

Political Background

Historical Overview

Since the end of the Second World War, Guyana's history has been dominated by two charismatic leaders: the lawyer Forbes Burnham and an American-educated dentist, Cheddi Jagan. Trade unions developed in the early 20th century, but the first major popular political organisations of the modern period were the Political Affairs Committee founded by Dr Jagan and the British Guiana Labour Party, led from 1949 by Mr Burnham. Both were established in 1946 and combined in 1950 to create the People's Progressive Party (PPP), which pressed for universal suffrage and later for independence from the United Kingdom.

The PPP dominated most of the 13 years prior to independence, even after a serious split in 1955 and the subsequent formation under Mr Burnham of the People's National Congress (PNC). The PPP won the elections of April 1953, although the administration it formed was dismissed by the UK (which claimed that it was engaged in "communist subversion") after 135 days. It won again in August 1957 and August 1961 and Dr Jagan became Prime Minister in the first internal self-government administration. The PPP emerged from the 1964 elections – held under a British-imposed proportional representation system and following riots, strikes and disturbances allegedly fomented by the CIA – as the largest single party, but lost office because the other two parties – the PNC and The United Force (TUF) – were able to form a coalition. It was consequently a Burnham-headed PNC-TUF coalition government that led the country to independence two years later, on 26 May 1966.

There have been six elections since independence (1968, 1973, 1981, 1985, 1992 and 1997), however it is only the latter two that the international community consider to have been credible. All four of the elections prior to 1992 (1968, 1973, 1981 and 1985) were won by the PNC, on each occasion with a large majority, and amid opposition allegations of electoral malpractice. Forbes Burnham was Prime Minister from 1964 and President from 1980 (when constitutional amendments created an executive presidency) until his death in August 1985. Mr Burnham's leadership was characterised by authoritarian rule. In June 1980 Dr Walter Rodney, leader of the Working People's Alliance (WPA), which had been formed in 1979 as an independent multiracial Marxist political party in opposition to PNC domination, was assassinated. Dr Rodney's assassination, which was widely believed to have been carried out by government forces, heralded an era of political repression that only ended with the 1992 elections.

Mr Burnham was succeeded by Desmond Hoyte, hitherto the First Vice-President and Prime Minister, who as President redirected policy away from the "socialist co-operatism" of the Burnham years and was lauded by *The Economist* as realising a "considerable achievement". None the less, Mr Hoyte's period in power aroused considerable domestic opposition and the period 1985-90 was dominated by further economic deterioration, food shortages,

currency devaluation, political instability, social unrest, industrial disruption, and the breakdown of public services. Mounting pressure for political reform resulted in the formation of a movement for legal and constitutional change – Guyanese Action for Reform and Democracy (GUARD) – in January 1990, and culminated in the holding of the General and Regional Elections under relatively democratic conditions in October 1992.

Against a backdrop of political unrest, the October 1992 elections were narrowly won by the PPP in alliance with a political movement of business people and professionals known as ‘Civic’, with Dr Jagan taking office as President. When Dr Jagan died from heart failure in March 1997, he was succeeded as President by the then Prime Minister, Samuel Hinds, who subsequently appointed the former President’s widow, Janet Jagan, as Prime Minister and Vice-President.

Following the PPP/Civic’s victory in the December 1997 elections, Mrs Jagan was declared President. However, on 11 August 1999, after Mrs Jagan resigned on grounds of ill health, Bharrat Jagdeo (the erstwhile Minister of Finance) was appointed as President.

Recent Elections

The 1992 General and Regional Elections

The 1992 elections, held on 5 October after being postponed from 1991 following problems with the register, occurred against a backdrop of civil protest and a State of Emergency, which was declared by President Hoyte on 28 November 1991 and lasted until June 1992.

The elections resulted in a narrow victory for the PPP, in alliance with the ‘Civic’ movement, ending 28 years of PNC rule. The election results provoked riots in Georgetown in which two people were killed and many injured. However, international observers were satisfied that the elections had been fairly conducted, and on 9 October Dr Jagan took office as President, promising to continue the economic liberalisation begun by Mr Hoyte.

Despite noting problems relating to printing errors on the ballot papers, about which voters were informed, persistent discrepancies about the Voters’ Lists, along with various minor irregularities, the Commonwealth Observer Group concluded that “taking the country as a whole, the organisation and conduct of the poll were properly and impartially carried out”. On balance, the voters had had the opportunity “to freely choose the political party of their choice” and the results reflected “the genuine will of the Guyanese people”.

