitting as an independent).

REGULATION AND FINANCING OF POLITICAL PARTIES

12. There is no mention whatsoever of regulation and financing of political parties in the Electoral Reform proposal. Political parties need funding in order to operate yet all parties should be able to compete with the principle of equal opportunity and thus unduly large contributions should be disallowed as they may distort the democratic process. We favour the introduction of specific legal or regulatory provisions on the registration of political parties as separate legal entities with the requirement to produce annual audited accounts setting out where funds are coming from. This should ensure transparency and accountability towards the population.

TERM OF OFFICE

13. Political leaders should put in place a succession plan and ensure that their respective party is constantly renewed with younger recruits. In order to set the example from the top, we urge that the Electoral Reform limits the mandate of the Prime Ministerial position to 2 or 3 consecutive terms. This will bring a sustainable fresh breath of leadership which would benefit our country.

ELECTORAL AND SUPERVISORY COMMISSION

14. Lastly, we turn to the Electoral Commission. We suggest that the Electoral Commission be given stronger powers to supervise and regulate elections. Such powers should include the capacity of the Commission to independently introduce guidelines and codes of conduct regulating elections and political parties and more importantly, to impose appropriate sanctions against any breach of law, regulation or code of conduct.

WIP urges all political parties to work together to bring the much needed electoral reform to fruition. The greater interest of the country should triumph.

Submitted by Women In Politics
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