

**OFFICIAL HANSARD REPORT  
SPECIAL MEETING  
THURSDAY  
10 MAY 2012  
11.05 AM  
First Sitting**

**The Speaker:** I call on the Honourable Minister of Community Affairs, Gender and Housing to read prayers this morning.

### PRAYERS

**Hon. Michael T. Adam, Minister of Community Affairs, Gender and Housing:** Thank you, Madam Speaker.

Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** This Special Meeting of the Cayman Islands Legislative Assembly has now been called to order. Please take your seats.

### READING BY THE HONOURABLE SPEAKER OF MESSAGES AND ANNOUNCEMENTS

**The Speaker:** I believe, in the interest of public information, I should explain exactly what is taking place here this morning.

Under section 9(1) of the Cayman Islands Legislative Assembly Standing Orders, it states: "**9. (1) If, during an adjournment of the House, it is represented by the Government to the Presiding Officer . . .**" (that's me) "**. . . that the public interest requires that the House should meet on an earlier day than that to which it stands adjourned, the Presiding Officer may direct accordingly.**"

I have called this Special Meeting today, 10 May 2012, on the request of the Cayman Islands Government to consider and debate the legislation with regard to the Referendum (Single-member Constituencies) Bill, 2012.

## GOVERNMENT BUSINESS

### BILL

#### FIRST READING

#### Referendum (Single-member Constituencies) Bill, 2012

**The Clerk:** The Referendum (Single-member Constituencies) Bill, 2012, first reading.

**The Speaker:** The Bill has been read a first time and is set down for second reading.

#### SECOND READING

#### Referendum (Single-member Constituencies) Bill, 2012

**The Clerk:** The Referendum (Single-member Constituencies) Bill, 2012, second reading.

**The Speaker:** Honourable Premier.

**The Premier, Hon. W. McKeever Bush:** Thank you, very much, Madam Speaker. I beg to move the Second Reading of the Bill entitled the Referendum (Single-member Constituencies) Bill, 2012.

**The Speaker:** The Bill has been duly moved. Does the mover wish to speak thereto?

Honourable Premier.

**The Premier, Hon. W. McKeever Bush:** Thank you, very much, Madam Speaker.

As I mentioned when I introduced the Government Motion on this matter, the issue of single-member constituencies and the corollary one person, one vote, has become a matter of national importance, given the resonance it has had throughout our communities in the last few months and weeks. Indeed, Madam Speaker, so intense is the debate that it has threatened to polarise our small society; or perhaps, Madam Speaker, has already done so. I will say more on that later. Additionally, the issue has become a severe distraction to not only governance but commerce and other meaningful vocations/institutions within our society.

Madam Speaker, there are too many important on-going initiatives that urgently require the Government's undivided attention. The Government is applying itself urgently to keeping Cayman competitive, in some instances, keeping Cayman in the game. That is how serious a state the international economy is in. No one need doubt that, Madam Speaker. Those of us that pay attention to world affairs see this daily. Madam Speaker, that is the reality. Government in the Cayman Islands and Governments worldwide have to struggle with in a concerted way as we and they have been doing for the past few years.

Against that background, Madam Speaker, I will show why it is imperative that we get this issue behind us, and why it is far more to our benefit as a whole to get on with the country's business. Madam Speaker, this is not meant for a minute to suggest that we do not take this matter seriously. We have far too much respect for the institutions of public governance in these Islands with our outstanding tradition of representative government going back well over 170-odd years. We have far too much respect for the people of this country and their rights as people and as electors.

Madam Speaker, section 69 of the Cayman Islands Constitution Order 2009 provides, and it says: **"A law enacted by the Legislature may make provision to hold a referendum amongst persons registered as electors in accordance with section 90, on a matter or matters of national importance, when so resolved by the majority of the elected members of the Assembly; . . ."**

As you are aware, Madam Speaker, this House recently passed such a resolution in the form of Government Motion No. 8-2011/12, that a referendum should be held on the subject of single-member constituencies. This Bill before us today therefore seeks to give effect to that wish, and, therefore, reflects the provisions for the holding of the relevant referendum.

By way of illustration, Madam Speaker, clause 1 speaks of the short title of the Bill, while clause 2 is the interpretation clause.

Clause 3 stipulates the core purpose of the Bill; that is, whether there should be a change from our present system of multiple voting to a change to an electoral system of single-member constituencies with each registered elector being entitled to cast only one vote, and each of the MLAs being elected to represent their own singular constituencies.