The 1997 General and Regional Elections

The 1997 General and Regional Elections in Guyana – held on 15 December 1997 – were overshadowed by protests and violent disruptions following polling. Rising tensions over the probable outcome were exacerbated by delays in the verification of votes and various legal injunctions, which were taken out at the High Court against the continuation of the tally. On 19 December, with some 90 per cent of the votes counted, the Chairman of the Elections Commission – Doodnauth Singh – announced that Janet Jagan had established an unassailable lead and she was inaugurated as President. Mr Singh’s actions

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were strongly criticised by opposition parties as being premature. On 31 December the final election results were declared, returning a PPP/Civic coalition majority in the National Assembly. This result was disputed by the PNC, resulting in rioting and violence in Georgetown.

The biggest problems in the 1997 elections seem to have related to the tallying and declaration of results. A significant number of Statements of Poll were unsigned or were absent, or they had not been sent in the designated envelopes provided separately. There was consequently a severe delay in the declaration of results. It should also be noted that communication systems between the regions and the centre were poor, resulting in verification remaining incomplete as late as three days after polling.

The role of Voter Identification Cards in the 1997 elections later received much attention as a consequence of a legal challenge to the Elections Law (Amendment) Act No. 22 of 1997 (exercise of the franchise was dependent on possession of a Voter Identification Card), with dramatic consequences for the 2001 elections, discussed below.

The conclusion of the Commonwealth Observer Group report was that “whilst there were shortcomings, most were not significant enough to affect the integrity of the electoral process on polling day”. Apart from “the poor state of the computer database for processing the tallying and the results” shortcomings noted by the Group included:

- the inadequacy of the tallying process;
- failure of some Presiding Officers to sign their returns and also to post their results returns in envelopes to be delivered separately to the Deputy Returning Officers (some posted their results returns in ballot boxes); and
- inadequacies in the Elections Commission’s communication mechanisms.

Furthermore, the Group noted in its report that it hoped that electoral reform would be forthcoming, that the issue of Voter Identification would be clarified, and that improved mechanisms for tallying votes and communication would be devised for future elections.

Political Developments 1998-2001

In early January 1998, in the light of continued unrest over the 1997 election results, the Government accepted a proposal by private-sector leaders for an international audit of the elections. The PNC, however, rejected the proposal and demanded instead the holding of fresh elections. The resulting protests prompted the Government to introduce a one-month ban on public assemblies and demonstrations in the capital. Nevertheless, public protests by PNC supporters continued in defiance of the ban. In mid-January, the Herdmanston Accord, signed by Mrs Jagan and Mr Hoyte, was agreed as a means of ending the months of political impasse following the 1997 elections.

The Herdmanston Accord

The Herdmanston Accord, brokered by a three-member Caribbean Community (CARICOM) Commission, was signed on 17 January 1998. Most importantly, the Accord established an agenda of reforms to be implemented –

through the establishment of a Constitutional Reform Commission (CRC) – before the next elections, which, in terms of the Accord, were to be held within 36 months, on 17 January 2001. The Accord also stipulated an immediate moratorium on public demonstrations and marches. Finally, the Accord made provision for an independent audit of the December 1997 elections, to be carried out under CARICOM auspices, after consultation with the leaders of the political parties that participated in the elections.

The CARICOM Audit

In February 1998, following the signing of the Herdmanston Accord, the PPP/Civic alliance and the PNC agreed to a CARICOM audit of the election results, which took place between 19 March 1998 and the end of May 1998. In early June the CARICOM Commission's report was released, upholding the published results of the December poll and declaring that there had been only minor procedural irregularities. Although bound to abide by the findings of the Commission, the PNC continued to publicly dispute the outcome, leading to violent demonstrations in Georgetown towards the end of the month.

The St Lucia Statement

Renewed CARICOM mediation between the PPP/Civic and the PNC at the CARICOM annual summit in St Lucia in early July 1998 produced fresh commitments from both sides to restore peaceful political dialogue and to renew discussions on constitutional reform with a view to normalising the situation prior to the forthcoming elections.

