

**Lalit**

EGALITE LIBERTE LIMANITE LIBERASYON FAM EKOLOZI

**KONT KOMINALISM**  
DAN SISTEM  
**BESTLUZER**

**AGAINST COMMUNALISM**  
**of the BEST LOSER SISTEM**

A Bilingual Program

*This may not be the final version that was printed in May 2005*



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Kont Kominalism dan sistem Bestluzer  
Against Communalism of the Best Loser System

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**Kont Kominalism dan sistem Bestluzer  
Against Communalism of the Best Loser System**

1st Edition

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# Konteni

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## Preface

Communalism, racism, casteism, nationalism, all rise and fall with the ebb and flow of class conflicts. Everybody knows that these ideologies never stand still. In general the more cornered the capitalists are, the more they turn to the ideologies of race, community, caste and nationalism. And the weaker the working class opposition is to this, the more the capitalists can hope, in turn, to succeed in their push to displace class struggle against themselves and political struggle for equality on to the inter-ethnic plane. On this inter-ethnic plane, at best the philosophic aim is to make inequality look more “just”. And it is on this inter-ethnic plane, that conflicts can become a mortal danger to all citizens, especially the poorer, and not just a danger to the owning and ruling classes.

Right now, in this year of a general election, the basic economic crises that the bourgeoisie and the government keep moaning about get worse and worse. And as they get worse, they, in turn, keep producing political crises of all kinds. This context means that the dangers of communalism, racism, casteism and nationalism are upon us.

This is why *Lalit* has launched a campaign against communalism and in particular against the communal Best Loser system, to go hand-in-hand with our campaign for an alternative political economy.

*Lalit*'s action by which our candidates for General Elections draw their community from a hat will probably go down in history as the action that brought about the fall of this iniquitous system of communal best losers.

But let us now look back, in more general terms, at the recent struggles against communalism.

### ***Last major struggle against communalism***

The *Movement Against Communalism* (MAC) twin documents against the Best Loser and against Communal Classification came out at a time when communalism was dangerously on the rise as a direct result of the State's hideously communal “barter”. What was the “barter”? The Government set up two Select Committees in 1992. The Dulloo Select Committee on Oriental Languages and De L'Estrac Select Committee on Confessional Schools reports, and both were made public by December 1993. One Select Committee on how to count Oriental Languages for ranking of pupils moving to secondary school, and in direct “exchange”, the other one allowing the Catholic Church (Roman Catholic Education Authority) to reserve 50% places in its Government-subsidized Secondary Schools and to choose pupils as they wish, and to give only half places for the Government to send children to these schools on the basis of their ranking. *Lalit* members at once knew that it was important to oppose this kind of institutional communalism, this setting “communities” one against the other, and, together with some 15 organizations, we set up MAC.

The MMM-MSM's whole “barter” went bad, of course, just in the way this kind of plot can be expected to. The main very material reason for this was that most people who are supposed (in the imagination of the politicians who thought up this hair-brained scheme) to benefit from including Oriental Languages in exam result calculations do not, in reality, care much about the issue, and this for many reasons. The main reason is, of course, that most children fail anyway, their parents know beforehand they will fail and do not even know or care (quite rightly) on what day examination results will be out. The ranking only concerns 2,000 out of some 30,000 pupils, and the people in their wisdom, know this. Others believe that their children are overloaded for examinations as it is, without adding any other subjects. Secondly, the 50% reserved places is loathed by almost everyone, who *all* firmly believe that they are discriminated against because of it. Half the parents think they are discriminated against for not being of the correct religion, and they do not intend getting baptized to get into a good government-subsidized school. The other half firmly believe that they are discriminated against by the Church authorities on the grounds of their race and/or class, even though their religion should assure

them a place in the “reserved seats”. So, the main reason for the crisis, is that all parents felt doubly discriminated against by the barter from the very outset.

Then, in addition, the whole bad thing started to go *mad* as well.

First the Supreme Court of the land said that Oriental Languages could not be included in the sums for ranking. The same Court said that the 50% reserved places was perfectly constitutional.

So, the State having offered a “barter”, saw it all fall apart, and one supposed “communal side” of the barter got to get both supposed “advantages”.

This was a very unstable situation. And one that had been engineered by the State.

Then, the Privy Council decided otherwise. And made it equally unstable, only in the other direction.

There is nothing unconstitutional, it said, about Oriental Languages being included in the sums for ranking, so long as time is given for those who did not do the subjects before to catch up. But, it said, the Church was not allowed to use discrimination in the choice of pupils to accept in its 50% reserved places.

This represented a total *revirement*. Now, the other “communal side” of the barter was set to supposedly get both “advantages”.

Political alliances were meanwhile falling apart, and Governments disintegrating because of the issue, political leaders accusing each other of being communalist. PTA’s and self-appointed religious groups and those representing teachers with clear workplace interests rallied supporters here and there.

The Government, stymied, then decided to take a leap forwards. There would be no more ranking. And not only that, there would be no more “star colleges” to fight over either. And every child would get education, free and compulsory, until the age of 16. And even more advanced, the Government announced that the mother tongues of children (meaning Mauritian Kreol and Bhojpuri) would be included in schools in written form for the first time.

But, communal injuries remained. And as the economic crisis looms, with the end of both the Sugar Protocol under the Lomé Agreement and the Multi-Fibre Agreement, and as unemployment gets worse and worse, communalism can be expected to become a dire problem once again.

At the time, in May 1995, MAC knew that in order to fight communalism, one has to include in one’s strategy the fight against *communalism in its institutionalized forms*. And the institutionalized form *par excellence* of communalism in Mauritius is the pernicious communalist Best Loser System. This system infects the very democratic process, the National Assembly, the Cabinet, the Prime Ministership, with communalism.

And citizens are forced by the State to classify themselves just to stand as candidates for the National Assembly. A Schedule of the Constitution insists on it, defines four supposed communities, and puts the Supreme Court in charge of classifying people *in the last instance*.

Now, it is time for us to launch a new campaign against communalism and the communal best loser system. We are bringing out this book, a bilingual edition, as a kind of guide to our own members and militants. At the same time we know many others would love to read it, and to use it in their own arguments against communalists and racists.

We have adopted and are publishing the original twin MAC documents, drafted for MAC by Jean Claude Bibi and Ragini Kistnasamy and by Lindsey Collen, plus for the first time, their translations into Mauritian Kreol (done by Rajni Lallah and Ragini Kistnasamy).

We are also publishing a brief historical text written by Ram Seegobin on the background to the communal Best Loser System.

Alongside these, we are publishing *in toto* the Supreme Court Judgment in the *Lalit* case, in which Justice Seetulsing called for the amendment of the archaic law. The Government seems blissfully unaware of this judgment.

We are also publishing a list of direct quotations from the Albie Sachs Report on Electoral Reform, even though the Bérenger Government was so absurd as to exclude any reform of the communal Best Loser system from the Terms of Reference of the Sachs Commission.

We have a final chapter called “other texts” in which readers can find pamphlets, press cuttings and charters that outline the struggle against the communal best loser system.

### ***The Forces Against the Communal Best-Loser Mount up***

As *Lalit* is launching its new campaign against communalism and against the communal Best Loser system, we would like to point out that we are not alone. Over the past 20 years, *Lalit* has gathered support for the idea of doing away with this iniquitous bit of constitutional legislation.

### ***The Supreme Court Against***

After *Lalit's* action of drawing out of a hat which of the four supposed "communities" to put on our Nomination Papers for the General Elections of the year 2000, we were taken to Court by an elector represented by M. Yousouf Mohamed, a long-time and lone supporter of the Best Loser system. He challenged the "community" many of us had filled in, as well as the community filled in by some *Nouvo Lizour* candidates and Tamil Council candidates. In his judgment reproduced *in toto* later in the book, Justice Seetulsingh said:

"Some 33 years after the Constitution was drafted one cannot escape the fact that a common way of Mauritian life has gradually and steadily developed in Mauritius which cuts across communal barriers. This makes it still more difficult for a judge of the Supreme Court ... to determine whether somebody belongs to a particular community by looking at his way of life [which the Constitution requires us to do]. The issue further arises as to how the judge can determine the way of life of a citizen unless he becomes like Big Brother in H.G. Wells' [novel] 1984 and watches how a citizen leads his private life."

Justice Seetulsingh concluded his judgement with an appeal for electoral reform that would get rid of such "defects" in the Constitution caused by the Best Loser system:

"Being given that, in view of the stand taken by the Respondents, it has not been possible for me to look objectively at the way of life of the Respondents to determine their community, I have to confess that our Constitution is lacking in those respects and that this has to be remedied. We understand that a project of electoral reform is on the cards and hope that these defects would be remedied in the near future."

### ***President of the Electoral Supervisory Commission Against***

The late André Robert, said that the elimination of the question on community from the 1982 Census would help eliminate communalism. "The Commission is of the unanimous opinion that it would help considerably to eliminate communalism in not requiring persons in the next census to be carried out next year (1983) to state the community to which they belong." He also said that for the next election, the communal best loser system should either be eliminated altogether or turned into a form of Proportional Representation, where only the under-represented *party* be considered in naming best losers. (Quoted article by Henri Marimootoo, in *Week-End*, 9 April, 2000).

### ***Sir Marc David, ex President of the Electoral Commission against***

In 1999, in an article signed jointly with Pierre Dinan, Sir Marc David took a principled stand against the communal best loser system. (See *Le Mauricien* 18 November, 1999).

### ***Justice Harold Glover, Electoral Commissioner, against***

When the MMM-PSM Government in 1982 asked him his opinion on the question of community being removed from the Census, he said: "... it stands to reason that the whole system of additional seats, should, in my view, be scrapped altogether in as much as such a system is based on pure communalism." (See quote in an article in *Week-End*, 9 April, 2000.)

### ***Mr. Cassam Uteem, President of the Republic Against***

In an article on 5 January, 2004 entitled "Electoral System: A Perversion of Democracy", Mr. Cassam Uteem, ex President of the Republic, said, "No responsible Mauritian citizen would today wish the perpetuation of the Best Loser System. Its elimination has become our common concern."

### ***Political Parties Against***

In addition to *Lalit*, there are a number of political parties that have taken a stand against. First there is *Nouvo Lizour*, whose candidates refused in 2000 to classify themselves. Second there is the *RPR* (See *Le Mauricien* 12 February, 1999) and third the *Mouvement Republicain*

(Le Dimanche 21 February, 1999). Navin Ramgoolam, speaking in the name of the Labour Party at a Media Watch and Gender Links Seminar on 14<sup>th</sup> February, 2005 said that the system should be done away with.

Rama Sithanen, another member of the *Labour Party*, has very strong words against the communal Best Loser System. He stresses the point that the communal Best Loser System was a counter-weight to the idea that the Prime Minister would always automatically be from the “majority” community. Summing up a very strong article against the Best Loser System, he says at the end: “Can the new PM [Paul Bérenger] rise to the occasion and grab the twin opportunities given by his own accession to the supreme political post and the Sachs’ recommendations of a dose of PR to reflect diversity and plurality ... to consign this “archaic, anachronistic, arbitrary, discriminatory, erratic, undemocratic and vexatious provision to history?” (L’Express 6 October, 2003)

### **University lecturers against**

Raj Mathur, Political Science lecturer at the University of Mauritius, is quoted by Rama Sithanen as saying: “the BLS (Best Loser System) is most undemocratic and is incompatible with the spirit and the letter of the Constitution, which stipulates that Mauritius shall be a sovereign and a democratic state.” He also says that “it is certainly an aberration that, when real attempts are being made at nation-building, we are still being saddled with vexatious provisions in our Constitution which in effect institutionalize communalism.” Sheila Bunwaree, lecturer at the University of Mauritius, on 14<sup>th</sup> February, 2005 at the Media Watch workshop also took a stand against the communal aspect of the Best Loser System.

### **Women’s Movement Against**

The *Muvman Liberasyon Fam* has consistently taken stands against the Best Loser System. “It is a system which fattens up communal-religious lobbies quite unashamedly. These lobbies are often at the very heart of anti-woman propaganda,” the MLF said during its campaign against communalism in 1995, when it prepared an anti-communalist “kit”.

The women’s movement has also been very suspicious of the attempts to use the introduction of a Proportional Representation “list”, as a way to weaken the important constituency system, while offering a sop to women.

“Doing away with the communal Best Loser System,” the MLF said in a statement after its Congress just before international women’s day in 2004, “is one of the urgent steps that needs to be taken to do away with impediments to women’s participation in parliamentary democracy.”

As well as the *Muvman Liberasyon Fam*, the new organization *FederAction* has also taken a firm stand against communalism and against the communalist lobbies that plague politics. In an article entitled “Amendement Constitutionnel, *FederAction* veut d’une femme par circonscription” the stand was clear. At the press conference, were Sheila Bunwaree, Pramila Patten, Roukaya Kasenally, Paula Atchia, Dulari Jugnarain, Loga Virahsawmy ek Nita Deerpalsing. Premila Patten said, “*La proposition du gouvernement est une insulte a la dignité des femmes. L’amendement parle d’augmenter lenombre de sieges oui, mais dans la catégorie “Best Losers”, ce qui est discriminatoire des le début! Cela voudra dire que les femmes meilleures perdantes seront représentées a l’Assemblée nationale! C’est inacceptable. Le non retrait de cet amendement de la part du gouvernement serait insulter l’intelligence féminine*”. Sheila Bunwaree added, “De plus, le systeme 'Best Loser' fonctionne sur une base communale. Or, nous sommes également contre le communalisme. Nous voulons une démocratie inclusive, c'est a dire une démocratie qui n'exclut personne sur des criteres communaux, sexistes ou autres”.(Le Matinal Samdi 19 mars, 2005).

In Le Mauricien 17 mars, 2005, Sheila Bappoo, at a Labour Party Women's Wing Press Conference said: “Le GM introduit le sexisme dans la Constitution”. The report continues: “Une autre animatrice de l’aile féminine de Ptr, Marie-France Roussety a déclaré qu'elle a subi, dans le passé, “l’humiliation” d’être une députée *Best Loser*. “*Ena ti mem dir moi de ki droi mo pran la parol dan Parlman!*” Le systeme de *Best Loser*, dit-elle, avait été appliqué dans le passé pour rassurer les minorités dans le pays. “*Aujourd’hui, le gouvernement présente un systeme desuet - que Bérenger lui-meme a combattu toute sa vie - aux femmes du pays, c’est-a-dire a la majorité de la population!*”

Another article in Le Mauricien 14 March, 2005, under the title “Sheila Bappoo (Ptr) “La femme humiliée” quotes Sheila Bappoo as having said “C’est le Best Loser System, critiqué par l’expert sud-africain, Albie Sachs, qui est consolidé. Le communalisme scientifique resurgit.”

In a long interview in *Le Mauricien* 26 March, 2005, titled “La rue pour faire respecter les droits humains fondamentaux”, Sheila Bunwaree says, “Il y a plusieurs choses qui me gênent: premièrement, le langage utilisé dans le projet de loi est *rather confusing*; deuxièmement, l’amalgame qu’on fait avec les *best losers* tels que nous le savons est répugnant. Tout le monde sait que notre Constitution, à travers ce *best loser system*, institutionnalise le communalisme, et l’île Maurice moderne, au lieu d’essayer de s’en débarrasser, cherche à le renforcer. Donc, c’est absolument inadmissible pour nous qui luttons contre le communalisme et pour des droits égaux.”



### **Lawyers against**

Many lawyers have criticized the communal Best Loser system. Most famously is Jean Claude Bibi who was co-author of the MAC document. Very influential was the series of articles written by Michel Ahnee, entitled “République Oecuménique des Tribus” published in *L’Express* 10 April 1995, criticizing what he dubbed the “*Republic of Tribes*”. He scathingly attacked the status-quo definition of Mauritius as a “country made up of a number of communities” as being not only rubbish but dangerously so.

Other less-known lawyers have also been outspoken. In an open letter to Paul Bérenger published in *L’Express* (*L’Express.mu* 4 October 2003), Danielle Lagesse, Attorney at Law, says: “Il serait magnifique aujourd’hui, qu’un Premier ministre, issu d’une famille appartenant à l’une des ‘communautés minoritaires’ que la Constitution visait à ‘protéger’ réussisse à réaliser le dernier vœu de son prédécesseur [referring to Aneerood Jugnauth], quant à l’égalité de tous les citoyens, en faisant, dans ce but, disparaître à jamais de notre Constitution la notion honteuse de ‘communautés séparées’ et ses effets, telle la nomination de ‘Best Losers’ basée sur ce principe désormais rétrograde.”

### **Newspaper editorialists increasingly against**

Gradually all the major newspapers have taken a stand against the communal best loser system.

#### ***Le Mauricien***

Gilbert Ahnee, Editor in Chief of *Le Mauricien*, the biggest daily, has taken a very firm stand against the communal Best Loser System. In an editorial of 11 September, 2000, after the judgement in the *Lalit* case, he says: “un jugement d’un membre de la Cour Suprême qui reconnaît que le patronyme, le phénotype et la mémoire vicieuse d’un éventuel voisin sectaire ne suffisent plus pour nous fourrer, contre notre gré, dans une communauté. Et un des avocats le plus habile à l’art du contre-interrogatoire n’a pu contraindre des mauriciens à révéler publiquement ce qui relève de leur vie privée, notamment la religion qu’ils pourraient pratiquer et la langue de leur ancêtres.”

#### ***L’Express***

Ariane Cavalot-de L’Estrac, editor of *L’Express*, the biggest morning daily, is also clear: “Le pays est appelé à changer. Un Premier ministre qui ne vient pas de la classe majoritaire, une école qui ne doit plus considérer le critère religieux pour l’admission, un débat qui s’amorce sur l’abandon du “best loser system”. (8 October, 2003)

#### ***Week-End***

Journalists at *Week-End*, including both Shenaz Patel (10 September 2000) and Henri Marimootoo (9 April 2000) have taken clear stands against the communal best loser system.

#### ***La Vie Catholique***

In *La Vie Catholique*, Serge Ng Tat Chung says: “Que aujourd’hui La Cour Suprême permet à ceux que l’on identifie comme appartenant à une communauté spécifique de se situer dans une classification différente, permet que l’on s’interroge sur toute la crédibilité du mécanisme de classification en communauté selon la Constitution.

“La question de classification évoquée par le juge (Seetulsing) ne mérite-t-elle une égale considération pour les besoins de révision constitutionnelle étant donné la caducité du système de

reconnaissance des communautés? Cette question mériterait d'être prise dans le contexte d'une réforme électorale qui viserait à enlever ce mécanisme constitutionnel de classification qui, sous prétexte, de sauvegarder la représentation de minorités, accentuent nos divisions ..." (15 September, 2000).

### ***Business Mag***

Even the *Business Mag* has taken a stand. In *Business Mag* Online of 13 March, 2002 we read: "Il est grand temps d'éliminer le Best Loser System de notre système politique, une occasion offerte par la promesse du gouvernement d'apporter des réformes électorales et constitutionnelles."

### ***Sachs Commission***

A number of references in the Sachs Commission to the Best Loser System are put together to form a section in this book. The Report concludes with the important remark, which we wish to emphasise in this introduction: "It is the opinion of the Commission that the Best Loser System has outlived its original purpose and in fact is increasingly becoming counter-productive."

### ***The ESC and the Supreme Court Exasperated***

The Electoral Supervisory Commission has had a great deal of trouble because of the Best Loser system and has often had to have recourse to the Supreme Court for help in elections since Independence. Government Gazette

**Election 11 June 1982** - ESC allocated only the first four seats after a ruling of the Supreme Court

**Election 15 September 1991** - ESC referred to the Supreme Court in order to obtain a declaration from the Court as to whether the four remaining seats should be allocated after the allocation of the first four seats and if so, in what manner

**Election 20 December 1995** - ESC allocated only the first four seats

**Election 11 September 2000** - ESC sought the guidance and ruling of the Supreme Court on the issue of the allocation of the 7th and 8th seat

This is over half the number of times that the ESC has had to allocate best losers since Independence, which only goes to show that the system is completely unsound. Constitutional amendments have had to be introduced so as to patch up the ever-inadequate legislation.

### ***UN Economic and Social Council concerned***

*The United Nations Economic and Social Council in September 2001 notes that "The Working Group [which visited Mauritius] took note of the debate in Mauritius on whether the best loser system ... had outlived its usefulness and should be scrapped."*

### ***Conclusion***

*In Lalit we call on the Government, before the next General Elections, to amend the law once and for all. And we call on citizens to support Lalit in our refusal to classify ourselves.*

*The simplest formula for the Government to follow, at least as an interim measure, is to remove the communal aspect of the Best Loser System altogether at once. This way, Best Losers are named purely so as to re-establish any unbalance in party representation.*

*In the long run, we must all realize fully that it is only when one gives up on the struggle for equality that one turns to the dangerous struggle for proportional representation of inequality.*

*Why give up on aiming at equality?*

*That is our aim. Equality. Equality is what brings justice. Justice is what brings peace. And it is increasing democracy that helps us continue this struggle towards equality.*

*And at the root of our inequality is economic and class inequality that need to be fought tooth and nail at the same time.*

## **REJECTING COMMUNAL, RACE & RELIGIOUS CLASSIFICATION & CATEGORIZATION**

*Lalit* adopted this document which was drafted in 1995 by Lindsey Collen for the Movement Against Communalism. It is a general critique of communalism, with ideas for how to move forward from communalism, towards a non-communal society.

### ***Explanatory Note***

This discussion document has been produced by the MAC “*Sub-Committee on the Best Loser System and Classification*”.

It is also a continuation of the ideas developed at a MAC Seminar on the general subject of racism, tribalism, religious bigotry, casteism; the discussion at this Seminar, which was held at the GTU Centre in Quatre Bornes in May, 1995, was very interesting. Following it, many MAC organizations and individuals publicly took a stand against classification and categorization at the *Anti-Communist Convention and Concert* held on 21st May, 1995. At this Convention a resolution was taken to launch an open discussion on classification and categorization. And that is precisely the aim of this document: to launch a deep process of re-appraisal.

The driving force for this document is the deep concern felt by MAC members about the drift towards another “*bagar rasyal*”. Everyone in MAC feels that the political strategy and tactics adopted to oppose communalism from 1969 onwards, until now, have, in fact, not worked. We have found that all the intellectual and political tools necessary to oppose rising communalism, that we have in the past used, have turned out to be, at best, insufficient.

Thus we have to put into question some fundamental assumptions.

This is what this paper does.

It is a Discussion Paper.

And also, ironically, and without exaggeration, a matter of life and death. As the people of Ex-Yugoslavia and Rwanda, to take only two examples, can unfortunately testify.

There is, in a way, nothing new about what we are saying in this document.

During the time of the race riots, more precisely, on 24th April 1968, for example, twelve chief editors of Mauritian newspapers signed a joint declaration, which we would like to reprint here today:

#### **“Déclaration Commune de Redacteurs en Chef**

“En rapportant un fait, une nouvelle ou une anecdote, il arrive trop souvent et dans tous les secteurs de l'information (de la conversation privée à la presse écrite ou parlée) que la communauté des personnes en cause dans le récit soit citée en manière de précision.

“Il est bien évident que dans la plupart des cas cette précision n'apporte aucun élément additionnel d'information et qu'elle est la conséquence d'une habitude de pensée fortement contaminée par le ‘communalisme’.

“Considérant que les récents et pénibles évènements qui se sont déroulés dans notre pays mettent particulièrement en relief les dangers de cette habitude.

“Estimant d'autre part que depuis un mois à peine la population de ce pays peut enfin se réclamer d'une nationalité unique.

“Nous avons résolu, dans l'exercice quotidien de notre profession, d'éviter l'emploi d'etiquettes communales dans toute la mesure du possible. Nous invitons les autorités et leurs porte-parole ainsi que nos compatriotes en général à repousser comme nous un usage qui est au détriment de l'évolution de la personnalité mauricienne.

(Signed by:)

ADVANCE

M. Cabon

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CONGRESS	B. Gowrisunkur
L'EXPRESS	P. Forget
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MAURITIUS TIMES	B. Ramlallah
La Vie Catholique	F. de la Giroday
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At the time of the “*bagar rasyal*”, just one month after Independence, these chief editors took their responsibility and publicly resolved to stop the infernal process of unnecessary classification and categorization. The Movement Against Communalism commends this resolution.

### ***The Context today***

Today, at the time of Mauritius recently having become a Republic, it is worth taking stock of where we are, in terms of this process of unnecessary classification by community, i.e. on the race/religion divide/s.

There is a cliché that we hear so often, repeated ad nauseam, in a million forms, so often that sheer repetition makes it end up taking on the airs of an actual fact: “Mauritius is a country consisting of different communities”. This sentence masquerades daily as a plain fact and as “the truth”.

Not just as harmless truth either, nor just as objective truth, but often it actually masquerades as “a good thing”. In fact, the offending little sentence often continues with the words “... living in peace and harmony” just to prove what a good thing it all is.

This second bit, about the peace and harmony, is often added with some slight swallowing, because it is recognized by both speaker and listeners for being what it is: vague and wishful thinking. And worse still, it somehow actually gives the lie to the first bit's hollowness: the words “peace and harmony” inevitably bringing up the contrasting vivid images of everyday life: like, angry free zone workers outside a factory gate closed by the bosses, yet another wife beaten dead by her husband, politicians hastily closing down a meeting because of being so harangued by the public, fisticuffs in parliament, riots after road accidents, and yet another young man found dead in police cells.

But as for the “communities” that we allegedly “consist of”, this is something desperately believed to be a known fact. “Desperately” because it has to be asserted all day long, night and day, in everyday life in order to be accepted as true. The minute we stop saying the darned phrase it is as though its truth, and we all know this, will get up and sneak out of the phrase and leave it the empty shell of bad ideology that it is.

And so we continue re-inventing our obsessive classification and categorization, day after day, in everyday life.

The ludicrousness of this reduction of all Mauritians to “communities” or “members of communities” was recently exposed in an excellent article on the subject by Michel Ahnee under the scathing title “République Œcuménique des Tribus” published in *L'Express* (10th April, 1995). It is fitting that the question of what “community” is, should come up in the context of what a “republic” is, directly in the wake of Mauritius' becoming a republic. The concept of “community” is a direct attack on the egalitarian principle of equal citizenship for each individual.

Equally important, it is fitting that the question of community should come up in the context of an apparently sudden re-communalization of society.

Every thinking person has recently had the premonition that another period of senseless communal violence may be on its way. Unless we do something about it. Unless we understand how to stop it.

Everyone knows that the ideology of community and communalism are left over from colonization. We also know that the more self-effacing forms of community-consciousness and communalism are left over, more specifically, from slavery and indenture. Our own Constitution outlines the classification into four categories: Hindu, Muslim, Sino-Mauritian and

General Population. We call ourselves by the insulting terms: “blacks” or “whites”; we categorize ourselves “Hindus” or “Catholics”, right outside the domain of religious practices; we say, these are “Mozambiques”, these are “Muslims”, these are “Maraz”, these are “Mulattoes”, these are “Marathis”; these are “Kreols”, these are “Europeans”, these are “Tamils”, these are “Christians” -- as if we had brand-marks burnt into our arms by slave-traders, slave-owners and indentured labour merchants. And sometimes the terms become those of abuse: “malbar”, “laskar”, “mazambik”, “lera blan”, “nwar fam”, “ferblan”, “chamar”. We know we insult ourselves by this classification. We know that our humanity is what unites us: the scientifically verifiable fact that we are all humans beings.

But this knowledge is not enough to make communalism evaporate.

Facts have difficulty establishing themselves against ideology, if the ideology is re-invented every minute of every hour of every day. For example, class realities that re-impose their objective proofs of actual existence on us every day, cannot, on their own, wipe out communal ideology. The fact that the rich all have one rather similar way of life, and the poor another is eminently verifiable. Any creature from outer space could see it.

In Mauritius there are not even geographically defined “communities”, where boundaries are historically physical. And yet there is the ideology of communities. Nor does language define “community”. There are different languages spoken within one “community”, or the same language shared between different “communities”. This does not weaken the ideology of communities.

We may ask ourselves how this is so. How can an ideological construct be stronger than reality? Everyone knows that history is full of examples that show the tenacity of ideology -- precisely because we all re-produce it constantly ourselves, re-invent it in our daily lives. Even though it is destructive.

Everyone also realizes the dangers of communalism.

We all have access to television and radio, and we all know how communalism has exploded whole peoples into senseless, futile civil war -- from Rwanda to the Lebanon, from India to Ireland, from ex-Yugoslavia to Algeria. People are forced into a classification, and then asked to act from “within” this category. And even faced with a similar spectre before our very eyes in Mauritius, we continue to reproduce the very ideology that can lead, under certain circumstances, so inexorably to our own downfall.

### ***Politics: Community and communalism***

Immediately before Independence, all the political parties on the scene believed in community and in communalism.

They saw these two words, “community” and “communalism”, quite accurately, as part of the same thing.

All the parties of that time believed in the “reality” of community. Party leaders even saw advantage in it. They saw that the delicate balance of economic and class forces would change around the time of Independence -- creating the ideal moment in which political opportunists could get busy propagating ideas about community and communalism, that would help them “get an advantage” (usually a direct economic advantage for their clan) in the change in the balance of class forces.

There are two things to remember about communalism: “Communalism” is always “in self-defence”, of course. There is no communalism which is not “in self-defence”. “Communalism” always has some direct short-term potential economic beneficiary, of course; there is no “innocent” communalism.

The Advance Group, which in fact did a full-scale takeover of the Labour Party, portrayed itself as representing “the Indo-Mauritian Community”; it described how this “community” had been held down by racism and anti-immigrant ideology. A glance at the Advance Statutes makes it quite clear that what the Advance Group really represented was an upwardly mobile petty bourgeoisie that had been blocked by British colonial policies from ascending the professional and white collar ladders, and blocked by a powerful oligarchy and old commercial bourgeoisie from ascending the capitalist ladders. Rather more to do with class than community.

The PMSD vacillated between pretending to represent “all the minorities” and contenting itself with pretending to represent “the Kreol community”. The PMSD was actually against Independence, because this threatened the existing economic scheme of things, and the role of the PMSD in aggravating communal consciousness and in stirring up friction has always been known to have been suspect. The PMSD portrayed all “*Mauriciens*” as being threatened by a

“Hindu peril”, by a wave of immigrants outnumbering the “genuine Mauritians” and threatening to impose “foreign” religions, and even “foreign clothing” on everyone. In fact of course, the PMSD represented the old economic bosses, that is to say the sugar oligarchy and all the import-export monopolies, as well as the petty bourgeoisie already in place. Again, rather more to do with class than community.

The *Comité d'Action Musulmane* categorically, as its name implied, rallied electors around their being “Muslim”; but CAM politics was always to support a section of the Port Louis commercial bourgeoisie. So blatantly class-oriented was the CAM that it was the very first of the pre-Independence parties to start to lose its entire working class base to the newly emerging movement, the MMM. This was from 1969 onwards.

After Independence, the “bagar rasyal” came and exposed the heinous logic of the politics of community and communalism.

In these race riots many people lost their lives, others were raped, others still were maimed, and many, many people injured. Countless had to flee their homes.

This communal violence was never really “worked through”. Those guilty were not brought to trial, nor found guilty. The riots were simply “quelled” by the British army. Order was restored in exchange for no charges being laid. The guilty individuals just skulked around, and have gone on skulking around, until today. Some of them risen to positions of importance and today even speak on public platforms.

The whole senseless conflict was just covered up.

And now, some 30 years later, we are at another one of those important junctures. We are at one of those times when we can expect communalism (race prejudice and religious bigotry mixed up together) to raise its ugly head again.

We are at that moment in history just after the advent of the Republic, and at the very same time in history as the new GATT world order, as defined by the privatization politics of IMF/World Bank. We can expect all sorts of political currents of a communalist nature to get stronger. We can expect the ramparts that stood up against communalism to be weaker.

What has in fact happened, politically, since the time of Independence, since the time of the race riots?

The MMM (in its MMM, MSM and RMM variants) has grown as the ideological leader from 1970 to 1995. And it is the MMM that had the deep commitment from its foundation in 1969 to ending communalism.

What exactly is the MMM's view on community and communalism? How is it that the MMM, which rose up in opposition to communal politics has not succeeded in ending communalism? How is it that, in some ways, these three parts of the MMM (i.e. the MMM, the MSM and the RMM) have become rather ordinary propagators of communal politics? How come the politics of “*Lalit de klas pa lalit de ras*” have once again come full circle to “*lalit de ras*”.

The MMM has had two main ideological positions, which have had a profound ideological effect on us all. These two ideas have almost become part of many people's minds.

Firstly, the MMM has, from very early in its history, maintained that there are two completely different things: “community” and “communalism”.

The MMM has preached that “community” is one thing, a fact, and “a good thing”.

By contrast, “communalism” is quite another thing, and it may be “a bad thing”. A “communalist”, according to this way of seeing the world, is someone who “uses communalism”. This type of circular argument should have made us all suspect that there was a certain hollowness in this view; we should have sensed a certain cowardice in the way in which it avoids the link between community and communalism. In particular, the original MMM view, still hegemonic in Mauritius, says that a communalist is someone who uses communalism to political advantage. This, they say, is the only bad thing. But, by contrast, they have always maintained, and still maintain, that “community” is a plain fact, a psycho-social reality: a form of “identity” which makes people feel secure. Without this identity, this hegemonic view holds, people would walk around feeling insecure. From this definition, the MMM, over the years, has invented an entire political strategy, with all concomitant tactics, based on community, referred to by the enemies of the MMM as “the MMM's scientific communalism”, while the enemies who say this, also use this same kind of communalism.

The MMM, MSM and RMM have, since 1981, worked towards a multi-communalism, even a multi-fundamentalism, as part of their political aim, and their day-to-day political tactics.

Secondly, and this is something the Labour party also believes in, there is an exception. There is a kind of “communalism”, which itself is not bad, the MMM says. This is called

“communalisme de défense”. If anyone uses communalism, even for their own political benefit, it may not be a bad thing, if it is in self-defense, says the MMM. Thus, the Labour Party used Hindu communalism because it was necessary to defend against NMU and the racist ruling class. This was not bad, according to this dominant idea. And when the Labour Party came to power (or the MSM after it), now that “the Hindu community is in power” (Yes, the MMM and MSM are actually trapped into thinking in terms as grossly absurd as these), if other people use communalism, this will be “communalisme de défense” and therefore not a bad thing per se. Thus Paul Bérenger himself could from 1983 onwards take up Gaetan Duval's old refrain about “minorités écrasées” and “minorités persécutées” without it being a bad thing in his mind. The MMM would then consistently use this language, especially as justification for supporting the Catholic Church hierarchy (no matter how reactionary its demands, for example, taking a position against the anti-discrimination GN Regulations) and for supporting the fundamentalist demands for Muslim Personal Law. And then, so as not to be unbalanced, the MMM would also support any Hindu communal lobby as well, and would happily follow Mr. Atal Biharee Vajpayee, BJP leader around Mauritius. The MSM actually organizes separate private meetings with people of different communities.

So much for the MMM as rampart against communalism. Both its erroneous position about “community” and “communalism” not being linked, and its idea that “some types of communalism are a good thing”, have led it to its downfall as a force to oppose communalism. The MMM (particularly in its MSM and MMM variants, but also in its RMM variant) has become communalism personified. Just like the Labour Party and the PMSD before it.

And with the MMM's initial anti-communalist rampart having completely collapsed from about 1981 onwards, communal classification and communal categorization has become rife in the country.

### **Grave Situation**

People refer without a twinge of concern to “the majority community” as though this was a real fact. Other talk of “Hindu power”, for and against, as if it were objective truth. Prime Minister Jugnauth calls for “Hindu unity”, whatever this might be meant to mean. And Labour doyen, Sir Satcam Boolell says that in order to be Prime Minister you must be “a Hindu”, as he puts it. The “Comité Premier Février” puts forward a counter-demand for a “Kreol Vice President”, and “*Minis inportan Kreol*”.

Week after week, the “*Star*” has invented a whole concept: “*la communauté cible*”. A term used sarcastically and mischievously around questions of promotion within the civil service or nominations within parastatals. More recently “Mauritius Times” has invented its own counterpart: “Hindu bashing”. Again the term is used provocatively and sneakily so as to prevent criticism of important personalities, like heads of parastatals, under the guise of the fact that “la grande presse” attacks “hindu” personalities more than it attacks “general population” personalities. Often in *Le Mauricien*, there are editorials which classify individuals by community, often by the rather harsh method of just “naming” them. And 5-Plus has often printed editorials that are gross communalism, classification by sub-community and even by caste, under the pretext of the following type of assumption: “let us say out aloud what everyone is saying in whispers”.

We have even heard the absurd rhetoric that “Catholics pay taxes”. The Catholic Church Hierarchy claims this in its ludicrous arguments to cover up its undefendable discriminatory education policy. We know that smokers and drinkers pay tax (excise tax), buyers pay tax (transfer duties), spectators pay tax (entertainment taxes), consumers pay tax (stamp duty and sales tax), bosses pay tax (company taxes), sugar estates pay tax (export levies), salaried people pay tax (income tax), workers pay tax (employees welfare fund), and even dead people pay tax (estate duty). But Catholics do not pay taxes. We know that long ago the whole of Europe paid taxes to the Pope, but that was done away with 400 years ago. The idea that the category called “Catholics” pay tax, is a communal, and even a fundamentalist, argument.

Recently the RCEA has actually denied that it is guilty of “communalism” when it openly discriminates in favour of “catholic” children. “*La vérité oblige à reconnaître que le troisième critère (catholique) n'est pas non plus une défense communale, car la religion catholique n'est pas liée à une seule ethnité – même si dans le présent, une certaine ethnité constitue la majorité des catholiques à Maurice*” (*L'Express* 9 August, 1995). This is very childish pretence that “catholic” is not a division like “hindu” or “muslim”. It is indeed the case that the Constitution does not define a “Catholique” Community, but it is certainly just as “communalist” to

discriminate in favour of Catholics (sic) as it is to discriminate in favour of Hindus (sic). Any fool can see through this argument of the Church hierarchy, because to discriminate in favour of "Catholic" children means to discriminate against "Muslim" children, "Hindu" children, "Buddhist" or other children.

"Community" is a concept that always includes religious as well as ethnic prejudice and discrimination. "Community" is the word that we have recourse to when the ideology which divides people is not pure racism nor pure religious fanaticism, but a mixture of the two.

In this general atmosphere, the situation has got worse. We have seen a public meeting of Maulanas, for example. On a Friday afternoon, the day chosen carefully, at Plaine Verte, the place also, Maulanas have held public meetings on subjects that went from the initial rallying point of the prophet having been insulted by an article in *L'Indépendant*, and then moving on to questions of nominations, promotions and appointments, and curiously, to the liberalisation of the importation of beef. Intimately involved in the organizing of this movement was an organization called "Mouvement Civic National", a movement which uses the rhetoric of unity "between communities", a rhetoric which depends on division "between communities", and which, according to Impact News, was involved in organizing the hysterical action of burning the *L'Indépendant* newspaper.

This kind of meeting of religious men on political and economic subjects is the beginnings of a new type of fundamentalism. Of course, the Maulanas' going in to politics is partly in reply to the earlier form of fundamentalism that we saw, when the Hisbullah (a political party) uses religion as its rallying cry in politics. The Hisbullah represents an Arabist challenge to the traditional Indian sub-continent culture that exists in Mauritius, and the Maulanas meeting is an even more dangerous counter-offensive, involving religious men grouping people together on religious grounds in order to do politics.

We have seen the opening of Hindu House. It was a most inauspicious opening. The first major news item around the opening of Hindu House was the burning of three newspapers, *L'Express*, *Le Mauricien* and *Le Mag*, at Hindu House during the Holi celebrations, burnt because they are accused of being anti-Hindu newspapers. The second major news item was the setting up of a new "Hindu Business Council" at Hindu House, not exactly a religious sounding organisation. Indeed the Vaish Mukti Sangh has almost split completely in two, around the question of the Hindu House. Mr. Soobrah has gone to great lengths to describe how his participation in the Vaish Mukti Sangh was a purely defensive action, how there was very real caste prejudice within the religion, preventing any non-Brahman priests from officiating, and how his movement has only been in self-defense. Parallel with this, has been the exposure in the Commission of Enquiry in the CWA the way in which tenders are allocated, water bills lowered and debts written off by Mr. Soobrah.

Around the same time period, we have seen Police Commissioner Dayal communalizing and even "fundamentalising", the post of Police Commissioner. We have seen the BJP leader Atal Biharee Vajpayee doing an official state visit to Mauritius as Indian Leader of the Opposition, and then, at the same time, doing the rounds of all sorts of religious organizations. He is leader of an openly fundamentalist party in India, and has succeeded in making a semi-official visit to Mauritius follow the BJP-type patterns. The programming of his visit by Government was a highly communal exercise. The man, himself, then proceeded to make the most inappropriate and positively unacceptable comments on the language politics of Mauritius.