This clause stipulates that the Governor in Cabinet shall, by notice in the Gazette, appoint a day for the holding of the referendum. It is now a matter of public record that Government has stated that the referendum will take place on Wednesday, July 18, 2012.

Madam Speaker, the public has also been made aware through the various media outlets that the Government has announced that Wednesday, July 18, will be observed as a public holiday. In order to have sufficient personnel to work in the polling process people will have to be off from work also.

The Royal Cayman Islands Police Service use special constables for many events. They use special constables, their auxiliary, for election purposes. Civil servants and private sector workers will be utilised as election officers and people will also be recruited as observers and scrutineers during the referendum process. This would be formalised by way of an official notice in the Gazette, once the law is passed.

Madam Speaker, no doubt there are already cries from certain sections that we should not have a public holiday. I understand the loss of business for many people on that day. But, as I said in presenting the motion, Madam Speaker, we need to have a clear result in this matter. And everything possible will be done to make that process fair so that there will be no doubt about the final outcome.

It will either succeed or fail. Either way, we must be clear on the matter and we have to clear the air on this subject. Understanding, however, that the difference will be that an overall vote for change of the system will require a great deal of work, significant on-going costs, and a very steep learning curve for our electorate.

Madam Speaker, in the changes that have been called for, and have been talked about for a number of years, as I said yesterday, countries with multiple voting systems have taken years to get started on a process to get to one man, one vote. I cited the case of Bermuda, a similar Overseas Territory and a similar population, who had a system of voting where even people who owned properties in every parish could vote on those parishes. So, they had several votes. And then they drifted, Madam Speaker, as time passed (a number of years too), to where they had four members or so to a constituency. And then over the years, up until 1968, there was that process. And then they changed, if I recall correctly, to "two-man" in one constituency. And if I recall correctly, it ended up in 1994, many years between the two and

the one, where they went to single-member constituencies.

If we change, there will be a steep learning curve for the electorate. I have made my thoughts on this known for years. I do not support a change from where we are to go directly to single-member constituencies. I said I don't support it because it is fraught with problems.

Madam Speaker, I don't know of anyone who would want to change four Representatives to one. I don't know why, Madam Speaker. Surely, if you have one, it's difficult to get hold of that one person sometimes. Probably difficult to get hold of four sometimes, because we are that busy. But, Madam Speaker, it is much easier when you have four to get hold of someone if you have an emergency as a constituent. And that is who we are talking about. We are not talking about who wants to be a candidate. We are talking about people who have all sorts of problems and that Representatives are called out all sorts of hours to go to people's homes to deal with people's problems and, Madam Speaker, people in turn come to our homes at all hours to deal with various problems.

Madam Speaker, when you can't find one, you have another one to go to. So, who are we serving by changing this? If anyone believes, as human as we are, that Tom Brown in West Bay East, or West Bay South, wherever it's going to be (if they change), or George Town North, Central, or whatever, and people pounce on him, what will he say when they are from a different cut-up district. What are they going to say? More than likely, unless it's a dear friend, they are going to say, *Go to your Representative over there. You need to talk to him*—humans, as we are.

It's easy, Madam Speaker, for North Side or East End, with single members, to come and say it's not fair, or it's not equal. And I saw, maybe in one paper this week, where the Member for North Side was talking about it is equality. When this is done, Madam Speaker, and if they change the system, how equal is it going to be for East End or North Side to have 500 electors and I have 1,000 or the Member for Bodden Town got 1,000 or the Member for George Town got 1,000? How equal is it, Madam Speaker?

Where is the equality if that is what they are seeking? Where is it? Perhaps what they have not done is to study it enough to see that when countries do change and go down that route that there is a real equality in those countries. And what you have is East End and North Side coming together to form one for election purposes. That's where the 1,000 comes in at if that is the benchmark we are using.

Are we changing for the sake of change, Madam Speaker? Are we changing for the sake of hatred of somebody that they can't defeat, Madam Speaker? Are they changing because they want to upset things? It cannot be equality, if I am going to have 1,000 and the Member for North Side is going to

have 500 and can get elected with 251 votes on the first-past-the-post system. Have they studied it? Have they studied what real boundary commissions do when they change? These kinds of changes, honourable Members . . . yesterday we gave permission to have a conscience vote. This is what people want, let them go.

