

Local Democracy *and* Human Development



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Empowerment

Guyanese citizens have been waiting for seventeen years to elect new councillors to six municipalities and sixty-five neighbourhood democratic councils. Elections are important because they are a democratic, constitutional right. Most councils that were democratically elected in 1994 have been replaced by government-appointed members and have become dysfunctional by 2014.

Local Government is a vital level of public administration because it deals with people's daily lives, in their communities. Elections should be held every three years to allow people to democratically elect their representatives to govern their communities but these have not been taking place. Elections are essential because the entire local government system is rotten and must be rehabilitated and made fully functional. Normal local administration has been paralysed.

At the heart of the urban and rural development crisis is the question of who wields power in the municipal and neighbourhood councils. There must be change at the local level if Guyana is to become a more equal and inclusive society and a less unbalanced and undemocratic state. The People's Progressive Party Civic – PPPC – administration, for over two decades, has demonstrated its reluctance to introduce the type of root-and-branch local government reforms that could lead to greater inclusionary democracy.

Reforms are essential to give effect to the *Constitution of the Cooperative Republic of Guyana* which states, at Article 12 : “Local Government by freely elected representatives of the people is an integral part of the democratic organisation of the State.” It states, further, at Article 13, “The principal objective of the political system of the state is to establish an inclusionary democracy by providing increasing opportunities for the participation of citizens and their organisations in the management and decision-making processes of the state with particular emphasis on those areas of decision-making that directly affect their well-being.”

The PPPC administration has shown little interest in empowering the people to enable them to exercise greater control over their daily lives. The PPPC is more concerned with concentrating power in the hands of its appointed Ministers of Local Government and Regional Development. They have undermined democratically-elected local councils and underdeveloped communities by impeding the provision of public services to residents. The neighbourhood and municipal councils – starved of funding – have been unable to meet their statutory needs thereby making them ineffectual. This has led to a near-total breakdown in local governance.

Degeneration

Local problems – broken bridges; clogged canals, culverts, drains, gutters and trenches; flooding; overgrown cemeteries, playfields and parapets; potholed roads; stray dogs and roaming cattle; lack of adequate street lighting; lack of public spaces for entertainment, leisure, sport and recreation; lack of efficient solid waste disposal and lack of enforcement of building and zoning codes – combine to make many neighbourhoods unsanitary, unpleasant and unsafe.

PPPC ministers of Local Government and Regional Development during the past decade have set out to deliberately demolish numerous local democratic councils, although not without resistance. Residents are resentful of the PPPC's undemocratic tactics.

The PPPC is satisfied with the 'old' system under which its ministers have been able to remove elected councils and impose hand-picked placemen. This is the reason for the collapse of councils in municipalities and neighbourhoods. The independence and integrity of democratically-elected local councils have been undermined in order to maintain complete central control of the councils.

President Donald Ramotar and the PPPC administration are procrastinating. They rejected calls from the ambassadors and high commissioners of the USA, UK, Canada and the European Union for the holding of local government elections. The diplomats had stated, jointly, in 2013, *"Given the important and pressing need for effective local governance, we believe that 2013 should be a watershed moment for the people of Guyana – the year they can once again democratically elect their local government...the institutions and practice of local governance have withered on the vine."*

Some foreign missions, together with local, non-governmental organisations, again, in 2014, issued a joint statement expressing their collective hope that local government elections would be held by 1st August 2014.

They declared, among other things, *"...the legislative foundation is in place for elections by August 1. The election machinery is ready. The political parties have reaffirmed their desire to hold local elections and are making campaign preparations. It is therefore our hope – as the PPP/C, APNU, and AFC pledged in their 2011 election manifestos – that local government elections will be held, "bringing much needed reinvigoration into local government entities." That is something all parties and civic stakeholders should agree on in 2014."*

Procrastination

The President had made what many thought was a solemn promise in his party's election Manifesto – *Working Together for a Better Tomorrow*. He wrote: "In the area of local government and governance, the next PPPC government will ensure, within one year of the 2011 general and regional elections, that local government elections are held, bringing much needed reinvigoration into local government entities." Nearly three years have passed since those elections in 2011 were held and Ramotar became president. He has failed to keep his promise on local government election.