Postponement of Elections

In November 2000 it was announced by the Elections Commission that the elections would not be held on 17 January 2001 as had been agreed following the Herdmanston Accord. The postponement was, in the main, due to an initial lack of agreement on the crucial issue of the proportional allocation of Regional seats in the National Assembly, which held up the progress on constitutional reform on which the holding of the elections was premised. The late passage of the Election Bill, along with delays in the processes of voter registration and the provision of National Identification Cards, left the Elections Commission with insufficient time to prepare for the poll for the 17 January deadline.

The postponement of the elections sparked a political predicament over how Guyana was to be governed in the interregnum period. Debates – which ranged from PNC/Reform (renamed as such at the end of 2000) demands for the Government to vacate office, to PPP/Civic determination to remain in power – were *de facto* overtaken by a controversial judgment delivered by High Court judge Justice Claudia Singh in the 'elections petition case'.

The 'Elections Petition' Case

The 'Elections Petition' case, brought by PNC supporter Esther Perreira on 25 February 1998, questioned the legality of the General and Regional Elections held in Guyana on 15 December 1997 and the validity of the declaration of

the results on 19 December 1997. The petition sought to have the 1997 elections declared null and void on two main grounds – (a) there were many irregularities that materially affected the results, and (b) specifically, that the presentation of a Voter Identification Card was a prerequisite for voting in the 1997 elections. The ruling, on Monday, 15 January by Justice Singh, brought to an end an almost three-year court battle related to the PNC's rejection of the 1997 election results.

Addressing the first ground of the petition, Justice Singh's conclusion began by stating that "there is no doubt that the evidence reveals that after the count there were several flaws, some of which involved breaches of the Representation of the People's Act and others involving administrative arrangements which aroused suspicion", but that "having considered the evidence in relation to the massive irregularities which have occurred I am unable to make a positive finding whether those unlawful acts or omissions *per se* might have affected the results".

However, addressing the second ground for the petition, Justice Singh found that the Elections Law (Amendment) Act No. 22 of 1997 (which required voters to have a Voter Identification Card) was *ultra vires* in terms of Articles 59 and 159 of the Guyana Constitution, rendering the Act null and void. The consequence of this, according to Justice Singh's judgment, was that the 1997 elections were unlawful, and therefore null and void.

The effect of the judgment was profound. Opposition parties, already mobilised over the issue of the PPP/Civic continuing in power between 17 January and 19 March, latched onto the first part of the judgment. A frenzied process of accusations, counter-accusations and calls for dismissal of the President and the Government followed this judgment, unprecedented in modern Commonwealth parliamentary history. On 26 January Justice Singh delivered 'Consequential Orders' ruling that she had no power to order President Jagdeo nor the Government to leave office and that the Government should remain in office until the 19 March elections, "under and by virtue of the Order of this Court". The 'Consequential Orders' clarified that in terms of this ruling, "no legislation shall be introduced in Parliament except those required for the proper and timely holding of fresh National and Regional Elections and/or in compliance with the terms of the Herdmanston Accord".

Political Parties

Originally 26 parties said that they intended to contest the elections. At the time of nominations 13 parties were still involved in the process, although two of these were disqualified. When the final results were declared following the 2001 General and Regional Elections, National Assembly seats were allocated to the following parties:

- **Guyana Action Party/Working People's Alliance (GAP-WPA)** This political coalition was formed in late 2000. The presidential candidate was Paul Hardy. The party contested the General and Regional Elections in all ten Regions.
- **Rise Organise And Rebuild (ROAR)** A new party, led by Ravindra Dev, its presidential candidate in these elections. The party contested the General Election in six Regions and Regional Elections in five.

- **People's National Congress/Reform (PNC/R)** The PNC (recently renamed PNC/Reform) was the ruling party from independence until 1992, losing the elections of that year to its main rival, the PPP/Civic. For the 2001 elections its presidential candidate was former President Hugh Desmond Hoyte. The PNC/Reform contested the General and Regional Elections in all ten Regions.
- **People's Progressive Party/Civic (PPP/C)** The PPP/Civic was the dominant political force in Guyana and held the reins of government from the introduction of universal suffrage in 1953 until it lost power in 1964 to the combined forces of the PNC and TUF. It remained out of power for 28 years until it regained power in the 1992 General and Regional Elections. The party's presidential candidate was President Bharrat Jagdeo. The party contested the General and Regional Elections in all ten Regions.

The other political parties were: Guyana Democratic Party (GDP), Guyana National Congress (GNC), Justice For All Party (JFAP), National Democratic Front (NDF), National Front Alliance (NFA), People's Republic Party (PRP) and The United Force (TUF).