Sir Dayanand Burrenchobay, in an excellently researched article in *Le Mag* . 28 May, 1995, has outlined the way in which an organized Hindu religious movement, the RSS (*Rastriya Swayamsevak Sangh*), which has its roots in India (from 1927 onwards) and is now implanted in Mauritius around the Calebasse organizations, has started to work towards a new form of fundamentalist power. The article in *Le Mag* has named the members of this network in Mauritius: two Ministers (Baichoo, Choonee and Gobhurdhun), three Members of the National Assembly (Gutty, Neewoor, Dayal, Aumeer) para-statal bosses like Daneshwar Soobrah, MBC bosses (Nando Bodha, Anil Soorajbally, and Bijaye Madhoo), ministerial advisors (Dandeo Bahadoor) and the Police Commissioner (Raj Dayal). None of the individuals named has denied the accusation. (In India the RSS is the organization behind the BJP and the other fundamentalist parties; the RSS masterminds and trains fundamentalists -- politically, socially, religiously and even militarily. Its aim is to build a "Hindu Nation" in India and not to build up a sovereign democratic state; it puts emphasis on "culture" for identity, rather than on secular rights. The RSS has been implicated in fomenting communal riots in India from the end of the 1920's onwards. Gandhi described the RSS as a "communal body with a totalitarian outlook"

and even compared it with the Nazis. The second leader of the RSS, Golwalkar wrote “the non-Hindu people in Hindusthan must either adopt the Hindu culture and language, must learn to respect and revere Hindu religion, must entertain no ideas but the glorification of the Hindu nation i.e. they must not only give up their attitude of intolerance and ingratitude towards this land and its age-long traditions, but, must also cultivate the positive attitude of love and devotion instead; in one word, they must cease to be foreigners or may stay in the country wholly subordinated to the Hindu nation claiming nothing, deserving no privileges, far less any preferential treatment, not even citizens rights.”)

This Hindu fundamentalist group in Mauritius seems to have a form of organization very much like the “*Broederbond*”, which was behind the Nationalist Government in South Africa and behind the Dutch Reformed Church in South Africa, promoting the culture/religion of one community through a close network.

This form of fundamentalism, new to Mauritius on any scale, will from now onwards be a major problem for all progressive people in Mauritius to have to counter. No-one who wants to prevent a dangerous communalization of the country can afford to ignore the rise of this new Hindu communalism.

At the same time, the old fundamentalism of French colonial times has remained. It is dangerous. It acts as a permanent detonator of new forms of communalism and fundamentalism. When the Commissioner of Police, Raj Dayal organizes a “Maha Yaj” in the Line Barracks, as he did on 6th August, 1995, we must criticize this, and we must criticize at the same time the annual “mass” for police (and firemen, and judiciary) that the Catholic Church has always organized, since colonial times, when it was the religion of the ruling class. Catholic fundamentalism must have its “invisibility” stripped from it.

When there are Shiwala and Mosque being constructed in Candos hospital (when medical facilities and space are sadly lacking), we must criticize this mixture of religion with secular institutions; but we must criticize the Chapels that already exist at Candos. We should denounce the fact that electro-cardiograms are done in a corridor at the Jeetoo hospital, while there is a religious Chapel next door, in the middle of a secular, health-care institution.

We must work towards either closing down the Chapels or turning them into “*quiet secular thinking rooms for everyone*”; instead, what are we, as a people doing? We are often responsible for putting more and more scarce resources into religions, which are encroaching dangerously into secular space.

There have been communal leaflets distributed to Catholic children for their parents only. There have been a number of big assemblies of “Catholic parents”, and parents of children at “Catholic Schools” at Ste. Helene and Visitation, overlapping with the communalist front “Front pour la Justice au CPE”. All this against a backdrop of a wide communalist movement called the “Malez Kreol”, partly within the Church and partly a more generally political movement, involving parishes and socio-cultural organizations and the church hierarchy itself. There has been the predictable counter-attack which rallies people on communal grounds for the defense of the Oriental languages.

### ***Movement Against Communalism formed***

It was in the general context of this hotting-up of the communal situation and a drift towards what has accurately been described by Ram Seegobin as “multi-fundamentalism” that Movement Against Communalism (MAC) was formed in March, 1995.

There are two ways, in general, that MAC will be combating communalism and fundamentalism.

Firstly, we will be identifying and opposing all institutionalized forms of communalism. Examples of this are the best loser system, communal clubs running first division football, communalist politics, institutional division of music and other art, the state and political parties getting all intermingled with religions, and religions, in turn, giving special services and special places to politicians and state institutions, especially the police. There are important institutional remnants of old fundamentalism, a relic of the past, in the religious control of part of the national education system, and in fundamentalist laws on religion and abortion, while new forms of fundamentalism are fought for: some people want a return to Muslim Personal Law, others work towards the BJP-type fundamentalism where the nation, religion and language all get mixed together unhealthily.

MAC is running an on-going campaign against all these institutional forms of communalism.

Secondly, we will be running an ongoing campaign to reject community-consciousness and communalism. This is not outside of ourselves in institutions, but it is something that we all create every day and re-create again tomorrow by continually classifying ourselves and one another, and categorizing ourselves and one another in terms of race and religion.

This second aim is what this paper is concentrating on.

In brackets, let us make it clear, right now, that we will obviously criticize and denounce anyone who “uses communalism”, whether for political, economic or religious reasons; whether to get tenders, secure nominations, get promotion, or increase government subsidies for social work. But we consider this to be treatment of the symptoms and manifestations of the illness. We also need to attack communalism itself, not just those who use it.

We live in times of privatization. There is privatization going on of all public goods. There is the continual rapacious acquisition by private individuals, their clans and their companies, of goods and services traditionally in the public domain; the IMF-World Bank and GATT push for total privatization of all collective property. In this context, we can expect a great deal of “using” of communalism.

It is like a new “scramble for Africa” in the form of “scramble for ex-public goods”. In ex-Yugoslavia. In ex-USSR. And today in Mauritius.

### ***“Community” and “Race” not facts, but ideology***

“Race” and “community” are ideology. Not fact.

We have to reproduce this ideology, re-invent it, re-create it, ourselves every day otherwise it is not there. The main tool we use for re-creating “community” every day is through relentlessly classifying and categorizing ourselves and others around us. If we stop doing this, community will no longer exist. We keep it going continually ourselves. We classify without ceasing: in every conversation, in school break, in the family, on the shop verandah, around the law courts, in the dispensary queue. We know it is dubious, so we often do it in a low voice.

Even the prescribed schoolbooks in Primary School teach young children how to do communal classification. Just in case their parents had not been communalists.

Before elections, journalists and newspapers and magazines actually print articles that classify electors into communal and sub-communal categories.

If we can challenge, and then reject, this classification and categorization by community, that we perform all the time like a continual ritual, this will be the main way to attack communalism and racism.

While the concepts of “race” and “community” do not exist as facts and are only ideology, “racism” and “communalism” do exist. And racism and communalism have to be systematically opposed. The best way to oppose them is by exposing the non-existence of “race” and “community”.

### ***The history of “Community” in Mauritius***

It is generally accepted that “Mauritius is a country consisting of different communities”, and in general everyone thinks that it is fairly clear and straightforward what these are. People also think that “community” has been a stable reality in the past, and will be a stable reality in the future. Such is the power of ideology.

The facts are quite different. The Census over the years gives an idea of the changes in categorization and classification that have taken place.

<b>Date</b>	<b>Classification used</b>
1735	Frenchmen, born in France or Bourbon African, born in Senegal or Guinea Indian Madagascan
1766	White Freeman Slave
1846	White and coloured Indian

1861	White and Coloured Indian Chinese
1952	Indo-Mauritian Sino-Mauritian General Population
1962	Hindu Muslim Sino-Mauritian General Population

You will notice, if you look at the 6 sets of categories that they are based on quite different assumptions.

In 1735, the classification was clearly based on geography: France, Bourbon, Senegal, Guinea, India and Madagascar.

By 1766, one generation later, by which time slavery had been instituted formally, classification was based on economic status rather more (freeman/ slave), and also, for the first time, on race (white).

By 1846, after the beginning of indenture, geography is again introduced (Indian) and all the rest of people who are not “Indian” are lumped into one group on race grounds (white and coloured). In fact, the indenture system being an economic system, there was a different legal status for immigrants and for Mauritian-born people.

By 1861, there was a new geographic category (Chinese).

It was only in 1952, that we begin to recognise the terms. There are three communities: Indo-Mauritian, Sino-Mauritian, and the General Population. These concepts corresponded to a political situation where the Ralliement Mauricien (which became Parti Mauricien, then PMSD later) rallied “the general population” against “immigrants” (“*fek vini*” or rather more rudely “*pa kone kot sape*”). The Advance Group was founded to “advance” the rising Indo-Mauritian petty-bourgeoisie and it took control of the Labour Party.

It was only just before Independence, from 1962 onwards that we have the classification that we know today. You will notice that for the very first time, religion has entered the arena. “Hindu” and “Muslim” are categories from here onwards. Sino-Mauritian remains a geographical category (i.e. where peoples ancestors are thought to have come from). General Population is the term for “everyone else”, but where the new religious classification accords a certain hegemonic control over the “general population” to the Catholic Church hierarchy.

It is these four categories that the Constitution of Mauritius will finally institutionalize for the calculation of Best Losers (See MAC paper on Best Loser System, *L'Express*, 1st, 3rd and 5th August, 1995) and which are the present state of the institutionalization of communalism.

It was not inevitably destined to be like this.

It could have been any of a hundred different combinations. There is nothing “natural” or “objective” about the definition of each community. It is nothing more than a reflection of the balance of forces between different rising sections of the petty-bourgeoisie relative to the existing bourgeoisie. Everything depended on nothing more than the power-struggle between warring politico-economic lobbies. And it is in this nexus that communalism thrives.

The communalism could have taken any number of different forms, in the “scramble” for power and an economic base.

We could have found classification and categorization, for example, had followed the logic of putative ancestral home: “Marathi”, “Tamil”, “Guinea”, “France”.

It could have been by imaginary race: “African Kreol”, “European”, “African”, “White”, “Indo-African”, “Euro-Kreol”, “Dravidian”, “Coloured”, “Polinesia Madagascan”, “African Madagascan”, etc. Everyone who was “a bit white” could have been considered “white” or everyone who was “a bit black” considered “black”. All this is arbitrary.

Classification could have preferred the “re-invented caste system”, to include: “Rajput”, “Vaish”, “Baboojee-Maraz”, or maybe even closer to the original castes ascribed to people when they came from India as indentured labourers. This, too, is arbitrary.

Classification could have fallen on pure religion: “Hindu”, “Muslim”, “Catholic”, “Protestant” or, to be more accurate, refer to the 45 religions people described themselves by in the Population Census.

Or by language, or imaginary ancestral language: “Bhojpuri speaking”, “Kreol-speaking”, “French speaking”, “Telugu speaking”, etc.

The actual classification institutionalized, or even the forms of classification we use in everyday re-categorization, depend on the balance of political forces. The concept of “community” does not in any way “exist” as a fact. It exists very strongly as ideology.

### ***Now putting “race” into question***

Everywhere in the world where it has been used as an ideology, “race” has been a political tool. For example, in Nazi Germany, one heard a great deal of talk of the “Jewish race”. This was part and parcel of the fascist propaganda designed to find a “whipping boy” to blame economic disaster on in the 1920's and 1930's. In fact, the source of the economic disaster was that capitalist development meant that Germany's lack of an empire crippled the country, specially relative to Britain and France. In reality, there is no such thing as “the Jewish race”. As indeed there is no such thing as any “race”. It is plain ideology. There are people who are Jewish by religion who come from the Middle East, from Africa, from Northern Europe, and from India. There is no “Jewish race”. This is highlighted by the fact that Nazi propaganda had a great deal of difficulty vacillating between maintaining that “everyone can recognize a Jew” (sic), on the one hand, and passing laws to make Jewish people have to classify themselves publicly by wearing a yellow star pinned to their sleeve, so that they could be identified, on the other hand.

In the United States of America, the race category that is used most frequently is “the negro race” or more recently “blacks” or “the African race”. The ideology surrounding this term derives directly from the historical riddle that people had to solve on a daily basis in the United States of America, at the time of its foundation. The Constitution maintains proudly that “All men are born equal” in a system in which “There are slaves”. Constitutional reality versus economic reality. Such a riddle demands an absolutely absurd ideology for people to attempt to stay sane. The absurd ideology, a form of madness in fact, is racism.

In fact, most laws classified slaves on the basis of their economic situation (“in service in perpetuity”) and not on race. Early slaves in America were often Irish and English. But even with economic definitions, there were problems. What of slave children? Are they also slaves? In Maryland, one of the States later to form the USA, they had a law which said a child was a slave if his father was a slave (preferring the usual paternal line). But paternity is always difficult. So after one generation, they changed the law so that the mother of a child determined the economic status of the child. If the mother was free, the child was. If the mother a slave, the child was. Hardly a question of race.

In present-day US, there is still a great deal of classification going on. One of the “races” that ideology is perpetuating right now there, is that there is a “Hispanic” race. The Supreme Court has had a lot of difficulties with this. Hispanic means the Spanish language, but the Supreme Court has accepted that it is a “race” and that Portuguese-speaking people can also be counted as being in it, although they do not speak Spanish, but Portuguese. The Supreme Court is always getting itself tied up in knots trying to see what group is a “race” for the purpose of laws. In the States, there are such different political and historical forces at work in different areas. In some areas, for example, descendants of Swedes are discriminated against quite severely; their ancestors came as indentured labourers. In other areas, anti-Semitism is rife.

In Britain, the term “the Irish race” has for 400 years been heard, and it has justified 400 years of domination, and 400 years of war between “Catholics” and “Protestants”, two religious categories. There also, the conflict has of course had very economically clear roots. And yet people classify themselves and their neighbours by their religions or by “Celtic” or “Anglo-Saxon” physical traits.

In South Africa, until recently, the most cruelly institutionalised form of classification by race existed: apartheid. Even there, races were ideological categories, no more: Whether “white”, “Bantu”, “Indian”, “Coloured”, the Supreme Court judged, the same as the Mauritian Supreme Court does for “community” by the very vague concept of “way of life”. It is true to say that the Apartheid state apparatus had a very difficult job classifying people, and some people were still not classified by the end of apartheid. And perhaps the very idea of a community of “coloureds”, defined by the Apartheid regime is the ultimate proof that race classification is absurd.

Mauritius is perhaps the most flagrant example of the difficulty of finding boundaries for race classification; there just aren't really any definable boundaries. So much so that all "races", except "Sino-Mauritian" are lumped together in the appellation "general population".

### ***Race, the circular argument***

In the past, there have been numerous scientists and social scientists, especially in time periods of rising fascism, who have done studies of all sorts to show up the differences between "races". There are also people who believe in the inherent, genetic difference between different "castes". There are British people who believe in "royalty" as a caste "born to rule". This ideology is so strong that until the dawn of the Twenty-First Century, the royalty cannot be reduced to the level of ordinary citizens. And in Mauritius, we have Goswami Sewtohul, amongst others, who believes that there are differences in the genetic inheritance of different "castes" in Mauritius. But let us look at how scientists or social scientists go about their difficult task of studying race differences.

Suppose that there is an academic that wants to study these differences in, say, the "American Indian race" and the "African race" and the "European race" -- even if only to find the differences in the rate of diabetes, let alone the more pernicious studies like those about supposedly different IQ's. He or she will immediately bump into circular argumentation. (This means the study will be vague, unscientific and pretentious. None of the results of the study will be worth any generalized race classification or categorization of human beings.)

The academic in question, decides to proceed by looking for 100 people of the so-called "Indian American race", 100 of the so-called "African race" and 100 of the so-called "European race". Let us follow his or her work.

He or she goes and looks for the first "Indian American". Say, by looking up names that sound Indian American, on the electoral register. So, our researcher chooses the first Indian-American Hopi-looking name and goes and knocks on the person's door. Our researcher may start with the question "Are you an American Indian?" This question may get a door slammed in the researcher's face, and quite rightly so. But even if the researcher gets around it by asking other questions first, he or she will eventually have to establish if the respondent is in fact an "American Indian". Maybe the researcher will say, "Was your mother an "American Indian"?" The respondent may reply, "Yes, she was a Sioux." To the question, "Was your father an "American Indian", the respondent may reply "I only know my step-father, who declared my birth."

And there's a circular argument. The researcher has chosen someone who he or she thinks from a name is "American Indian", but does not get much further than knowing that the respondent's mother is considered by the daughter to be a Sioux."

There have been two problems already.

First, why did our researcher assume that there is a cut-off point, called "American Indian" which is a "race"? Especially when it is our researcher's aim to find out what defines a "race"? There are many different societies under the general appellation of "American Indian", including Hopi and Sioux. Where did this idea come from in the first place? Why not, for example, assume that "Inca", "Hopi", "Sioux" are each a "race"?

Second, while our researcher can only be fairly sure who someone's mother is, and on this assumption will go ahead and find the differences between one "race" and "another". On what will this be based, other than on rough ideological assumptions about names, appearance, and a vague idea about "way of life".

With the question of "African race" we will find the same problems for our race-conscious researcher.

Africa is a geographical concept, moving from Egypt, Tunisia, Algeria to Cape Town via Namibia, West Africa, Central Africa, and East Africa. Amongst the people of Africa, are peoples of all kinds of appearance: short, tall, pale, dark, all kinds of features. And all of these graduate from one to another.

Africa is part geographical concept (a continent) and part a political concept (the subject of colonial invasion over 400 years). It is absolutely impossible to know who is "African" by just looking at a person. Or even, who is a descendant of an "African". This, too, is only ideology. There are some people on the planet whose skin contains more melanin, for sun protection, specially in tropical regions of the globe, and some people who have less melanin, especially from polar regions. But everywhere, there is a spectrum, a gradual change, and no cut-off point, which the concept of "race", say in the apartheid regime, implied. Even if one chooses the

concept of “Bantu”, as the South African apartheid regime did, the theoretical problem remains the same.

In addition, there is the same problem of sampling, and the same problem of paternity. You can know someone's mother. There is usually social agreement in a neighbourhood that such-and-such a child came from such-and-such a mother's womb. But here also it is not 100% certain; there are adoptions, foundlings, mothers declaring the children of their young girls, and babies swapped in hospitals (like in Indian films). But, say you know the mother, and maybe the maternal granny. Further into the past, our researcher will not know for sure if the great grandmother was considered “African”. No father or grandfather will be known for sure either. So, once again our researcher will have to make do with his or her own prejudices, guesses and people's assumptions about “race”.

The “European race” produces all the identical problems.

From Southern Italy until Northern Norway, from the Chinese borders to Indian and the Middle East, to Cornwall. Everywhere are gradations. More differences between people of the “European race” than between the assumed category and other “races”. In any case, for over 400 years, there have been substantial migrations into Europe from Africa, India and the Middle East. Not counting ancient migrations.

In addition, for all research workers, there is the eternal problem of paternity. You can, of course, technically and scientifically speaking, check paternity (if the father and grandfather are alive), but it would certainly not be ethical. And further back than grandparents would be impossible, even with a fascist regime to support research.

So, we have to ask ourselves the question, what it is that makes us put it into our heads that “race” is important? Why do we “believe” in it? Why go on reproducing the ideas? Why go on propagating the hollow beliefs? Humans have a myriad of identities: any one person can conceivably have all the following identities: a woman, a cyclist, a deeply religious person, a mother, a singer, a factory manager, a gardener, a descendant of a sailor, a stamp-collector, a surfer, a story-teller, a big-eater, a political activist, a good cook. We can all choose which of our own identities we put emphasis on, and we can choose which of other peoples' identities we put emphasis on. In MAC, we believe that we should put emphasis on those identities which are creative and on those which bring progress for humanity. By contrast, those identities which tend to bring destruction and which go against progress, should not be actively encouraged -- especially outside of the field of activity directly concerned.

### ***“Race”: ideology used by the extreme right, and also by centrists***

We have shown the interest that the right-wing regimes have in using “race” and racism for their political ends. From Le Pen to the PMSD, from Apartheid regime to Nazism, from the Klu Klux Klan to the National Front, they all rally people against an “external” threat from some “race” (or “culture”) that is invading or weakening the nation.

But what is more difficult to recognise, is the way in which in the United States and Europe, especially, there are centrist movements, posing as enlightened movements, which have persisted in using communal and race classification, in order to supposedly end communalism and racism. Many people influenced by these movements have recently been “coming back” to live in Mauritius with all the ideological arguments of this centrist movement. Dr. Rajabally, who writes in the Star, produces ideas typical of this virulent strain of communalism (see Star, 6th August, 1995).

The political aim of these centrist movements must be clearly seen: they want to redistribute inequality, not to eradicate inequality. At the very most, they want inequality to be redistributed equally amongst the categories they say exist. But, basically, they want the inequality to remain. So long as people, including ourselves, remain satisfied with this puny aim, this cowardly aim, this thinly veiled immoral aim, then there will be the propagation of race and communal classification.

In Mauritius, in general, the concept of “race” has been used mainly by the right wing. In the first place, to justify slavery, then to continue justifying inequality after abolition. “Anti-African” racism is still rife in Mauritius.

Anti-Indian and anti-Chinese prejudice followed indenture, and persist until today.

Anti-white racism has also been used mainly by the more right-wing politicians, and still is until today.

In addition, it is strange but true, that in Mauritius, where there is almost no-one of the Jewish faith present at all, there is a strong anti-semitic ideology amongst many people. Re-created day

after day. This really is a proof that “race” is an ideology and not a fact -- anti-semitic racism exists in the absence of the “Jewish race”.

Race has recently been the rallying ground for the “*Malez Kreol*” movement. The *Comité Premier Fevrier* came forward with a list of grossly communal demands, including:

- \* That a “Kreol” become President of the Republic.
- \* That there be adequate “Kreol” representation on political parties' lists of candidates.
- \* That “Kreols” be named at the head of important Ministries.
- \* That there be a number of “Kreol” ambassadors.
- \* That there must be a “Kreol” representative, and access to the Presidency of the Public Service Commission, the Police Service Commission and the LGSC.

As if to highlight the irresponsibility of this kind of communalist platform, Gaetan Duval soon became spokesperson, and announced that if he, himself, was president (“in the long run”, he specified, being slightly more polite than the Comité Premier Fevrier was, to the incumbent), if Herve Duval went to the PSC, if his sister was made Ambassador, and if his son was made an important minister, then the “Malez Kreol” would disappear. And, of course, the PMSD has directly benefitted from this campaign, getting into Government.

As if Gaetan Duval was reminding everyone that those “in power” at any one time, are only a few clans.

Later, spokespersons of the *Comité Premier Fevrier* also started to militate for “Kreol” best losers, and for the creation of a new “community” for the purposes of best losers. (For analysis of the best loser system and its anti-progress dynamics, we refer readers to the MAC document on the best loser system, *L'Express*.)

Recently, there are groupings of people on purely race criteria, in the wake of the “Malez Kreol” movement. Again, the demands of this movement have quickly been of direct benefit to the PMSD.

## **Religion**

The Constitution of Mauritius is clear about it: “*Mauritius shall be a sovereign democratic State*”. This means that Mauritius is not a religious state anymore, as it was, technically speaking, prior to the advent of the Republic; the Queen, as old head of the Mauritian state, was also head of the Church of England. We are at last free from this religious hold on the state.

Even in modern times, religion, as Philippe Forget pointed out in an important editorial in *L'Express* 26th April 1995, is often not freely chosen. It is, in general, imposed on young people “*sans recours a la légitime défense*”, in different ways by different religions. The ideal of a religion freely chosen by adults (or by mature young working people) is still very far away.

Our Constitution guarantees freedom of conscience and says that “..no person shall be hindered in the enjoyment of his freedom of conscience, and for the purposes of this section, the said freedom includes freedom of thought and of religion, freedom to change his religion or belief, and freedom either alone or in community with others and both in public and in private, to manifest and propagate his religion or belief in worship, teaching, practice and observance.” MAC from our founding document onwards, believes in freedom of conscience, and we defend every citizen's right to the religious beliefs or thought of his or her choice.

All religious classification which takes place outside of the sphere of religion, is dangerous. And in Mauritius, this is at the very heart of communalism: communalists are always seeing people as a “Hindu”, “Catholic” or whatever.

For example, our Constitution, for the purposes of the Best Loser system, has recourse to religious classification, which together with race classification, makes up the grid that is unique to Mauritius's own communal classification. In MAC, we are against the Best Loser system for this reason.

As Father Sullivan mentioned recently, only some 20% of people who were baptised Catholics are “practising Catholics”; the figures are similar or lower for most religions in most places at most times, if one takes as “practicing” meaning a minimum qualification of, say, more than one activity a week. To then call people by this religious “identity” when they go and wash clothes at the river, or vote, or play volleyball, or work in the free zone or go to prison, is patently absurd. This is the kind of classification by religion (or race) that we object to.

## **Communalism: rallying people against progress**

All rallying of people on race-and/or-religion (i.e. community) goes counter to progress. It is a process that automatically implies classification and categorization. It perpetuates a kind of apartheid. And it, inexorably, perpetuates inequality.

We must learn to recognize this ideology and to oppose it.

All forms of race and communal classification and categorization are not only absurd but potentially dangerous.

In Rwanda, Yugoslavia, the Lebanon, Ireland, Algeria and India, where civil wars are communal wars, such wars are only possible because of the daily re-creation of classification and categorization there. People accepted and perpetuated (for a host of reasons) the process of classification, instead of opposing it.

It is worth pointing out that in all the above examples, there is a religious element involved in the conflict, as well as a racial, national, cultural or tribal element.

In Rwanda there has been the ongoing problem of Confessional Schools dating from the monopoly that the Vatican gained in 1907 from the German colonizing power, and in 1923 from the Belgium government which got control after World War I.

In Yugoslavia there has been a very active conflict involving the Catholic Church, the Orthodox church and Islam.

In Lebanon, after years of being a conflict between “Christian” and “Muslim” forces, it has splintered into conflict between different militias within these religions, as well as “between” them.

In Algeria, there has been the rise of Islamic fundamentalism.

In Ireland, the conflict has been religious, at least in part, as it is in India.

In all societies where there is a legacy of slavery and indenture, the problem of race and community is bound to be a serious one. We have the tendency to continue justifying inequality in terms of race and community. In the colony of Reunion, there are the shocking terms “*Kaf*”, “*Malbar*”, “*Zorey*”, “*Zarab*”, etc. And in Mauritius as well, even though in hushed tones, shame rising in our voices, we also use these terms. “*Pa met mwa lapolis, mo zis enn ti-Malbar pe rod mo lavi*”. “*Donn mwa enn kudme, mo zis enn ti-Kreol*.” “*Pa kit u motosiklet divan mo laport, u kone bann x, y, z par isi ki manyer ete* (referring to people of his or her own community).”

When we talk this way, we are, of course, showing lack of esteem for ourselves. We are pretending to accept the logic of the continuation of slavery and indenture, when we have to beg for the odd favour from the bosses, instead of demanding our rights, with our heads held high.

In Mauritius, the situation invariably gets worse when there are threatened new “fissures” within existing ideologically determined communities. As though the old “war lords” find the fissures a threat to their continued rule, and have to hot up a new external threat to “the community” in order to keep power over their “flocks”. The new communalist leaders try to split of a new “group” to lead. The “malez Kreol” threatens to split apart one “community”. The Vaish movement another. The Hisbullah another.

The war lords, community leaders, genuinely feeling their community weakened and under potential attack, react by attacking another community. The community leaders of this other community then re-react against the supposed attack. Communal alliances get forged.

Oriental versus the rest.

Minorities versus the majority.

One religion against another.

One colour against another.

One caste against another. Ad infinitum.

All this is communalism.

Then, one sad day, all this conflict goes and coincides with the interests of an ordinary street-gang in conflict with another ordinary street-gang. And then the stage is set for the war.

And this is what we refer to as the communal dynamics. One thing leads to another, which leads to another, which then leads to another -- each reaction, always a defensive one, and always making us all, like the Gadarene swine, head for a cliff, representing communal or race war.

Thinking people have no right to just follow such dangerous events. We have to reject classification altogether.

We have to reject classification in institutionalized forms, reject community being used as a category by politicians, by professionals, by those seeking contracts and tenders, by religious leaders, by those seeking nominations and appointments, by those seeking promotion, by academics, by petty-bourgeois leaders, by merchants, by vote-seekers, and by ourselves.

We also have to oppose racism. We have to expose the past exploitation and oppression of slavery and indenture. We have to expose present exploitation of wage labour. We have to see where our feelings of anguish, insecurity, pain actually come from. Insecurity at work, lack of democracy in the economy, over-crowding in housing, fear of not getting a good school, fear of not getting good health care, compulsory overtime, low wages. These are the real sources. And they are the legacy of a cruel colonial and capitalist economy.

It is important to remember the facts. There are many poor and powerless people in the working classes in Mauritius. From the barren hillsides where the Vallee Pitot “ti-marsan” live, to the poverty-stricken areas in Kan Yolof and Ros Bwa, from the forgotten Dan Kan, and generalized rural poverty to the overcrowding in sité houses. You have just to know the wages in the free zone, for agricultural labourers, for domestic workers, to know how much poverty there is in Mauritius. It cuts right across society: over half of Mauritians live under the poverty datum line. This is unacceptable.

Worse still. In the face of this, there is massive wealth. A few hundred families still control most of the land, the sugar mills, and most of the capital in tourism, industry, commerce, insurance and banking, import-export, and control all private sector top jobs. The Government has privatized the little common property there was, and is further privatizing. There has been a mad “scramble” for the newly privatized means of production; and it is this scramble that has made and is continuing to make all forms of communalism go beserk.

There are whole social classes that cry out for “equality”. There are political currents that are working for equality for everyone. We are amongst those.

There are also some ambitious petty-bourgeois individuals and groups that want to pull themselves and their clans up into the bourgeoisie. They make cynical use of the genuine exploitation and oppression of the working people to build up tensions; then they cleverly offer a way out of conflict: nominations for themselves, money for their organizations, tenders for their clans, etc. This is an age-old dynamic.

But a very dangerous one.

We can halt it. Our power to halt it lies in the fact that it inevitably leans on communal classification. We can, like the Redacteur en Chef did in 1968, resolve not to go on with the infernal process of classification and categorization. But this alone is not enough.

In order to make progress, we will have at the same time as we oppose community consciousness, to take the political decision to work towards “equality” and not just towards redistributing inequality by proportional representation. (How absurd to demand the same number of homeless in each “community”, same number of prisoners in each “community”, same number of over-paid employees in each “community”, same number of *tablisman* owners in each “community”, same number of labourers in each “community”, same number of unemployed in each “community”.)

We must demand nothing less than equality.

And then we have a choice as to what to celebrate about life. We have the choice: we can choose to celebrate our universal “humanity”, and work for the good of the whole of humanity.

We have the choice as to whether to contribute our effort, part of our income, our time, our love and care to non-communal organizations and activities -- or not.

We have to make this choice.

MAC Sub-Committee on Best Loser and Classification  
October, 1995

(Prior to the Supreme Court judgement  
on the question of oriental languages and ranking  
which led to the recent crisis.)

## **PU KI REZET KLASIFIKASYON E KATEGORIZASYON KOMINAL, RASYAL E RELIZYE**

*Lalit* ti adopte sa dokiman la. Li ti drafte par Lindsey Collen pu Muvman Anti-Kominalism an 1995. Li enn kritik zeneral kont kominalism, avek enpe lapist lor kimanyer sorti depi langrenaz kominalist.

### **Expplikasyon**

Sa dokiman finn prepare par “Sukomite lor Sistem Bestluzer e Klasifikasyon”.

Li usi enn kontinyasyon bann lide ki ti finn developpe dan Seminar MAK lor size rasism, tribalism, soviniism relizye, kasteism an zeneral. Sa diskisyon interesan ti fer dan Seminer kot GTU Centre, Quatre Bornes an Me 1995. Apre seminer, ti ena Konvansyon e Konser Anti-Kominalist le 21 Me 1995 kot plizyer lorganizasyon ek individi mam MAK ti piblikman pran pozisyon kont klasifikasyon ek kont kategorizasyon. Dan Konvansyon, ti pran enn desizyon pu lans deba lor klasifikasyon ek kategorizasyon. Se zisteman bi sa dokiman-la: se pu kumans prosesis pu enn re-evalyasyon an profonder.

Sa langwas terib ki ena enn deriv ver enn lot “bagar rasyal” li lafors moter deryer sa dokiman-la. Tu mam MAK santi ki stratezi politik e taktik adopte depi 1969 ziska zordi pu opoz kominalism pa finn marse. Nu finn konstate ki tu zuti danaliz e zuti politik ki nu finn servi dan lepase pa sifi.

Alor, nu pe bizin remet an kestyon sertin fondman lor lekel bann analiz ti baze.

Se zisteman rol sa papye-la.

Li enn papye pu diskisyon.

E usi, san ekzazere, ironikman li enn kestyon lavi-lamor. Pu pran zis de lexanp, kuma lepep dan Ex-Yugoslavi, dan Rwannda kapav malerezman temwanye.

Dan enn sertenn fason, pena nanye nuvo dan seki nu pe dir dan sa papye-la.

Par examp, dan lepok bagar rasyal, pli ekzakteman le 24 April 1968, 12 Redakter-an-sef bann lagazet dan Moris ti siyn enn deklarasyon konzwen ki nu pu kontan reprodwir isi:

#### **“Déclaration Commune de Rédacteurs en Chef**

“En rapportant un fait, une nouvelle ou une anecdote, il arrive trop souvent et dans tous les secteurs de l'information (de la conversation privée à la presse écrite ou parlée) que la 'communauté' des personnes en cause dans le récit soit citée en manière de précision.

“Il est bien évident que dans la plupart des cas cette précision n'apporte aucun élément additionnel d'information et qu'elle est la conséquence d'une habitude de pensée fortement contaminée par le 'communalisme'.

“Considérant que les récents et pénibles évènements qui se sont déroulés dans notre pays mettent particulièrement en relief les dangers de cette habitude.

“Estimant d'autre part que depuis un mois à peine la population de ce pays peut enfin se réclamer d'une nationalité unique.

“Nous avons résolu, dans l'exercice quotidien de notre profession, d'éviter l'emploi d'étiquettes communales dans toute la mesure du possible. Nous invitons les autorités et leurs porte-parole ainsi que nos compatriotes en général à repousser comme nous un usage qui est au détriment de l'évolution de la personnalité mauricienne.

(Sinye par:)

ADVANCE

LE CERNEEN

LE CITOYEN

CONGRESS

L'EXPRESS

L'ORAGE

M. Cabon

H. de Sornay, R. Olivier

C. Banharally

B. Gowrisunkur

P. Forget

M. Céleste

STAR  
BLITZ  
LE DIMANCHE  
MAURITIUS TIMES  
LA VIE CATHOLIQUE  
MBC/TV

R. Boolaky  
H. Edoo  
R. Nauvel  
B. Ramlallah  
F. de la Giroday  
P. McGaw

Pandan “bagar rasyal”, zis enn mwa apre Lendependans, sa 12 redakter an sef finn pran zot responsabilite e piblikman pran langazman pu aret sa prosesis infernal pu klasifye ek kategoriz dimunn initalman.

### **Kontex zordi**

Zordi, kan Moris inn fek vinn Repiblik [NR Sa dokiman ti pibliye an Oktob 1995], li neser ki nu analiz kot nu ete anterm sa sistem klasifikasyon inital par kominote. Setadir lor baz ras/relizyon.

Ena enn klise ki nu fatige tande dan enn milyon diferan fason. Afors finn repet li, li finn gayn enn sanblan enn fe: “Moris enn pei kot ena diferan kominote”. Sa fraz-la tulezur rod pas pu enn fe, li rod fer krwar li sanse laverite.

Anplis, li napa zis rod pas pu enn verite inosan ni zis enn verite obzektiv me li usi rod fer kwar ki li “enn bon kitsoz”. Me an fet, sa ti fraz blesan byin suvan akonpanye avek parol kuma: “... ki viv dan lape ek dan larmoni” zis pu pruve ki li swadizan enn bon kitsoz. Sa dezyem but lor lape ek larmoni, azut sa parol la avek inpe ezitasyon parski e dimunn ki pe koze e dimunn ki pe ekute kone ki li enn koze byin vag sa. Li pe plito dir seki tya swetab. E pli pir, li expoz sa premye but manti: “lape ek larmoni” rapel nu kimanyer lavi tulezur derule; travayer zonn frans ankoler divan geyt lizinn akoz patron finn met kadna; enn fam bati a mor par so mari; politisyen kloz enn miting piblik akoz dimunn pe tro piston zot avek kestyon; kutpwin-kutpye dan Parlman; rayot apre aksidan larut e ankor enn zenn zom truv lamor dan kaso lapolis.

Sa koze ki dir ki li enn fe koni ki sanse Moris konpoze de kominote, li pa tini lor naryen ditu. Telman li pena okenn baz verite ki bizin repet sa koze tut long lazurne, lanwit-lizur, tulezur pu ki li aksepte kuma enn verite. Moman ki nu pu aret dir sa parol modi, nu tu kone nu pu expoz enn lakok vid ek nu pu anmemtan expoz so move konteni ideolojik.

Alor nu kontinye zur apre zur, dan nu lavi tulezur san relas, re-invant nu klasifikasyon e kategorizasyon.

Michel Ahnee so lartik, “République Œcuménique des Tribus” pibliye dan *L'Express* (10 Avril 1995), finn expoz kuma li ridikil pu redwir tu Morisyin an kominote. Kan Moris fek vinn enn repiblik li so moman pu get kestyon ki “kominote” vedir dan kad enn “repiblik”.

Konsep “kominote” li enn atak direk lor prensip egaliter, enn atak direk lor enn sitwayennte egal pu sak individi.

Li osi tom byen ki sa kestyon kominote pe suleve dan enn kontex kot ena enn persepsyon ki lasosyete pe re-kominalize.

Tu dimunn ki reflesi ena enn presantiman ki pe al ver enn peryod vyolans kominal irasyonel. Amwens ki nu resi anpes sa. Amwens ki nu konpran kuma pu aret sa.

Nu tu kone ki ideoloji kominote ek kominalism zot restan kolonizasyon. Nu osi kone ki konsyans kominal ek kominalism dan so form maske, zot bann sekel ki sorti depi lesklavaz, depi langazman. Mem Konstitisyon Moris dekrir klasifikasyon an kat kategori: “Hindu, Muslim, Sino-Mauritian and General Population”. Nu apel numem par bann term insiltan: “nwar” ubyin “blan”; nu kategoriz numem “Endu” u “Katolik”. Mem ziska andeor pratik larelizyon. Nu dir, sa bann “Mozambik”, sa bann “Mizilman”, sa bann “Maraz”, sa bann “Milat”, sa bann “Marati”, sa bann “Kreol”, sa bann “Eropyen”, sa bann “Tamil”, sa bann “Kretyen” – kumadir sakenn dant nu ena nom enn marsandiz ki marsan esklav, propriyeter esklav e marsan travayer angaze finn stampe avek feray so lor nu lebra. Ena fwa sa bann term zot vinn ofansan: “malbar”, “laskar”, “mazambik”, “lera blan”, “nwar fam”, “ferblan”, “chamar”. Nu kone nu pe insilte numem par sa kalite klasifikasyon. Nu kone ki se nu limanite ki inir nu. Syantifikman enn sel fe ki vre: nu tu enn et imen. Me zis sa konsesans-la pa sifi pu fer kominalism disparet.

Enn fe zis par li tusep pa pu kapav mat ar ideoloji, sirtu si sa ideoloji-la li pe re-invante sak minit, sak lerdtan tulezur. Par examp, realite de klas ki tulezur donn nu prev obzektiv ki li vmem ekziste, par li tusep pa pu kapav fer kominalism disparet. Li enn fe ki tu dimunn ris ena

enn stil lavi plizumwen idantik e tu dimunn mizer ena enn lot stil lavi. Sa nu tu kapav verifeye li. Nimport ki kreatir depi lespas pu kapav truv sa.

Dan Moris, “kominote” pena mem enn baz zeografik, kot frontyer ki separ bann pei ena enn lekzistans istorik, fizik. Malgre tusala ena ideoloji kominote. Langaz pa determinn kominote nonpli. Ena “kominote” kapav koz plizyer langaz ubyin plizyer “kominote” partaz enn mem langaz. Sa usi pa afebli ideoloji kominote.

Nu dimann nu-mem kifer sa kumsa? Kimanyer enn fabrikasyon ideolojik kapav pli for ki realite?

Nu tu kone ki listwar ranpli avek lezamp ki demontre kuma ideoloji tenas – sa li zisteman akoz nu tu nu pe san relas re-prodwir li, re-invant li, dan nu lavi tulezur. Mem si li destriktif.

Anmemtan, nu realize ki danze kominalism ena.

Nu tu ena akse a radyo, televisyon. Nu tu kone kimanyer kominalism finn antrenn ena lepep dan lager sivil irasyonel ek inital – depi Rwannda ziska Lebanonn, depi Lend ziska Lairland, depi ex-Yugoslavi ziska Lalzeri. Fors dimunn rant dan enn klasifikasyon e lerla fer zot azir depi “andan” sa kategori-la. Mem kan nu pe truv mem vizyon orib divan nu lizye dan Moris, nu kontinye reprodwir sa mem ideoloji ki riske antrenn nu lafin si sertenn kondisyon reyni.

### **Politik: Kominote ek Kominalism**

Zis avan lendependans, tu parti politik alepok ti kwar dan kominote ek dan kominalism.

Pu et plis presi, zot ti truve ki sa de mo “kominote” e “kominalism” vedir mem zafer.

Tu parti alepok ti kwar dan “realite” kominote. Lider parti politik ti mem truv enn lavantaz ladan. Zot ti truve ki balans kritik ant lafors ekonomik ek lafors deklas pu sanze otur lepok lindependans. Kan pe ena sa sanzman dan balans de fors, bann politisyin oportinis truv li moman ideal pu fann propagann lor kominote ek kominalism pu ki zot gayn “enn lavantaz” (byin suvan enn lavantaz ekonomik direk pu zot klan).

Ena de zafer pu rapel lor kominalism: “Kominalism” li tultan fer sanse pu defann kont latak, an swadizan “selfdifenns”. Kan get byen, “kominalism” tultan permet gayn kit lavantaz ekonomik dan kurterm Kominalism “inosan” pa ekziste.