The President, speaking as late as September 2014, admitted, *"I campaigned and promised people that once we win the next elections, we will have local government elections very, very quickly. That is true, but I did not anticipate that we would have a one-seat minority in the Parliament. That created political uncertainty in the situation and in the body politics of the country."* Electoral arithmetic, party politics and the PPPC's control of the National Assembly seem to be more important than the promotion of democracy and compliance with the *Constitution*.

The President's procrastination has been exposed by the Chairman of the Elections Commission. Given the passage in the National Assembly of the *Local Authorities (Elections) (Amendment) Bill* which had provided for local government elections to be held by 1st August 2014, the Chairman announced in March that the Elections Commission was ready to *"go into election mode"* as soon as the date for local government elections is fixed.

A Partnership for National Unity's struggle for local government reform is aimed at giving the

people the power to design the systems and determine the services that affect their everyday lives. To do so, the relationship between the central and local government must be altered. The President and the PPPC, however, are aware that the proposed change will shift power from central government to local councils. This is why the PPPC is deliberately delaying the holding of local government elections. The Guyanese people are being denied their right to elect their own local and municipal leaders. They are being denied their right even to know when those elections will be held.

They have staged protests at the Corriverton municipality and the Ireng-Sawariwau, Port Kaituma-Arakaka, Mathew's Ridge and Kwakwani and other neighbourhoods against PPPC-installed, hand-picked interim management committees. They are now staging protest all over the country to demand that local government elections are held as soon as possible.

Legislation

The law with regard to local government elections is clear:

- *The Constitution of the Co-operative Republic of Guyana* states: "Local government is a vital aspect of democracy..." Local government elections, last held in 1994, are a constitutional obligation and a democratic entitlement of the Guyanese people. It is mandatory for the executive branch of government to conduct the prescribed periodic elections. Local democracy is provided for and protected by the *Constitution*, specifically, Articles 71 to 78.B ('Local Democracy').
- *The Local Government (Amendment) Bill; Local Government Commission Bill; Fiscal Transfers Bill and Municipal and District Councils Bill* were all passed by the National Assembly on 7th August, 2013. These bills paved the way for elections to be held under the new system. The first bill has not been assented to because the PPPC wants the Minister of Local Government and Regional Development to retain the authority to dissolve elected councils. The second bill was assented to by the President but, more than one year later, the 'Commencement Order' from the Minister that is required for the Commission to be operationalized is yet to be issued.
- *The Local Authorities (Elections) (Amendment) Bill*, at its second reading on 10th February 2014, was debated and passed 'as amended,' directing that elections be held by 1st August 2014. There was a reasonable expectation that, at last, local government elections would be held in 2014. The PPPC, however, made it clear that it had no intention of either obeying the mandate of the National Assembly or complying with the precepts of the *Constitution*.

The President does not have the prerogative to deny the people their constitutional right to local democracy. The President must: implement the resolution of the National Assembly and announce the date for local government elections to be held countrywide; initiate a process by which the *Local Government (Amendment) Bill* could be returned for his assent and issue the 'Commencement Order' to operationalise the Local Government Commission.

Local Government elections, like general and regional elections, are a constitutional right. They are not a favour to be bestowed by the PPPC whenever it chooses. It is an obligation, not an option, for the President of the Republic to comply with the *Constitution* and to conform to the laws of the country.

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Local Democracy and Human Development

A Partnership for National Unity's struggle for local government reform is aimed at giving the people the power to design the systems and determine the services that affect their everyday lives. The relationship between the central and local government must be altered in order to achieve this objective.

President Donald Ramotar and the People's Progressive Party Civic administration, however, are aware that the changes which have been proposed will shift power from the central government to local councils. This is why the President and his Party are deliberately delaying the holding of local government elections.

President Ramotar has refused to assent to the *Local Government (Amendment) Bill* which had been scrutinised by the Parliamentary Select Committee on Local Government and was subsequently passed by the National Assembly. The President also has not assented to the *Local Authorities (Elections) (Amendment) Bill 2013* which mandated that local government elections must be held on or before 1st August 2014.

The PPPC Minister of Local Government and Regional Development, under the old legislation, wields the power to remove elected local and municipal councils. This has resulted invariably, in the imposition of the Party's hand-picked placemen. The PPPC administration, in this way, is deliberately undermining democratically-elected local councils and inhibiting their development in order to maintain total control of the councils. This is the reason that there is so much chaos in municipalities and neighbourhoods. This is the reason why APNU is demanding that local government elections be held.

Brigadier David Granger is Leader of the Opposition in the National Assembly and Leader of A Partnership for National Unity.