

# THE BELIZE CONSTITUTION: Making Alterations

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The Constitution of Belize, the supreme law of the land, came into being at independence in 1981. It has been altered several times, the first was in 1988 by the government formed after the first post-independence parliamentary elections. The UDP was the government from 1984 to 1989 having won the elections with a super majority of 25 of 31 seats (75%). Who can make changes to the Belize Constitution?

Three-quarters (**75%**) of all members of the House, a super majority win of **23 seats** can amend **specific** and **IMPORTANT** areas of the Belize Constitution—*fundamental rights and freedoms, democracy, governance, judiciary*; all represented in the following sections of the Constitution:

- Chapter II—Protection of Fundamental Rights and Freedoms
- Sections 55-60 (Changes in the Legislature); Sections 84, 85, 88-93 (Dissolution of the National Assembly, Calling of Elections, Changes in the Composition and Functions of the Elections and Boundaries Commission, Alteration of Electoral Divisions, Conditions and Conduct of Elections)
- Chapter VII (Changes in the Judiciary, Court of Appeal, Privy Council)
- Sections 52 (2)—Prerogative of Mercy; 54—Belize Advisory Council; 108 (7) and (8)—Director of Public Prosecutions; 109 (6) and (7)—Appointment of Auditor General; 111—Appeals to the Governor General in Disciplinary Cases (public officers, police, prisons)
- Sections 105 and 106—Public Service Commission and Appointment of Public Officers

Any other section of the Constitution except those listed above can be amended by two-thirds (**21**) of all members of the House.

In post-independent parliamentary elections, Belize has seen 4 super majority wins with 75% or more of the seats—documented below:

- 1984—21/28 or 75% (UDP);
- 1998—26/29 or 89.6% (PUP);
- 2008—25/31 or 80.6% (UDP);
- 2020—26/31 or 83.9% (PUP)

The PUP garnered a super majority with 83.9% of the seats in the November 2020 parliamentary elections. Although the governance framework and strategies to be employed have not been publicly established; a ministry charged with constitutional and political reform has been introduced. This is an original—a new business of government.

The first alteration of the Constitution by the UDP in 1988 included changes to Section 88, which represents a function of Elections and Boundaries Commission. This resulted in watering down the role and power of the Commission and established a second electoral management body called the Elections and Boundaries Department. The Department became responsible for electoral administration with staff now under the direct jurisdiction of the Public Service

Commission instead of the Elections and Boundaries Commission—moved from an independent model to a government model.

Although the election observer mission to the 2008 parliamentary elections recommended one independent body for electoral management, this was ignored by the UDP government. Then again invariably governments in the region have not taken heed of observer missions' recommendations—makes one wonder about the purpose of observer missions in the face of a countries' election. But that is for another discussion.