Grup *Advance*, ki ti anfet pran kontrol total lor Parti Travayis, ti proklam limem kuma reprezantan “Kominote Indo-Morisyen”; zot ti dekrir kimanyer akoz rasism ek ideoloji anti-imigran, sa “kominote”-la pa finn reysi avanse. Enn kudey lor Ruls *Advance* fer li byin kler ki Grup *Advance* ti reprezant zintere enn ti-burzwazi ki ti bloke de kote. Enn kote politik kolonyal Britanik ti pe anpes bann profesyonel monte dan bann post kol blan. E lot kote oligarsi pwisan ek enn ansyen burzwazi komersyal ti pe anpes ti-burzwazi vinn bann kapitalist. Sa pa ti ena nanye pu fer ek kominote, li ti plito ena pu fer avek klas.

PMSD li, li ti vasiye ant pretann li reprezant “tu bann minorite” e lerla sanse reprezant “kominote Kreol”. PMSD ti anfet kont Lindependans parski sa ti menas puvwar ekonomik anplas. Azute ar sa, PMSD finn tuletan ena enn rol supsonab dan agrav konsyans kominal e kree friksyon kominal. PMSD ti fer kwar ki tu “Morisyin” ti menase par “peril Endu”. Li ti dir ki kan vag imigran depas nomb “Morisyin otantik”, pu inpoz relizyon etranze ek labiymen etranze lor tu dimunn. Anfet, PMSD ti reprezant lentere ansyen puvwar ekonomik setadir oligarsi disik e monopol enpor-expor ek lentere ti-burzwazi ki ti deza an plas. Ankor enn fwa, sa li akoz klas plito ki akoz kominote.

Comité d'Action Musulmane, kuma so nom mem dir li ti kareman ralye elektek lor baz zot apartenans a kategorizasyon “Muslim”. Me, CAM so politik finn tultan an faver enn seksyon burzwazi komersyal dan Porlwi. CAM ti telman ena enn oryantasyon de klas an faver burzwazi komersyal dan Porlwi ki li premye parti parmi bann parti avan lendependans pu perdi totalite so baz uvriye kan sa nuvo muvman MMM ranforsi. Sa li kumanse depi 1969 vini mem.

Apré Lindependans, “bagar rasyal” vinn expoz lozik orib politik kominote ek kominalism.

Dan bagar rasyal buku dimunn finn truv lamor, ena finn vyole, ena finn perdi lame e buku buku ankor inn blese. Ankor pli buku finn kit zot lakaz sove.

Sa vyolans kominal-la, zame pa finn afront seki li vedir ek travers li. Pa finn ena purswit kont seki kupab e pa finn ziz bann kupab. Larme Britanik ki ti aret bagar. Ti retabli “lord” an esanz pu ki pena okenn purswit. Seki ti kupab ti zis mars-marse libreman a lepok ek ankor pe mars-marse libreman zordi.

Ena finn vinn bann dimunn inportan e zordi zot pe mem pran laparol lor platform piblik.

Sa konfli irasyonel-la finn zis kit li kumsa, aret koz li.

E asterla, 30 banane plitar, nu kot enn lot turnan inportan. Nu dan enn sa bann lepok kot nu kapav predir ki kominalism (enn melanz prezize rasyal e soviniism relizye) pu lev so latet ankor enn kut.

Nu dan sa moman listwar kot fek ena proklamasyon repiblik e dan sa mem moman dan listwar pe ena nuvo reglemantasyon GATT pu dominn lord mondyal kuma nu pe truve dan politik privatizasyon FMI/Labank Mondyal. Dan enn lepok parey, nu kapav atann ki pu ena enn ranforsisman tu kalite kuran politik kominal kan miray ki bar kominalism finn afebli.

Ki finn an fet arive politikman depi Lindepandans, depi “bagar rasyal”?

MMM (dan tu so form, ki li MMM, MSM, RMM) finn devlope kuma enn lider ideozik apartir 1970 ziska 1995. MMM ti ena enn langazman profon depi so fondasyon an 1969 pu fini kominalism.

Ki exakteman MMM so analiz lor kominote e kominalism? Kimanyer MMM ki ti lev kont politik kominal pa finn resi fini kominalism? Kimanyer tu le trwa but MMM (MMM, MSM ek RMM) finn ariv vinn parey kuma bann ki sem politik kominal? Kimanyer politik “Lalit de klas pa lalit de ras” finn fer enn viraz konple pu vinn “lalit de ras”?

MMM ti ena de pozisyon ideozik ki finn profundeman mark nu tu ideozikman. Sa de lide finn preske vinn manyer panse buku dimunn.

Premye, MMM depi kumansman so listwar finn tultan mintenir ki “kominote” ek “kominalis” zot de zafer kompletman diferan.

MMM finn mentenir ki “kominote” li enn zafer ki ekziste, li enn fe e li enn “bon kiksoz”.

Par kont, “kominalism” sa li enn lot zafer e li kapav “enn move kiksoz”. Enn “kominalis” dapre sa rezonnan-la, li kikenn ki “servi kominalism”. Sa kalite argiman turn an ron ti devet fer nu tu supson ki li enn argiman vid; nu ti bizin devine ki par mank kuraz MMM ti pe evit liye kominote ek kominalis. Sa pozisyon inisyal MMM ki ankor ezemonik, dir ki enn kominalist li kikenn ki servi kominalism pu lavantaz politik. Sa tusel, zot dir, ki enn move kiksoz. Me lot kote, MMM finn tultan mentenir e kontinye mentenir ki “kominote” li enn senp fe, enn realite siko-sosyal; enn form “idantite” ki fer dimunn ena kit reper. Sa lide ezemonik mintenir ki san sa idantite-la, dimunn pu perdi zot reper. Avek enn tel definisyon, pandan buku lane MMM finn invant enn stratezi politik avek so arsenal taktik baze lor kominote. Samem ki MMM so adverser apel “MMM so kominalism syantifik”. MMM so bann adverser zot usi zot servi mem kalite kominalism.

MMM, MSM ek RMM depi 1981 li pa ti zis zot bi politik pu ena enn form multi-kominalism, enn espes multi-fondamentalist, li ti osi prezan dan zot taktik politik tulezur.

Dezyem, MMM dir ki ena enn eksepsyon e PT dakor ar li. MMM dir ena enn form “kominalism” ki par limem li pa move. Li apel sa “communalisme de defence”. MMM dir si kikenn servi kominalism mem si li pu tir enn kapital politik, li pa neserman enn move kiksoz si li an selfdifenns. Kumsa ki PT ti servi kominalism Endu pu li defann kont NMU e klas posedan rasist. Osi absird ki li kapav paret, kumsa ki MMM u MSM ariv truve ki se “kominote Endu ki opuvwar” kan PT (u MSM apre li) vinn opuvwar. Si lezot dimunn servi kominalism kont puvwar, zot pu apel sa “communalisme de defence”. MMM u MSM pa pu truv sa enn move kitsoz. Kumsa Paul Berenger depi 1983 pa ezite pu servi vye refren Gaetan Duval “minorités persécutées”. Li pa truv sa enn move kiksoz. MMM pu kontinye servi sa kalite langaz, sirtu kan zot bizin enn zistifikasyon pu sutenir yerarsi Legliz Katolik (pa fer naryen kanmem komye reaksyoner sa yerarsi so bann demand ete). Par examp kan MMM pran pozisyon kont GN 114 (enn regulesyon kont diskriminasyon) ubyen kan li sutenir demand bann integris pu Muslim Personal Law. Lerla pu retablir “labalans”, MMM pare pu sutenir nenport ki lobi kominal Endu e pu swiv M Atal Biharee Vajpayee, lider BJP, partu dan Moris kan li ti an vizit isi. MSM li organiz renyon prive separe ar dimunn diferan kominote.

Sa pu donn enn lide ki kalite miray kont kominalism MMM ete. So pozisyon endefandab lor “kominote”, lefet ki li pa fer lyen ant “kominote” ek “kominalism”, ek so lide ki ena serten kalite kominalism ki “bon” finn amenn ekrulman MMM kuma enn lafors pu konbat kominalism. MMM (sirtu MSM ek MMM me usi RMM) zordi reprezant kominalism personifye. Parey kuma PT ek PMSD avan li. Kan lafors MMM kuma enn miray anti-kominalism finn ekrule apartir 1981 vini mem, klasifikasyon ek kategorizasyon kominal finn vinn pi dan pei partu.

### **Sityasyon Grav**

Dimunn fer referans komsu ryen ete a “kominote mazoriter”, kumadir li enn fe. Lezot koz “puvwar Endu” kumadir li enn realite obzektiv. Premye Minis Jugnauth fer apel a “linite Endu”,

limem kone ki li pe dir. Dwayen PT, Sir Satcam Boolell dir fode u enn “Endu” pu u vinn Premye Minis. “Comité Premier Février” met divan enn kont-demand pu ena enn “Vis Prezidan Kreol” ek “Kreol kuma minis inportan”. Semenn apre semenn, lagazet “Star” finn envant enn nuvo konsep “la communauté cible”. Enn term sarkastik ki servi otur promosyon dan Servis Sivil e nominasyon dan paraetatik. Resaman “Mauritius Times” finn envant so kontreparti: “Hindu bashing”. Ankor enn fwa sa term-la servi kuma provokasyon ek riz pu anpes ena kritik kont personalite ki diriz paraetatik, e usi servi kuma eskiz ki “la grande presse” atak personalite “Endu” plis ki li atak personalite “Popilasyon Zeneral”. Suvan dan *Le Mauricien*, ena editoryal ki klasifye dimunn par kominote, suvan par servi dimunn so nom pu klasifye li. Lagazet *5-Plus* finn suvan pibliye serten editoryal ki kominalist kri-kri, klasifye dimunn par su-kominote e parfwa mem par kast. Tusala su pretext ki “anu dir for seki tu dimunn pe dir anba-anba”

Nu finn tann deklarasyon piblik lor “Katolik pey tax”. Yerarsi Legliz Katolik servi sa kalite deklarasyon dan so argiman ridikil pu sey defann Legliz so politik diskriminasyon endefandab dan ledikasyon. Nu kone ki fimer e biver lalkol pey tax (tax ladwann - exsaz tax), enn aster pey tax (tax pu transfer), spektater usi pey tax (entertainment tax), konsomater pey tax (stamp duty ek sales tax), patron pey tax (tax konpanyi), lindistri sikriyer pey tax (tax sorti), salarye pey tax (Innkom Tax), travayer pey tax (Employees Welfare Fund), mem dimunn mor pey tax (estate duty). Me Katolik pa pey tax. Nu kone ki lontan Lerop antye ti pey tax a Lepap me sa finn aboli depi 400 banane. Sa lide ki sanse enn kategori ki apel “Katolik” pey tax, li pa selman enn argiman kominal me li usi enn argiman fondamantalist.

Fek la, RCEA finn vinn dir ki li pa “kominalism” kan li uvertman fer diskriminasyon anfaver zanfann “katolik”. “La vérité oblige à reconnaître que le troisième critère (catholique) n'est pas non plus une défense communale, car la religion catholique n'est pas liée à une seule ethnie – même si dans le présent, une certaine ethnie constitue la majorité des catholiques à Maurice” (*L'Express* 9 August, 1995). Sa li enn fos pretext pu vinn dir “katolik” pa enn divizyon parey kuma “endu” u “mizilman”. Li vre ki Konstitisyon pa definir “Katolik” kuma enn kominote, me li kominalist pu fer diskriminasyon zis an faver Katolik (sic) parey kuma li kominalist pu fer diskriminasyon an faver Endu (sic). Nimport ki gopya pu kapav expoz sa argiman yerarsi legliz, parski pu Legliz fer diskriminasyon anfaver zanfann “Katolik” fode li fer diskriminasyon kont zanfann “Mizilman”, kont zanfann “Endu”, kont zanfann “Budist” parmi tu zanfann.

“Kominote” li enn konsep ki finn inklir prezize relizye osi byen ki prezize etnik ek diskriminasyon. “Kominote” li mo ki servi kan ideoloji ki diviz dimunn li pa klerman rasism u pa klerman fanatism relizye me enn melanz tulede.

An zeneral, sityasyon pe anpire. Par examp, nu finn trov enn miting piblik bann mawlana. Miting fer enn Vandredi tanto, enn zur swazire par expre. Li fer dan Plenn Vert. Plas-la osi pa enn azar. Bann Mawlana finn fer miting piblik lor size diferan me finn servi lartik dan *L'Indépendant* ki finn insilte profet kuma pwin pu ralye sutyin. Lerla zot al lor size nominasyon, promosyon e usi lor size enportasyon bef. Enn lorganizasyon apel “Mouvement Civique National” ki ti alabaz lorganizasyon enn tel rasanbleman e MCN ti pe koz linite “ant kominote”. Me sa koze linite “ant kominote” li valab selman si ena divizyon “ant kominote”. Dapre reportaz dan lagazet *Impact News*, MCN ti inplike dan organiz aksyon isterik pu bril enn lagazet *L'Indépendant* dan miting.

Sa kalite miting bann zom relizye lor size ekonomik ek politik li kumansman enn nuvo kalite fondamantalism. Kifer bann mawlana pe rant dan politik - sa li enn replik a sa form fondamantalism ki parti politik Hizbullah reprezante kan li ti servi relizyon kuma so pwin raliman pu fer politik. Hizbullah reprezant enn chalenj Arabist a sa predominans kiltir sukontinan Endyen dan Moris. E miting bann mawlana li reprezant enn kont-ofansiv byen danzere parski bann zom relizye pe regroup dimunn lor baz relizyon pu fer politik.

Nu finn trov luvertir Hindu House. Li ti enn uvertir terib. Premye item nuvel otur luvertir Hindu House se lor bril trwa lagazet *L'Express*, *Le Mauricien* ek *Le Mag* kot Hindu House pandan selebrasyon Holi parski zot ti pe akiz sa bann lagazet-la det anti-Endu. Dezyem item nuvel anons ki pe met dibut enn “Hindu Business Council” dan Hindu House. Sa konfirme ki Hindu House pa enn organizasyon relizye. M. Soobrah finn al an longer pu explike kimanyer so langazman dan Vaish Mukti Sangh li ti enn muv defansiv, kimanyer ti ena vre prezize baze lor kast dan larelizyon, anpes pret non-Bramann pu fer servis e kimanyer so muvman li ti enn muvman selfdifenns. Paralel ar sa ti ena skandal ki Komisyon danket dan CWA finn expoze, lor kimanyer finn alwe tennders, lor diminye peman lor papye dilo e lor kimanyer M. Soobrah finn rey det.

Otur mem peryod, nu finn truv Komiser Lapolis Dayal kominaliz e mem “fondamantaliz” post Komiser Lapolis. Lider BJP, Atal Biharee Vajpayee ti fer enn vizit ofisyel dan Moris antan ki Lider Lopoziyon Parlman Lind. Me pandan so sezur ofisyel li finn usi al rann vizit tu kalite lorganizasyon relizye. M. Atal Biharee Vajpayee li lider enn parti politik entegrist dan Lend finn resi fer so vizit semi-ofisyel kalke lor politik entegrist so parti. Kan guvernman ti program enn tel vizit, li ti enn manev byin kominal. Misyé Vajpayee permet limem fer komanter deplase e sirtu inakseptab lor politik langaz dan Moris.

Sir Dayanand Burrenchobay, dan enn lartik byin dokimante dan *Le Mag* 28 Me 1995 finn analiz kimanyer RSS (Rastriya Swayamsevak Sangh), enn muvman relizye Endu ki ti pran nesans dan Lend apartir 1927 e ki zordi enplante dan Moris atraver bann lorganizasyon otur Kalbas. Sa muvman-la finn kumans travay ver enn nuvo form puvwar integris. Lartik dan *Le Mag* finn nom bann dimunn ki manb dan sa rezo dan Moris. Parmi ena Minis (Baichoo, Choonee ek Gobhurdhun), ena depite (Gutty, Neewoor, Dayal, Aumeer), ena sef paraetatik kuma Soobrah, ena sef MBC (Nando Bodha, Anil Soorajbally ek Bijaye Madhoo), ena konseye minis (Dandee Bahadoor) ek Komiser Lapolis (Raj Dayal). Okenn sa bann dimunn ki sa lartik-la finn nome pa finn demanti sa akizasyon-la. (Dan Lend RSS li lorganizasyon deryer BJP ek lezot parti integris. RSS mastermaynd ek antrenn bann integris pu rant dan politik, dan sosyal, dan relizyon e mem dan militer. So bi se pu batir enn “Nasyon Endu” dan Lend, li napa enterese pu batir enn leta demokratik ek suveren. RSS met lanfaz lor enn “kiltir” idantiter, baze lor idantite olye ki lor drwa sekiliye. RSS inn enplike dan formant bagar kominal dan Lend apartir bann lane 1920. Gandhi ti dekrir RSS kuma enn “lekor avek enn laparans kolektik me ki ena enn vizyon totaliter”. Gandhi ti mem konpar RSS avek bann Nazi. Dezyem lider RSS, Golwalkar ti ekrir “non-Endu dan Hindustann bizin swa adopte kiltir ek langaz Endu, bizin aprann pu respekte e pratik relizyon Endu, bizin panse e reflesi pu glorifye nasyon Endu. Bann non-Endu dan Hindustann bizin aret zot entolerans ek bizin remersye Lend e Lend so tradisyon milener ki kiltiv lamur ek devosyon. Setadir si zot ule res dan Lend kuma bann etranze zot pu kapav reste selman si zot sumet a nasyon Endu kot zot pa pu ena drwa pu revandike, zot pa pu merit okenn privelez, okenn tretman de faver e zot pa zwir okenn drwa antan ki sitwayen.”)

Sa grup fondamantalist dan Moris paret ena enn form lorganizasyon ki ena buku resanblans avek “Broederbond”. Samem lorganizasyon ki ti sutenir Guvernman Nasyonalist dan Sid Afrik e ki ti deryer Dutch Reformed Church dan Sid Afrik pu promuvwar kiltir/relizyon enn kominote atraver enn rezo ferme.

Apartir asterla, sa nuvo form integris dan Moris pu poz enn gro problem ki tu dimunn progresis pu ena pu konfronte. Tu dimunn ki ule anpes enn kominalizasyon danzere dan pei pu ena pu pran kont lamonte sa nuvo kominalism Endu.

An mem tan, sa vye integrism depi lepok kolonyal Franse ancor la. Li danzere. Li azir kuma enn detonater permanan pu bann nuvo form kominalism ek integrism.

Kan Komiser Lapolis, Raj Dayal ti organiz enn “Maha Yaj” dan Kazern, parey kuma li ti fer le 6 Ut 1995, nu ti kritik sa. Me nu bizin usi an mem tan kritik “lames anyel” pu lapolis (e ponpye, e zidisyer) ki Legliz Katolik finn tultan organize depi lepok kolonyal kan li ti relizyon klas dominan. Bizin retir sa vwal ki gard integris Katolik “envizib”.

Kan ena konstriksyon Shiwala ek Moske dan Lopital Kandos (kan fasilite medikal ek lespas pe telman manke), nu bizin kritik sa melanz ant relizyon avek institision sekilye me nu bizin usi kritik bann lasapel ki deza ekziste dan Kandos. Nu bizin denons lefet ki telman mank lespas, ki dan Lopital Jeetoo pe bizin fer elektrokardiyogram dan kulwar tandi ki akote ena enn Lasapel relizye omilye enn institision sekilye ki okip lasante.

Nu bizin milite pu ferm tu bann lasapel ubyin konverti zot an “lespas trankil pu reflesi”. Lespas sekilye pu tu dimunn. Ki nu antan ki dimunn pe fer? Nu byin suvan responsab pu met ancor lenerzi ek resurs dan relizyon, an memtan ki les relizyon akapar lespas sekiliye dan enn fason danzere.

Nu finn truv distribye trak kominal dan lekol zis ar zanfand katolik pu zot donn zot paran. Nu finn truv enn-de gran-gran lasanble “paran Katolik” e paran “Lekol Katolik” Ste Helene ek Lavizitasyon melanze avek fron kominalist “Front pour la Justice au CPE”. Tusala pe arive avek dan bakgrawnd sa muvman kominalist pli larz ki apel “Malez Kreol”. Enn but de sa muvman kominalist “Malez Kreol” truv andan legliz e lot but li enn muvman plito politik ki regroup parwas, lorganizasyon sosyo-kiltirel e yerarsi legliz limem. Lerla kuma nu ti pu kapav predir, fas a sa finn ena enn kontatak ki ralye dimunn lor baz kominal pu defann langaz Oryantal sann kut-la.

## ***Muvman Kont Kominalism pran nesans***

Se dan sa kontex zeneral kot sityasyon kominal pe kontinye sofe e pe ena enn deriv ver “multi-fondamantalism”, enn term servi par Ram Seegobin, ki nu gayn nesans Muvman kont Kominalism (MAK) an Mars, 1995.

MAK pu konbat kominalism ek integrism dan de fason.

Premye, nu pu idantifye e opoz tu form institisyonel kominalism. Par examp, sistem bestluzer kominal, lekip futborl kominal dan premye divizyon, politik kominalist, sant kiltirel kuma divizyon dan domenn lamizik ek lezot lar, kan Leta ek bann parti politik fer amalgam ek bann relizyon, kot relizyon a son tur rann servis ek donn plas spesyal a bann politisyen e bann institisyon, sirtu lapolis. Ena sa restan institisyonel de sa ansyen integrism. Enn restan depi lepase. Nu truv li dan fason ki enn parti nu sistem ledikasyon nasyonal ankor su kontrol relizye. Nu truv li dan lalwa integrist lor relizyon ek lavortman. Ek ena demand pu nuvo form integrism pe aparet. Ena dimunn pe rod return a Muslim Personal Law. Lezot pe ule enn integrism zar BJP kot lanasyon, relizyon ek langaz tu melanze dan enn fason malsen.

MAK pe amenn enn kanpayn an permanans kont kominalism institisyonel dan tu so form.

Dezyem, nu pu amenn enn kanpayn permanan pu rezet konsyans kominal ek kominalism. Sa li pa andeor de numem dan bann institisyon, me li kitsoz ki numem ki kree tulezur e re-kree ankor dime dan fason ki nu sanses klasifye numem ek lezot dimunn, e kategoriz numem ek lezot an term ras ek relizyon.

Dezyem bi se analiz seki sa papye-la pu expoze an detay.

Avan, anu fer enn brakat: les nu fer li kler depi asterla mem ki nu pu byen sir kritik ek denons ninport ki sannla ki 'servi kominalism' ki li pu rezon politik, ekonomik u relizye: ki li servi li pu gayn enn tennder, ubyen pu fer sir pu gayn enn nominasyon ubyen pu gayn enn promosyon ubyen 'servi kominalism' pu fer guvernman ogmant sibsidi pu sertin travay sosyal. Tusala nek bann senptom. Alor nu pale zis aplik remed lor sinptom ek lor manifestasyon maladi-la. Nu bizin anmemtan atak kominalism limem, pa limit nu zis atak seki servi kominalism.

Nu pe viv dan lepok privatizasyon. Privatizasyon dibyen piblik pe kontinye. Bann endividi prive, zot klan e zot konpayni pe kontinye akapar dibyen piblik e servis ki dan domenn piblik dan enn fason rapas: IMF-World Bank ek GATT pe pus pu privatizasyon total tu dibyen kolektif. Dan sa kontex-la, nu kapav atann ki pu “servi” kominalism buku plis.

Li resanble kolonizasyon. Parey kuma ti ena “lekurs pu pran Lafrik”, zordi pe ena “lekurs pu kontrol dibyen piblik ki finn privatize”. Kuma pe arive dan ex-Yugoslavi, dan ex-USSR. E kuma pe arive zordi dan Moris.

## ***“Kominote” ek “ras” zot ideoloji pa bann fe***

“Ras” ek “Kominote” zot form parti ideoloji. Zot pa bann fe.

Nu bizen reprodre sa ideoloji-la, re-invariant li, re-kree li, numem, tulezur sinon li pa ti pu la. Zuti nu servi pu re-kree “kominote” tulezur, se kan nu persiste klasifye e kategoriz numem ek nu lanturaz. Zur nu aret fer sa, kominote pu aret existe. Se nu ki pe perpetye li. Nu klasifye numem sanses: dan tu konversasyon, dan brek lekol, dan lafami, anba lavarang labutik, otur lakur, dan lake dispanser. Nu kone li supsonab, alor nu fer li dan enn ti lavwa.

Mem liv lor lalis ofisyel liv lekol anseyn zenn zanfan kimanyer fer klasifikasyon kominal. Zis anka zot paran pa bann kominalist.

Avan eleksyon, zurnalis, lagazet ek magazinn pibliye lartik ki klasifye elekter an kategori ubyen an su-kategori kominal.

Si nu resi chalenj e rezet klasifikasyon ek kategorizasyon kominal, ki nu repete sanses kuma enn rityel, sa li pu enn fason pu atak kominalism ek rasism.

Si konsep “ras” ek “kominote” pa existe kuma bann fe me plito kuma ideoloji, par kont “rasism” ek “kominalism” zot, zot ekziste. E nu bizin tultan pe opoz rasism ek kominalism. Meyer fason pu opoz zot se pu expoz lefet ki “ras” e “kominote” pa ekziste.

## ***Listwar “Kominote” dan Moris***

Laplipar dimunn kwar ki “Moris enn pei kot ena diferan kominote”, e an zeneral sakenn kwar li kann trebyen ki ete kominote. Dimunn usi panse ki “kominote” li enn realite ki ti ekziste dan lepase e sa mem realite pu kontinye ekziste dan lavenir. Se samem puvwar enn ideoloji.

Bann fe anfet pa reflet sa ditu. Diferan Resansman Popilasyon lor plizyer lane donn nu enn lide ki kalite diferan kategorizasyon ek klasifikasyon finn ena dan diferan lepok nu listwar.

<b>Lane</b>	<b>Klasifikasyon ki ti servi</b>
1735	Franse, ne dan Lafrans ubyin Burbon Afriken, ne dan Senegal ubyin Gine Endyen Malgas
1766	Blan Zom lib (Afransi) Esklav
1846	Blan ek Dekuler Indyen
1861	Blan ek Dekuler Indyen Sinwa
1952	Indo-Morisyen Sino-Morisyen Popilasyon Zeneral
1962	Endu Muslim Sino-Morisyen Popilasyon Zeneral

Si u get sa 6 diferan kalite kategori, u pu remarke ki sakenn ladan baze lor kitsoz byen diferan. An 1735, klasifikasyon ti baze lor zeografi: Lafrans; Burbon; Senegal; Gine; Lend ek Madagaskar

Apartir 1766, enn zenerasyon apre, kot ena sistem esklavaz, klasifikasyon ti baze plito lor stati ekonomik (Zom Lib/Esklav) e usi pu premye fwa lor baz ras (Blan)

Apartir 1846, apre ki langazman finn kumanse, re-introdwir klasifikasyon lor baz zeografi (Endyen) e tu leres dimunn ki pa “Endyen” ti amalgame kuma enn sel grup lor baz ras (Blan ek Dekuler). An fet, sistem langazman etan li enn sistem ekonomik li ti donn enn stati legal diferan imigran enn kote e lot kote a dimunn ki finn ne dan Moris.

Apartir 1861, ti ena enn nuvo kategori zeografik (Sinwa)

Se selman an 1952, ki nu kumans truv tras sa trwa kategori Endo-Morisyen, Sino-Morisyen ek Popilasyon Zeneral kuma ena dan Konstitisyon zordi . Sa bann konsep-la ti koresponn a enn sityasyon politik kot Ralliement Mauricien (ki vinn Parti Morisyen, apre plitar PMSD) ti ralye “popilasyon zeneral” kont “imigran” (“fek vini” ubyin ankor pli ofansan “pa kone kot sape”). Grup Advance ti fonde pu “lavansman” tit-burzwazi Indo-Morisyen ki ti pe monte e se sa grup-la ki pran kontrol Parti Travayis.

Se nek avan Lindepandans, apartir 1962 ki nu gayn klasifikasyon ki nu kone zordi. U pu remarke pu premye fwa, relizyon finn rantre kuma enn kategori: “Endu” ek “Muslim” tulede kategori ti introdwir a sa lepok-la. Sino-Morisyin li res enn kategori zeografik (setadir depi pei kot u anset inn sanse sorti). Popilasyon Zeneral li ti term ki ti servi pu “tu lezot”, me sa nuvo kategorizasyon lor baz relizyon vinn donn yerarsi Legliz Katolik enn espes kontrol ezemonik lor “Popilasyon Zeneral”.

Se sa kat kategori ki Konstitisyon Moris inn finalman institisyonelize pu fer kalkil Bestluzer (Get dokiman MAK lor Sistem Bestluzer bibliye dan L'Express 1 Ut, 3 Ut ek 5 Ut 1995 [Li osi bibliye dan sa liv-la] ) e ki zordi reprezant sa form institisyonel kominalism.

Li pa ti inevitab. Li pa ti destine pu et kumsa.

Li ti kapav ninport parmi santenn konbinezon. Pena naryen de “natirel” u “obzektiv” dan definisyon sak kominote. Li tu sempleman reflet balans de fors ant diferan seksyon ti-burzwazi ki pe monte par rapor a burzwazi existan. Tu ti depann lor lalit konfliktyel pu puvwar ant diferan lobi politiko-ekonomik. Se dan sa kalite anvironnman ki kominalism nuri limem.

Kominalism ti kapav pran ninport ki diferan kalite form dan sa “lekurs” pu puvwar e lekurs pu gayn enn baz ekonomik

Par examp, nu ti kapav gayn klasifikasyon ek kategorizasyon lor enn lozik ki baze lor depi kot nu anset sorti: “Maharashtra”, “Tamil Nadu”, “Gine”, “Lafrans”.

Ubyen li ti kapav baze lor baz bann ras imaziner : “Kreol Afriken”, “Eropeen”, “Afriken”, “Blan”, “Endo-Afriken”, “Ero-Kreol”, “Dravidyen”, “Dekuler”, “Malgas Polinezyen”, “Malgas Afriken”, ... etc. Tu seki “enpe kler” ti kapav klasifye “blan” ubyin tu seki “enpe nwar” klasifye “nwar”. Tusala zot arbitrer.

Ubyen li ti kapav enn klasifikasyon baze lor “enn sistem kast re-envante”, pu enklir “Rajput”, “Vaish”, “Babuji-Maraz” ubyen enn sistem ki resanble seki ti ena dan Lend kan travayer angaze vini. Sa usi li arbitrer mem.

Klasifikasyon ti kapav tom lor zis relizyon : “Endu”, “Muslim”, “Katolik”, “Protestan” u pu et pli presi sa 45 relizyon ki dimunn deklare dan Resansman Popilasyon.

Ubyen par langaz, u langaz ansestral imaziner : “seki koz Bhojpuri”, “seki koz Kreol”, “seki koz Franse”, “seki koz Telegu”, .... etc

Sa klasifikasyon institusyonel ki an plas zordi e mem sa bann form re-kategorizasyon ki servi tulezur, depann lor balans de fors politik. Dan okenn fason konsep “kominote” pa “existe” an tan ki tel. Li existe selman kuma enn ideoloji koryas.

### **Asterla nu met “ras” an kestasyon**

Partu dan lemond kot finn servi “ras” kuma enn ideoloji, “ras” finn servi kuma enn zuti politik. Par examp, dan Lalmayn nazi, nu tann buku koze lor “ras Zwif”. Sa li form parti propagann fasist ki ti met anplas pu truv enn “buk emiser” ki pu sarye blam pu gran kriz ekonomik dan bann lane 1920 ek 1930. Anfet, lasurs sa kriz ekonomik profon se akoz Lalmayn pa ti ena lanpir. So devlopman ti bloke, sirtu kan konpare avek UK ek Lafrans. An realite, pena enn zafer ki apel “ras Zwif”. Parey kuma “ras” pa existe. Li zis pir ideoloji. Ena dimunn ki zot relizyon se relizyon Zwif ki sorti Mwayen Oryan, Lafrik, Nor Lerop e Lend. Alor pena “ras Zwif”. Sa vinn remarkab kan propagann Nazi gayn buku difikilte ant “ninport kisannla kapav rekonet si kikenn enn Zwif” (sanse), e lera pas lalwa pu fors dimunn “Zwif” met enn zetwal zonn pingle lor zot lamans simiz pu klasifye zot mem pu ki kapav rekonet zot.

Dan Lamerik, kategori ras ki servi pli suvan se “ras negro” ubyin pli resaman “bann blak” u “ras Afriken”. Ideoloji otur sa term-la sorti direktteman depi dilem istorik ki dimunn ti ena pu rezud tulezur dan lepok kan Leta Zini pe pran nesans. Konstitusyon Leta Zini deklare avek fyerte ki “Tu dimunn ne egal” dan enn sistem kot “ena esklav”. Realite konstitusyonel versis realite ekonomik. Enn tel dilem bizin enn ideoloji absoliman absird pu anpes dimunn vinn fu. Sa ideoloji absird, ki an fet enn form foli, se rasism.

An realite, preske tu lalwa ti klasifye enn esklav lor baz so sityasyon ekonomik (“tan lane servis kontinyel”), e pa lor ras. Premye esklav dan Lamerik ti Irlande ek Angle. Mem avek definisyon ekonomik ti gayn difikilte. Ki ariv zanfan esklav? Eski zanfan usi enn esklav? Dan Maryland, enn Leta ki pu form parti Leta Zini, zot ti ena enn lalwa ki dir zanfan ki so papa esklav li usi enn esklav (lalwa ti prefer swiv laliyn papa-la). Me paternite tultan enn zafer difisil. Alor apre enn zenerasyon, lalwa sanze pu dir ki aster se mama ki determinn stati ekonomik enn zanfan. Si enn mama lib, so zanfan usi lib. Si enn mama enn esklav, so zanfan usi enn esklav. Kuma nu truve, li pa ti ena naryen pu fer ek ras.

Zordi dan Leta Zini, ena ankor buku klasifikasyon. Enn parmi bann “ras” ki ideoloji pe perpetye pu le moman se ki ena sanse enn ras “Ispanik”. Lakur Siprem finn gayn buku difikilte avek sa. Ispanik vadir langaz Espanyol me Lakur Siprem finn aksepté li kuma enn “ras”. “Ispanik” kapav inklir dimunn ki koz Portige mem si li pa neserman koz Espanyol ditu. Lakur Siprem pe ase suvan truv li amare kan li sey fer lalwa statye ki grup kapav enn “ras”. Dan Leta Zini ena buku diferan lafors politik ek istorik an ze dan diferan rezyon. Dan ena rezyon, par examp, ena buku diskriminasyon kont desandan Swedwa; zot anset ti vini kuma laburer angaze. Dan lezot rezyon, ena anti-Semitism partu. Dan Langleter, finn tann koz “ras Irlande” pu 400 banane e sa finn zistifye 400 banane dominasyon, 400 banane lager ant “Katolik” e “Protestan”, de kategori baze lor relizyon. Dan Lairland usi, konfli ti byen sir ena rasinn ekonomik byen kler. Mem lera, dimunn klasifye zot mem ek zot vwazen par zot relizyon u par tre fizik “Seltik” u “Anglo-Saxon”. Dan Sid Afrik, ziska fek-la, ti ena aparteid ki enn form institusyonel klasifikasyon rasyal. Mem laba, ras ti nek bann kategori ideolojik: “Blan”, “Bantu”, “Endyen”, “Dekuler”. Lakur Siprem dan Sid Afrik definir “ras” parey kuma Lakur Siprem dan Moris definir “kominote”. Zot tulede servi sa konsep vag “way of life” (mod de vi) pu definir “ras” u “kominote”. Li vre pu dir ki laparey deta su Aparteid ti gayn buku difikilte pu klasifye dimunn, e mem alafen aparteid ti ankor ena dimunn ki sistem aparteid pa ti ankor kapav klasifye. Lide mem ki kapav ena enn kategori “Dekuler” su rezim aparteid dan Sid Afrik, sa li enn prev flagran kimanyer klasifikasyon baze lor ras li absird.

Moris li enn lekzanp byen flagran pu demontre sa difikilte ki ena pu truv laliyn demarkasyon pu kapav klasifye par ras: anfet pa kapav definir okenn demarkasyon . Li telman difisil pu demarke, ki tu “ras” amalgame dan plot “popilasyon zeneral” exsepté “Sino-Morisyen”.

## **Ras, enn argiman turn-an-ron**

Dan lepaste, plizyer serser e syantis ki etidye sosyete imen finn fer tu kalite letid sirtu dan sa lepok kot pe ena lamonte fasism, pu montre diferans ant “ras”. Ena usi dimunn ki kwar ki ena bann diferans de nesans, diferans zenetik ant bann “kast”. Ena Angle ki kwar dan “rwayote”, kuma enn kast “ne pu reyne”. Sa ideoloji-la telman for ki avek 21em syek pre la [NR: pe ekrir an 1995], pa finn resi fer rwayote vinn kuma sitwayen ordiner. Dan Moris, ena Goswami Sewtohul parmi lezot, ki kwar ki ena bann diferans zenetik ant diferan “kast” dan Moris.

Anu gete kimanyer bann serser e syantis prosede pu zot etidye diferans ras.

Sipoze ena enn akademik ki ule etidye diferans ant “ras Endyen Lamerik”, “ras Afriken” ek “ras Eropeen” - mem si li zis pu get diferans dan to dyabet. Nu mem pa pu get sa bann letid danzere ki rod pruv sanse diferan I.Q. (sanse mezir entelizans) . Sa akademik-la pu tutswit tap ar bann argiman turn-an-ron. (Sa vedit letid-la pu vag, pa syantifik ek deklarar. Okenn rezilta enn tel letid pa pu itil pu fer enn klasifikasyon zeneral ras u kategorizasyon imen).

Sa akademik-la desid pu prosed par rod 100 dimunn swadizan “ras Endyen Lamerik”, 100 dimunn ki swadizan “ras Afriken” e 100 dimunn ki swadizan “ras Eropeen”. Anu swiv so travay.

Li al get premye “Endyen Ameriken”. Dizon li selekte dimunn lor rezis elektoral par get nom ki sonn Endyen Ameriken. Alor nu serser swazir so premye Endyen Ameriken avek enn nom ki ena enn resanblans Hopi. Li tap sa dimunn so laport. Nu serser kapav kumans avek enn kestyon kuma “Eski u enn Endyen Ameriken?”. Dimunn-la kapav klak laport dan so figir e li pu ena rezon. Me dizon, li resi truv enn fason pu poz so kestyon. La, li pu finalman bizen etablir si dimunn-la anfet enn “Endyen Ameriken”. Alor li kapav poz kestyon “Eski u mama ti enn 'Endyen Ameriken'?” Dimunn-la kapav reponn, “Wi, li ti enn Siwu”. Lot kestyon, “Eski u papa ti enn “Endyen Ameriken”, dimunn-la kapav reponn “Mo konn zis mo boper ki ti deklar mwa kan mo ti ne.”

Sa enn argiman turn-an-ron. Serser-la finn rod kikenn ki li kwar enn “Endyen Ameriken” apartir enn nom, me li pa kapav al pli lwen apart ki li pu kone ki dimunn ki li pe intervyyuwe kwar ki so mama enn Siwu.

Deza fini tap ar de problem .

Premye, kifer sa serser-la kapav kumans so letid par decide ki ena enn laliyn demarkasyon ki permet li truv enn ras ki apel “Endyen Ameriken”? Sirtu kan serser-la so bi se pu definir ki ete enn “ras”? Ena diferan sosyete ki tom su sa nom “Endyen Ameriken” ki inklir Hopi ek Siwu. Kot sa fos lide-la sorti? Kifer par ekzamp pa asime ki “Enka”, “Hopi”, Siwu, zot sakenn enn “ras”?

Dezyem, serser-la kapav zis ariv kone, preske sir, kisannla kikenn so mama. Baze lor sa sipozisyon la, ki li kontinye so resers pu dekuver diferans ant enn “ras” ek “enn lot ras”. Lor ki eski sa tez-la pu baze? Li pena swa apart baz limem lor bann sipozisyon ideolojik ase vag lor nom, lor laparans, ek enn lide ase vag lor “way of life” (mod de vi).

Pu kestyon “ras Afriken”, serser-la pu tap avek bann mem problem. Li pu bizen fye lor so prezise lor ras.

Lafrik enn konsep zeografik, pran depi Lezip, Tinizi, Alzeri ziska Keptawn via Namibi, Lwes Lafrik, Lafrik Santral ek Les Lafrik. Parmi bann lepep dan Lafrik, ena dimunn de plizyer kalite diferan laparans: kurt, long, kler, nwar, e tu kalite diferan tre. Ek sak sa bann laparans-la ena tu kalite nyans depi enn ziska lot.

Lafrik li an parti enn konsep zeografik (enn kontinan) e an parti enn konsep politik (rezilta envazyon kolonyal lor 400 banane). Li pratikman enposib pu kone kisannla enn “Afriken” zis par get li. Ubyen kone si kikenn enn desandan Afriken zis par so laparans. Sa osi, li zis ideoloji. Ena dimunn lor planet ki zot lapo kontenir plis melaninn, enn proteksyon kont soley, sirtu dan bann rezyon tropik lor glob. Ena lezot dimunn ki ena mwens melaninn e zot zot res sirtu dan rezyon poler. Me partu ena enn spektrum, enn sanzman gradyel. Me pena enn diferans kler kuma konsep “ras” su rezim aparteid ti sey fer kwar. Mem problem poze kan nu get konsep “Bantu”, enn konsep ki ti servi su rezim Aparteid dan Sid Afrik.

