

THE WHAT AND HOW OF BOUNDARY REDISTRICTING 2004

By Myrtle Palacio

What Is Boundary Redistricting?

Boundary Redistricting and Boundary Delimitation are terminologies used interchangeably for the process of fixing, drawing, altering and/or increasing electoral boundaries. It is done to decrease substantial differences in the population ratio between electoral divisions. A new Electoral List compiled after Re-registration in 1998, demonstrated a difference in population ratio between the largest and smallest electoral divisions of 3.5 to 1. By September 2003, the gap widened to 4.4 to 1. The growth of the Electoral Roll at September 2003 is evidence that **ten** Electoral Divisions have grown by 25% or more. Five of these Electoral Divisions are in the Belize District namely, Lake Independence, Queen's Square, Belize Rural South, Pickstock and Port Loyola, in descending order. Of the remaining five, one is the Orange Walk South Division, and **all four** Electoral Divisions in the Cayo District. Boundary Redistricting is most commonly associated with majority electoral systems as ours. Success at the polls in the First Past the Post Electoral System (FPP) relies on garnering a majority number of single member constituencies.

Did This Happen Before?

The last Boundary Redistricting exercise was conducted in **2002**. Then, all communities located in the Stann Creek District that were placed in the Toledo East Electoral Division in 1997, were transferred to the Stann Creek West Electoral Division. The ultimate effect was the *redrawing* or *adjusting* of the boundaries of 2 Electoral Divisions — Toledo East and Stann Creek West. The communities affected included the villages of Independence and Placencia. Voters registered in these communities, voted in the Stann Creek West Electoral Division in March 2003.

An increase in the *number* of Electoral Divisions occurred as follows:

1954 from 6 to 9; **1961** to 18; **1984** to 28; **1993** to 29

Also, Electoral Boundaries were *altered* in the following constituencies:

1993 in *Port Loyola and Collet*

1997 in *Cayo Central and Cayo South*

1998 in *Belize District:*

Caribbean Shores, Freetown, Fort George, Pickstock, Belize Rural Central

1998 in *Corozal District:*

Corozal North, Corozal Bay, and Corozal South West

1998 in *Orange Walk District:*

Orange Walk North, Orange Walk East, Orange Walk Central

Who Decides On Boundary Redistricting?

The Elections and Boundaries **Commission** makes proposals to the National Assembly, guided by Section 90 of the Belize Constitution. The National Assembly may accept all or part of the proposals submitted by the Elections and Boundaries **Commission**. The National Assembly, which consists of Members of the House of Representatives and the Senate, makes the final decision. The Elections and Boundaries **Commission** consists of five Members headed by a Chairman as per Section 88 of the Belize Constitution.

What Is The Legal Framework?

The present legal guidelines as amended in 1988 are set out in Section 90 of the Belize Constitution.

Pre - 1988 Constitutional Amendment

"An electoral division shall consist of *not less than 2,000* and *not more than 3,000* registered electors"

Post - 1988 Constitutional Amendment

"Each electoral division shall have *as nearly as may be*, an equal number of persons eligible to vote"

Other Determinants:

- The total number of electoral divisions *"shall be, not less than 28"*
- Regard be given to transport, physical features, and other facilities of the electoral division

- The new electoral changes come into effect at the next General Elections held after the redistricting exercise

Interpretation of the Law:

The conclusion of the Solicitor General in a Report stated that

- The meaning of the phrase "*As nearly as may be*" as presently set out in section 90 (1) (a), was deliberately left for the determination by the Elections and Boundaries Commission to make proposals based on the population density
- In so doing the Elections and Boundaries Commission is to consider physical features, transportation needs and other characteristics of each division
- A division should have either a minimum number, or a maximum number of electors as determined by the Elections and Boundaries Commission

When Will The Public Be Made Aware Of The New Electoral Divisions?

The Representation of the People Act (ROPA), Chapter 9 of the Laws of Belize, states that after the redistricting becomes Law, the Chief Elections Officer of the Elections and Boundaries **Department** (Department) is to:

- **Adjust the Electoral Registers of the Electoral Divisions affected**
- **Compile new Registers of electors if there are new Electoral Divisions**
- **Within 30 days publish Provisional Registers**

At the end of 10 days the Provisional Registers are revised at a Revision Court located in Magistrate Courts countrywide.

The Chief Elections Officer heads the Department. It is an arm of government under the Ministry of the Public Service. All staff members are Public Officers as defined by the Belize Constitution.

Is There Gerrymandering In Belize?