Azute ar sa, ena enn problem esantiyon, e ena mem enn problem paternite. U kapav konn kikenn so mama - ena lakorite sosyal depi so lanturaz ki kapav konfirme plizumwen korekteman kisannla so mama. La usi pa kapav 100% sir parski ena adopsyon, ena zanfandone, ena ka kot mama deklar zanfandone so tifi ki tro zenn, ena ka kot zanfandone ariv sanze dan lopital (kuma ena dan sertin fim Endyen). Dizon, u arive konn so mama, u pu kapav usi konn so granmer kote mama. Pli lwen dan lepaste, serser-la pa pu kapav kone. Eski so aryer granmer ti konsidere “Afriken”? Pa pu kapav konn okenn papa u granper sir-sir.

Alor, serser-la pu bizin debruye avek so prop prezize, sey devine e fye lor lezot dimunn zot prezize lor “ras”.

Problem idantik poze lor “ras Eropeen”. Depi Sid Itali ziska Lenor Norwez, depi frontyer Lasinn ziska frontyer Lend e Mwayen Oryan ziska Kornworl, partu ena nyans. Sanzman gradyel dan sa spektrum-la. Ena pli buku diferans ant dimunn alenteryer swadizan su- kategori “ras Eropeen” ki ena avek lezot “ras”. De tut fason, pu plis 400 banane finn ena migrasyon imans depi Lafrik, Lend ek Mwayen Oryan ver Lerop. San kont ansyen migrasyon.

Anplis, pu tu serser, paternite res enn problem eternel. Teknikman ek syantifikman kapav chek paternite (si papa u granpapa ankor vivan) me li pa pu etik pu fer li. Li pu enposib pu al pli lwen ki granpapa mem si ena enn rezim fasist pu sutenir sa kalite resers-la.

Alor nu bizen dimann numem lakestyon, ki ete sa ki dan nu latet ki fer nu kwar ki “ras” enportan? Kifer nu “kwar” ladan? Kifer nu kontinye reprodwir sa bann lide-la? Kifer nu kontinye propaz bann krwayans vid? Limanite ena miltitid idantite: nimport ki enn dimunn kapav ena idantite kuma enn fam, enn siklist, enn kikenn ki byen relizye, enn mama, enn santer, enn manejer, enn zardinye, kikenn ki desandan enn maren, enn koleksyoner tem, enn serfer, enn rakonter zistwar, enn gran manzer, enn aktivist politik, enn bon kwizinye. Sakenn dant nu deside ki idantite nu anvi plis e nu osi swazir ki idantite lezot dimunn nu anvi met lanfaz. Dan MAK, nu panse ki bizen met lanfaz lor idantite ki kreatif e lor idantite ki amenn progre pu limanite. Lot kote, fode pa donn pye sa bann idantite ki ena tandans destriker e ki al kont progre sirtu dan bann domenn kot tel-tel idantite pena zot plas.

### **“Ras”: enn ideoloji ki servi par lextrem drwat usi byen ki par bann santrist**

Nu finn demontre ki lentere bann rezim de drwat ena dan servi “ras” ek rasism pu zot prop lentere politik. Depi Le Pen ziska PMSD, depi rezim Aparteid ziska Nazi, depi Klu Klux Klan ziska National Front, zot tu ralye dimunn kont enn menas “andeor” depi kit “ras” (u “kiltir”) ki pe sanse anvair u afebli lanasyon.

Seki pli difisil pu rekonet se dan fason ki dan Lamerik ek Lerop sirtu, muvman santrist ki pretann zot plis eklere finn persiste servi klasifikasyon kominal ek rasyal pu swadizan fini kominalism ek rasism. Buku dimunn ki finn enflianse par argimantasyon ideozik sa muvman santris finn fek kumans “returne” pu viv dan Moris. Dr Rajabally, ki ekrir dan lagazet *Star*, prodir bann lide ki tipifye sa kalite kominalism virilan ek danzere (get *Star* 6 Ut 1995).

Bizin analiz klerman ki bi politik bann tel muvman santrist: zot nek ule redistribye inegalite e zot pa enterese pu eradik inegalite. Opizale, zot bi se redistribye inegalite egalman parmi tu bann kategori ki zot dir existe. Me an realite, zot ule ki kontinye ena inegalite.

Tan ki dimunn, enklir numem, nu kontant nu avek enn bi feb, enn bi kapon, enn bi ki apenn kasyet so imoralite, lerla klasifikasyon kominal ek rasist pu kontinye mem.

An zeneral dan Moris, konsep “ras” finn sirtu servi par ladrwat. Ti servi konsep “ras” pu zistifye esklavaz, lerla apre abolisyon esklavaz finn servi sa konsep-la pu kontinye zistifye inegalite . Rasism “Anti-Afriken” ankor byen kuran.

Prezize Anti-Endyen ek anti-Sinwa inn vini avek langazman e sa bann prezize ankor prezan ziska zordi.

Rasis anti-blan finn osi servi par politisyen dedrwat ek ankor prezan zordi.

Anplis, li drol, me ena enn ideoloji anti-Semit parmi buku dimunn dan Moris e sa malgre ki dan Moris apenn ena dimunn ki swiv relizyon Zwif. Enn ideoloji ki re-kree zur apre zur. Sa li ankor enn prev ki “ras” li enn ideoloji e napa enn fe - rasism anti-semit dan labsans enn “ras Jwif”.

Ras ti vinn pwen raliman pu muvman “Malez Kreol”. Comité Premier Fevrier vini avek enn lalis demand kareman kominal, kot :

- \* zot dir fale ena enn “Kreol” vinn Prezidan Larepublik
- \* zot dir fale ena otan “Kreol” kandida lor lalis sak parti politik
- \* zot dir fale ena nominasyon “Kreol” alatet bann Minister
- \* zot dir fale ena tan nomb ambasader “Kreol”
- \* zot dir fale ena reprezantan “Kreol” ki kapav vinn prezidan bann komisyon tel ki Public Service Commission, Police Service Commission ek LGSC.

Pu montre kimanyer sa kalite platform kominalis li iresponsab, se Gaetan Duval ki byen vit, vinn portparol sa platform la. Li anonse ki si limem vinn prezidan a lonterm (La, Gaetan Duval enpe plis poli ki Comité Premier Fevrier anver Prezidan an ezersis), si Hervé Duval vinn alatet PSC, si so ser vinn ambasader, e si so garson vinn enn senyor minister, lerla “Malez Kreol” pu disparet. E byen sir enn tel kanpayn finn fer PMSD tir lavantaz politik e kumsa PMSD rant dan guvernman.

Kumadir Gaetan Duval fer nu tu rapel ki seki “opuvwar” a ninport ki moman, zot zis de-trwa klan.

Apre, portparol Comite Premier Fevrier usi kumans milite pu ena bestluzer “Kreol”. Setadir, zot dir bizen azut enn nuvo “kominote” kan kalkil depite bestluzer. (Lekter ki enterese pu gayn analiz MAK lor sistem bestluzer ek so dinamik anti-progre, dokiman MAK ki ti pibliye dan lagazet L'Express) [e ki nu pe re-pibliye dan sa livre-la].

Fekla, finn ena regroupman dimunn lor baz inikman “ras” kan muvman “Malez Kreol” pe leve. Ankor enn fwa, bann demand enn tel muvman finn tutswit benefisyé PMSD.

## **Relizyon**

Konstitisyon Moris fer li kler ki “Moris li pu enn Leta suveren ek demokratik”. Saverdir Moris li nepli enn Leta relizye, kuma li ti ete teknikman avan nu vinn enn Repiblik parski Larenn ki ti Sef Leta Moris avan Repiblik, li ti usi sef Legliz protestan (Church of England). Nu finn finalman liber nu depi sa lanpriz relizye lor Leta.

Me dan lepok modern, kuma Philippe Forget fer resortir dan enn editoryal enportan dan *L'Express* 26 April 1995, relizyon li pa enn swa lib. Byen suvan li enpoze lor bann zenn “sans recours à la legitime defense”, sak relizyon dan so fason. Li pa pu desito ki pu ena enn relizyon ideal ki sak adilt (zenn travayer avek matirite) pu kapav swazir libreman. Nu Konstitisyon garanti liberte konsyans e dir ki “... tu dimunn pu ena liberte konsyans san okenn obstak, sa seksyon Konstitisyon definir liberte konsyans pu inklir liberte panse, liberte pu swiv enn relizyon, liberte pu enn individi tusel u ansam avek lezot dimunn, exprim so apartenans dan enn kit relizyon an piblik ubyen an prive, propaz so relizyon u so krwayans, so lanseyman e so manyer pratik ek swiv relizyon. Dan MAK depi nu finn fer nu dokiman fondasyon, nunn pran pozisyon an faver liberte konsyans e nu defann drwa sak sitwayen pu pratik relizyon ubyen panse de so swa.”

Tu klasifikasyon relizye ki truv andeor kad relizyon, li danzere. E dan Moris, samem leker kominalism: bann kominalist pe tultan get dimunn kuma “Hindu”, “Katolik” u sipaki lot kategori relizye.

Par examp, nu Konstitisyon pu li aplik sistem Bestluzer, li servi klasifikasyon lor baz relizyon anmem tan ki ena klasifikasyon lor baz ras. Sa ki fasonn kad inik klasifikasyon kominal dan Moris. Dan MAK, nu kont sistem Bestluzer pu sa rezon-la.

Kuma Pere Sullivan finn deklare resaman, zis 20% dimunn batize kuma Katolik ki “Katolik pratikan”. Sa sif-la, li apepre parey ubyen mwens pu laplipar relizyon dan laplipar plas si nu kalifye kuma “pratikan”, kikenn ki partisip dan plis ki enn aktivite relizye par semenn. Li klerman absird pu lerla apel dimunn par kit “idantite” relizyez kan pe al lav lenz dan larivyer, u kan pe al vote, u kan pe zve voleborl, u kan pe travay dan zonnfrans, u kan pe al dan prizon. Se sa kalite klasifikasyon par relizyon (u ras) ki nu obzekte.

## **Kominalism: ralye dimunn kont progre**

Tu raliman dimunn lor baz ras-e/u-relizyon (setadir kominote) al kont progre. Li otomatikman vedir klasifikasyon e kategorizasyon. Li perpetye enn form aparteid. Li inevitab ki li perpetye inegalite.

Nu tu bizen aprann pu rekonet sa ideoloji e nu bizin opoz li.

Tu form klasifikasyon e kategorizasyon baze lor relizyon e ras pa zis absird me potansyelman danzere.

Dan Rwanda, Yugoslavi, Liban, Lairland, Lalzeri ek Lend, kot lager sivil se bann bagar kominal, bann tel bagar posib selman si laba ti pe re-kree klasifikasyon e kategorizasyon tulezur. Dimunn ti aksepté e perpetye (pu plizyer diferan rezon) prosesis klasifikasyon olye opoz li.

Li vo lapenn suliyne ki dan bann lexamp ki finn site lao, ena eleman relizyon dan konfli me ena osi eleman ras, eleman nasyon, eleman kiltir u eleman tribal ladan.

Dan Rwanda, problem Lekol Konfesyonel finn persiste depi 1907 kan Vatikan gayn kontrol monopol depi puvwar kolonyal Alman, e apre depi guvernman Belz ki koloniz Rwanda apre Premye Ger Mondyal.

Dan Yugoslavi, finn ena veritab konfli dan lekel Legliz Katolik, Legliz Ortodox ek Islam finn enplike.

Dan Liban, apre buku lane kot konfli ti ant lafors “Kretyen” e lafors “Mizilman”, konfli-la finn vinn enn konfli ant diferan milis (band arme) osi byen ki bann konfli entern andan bann milis.

Dan Lalzeri, finn ena lamonte integrism islamik.

Dan Lairland, o-mwen enn parti konfli ti relizye, parey kuma konfli dan Lend.

Dan tu sosyete, kot ena enn leritaz esklavaz ek langazman, problem ras ek kominote kondane pu vinn enn problem grav. Nu ena tandans pu kontinye zistifye inegalite an term ras ek kominote. Dan koloni Larenyon, ena bann term sokan kuma ."Kaf", "Malbar", "Zorey" , "Zarab", etc. E dan Moris usi, mem si nu dir li dan ti lavwa, nu tro onte, nu usi nu servi sa kalite term: "Pa met mwa lapolis, mo zis enn ti-Malbar pe rod mo lavi"; "Donn mwa enn kudme, mo zis enn ti-Kreol"; "Pa kit u motosiklet divan mo laport, u kone bann x, y, z par isi ki manyer ete (fer referans a dimunn par so 'kominote') ".

Kan nu koz kumsa, nu pe mank numem direspe. Nu pe pretann ki nu pe aksepté lozik enn kontinyasyon esklavaz ek langazman kot ti pe bizen kurbe divan patron pu gayn kit faver olye ki revandik drwa avek latet ot.

Dan Moris, sityasyon anpire kan ena menas pu nuvo "fraktir" dan bann kominote ekzistan ki finn determine ideolojikman. Kumadir bann vye worlord, sef klan ki sem lager, truv sa bann nuvo fraktir kuma enn menas lor zot reyn e zot bizin montre ki enn nuvo swadizan menas a "zot kominote" depi lexyer pu gard puvwar lor zot "trupo". Bann nuvo lider kominalist pe rod split "lakominote" pu ki zot ena enn nuvo "grup" pu zot lid. "Malez Kreol" menas pu split enn "kominote". Muvman Vaish split dan enn lot "kominote". Hizbullah split ankor enn lot.

Bann worlord, lider "kominote" ki santi ki zot kominote pe afebli e su enn potansyel atak, reazir ek atak enn lot "kominote". Lider sa kominote ki su latak reazir a sa sipoze atak-la. Lerla lalyans kominal pran form.

Oryantal versis leres.

Minorite versis mazorite.

Enn relizyon kont enn lot.

Enn kuler kont enn lot.

Enn kast kont enn lot. Ale mem san fen.

Tusala se kominalism.

Lerla, enn zur tris, tu sa konfli al kwensid avek lentere enn geng ordiner ki li an konfli avek enn lot geng ordiner. Lerla, senaryo pu enn bagar fini met anplas.

Se sa ki nu apel dinamik kominal. Enn zafer amenn enn lot zafer, ki amenn enn lot e ki lerla amenn enn lot - sak reaksyon li enn aksyon defansiv, fer nu tu rant dan bagar kominal u rasyal parey kuma trupo koson Gadarinn ki galup ver falez.

Dimunn ki reflesi pena drwa zis swiv sa bann evennman danzere. Nu bizen rezet klasifikasyon an antye.

Nu bizen rezet klasifikasyon dan so form institusyonel, rezet kominote kuma enn kategori ki servi par politisyen, par profesyonel, par seki pe rod dekros kontra ubyen tennder, par lider relizye, par seki pe rod nominasyon, par seki pe rod enn post, par akademik, par lider ti-burzwa, par komersan, par seki pe rod vot, par nu.

Nu usi nu bizin opoz rasism. Nu bizen denons explwatasyon ek lopresyon lepase par esklavaz e par langazman. Nu bizen usi denons explwatasyon par sistem kapitalist. Nu ena pu idantifye ki veritab surs nu santiman detres, nu insekirite, nu sufrans. Insekirite dan travay, mank demokrasi dan lekonomi, buku dimunn dan enn sel lakaz aköz mank lozman, lafreyer ki pa pu gayn enn bon lekol, lafreyer ki pa pu gayn bon swen medikal, overtaym obligatwar, lapey ba. Tusala bann lasurs reel. Zot nu leritaz depi enn lekonomi kolonyal kriel ek kapitalist.

Li enportan pu rapel kot bann fe ete. Ena buku dimunn mizer e dimunn san okenn puvwar parmi lamas dimunn ki bizen travay pu viv. Depi montayn Vallée Pitot kot "ti-marsan" viv, rezyon byen pov kuma Kan Yolof ek Ros Bwa, depi dankan ki ankor la me ki finn bliye e lamizer zeneralize dan lakanpayn e sirpopilasyon dan lakaz site. U zis ena pu kone ki lapey enn travayer zonnfrans, enn laburer dan kann, enn travayer anplwayed mezon pu realiz komye lamizer ena dan Moris. Li kup atraver sosyete: plis ki lamwatye Morisyen viv anba minimum vital. Sa li inakseptab.

Pli pir ankor. Fas a sa lamizer-la, ena larises imans. Enn-de santenn fami ankor ena kontrol lor laplipar later, mulen disik, mazorite kapital dan turism, lendistri, komers, lasirans, labank, inpor-expor ek kontrol lor tu post enportan dan sektor prive. Guverman pe privatiz sa tigit propriete piblik ki ti ena e guvernman pe kontinye ek so politik privatizasyon. Finn ena enn lekurs fu pu gayn kontrol lor bann mwayen de prodiksyon ki finn fek privatize. Sa lekurs fu ki sa finn amene pe kontinye fer tu bann form kominalism vinn fuka.

Ena klas sosyal dan zot totalite pe reklam "egalite". Ena kuran politik ki pe lite pu ena egalite pu tu dimunn. Nu truv nu dan sa kuran-la.

Ena usi enpe endividi e grup ti-burzwa ki ena lanbisyon pu vinn ris zot mem ek ris zot klan dan burzwazi. Zot servi dan enn fason sinik explwatasyon ek opresyon dimunn mizer pu sof sityasyon; lerala zot ofer sime sorti depi sa konfli: zot dir bizen donn zot nominasyon, zot dir donn larzan pu zot lorganizasyon, zot dir donn zot klan tennder.

Sa li enn ansyen dinamik.

Me byen danzere.

Nu kapav stop li. Nu ena puvwar pu stop li, se lefet ki sa endividi ek ti-burzwa la zot demars preske tultan baze lor klasifikasyon kominal. Nu kapav parey pran langazman pu arete avek klasifikasyon ek kategorizasyon dyabolik parey kuma Redakter an sef lagazet an 1968. Me zis sa pa pu ase.

Pu nu fer progre, nu bizin an mem tan ki nu pe opoz konsyans kominal, pran desizyon politik pu lite pu “egalite”. Pa pu redistribye inegalite par reprezentasyon proporsyonel. (Ki kalite demand absird pu dimann mem kantite dimunn san lakaz dan sak “kominote”, mem kantite prizonye dan sak “kominote”, mem kantite salarye avek gro-gro lapey dan sak “kominote”, mem kantite propriyeter tablisman dan sak “kominote”, mem kantite laburer dan sak “kominote”, mem kantite somer dan sak “kominote”.)

Nu demand minimam se egalite.

Nek lerala ki nu pu ena swa pu decide ki pu selebre dan lavi. Nu ena le swa pu selebre nu limanite iniversel e travay pu dibyen tu limanite.

Nu ena swa sipa pu kontribye nu zefor, nu lapey, nu letan, nu lamur, nu konsiderasyon dan lorganizasyon ek aktivite non-kominal ubyen non

Nu ena pu fer sa swa-la.

MAK Sukomite lor Best Loser ek Klasifikasyon  
Oktob, 1995

(Avan zizman Lakur Siprem  
lor kestyon langaz oryantal ek rengking ki ti provok sa kriz-la)

## Sistem Bestluzer: Kot li sorti?

Sistem Bestluzer kominal, kuma nu konn li zordi, li finn pran nesans dan Rapor Komisyon Banwell an 1966, ek serten amandman ki Stonehouse finn propoze, enn an apre. Sa Komisyon Banwell la ti met dibut par Guvernman kolonyal Britanik, pu propoz sistem elektoral pu Eleksyon Zeneral 1967, ki ti pu desid lor lindepandans pu Moris.

Me diferan metod klasifikasyon kominal dan resansiman ti deza existe depi byen avan; ek deba lor diferan sistem reprezantasyon kominal dan Konsey ti deza finn ena pu plis ki 40 an avan.

Ena enn seri faktor ki finn determinan dan evolusyon sistem elektoral dan Moris: finn ena faktor fondamantal kuma relasyon ant Guvernman Kolonyal Britanik ek diferan lafors politik ek klas sosyal dan Moris; finn ena sa dyalektik mobilizasyon de klas/ mobilizasyon kominal pandan sa peryod krisyal dan devlopman demokrasi burzwa dan Moris; finn ena osi bann mitasyon profon dan formasyon de klas a traver devlopman ekonomik.

O-nivo politik ek institusyonel, bann eleman ki finn inportan se prosesis elarzisman sifraz, rediksyon gradyel dan pwa politik bann nomini dan Konsey, diferan dekupaz sirkonskripsyon, diferan propozisyon pu sistem elektoral depi Reprezantasyon Proporsyonel ek lalist elektoral separe pu diferan kominote ziska sistem First Past The Post, ek finalman derulman prosesis politik ver lindepandans.

### **Lorizinn istorik**

Apartir bann lane 1920, dan plizyer koloni Britanik, deba ti finn lanse lor ki manyer pu introdwi enn form demokrasi burzwa ki pu permet ansyen koloni ek zot sosyete deforme par bann pratik kolonyal, swiv apepre mem sime ki Westminster. An 1927, pu premye fwa dan Moris, ena enn propozisyon depi bann ideolog burzwazi pu enn sistem reprezantasyon baze pirman lor kominote. Manjer ki ti pe prezant problematik la dan sa lepok la, se ki manjer rekonsilye prinsip enn guvernman ki ena sutyen enn mazorite elektora ek drwa bann “minorite”. Dan Moris li ti kler pu tu dimunn ki “drwa minorite” inklir privelez ek puvwar ekonomik gran burzwazi.

Dan Sri Lanka ek Fiji, ladministrasyon kolonyal Britanik ti inpoz enn sistem baze an gran parti lor reprezantasyon kominal. Deza an 1928, finn ena enn rapor lor sityasyon dan Sri Lanka ki dir ki enn tel sistem reprezantasyon kominal li totalman kont-produktif ek li amenn ankor plis friksyon ek konfli ant diferan grup. (Nu kone aster-la ki Sri Lanka ek Fiji finn traverse pli tar).

Dan enn let depi enn ansyen Guverner dan Moris a Guverner Mackenzie-Kennedy, ala seki li dir: “If you have never had a communal system it would be madness to introduce it”. Malgre sa, dan Moris, Gran Burzwazi ek enn seksyon tit-burzwaзи intelektyel ek profesyonel ti pe propoz syez rezerve ek lalist elektoral separe pu diferan “kominote”. Me deza ti ena serten politisyen kuma Rivet ki ti pe truve ki sa kalite reprezantasyon kominal pu ena enn rezilta byen negatif.

Eleksyon Zeneral 1948 li reprezant enn veritab turnan dan listwar Moris: avan sa eleksyon la, ladministrasyon kolonyal Britanik ti pe asire ki gran burzwazi ena enn prezans ek linflians determinan dan Konsey, a traver sistem nomini. Me apartir nuvo Konstitusyon pu Eleksyon 1948, pa zis sifraz finn elarzi pu inklir tu dimunn ki ena “literesi de baz” dan nimport ki langaz ki itilize dan peyi, me nomb bann nomini finn redwi pu vinn enn minorite par rapor a mam eli. Me apartir 1948, ena mitasyon inportan dan konfigirasyon politik: S.S.Ramgoolam, ansam ek “Grup Advance” ki ti ena enn perspektiv kominal, pran kontrol lor *Parti Travayis* ki li ti ena enn platform de klas. Inpe an reaksyon a sa devlopman la, J.Koenig ek A.R.Mohamed met dibut *Raliman Morisyen* ki sey regroup bann “minorite”, lor enn baz kominal. Plitar, an 1955, *Raliman Morisyen*, ki ti finanse par gran burzwazi, vinn *Parti Morisyen*.

Se su presyon *Parti Morisyen* ki Guvernman kolonyal Britanik (Lennox-Boyd) vinn delavan ek enn propozisyon, an 1956, pu introdri sifraz iniversel, me ansam ek enn sistem elektoral baze lor Reprezantasyon Proporsyonel ek enn Lalist Parti ek “Single Transferable Vote”. *Parti Travayis* pu dakor ditu, ek zot propoz “first past the post” ek 40 sirkonskripsyon. Argiman *Travayis* se ki

si bann sirkonskripsyon ase tipti, tu diferan “kominote” pu reprezante otomatikman apre eleksyon. An mem tan A.R.Mohamed, ki asterla finn pran so distans depi Parti Morisyen pu form “*Central Committee for Action*” ki plitar pu vinn CAM (Comité Action Musulman), insiste pu syez rezerve ek lalist elektoral separe pu sak “kominote”.

Finalman ladministrasyon kolonyal Britanik truv enn konpromi ek inpoz enn sistem “First Past The Post” ek enn depite pu sak 40 sirkonskripsyon, plis enn serten nomb nomini (ki ti apel “bestluzer”) parmi kandida ki finn gayn buku vot me pa finn eli, pu retablir lekilib ant parti ek “kominote”. Eleksyon 1959 fer dapre sa sistem la, ek pu premye fwa, fer lor baz sifraz iniversel. *Parti Morisyen* sort gran perdan: li nek fer eli 3 depite lor 40. Me prosesis nominasyon par ladministrasyon kolonyal Britanik donn li ankor inpe syez.

Me apartir la, *Parti Morisyen* deklans enn kanpayn kominal pu sey rekiper enn proporsyon sa baz de klas ki *Travayis* ti ankor ena parmi travayer. Sa kanpayn kominal la morde dan enn serten mezir, an parti parski *Parti Travayis* ti finn devye depi so platform de klas, ek malgre lefet ki gran burzwazi uvertman sutenir ek finans *Parti Morisyen*. Dan prosen Eleksyon Zeneral an 1963, *Parti Morisyen* ki aster la su linflians politik popilist G. Duval, fer elir 8 depite.

An reaksyon a kanpayn kominal *Parti Morisyen* pu eleksyon 1963, enn grup dimunn otur P. Dabee, D. Varma, ek Aneerood Jugnauth met dibut enn parti kominal ki ti apel *All Mauritius Hindu Congress (AMHC)*. Sa polarizasyon kominal la debus lor premye bagar kominal an 1965. Dan sa mem lepok la deba lor lindepandans/lasosyasyon vinn byen so ek mem vyolan.

Tuzur an 1965, kan negosyasyon demare lor reform konstitisyonel ek sanzman sistem elektoral, ankor enn fwa *Parti Morisyen* vinn propoz enn sistem Reprezantasyon Proporsyonel ek Lalist Parti, *Parti Travayis* pa dakor, ek CAM tuzur an faver syez rezerve ek lalist elektoral separe pu sak “kominote”.

Finalman Komisyon Banwell vinn propoz apepre seki nu ena zordi; su presyon *Parti Travayis*, CAM, IFB (Independent Forward Block), ek AMHC, rapor Stonehouse amenn serten amandman miner lor fason pu kalkil Bestluzer, ek finalman tu bann Parti tom dakor: zot estime ki sistem First Past The Post ek 3 depite dan sak 20 sirkonskripsyon (+2 dan Rodrig), ek 8 “Bestluzer” nome parmi kandida ki pa finn eli, kalkile dapre enn formil ki sey koriz su-reprezantasyon “kominal”, san afekte balans ant Parti, sa sistem-la reprezant enn konpromi ant bann diferan pozisyon.

Lefet ki sistem “Bestluzer” depann lor klasifikasyon popilasyon an 4 diferan kominote, ek lefet ki sak kandida dan enn eleksyon zeneral bizin deklar so “kominote” lor so Nomination Paper, sa ti enn “perversyon” demokrasi ki tu bann parti politik a lepok ti pare pu aksepte.

The Best Loser System

## **A COMMUNAL PERVERSION**

OF ELECTIONS TO PARLIAMENT *and*

## **A CONSTITUTIONAL LICENSE**

TO PRACTISE COMMUNALISM AS A POLITICAL STRATEGY

### ***People, Politics and Parliament***

It is often said that Mauritians are more or less always involved, in one way or another, in a seemingly eternal electoral campaign even though, or perhaps because, there are no general elections immediately in sight.

This may well be true ... more or less. Some choose to be keen or reluctant observers. Many become passionate commentators or active campaigners and electoral agents when the elections do come.

What is certain is that general elections are taken seriously by the vast majority of Mauritians and, before voting, they ask themselves important questions relating to whom political power should be entrusted, how and in whose interests they want such power to be wielded. Mauritians, on the whole, prefer to vote for national political parties or alliances rather than for individuals or regional parties.

Mauritius has a parliamentary system of government and, since 1968, its Constitution, the Supreme Law, makes provision for an impressive number of fundamental human and democratic rights. Among them is the right to vote and the right to be a candidate to the National Assembly.

It would be wrong, however, and dangerously so, to believe that both our parliamentary system and the rights we enjoy, came into existence and continue to exist simply because the French and the British had “prepared us” or because our Constitution said so and continues to say so.

The truth is much more complex. The decisive factors which brought parliamentary democracy to Mauritius have nothing to do with the desire of the French to “civilise” us nor with the eagerness of the Mother of Parliament in Britain to spread democracy around the world. Nor are we to thank the erstwhile local “elite”, which had fattened itself on slavery and indentured labour, for its reluctant adoption of democracy as a sign of its belated enlightenment and its willingness to offer its benefits to the people under their rule. It was never minded to do so.

Parliamentary democracy and constitutional rights in Mauritius are the results of a past and ongoing struggle between various conflicting economic, political and ideological (often disguised as “cultural or religious”) interests. They have never been offered by the powerful and the wealthy nor have they been invented by lawyers.

They are achievements made along the dire road of the many and never-ending struggles for human dignity, social justice, personal liberty, equality and freedom for all. In a class-ridden society, the right to choose one's political representative and the right to represent the interests of a class are of great importance to the mass of workers, the unemployed and the poor in general. They were the ones who for so long had been deprived of any political power.

Achievements are partial victories. They come with their imperfections, sometimes cruel ones, precisely because the victories are not complete and are often accompanied by severe setbacks. A partial victory is very often simultaneously a partial defeat. We had the independence of India, yet we saw at the same time its partition and the creation of Pakistan. A sequence of wars followed. Mauritius became independent in 1968, but to this very day Diego Garcia remains excised from its territory. The Comores are independent, but the French still occupy Mayotte. Often, the same battles have to be fought over and over again.

Our Republic is a parliamentary democracy. It is based on universal suffrage with its principle of one equal vote for each adult citizen. The right to vote for all and formal (not necessarily

real) equality before the law are the results of radical political struggles involving often mass participation of the exploited and oppressed. No doubt an impressive achievement when contrasted with the recent reality of colonial rule and our past history of a plantation society based on slavery and indentured labour. Still, such an achievement must not blind us to the imperfections and their malignant consequences.

### ***The Poison***

The best loser system is such an imperfection. It is an anti-democratic poison in our parliamentary and electoral systems. It transforms the electorate into a sum of communal categories and the individual citizen is no more an adult with the political right to vote and choose a political representative, but becomes, above all, a sectarian unit who will be represented by somebody who apparently shares the same sectarian identity.

Indeed, as will be shown, it is a poison that corrupts the Constitution itself. It categorises and divides the electorate into distinct communities. It allows candidates who are defeated at the polls to be *nominated* as representatives of distinct communal categories members in the National Assembly (on an equal basis with *elected* members) after complex computations by the Electoral Commission. *Worse still, it considers the candidates who are elected by citizens to be communal representatives of distinct categories of the electorate.* The political will of the electorate is perverted.

One decisive factor in the nominations of the best losers is the *communal identity* of the defeated candidate. The fellow or lady is transformed into an Honourable member and, worse, he or she is immediately vested with the official pretension that he/she is the “representative” in Parliament of a particular community.

It does not matter at all that the appointed member was a candidate to the elections as the champion of a political programme and that he/she did not see himself/herself nor was he/she necessarily perceived by the electorate as the potential representative of a particular community. Further, once in Parliament, he/she is expected to promote the interests of the entire Mauritian people whilst appointed, *inter alia*, on the basis of his/her own personal *communal identity*.

The poor man or woman is condemned to live a double lie. At the elections, as a candidate, albeit a defeated one, he/she received votes from *citizens*. After the elections he/she is appointed as a representative of *a particular communal group* and yet, he/she becomes the Honourable Member for a particular constituency where *citizens* live.

The right to vote is a fundamental political right common to all citizens. It is a legal right. *It has and should have nothing to do with the communal identity of the voters nor of the candidates.* The right to elect political representatives in Parliament is being perverted into the constitutional pretence that it is legitimate and logical to appoint members to Parliament on a communal and divisive basis. We will show below how these appointments are made *after having quantified the number of elected members in each communal category.*

It is not pleasant at all to admit, but the communal dimension of our parliamentary democracy is very real. A few Honourable Members may not personally or politically like it. They may even feel uneasy about it. The point, however, is precisely that individual resistance can achieve little, if anything at all. The communal dimension of our National Assembly is systemic. It is institutionalised:

*All our Honourable Members, whether elected or nominated, become communal representatives. No wonder then that often, so very often, they behave as such before and after the elections, during our permanent electoral campaigns, in government or in opposition.*

Well, to put it briefly, they never stop. They pause. Then they are at it again. And so on and so forth..... We know it well when they do it and we get anxious when they overdo it, and in spite of their perfunctory denials, they certainly know what they are doing ... and all the while they have the gall to keep on harping that our society is “fragile”. Many politicians even believe they are expected to look after and win support from “their own”. They view the electorate as split into “nu bann” and “zot bann”. This is how politicians become “mountain keepers”. Sadly enough, many manage to derive considerable pride from this communal occupation.

The communal poison injected into the National Assembly, the seat of legislative power, flows unchecked to other spheres of government, to the civil service, to the public and to the private sector. *The first to be immediately infected is the Cabinet of Ministers, the heart of executive power. Ministers of the nation become powerful representatives or “leaders” of distinct communal categories or sub-categories. Unwritten and shameful “rules” dictate how many Ministers communal categories are “entitled” to.*

These unwritten “rules” have neither legal nor logical substance. They inevitably give rise to irrational discontent and churlish recriminations among those who fear that their undiscovered Ministerial abilities or their proven deficiencies as Ministers may nail them to a back bench. Some communal agitation may then change this dreaded fate as a backbencher into a Ministerial career. To form a Cabinet to govern Mauritius after general elections is quite a nasty business. Needless to add that the Prime Ministership, the highest office in the Cabinet is equally subject to these communal “rules”. It is believed by many that it is and must remain the preserve of a distinct communal category. The Prime Minister finds himself or puts himself in a politically difficult situation. He is the Prime Minister of the Mauritian people as a whole whilst it is widely believed that his communal identity explains why he has been chosen to hold this high office.

The citizens fare no better than the Prime Minister and his Cabinet. The poison of communalism has become a national and highly contagious disease. No area of social and human activity is guaranteed immunity. It plagues the educational system and sports. It actually determines admission to and membership of social and cultural associations and clubs.

The symptoms of the disease manifest themselves in a multiplicity of deep personal and social prejudices. Since communal attitudes and its vile vocabulary conflict with facts and reason we are trapped in a schizophrenic logic to maintain a semblance of normality, to justify the unjustifiable. Prejudice pre-ordains what music we will not listen to, what book should not be read by anybody, whom we cannot trust and whom we should not marry.

Thus, in every day life, we keep allowing communalism to corrupt our humanity. We know it is poison and yet we drink it. We condemn it as “le demon communal” and preach its elimination, but we pass it on from generation to generation. We still cling to it.

We cling, as if mesmerised, to the illusion of “belonging” to a category. We are not content with the reality of simply being a member of the human species. We commit the grave mistake of fastening to this common and fundamental identity particulars of our diverse cultural, philosophical and religious beliefs and practice. We add more to our identity only to lose much of the progressive features of our human civilisation.

The loss and its perilous consequences can be measured by the bestiality of the massacres in Rwanda, in Bosnia, in India, in Algeria and in too many other parts of the world. The frenzy of these mass killings mirrors back to us the barbaric madness which communal identity and illusory communal interests unleash.

Communalism blurs away the scientific truth that the basis of our identity is our common humanity. It is barely a matter of “tolerating” what others are. The essential point is to remain conscious of who we *all* are: humans.

### ***The Perversion***

The main body of our Constitution makes no mention at all of the existence of “communities” in Mauritius. Nor is any reference ever made to “members of a community “. Further, we are not categorised in terms of our religious beliefs. We are considered as “persons”, as “citizens”, as “electors”. The main body of the Constitution tells us we are all Mauritians having equal rights and responsibilities. Our political and legal identity is not fragmented. The integrity of our citizenship is not sapped by communal categories.

Section 31 (2) of the Constitution states that our Parliament “shall consist of persons elected in accordance with the First Schedule, which makes provision for the election of 70 members”. (our emphasis)

In fact, as we know, *only 62* members are elected. The gap between 62 and 70 is filled by members who have *not* been elected. The gap is filled by defeated candidates *nominated* by the Electoral Commission. Section 31 (2) perverts the truth when it deliberately pretends that all 70 members of our Parliament are to be elected. Why does everybody go along with this lie?

The infamy starts with the demand in Section 3 (1) of the First Schedule that “every candidate for election at any general election of members of the Assembly shall declare in such manner as may be prescribed which community he belongs to and that community shall be stated in a published notice of his nomination.”

Candidates are obliged to introduce themselves to the electorate in terms of their communal identity. This identity can be contested by others before the Supreme Court and the decision of the Judge is final.

We would have thought it logical and sufficient for a candidate to introduce himself or herself as an adult human being who is a citizen of Mauritius and that he/she is more or less of sound

mind at the time he/she wishes to represent a constituency in Parliament. To our great shame, the First Schedule insists otherwise. The candidates are classified into four possible categories. Its section 3 (4) extends the infamy of Section 3 (1) to the entire people of Mauritius. Here it is *in extenso* :

“For the purposes of this Schedule, the population of Mauritius shall be regarded as including a Hindu community, a Muslim community and a Sino-Mauritian community; and every person who does not appear, from his way of life, to belong to one or other of those 3 communities shall be regarded as belonging to the General Population, which shall itself be regarded as a fourth Community.”

The first obvious observation to be made is devastating: when it comes to elect our Government, our Opposition and other politicians to represent us in Parliament, *the Constitution allows its First Schedule to do away with our political responsibility, our political dignity and our political integrity as citizens.*

The representation of the people in Parliament, the choice of those who will govern the country is deliberately and heavily polluted by communalism. We, the people, are reduced, whether we like it or not, to beings which must perforce “belong” to one of 4 categories. Some of us are defined in terms of our religion: Hindu or Muslim. Others in terms of the place of origin of our putative ancestors: a Sino-Mauritian presumably comes from China. After this constitutional massacre of the integrity of our Mauritian citizenship, what is left of us is unceremoniously packed in the motley bag of “General Population”.

Is this acceptable in 1995? Was it ever really acceptable? Will the people still accept it in the year 2000? Will our youth continue to tolerate the intolerable?

For how much longer will the people of Mauritius, the political parties and the Supreme Court, the Guardian of the Constitution, tolerate and subject themselves to such dangerous political indignities and fragmentation?

We may pause here to note that the Lalit Party is a courageous exception. It must be commended for its philosophical and political objection to such communal classification. In 1983 and in 1987, indeed whenever it participates in elections, *its candidates choose a community from a hat* (probably the safest place to handle such a concept). The 4 categories imposed in the First schedule are written down on a piece of paper, put in a hat and the candidates pick one out, any one, which they use to fill in their Nomination Papers.

Such a device is not a mere symbolic gesture. It certainly is more logical when contrasted with the absurdly vague notion of “way of life” that the horrendous Section 3(4) imposes as a method of classification upon the Judges who are given powers to determine in which communal category a candidate is to be confined. If each of the 4 categories is supposed to have a distinct “way of life” that can be legally defined, we may well ask what has happened to the “Mauritian way of life” we hear a lot about. Why is it not mentioned in the First Schedule? Perhaps because it would establish too clearly the reality of only *one Mauritian electorate*.

Section 5 (1) of the First Schedule confirms bluntly the purpose of the best loser system :

“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.”

This purpose is supposed to be achieved by *quantifying* each communal category. Yet, this was done for the last time in the census of 1972. The electorate was asked to identify itself in terms of communal categories. In census carried out in 1982/1983 and again in 1992, the electorate did not have to state any communal category. Candidates to elections, however, still had to categorise themselves. Thus, the outdated figures gathered *in 1972* have been used to appoint best losers in all the general elections since 1976 onwards. They were last used in 1991, nearly twenty years later.

Parliamentary democracy is perverted by such absurdities which compound the indignities already mentioned. The Electoral Commission might as well use a large hat to select the best losers. A sombrero would do. It is much less harmful and less ignoble than the communal quantification and division of a whole nation.

### ***The Mathematics of Perversion***

We will attempt to show step by step how the Electoral Commission proceeds to nominate best losers after a general election. We will deliberately ignore the communal categories used by the

Electoral Commission and we will instead use the letters A, B, C, and D to represent the unwarranted divisions imposed by the First Schedule of the Constitution.

After 62 candidates have been elected in the course of a general election, best losers are appointed individually from candidates of political parties whose members have won seats in constituencies. The best losers come from the ranks of the defeated candidates who have scored the highest percentage of votes.

A defeated candidate is chosen from the category which is allegedly not sufficiently represented in Parliament. You will recall that the 62 elected candidates, like all candidates, had to declare in their Nomination Papers which category they “belong” to. After the elections they are grouped together according to the category stated in their Nomination papers. In the example set out below, we have put 40 elected members in category A, 15 in category B, 6 in category C and 1 in category D.

When using the census of 1972, we find that the population has been divided as follows :

Category A	428,348
Category B	261,439
Category C	137,173
Category D	24,374

The ratio of representation is “measured” by dividing the number of people in the category by the number of elected candidates. We therefore find the following:

<b>Category A</b> - (428,348 divided by 40) has 1 Honourable member for each 10,709 people.
<b>Category B</b> - (261,439 divided by 15) has 1 Honourable Member for each 17,429 people
<b>Category C</b> - (137,173 divided by 6 ) has 1 Honourable Member for each 22,862
<b>Category D</b> - (24,374 divided by 1) has 1 Honourable Member for 24,374

How does the Electoral Commission decide which category is the “worst off” as far as communal representation is concerned?

As a first step, it adds 1 best loser to each category and then it computes anew which category has the largest number of people represented by 1 Honourable member. This category is then defined as being the “worst off” and becomes entitled to get a best loser.

The first 4 seats allocated to best losers are allocated to defeated candidates without taking into account which political parties they come from. *The whole affair is purely communal.* Once it has been determined which category is supposedly the most insufficiently represented, defeated candidates, who had declared that they “belonged” to that category and who have scored the highest percentage of votes, are chosen.

Having disposed of the first batch of 4 best losers on a communal basis, the Electoral Commission then proceeds to nominate the second batch of 4. Once again the Electoral Commission takes into account the communal identity of the best-loser, but this time, it also takes into account which political party he/she is a member of.

You may find all this very complicated. It is. It is a rare case of mathematical Machiavellism and has little to do, if anything at all, with political representation in a modern democracy.

We will try to make matters more intelligible by using tables to explain the computation and the logic governing the appointment of best losers after a fictitious general election.

After the results, there are 3 political parties which have elected candidates as follows:

<b>Party V:</b>	the biggest party	<b>30</b> Honourable members
<b>Party</b>	the second	<b>20</b>

<b>W:</b>	party	Honourable members
<b>Party Y:</b>	the third party	<b>12</b> Honourable members

Table 1 shows how all the 62 elected candidates are grouped in 4 categories and how many people each Honourable member allegedly represents in each category:

**TABLE 1**

	Category A	B	C	D
1972 census	428,348	261,439	137,173	24,374
Hon. Members after election	40	15	6	1
Each Hon. Member represents	10,709	17,429	22,862	24,374

**Table 2**

	Category A	B	C	D
1972 census	428,348	261,439,	137,173	24,374
Hon. Members after election	40	15	6	1
Each Hon. Member represents	10,709	17,429	22,862	24,374
if add 1 in to each category then each Hon. Member will represent	<b>41</b> 10,448	<b>16</b> 16,340	<b>7</b> 19,596	<b>2</b> 12,187
<b>1st nominee</b>			<b>1</b>	

The first nominee will go to Category C which now has 7 Honourable Members.

**Table 3**

When you add one best loser to each category, you get:

	CAT	EG	ORY	
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	A	B	C	D
Hon. Members after election	40	15	6	1
<b>1st Best Loser</b>			+ 1= 7	
Each Hon. Member represents	10,709	17,429	19,596	24,374
if add 1 to each category Then each Hon Member will represent	<b>41</b> 10,448	<b>16</b> 16,340	<b>8</b> 17,147	<b>2</b> 12,187
<b>2nd. nominee</b>			<b>2</b>	

The second nominee will go to category C which now has 8 Honourable members

**Table 4**

When you add one best loser to each category, you find :

	A	B	C	D
Hon. Members after first correction.	40	15	7	1
2nd. best loser			+ 1= 8	
Each Hon. member represents	10,709	17,429	17,147	24,374
If add 1 to each category Then each Hon Member will represent	<b>41</b> 10,448	<b>16</b> 16,340	<b>9</b> 15,241	<b>2</b> 12,187
<b>3rd. Nominee</b>		<b>3</b>		

The third nominee will go to Category B which now has 16 Honourable members.

**Table 5**

When you add 1 best loser to each category, you find :

	Category A	B	C	D
Hon. Members after 2nd correction	40	15	8	1
3rd. best loser		+1= <b>16</b>		
Each Hon. Member represents	10,709	15,379	15,241	24,374

If add 1 to each category Then each Hon Member will represent	<b>41</b> 10,448	<b>17</b> 15,379	<b>9</b> 15,241	<b>2</b> 12,187
<b>4th. nominee</b>		<b>4</b>		

The Fourth nominee will go to Category B which now has 17 Honourable members.

**Table 6**

	Category A	B	C	D
If add 1 to each category Then each Hon Member will represent	<b>41</b> 10,448	<b>18</b> 14,524	<b>9</b> 15,241	<b>2</b> 12,187
<b>5th. nominee</b>			<b>5</b>	

The Fifth nominee will come from Category C which will have 9 Honourable members.

**Table 7**

	Category A	B	C	D
If add 1 to each category Then each Hon Member will represent	<b>41</b> 10,448	<b>18</b> 14,524	<b>10</b> 13,717	<b>2</b> 12,187
<b>6th. Nominee</b>		<b>6</b>		

The Sixth best loser will come from category B which will now have 18 Honourable members.

**Table 8**

	Category A	B	C	Category D
If add 1 to each category Then each Hon Member will represent	<b>41</b> 10,448	<b>19</b> 13,760	<b>10</b> 13,717	<b>2</b> 12,187
<b>7th. nominee</b>		<b>7</b>		

The Seventh best loser will come from Category B which will have 19 Honourable Members

**Table 9**

	Category A	B	C	D
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If add 1 to each category Then each Hon Member will represent	<b>41</b>  10,448	<b>20</b>  13,072	<b>10</b>  13,717	<b>2</b>  12,187
<b>8th. Nominee</b>			<b>8</b>	

The Eighth best-loser will come from category C which will now have 10 Honourable members.

Now that the Electoral Commission has finished identifying from which categories the 8 best-losers will come from, it will make a list of all the defeated candidates from all the parties which had members elected to constituencies:

Party V	30 elected	32 defeated candidates
Party W	20 elected	42 defeated candidates
Party Y	12 elected	50 defeated candidates

The number of defeated candidates who could be nominated as best losers is therefore 124 ( 32+ 42 + 50). We have assumed that all three parties fielded 3 candidates in each constituency in the Island of Mauritius and 2 in the Island of Rodrigues.

All these defeated candidates who are found on this list are now divided in the 4 Categories, A, B, C and D. They are now ranked in each Category according to the percentage of votes they received at the elections. *Only the communal Category is taken into account to select the first batch of 4 best losers.*

When it has been decided from which of the four categories the best-losers will be taken, the defeated candidate with the highest percentage of votes from that category is appointed.

The result is as follows:

Category A	0
Category B	2
Category C	2
Category D	0

Once the first four best losers have been identified, let us assume that it is then observed by the Electoral Commission that they come from the following party:

<b>PARTY V</b>	2
<b>PARTY W</b>	2
<b>PARTY Y</b>	0

*For the selection of the second batch of best-loser, the communal category and the political party of origin are taken into account. Section 5( 4 ) of the First schedule provides as follows :*

“When the first 4 seats (or as many as possible of those seats) have been allocated, the number of such seats that have been allocated to persons who belong to parties, other than the most successful party, shall be ascertained and so far as possible that number of seats out of the second 4 seats shall one by one be allocated to the most successful unreturned candidates, if any, belonging both to the most successful party and the appropriate community, or where there is no unreturned candidate of the appropriate community, to the most successful unreturned candidates belonging to the most successful party, irrespective of community.”

Since Party W has obtained 2 best-losers in the first batch, Party V will obtain the Fifth and the Sixth best-losers as it is the “*most successful party*”.

The appointment of the 7th. best loser will be governed by Section 5 (5) of the First Schedule which provides as follows:

“In the event that any of the 8 seats remains unfilled, then the following procedure shall so far as is possible be followed until all (or as many as possible) of the seats are filled, that is to say, one seat shall be allocated to the most successful unreturned candidate (if any) belonging to the most successful of the parties that have not received any of the eight seats and to the appropriate community, the next seat, (if any) shall be allocated to the most successful unreturned candidate (if any) belonging both to the second most successful of those parties and to the appropriate community, and so on as respects any remaining seats and any remaining parties that have not received any of the seats.”

The Seventh best-loser must go to Party Y because it has not obtained any best-loser so far. The appointment of the 8 th. best loser will be governed by section 5 (6) of the First Schedule which provides as follows:

“In the event that any of the 8 seats still remains unfilled, then the following procedure shall so far as possible be followed (and, if necessary, repeated) until all (or as many as possible) of the 8 seats are filled, that is to say , one seat shall be allocated to the most successful unreturned candidate (if any) belonging both to the second most successful party and appropriate community, the next seat, (if any) shall be allocated to the most unsuccessful unreturned candidate (if any) belonging to the third most successful party (if any) and to the appropriate community and so on as respects any remaining seats and parties.”

The Eighth best-loser will go to Party W because it is the “*second most successful party*”. When the allocation of best-losers is over, we have the following:

Party V	$2+2 = 4 + 30$ elected
Party W	$2+1 = 3 + 20$ elected
Party Y	$0+1 = 1 + 12$ elected

It is to be observed that the strongest party normally gets the same number of best losers that the other parties obtain. The strongest party, however, gets its best losers from the category which is allegedly not sufficiently represented.

If there are best losers left over after this, they go to parties which have not yet obtained any best loser. The criteria remains that of the category which is allegedly not sufficiently represented.

### **Communal Politics**

It is clear from this complicated process that the whole of the elected parliament is utterly contaminated by communalism. *The communal identity of the 62 elected members provide the basis for the selection of the potential best losers and their actual nomination. Thus, the elected members are perceived as representatives of distinct categories of the electorate.*

Our Constitution claims to provide for democratic government. *Its corruption by communalism ends up with us electing and appointing representatives of communal categories.*

It is no surprise therefore that political parties and politicians utilise communal strategies and tactics to obtain and to stay in power. No surprise also that every major and minor issue tends to carry a communal dimension which often masks or distorts the real nature of the problems. It becomes then expedient to look for communal solutions. The vicious circle becomes a spiral.

The best-loser system is neither legitimate nor logical. This is the main reason why it is politically dangerous. It gives institutional support to other equally irrational fountains of communalism that pervade, not only our whole political and administrative and economic systems, but also our social and personal lives.

The best-loser system did not create communal consciousness in Mauritius. It is not proposed here to discuss the nature and origins of communal consciousness and ideology. Suffice it to say that nobody is born a communalist. Communal consciousness and ideology are neither natural nor eternal. They decrease markedly when class consciousness and class solidarity is at their highest. The reverse is also true.

The best-loser system came in the same package with independence and a democratic constitution. It emanates from the Banwell Commission of 1966 which received submissions from the major political parties of the time. Two of them, the Labour Party and the PMSD are still around. In 1966 none of the political parties excluded communal representation from their submissions to the Commission. Indeed, some vociferously demanded it. Our present system is

a political compromise between the most reactionary demands and the more progressive ones at the time.

We got a democratic parliamentary system *a l'anglaise*. At least, it seems so. Sixty-two members of parliament are elected on the principle of first-past-the-post. Political parties were expected to attract votes on the basis of a programme for the government of the country. The electorate, irrespective of the communal identity of the voters and the candidates, were to vote candidates whose programmes they supported.

Power would then vest in the party or alliance with the majority of seats in parliament to govern the country and not to represent communal interests. Political parties themselves were not expected, as for example the CAM did, to present themselves as the defenders of a particular community or of a religion. On the contrary, political parties were and are expected to contribute in a major way to the development of a Mauritian identity in opposition to communal identity. Political parties, according to the expectations of the Banwell Commission, were expected in fact to combat communal political and electoral practice.

The best loser scheme which was grafted to our electoral system, appeared to be a minor part which was not supposed to unduly affect the democratic nature and the unitary tendencies of our society. It was understood as a temporary measure to reassure "minorities" and the logic was that "in time" there would be no need for "reassurance" as all political parties would be striving to represent citizens' interests and not the interests of communal or religious groups.

Time did not and has not yet abolished the best loser system's perversion of the will of the electorate. Nor did the political parties show themselves as reliable instruments that will contribute to the decrease of communal consciousness. On the contrary. The advent of independence in 1968 and its aftermath witnessed the hideous spectacle of communalism on the rampage, inflicting severe distortions to the reality of the political struggles of the time with such an impact that the marks are still with us nearly thirty years later.

A government committed to usher in independence was elected with the votes of the majority of citizens. An Opposition opposed to independence (for a short while) was elected with the votes of a substantial minority. Democratic appearances were saved but the electoral campaign preceding the polls had a large content of communal propaganda. The electorate was communally divided to a significant degree and the divide between government and opposition was largely perceived as a communal one. This occurred in 1967. Since then have been.

Political parties and individual candidates alike are keen to increase their chances of getting elected or... appointed to the National Assembly. They have to offer a programme and/or a list of electoral promises which are expected to meet the needs and demands of the electorate. In the pursuit of electoral victory, communal politics appeared as one of the means to maximise their chances. Instead of contributing to the decrease of communal consciousness, they preferred to intensify and exploit communal identity. They posed and still pose as champions of modern parliamentary democracy in a secular State whilst at the same time projecting themselves as guardians of communal and religious interests.

Once in government, or in opposition, the necessity and the means to maintain such a role increase dramatically. Coupled with political clientelism, political communalism pervades public life. Political and administrative decisions are regularly tainted with if not totally soaked in the poison of communalism. This in turn reinforces communal consciousness and political life as a whole becomes utterly perverted.

## **Conclusion**

It would be futile to expect leaders of political parties which profit from communal electoral strategies and which practise communal politics to do away with the best-loser system unless they are under intense pressure from a mass movement which demands its abolition. Such a mass movement existed in 1982 in the wake of the formidable victory of the MMM-PSM alliance. Times have since changed, and not for the better.

In 1982 the electorate itself developed its own anti-communal consciousness. So much so that even the Electoral Commission declared that the best-loser had become obsolete. Some politicians found then that the best loser system could not be eliminated because it did not figure in their manifesto. The pretext was a thin one. The political consequences of this failure to do away with the division of our people and their political representatives into communal categories are heavy and to-day we have to endure them in a dramatic way when we anxiously watch how our whole educational system has become the arena where support for and opposition to governmental policy are characterised by their distinct communal alignment.

It is up to those who suffer most from communalism to demand the elimination of the best loser system from our Constitution. Politicians in power or in Opposition will naturally pay lip service to the urgent need to decrease communalism in politics and elsewhere whilst at the same time screaming that it is a “delicate” issue and that “we should be very cautious before we do anything about it”. In the meanwhile, the very same politicians keep multiplying their links with those who lead communal organisations and institutions.

The battle against communalism is an old one. It demands new energies and a clarity of purpose. Recently, a “Muvman Anti Kominalis” (MAK) has started campaigning. At its Founding Convention in May 1995 it resolved to demand the abolition of the best loser system. MAK declares itself committed to work:

- 1. Against communalism, racism, casteism and all forms of religious fundamentalism*
- 2. For equal fundamental rights for each and every citizen of the republic of Mauritius, whether political, economic, social and cultural rights.*
- 3. For a secular state, completely separate from religion.*
- 4. For freedom of religion or to have no religion - each citizen having the right to choose and to practise the religion of his or her choice or no religion.*
- 5. For freedom of expression and of opinion for each and every citizen.*

These objectives can only be achieved with mass political support. To win such support is no easy task. It is an enormous challenge. The elimination of communalism involves nothing less than the complete overhaul of our Constitution and our political system. It also requires that all of us as individuals are willing to confront our own communal reflexes and ideas.

There are grounds for optimism. Out there in the Republic of Mauritius are large numbers of people whose way of life and of thinking lead them to believe that people should not be categorised as cattle and that all humans have the same worth and the same rights independently of their religious, philosophical or cultural differences. They correctly see the best loser system as a form of institutionalised communalism. They reject it.

Ragini Kistnasamy and Jean Claude Bibi  
for *Muvman Anti-Kominalis*  
June 1995

#### **Organizations in MAK:**

Abaim, Association des Consommateurs de l’Ile Maurice, Bambous Health Project, Federation of Civil Service Unions, Federation of Pres-School Playgroups, Federation of Progressive Unions, Federation des Travailleurs Unis, Federation des Syndicats des Corps Constitues. Grup Fangurin, Government Teachers’ Union, General Workers’ Federation, Ledikasyon pu Travayer, Muvman Lakaz, Muvman Liberasyon Fam, Rodrigues Government Employees Union, SPACE, NGO Liaison Committee.

Sistem Bestluzer

**ENN PERVERSYON KOMINAL  
ELEKSYON REPREZANTAN DAN PARLMAN &  
ENN LAYSENNIS KONSTITISYONEL  
PU PRATIK KOMINALISM KUMA ENN STRATEZI POLITIK**

***Lepep, Politik ek Parlman***

Dimunn suvan dir ki li paret ki Morisyin tultan dan enn kanpayn elektoral ki zame fini. Mem si eleksyon zeneral ankor lwin. Uswa aköz li lwin, kapav.

Kapav dimunn ena rezon pu dir sa. Plizumwin. Ena ki kontan pu swiv politik. Ena ki swiv li delwin. Ena ki kontan diskrit politik, uswa partisipe aktivman ek travay azan kan eleksyon vini.

Seki sir ek sertin, se ki laplipar Morisyin pran eleksyon o-serye. Avan vote, nu poz nu-mem lakestyon kisannla ti bizin gayn puvwar? Ki lintere eski li ti bizin defann? Morisyin, an-zeneral, prefer vot pu parti politik nasyonal ubyin lalyans plito ki pu kandida indepandan uswa parti rezyonal.

Moris ena enn sistem guvernman kot ena enn Parlman. Depi 1968, Konstitisyon Moris, ki li-mem mama tu lalwa, ti fer provizyon pu ki ena plizyer drwa imin demokratik de baz. Parmi sa bann drwa-la, ena drwa de vot, e drwa pu poz kandida dan Lasanble Nasyonal.

Li pa vre ek li kapav mem danzere pu krwar ki sistem parlamanter ek drwa imin ki nu ena finn vini ek ankor la zis aköz Franse ek Angle ti'nn "prepar nu" uswa zis aköz Konstitisyon dir sa.

Laverite li al pli lwin ki sa. Seki finn vremem amenn demokrasi parlamanter pena nanye pu fer avek sipa Leta Franse ti sanse anvi "siviliz" nu. Li pa ti ena nanye pu fer avek sipa "Parlman Angle, kot sistem parlamanter ki nu ena sorti, ti sanse anvi sem demokrasi partu". Nu pena pu remersye elit lokal ki li finn amenn demokrasi parlamanter. Sa elit-la ti'nn fer so profi lor ledo esklav ek travayer angaze. Sa elit-la finn finalman bizin aksepte demokrasi malgre li.

Demokrasi Parlamanter ek drwa Konstitisyonel li rezilta lalit ki finn ena dan lepase, ek lalit ki kontinye ant diferan lintere: lintere ekonomik, politik, ideolojik (suvan degize kuma "kiltirel u relizye") ki an-konfli. Seki gard puvwar ek dimunn ris zame ti ofer demokrasi parlamanter lor plato. Se ne pa avoka ki finn invant demokrasi parlamanter non pli.

Demokrasi parlamanter li enn aki ki finn gayne dan lalit infini pu dinite imin, pu zistis sosyal, pu liberte individyel, pu egalite ek liberte pu tu dimunn. Dan enn sosyete de klas, drwa pu swazir u reprezantan politik ek drwa pu reprezant lintere enn klas sosyal li ena gran linportans pu lamas travayer, pu somer ek pu dimunn mizer an-zeneral. Se zot mem ki finn eksklir depi puvwar politik pu tro lontan.

Aki ki finn gayne dan listwar, se zis enn viktwar parsyel, pa enn viktwar final. Aki, li pa perfe. Li vini ek so defo, ena fwa defo kriyel zisteman aköz viktwar-la pa final, ek byin suvan, li vinn enn-dan lot avek rekil. Enn viktwar parsyel, byin suvan, li an-mem-tan enn defet parsyel. Finn gayn lindepandans Lenn, me an-mem-tan, finn ena partisyon Lenn avek kreasyon Pakistan. Enn trale lager finn ansene. Moris finn vinn indepandan an 1968, me ziska zordi, Diego Garcia ankor demanbre depi teritwar Moris. Komor, li indepandan, me Mayot tuzur su lokipasyon Franse. Suvan, bizin re-lager mem batay ki ti'nn deza gayne. Bizin re-lager san relas.

Nu repiblik li enn demokrasi parlamanter. Li baze lor sifraz iniversel avek prinsip ki sak sitwayin adilt ena enn vot, egal. Drwa de vot pu tu dimunn ek egalite formel divan lalwa (ki pa neserman vedir egalite dan larealite), zot rezilta lalit politik radikal dan lekel byin suvan, explwate ek oprime finn partisipe an-mas. Pena dut ki enn gran aki ki finn gayne sa. Sirtu kan konpar li avek reyn kolonyal ki fek ena, ek reyn posedan plantasyon baze lor lesklavaz ek langazman. Selman, fale pa nu aveg. Nu bizin kapav truv defo ki ena ek get move konsekans an-fas mem kan nu finn reisi gayn aki.

## **Pwazon la**

Sistem Bestluzer kominal, li zisteman enn sa kalite defo-la. Li enn pwazon anti-demokratik dan sistem parlamter ek elektoral. Li transform elektora, diviz dimunn dan kategori kominal. Sitwayin li nepli enn adilt avek drwa politik pu vote ek swazir so reprezantan politik. Sistem Bestluzer kominal transform li, fer li vinn enn kreatir sektor ki pu reprezante par kikenn ki dan laparans, partaz mem idantite sektor ki li.

Nu pu montre kimanyer sistem Bestluzer kominal, li enn pwazon ki koronp Konstitisyon limem. Li kategoriz elektora kumadir pe met stanp ar feray so lor betay. Li diviz elektora an diferan kominote. Li permet kandida bati *nome* kuma reprezantan kategori kominal dan Lasanble Nasyonal (lor mem baz ki depite *eli*) apartir enn seri kalkil konplike ki Komisyon Elektoral fer. *Pli pir ankor, li konsider kandida ki eli par sitwayin kom reprezantan kominal diferan kategori sitwayin.* Kumsa mem ki volonte politik elektora li perverti.

Seki pli pran kont kan pe nom Bestluzer se *idantite kominal* kandida bati. Kandida-la transforme, li vinn enn “Onorab Manb di Parlman” mem li enn kandida bati. Pli pir ankor, sa nuvo depite-la li gayn rekonesans ofisyel kuma enn parlamter ki pu “reprezant” enn kominote spesifik dan Parlman.

Zot byin an-penn si sa depite nome-la ti kandida dan eleksyon pu defann enn program politik. Zot byin an-penn si sa depite nome-la pa ti truv li mem kuma enn kandida ki pu kapav vinn enn reprezantan kominal. Zot byin an-penn si elektora osi pa finn konsider kandida-la dan sa fason-la.

Anplis, zot atann ki sa depite ki nome an-parti lor baz so idantite kominal, reprezant lepep an-antye enn fwa ki li rant dan Parlman.

Sa pov misye ubyin madam la kondane pu viv enn dub mansonz. Dan eleksyon, antan ki kandida, mem li bati, dimunn finn vot li antan ki *sitwayin*. Kan eleksyon fini, li nome kom reprezantan enn *grup kominal spesifik*. Purtan li sipoze Mamb Onorab di Parlman pu *sitwayin* ki res dan enn sirkonskripsyon kot li finn poze.

Drwa de vot li enn drwa politik fondamental ki tu sitwayin ena. Li enn drwa legal. *Li pena nanye pu fer avek idantite kominal elekter uswa kandida.* Kumsa-mem drwa pu elir reprezantan politik dan Parlman, li perverti. Li perverti akoz Konstitisyon fer sanblan ki sanse li lezitim ek lozik pu nom dimunn dan Parlman lor enn baz kominal ek sektor. Nu pu explike kimanyer nom Bestluzer kominal *apre ki finn kalkil proporsyon depite eli dan sak kategori kominal.*

Li pa zoli ditu pu admet sa. Selman laspe kominal nu demokrasi parlamter li enn zafer byin reel. Ena Manb Onorab ki kapav pa kontan sa personelman u politikman. Zot kapav pa alez ditu. Kontan pa kontan, enn individi pa kapav fer gran soz pu reziste sa. Laspe kominal Lasanble Nasyonal li ankre dan sistem-la-mem. Li institisyonnalize:

*Tu nu bann Manb Onorab, ki zot eli uswa nome, transforme, vinn reprezantan kominal. Li pa etonan ki suvan, tro suvan-mem, zot konport zot kom tel avan eleksyon, apre eleksyon, pandan kanpayn elektoral permanan, dan guvernman uswa dan lopozisyon.*

Zame zot arete. Zot kapav poze pu enn ti-mama. Lerla zot rebran. Kontinye, kontinye, alemem.... Nu byin kone kan zot fer li. Nu trakase kan zot pe tro fer. Mem zot niye ki zot pe fer li, zot byin kone ki zot pe fer... ek anmemtan zot ena tupe pu kontiyn dir ki sanse nu lasosyete, li “frazil”. Buku politisyin ariv mem krwar ki dimunn atann de zot ki zot rod sutyin zot “bann”, ek okip zot “bann”. Zot ariv truv elektora kumsa – enn elektora ki divize ant “nu bann” ek “zot bann”. Kumsa-mem politisyin “protez montayn”. Li tris, me ena ki fyer de zot travay kominal.

Pwazon kominal ki fane dan Lasanble Nasyonal, sant puvwar lezislatif, li osi fane dan lezot but guvernman. Li rant dan servis sivil. Li rant dan sektor piblik ek sektor prive.

*Premye but ki infekte par pwazon kominal, se Kabine Minis. Limem ki leker puvwar ekzekitif. Minis lanasyon transforme vinn reprezantan u “lider”diferan kategori ubyin su-kategori kominal. Ena kumadir “regleman” ki pa an-ekri, ki pa ofisyel nanye, ki dikte komye Minis sak kategori kominal sipoze “gayne”.*

Sa “regleman” inofisyel-la pena okenn valer legal ek pena lozik. Li inevitab ki sa sityasyon-la amenn mekontantman irasyonel ek groynman anfantin delapar dimunn ki per ki zot pu res zis bakbenncher. Azitasyon kominal kapav sanz destin enn depite, pran li depi bakbenncher, katapilte li dan enn karyer Ministryel. Formasyon Kabine Minis ki pu guvern pei apre eleksyon zeneral enn travay sal-mem sa.

Pena pu dir ki “regleman” inofisyel kominal guvern desizyon kisann-la pu Premye Minis, post pli ot dan Kabine Minis. Ena ki krwar ki Premye Minis bizin rezerve a tel kategori kominal. Premye Minis retruv li uswa met limem dan enn pozisyon politik byin difisil. Li Premye Minis

lepep Repiblik an-antye anmemtan ki ena dimunn ki krwar ki li Premye Minis aköz so idantite kominal.

Sitwayin so sor parey kuma Premye Minis ek so kabine Minis. Pwazon kominal finn vinn enn maladi byin kontazyè onivo nasyonal. Pena garanti iminite okenn par. Li karyat sistem ledikasyon ek spor. Li karyat asosyasyon sosyal ek kiltirel, dan klüb. Li afekte desizyon kisann-la pu gayn admisyon, rant manb dan asosyasyon ek klüb sosyal ek kiltirel.

Sinptom maladi kominal li surse dan tu kalite prezize personel ek sosyal. Latitid kominal ek so koze kominal detestab ki al ar li, li al kont tu larezon ek fe. Alor kumsa-mem nu ariv vinn prizonye lozik skizofrenn kot nu fer sanblan tu normal, ek sey zistifye seki pa kapav zistifye. Prezize ki deside ki lamizik nu pa pu ekute, ki liv pa tu dimunn kapav lir, kisann-la fale pa fer konfyans ek kisann-la fale pa marye.

Alor dan lavi tulezur, nu permet kominalism koronp nu imanite. Nu kone pwazon mem sa, me purtan nu bwar li. Nu kondann li, apel li “demon kominal” ek nu dir bizin eliminn li. Purtan nu transmet li zenerasyon a zenerasyon. Nu amar numem ar li.

Kumside nu ipnotize. Nu amar numem ar ilizyon ki sanse nu “apartenir” a enn swadizan “kategori”. Kumadir nu pa satisfè ki nu tu sinpleman manb lespe imin. Nu komet sa grav erer atas numem ar enn idantite ki nu liye zis ar sertain laspe spesifik vast diversite krwayans ek pratik kiltirel, filozofik, relizye ki ekziste. Nu perdi plis ki nu gayne kan nu fer sa. Nu perdi seki plis progresis dan sivilizasyon imin.

Nu kapav mezir sa imans lapert ek konsekans mortel ki ena ladan kan nu get orer masak dan Rwanda, Bosni, Lenn, Alzeri, ek lezot parti lemond. Foli mertriyer dan sa bann masak-la reflet barbari fu ki idantite kominal imaziner deklanse.

Kominalism li anpes nu truv laverite siyantifik: laverite se ki labaz nu idantite se seki nu tu partaze an-komin. Li pa enn kestyon “toler” lezot dimunn. Veritab kestyon se pu gard numem konsyan de seki nu ete: imin.

### ***Perverzyon-la***

But pli kle nu Konstitisyon pa fer okenn mansyon lekzistans “kominote”. Pena okenn referans a “manb enn kominote”. Anplis, pa kategoriz nu anterm nu krwayans relizye. Nu konsidere kuma “dimunn”, kuma “sitwayin”, kuma “elekte”. But pli inportan Konstitisyon dir nu ki nu tu Morisyin ki ena drwa ek responsabilite egal. Nu idantite politik ek legal pa fragmante, kas-kase an ti-morso. Nu sitwayennte li kitsoz ki antye. Li pa divize an kategori kominal.

Seksyon 31 (2) Konstitisyon dir ki nu Parlman:

“pu konstitiye de dimunn ki eli dapre Premye Sedil, ki fer provizyon pu eleksyon 70 manb.”

An-realite, kuma nu tu kone, ena zis 62 manb Parlman ki eli. Ladiferans ant sa 62 ek 70-la, li konble par kandida bati ki *nome* par Komisyon Elektoral. Seksyon 31 (2) perverti laverite kan li delibereman fer krwar ki tu le 70 Manb Lasanble Nasyonal zot eli. Kifer tu dimunn sumet a sa mansonz-la?

Seksyon fer onte-la (Seksyon 3 (1) de Premye Sedil Konstitisyon) kumans avek ekzizans ki:

“sak kandida pu eleksyon zeneral kot elir Manb Lasanble bizin deklare dan fason ki dimann li, dan ki kominote li appartenir ek sa kominote-la pu inskrir dan notis pibliye de so nominasyon.”

Alor kandida oblize prezant zot mem a elektora an-term zot idantite kominal. Kikenn kapav konteste sa idantite-la Lakur Siprem, ek desizyon Ziz, li final.

U ti pu panse ki li ti devet sifi ek ki li lozik ki kandida-la prezant li divan elektora kuma enn imin adilt ki enn sitwayin Repiblik ek ki li plizumwin sin-despri dan sa moman kot li pe rod reprezant enn sirkonskripsyon dan Parlman. Purtan Premye Sedil insiste ki pa kapav fer sa. Tu kandida klasifye dan kat kategori. Seksyon 3 (4) etann orer ki ena dan Seksyon 3 (1) ki fek site, a lepep Repiblik an-antye. Ala ki li dir lor sa size-la:

“Pu bezwin sa Sedil-la, popilasyon Moris pu konsidere kom inklir kominote Indu, kominote mizilman, ek kominote Sino-Morisyin; dimunn ki pa paret, dapre so stil-de-vi, appartenir a enn dan sa trwa kominote-la pu konsidere kuma appartenir a Popilasyon Zeneral. Popilasyon Zeneral pu konsidere kuma enn katriyem kominote.”

Premye zafer katastrofik ki remarke se kan ariv moman kot bizin elir enn Guvernman ek elir Lopoziyon ek lezot politisyin pu reprezant nu dan Parlman, *Konstitisyon permet ki Premye Sedil byin an-penn ar nu responsabilite politik, nu dinite politik ek nu integrite antan ki sitwayin.*

Reprezantasyon lepep dan Parlman, sa swa ki nu fer lor kisann-la pu guvern pei li delibereman polye par kominalism. Ki nu kontan, pa kontan, redwir nu, lepep, a bann kreatir ki obligatwarman bizin “apartenir” a enn dan kat kategori. Pu sertin kategori ladan, get nu relizyon pu definir seki nu ete: Indu uswa Mizilman. Pu lezot kategori, get seki nu ete an-term kot sanse nu anset sorti: enn Sino-Morisyin u tya panse sorti Lasinn. Apre ki Konstitisyon masakre integrite nu sitwayennte Morisyin, fu seki reste ant nu dan kategori “Popilasyon Zeneral”.

Eski sa akseptab dan lane 1995? Eski li ti akseptab mem avan? Eski dimunn ankor kapav aksepte li dan nuvo milener? Eski lazenes pu kontinye toler seki pa tolerab?

Pu komye letan ankor eski lepep Repiblik, parti politik, ek Lakur Siprem ki sipoze gardyin Konstitisyon pu toler ek sumet a enn indinite ek divizyon osi danzere?

Nu fer enn ti-poz isi pu azute ki Parti Lalit li enn eksepsyon kuraze. Bizin salye li akoz li finn obzekte politikman ek filozofikman a klasifikasyon kominal ki ena dan sa sistem-la. An 1983 ek 1987, sak fwa ki finn ena eleksyon zeneral, *kandida Lalit swazir kategori ki li pu marke lor so form kandidatir par tiraz-o-sor.* Zot mark sa kat kategori-la, sakenn ladan lor enn but papye. Zot met sa kat but papye-la dan enn sapo. Lerla kandida enn par enn tir enn but papye ladan o-azar. Kategori ki finn marke lor sa but papye-la, sa-mem ki li marke lor so form kandidatir.

Sa aksyon-la, li pa enn aksyon simbolik. Ena sertennman plis lozik pu fer sa kan konpar li ar sa nosyon vag absird “stil de vi” ki Seksyon 3 (4) dir bizin gete pu Ziz deside dan ki kategori kominal bizin fu dimunn. Si sakenn dan sa kat kategori-la sipoze ena enn “stil de vi” diferan ki kapav definir legalman, nu kapav poz nu mem lakestyon ki finn ariv “stil de vi Morisyin” ki nu abitye tande. Kifer pa masyonn sa ditu dan Premye Sedil? Kapav pa masyonn sa parski li pu tro expoz realite ki *ena* enn sel elektora Morisyin.

Seksyon 5 (1) Premye Sedil devwal klerman pu ki rezon ena sistem bestluzer kominal:

“pu ena 8 syez dan Lasanble anplis ki 62 syez pu manb ki reprezant sirkonskripsyon pu asire ki ena reprezantasyon zis ek sifizan pu sak kominote”

Sipoze reysi atenn sa bi-la par gete ki *kantite* dimunn ena dan sak kategori kominal. Purtan dernye fwa ki ti fer sa ti kan ti ena resansman 1972. Dan sa resansman la, ti dimann elekter klasifye limem anterm kategori kominal. Ti dimann dimunn dir ki kategori kominal li panse li ete. Dan resansman ki ti fer an 1982-83 ek ankor enn fwa an 1992, elektora pa ti ena pu dir nanye lor kategori kominal. Purtan kandida dan eleksyon ti ankor bizin kategoriz zot mem. Alor servi sa vye sif resansman 1972 kan pe nom bestluzer kominal dan tu eleksyon zeneral depi 1976 vini-mem. Dernye fwa ki ti servi sa sif-la ti an 1991, pre 20 an apre sa resansman-la.

Demokrasi parmanter finn perverti par bann absirdite parey ek absoliman indiyin. Vomye Komisyon Elektoral ti servi enn gro sapo ek fer tiraz-o-sor pu swazir kisann-la pu bestluzer. Enn gro sapo meksikin sombrero ti pu preferab. Li ti pu fer mwins ditor, ek ti pu mwins fer indinite kot diviz lanasyon ek konte komye dimunn dan sak kategori kominal.

### ***Kalkil matematik ki servi dan sa perversyon-la***

Aster-la nu pu montre letap par letap kuma Komisyon Elektoral nom bestluzer apre eleksyon zeneral. Nu pa pu servi kategori kominal ki Komisyon Elektoral servi. Nu pu plito servi let A, B, C ek D olye servi divizyon kominal inakseptab ki Premye Sedil Konstitisyon inpoze.

Apre ki 62 kandida finn eli dan eleksyon zeneral, swazir Bestluzer depi bann kandida parti ki finn elir kandida dan eleksyon. Pran Bestluzer depi kandida ki finn gayn pli gro pursantaz vot.

Swazir enn kandida bati ki dan kategori ki sanse pa ase reprezante dan Parlman. U pu rapel ki 62 kandida ki finn eli, parey kuma tu kandida dan eleksyon, ti bizin deklare lor zot form kandidatir dan ki kategori kominal zot “apartenir”. Apre eleksyon zeneral, regroup kandida eli dapre kategori ki zot finn met lor zot form kandidatir.

Dan lekzanp ki nu done anba, nu finn met 40 kandida eli dan kategori A, 15 dan kategori B, 6 dan kategori C ek 1 dan kategori D.

Kan get resansman 1972, nu truve ki finn diviz popilasyon dan fason ki u truve anba:

<b>Kategori A</b>	<b>428,348</b>
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<b>Kategori B</b>	<b>261,439</b>
<b>Kategori C</b>	<b>137,173</b>
<b>Kategori D</b>	<b>24,374</b>

“Mezir” sa resprezantasyon-la par diviz kantite dimunn dan kategori-la par nomb kandida eli ki dan mem kategori. Alor, li vinn kumsa:

<b>Kategori A – (428,348 divize par 40) gayn 1 Manb Onorab pu sak 10,709 dimunn</b>
<b>Kategori B – (261,439 divize par 15) gayn 1 Manb Onorab pu sak 17,429 dimunn</b>
<b>Kategori C – (137,173 divize par 6) gayn 1 Manb Onorab pu sak 22,862 dimunn</b>
<b>Kategori D – (24,374 divize par 1) gayn 1 manb Onorab pu 24,374 dimunn</b>

Kuma eski Komisyon Elektoral deside ki kategori ena mwins reprezantasyon kominal?

Premye letap, li azut 1 bestluzer pu sak kategori. Lerla li kalkile lakel kandida dan ki kategori pe reprezant pli gran nomb dimunn dan sa kategori-la. Dapre lozik bestluzer, sa kategori-la ki plis perdan akoz li ena enn sel reprezantan pu kategori ki ena pli gran nomb dimunn. Alor kumsa ki li kalifye pu gayn enn bestluzer.

Pu premye 4 syez bestluzer, nom kandida bati san gete depi ki parti politik zot sorti. *Alor li pirman kominal.* Enn fwa ki gete ki kategori sipozeman plis mank reprezantasyon, nom kandida bati ki ti deklare ki li sorti dan sa kategori-la ek ki finn gayn plis pursantaz vot.

Kan Komisyon Elektoral fini nom premye 4 bestluzer lor baz kominal, lerla li nom 4 prosenn bestluzer. Ankor enn fwa, Komisyon Elektoral get kategori kandida la, me sann kut la, li osi gete depi ki parti politik li sorti.

U pu sirman truv tusala byin konplike. Li konplike mem. Li enn rar ka Makyavelism politik. Li pena gran soz pu fer ar reprezantasyon politik dan demokrasi modern.

Nu pu sey fer tusala vinn inpe pli fasil pu konpran par servi tab pu explik kimanyer fer kalkil bestluzer ek get lozik ki zot servi. Nu pu servi rezilta eleksyon zeneral imaziner pu sa lekzanp-la.

Dan lekzanp nu finn imazine, ena 3 parti politik ki finn elir kandida:

Parti V	<b>Premye parti</b>	<b>30 depite</b>
Parti W	<b>Dezyem parti</b>	<b>20 depite</b>
Parti Y	<b>Trwazyem parti</b>	<b>12 depite</b>

Aster Komisyon Elektoral gete dan ki kategori tu le 62 kandida eli finn dir zot ete. Lerla li get resansman 1972 pu gete komye dimunn sak depite Manb Onorab reprezante:

**Tab numero 1**

	Kategori A	B	C	D
Resansman 1972	428,348	261,439	137,173	24,374
Kantite Manb Onorab dan sak kategori apre eleksyon	40	15	6	1
Nomb dimunn dan sak kategori ki sak Manb Onorab reprezante	10,709	17,429	22,862	24,374

Aster la, gete ki kalkil Komisyon Elektoral fer: li azut enn depite pu sak kategori, lerla kan li finn fer sa, li re-gete komye dimunn dan sak kategori sak depite reprezante. Kot li truv kategori kot enn depite reprezant pli gran nomb eleker, lerla li nom enn bestluzer pu sa kategori-la.

**Tab numero 2**

	Kategori A	B	C	D
Resansman 1972	428,348	261,439	137,173	24,374
Nomb Manb Onorab pu sak kategori	40	15	6	1
Sak Manb Onorab reprezant	10,709	17,429	22,862	24,374
Si azut 1 pu sak kategori, lerla sak Manb Onorab pu reprezant	<b>41</b>	<b>16</b>	<b>7</b>	<b>2</b>
	10,448	16,340	19,596	12,187
Premye bestluzer nome			1ye	

Premye bestluzer ki nome pu dan Kategori C. Aster Kategori C pu ena 7 Manb Onorab.

**Tab numero 3**

Kan re-azut enn bestluzer pu sak kategori, sann kut-la gayn:

	Kategori A	B	C	D
Manb Onorab apre eleksyon dan sak kategori	40	15	6	1
Premye Bestluzer			+ 1 = 7	
Sak Manb Onorab reprezant	10,709	17,429	19,596	24,374
Si azut 1 pu sak	41	16	8	2

kategori, lerla sak Manb Onorab pu reprezant	10,448	16,340	17,147	12,187
Dezyem bestluzer ki nome			2yem	

Kan re-azut enn bestluzer pu sak kategori, sann kut-la gayn:

**Tab numero 4**

	Kategori A	B	C	D
Manb Onorab apre eleksyon dan sak kategori	40	15	7	1
Dezyem Bestluzer			+ 1 = 8	
Sak Manb Onorab reprezant	10,709	17,429	17,147	24,374
Si azut 1 pu sak kategori, lerla sak Manb Onorab pu reprezant	41	16	9	2
	10,448	16,340	15,241	12,187
Trwazyem bestluzer ki nome		3yem		

Alor kumsa trwazyem nome pu alwe a Kategori B ki aster-la ena 16 Manb Onorab.