Gerrymandering is a term coined in North America to reflect constituencies that are drawn to give advantage to one Political Party over the other, **or** to disproportionately

favour one Political Party over the other. In the political history of Belize, this **has not** happened. Also voting patterns in Post-independent Belize demonstrate:

- Frequent change of governments
- Change in the number of seats overwhelming on the side of the winning Political Party
- The winning Political Party barely garnering the popular vote, as follows:
1984 - 53%; 1989 - 50%; 1993 - 48.7%; 1998 - 59.9%; 2003 - 52.75%

What is Different about 2004?

The Elections and Boundaries **Commission** conducted a comprehensive and transparent review, with the following processes:

1. A Press Release inviting the Public to make written submissions
2. Appointment of a First Task Force who recommended 7 guiding principles for Boundary Delimitation. Copies of the Report were shared with the Public via hard copies and the Department's Website, www.belize-elections.org.
3. Appointment of a Second Task Force to implement the guiding principles. This Report was accepted by the Elections and Boundaries Commission to form its proposals to the National Assembly. Copies of the Report were shared with members of the House of Representatives and the Public via hard copies and the Department's Website, www.belize-elections.org.
4. Interaction with technocrats of the Land Information Center.

The Elections and Boundaries **Department** through its voter education endeavours sponsored several discussion sessions to bring awareness, targeting diverse Publics countrywide as follows:

1. *Tertiary level education institutions* →
UB Toledo, Stann Creek Ecumenical Sixth Form, UB Belize City, Wesley College Sixth Form, St. John's Junior College, Muffles College, Adventist Junior College, Corozal Community College
2. *The fourth conference in the series "National Dialogue for a Culture of Democracy"*, held at Fort George Hotel for members of the public, including Media, Civil Society Organizations and Political Activists. Presenters were

Mr. Wilfred “Sedi” Elrington, Mr. Alexis Fairweather, and Mrs. Myrtle Palacio.

What is the Effect of the 2004 Proposals?

Voter Registration, since the Re-registration Exercise of 1997/1998 is continuous. At Re-registration, the population of registered electors in the largest division, Cayo South was three and one-half times more than that of the smallest, which is Pickstock. In September 2003 at the onset of the Boundary Redistricting Exercise, Cayo South was nearly five times larger than Pickstock (4.4 to 1). The constituencies of the Belize District showed the most substantive difference, with Lake Independence the largest being three times larger than Pickstock, the smallest (3.1 to 1).

With the 2004 Proposals, the wide gap has decreased substantially from a ratio of 4.4: 1 to 1.7: 1, nationally. In the Belize District, the gap has narrowed from a ratio of 3.1: 1 to 1.3: 1. This has been accomplished while keeping adjustments to a minimum, setting a tolerance limit, maintaining contiguity and geographic referencing, and ensuring that communities are not split between divisions.

Conclusion

Representation by population is as central to the concept of democracy as the concept of equality of voting power. However, the right to vote is not absolute as it is subject to legal restrictions. Then wherefore Belize? This can be summed up by the answers to two main questions. The **first question** is, **what is called for by the law?** A **second question** is regarding the consideration for boundary redistricting—**Its purpose or intent, its effect—Is it in favour of one Political Party over the other?**

In **response** to the **first question**, “**What is called for by the law?**”—According to the Solicitor General’s Report, absolute and near absolute equality of voting power is not called on by the law. Because of the frequent movement of people, and the determination of residence, in a developing country such as Belize, it would be difficult to maintain absolute equality. It is then more a right to effective representation through relative equality of the number of votes per Area Representative. Historically, effective representation has been the culture, however, the gap or difference in electoral population between divisions has always been very wide. While the 1997/1998 Re-registration Exercise attempted to cleanse a “bloated” electoral list, the wide gap in population size

between electoral divisions remained. The effort of the Elections and Boundaries Commission in setting guiding principles for the 2004 Boundary Redistricting Exercise is a precedent for Belize. Also this exercise is the first endeavour at narrowing the gap in electoral population between divisions.

In response to the second question, “Is it in favour of one Political Party over the other?”—Over the past 20 years of electioneering, voter behaviour in Belize has demonstrated that gerrymandering has so far, not occurred or unattainable. As abovementioned, voting patterns in post-independent Belize show frequent change in governments with *mucho* overwhelming margin of win by number of seats on the winning side. Electoral administration is transparent by law and practice. To date, there is confidence in the electoral system as the will of the people is expressed in free and fair elections. Voting is free from violence, with a smooth transition to a new government every time. All power to the people!!