Kan azut ankor 1 bestluzer pu sak kategori, gayn:

**Tab numero 5**

	Kategori A	B	C	D
Manb Onorab apre eleksyon dan sak kategori	40	15	8	1
Trwazyem Bestluzer		+1 = 16		
Sak Manb Onorab reprezant	10,709	15,379	15,241	24,374
Si azut 1 pu sak kategori, lerla sak Manb Onorab pu reprezant	41	17	9	2
	10,448	15,379	15,241	12,187
Katriyem bestluzer ki nome		4yem		

Katriyem bestluzer nome pu alwe a Kategori B ki aster-la gayn 17 Manb Onorab.

Sinkyem bestluzer nome pu dan Kategori C ki pu ena 9 Manb Onorab:

**Tab numero 6**

	Kategori A	B	C	D
Si re-azut 1 Manb Onorab pu sak kategori, lerla sak Manb Onorab reprezentant	41	18	9	2
	10,448	14,524	15,241	12,187
Sinkyem bestluzer ki nome			5yem	

Sizyem bestluzer pu dan Kategori B ki pu aster ena 18 manb Onorab:

**Tab numero 7**

	Kategori A	B	C	D
Si re-azut 1 Manb Onorab pu sak kategori, lerla sak Manb Onorab reprezentant	41	18	10	2
	10,448	14,524	13,717	12,187
Setyem bestluzer ki nome		6yem		

Setyem bestluzer pu dan Kategori B ki aster-la pu ena 19 Manb Onorab:

**Tab numero 8**

	Kategori A	B	C	D
Si re-azut 1 Manb Onorab pu sak kategori, lerla sak Manb Onorab reprezentant	41	19	10	2
	10,448	13,760	13,717	12,187
Setyem bestluzer ki nome		7yem		

Wityem bestluzer pu dan Kategori C ki aster-la pu gayn 10 Manb Onorab:

**Tab numero 9**

	Kategori A	B	C	D
Si re-azut 1 Manb Onorab pu sak kategori, lerla sak Manb Onorab reprezentant	41	20	10	2
	10,448	13,072	13,717	12,187
Wityem bestluzer ki			8yem	

nome				
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Apré ki Komisyon Elektoral finn fini gete ki kategori bizin gayn komye bestluzer, li fer lalis tu kandida bati depi tu parti ki ena manb eli par sirkonsripsyon:

Parti V	30 eli	32 kandida bati
Parti W	20 eli	42 kandida bati
Parti Y	12 eli	50 kandida bati

Lakantite depite ki ti kapav nome kom bestluzer, li 124 (32 + 42 + 50). Nu pe asime ki sak parti finn prezant 3 kandida dan sak sirkonsripsyon dan lil Moris ek 2 dan lil Rodrig.

Diviz tu kandida bati lor sa lalis-la an 4 kategori A, B, C, D dapre seki zot finn deklare lor zot form kandidatir. Aster-la, gete ki pirsantaz vot zot finn gayne dan eleksyon, ek klas lalis-la dapre pirsantaz vot par sak kategori. Savedir pu sak kategori, pu gayn kandida bati avek plis pirsantaz vot lao, ek mwins pirsantaz vot anba.

Kategori A	0
Kategori B	2
Kategori C	2
Kategori D	0

Enn fwa ki fini nom premye 4 bestluzer kot finn get zis kominote, Komisyon Elektoral aster gete depi ki parti politik zot sorti:

Parti V	2
Parti W	2
Parti Y	0

*Pu seleksyon 2yem seri bestluzer, get kominote ek parti politik osi. Seksyon 5 (4) Premye Sedil dir leswivan:*

“Kan finn alwe premye 4 syez (uswa otan syez ki posib), bizin gete ki nomb syez finn alwe a dimunn ki dan enn parti, me ki pa parti ki finn gayn plis depite. Otan ki posib, dezyem 4 syez pu alwe a kandida bati avek meyer skor ki dan parti ki finn gayn meyer rezilta, ek ki dan kominote ki apropiye, si ena. Si pena kandida bati dan kominote apropiye, syez pu alwe a meyer kandida bati dan parti ki finn sort premye, san get kominote.”

Pwiske Parti W finn gayn 2 bestluzer dan premye seri 4, Parti V pu gayn sinkyem ek sizyem bestluzer akoz li parti ki finn fer pli byin dan eleksyon. Setyem bestluzer pu alwe dapre Seksyon 5 (5) Premye Sedil ki dir leswivan:

“Si res syez vid dan sa 8 syez la, lerla otan ki posib pu swiv prosedir swivan ziska tu le 8 syez, uswa otan syez ki posib finn alwe. Setadir enn syez pu alwe a kandida bati ki finn gayn pli bon skor (si ena) ki dan parti ek plis kandida eli ki pa finn gayn okenn dan sa 8 syez-la ek ki dan kominote apropiye. Prosenn syez (si ena) pu alwe a kandida bati ki ena meyer skor (si ena) ki dan dezyem parti ki finn fer pli byin ek ki osi dan kominote apropiye. Pu kontiyn alwe dan mem fason si ena syez reste ek si ena parti ki pa finn gayn syez bestluzer.”

Alor setyem bestluzer pu dan Parti Y akoz sa parti-la pankor gayn bestluzer. Nominasyon wityem bestluzer li fer dapre Seksyon 5 (6) Premye Sedil ki dir leswivan:

“Si ankor ena syez dan sa 8 syez-la ki res vid, lerla pu prosed dan manyer swivan, ek pu kontiyn prosed kumsa ziska tu le 8 syez (uswa otan ladan ki posib) finn alwe. Setadir, enn syez pu alwe a kandida bati ki ena meyer skor (si ena) ki e dan dezyem parti ki finn fer pli byin dan rezilta eleksyon, e ki dan kominote apropiye. Prosenn syez pu alwe a kandida bati ki finn gayn meyer skor (si ena) ki dan trwazyem parti ki finn fer pli byin (si ena) ek ki dan kominote apropiye. Bizin kontiyn alwe dan mem fason anseki konsern syez ek parti ki reste.”

Alor wityem bestluzer pu dan Parti W akoz sa-mem parti ki “dezyem parti ki finn fer pli byin.”

Kan fini alwe bestluzer, ala ki nu gayne:

Parti V	$2 + 2 = 4 + 30$ eli
Parti W	$2 + 1 = 3 + 20$ eli
Parti Y	$0 + 1 = 1 + 12$ eli

U pu remarke ki parti ki pli for gayn mem kantite bestluzer ki lezot parti finn gayne. Selman, parti ki pli for gayn so bann bestluzer depi kategori ki sanse pa ase reprezante.

Si ena bestluzer ki reste apre sa, zot alwe a parti ki pankor gayn bestluzer. Kriter-la li tuzur baze lor kategori ki swadizan pa ase reprezante.

### **Politik Kominal**

Kan get sa prosedir konplike-la, li kler ki Parlman eli an-antye kontamine par kominalism. *Idantite sakenn dan 62 manb eli samem baz lor lekel selekte bestluzer potansyel ek zot nominasyon. Alor kumsa mem ki ariv truv manb eli kuma reprezantan diferan kategori elektora.*

Nu Konstitisyon pretan ki li asire ki ena enn guvernman demokratik. *Akoz li koronpi par kominalism, nu fini par elir ek nom reprezantan kategori kominal.*

Li pa etonan finalman ki parti politik ek politisyin servi stratezi ek taktik kominal pu gayn puvwar ek res o-puvwar. Li pa etonan ki tu kestyon, gran uswa tipti, fini par gayn enn dimansyon kominal ki byin suvan maske uswa deform vre natir problem. Lerla ki dimunn kumans rod solisyon kominal. Serk visye kumans vinn spiral kominal.

Sistem bestluzer kominal li ni lezitim, ni lozik. Samem kifer li politikman danzere. Li vinn beki institusyonel pu lezot kalite zedo kominal ki karyat pa zis sistem politik, administratif ek ekonomik an-antye, me osi nu lavi sosyal ek personel.

Sistem bestluzer kominal pa finn kree konsyans kominal dan Moris. Nu pa pu diskut natir ek lorizinn konsyans kominal ek ideoloji kominal dan sann lartik la. Li sifi pu nu dir pu linstan ki personn pa ne kominalist. Konsyans kominal ek ideoloji kominal zot ni natirel, ni eternal. Zot diminye buku kan konsyans de klas ek solidarite de klas byin ot. Lekontrer osi vre.

Sistem bestluzer kominal ti rantre dan mem vole ki Lindependans ek enn Konstitisyon demokratik. Li sorti depi Komisyon Banwell 1966. Bann parti politik pli inportan ti depoze ladan. Parmi, de parti, Parti Travayis ek PMSD ancor lamem. An 1966, okenn parti politik pa ti rezet reprezantasyon kominal kan zot ti depoze dan Komisyon. Okontrer. Sertin parmi zot ti reklam li for-for. Nu sistem aktyel li enn konpromi politik ant demand plis reaksyoner ek demand plis progresis ki ti ena alepok.

Nu ti finn gayn enn sistem parlman demokratik angle. Anfin, li paret kumsa. Swasann-de manb parlman eli lor prinsip “first-past-the-post” (kandida ki gayn plis vot ki eli). Dimunn ti krwar ki parti politik pu rod gayn vot lor baz enn program pu guvern pei. Elektora ti sipoze vot pu program politik de zot swa par vot kandida ki pe poze lor baz sa program la.

Parti uswa lalyans ki ena mazorite syez dan sa parlman ki ena puvwar pu guvern pei, na pa ti sipoze reprezant lintere kominal. Personn pa ti atann ki parti politik pu prezant zot kuma parti ki reprezant tel kominote uswa tel relizyon, kuma CAM ti fer, par ekzanp. Okontrer, dimunn ti atann ki parti politik pu fer enn gran kontribisyon dan devlopman enn idantite Morisyin olye nuri idantite kominal. Dimunn ancor atann ki parti politik kontribiye dan devlop idantite Morisyin. Komisyon Banwell alepok ti atann ki parti politik pu konbat politik kominal ek praktik elektoral kominal.

Sistem bestluzer kominal ti pingle ar sistem elektoral. Li pa ti sipoze vmem afekte natir demokratik ek deranz tandans initer lasosyete. Tu dimunn ti konpran li kuma enn mezir tanporer pu rasir bann “minorite”. Lozik la sete ki “avek letan”, nepli pu bizin sa kalite “rasirans” la pwiske tu parti politik pu lite pu reprezant lintere sitwayin, na pa lintere kominal uswa grup relizye.

Mem letan finn pase, sistem bestluzer kominal ancor tuzur la ek pe kontiyn perverti volonte elektora. Laplipar parti politik pa finn kontribiye pu diminye konsyans kominal. Okontrer. Seki finn arive lepok Lindependans an 1968 ek depi lerla finn devwal spektab orib kominalism

devastater. Li finn telman ena enn linpak terib lor lalit politik reel ki ti ena alepok ki so lanprint ankor ar nu zordi.

Enn guvernman ki ti'nn pran langazman pu amenn lindepandans ti eli avek vot mazorite sitwayin. Enn ase gran minorite ti vot lopoziyon ki ti kont lindepandans (pu enn tan). Dan laparans, tu ti paret demoraktik. Me selman kanpayn elektoral ki ti ena avan sa eleksyon-la ti ranpli ar propagann kominal. Elektora ti'nn divize anterm kominal dan enn gran mezir, ek ti truv divizyon ant guvernman ek lopoziyon kuma enn divizyon kominal. Sa ti arive an 1967. Depi lerla, li finn res kumsamem.

Parti politik ek kandida individyelman, tulede zot kontan pu ogmant sans ki zot eli uswa .....pu zot nome dan Lasanble Nasyonal. Zot ti devet ofer enn program ek/uswa enn lalis promes elektoral ki, u tya panse, satisfes seki elektora pe dimande uswa truv nesese. Dan rod viktwar elektoral, zot finn panse ki politik kominal li enn mwayin pu ogmant zot sans. Alor, olye ki zot kontribiye pu diminye konsyans kominal, zot finn prefer ogmant ek explwat idantite kominal. Zot ti pretan ek ankor pretan ki zot mem sanpyon demokrasi parلمانter modern dan enn Leta sekilye. Kan anmemtan, zot pe rod montre ki zot gardyin lintere kominal ek relizye.

Enn fwa zot dan guvernman uswa dan lopoziyon, nesese ek mwayin pu zot kontiyn amenn sa dub-rol la ogmante net. Politik kominal ansam ar kliyantelism politik karyat lavi ki nu tu partaze, lavi publik. Desizyon politik ek administratif li swa gayn loder kominalism, swa li tranpe net dan pwazon kominalism. Sa, a-so-tur, ranforsi konsyans kominal ek perverti lavi politik an-antye.

### **Konklizyon**

Li inital atann ki lider parti politik ki profit depi stratezi kominal elektoral ek ki pratik politik kominal pu aboli sistem bestluzer kominal par zot mem. Amwin ki ena enn gran presyon depi enn muvman de mas ki reklam so abolisyon. Ti ena sa kalite muvman de mas-la an 1982 dan fule viktwar lalyans MMM-PSM. Lepok finn sanze depi lerla. Finn sanze pu lepir.

An 1982, elektora ti devlop so prop konsyans anti-kominal par limem. Telman li ti'nn vinn for ki mem Komisyon Elektoral ti deklare ki sistem bestluzer finn depase. Ena politisyin ki ti dir ki pa kapav aboli sistem bestluzer aköz li pa dan zot program. Pretex la ti inpe mins. Kan pa finn aboli sa sistem ki diviz lepep ek zot reprezantan politik dan kategori kominal, sa finn ena konsekans politik lur. Zordi nu ankor pe sarye sa konsekans la. Li trakasan kan gete ki manyer deba lor sistem ledikasyon – pur u kont politik guvernman lor ledikasyon – finn swiv enn aliynman kominal.

Se dimunn ki plis sufer kan ena kominalism ki bizin reklam eliminasyon sistem bestluzer kominal dan Konstitisyon. Politisyin opuvwar uswa dan Lopoziyon pu natirelman fer gran sermon ki byin bizin diminye kominalism dan politik ek ayer, kan anmemtan zot pu kriye ki sa li enn kestyon “delika” ek ki “fale pran prekasyon avan ki fer kitsoz”. Antretan, sa bann mem politisyin la pe kontiyn miltipliye zot lvin ar lider organizasyon ek institisyon kominal.

Batay kont kominalism, li enn vye batay. Li ekziz nuvo lenerzi ek enn vizyon kler. Muvman Anti Kominalis (MAK) finn fini demar kanpayn. Dan so Konvansyon kot li ti fonde an Me 1995, li ti pran rezolisyon pu reklam abolisyon sistem bestluzer. MAK deklare ki li angaz li pu travay:

- o *Kont kominalism, rasism, kasteism ek tu form fondamantalism relizye.*
- o *Pu drwa fondamental egal pu sak sitwayin ek tu sitwayin repiblik Mauritius, ki li drwa politik, ekonomik, sosyal u kiltirel.*
- o *Pu enn Leta sekilye, ki konpletman separe ar relizyon*
- o *Pu liberte relizye uswa pu pena relizyon – sak sitwayin ena drwa pu swazir ek pratik relizyon de so swa libreman, uswa pu pa ena relizyon.*
- o *Pu liberte dexpresyon ek liberte lopinyon pu sak sitwayin ek tu sitwayin.*

Kapav atenn tu sa bann bi la selman si sa bann bi la ena sutyin politik lamas dimunn. Pu gayn sa kalite sutyin-la, li pa fasil. Li enn gran defi. Bizin enn refont konplet Konstitisyon ek sistem politik pu ki eliminn kominalism. Li osi ekziz ki nu tu, individyelman, ena kuraz pu konfront nu prop reflex ek lide kominal.

Ena lespwar. Partu dan Repiblik Mauritius ena buku-buku dimunn ki ena enn stil de vi ek enn manyer panse ki fer zot krwar ki dimunn na pa bizin kategorize kuma bef. Zot krwar ki tu imin ena valer egal ek drwa egal san get zot diferans relizye, filozofik uswa kiltirel. Avek rezon, zot truv sistem bestluzer kominal kuma enn form kominalism institisyonelize. E zot rezet li.

*Ragini Kistnasamy ek Jean-Claude Bibi*  
*Pu Muvman Anti-Kominalis*  
Zin 1995

## **OTHER LALIT DOCUMENTS**



**Keep the best loser system, but kick out its communalism!**

## **DECONSTRUCTING “COMMUNITY”**

This article is written after three events:

- (i) after the Supreme Court judgment of 8<sup>th</sup> September, 2000 by Justice Seetulsingh in the “reclassification case” against *Lalit* members and others, and
- (ii) after the coming to power of a new government elected on 11<sup>th</sup> September, 2000 with a majority sufficient to change the Constitution, and
- (iii) after, once again as in 1982 and 1991, the Electoral Supervisory Commission’s inability to nominate the Best Losers *without* recourse to the Supreme Court.

The aim of the article is two-fold:

Firstly, to show how classification by community *must go*. The system must be changed immediately because it is no longer *viable*. In particular, it is no longer viable for both ethical/political reasons and for practical/logical reasons. It is *caduque* and, if left in place, will become increasingly dangerous.

Secondly, the article aims to appeal for a specific change in the electoral system: electoral reform that maintains the “best loser” system but *removes all need for communal classification* of candidates for general elections. The precise proposal, worked out by *Lalit*, comes at the end of this article.

### ***Ongoing opposition to communal classification***

As everyone who follows current affairs already knows, *LALIT* has opposed classification by community ever since we were founded in 1976 when we were still a tendency in the MMM.

When we stood for General Elections in 1983, 1987 and 2000, and because we were *obliged by the Constitution* to choose one of the four communities defined in the First Schedule to the Constitution in order for our Nomination Papers to be valid, we did the exercise by a public drawing of lots. In 1983 and 1987 we had as legal advisers Guy d’Arifat and Madun Gujudhur QC, respectively, to stand-by for any legal objections before the Supreme Court. But there were not any objections.

This time, in the year 2000, 17 years after the first drawing of lots for “community”, an elector, Mr. Parvez Carrimkhan *did* challenge 15 of our 20 candidates’ so-called “community” as we filled it in on our Nomination Papers. He also challenged five *Nouvo Lizour* and six Tamil Council candidates in the same affidavit. As lawyers, *Lalit* and *Nouvo Lizour* briefed Rex Stephen, Sheila Keetaruth and Michel Ahnee. In the course of the hearing, Mr. Mohammed withdrew his case against the Tamil Council members, who he accepted are members of the “G...P...” as they had claimed they were.

It should be noted that Mr. Parvez Carrimkhan works as a messenger ... for his advocate, Mr. Yousouf Mohammed, who, in turn, was a long-term supporter of communal classification. So the case is really that of Mr. Mohammed himself. However, it should be noted that the political party that Mr. Mohammed is *membre honorifique* of and special advisor to – and this must be said in its favour – has recently changed its name from *Comité d’Action Musulmane* to *Comité d’Action Mauricienne*. This means even Mr. Mohammed has, himself, moved with the times on the question of “re-classification”. He has thus stayed abreast changes Justice Seetulsingh mentioned in his judgement: “*Many [candidates] thought themselves to be citizens of the Republic of Mauritius and belonging to the Mauritian Community.*” And that: “*It was then believed [at the time of the writing of the Schedule to the Constitution] that all Mauritians would be interested in preserving the best loser system. However with the passage of time, many Mauritians have come to feel that it is not necessary that they should be divided into different*

*communities. The Constitution does not cater for a situation where candidates wish to stand for election, but reject the best loser system.”*

### **Schedule that perverts the Constitution itself**

The Constitution itself, as Justice Seetulsingh pointed out, makes no mention of so-called “community”. Drafted by Mr. de Smith, the Constitution itself, was, at the time of its drafting, a modern democratic document. However, the addition of “Schedule One” introduced the concept of dividing the nation and of classifying all candidates.

This leads to a perversion of democracy. The communal classification of candidates unfortunately undermines *the whole of the electoral exercise*, as we shall see, not just the “exercise of the best loser nominations” as many people think.

The communal classification in Schedule One has become completely obsolete with the advent of a Republic. While we were “*subjects of the Queen*”, it was feasible if evil for us to be divided into ethno-religious tribes, but once we became “*citizens of a Republic*” in 1992, the very concept of dividing us into categories of citizens became absurd, as well as bad.

Imagine for a minute if all the 20 *Lalit* and *Nouvo Lizour* candidates who were brought before the Supreme Court for re-classification had subsequently actually been elected. We have to imagine this, because the Constitution cannot make electoral laws which do not cater for victory.

We must bear in mind that the Applicant, Mr. Parvez Carrimkhan had said that “*wrongful declarations* [as to the community the candidates are members of] *will upset the proper allocation of the best loser seats after the proclamation of the results of the general elections*” (quoted from Judgement, bold is ours).

After a public hearing in open court, in order to determine whether or not to “correct” the “community” which *Lalit* and *Nouvo Lizour* candidates had filled it in on Nomination Papers, the 20 candidates were formally “reclassified” by Justice D.B.Seetulsingh, a Judge of the Supreme Court on Friday, 8<sup>th</sup> September.

They were all classified under the Constitution, and without appeal, as being “members” of the “G...P...” and the Returning Officers of the relevant constituencies were instructed to delete what was already on their Nomination Papers and replace it with G....P..., unless it already said that by the drawing of lots.

Later we will come back to this.

### **Acclaim**

The judgment, meanwhile, has been widely acclaimed for the wise comments it includes, especially those which criticize communal classification and show its shortcomings. *Lalit* has also acclaimed the judgment. There were fine articles on the judgment in *Le Mauricien* (9<sup>th</sup> September), *News on Sunday*(10<sup>th</sup> September), *L’Express* (10<sup>th</sup> September) and *Week-End* (10<sup>th</sup> September).

In this article, and so as to show the *impasse* that ethno-religious classification now finds itself in, we would like to touch on some of the *difficulties* that arise as a result of the communal classification by Schedule One. The Schedule says: “*For the purpose of this Schedule, the population of Mauritius shall be regarded as including a Hindu community, a Muslim community and a Sino-Mauritian community, and every person who does not appear, from his way of life, to belong to one or other of those 3 communities shall be regarded as belonging to the General Population, which shall itself be regarded as a fourth community.*” (In our article we will continue, as part of the protest against this type of classification, by referring to these so-called communities *by their initials only*.)

The so-called “G...P...”, although being what the judgement refers to as a “residual community”, is nevertheless entitled under the Schedule to the Constitution, to seats under the “Best Loser” system. This contradiction means that the judgement, rather fortunately, poses grave problems for the continuation of this communal system.

Aware of these grave problems, and in order to try to cushion the effects of communal re-classification, Justice Seetulsingh in his judgement says: “*I also find that the undertaking that they [Lalit and Nouvo Lizour candidates] have given not to participate in the allocation of best loser seats, should they be entitled to do so, is binding upon them and I recommend that the Electoral Supervisory Commission should take into account this undertaking if there is any dispute as to the allocation of best loser seats*”. These findings are despite the fact that earlier in the Judgment, we read: “*the Electoral Supervisory Commission has not agreed that the 2 parties*

will not be considered for such allocation, should the candidates be entitled to the same. The Commission will carry out the exercise as spelt out in the First Schedule and it will be up to the candidates to decide what stand they will adopt.”

But, Justice Seetulsingh has only addressed one half – the smaller half – of the problem: if we are *not* elected but get sufficient votes to *qualify for* a communal Best Loser seat. Then, our letter, he advises the Electoral Supervisory Commission, is binding. Much more important than this is another issue – one which proves that the communal classification in the Best Loser system in fact *infects the entire system*, and that *ALL* members of the National Assembly are communally classified in order to name the eight Best Losers on the basis of community.

After attempting to give redress for “*upsetting the proper allocation of best loser seats*”, the Supreme Court judgment will, as we will show, risk, if used as a guideline in the future lead to even more “*upsetting the proper allocation of best loser seats*”, within the logic of the system, iniquitous as this logic may be. Let us explain.

We go back to the earlier sentence: Imagine for a minute if *all or most of* the 20 *Lalit* and *Nuvo Lizur* candidates who were brought before the Supreme Court and re-classified had, in fact, been elected.

All of them are now reclassified by the Supreme Court as being members of the “G...P...” Then, once the Electoral Supervisory Commission sits down after elections to work out the best losers, this classification would be brought out along with all the other elected members’ communal auto-classification. Because there is a block of “G... P...” members elected (all the *Lalit* and *Nuvo Lizur* candidates having been thus re-classified and subsequently elected), this means that there will be fewer “G... P...” best losers for the rest of the candidates than if we had been left with “random” communities we attributed to ourselves through the drawing of lots. Thus the “*proper allocation*” (within the awful logic of the communal best loser system) would be even more upset by the Judgment than it could possibly have been by our action of drawing lots.

The reason for this strange state of affairs is two-fold.

First “community”, as we know it in Mauritius, is no more than a “shared set of prejudices” reinforced every time there is a General Election. That is to say, “community” only exists as an *ideological construct*, except at the moment of self-classification or of classification by the Supreme Court, when it becomes a kind of “bureaucratic fact”.

Second, the fourth community, the “G... P...” is both a “residual community” and also, at the same time, entitled to best loser representatives “properly allocated”. This implies two opposite types of nature: first, that the G... P... is “all the rest” meaning almost the opposite of “a community”, and also that any one Member of the National Assembly who is a “member of the “G... P...” can represent x number of people of the “G... P...” (as a proportion from the 1972 Census) as if the “G... P...” was a homogenous community, once calculations are done under the procedures of the First Schedule.

These two representations in set theory models would be as follows:



4 Communities for definition of “community”.



4 Communities for allocation of seats

Here is the difficulty that arises from this major flaw in the system: *Lalit* and *Nouvo Lizour* have no undertaking not to take up ELECTED seats. On the contrary, we will obviously accept them. That is why we stand for election: in order to be elected. But these *elected* Members of the National Assembly of *Lalit* and *Nouvo Lizour* are also classified communally for the exercise of the best loser allocation for eight other candidates.

Note, that, as if to make this point clear to everyone, the Constitution demands that *ALL* candidates, including independent candidates, declare a “community” on their Nomination Papers, even though independents do not themselves qualify to be nominated Best Losers. This is because if one or more independents were actually *elected* (i.e. not just potential best losers) they would be included in the calculations on which the eight best losers are done.

So, there is a philosophical flaw in taking too much note of *Lalit*'s letter in which we said we will not be "Best Losers". If we are *elected*, the problem remains as large as ever. This is because the *whole of the National Assembly* is infected by the communal classification system. We were aware of this philosophical deficiency when we sent in our letter. We submitted the letter anyway, in order to show that we were not writing down a community just *in order* to gain some personal advantage from our re-classification, but as a proof of our honesty. We believe that there is no such thing as "community" except as a set of shared prejudices existing at a particular time and place. We do not share those prejudices, and are therefore UNABLE to classify ourselves as being either IN or NOT IN any of the so-called "communities". In addition, there is a logical problem within the Judgement: Once classified "properly" by the Supreme Court under the Constitution, we should, legally speaking, become "real representatives" of our supposedly objectively correct community, and we should expect to be encouraged by the law to take up "best loser seats". (For political and moral reasons, we would of course, in turn, refuse.) But instead the judgment wants us to be bound NOT to take best loser seats (so as not to count our "community"), while yet still being entitled to take up *elected* seats (where our "community" will be totted up in the best loser system for eight others).

### **Strong words: "member of a party", "member of a community" on Nomination Papers**

Another point needs emphasis.

Becoming a "member" of something is a very specific act. One applies and is accepted by others into a usually fairly closed group.

In order to oblige someone to decide if he or she *is* or *is not* a member of, say, something as vague as "the H... community" and to do this "by his or her way of life" is indeed a tall order.

By contrast, when the identical question is asked of candidates on the Nomination Paper for General Elections about their *membership of a political party*, this is very easy to answer. I say I am a member of the *Lalit* Party. I know I am, because I applied for membership, I pay my dues and I attend meetings. In addition, I am required to produce a letter from the leaders of this party in which they certify that they know that I am a member and that I am to stand for election in such and such a Constituency for the party. This also is very easy for them to do because they know it. Members of *Lalit* and non-members of *Lalit* are two clear categories in the world.

But what does one do as regards the declaration on the Nomination Paper as to membership of a "community"? I never applied for membership of any community, and I know no-one else in the country who ever did either. There are no dues and no meetings. The fact that I do not know if *I* am a member of, say, "the H.... community" or am not a member is a problem for me. Once I am in this difficulty, according to the Supreme Court Judgment in the recent case, I would probably need to check with myself if I am a member of "the M.... community" or "the S-M... community" and if I do not know that I am a member of these three, then I am automatically to assume that I am a member of "the G.... P..... community". But it is not as simple as that. My difficulty is compounded by the fact that I don't know for sure of *anyone else in the country* who is a member of the first three communities, while at the same time I also know, from the 1972 Census, that some three-quarters of the people were then classified by the state as being in these first three communities, and these exact figures are now kept to by the Constitution itself, and used by the Electoral Supervisory Commission in the increasingly complicated task of allocating best loser seats. Since I don't know who are the people who are *members of the H... Community*, for example, how can I know that *I am* or *I am not* one. The only guidelines I am given are that I must compare my "way of life" with the "way of life" of other people, who I know are or are not in the community, and then classify myself. And this is just not helpful to me in deciding, because I cannot classify other people either, neither by their way of life, nor any other way, into these so-called "communities". Other peoples' way of life is remarkably similar to mine: I do similar work to many people, I catch the same buses, I speak the same language as everyone else in the hospital and at the post office, I chat to the neighbours about this and that just like everyone else does, I visit friends and relatives like other people do, I wash my clothes and clean my floors like everyone else, I go and buy things in the shop or the supermarket just like most other people, the house I live in is a lot like most other peoples' houses.

Curiously, the only people in Mauritius who have ever been individually classified in public (since Independence at least, and they are in fact auto-classified) are those individuals who stood as candidates for General Elections. Each candidate placed a "community" on their

Nomination Papers in 1976 (413 candidates), 1982 (260 candidates), 1983 (297 candidates), 1987 (350 candidates), 1991, 1995 and 2000 (535 candidates). This is presumably why people blame “politicians” for communalism.

The number of people individually classified in this country is thus around 3000, at a guess, of whom a certain number have died or emigrated, out of some 1,000,000 - 1,200,000 inhabitants. These candidates in General Elections have *declared* on their Nomination Papers that they are members of the “x” community, and this has been published in newspapers and stuck up on the special notice-boards put up at the Schools that are used for each constituency. But no-one else has been classified. And in any case, there is no authentication (thank goodness) that this “membership” of a community is correct, by “leaders”, “war-lords” or anyone else.

The reason for all this difficulty brings us back, of course, to “community” not being a “fact”, but at best an ideological construct.

Of course, at worst “community” is a “fiction”, and a bad one at that, representing no more than the shared prejudices of an immediately post-colonial society. “Community” can only be made into the imitation of a “fact” by the *act of classification by the state in a Census or by oneself under duress in order to be a candidate*. Even this is not a real fact, but a kind of “bureaucratic” fact; “it is a fact that Mr. A. is classified as being a member of x community.”

This kind of bureaucratic fact is, of course, the hallmark of a regime like the Nazi regime, where Jewish people were obliged to classify themselves publicly by wearing a yellow star on their clothing, or of the South African apartheid system with its “pass system”. The apartheid regime attempted over the course of some 46 years, from 1948 to 1994 to get a-hold of every individual and classify him or her. It may be added, for the record, that this task was never ever completed, and could never be. And curiously, when cases came up before the Courts for what was termed “reclassification” when there were objections lodged as to someone’s classification, the law dictated that the Judges use the “way of life” of the person as the main criterion.

### **Big Brother**

The Court Room for the hearing became rather bizarre at one point, and took on the allures of an Inquisition. Yousouf Mohammed questioned *Lalit* candidates on their private lives and they refused to answer, refused again and again to answer.

Most *Lalit* and *Nuvo Lizur* candidates refused to answer questions about their religious beliefs or practices on the grounds that this was a private concern (*lavi prive*); one said his religious beliefs were “sacred” to him (*Sa enn zafer sakre pu mwa*) and he would not disclose them; one agreed to answer, only to say that he attended no temple, church or mosque, because he did not believe in any god or gods. One candidate when asked what he saw when he looked in the mirror, he said “*Mo truv enn imen*”. Another when asked what he “felt” (“*Ki manyer u santi u?*”), answered “*Normal*”.

In his judgment, Justice Seetulsingh warned in strong words against this type of intrusion. I quote: “*The issue further arises as to how the judge can determine the way of life of a citizen unless he becomes like a Big Brother in H.G. Wells’ (sic) novel 1984 and watches how a citizen leads his private life.*”

One of the “own goals” (to use a football metaphor) that Yousouf Mohamed scored in his case for the “re-classification” of the 15 *Lalit* and 5 *Nuvo Lizur* members, was when his star witness, Maulana Haroon, said that a person’s faith is “*dan so leker*”. This privacy of one’s “conscience” is an important part of the debate, and Mr. Mohammed put a lot of emphasis on “religion” in his cross-questioning, often implying that it was synonymous with “community”. Religion is most certainly not the same thing as “community” for a start. As Judge Seetulsingh pointed out that the so-called “Sino-Mauritian community” is not a “religion”. Nor is the so-called “general population community” a religion. That’s already two communities that are not linked with any specific religion. And, in any case, the Constitution specifically says that community must be judged by “*way of life*”. The Constitution also says that freedom of conscience makes one’s religion what one says it is, so a “religion” cannot be imposed upon one by force as a “community” obviously can.

But deeper than this, even if religion is one of the many pointers to the “way of life” of those people who are *in* or *not in* two of the “communities” specified (i.e. so-called “Hindu community” and so-called “Muslim community”), religious practice is just not the same thing as religious faith. And conscience or religious faith is *in the heart*, as the Maulana pointed out. The state cannot get into peoples’ hearts.

Another difficult terrain for the state to get into – even when merely seeking *pointers* as to someone’s way of life – is the terrain of *who* exactly is a person *practising a religion* and who is not. When questioned about names being “Muslim” names or not, and about “who” exactly is a “Muslim” or not, Yousouf Mohamed again saw his witness, Maulana Haroon, scoring an own goal. He said that in his opinion people who are Ahmadiya are not “Muslim” and are not “members of the Muslim community”. This is a very thorny problem for the state to get involved in: when some people claim to practice a particular religion, while others who claim to be practitioners actually *deny* that the first ones are practitioners of the religion.

In the section on “Big Brother”, it should be mentioned that Counsel for the Applicant, Yousouf Mohammed, once given free rein, seemed to lose all respect for people giving personal answers. We were subjected to the nasty spectacle of seeing deeply private questions being invoked in public, not as facts relative to the public domain, but as as part of the strange ritual of the state “classifying” someone, often on the basis of his mother and father’s “community”. It felt deeply sullyng to everyone present, deeply reminiscent of Apartheid.

To give an example of the excesses. Counsel for the Applicant asked Diya Dholah the names of her parents, thus starting the process of classifying Ms Dholah by classifying her parents first. They are both dead. They died at the ages of 48 and 57 respectively within a matter of months of one another, leaving 9 children, eight of them not yet married at the time. The violence of the turn of questioning became apparent to everyone present in Court who knew that both her parents are dead. She gave their names. This meant that because she had stood as a candidate for general elections, she was subjected to the humiliation of having her dead parents classified in public.

In the same vein, the Counsel then went on to insult Rada Kistnasamy for not knowing the “real name” of his father, for only knowing a “*nom gate*” of his own father, who Rada Kistnasamy had already said was dead. Those of us who know that his father died before Rada was big enough to remember him were again quite upset at the line of questioning, classifying a father he had never known. Later we found out that the name Rada Kistnasamy had given was his father’s real name. That was what Yousouf Mohammed was laughing at in public in Court. Then he asked Rada Kistnasamy what his son was called. When he gave his son’s name, Yousouf Mohammed seemed amazed. Immediately after this, when Rada Kistnasamy refused to answer questions about his religious faith, Yousouf Mohammed went on to threaten to get him locked up for contempt of court for refusing to answer a question about his religion. Then the Judge stepped in, saying that Mr. Mohammed had not threatened previous members of *Lalit* with being locked up, so it was not appropriate to start threatening one member now.

But by then, no-one present had ever seen so shaming an event in Court.

So much for the state getting involved in this kind of private matter.

### ***The real meaning of the four words “his way of life” in the Schedule***

There could be nothing more difficult to distinguish in only a few words any one human being relative to any others than by the vague term “his way of life”, or as it should be termed to be more precise “his *or her* way of life” which incidentally already implies two categories, that of male and female. The words “his way of life”, in ordinary English, mean quite simply *everything about a human being*.

The broadest differences in “way of life” between different Mauritians would probably be between people who work and live at sea, and those who work and live on the land. The way of life of a professional sailor or fisherman, and that of others is different. Or between night-shift workers and the rest of us. Or between those living in a “*dependance*” and others. Those who are house-bound and those who move around every day. Those who are hedonists, and those who work doggedly through life. Those who are young and those who are old. Or between the four categories: Employer, employee, unemployed, self-employed. More objectively put, whether one buys the labour of others or sells one’s own labour to another, or seeks to sell one’s labour but cannot find a buyer, or produces and sells something independently. Or between those without a home and those with a home. Or between rich and poor.

Justice Seetulsingh, himself said: “*Our attention was drawn to the fact that a way of life can also be dependent on class distinction, for a rich H... and a rich S-M... may have a similar way of life, depending on their financial means, whereas a rich H... and a poor H... may lead altogether different ways of life.*”

And indeed it would be hoped that a *good* political system would one day end up “representing” all these different categories fairly.

But a good political system, of course, aims to represent different *political opinions* not just different categories of people.

But, back to the question of “way of life”; in Mauritius, “way of life” has for the past 30 years been assumed to mean a clump of some rather ill-defined prejudices, gathering around name, religion, and race.

In the Constitution of Mauritius, it is assumed that a candidate for general elections can somehow know that he or she *is* or *is not* a member of a “H....,” “M....,” or “S-M....” community by his or her way of life.

The state itself, it should be noted, has – thank goodness – since 1968 only classified people in one Census (1972) and even then this classification was – again, thank goodness – confidential information of the Central Statistical Office, and used as a statistic.

Subsequently, in 1982, the state actually took a decision, performed *a positive act*, and placed this act into a Constitutional Amendment, i.e. that the state would no longer continue with the practice of classifying people into these four or any other so-called “communities”, but would make do with the 1972 Census figures instead.

But until when?

### **What’s in a Name?**

One might think that a surname is a useful indicator of “way of life”. But this is where pure prejudice again comes into it. I think it would be safe to say that there is not a single *surname* in Mauritius which is unique to any ONE so-called community, nor *was* there such a surname even at the time that the government did the last Census in 1972.

Mr. Carrimkhan in his affidavit did no more than submit the names of people, their membership of parties, and their “membership of communities” as filled in on their Nomination Papers. Thus “*name*” of a candidate was used as a “*prima facie*” case. Then, later on, Mr. Mohammed proceeded to demolish his own *prima facie* case. In the witness box, Mr Mohamed’s client, Mr. Carrimkhan, only ever referred to two “communities” that he thought two different candidates should be re-classified into. His case was very weak. He said he knew that Ms. Minerve (from her name) was “a Cr....” and proceeded to refer to a form of classification *not* used in the Constitution, and Mr. Anenden (from his name) was “a M....s” And proceeded to refer to yet another form of classification not used in the Constitution. One can only wonder how Mr. Carrimkhan could manage to bring this case without even knowing the four communities that the Constitution requires candidates to fill in. The mind boggles.

Yousouf Mohamed saw Maulana Haroon scoring a third own goal. He said that in his opinion Ahmadiya people may have names that are Muslim-sounding names but that they are not, in his opinion, members of “the Muslim community”. So names are clearly problematic. And this is just one small example of the difficulty of using names as indicators of being members of the community.

This is true even of “given names”, first names. These “first names” are not only quite difficult to classify with any certainty, but fashions change in child-naming. Many first names now quite fashionable have never been used before in Mauritius, and are therefore unknown. No judge can be expected to know which names are “M.... names” and not “Jewish names” and thus “general population names”, for example. Nor can a judge be expected to know which names are “H...” and not “Jain names”, and therefore “general population names”. Nor can a judge know which names are “S...M...names” and not, say, “Vietnamese and thus “general population names.” In evidence, huge books of names would need to be produced in order to prove that such-and-such a name was, let us say, a “H... name” and NOT a “M... name” in any part of the world. And there is, in any case, no way that the *name* one’s parents choose to give one soon after birth can be used as an indicator of one’s *adult* “way of life”, so the exercise would be quite futile. It is plainly absurd.

And while we are on names, let us look at some of the five candidates that Yousouf Mohammed and his client did *not* challenge. One of our candidates is called Georges Legallant. He filled in the Nomination Paper after drawing lots with his community specified as “M...” He was not challenged on the grounds of his name presenting a *prima facie* case. Doris Ah-Vee, who had filled in G.... P...., was also not challenged. Curiously, Ram Seegobin was challenged for being “G.... P....” while his wife (who is me, and I can assure you we have the same way of life) was *not* challenged.

## ***Piecemeal Constitutional Amendments a-go-go***

The thorny provisions for communal classification and the best loser nomination exercise has caused the Supreme Court to have to be called in to decide what to do on numerous occasions. The first time was in 1982 after the first 60-0. The shoddy drafting of the First Schedule meant that it did not cater for a 60-0 situation. So, after the Supreme Court had sorted out the 1982 nominations, the government brought the first important Constitutional Amendments to the First Schedule. Then in 1991, we found that neither the First Schedule nor the Supreme Court judgement of 1982 nor the 1982 amendments had catered for the particular 57-3 situation we had got. The Supreme Court was again called upon. Further amendments again had to be made. Even then the judges remarked that “*the question also arises as to whether now in the years to come*” the best loser clause “*could be properly implemented*”. Now, in 2000, once again we see the spectacle of the poor Electoral Supervisory Commission unable to name or to decide not to name some of the communally classified best losers. Neither the Schedule, the Supreme Court judgements nor the two sets of amendments, catered for the 54-6 situation either.

Talk about the law making an ass of itself.

And not just any law: the Constitution itself, humiliated, again and again, by this wicked Schedule.

## ***Lalit’s proposal for electoral reform: Keep the best loser, but remove the communal classification from it***

Lalit has a very simple proposal. It goes in the sense of history.

Keep the Best Loser seats. On the contrary increase the number slightly. But remove all question as to “community” from the nominations.

We propose 63 elected members (first past the post), 3 per 21 constituencies, and then 12 nominations to be made by the Electoral Supervisory Commission on a strict “party score” basis, taking the names of unelected candidates, in an order pre-determined by the Party leaders from a list of 12 candidates from amongst those already standing for election and submitted to the Electoral Commissioner on Nomination Day, as priority “best loser nominations”. [This should be done regardless of their individual score, and be considered as a party list nomination. If ever all these 12 are already elected (or elected and nominated) and the party is still “under-represented” in the National Assembly, then the ESC should nominate the next unelected candidate with the highest score from that party, using the form of computation already used in the existing law.]

The Best Loser system would thus be converted into an instrument with which to correct (after counting) for the under-representation of parties in terms of number of seats won relative to the number of votes cast for the party on an over-all national level.

This proposal means a dose of proportional representation by party. It also means that parties can put any order they choose in their lists of 12 top priority for nomination as Best Loser. This way any “balance” a party may want to make sure of – sex, rural-urban, community, class, party leaders, strong candidates placed in difficult-to-win constituencies – can be catered for. But the state will no longer classify people, nor do parties have any need to.

And the 1972 Census figures for so-called “community” need never be used again for elections, nor would candidates have to classify themselves, nor would the Electoral Supervisory Commission find itself unable to fulfill its Constitutional role every time there’s an election, nor would the Supreme Court have to go through the degrading procedure of re-classifying individual citizens.



# LALIT's position and proposals ON ELECTORAL REFORM, AND IN PARTICULAR ON PROPORTIONAL REPRESENTATION

(Adopted by LALIT in February 1999)

## ***The situation***

There has been a widening gap between “the people” and “the politicians” over the past forty years or so in the “developed countries” and over the past five to ten years in the “developing countries” including Mauritius. *Lalit* believes that, in order to address this serious problem of a rift between “the people” and “those elected”, there is a need for *more democracy and more accountability*.

All over the world for the past two or three years, there has been an increasing disaffection of people – specially young people – with politics and, by implication with the existing political system. Although this *anti-political* current is not as strong in Mauritius as most places elsewhere, it is nevertheless growing. Increasingly politics is considered by many young people to be corrupt, on the one hand, and useless in the sense of “not being able to change anything”, on the other hand.

People also believe that once you have elected someone, he or she disappears and is from then onwards controlled by occult capitalist or communalist lobbies. In this last matter, people are not without reason to think so.

In reality, the big companies and transnational corporations have indeed become so powerful that they now manage to corrupt the still “embryonic” democratic systems that various revolutions have won for us, the people, world-wide. Mauritius is no exception.

In Mauritius, as in most of the rest of the world, we have fought for and inherited certain elementary *gains* – won at the end of the Eighteenth Century through the French Revolution, the American Revolution, the English Revolution; at the beginning of this Century through the Russian Revolution and the Mexican Revolution; this Century through the National Liberation Revolutions (especially India and Cuba, but also in each country its own independence struggle) and the Chinese Revolution. These minimal gains are enshrined in the three sister-documents of the UN: The Universal Declaration, the Covenant on Economic, Social and Cultural Rights and the Covenant on Political and Civil Rights.

But, there is, according to *Lalit*, just *not enough democracy* yet.

In the United States, so disillusioned or disenfranchised are the people that only half of the people even bother to cast their votes in a country still bound by a Constitution more-or-less un-amended since the original 1791 one written by half-a-dozen slave-owners and half-a-dozen *gran komersan*.

In Russia, the people have seen all the economic and social rights that were won during the Revolution completely destroyed, and replaced by a chaotic capitalist system run now by a newly-born mafia. The President has a great deal of constitutional power but, although elected, is so ill he can hardly be capable of commanding this autocratic power.

In Britain the head of State is still one of a “caste” of heads of State. The House of Lords, which has hereditary members, has just blocked a law passed in the House of Commons.

In France, the “egalité” part of the “Liberté, Egalité et Fraternité” of the Revolution has long been lost along the way, whichever party is in power.

In India the party that was elected is very closely run by a communalist organization (the RSS), which was not elected by anyone.

In South Africa, the first free elections have seen so little change for the people in their everyday ability to control political reality, that a terrible anger has risen amongst the people.

So the main electoral reform necessary – short of a new series of long overdue revolutions for deepening democratic control of society – is to address the question of the corruption of those elected and of their “not doing what they were elected to do”.

### ***Lalit's First Proposal***

In Lalit, we suggest that the most advanced form of democracy is that already used by the people all over the world in associations and in trade unions: the principle is simple: the membership (*the electorate*) elects a Committee (*a legislature*) that in turn elects office bearers (*an executive*) that in turn elects a President (*a Prime Minister*). And whoever has the power to elect someone has the power to recall that person.

This is the major electoral reform necessary. This is the reform that might help to get some form of accountability and control over those elected.

So, the basic change we want is for all electors to elect the members of the National Assembly, who in turn elect (we suggest) 15 Ministers, who in turn elect a Prime Minister. Then when a Prime Minister falls into Minority in his Cabinet, he can be recalled. When a Cabinet falls into Minority in the National Assembly, it (or any one Minister) can be recalled, and when the National Assembly (or any member) falls into a Minority in his Constituency, they (or he or she) can be recalled by an electoral petition in good and due form.

This principle of recall must take predominance over any necessity to have proportional representation in the National Assembly. It is this principle of recall that acts so as to prevent any elected person giving in to moneyed or powerful lobbies, or being “bought over”, bribed over, or silenced by such lobbies.

At present the Constitution of Mauritius allows revocation of Members of the National Assembly without any democratic procedure at all – under Section 35 (read with Section 34) of the Constitution.

What is important to Lalit is the political *possibility* of democratic recall, and thus the process of accountability it establishes. This *possibility* in itself can change the balance of forces in favour of the electorate.

### ***The historical necessity to do away with communal classification***

*Lalit* believes that the history *in Mauritius* of Proportional Representation is a nasty one, peculiar to a post-slave society, where race and communal classification by society was the *raison d'être* for the failed “PR” project. Proportional Representation, as a “*projet*” in our history, involved what were called ‘separate electoral lists’ for each so-called ‘community’, and reserved seats for each so-called ‘community’. Proportional Representation was thus curiously the enemy of ‘citizenship’.

After the “Down with PR” mass mobilization before Independence, the first-past-the-post system fortunately triumphed against this original “proportional representation”, but with one communalist concession: the communal best-loser system we got landed with in the British-made Constitution. This best loser system involved

a) the auto-classification of all candidates into four communities defined by law in race-religious terms – subject to Supreme Court decision as to a candidate’s ‘community’ in the case of any dispute – and this still goes on today; and

b) the classification of the whole population through the 10-yearly government Population Census. In 1982, the MMM, under popular pressure changed the Constitution so that citizens are no-longer required to be classified by future Censuses for the purposes of the best loser. This measure can become a progressive measure only if we *now* manage to do away with the other half of the obligatory classification i.e. end obligatory classification of candidates for the National Assembly elections. The Constitution now still requires that the population continue to be classified for the purposes of the best-loser nominations by “reference to the results of the published 1972 census of the whole population of Mauritius” (Constitution First Schedule 5(8).

c) As part of our protest against the best loser system and its odious classification of human beings, *Lalit* candidates all drew their respective communities out of a hat (thus classifying candidates by ‘chance’) when our party put up 15 candidates in 1983 and then 42 candidates in 1987. Otherwise, if we had not done this, our Nomination Papers would not have been valid.

In 1995, the *Movement Against Communalism* (MAC) representing a broad front of social, political and trade union currents, brought out the two most far-reaching booklets on the communal corruption of the electoral system. These two texts, read together, are the only really thorough analyses of this communal aspect of the Mauritian Constitution and Mauritian electoral system.

In *Lalit*, we believe that any new debate for the introduction of proportional representation must *begin* with the removal of the vestigial call for race and religious ‘classification’ by the state of candidates in the Best Loser System.

The removal of the communal best-loser system will thus permit everyone in Mauritius to begin to see “proportional representation” as the representation of different *political* currents and of different *opinions and ideas*, and not the perpetuation of the first wave of proportional representation which was the desire to institutionalize the colonial/slave-owners’ ideology of race classification. The basis of the existing best loser system is that an elector can be represented across the board by anyone from the same supposed group as he or she, *regardless of the ideas of either elector or candidate*.

*Lalit* is against any introduction of proportional representation for different political currents unless *at the same time*, the institutionalized communalism of proportional representation by race and community (i.e. the best loser system) is removed from the statute books. Otherwise the introduction of new forms of proportional representation (on top of the existing best loser system) will fan the fires of an already communalized political scene.

### ***What we propose in the context of the debate***

We propose that 63 Members of the National Assembly are elected in 21 constituencies (three for Rodrigues), and a further 12 Members are nominated in the following way as “best losers” or “additional members” on different party lists.

All parties with more than 5% of total votes cast are eligible. All parties submit to the Electoral Commissioner before the election a list of 12 of their candidates, in the order they choose, for their first best losers to be taken from.

The same procedure as the present best loser system is used for establishing which parties need how many additional members. Once the numbers are calculated, then the nominations are done by the Electoral Commission, naming from the order submitted by the party, and if all 12 are already elected or nominated, then proceeding by naming the candidate with the highest percentage amongst those in that party who were not elected.

However, any party with an absolute majority of seats after the first past the post exercise, will receive enough additional members so as to retain its absolute majority.

As soon as the Nominations are done, or within x hours, the National Assembly votes for Ministers, and immediately the Cabinet votes for a Prime Minister.

We propose that it be the speaker from the last National Assembly who presides for the election of the Cabinet and until he is replaced at the first substantive sitting, and that it is the President of the Republic who presides the meeting of the Cabinet at which there is an election of Prime Minister.

## ***By elections***

In the case of death, resignation or recall of an elected member, a by-election is held. In the case of the death, resignation or recall of a nominated “additional member”, the Electoral Commission nominates the next candidate in line from the same party as the one being replaced.

## ***Some of the principles behind our stand***

We believe that, short of a mass mobilization when everyone understands and participates in change, that Constitutional changes need to build on democratic principles that we all already know and understand.

This means we do not, for example, agree with doing away with the 3-seat constituency just for the sake of it; in the absence of a popular movement, this kind of administrative change becomes no more than a change imposed *from above*.

This contrasts very sharply with the vast historical movement against the communal best loser. A whole generation of Mauritians has fought tooth and nail against this terrible legacy of colonialism. This means that new legislation to do away with the communal best loser system has a certain historical validity. The people have risen up again and again against this system. This is why we propose the abolition of communal classification as the most important change.

The conversion of the old best loser system *into its opposite* is what *Lalit* proposes. Each party gets a chance to get ‘additional members’ – named in a specific order already submitted by the party. This means that each party determines its own priorities, instead of the state imposing a communal priority on every party. If a party chooses to continue to make communal decisions, it takes its own responsibility. If the party wants to assure the presence of women members, or rural/urban balance, or class balance, it is free to choose ‘additional members’ accordingly. If it wants to use the new “additional members” system in order to send its leaders to fight in “marginal” or difficult constituencies, it is free to do so.

We believe that Rodrigues must have the same number of elected members as any other constituency. This is in perfect harmony with the present move towards elected regional representatives for Rodrigues.

We suggest 12 ‘additional members’ for two reasons: 12 is a reasonable proportion of 63 elected members, less than one-fifth, and when added to 63, comes to the round-ish number 75.

## ***Other points argued***

We believe that when electors vote, they vote (and should vote) for an *individual* human being as well as for a party or a symbol. This is how it is, already, and we believe there is a certain elementary holistic logic to this.

We believe that there should be no Ministers or Members of the National Assembly who have not stood in public for election in a particular constituency. This too is already the case in Mauritius. The logic behind this reasonable arrangement is to prevent the undemocratic “nomination” of a “king’s cabinet” from amongst invisible and even murky bureaucrats and technocrats.

We believe that if there are as many as 38 “additional members” relative to, say 42 elected members (the MMM proposal) that this could produce absurd situations. For example, where there is a bi-polar tendency, Party A could field 42 candidates, Party B 42, and Party A end up with 41 deputies and Party B with 39 deputies – meaning that the entire election would have accomplished the banal task of excluding one candidate from the majority party ranks and two from the minority party ranks.

We believe that there should be a Cabinet of 15 out of 75 Members of the National Assembly (i.e. one fifth or less) so as to allocate more power to the Legislature relative to the Executive. We think that neither Junior Ministers nor PPS’s should be co-opted into a “quasi executive” position, and that the posts should therefore be done away with. This is a popular demand. Over the past years, we have increasingly seen the absurd situation of the Executive creeping up to the half-way mark in the National Assembly. Keeping the executive to only 15 will also help to prevent the situation of electors being “corrupted” into “voting for the future government” i.e. for the executive. We call this “corrupting” the electorate, because the “large executive syndrome” leads to electors voting *not* on the basis of the ideas of candidates but for what “goodies” a future government can give them, their family, their club, or their tribe.

We believe that much of the debate around proportional representation has been skewed by an irrational fear in some circles of “60-0” results. The point about proportional representation is

that it allows various currents to be represented in the National Assembly. We note here that representation in the National Assembly does not always strengthen a party. The MMM, as a party, was arguably stronger before 1976, than after it won 34 seats in Parliament; the MMM was again arguably stronger when in Opposition between 1976 and 1982 than after the 60-0 victory of the MMM-PSM in 1982. Similarly, the Hisbullah gained no strength from being represented in the National Assembly, but if anything weakened.

**LALIT**  
**17<sup>th</sup> February, 1999**

Lalit pe sirkil sa sart la an 2005.

## **SART kont sistem BEST LOSER KOMINAL**

Etan done ki lalit bann zenerasyon avan nu finn amenn serten progre kot Repiblik Moris zordi enn demokrasi parlamter, e ki sa demokrasi la li akord sak sitwayen drwa vote pu kandida de so swa e osi poz so prop kandidatir pu Lasanble Nasyonal,

Etan done ki li profundeman inimen pu Leta obliz dimunn klasifye limem anterm etni ubyen relizyon, e ki sistem Best Loser kominal li vinn prezizeman obliz kandida eleksyon zeneral klasifye limem, sinon so Nomination Paper kareman rezete,

**Etan done ki sa mem sistem Best Loser kominal la, li vinn perverti vot sak elekter apre leku, depi enn swa pu enn program politik ek pu enn kandida sitwayen ki lor bilten de vot, an enn sutyen politik pu enn espes “tribi” kominal arbitrer,**

*Etan done ki Komisyon Elektoral bizin konverti sak kandida ki eli, ubyen preske eli, an enn espes antite kominal,*

*Etan done ki avredir sak depite dan Lasanble Nasyonal so devwar se anver sitwayen Repiblik Moris ki finn elir li, e napa anver diferan “kominote”,*

**Etan done lalwa Best Loser kominal vinn furni enn espes baking legal pu depite, minis ek mem premye minis fer kominalism,**

*Etan done ki su-reprezantasyon fam ek travayer dan Parlman li anparti rezilta lobi kominalo-relizye obskir, ki Best Loser kominal anzandre, e sa kalite lobi-la byen suvan prefer enn zom depi klas profesyonel pu reprezentant zot,*

*Etan done ki sa perversyon Konstitisyon Moris ki sistem Best Loser kominal reprezante, li truve selman dan enn Sedil atase ar Konstitisyon Moris, e li pa konplike pu amand li,*

**Etan done ki erezman Leta nepli exize ki sitwayen Moris klasifye limem anterm kominal pu resansiman popilasyon, e sa vedir Komisyon Elektoral pe bizin fye lor ansyen sif resansiman 1972 pu so bann kalkil Best Loser an 2005,**

Etan done ki dan zizman Seetulsing, Lakur Siprem an 2000 finn prononse ki sistem Best Loser finn depase,

Nu, reprezentan lorganizasyon non-kominal, ubyen individi konserne, su-siyne:

**Nu anfaver abolisyon sistem Best Loser kominal, setadir ki Leta aret obliz kandida deklare ki li apartenir a enn kominote.**

Nom (an ful) .....

Nom lorganizasyon .....

Ladres .....

Siyn isi svp: .....

Sirkile par Lalit, 2005

Seki Lalit pe propoze dan kad eleksyon zeneral

**LALIT KONT KOMINALISM  
KOD KONDWIT  
PU KANDIDA, POLITISYEN E AZAN  
DAN KANPAYN ELEKTORAL**

Eleksyon zeneral dan kad enn Repiblik li lokazyon kan sitwayen elir zot reprezantan dan Lasanble Nasyonal. Me dan Moris sistem elektoral ankor tuzur perverti par 'Best Loser' ki nom depite korektif lor baz kominal. Best Loser li dan Konstitisyon Moris. Li vinn donn pratik kominalist enn vizaz ofisyel; li finn institisyonaliz kominalism. Tandi ki kominalism li enn danze pu lasosyete. Li fragmant li.

Alor enn tel sistem, li vinn donn aminisyon institisyon kominal e yerarsi relizyez pu zot fer tu kalite santaz lor kandida pandan eleksyon, e lor eli apre.

Kominalism pa pu disparet par li tusel. Tu kandida, politisyen, azan ek aktivist ena devwar ek responsabilite pu adopte enn pratik ek konportman ki pu dekuraz kominalism pandan ek apre kanpayn elektoral. Samem bi sa bann prinsip ki ena anba:

1. Lefet ki Leta li sekilye e li separe depi relizyon, kandida pu respekte prinsip debaz ki lopinyon politik dimunn, li indepandan depi konviksyon relizye. Kandida pa pu servi, ni manipil, konviksyon relizyez dimunn, ki enn zafer prive vizavi Leta.
2. Sa inklir ki kandida ek politisyen pa pu rod sutyen depi ofisye relizyon pandan zot kanpayn elektoral, ni partisip dan seremoni relizye dan zot rol kandida ubyen politisyen. Sa vedir, kuma tu dimunn, zot lib pu partisip dan seremoni relizye antan ki sitwayen ordiner.
3. Pena okenn zistifikasyon pu fors enn kandida deklar so kominote/relizyon lor Nomination Paper pu eleksyon zeneral.
4. Tu kandida pu adres elekter kuma sitwayen ek non kuma manb tel ubyen tel kategori kominal.
5. Okenn kandida napa bizin propoz kik taktik u stratezi ki depann lor klasifye ubyen kategoriz dimunn lor baz kominal.
6. Sak kandida pu pran langazman, ki si li eli, li pa pu resevwar an so kapasite depite, PPS ubyen Minis reprezantan grup kominal ubyen kominalo-relizyez.
7. Tu kandida pu pran langazman ki zot pa pu vot anfaver okenn lalwa dan Lasanble Nasyonal, ni apruv okenn Regleman Ministeryel ki fer diskriminasyon lor baz ras ubyen relizyon; e ki zot pa pu sabot okenn Bill ubyen Regleman anti-diskriminasyon.
8. Sak kandida ki eli pu oservis so mandan antan ki sitwayen, e napa antan ki manb kit ras, relizyon, kast ubyen kominote spesifik.
9. Kandida eli pena manda pu "su-lwe" enn parti zot puvwar demokratik a bann lorganizasyon kominal ubyen relizye. Ni zot ena manda pu negosye bann trok lor baz divizyon kominal.

Li dan lintere tu dimunn ki sak kandida respekte sa 8 prinsip la: elekter dan Repiblik Moris pena nanyen pu gayne dan kominalism ubyen integris de nerport ki bor. Okontrer kapav perdi tu: nu dinite, nu drwa kuma sitwayen, nu lape, nu linite dan travay e dan landrwa kot nu reste.

Mars 2005, sirkile par Lalit.

Trak Lalit sirkile avan resansiman 1983

## **RESANSIMAN POPILASYON: REFIZ DIR RELIZYON**

LALIT pe milite a tu nivo pu inifikasyon klas travayer lor baz de klas. Nu rezet tu tantativ pu diviz klas travayer lor baz kominal ubyin relizye. Travayis e PMSD ti tultan diviz klas travayer lor baz kominal; zordi li pe vinn enn realite obzektiv ki MSM e MMM pe re-diviz klas travayer lor baz kominal.

Dan konteks lalit pu diminye divizyon kominal dan klas travayer, LALIT pe lans enn mo-dord pu resansiman popilasyon ki pu fer kumansman Ziyet, 1983.

Mo dord LALIT adrese a tu bann travayer e dimunn kont kominalis, li kler:

Dan kolonn 11, kot dimann relizyon, dir swa :

“Pa pu dir”

Ubyen

“Pena” .

Li tut-a-fe nu drwa. An 1972 , nomb dimunn ki ti dir “Pa pu dir” ti 1699 e seki ti dir “Pena” ti 923. (An Angle, “Religion not stated” ek “No religion”). Enn total de 2622 pa ti kapav klasifye par relizyon. Sa vedir ena dimunn ki deza ena enn konsyans anti-kominal byin devlope. Sa resansiman-la, nu pu lite pu ogmant sa nomb dimunn ki refiz les okenn guvernman gayn akse a linformasyon lor lekel kapav diviz klas travayer, e permet klas patron kontinnye so dominasyon. Relizyon enn dimunn na pa konsern leta.

### ***Kestyon lor “kominote” dan resansiman inn reye***

Kan guvernman MMM-PSM-OPR inn rey kestyon dan resansiman lor kominote, li finn pretann ki li enn gran viktar lalit kont kominalism. Me, li fos: finn plito sem konfizyon. Dan resansiman pu tuzur dimann u u relizyon. Dan LAGAZET LALIT no 33 nu ti deza met an gard ki kestyon larelizyon kapav vinn anpir sityasyon kominal ankor plis, olye fer kominalism rekile, parski li pu amenn pli gran fragmantasyon a linteryer klas travayer.

Nu pe lite pu KONSYANS DE KLAS ogmante e pu rekil bann lezot KONSYANS SEKTARIS: swa konsyans kominal, swa konsyans relizye, ubyin konsysans ras. Nu pe osi lite pu separasyon ant leta e larelizyon. Sakenn ki lor later gayn drwa a so krwayans relizye ubyin a so non-krwayans, e li pa konsern leta.

Enn-de rezon kifer pe dimann nu nu relizyon se pu donn sidsid a lotorite relizye. Nu tu pe pey taks pu relizyon, e guvernman diviz sa larzan taks-la an proporsyon nomb dimunn dan diferan relizyon dapre resansiman popilasyon. Nu truv sa enn abi puvwar, e enn aksyon arbitrer.

### ***Nu tu pe pey taks pu relizyon***

Kuma li ete zordi, nu tu pe pey taks pu guvernman donn bann lotorite relizye enn sidsid. Si nu dakor ubyin nu pa dakor, nu tu pe peye: kan nu pey sales taks, kan nu pey stamp duty, nu tu pe peye. Mem si nu ti pu prefer nu larzan taks al pu pey bann pansyoner enn tigit plis, ubyin pu fer diri pli bonmarse, taks-la pe al kot relizyon. Lerla kan lotorite relizye-la depans kas-la, li na pa kuma lezot depans leta parski pena okenn kontrol demokratik lor la.

Nu dir : NON A TAKS SAN KONTROL DEMOKRATIK! Nu kwar ki li ti a bon si sak individi gayn drwa swazir si li ule pey tax pu relizyon ubyin non. Si li ule peye, lerla guvernman pran so kas

e donn sa kas-la ek lotorite relizye ki li finn nome. Sa vedir, kan resansiman kumanse, nu dir ki zis dimunn ki *ule pey taks* pu relizyon, ti bizin dir so relizyon, pu guvernman kone kombyin dimunn anvi pey taks pu relizyon. Deza ena sertin pei kot ena sa kalite taks pu relizyon lor enn baz opsyonel (e.g. Lalmayn Federal). Nu porpoze ki sa taks-la ti pu pli fasil integre dan sistem Income Taks: seki deza pey income tax, li pey enn sir-sarz (x% so income taks); seki pa peye,

pu bizin al anrezistre so nom kot biro income taks, e lerala pey enn taks fiks avek sa biro-la. Sa ti pu permet enn kontrol demokratik lor larzan taks, li ti pu ankuraz an-mem tan, enn de-kominalizasyon sosyete; relizyon enn dimunn vinn so langazman spesifik, e pa enn kompartmantalizasyon zeneral ki leta met lor li. Li osi permet sak dimunn swazir si so taks pu al avek enn lotorite relizye ubyin non.

### ***Tir best loser net: non a reprezentasyon proporsyonel***

Le 14 desam 1982, guvernman MMM-PSM-OPR ti pas enn lalwa pu ki nepli bizin spesifye u kominote letan fer prosenn resansiman popilasyon, e zot ti prezant sa kuma enn gran letap pu fer rekil kominalism dan Moris.

Me selman .... Konstitisyon Moris fer provizyon pu 8 syez dan parlman pu best-loser lor baz kominote! Sa nomb best-loser-la kalkile lor baz resansiman popilasyon (“as determined by reference to the results of the latest published official census of the whole population of Mauritius” - Constitution First Schedule 5(8).

Sa vedir resansiman 1982 pa pu ena enn seksyon lor kominote, me sistem best-loser tuzur an plas! Ki manyer pu fer kalkil pu best-loser? Dapre sa but Konstitisyon lao-la, li kler ki ena 2 posibilite, e ki Lakur Siprem kapav-et pu bizin transe si ena kontestasyon:

a) Servi resansiman 1972, akoz li dernye resansiman lor lekel kapav konn kikenn so kominote direk-direk,

ubyin

b) Servi resansiman 1982, e lerala kalkil kominote lor baz repons ki dimunn inn done a kestyon lor relizyon e langaz ansestral (kolonn 11 e 12 dan form resansiman). (Remarke ki Konstitisyon dir “by reference to results of the latest published census”).

Nu pa kone ki finn motiv enn guvernman kree sa kalite konfizyon-la. Li finn lans enn dinamik ki kapav fasilman amenn enn kriz konstitisyonel lor baz kominal. Li kler ki sa desizyon-la ena potansyel ogmant kominalism, e pena okenn sime ki li fer li rekile. Deza, zis avan resansiman, finn ena enn trak ki tipifye sa kalite dinamik kominal ki kapav inn large. Li enn trak sinnye Mauritius Tamil Council, e li reklam:

a) ki kominote Tamul gayn “une idantite separee dans notre Constitution” (best loser)

e

b) ki “detachant la communaute Tamoule de la religion Hindou.”

Lapres finn dir MMM inplike dan sa trak-la (Le Socialiste, 13 Me 1982) e MMM pa finn demanti, ni finn kritik trak-la. Sa 2 demand MTC-la byin byin spesifik e presi. E zot montre enn potansyel sulve enn gran problem kominal, ki pu kapav diviz klas travayer lor baz kominal. Dapre nu, dan LALIT, MMM-PSM-OPR finn kree enn sityasyon potansyelman danzere, e ki pu re-kominaliz sosyete plis ankor, si nu pa reysi bare.

Get ki pu arive: Dan Konstitisyon Moris First Schedule 3(4) li dir ki bann kominote ete:

“the population of Mauritius shall be regarded as including a Hindu Community, a Muslim Community, and a Sino-Mauritian Community; and every person who does not appear, from his way of life, to belong to one or other of those three communities shall be regarded as belonging to the General population, which shall itself be regarded as a fourth community.”

Asterla, MTC (ki paret finn elir li-mem pu koz o-nom “kominote Tamul”) pe azut enn “kominote Tamul” ladan. Andot mo, MTC pe revandik ki seksyon 11, 12, 13 form resansiman (relizyon langaz ansestral e langaz kuran) servi pu “klasifye” enn dimunn kuma “kominote Tamul”, e li explik zot revandikasyon pu “tir” kominote Tamul dan “relizyon Indu”.

Sa demand-la li zis premye ki finn lev later. Buku lezot ena posibilite swiv li. An 1972, dan bann not pu ed u ranpli form resansiman ti deza met 29 diferan relizyon, e dimunn finn an fet ranpli pa mwins ki 52! Alor, nu kapav mazinn si sakenn parmi tu sa bann relizyon-la desid pu adopte mem latitud sektaris, e ziska ki pwin sa pu kas lelep Moris an but-but, lor enn baz osi fos ki kominalis deza ete. Klas travayer pu riske sufer enn gran rekil dan sa proses inifikasyon.

Seki pli danzere dan sa proses kas-kas popilasyon-la seki ena bann lintere ki rant an ze: lintere pu lamone sibsidi relizyon, lintere pu plas travay MBC dan program diferan langaz, lintere pu “Education Officers” (get revandikasyon dan trak MTC), lintere pu tiket pu eleksyon, lintere pu

ralye vot, lintere pu best-loser-mem. Sa bann lintere larzan-mem, bann lintere ti-burzwa klasik, ki pu pus ver enn neo kominalism dan Moris.

Seki plis grav ankor: sa tandans pu diviz-diviz lelektora lor baz relizyon-la, vinn kwinsid avek enn nuvo stratezi MMM pu ralye bann “minorite” e pu sey gayn ase “minorite” ansam pu vinn enn mazorite. Aneerood Jugnauth dan so gran miting lapli Vakwa ti avwe ki Paul Berenger ti'nn dir li li ena bann kominote minoriter e bann su-grup minoriter “ar li”. Sylvio Michel dir ki Berenger ti dir li mem zafer le 31.12.82. E tu azan MMM dan tu sirkonskripsyon kot nu ena kontak pe dir mem-mem koze, profondeman kominal, e ki menas inifikasyon klas travayer gravman. Dan so intervi kle dan *Le Mauricien* Merkrede 13 Avril, 1983, Berenger dir ki slogan MMM pu prosenn eleksyon se: “Pour le changement, pour le respect des libertes fondamentales, des differences culturelles, du pluralisme de la societe mauricien.” Alor, slogan “LALIT DE KLAS” 1969, inn vinn “KONSANSIS SOSYAL” an 1982, e inn vinn “PLURALISME” an 1983. “Pluralisme” se enn fason pli poli pu dir “lalit de RAS”.

Lor kestyon tir best-loser, nu etone ki MMM-PSM-OPR ti refiz pas mosyon Asgarally an 1982. Li ti enn mosyon ideal pu enn parti reformis avek enn volonte anti-kominal. Li ti pu:

- a) Rey best-loser dan ka 60-0 e zis dan sa ka-la.
- b) Tini anplas sistem best-loser ki , dapre tu, enn sistem reformis pu fors bann parti politik pa baz zot lor kominote.
- c) Fer krwar ki MMM-PSM-OPR kont sistem best-loser, e pu kalme tu protestasyon.

Zot pa vot mosyon Asgarally. Zot kree dinamik danzere (par zis tir kestyon lor kominote dan resansiman, san tus best-loser, li-mem). E lerla, MMM, par labus Paul Berenger, vinn propoz “reprezantasyon proporsyonel”, le 11 Avril 1983 dan Forum LALIT lor kominalis e dan so lintervi dan “Le Mauricien” le 13, pu ranplas sistem best-loser, lerla nu kone ki MMM pena volonte anti-kominalis. Sa lide-la, sistem reprezantasyon proporsyonel, ti refer sirfas lavey Forum-la (setadir 10 Avril 1983) kan ideolog extrem drwat e kominalis, Philip Forget, ti sulev li.

Pena okenn dut dan LALIT ki reprezantasyon proporsyonel enn danze byin grav pu Moris. Li pu defintivman rekominaliz sosyete Moris, kas klas travayer but an but, e literalman balkaniz pei-la. Klas travayer inn deza amenn enn gran lalit (slogan “DOWN WITH PROPORTIONAL REPRESENTATION”) kan ladrwat ti propoz reprezantasyon proporsyonel lor baz kominote dan lepase. Lor baz parti, dan ninport ki pei kot ena problem swa rasis, swa lor baz relizyon, tribalism, ubyin kominalis, sistem reprezantasyon proporsyonel, azir pu rwinn muvman travayer, e pu kas lamas dimunn an bann divizyon irasyonel. Dan bann pei kot bann problem kominal byin mwins, reprezantasyon proporsyonel kapav enn sistem progresis; me dan Moris, li pu inevitableman kraz klas travayer.

Philip Forget konn sa. Li rezon mem pu li propoz reprezantasyon proporsyonel – pu anpes nasyonalizasyon ubyin lezot aksyon kont patrona. Lerla, dan so argimantasyon, li met bann minorite kiltirel kuma alye minorite kapitalis! An fet stratezi PMSD an 1967. Kestyon li defintivman poze: Eski Paul Berenger onom MMM pe donn burzwazi enn lof mem garanti? Pena lot interpretasyon si u lir editoryal Forget le 10, diskur Berenger dan Forum le 11 e so intervi le 13 Avril.

Lor sistem best-loser nu slogan: “tir best loser e na pa introdri reprezantasyon proporsyonel. Bizin kontinye batir linite klas travayer e denons tu tantativ pu diviz klas travayer.

## **Konklizyon**

Alor, kan LALIT dir “PA PU DIR” an repons a kestyon lor relizyon dan resansiman, nu bi, li enn bi byin serye: pu anpes guvernman servi relizyon dimunn pu diviz klas travayer. Nu rapel tu bann militan, ki partu dan lemond, li pa zis kestyon kominote ki amenn divizyon e mem bagar, dan Irland e Liban, 2 plas kot enn bagar pe ena, kot 2 kan sipoze “lennmi” se 2 grup relizye. E laba, kuma partu, pena okenn solisyon relizye. Progre li tuzur ankre dan lalit de klas.

Fer li u devwar dan lalit pu infikasyon klas travayer: dir “pa pu dir” ubyin dir “pena.”

Li nu drwa. Nu sit isi seki Guvernman inn dir bann dimunn ki pe pas lakaz par lakaz pu fer resansiman:

“You should not question the declaration made by the person since everyone is free to declare whatever religion he claims to belong to. If you find that the respondent's reply does not give a clear indication of his religion, you may ask for the name of his religion; if he maintains the information given, do not insist. For persons with no religion, insert 'NONE' “.

Mo dord: Ki u relizyon?

Pa pu dir  
u  
Pena

Donn kudme avek inifikasyon klas travayer e tu so bann alye parmi dimunn mizer.

Toni Ah Vee  
pu LALIT  
4 Caudan St  
Port Louis

[Sirkile c. Zin 1983]

Trak Lalit ki ti sirkile an Zin 2004

## **DAN KAD ELEKSYON ZENERAL KI PE VINI, E DAN KAD REFORM ELEKTORAL BIZIN ABOLI BEST LOSER KOMINAL**

Dan so Diskur Bidze, Pravind Jugnauth, finn anonse formelman ki MMM-MSM-FTS-PMSD pe vini avek zot plan Reform Elektoral. Merkredi dernye enn Komite lor reprezantasyon proporsyonel prezide par Premye Minis finn ariv konklizyon ki Parke bizin al delavan drafte enn amandman Konstitisyon Moris. Amandman ki pe propoze li paret sinp (dapre lagazet *L'Express*): Gard 62 depite eli o-nivo sirkonskripsyon, gard 4 premye Best Loser Kominalo-rasyal-relizye, e azut ankor enn vole 14 “Best Loser” (pa baze lor kominalism sann fwa la).

Li enn veritab katastrof ki sa guvernman-la finn deside pu gard sistem *Best Loser Kominal*. Rezon ki MMM-MSM done pu sa se li “pa ti dan zot Program Guvernmantal”. Me, sa li enn pir pretext. Ogmant TVA pa ti dan Program Guvernmantal me zot finn fer li.

### ***Best Loser enn pwazon***

Se sa sistem Best Loser la ki anpwazonn lavi politik dan sa pei la. Se sa sistem la ki fer ki sak depite ariv krwar ki li reprezant *pa* so sirkonskripsyon, me plito kit lobi kominalo-rasyal ubyen relizye. Se sa sistem Best Loser la ki fer sak Minis krwar ki li pe reprezant pa popilasyon antye kan li get so bann dosye, me ki li la pu rasir enn lobi kominal. Li enn veritab skandal.

Ena buku dimunn krwar ki sistem Best Loser afekte zis sa 8 depite “korektif” la. Ondire zis sa 8 la tusel ki infekste par viris kominalist ek rasist. Me, li pa vre. Sak kandida pu eleksyon zeneral oblize klasifye limem lor so Nominesyenn Peper. Sinon, li pa kapav kandida. Sak kandida bizin swazir enn ant sa 4 “kominote” ki ena dan enn Sedil atase ar Konstitisyon Moris: setadir Hindu, Mizilman, Sino-Morisyen ubyen Popilasyon Zeneral. Lerla, kan sa premye 62 *First past the Post* inn eli, Komisyon Elektoral syeze, e li alwe enn nomb elekter lor baz so kominote ek kominote bann elekter. Sak sa 62 depite-la reprezant tan elekter depi so prop “kominote”. Buku dimunn pa konn sa. Parfwa Paul Bérenger pretann ki li pa konn sa.

Me, avredir li, kuma tu lezot politisyen kominalist, li servi sa. E li osi servi lefet ki buku dimunn innyoran lor ki ete Best Loser pu ki li kapav kit li anplas.

Sa kalite klasifikasyon ki ena dan Best Loser-la, li enn form aparteid, enn krim ki finn reste depi lepok lesklavaz ek kolonizasyon. Li baze lor bann tez fasizant, ki itil pu seki opuvwar, pu zot “divize pu reyne”.

### ***Premye Reform Elektoral nesese se tir Best Loser***

Seki *Lalit* pe dir se bizin amand Konstitisyon dabor pu tir sa Sedil ki obliz kominalism rant dan politik.

### ***Zidisyer ki dir?***

Sa Guvernman MSM-MMM la, li finn met dibut so Komite Collendavelloo. Bann depite ladan finn ekut enn kantite temwayaz, finn fer tu kalite letid, e finn finalman pran kont propozisyon Leung Shing. Me, dan tusala, zot pa pip enn mo lor seki Zidisyer finn fini dir. Zidisyer finn avoy enn mesaz kler a Kabine Minis.

Lakur Siprem ti bizin statye dan ka ki enn kliyan Yousouf Mohamed ti mete kont kandida *Lalit* (ek 2 lezot parti) apre Nominesyenn De pu eleksyon 2000, aköz nu ti swazir ki “kominote” pu ranpli dan nu Nominesyenn Peper par tiraz o-sor.

Ala seki Ziz Seetulsing finn dir:

“Some 33 years after the Constitution was drafted one cannot escape the fact that a common way of Mauritian life has gradually and steadily developed in Mauritius which cuts across communal barriers. This makes it still more difficult for a judge of the Supreme Court... to determine whether somebody belongs to a particular community by looking at his way of life [which the Constitution requires us to do]. The issue further arises as to how the judge can determine the way of life of a citizen unless he becomes like Big Brother in [the novel] 1984 and watches how a citizen leads his private life ... “We understand that a project of electoral reform is on the cards, and hope that these defects would be remedied in the near future”.

**KONTAKTE LALIT, SI U ANVI ORGANIZ ENN REYNION LANDRWA UBYEN LOR  
SAYT TRAVAY LOR SA SIZE LA.  
KUMSA ANSAM NU KAPAV GETE KIMANYER FINI AR SISTEM BEST LOSER KI  
PE PERVERTI DEMOKRASI DAN SA PEI LA. SONN NU LOR 208 2132.**

## Stop Communalism Campaign Musicians Against Communalism

[This Charter organised by artists active in MAC and Lalit members, was endorsed by over 100 musicians, of various musical traditions in Mauritius and was presented to the President of the Republic on the occasion of Music Day, June 1995.]

We, artists of the music world feel concern about the rise of communalism in our country.  
We endorse the *Declaration of the Movement Against Communalism* working:

- o *against communalism, racism, casteism and all forms of religious fundamentalism,*
- o *for equal fundamental rights for each and every citizen of the Republic of Mauritius,*
- o *for a secular state completely separate from religion,*
- o *for freedom of religion or to have no religion,*
- o *for freedom of expression and of opinion for each and every citizen.*

We, as musicians, know how destructive communalism, racism, or fundamentalism can be to the development of art. History is full of examples of how music and musicians have been victims of societies where communalist, racist, or fundamentalist ideologies have stifled art forms. Musicians of almost every musical tradition, be it classical, folk, sega, jazz, rock or pop, have had to struggle against these backward forces in the advancement of art. Communalism, racism and fundamentalism represent a permanent threat to freedom of expression that forms the foundation of music and all other art forms.

We know that the rise of communalism goes much further than shackling art. We are deeply concerned about the rise of communalism and its effects on human life itself. The present situation in ex-Yugoslavia, Rwanda, India is showing us exactly how destructive communalism can be to humanity. We believe that a conscious effort is needed on the part of citizens and the state to stand against all forms of communalism, racism or fundamentalism of whatever ilk wherever it sprouts, be it in education, in law, in the economy, in politics, in sports or in art. Without this stand, there will be no protection from the evil dynamics of communalism, racism and fundamentalism. We, musicians and citizens, in all social responsibility, stand against communalism, racism and fundamentalism in art and in all other areas of society.

We reject any communal classification of music or other art forms by the state.

We call on you to ensure that the development of art forms is not bonded to a communalist vision of our society. We want to live in a society where citizens have access to music produced by humanity. Art knows no barriers -- it belongs to humanity as a whole.

We call on you to ensure adequate state resources to promote all music that citizens show an interest in performing, learning about, or listening to, irrespective of its country of origin. Music all over the world forms part of all Mauritian citizen's universal heritage.

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<i>Name</i>	<i>Instrument/ Group</i>	<i>Address</i>	<i>Signature</i>
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## STOP COMMUNALISM CAMPAIGN SPORTSPEOPLE AGAINST COMMUNALISM

[This Charter organised by MAC was circulated and endorsed by Sportspeople in Mauritius ]

We, sportspeople, feel concern about the rise of communalism in our country. We endorse the *Declaration of the Movement Against Communalism* working:

- o *against communalism, racism, casteism and all forms of religious fundamentalism,*
- o *for equal fundamental rights for each and every citizen of the Republic of Mauritius*
- o *for secular state completely separate from religion,*
- o *for freedom of religion or to have no religion*
- o *for freedom of expression and of opinion for each and every citizen.*

We, as sportspeople, know how destructive communalism, racism or fundamentalism can be to the development of sports. In Mauritius, our history of colonialism has left us with a heavy legacy where some sports are plagued with communalism. Instead of being proud symbols of humanity's immense athletic capacity, some sports clubs are moulded into communalist symbols. Communalism, racism and fundamentalism represents a permanent threat to the healthy development and enjoyment of sports.

We know that the rise of communalism goes much further than impairing sports. We are deeply concerned about the rise of communalism and its effects on human life itself. The present situation in ex-Yugoslavia, Rwanda, India, Algeria, is showing us exactly how destructive communalism can be to humanity. We believe that a conscious effort is needed on the part of citizens and the state to stand against all forms of communalism, racism or fundamentalism of whatever ilk wherever it sprouts, be it in education, law, in the economy, politics, in art or sports. Without this stand, there will be no protection from the evil dynamics of communalism, racism and fundamentalism. We, are concerned by the fact that sportspeople are being used to whip up communalist sentiment in the country. This is why we, sportspeople and citizens, in all social responsibility, stand firmly against communalism, racism and fundamentalism of all ilk in sports and in all other areas of society.

*We reject any communal classification of sports or sports clubs.*

*We call on you to ensure that sports are not bonded to a communalist vision of our society.*

*We want to live in a society where citizens have access to all sports developed by humanity.*

*We call on you to ensure that steps are taken to decommunalise sports and sport is promoted as part of Mauritian citizens' universal heritage.*

<i>Name</i>	<i>Sport / Club</i>	<i>Address</i>	<i>Signature</i>
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## **Extre depi dokiman Lalit/Lalit de Klas 1976-82**

Nu finn swazir de-trwa extre kurt, kuma lexanp enn preokipasyon konstan *Lalit de Klas* ek *Lalit* pu size kominalism.

### ***Lalit de Klas depi 1976***

Avan ki *Lalit* existe kuma parti politik an 1982, li ti existe kuma enn grup otur enn revy, *Lalit de Klas*. Depi Revy Nimero Enn, *Lalit de Klas*, ti ena buku lartik kont kominalism. Par exanp, dan Introdiksyon Nimero Enn, li dir: “Nu truve osi ki konsyans de klas proleter finn fose par serten faktor, kuma listwar e pratik kominalism ...” Dan premye lartik dan sa premye nimero la, siyene Lolo Bibi, enn paragraf lir: “Kominalis, ki burzwazi finn servi kuma enn instriman ideolojik pu diviz travayer, nepli ennan mem kapasite pu diviz travayer, ki dis an de sela.” Buku lartik ena referans a kominalism, e tret kwinsidans ant klas ek kominote.

### ***Extre kont kominalism depi De Dokiman Lalit de Klas otur fondasyon Lalit kuma parti politik 1982***

“Depi lontan *Lalit de Klas* pe met militan [dan MMM] an gard kont kont bann konpromi elektoral ki gradyelman pe dezarm MMM dan lalit kont burzwazi, osi byen ki dan lalit kont kominalism.

Zordi se lamonte kominalism ki dominn kanpayn elektoral; kifer? Purtan lalit anti-kominal ki MMM ti amene dan lepase ti deza bare kont sa an 1976.

Nu panse ki apartir lalyans ek PSM, 2 dinamik finn devlope: premyerman, enn lalyans ki fer an parti pu kontre propagann kominal [kont umem] ena inevitableman enn dinamik kominal par li-mem, dezyeman lalyans ek PSM finn nesesisit bann konsesyon o-nivo program e ideoloji (PSM enn parti anti-komunist). Alor, dinamik kominal ki finn deklanse pa finn zwenn buku rezistans ideolojik, mem dan parti [MMM]; rezilta se ki MMM e so bann militan zot dezarme divan problem Lalibi, Propagann infekt lagazet *The Nation* e *Hindu*, problem kandidatir OF [grup Sylvio Michel], lamonte PIM [enn parti kominal], etc.

Lalyans ek PSM, laranzman ek OF, bann konsiderasyon kasteis dan swazir kandida, tu sa pu amenn bann lobi kominal e kasteis byin for dan enn guvernman MMM-PSM. Me, mem asterla, dan kanpayn elektoral, li kler ki se prezizeman par metod ki li finn servi pu sey lit kont kominalism [atraver konpromisyon, atraver lalyans ar Harish Boodhoo] ki MMM finn uver sime a enn komianlism virilan e mem potansyelman vyolan. Kominalism li enn mons ki bizin atake an permanans, sinon li resorti depi dan so lakaz. Sa prezizeman dan so stratezi pu gayn eleksyon “kut-ke-kut” ki MMM finn met li-mem dan enn pozisyon kot li nepli ka-pav amenn sa lofansiz frontal ki ti nesesiser pu anpes kominalism relev latet.

MMM nepli ena bann zarm ki li finn servi kont kominalis dan lepase: laliyn anti-kapitalis e linite de klas atraver sindika for.

Se sa abandon lalti anti-kapitalis ki finn permet kominalismk dominn politik e se prezizeman sa ki [nu dan] *Lalit de Klas* apel enn “trahizon lalit anti-kominal”. *Fevriye 1982*.

Rezon kifer manb *Lalit de Klas* ti kit MMM le 4 Avril, 1982. Ti ena 8 rezon. Nu pe met premye de, pu sitye linportans kestyon kominalism dan sa demisyon la.

“1. Nu krwar bizin lite pu amenn sosyalism, e ki bann klas oprime bizin evit konsansis ek explwater.

2. Nu krwar ki dan lalit kont kominlism e kasteism, li selman enn laliyn de klas ki pu kont-kare kominalism e kasteism, e pa kapav ena konpromisyon.” *4 Avril, 1982*.

## APPENDICES



## **FIRST SCHEDULE OF THE CONSTITUTION OF MAURITIUS (1968)**

### **First Schedule (section 31(2) )**

#### **1. Elected members to be returned by constituencies**

(1) There shall be 62 seats in the Assembly for members representing constituencies and accordingly each constituency shall return 3 members to the Assembly in such manner as may be prescribed, except Rodrigues, which shall so return 2 members.

(2) Every member returned by a constituency shall be directly elected in accordance with this Constitution at a general election or by-election held in such manner as may be prescribed.

(3) Every vote cast by an elector at any election shall be given by means of a ballot which, except in so far as may be otherwise prescribed in relation to the casting of votes by electors who are incapacitated by blindness or other physical cause or unable to read or understand any symbols on the ballot paper, shall be taken so as not to disclose how any vote is cast; and no vote cast by any elector at any general election shall be counted unless he cast valid votes for 3 candidates in the constituency in which he is registered or, in the case of an elector registered in Rodrigues, for 2 candidates in that constituency.

#### **2. Registration of parties**

(1) Every political party in Mauritius, being a lawful association, may, within 14 days before the day appointed for the nomination of candidates for election at any general election of members of the Assembly, be registered as a party for the purposes of that general election and paragraph 5(7) by the Electoral Supervisory Commission upon making application in such manner as may be prescribed:

Provided that any 2 or more political parties may be registered as a party alliance for those purposes, in which case they shall be regarded as a single party for those purposes; and this Schedule shall be construed accordingly.

(2) Every candidate for election at any general election may at his nomination declare in such manner as may be prescribed that he belongs to a party that is registered as such for the purpose of that general election and, if he does so, he shall be regarded as a member of that party for those purposes, while if he does not do so, he shall not be regarded as a member of any party for those purposes; and where any candidate is regarded as a member of a party for those purposes, the name of that party shall be stated on any ballot paper prepared for those purposes upon which his name appears.

(3) Where any party is registered under this paragraph, the Electoral Supervisory Commission shall from time to time be furnished in such manner as may be prescribed with the names of at least 2 persons, any one of whom is authorised to discharge the functions of leader of that party for the purposes of the proviso to paragraph 5(7).

(4) There shall be such provision as may be prescribed requiring persons who make applications or declarations for the purposes of this paragraph to furnish evidence with respect to the matters stated in such applications or declarations and to their authority to make such applications or declarations.

(5) There shall be such provision as may be prescribed for the determination, by a Judge of the Supreme Court before the day appointed for the nomination of candidates at a general election, of any question incidental to any such application or declaration made in relation to that general election, and the determination of the Judge shall not be subject to appeal.

#### **3. Communities**

(1) Every candidate for election at any general election of members of the Assembly shall declare in such manner as may be prescribed which community he belongs to and that community shall be stated in a published notice of his nomination.

(2) Within 7 days of the nomination of any candidate at an election, an application may be made by an elector in such manner as may be prescribed to the Supreme Court to resolve any question as to the correctness of the declaration relating to his community made by that candidate in connection with his nomination, in which case the application shall (unless withdrawn) be heard and determined by a Judge of the Supreme Court, in such manner as may be prescribed, within 14 days of the nomination, and the determination of the Judge shall not be subject to appeal.

(3) For the purposes of this Schedule, each candidate at an election shall be regarded as belonging to the community to which he declared he belonged at his nomination as such, or if the Supreme Court has held in proceedings questioning the correctness of his declaration that he belongs to another community, to that other community, but the community to which any candidate belongs for those purposes shall not be stated upon any ballot paper prepared for those purposes.

(4) For the purposes of this Schedule, the population of Mauritius shall be regarded as including a Hindu community, a Muslim community and a Sino-Mauritian community; and every person who does not appear, from his way of life, to belong to one or other of those 3 communities shall be regarded as belonging to the General Population, which shall itself be regarded as a fourth community.

#### **4. Provisions with respect to nominations**

(1) Where it is so prescribed, every candidate for election as a member of the Assembly shall in connection with his nomination make a declaration in such manner as may be prescribed concerning his qualifications for election as such.

(2) There shall be such provision as may be prescribed for the determination by a returning officer of questions concerning the validity of any nomination of a candidate for election as a member of the Assembly.

(3) Where a returning officer decides that a nomination is valid, his decision shall not be questioned in any proceedings other than proceedings under section 37.

(4) Where a returning officer decides that a nomination is invalid, his decision may be questioned upon an application to a Judge of the Supreme Court made within such time and in such manner as may be prescribed, and the determination of the Judge shall not be subject to appeal.

#### **5. Allocation of 8 additional seats**

(1) 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.

(2) As soon as is practicable after all the returns have been made of persons elected at any general election as members to represent constituencies, the 8 additional seats shall be allocated in accordance with the following provisions of this paragraph by the Electoral Supervisory Commission which shall so far as is possible make a separate determination in respect of each seat to ascertain the appropriate unreturned candidate (if any) to fill that seat.

(3) The first 4 of the 8 seats shall so far as is possible each be allocated to the most successful unreturned candidate, if any, who is a member of a party and who belongs to the appropriate community, regardless of which party he belongs to.

(4) When the first 4 seats (or as many as possible of those seats) have been allocated, the number of such seats that have been allocated to persons who belong to parties, other than the most successful party, shall be ascertained and so far as is possible that number of seats out of the second 4 seats shall one by one be allocated to the most successful unreturned candidates (if any) belonging both to the most successful party and to the appropriate community or where there is no unreturned candidate of the appropriate community, to the most successful unreturned candidates belonging to the most successful party, irrespective of community.

(5) In the event that any of the 8 seats remains unfilled, then the following procedure shall so far as is possible be followed until all (or as many as possible) of the 8 seats are filled, that is to say, one seat shall be allocated to the most successful unreturned candidate (if any) belonging both to the most successful of

the parties that have not received any of the 8 seats and to the appropriate community, the next seat (if any) shall be allocated to the most successful unreturned candidate (if any) belonging both to the second most successful of those parties and to the appropriate community, and so on as respects any remaining seats and any remaining parties that have not received any of the 8 seats.

(6) In the event that any of the 8 seats still remains unfilled, then the following procedure shall so far as is possible be followed (and, if necessary, repeated) until all (or as many as possible) of the 8 seats are filled, that is to say, one seat shall be allocated to the most successful unreturned candidate (if any) belonging both to the second most successful party and to the appropriate community, the next seat (if any) shall be allocated to the most successful unreturned candidate (if any) belonging both to the third most successful party (if any) and to the appropriate community, and so on as respects any remaining seats and parties.

(7) Where at any time before the next dissolution of Parliament one of the 8 seats falls vacant, the seat shall as soon as is reasonably practicable after the occurrence of the vacancy be allocated by the Electoral Supervisory Commission to the most successful unreturned candidate (if any) available who belongs to the appropriate community and to the party to whom the person to whom the seat was allocated at the last general election belonged:

Provided that, where no candidate of the appropriate community who belongs to that party is available, the seat shall be allocated to the most successful unreturned candidate available who belongs to the appropriate community and who belongs to such other party as is designated by the leader of the party with no available candidate.

(8) The appropriate community means, in relation to the allocation of any of the 8 seats, the community that has an unreturned candidate available (being a person of the appropriate party, where the seat is one of the second 4 seats) and that would have the highest number of persons (as determined by reference to the results of the published 1972 official census of the whole population of Mauritius) in relation to the number of seats in the Assembly held immediately before the allocation of the seat by persons belonging to that community (whether as members elected to represent constituencies or otherwise), where the seat was also held by a person belonging to that community:

Provided that, if, in relation to the allocation of any seat, 2 or more communities have the same number of persons as aforesaid preference shall be given to the community with an unreturned candidate who was more successful than the unreturned candidates of the other community or communities (that candidate and those other candidates being persons of the appropriate party, where the seat is one of the second 4 seats).

(9) The degree of success of a party shall, for the purposes of allocating any of the 8 seats at any general election of members of the Assembly, be assessed by reference to the number of candidates belonging to that party returned as members to represent constituencies at that election as compared with the respective numbers of candidates of other parties so returned, no account being taken of a party that had no candidates so returned or of any change in the membership of the Assembly occurring because the seat of a member so returned becomes vacant for any cause, and the degree of success of an unreturned candidate of a particular community (or of a particular party and community) at any general election shall be assessed by comparing the percentage of all the valid votes cast in the constituency in which he stood for election secured by him at that election with the percentages of all the valid votes cast in the respective constituencies in which they stood for election so secured by other unreturned candidates of that particular community (or as the case may be, of that particular party and that particular community), no account being taken of the percentage of votes secured by any unreturned candidate who has already been allocated one of the 8 seats at that election or by any unreturned candidate who is not a member of a party:

Provided that if, in relation to the allocation of any seat, any 2 or more parties have the same number of candidates returned as members elected to represent constituencies, preference shall be given to the party with an appropriate unreturned candidate who was more successful than the appropriate unreturned candidate or candidates of the other party or parties.

(10) Any number required for the purpose of subparagraph (8) or any percentage required for the purposes of subparagraph (9) shall be calculated to not more than 3 places of decimals where it cannot be expressed as a whole number.

[Amended 2/82; 36/82; 48/91]

6. [Repealed 2/82]



# SUPREME COURT JUDGEMENT

## Delivered by Justice D. Seeetulsingh

Record Number 71430  
In the Supreme Court of Mauritius  
In the matter of:  
Parvez Carrimkhan  
APPLICANT  
v/s  
Tin How Lew Chin & Ors.  
RESPONDENTS  
In the presence of:  
The Electoral Commissioner  
CO-RESPONDENT

### **Judgment**

Applicant has questioned the correctness of the declaration made by Respondents Nos. 1 to 26 relating to their community on their nomination paper for the general elections. In his application made under paragraph 3 (2) of the First Schedule to the Constitution (the First Schedule) he prays the Court to resolve the question as to the correctness of the declaration.

Applicant has averred that the wrongful declarations will upset the proper allocation of the best loser seats after the proclamation of the results of the general elections. In evidence he has stated that the names of the Respondents were indicative of the fact that they did not belong to the community stated in their declaration.

The particulars given by Respondents are as follows :

No	Name	Party	Community	Constituency	
1.	Tin How	LEW CHIN	Nouvo	Lizour	Hindu 1
2.	Ange Laval	YVES	Lalit	Hindu	1
3.	Dany Sylvie	MARIE	Lalit	Hindu	2
4.	Diya	DHOLAH	Lalit	Muslim	4
5.	Shardanand	LILLDHARRY	Lalit	Sino-Mauritian	6
6.	Alain	AH VEE	Lalit	Hindu	7
7.	Antoine Joyce	HENRI-HELOISE	Nouvo-Lizour	Hindu	7
8.	Louis Jerry Michael	MINERVE	Nouvo-Lizour	Hindu	7
9.	Christian	BATOUR	Lalit	Muslim	9
10.	Seeven	KISTNASAMY	Lalit	Muslim	10
11.	Pravin	RAMSEWAK	Lalit	Muslim	11
12.	Ashok	SUBRON	Lalit	Muslim	13
13.	Deoparsad Ram	SEEOBIN	Lalit	G. Population	14
14.	Devianand	NARAIN	Lalit	Muslim	15
15.	Dooven	CALEECHURN	Lalit	Sino-Mauritian	16
16.	Rajni	LALLAH	Lalit	G. Population	17
17.	Marie Thérèse Jocelin	MINERVE	Nouvo-Lizour	Hindu	17
18.	Francis	JOLICOEUR	Lalit	Sino-Mauritian	18
19.	Muniswamy	ANENDEN	Tamil Council	G. Population	19
20.	Devarajen	KANAKSABEE	Tamil Council	G. Population	19
21.	Logonaden	MANIKUM	Tamil Council	G. Population	19
22.	Ananda	NULLAH	Tamil Council	G. Population	20
23.	Yves Alain M. J.	PITCHEN	Nouvo-Lizour	Hindu	20
24.	Veerasamy	POULLAY RENGHEN	Tamil Council	G. Population	20
25.	Suraj	RAMDIN	Lalit	G. Population	20
26.	Carpen	Soopramanien	SUNGALÉE	Tamil Council	G. Population 20

At the hearing Respondents Nos. 19, 20, 21, 22 and 24 who are candidates of the Tamil Council have deponed to say that they were atheists (except for Respondent No. 19 who claimed to belong to the

Pennia Tabernacle Church) and that in view of the fact that they do not consider themselves to belong to the Hindu, Muslim and Sino-Mauritian communities they have declared on their nomination paper that they belong to the General Population. After they were heard, Counsel for the Applicant withdrew his application in respect of those Respondents.

The question remains open, however, whether any of these Respondents would still be entitled to a best loser seat, if ever this possibility arises, as a member of the General Population, when this may be contested by another member of the General Population. One Respondent stated that some members of the General Population could be "*plis (more) population générale*" than others. Historically Tamils have been considered to be part of the Hindu community whereas the Respondents claim to belong to what they call the Tamil race. The second question is whether it is too late for any member of the General Population to contest the declaration, as this should have been done within 7 days of nomination day. Another difficulty which arises is that in the 1972 census Tamils have been included among Hindus while for the purposes of benefiting from the allocation of best loser seats for the 2000 elections the candidates of the Tamil Council have declared that they belong to the General Population.

As for Respondent No. 26, he was absent on the day of the hearing. Being given that he is also an atheist because he made a declaration in his affidavit, I do not find it necessary to order any correction relating to his community, but again this may be contested if ever he becomes entitled to a best loser seat. I note that not all the candidates of the Tamil Council party may be Tamils.

I shall now deal with the case of the remaining Respondents (who shall be called the Respondents).

The Respondents, who are members of the political parties Lalit and Nouvo Lizour, have not filed affidavits. They have not deposed and have not submitted themselves to cross-examination. Counsel for the Applicant moved that they be called on their personal answers. Applying rule 36 of the new Rules of Court (Act No. 15 of 2000) I granted the motion. It is a matter of regret that these Respondents have chosen to take shelter behind objections of a procedural and evidential nature instead of joining issue with Applicant and defending a cause they claim to believe in, being given that they are opponents of the best loser system and do not subscribe to the division of Mauritians into communities. First they objected to being called on their personal answers, then they refused to give their consent to the Director of Statistics disclosing the religion they have declared they practice on their census form submitted recently. They also wanted the Returning Officers to be made parties to the case and stated that the applicant's affidavit disclosed no case. These last 2 objections were overruled by me.

Those who were called on their personal answers by the Applicant (Respondents Nos. 3, 4, 5, 6,10,12,13,14,16,17,18) have stated that they are not interested in being allocated best loser seats, should they be entitled to the same. The other Respondents were absent at the proceedings. The 2 political parties have even sent a letter to the Electoral Supervisory Commission to that effect. The same Respondents have also explained that it is after a drawing of lots that they have made the declaration as to community, on their nomination paper. They have further explained that they do not believe in the division into different communities mentioned in paragraph 3(4) of the First Schedule or that they do not know what are the specificities of each community. Many thought themselves to be citizens of the Republic of Mauritius and belonging to the Mauritian Community.

However laudable may be the motive of these Respondents who sincerely believe in the existence of a single community in Mauritius, the exercise of drawing of lots which they have carried out is not proper in the light of the provisions of the First Schedule. Thus they have explicitly admitted the fact that they have not made truthful declarations as to their community. For example, Respondent No. 4 in her declaration stated that she belongs to the Muslim Community because the members of her party had decided that their declaration would depend on the drawing of lots. In Court she would not say that she in fact belongs to the Muslim Community.

Although they have written letters to the effect that their candidates are not interested in being allocated best loser seats, the Electoral Supervisory Commission has not agreed that the 2 parties will not be considered for such allocation, should the candidates be entitled to the same. The Commission will carry out the exercise as spelt out in the First Schedule and it will be up to the candidates to decide what stand they will adopt.

Consequently, in spite of the stand taken by the Respondents my task still consists in checking the correctness of the declaration made by the Respondents and in coming to a conclusion as regards their community. Before doing so, I shall make some preliminary remarks on issues which have been canvassed during the hearing.

The Respondents have admitted that they have not declared to which community they belong, but have carried out an exercise of drawing of lots to show their objection to the provisions of the Constitution. They have declared that they belong to an "appropriate community" under the First Schedule only to be able to participate in the elections. A qualified person cannot be prevented from participating in the elections as a candidate if he fulfils all the conditions prescribed. This right is guaranteed within the fabric of a democratic society. Had the Respondents refused to make a declaration as to community, their nomination paper would not have been valid. But they have made a declaration and this is being challenged.

Paragraph 3(2) of the First Schedule seems to cater primarily for situations where candidates would make false declarations relating to their community most probably to derive an advantage from the best loser

system. At the time the Constitution was drafted and promulgated it was not envisaged that some people would be against the best loser system and that candidates at general elections would even refuse to participate in the exercise of allocation. It was then believed that all Mauritians would be interested in preserving the best loser system. However with the passage of time, many Mauritians have come to feel that it is not necessary that they should be divided into different communities. The Constitution does not cater for a situation where candidates wish to stand for election, but reject the best loser system. When the Constitution was amended in 1983, paragraph 4(8) of the First Schedule was made to apply the 1972 official census for the exercise of the allocation of best loser seats. It was not deemed fit at that time to abolish the best loser system. The fact that the exercise in the year 2000 will apply the figures of the 1972 Census creates a situation which may not reflect reality, but this cannot be an additional reason to oppose the best loser system and for refusing to declare the community to which one belongs. The Constitution is our Supreme law and we are compelled to obey it. In the recent case of *Joomun v. Government of Mauritius* 2000 SCJ 234 the Supreme Court has held that Mauritians cannot be compelled to declare to which community they belong in the Year 2000 census form. The Court is not in a position to go against the provisions of the Constitution, but must apply them when they are clear and unambiguous.

The body of our Constitution does not refer to communities. It would appear that the First Schedule comes as an addendum or as an afterthought to introduce the concept. Representations were made by minorities to secure their fair and adequate representation in the Assembly (See the Mauritius Constitutional Conference Report 1965 and an account of the setting up of the best loser system proposed in the Stonehouse Report in the case of *Ex p. Electoral Supervisory Commission and Ors* 1991 MR 166).

Paragraph 3(4) of the First Schedule reads as follows

“For the purpose of this Schedule, the population of Mauritius shall be regarded as including a Hindu community, a Muslim community and a Sino-Mauritian community, and every person who does not appear, from his way of life, to belong to one or other of those 3 communities shall be regarded as belonging to the General Population, which shall itself be regarded as a fourth community. “(underlining is ours).

We note that neither in section 3 nor in section 16 of the Constitution, referring to fundamental rights and protection from discrimination, is the word “community” used. The relevant words used there are “race, place of origin, colour, creed and caste”. Section 11 which addresses the freedom of conscience first uses the word “community” in the context of “*community with others*”. It further uses the term “religious community” in subsection (3). Now it has been contended that “community” in the Schedule means community according to one's religion. I am not of the view that this is correct as a Sino-Mauritian may be a Buddhist or a Christian (or a Mauritian whose ancestors are of Indian origin may be a Catholic). Nowhere is it mentioned in the Schedule that “appropriate community” means the “religious community” mentioned in Section 11 of the Constitution. There may be dozens of religious communities in Mauritius but there are only 4 appropriate communities. What paragraph 3(4) of the Schedule purports to do is to divide Mauritians into Communities only “*for the purposes of this Schedule*”.

The First Schedule does not say that the candidates who obtain the best loser seats must only represent the interests of the community to which they belong when they sit in the Assembly.

Now since paragraph 3(4) of the First Schedule purports to divide the population into communities only for the purposes of the Schedule, this restricts the task of the Judge in proceedings questioning the correctness of the declaration relating to community to deciding this fact solely for the allocation for the best loser seats and not for any other purpose.

After having made those preliminary remarks I shall attempt to carry out the exercise to see to which community the Respondents belong. For the purposes of the First Schedule there are initially three communities - Hindu, Muslim and Sino-Mauritian. Then there is a fourth community to which all other Mauritians belong, if they do not appear from their way of life to belong to the first three communities. The General Population is this fourth community and no reference at all is made to religion in this context. The General Population becomes a residual category, which consists of all those whose way of life shows that they do not belong to the first three communities.

Way of life may depend on a series of factors - the way one dresses, the food one eats, the religion one practises, the music one listens to, the films one watches. External appearance and the name one bears are also pointers as to the community to which one may belong. The expression “way of life” used in the First Schedule has never been put to the test and some 33 years after the Constitution was drafted one cannot escape the fact that a common way of Mauritian life has gradually and steadily developed in Mauritius which cuts across communal barriers. This makes it still more difficult for a judge of the Supreme Court, whose decision is not subject to appeal, to determine whether somebody belongs to a particular community by looking at his way of life. The issue further arises as to how the judge can determine the way of life of a citizen unless he becomes like Big Brother in H.G. Wells' novel 1984 and watches how a citizen leads his private life. One may also change one's way of life from one election to the other. Our attention was drawn to the fact that a way of life can also be dependent on class distinction, for a rich Hindu and a rich Sino-Mauritian may have a similar way of life, depending on their financial means, whereas a rich Hindu and a poor Hindu may lead altogether different ways of life. In the past the criteria used to decide ethnical classification were the following -

Name, religion, mother tongue, birth place and nationality (which I presume to be the place of origin of the ancestors) [The 1952 Census Report]

The Report added -

“It should hardly be necessary to add that no single one of these criteria was by itself deemed to be sufficient evidence of the ethnical character of a person, it was; as a rule, the consideration of a number of these in conjunction which decided of the classification.”

Due to the attitude adopted by the Respondents in the present case and their refusal to answer questions it has not been possible to determine whether by their way of life they fall within the Hindu, Muslim or Sino-Mauritian communities. They said they belong to a Mauritian community. When questioned about their way of life most of the Respondents have stated that they live as other Mauritians do. They do not find that they are different. Their names do not mean anything to them because they did not choose them, these were attributed to them by their parents at the time they were born.

When examined by Counsel for the Applicant on their religious beliefs, the Respondents concerned have consistently refused to give details. I note here that Counsel lay more emphasis on religion when questioning them about their way of life.

Counsel for the Respondents has maintained that the burden of proof lay upon the Applicant to prove to which community the Respondents belonged if Applicant was challenging the correctness of their declaration. First I find that Applicant had made out a *prima facie* case by relying on the names of Respondents. He had not yet made out his case on a balance of probabilities, but he had also alleged that Respondents have made false declarations. I am of the view that Respondents could not sit back and not file affidavits. They had to join issue with Applicant. This is not an ordinary civil case. It is a Constitutional matter where Respondents have to meet the case entered against them. The evidential burden also shifts on them to prove that they have been acting in good faith and to explain the reasons for their action. It was not sufficient to elicit explanations from them only when they were submitted to examination on personal answers. Applicant also contended that he has known Respondent No. 17, Ms. Minerve, as a member of the Assembly for a long time and has never known her to be a Hindu.

Further the Electoral Commissioner was called to produce the nomination forms of the Respondents who had been candidates in previous general elections. In 1995 Respondent No. 17 had declared that she was from the General Population. Respondent No. 12 (now declared as Muslim) had in 1983 declared that he was a Muslim whereas he declared his community to be Hindu in 1987. Respondent No. 6, Alain Ah Vee, (now declared as Hindu) had in 1987 declared himself to be a Hindu. This consistency was only a matter of chance as it was the result of the drawing of lots. As for Respondent No. 17 she claimed that in 1995 her party had imposed it on her to declare her community, which admittedly therefore is the General Population.

Even if one were to apply the criteria used for ethnical classification in previous census forms, for example, name, religion, mother tongue it would be difficult to determine the correction of the declaration relating to Respondents' community. As I have said, way of life can now be a Mauritian way of life. Names can be a helpful indication. Many Muslim and Hindu names are actually Hindi or Urdu words that have a specific meaning or connotation. For example Ram is the name of a Hindu deity, the hero of the Ramayana. Similarly Christian names are often the names of saints in the Christian calendar. Chinese names also have significance. But names by themselves, although they may offer a primary indication of the way of life of a person, are not a determining factor.

As early as 1881 (paragraph 31 of the Census Report of 1881 which is the earliest available at the Central Statistical Office) difficulties regarding proper classification of population were envisaged when many members of what was called the Indian population were christened and adopted christian names.

Religion does not determine community and the Respondents refused to discuss their religion. Their religious practices would have given a clue as to their way of life. Counsel for the Applicant, relying on one of the dictionary meanings of “community”, stated that “community” is a body of people having a religion in common (Concise Oxford Dictionary 9th Edition). He also called evidence to show that people from the Muslim community must practice Islam. But he also faced a difficulty in that some Muslims do not consider Ahmadis to be Muslims. This shows that it may not always be acceptable to equate community with religion. Those Respondents who declared themselves to be Muslims refused to answer whether they practised the Islamic faith. But it was also clear that they had declared themselves to be Muslims as a result of the drawing of lots.

Finally, nowadays mother tongue or linguistic group is not very helpful to determine somebody's way of life. The 1962 Census Form contained the following printed instructions -

“Mother tongue is the language spoken by the forefathers of the Respondent, the language that has been spoken in his home when he was a young child. It makes no difference if the Respondent does not speak that language now or if he has never spoken it”.

The latest Census form (GN 57 of 2000) required a person to state the language spoken by his ancestors under “Linguistic Group”. The Census Guide and Instructions stated that it did not matter whether the person speaks the language or not. A person was also required to state the language usually or most often spoken by the person in his home. Again no information could be obtained from the Respondents on this score and they refused that the particulars on their census form be disclosed. They could not be compelled to answer questions.

Philip Baker in his book *KREOL (A Description of Mauritian Creole)* published by C. Hurst (London) in 1972 writes at page 12 -

“it is this writer's experience that many Indo-Mauritians understand “mother tongue” to mean “language spoken by one's ancestors at the time of their arrival in Mauritius”.

Whatever may have been the mother tongue of the parents, again this cannot determine Respondents way of life.

I have therefore been unable to determine whether, from their way of life, Respondents belong to the Hindu, Muslim or Sino-Mauritian communities.

Before I make any determination as to Respondents' community some remarks are called for as to the composition of the Mauritian Population. According to the Census Report of 1881 the population was divided into 2 classes as was done in 1861 and 1871-

1. The Indian Population

2. The General Population

“The former comprising not only Indians born in India, but all persons of unmixed Indian origin, whatever their birth place or nationality, and the latter all the other inhabitants of the island irrespective of descent, birth-place or nationality”.

By 1911 the population was divided into an Indian Population, a General Population and the Chinese. See the Chapter on People and Politics by Henri Leclézio in Allister Macmillan's *MAURITIUS ILLUSTRATED* (Collingridge 1914). According to Leclézio at pages 139 to 141, the general population was composed of the white population, the gentry of colour, the coloured middle class, the working classes and the inferior classes. The Indian population consisted of Christians, Hindoos, Mohammedans and others. (Census of 1911). With the assistance of the Statistical Bureau of the Chamber of Agriculture, Leclézio was able to subdivide the number of Hindoos as Calcutta, Madrasses, Coringhees, Bombay, Mohammedans and others. For the 1962 census the Indo-Mauritian population was subdivided into Hindus and Muslims. It is this subdivision which may lead some people to believe that community is based on religion. For the census carried out in 1962 and 1972, the people of Mauritius had to declare which community they belonged to. The information to be obtained in the census was specified in the Order made by the Governor-General, subject to the approval by resolution of the Assembly under Section 5 of the Statistics Act. Following the amendment to the First Schedule to the Constitution no data on community was collected in 1983 and thereafter.

Although some may hold the view that the members of the General Population are Christians nowhere is this mentioned. Thus the General Population means all the inhabitants of Mauritius who are not Hindus, Muslims or Sino-Mauritians. Paragraph 3(4) of the First Schedule is very clear in this respect. The General Population is what some may call a residual group which is considered to be a community for the allocation of the best loser seats.

In his book “Us and Them in Modern Societies - Ethnicity and Nationalism in Mauritius, Trinidad and Beyond”, (Scandinavian University Press -1992), Thomas Hylland Eriksen considered that the General Population consists of 3 very distinctive ethnic categories (1) the Franco-Mauritians (whites), (2) the gens de couleur (coloured) and (3) the creole (blacks). But if we go according to the First Schedule, it is not as simple as that because the General Population is a residual community where everybody who does not think of himself as Hindu, Muslim or Sino-Mauritian or does not live the way of life of these 3 communities may find himself.

Eriksen concedes at page 169 of his book -

“Even if ethnicity is acknowledged as important, there may be profound disagreement over the classification of ethnic categories -ethnic classification in Mauritius is highly ambiguous and context-dependent”.

The ideal situation would be for all Mauritians to feel that they belong to the General Population of Mauritius if they do not wish to be categorised into communities. At page 76 of his book Eriksen says that the General Population cannot meaningfully be said to constitute a socio-cultural identity but in my view it could eventually constitute a united Mauritian community.

In the light of those remarks I shall now examine how to resolve the correctness of the declaration as to community made by the Respondents.

I shall restrict myself to what the Respondents have themselves stated from a subjective angle. Since they do not believe in making a faithful declaration as to their community, they have proceeded by way of drawing of lots. This is not in order. At the same time they do not subjectively feel that they belong to the first 3 communities Hindu, Muslim, Sino-Mauritian. One Respondent said that he did not know what is a Hindu and therefore could not say that he belongs to that community. I shall therefore apply the provisions of paragraph 3(4) of the First Schedule of the Constitution strictly.

Those Respondents who were called on personal answers, since they do not appear from their own evidence to belong to the first 3 communities and have admitted having made their declaration by drawing of lots, therefore belong to the General Population. This would apply also to those Respondents who were absent from the proceedings as the drawing of lots applied to all the Respondents as members of *Lalit* and *Nouvo Lizour*. I also find that the undertaking that they have given not to participate in the allocation of best loser seats, should they be entitled to do so, is binding upon them and I recommend that

the Electoral Supervisory Commission should take into account this undertaking if there is any dispute as to the allocation of best loser seats.

For the purposes of the First Schedule to the Constitution, the community of each of Respondents Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9,10,11,12,13,14,15,16,17,18, 23 and 25 shall be the General Population. Respondents Nos. 13, 16 and 25 have already declared their community to be General Population by drawing of lots. I order the Returning Officers of the Constituencies where Respondents have stood as candidates to delete the declaration relating to their community which the Respondents (except for Respondents Nos. 13, 16 and 25) have made in their nomination paper and to substitute therefor "General Population". I direct the Co-Respondent to inform the Returning Officers concerned of my order today so that the nomination papers may be rectified before the General Elections.

Finally, would another candidate of the General Population be able to challenge this classification if Respondents are at all involved in the exercise of allocation of seats although the Respondents have undertaken not to participate in the exercise? To my mind the answer is no. For the purpose of the First Schedule the community of the Respondents shall be the General Population not by drawing of lots, but by operation of our Supreme Law, since they have of their own free will decided that they do not belong to the Hindu, Muslim or Sino-Mauritian community.

Being given that, in view of the stand taken by the Respondents, it has not been possible for me to look objectively at the way of life of the Respondents to determine their community, I have to confess that our Constitution is lacking in those respects and that this has to be remedied. We understand that a project of electoral reform is on the cards and hope that these defects would be remedied in the near future.

David Farrell in his book "Comparing Electoral Systems" (Macmillan 1998) says at page 165-

"Given the 'messy' nature of electoral reform ..... the bias was very much in favour of keeping the existing electoral system regardless of its faults. The abiding principle was "familiarity breeds stability".

But he also admits that electoral reform has now become high on the agenda of politics "*as completing a process of democratization which would put an end to the deep-rooted failures in the political system*".

D.B Seetulsingh  
Judge  
September 2000

## **EXCERPTS ON THE BEST LOSER SYSTEM FROM THE SACHS REPORT**

Mr. Albie Sachs chaired the “Commission on Constitutional and Electoral Reform 2001/02”, and in his Report he made the following references to the Best Loser System. Although Lalit does not agree with many of the assumptions and proposals made by Mr. Sachs, we do think it worth putting on record what he had to say about the Best Loser System:

“No issue before us aroused more intense comment. The great majority of deponents criticized the BLS [Best Loser System] vehemently. They pointed out that it formally introduced elements of communalism into the Constitution and violated the very essence of developing Mauritian citizenship; that it was based on four communities identified nearly forty years ago on an arbitrary basis which no underlying present-day sociological rationale; that calculations for the appointment of BLS were based on 1972 figures which were completely out of date; that results in individual cases have turned out to be irrational and paradoxical.” (...)

“The degree of correction to community balance which the BLS provides accordingly tends to be tangential rather than substantive. A second significant development since the introduction of BLS has been the upsurge of a strong pan-Mauritius political consciousness which has reflected itself in the elimination from the census of any reference to community, religion or ethnicity. By being based fairly and squarely on community and religious identification, the BLS finds itself isolated and stranded as an uncomfortable relic of an earlier era. The degree of reassurance it provides is more of a symbolical and emotional nature than a practical one. Such comfort as it offers comes at the price of it appearing as odd and anachronistic to the very security it was designed to offer. It carries with it the real danger of marginalizing from the rest of society those identified with it so that what started off as intended to be a protection could end up becoming an impediment.” (...)

“It will be noted that international human rights law does not give minority groups the right to receive special treatment in terms of laws concerning the enjoyment of citizenship. Outside of the sphere of affirmative action, there has been a general move away from electoral arrangements based upon direct representation of groups in the legislature. In South Africa, with its intense and historically created minority concerns, the electoral system is completely free of overt references to race or ethnicity. Minority concerns were met by having an entrenched Bill of Rights that gave extensive recognition to the principles mentioned above. These were reinforced by sunset clauses guaranteeing political power-sharing of parties (not races) for a limited period. A considerable degree of federalism also helped allay fears. None of these measures expressly invoked race or ethnicity. On the other hand, there are some consociational states, such as Belgium, where the creation of language zones has been foundational to the structure of government and the exercise of rights. In Singapore the electoral system has been constructed in such a way as to require a certain communal balance. We are unaware, however, of any country where after the results of a non-ethnic poll are declared, ethnic considerations are introduced to top-up the representation of communities considered to be under-represented.” (...)

“There can be no doubt that not only can the BLS not claim support from international human rights principles, its continued existence jars severely against the general spirit of the Mauritian Constitution. The Constitution enshrines political rights in a manner that does not refer to community or religion. It goes much further, however. It structures itself around an electoral system designed expressly to encourage the creation of parties that draw their support from voters belonging to all communities. The evidence we received made it clear that in practice the parties pay careful attention to producing balanced tickets so as to appeal to voters from all communities. This reflects itself in the diversity of members chosen through the bloc-of-three system.” (...)

“It is the opinion of the Commission that the BLS has outlived its original purpose and in fact is increasingly becoming counter-productive.”