I am not scared of it in any shape or form because I tell you this: If I throw my \$1,000 in the ring, I will give them a run for their money in West Bay South, West Bay Central, West Bay East or West Bay Northwest. I will give them a run for their money. And it's easier for me, as an elected Representative for seven terms who is harassed and pounded and talked about and cussed and berated and downcast and sued and investigated over and over.

It's easier for me to want to serve 1,000 people than to want to have to serve 3,000 people. It would be easier for me or any other elected Member. But is that what is best for these Islands? And I say 1,000 times, No! Because, I am elected to serve all the people, and in our electoral system that is what I do; I serve everyone who comes to my door. They come morning, they come noon, they come today, they come after church, they come after a funeral, and they find me or they find my wife at the door and we serve them.

And they come from East End, they come from North Side, they come from George Town, they come from Cayman Brac and they come from overseas. But I am here to serve; I am elected to serve. And I rather know that this system has worked and that I have done my endeavour best at the end of the day as an elected representative to offer a sincere hand to that person wherever they come from, whether it is an Opposition Member's child or whether it be an Opposition adult. I do not differentiate. I do what I can to help people.

I am saying, Madam Speaker, that if we change the system it is going to be divided. More division! That is all it is going to be. If we change the system, Madam Speaker, the enclaves are going to be produced. And you might not see this, Madam Speaker, in the next election because we will have just started. But I am 57 years old (or thereabout) and I can tell you that by the next one you would begin to see. And I am sorry for this country in 10 years' time in a constituency like George Town. It is going to divide people, it is going to divide nationalities, it is going to divide and produce enclaves.

And when you talk about garrison communities; that's what is going to be produced! Don't fool yourselves. Don't fool yourself that West Bay Northwest, which has Logwoods in it, is not going to be different from the other section that has Birch Tree Hill in it. Don't think it's not going to be different.

Don't think that the area of South Sound and the area of Windsor Park, and the area of Central

George Town, and the area of the Swamp are not going to be different. You're clamouring for change? Oh, you'll get it; but you will rue the day you do if you go and vote to change our current electoral system where we have control! The people, all of them put together in the district have control. Cut it up, and what do you have?

Madam Speaker, it is easy to clamour for that kind of change. And they don't fool me, Madam Speaker. They change the wording up here and there, but I know when this was started. I know when this clamour started about one man, one vote. I know what they were saying. *Got to get rid of McKeeva, he can't carry all four, gotta get rid of him. Gotta get rid of him; can't carry all four.* But I tell you this: it is more people coming and saying, *You mean to tell me I can't vote for Kurt Tibbetts and Alden McLaughlin together?* I said, *No!* They said, *Well, I nah voting for that!*

They come in in West Bay and they say, *You mean to say I can't vote for Capt. Eugene and you and Rolston and Cline Glidden?* And I say, *No, you won't.* They say, *Well, we didn't realise that. I nah voting for that!*

And I believe that all of this would have been wasted because our people have good common sense and nobody is going to change four to take one. I don't believe it. All of this will be for naught. I believe that those on the outside—and I will leave them out—but those of the inside of this honourable House who are talking about they want change, they really don't want change.

Here's their plan: They know that I am against. They know that we are the majority. It is easy for five or six of them to sit on the other side and say, *We want this change! McKeeva is against democracy. We want this change.* But all the while, Madam Speaker, they are saying, *I hope to God that that don't pass.*

They are like that story; Br'er Rabbit—"Don't throw me in the briar patch." Mm-hmm, that's what they are like. They know full well, and they are buttressed by the fact that this Government is not going to support it and so they will hope that it doesn't pass. If it does, and I am in the ring, Madam Speaker, I will stand my ground as good as the next man and better than most of them that came after me already. People know. People are not fool-fool after all. People have good common sense.

And no matter the political side . . . oh, they will get a few. They will get some. But they are not going to get the majority because Caymanians are not going to change this on the turn of a dime as they are trying to do now, whether we have the referendum today, whether we have it on the 18<sup>th</sup> of July, whether we have it in November, or whether we have it next year. I don't believe that our people are going to change what they know has worked for something that we do not know, but we have examples of, that is causing many various problems in various countries.

Don't say it's not going to happen. It will happen, particularly here in this George Town and in West Bay. It can happen, and I ain't going to suffer my grandchildren's future, nor anyone else's grandchildren's future. I am not going to have that on my head because I know it's not right. Our system has worked for over 150-odd years where we did gradually come down to where we have sometimes less, because I think during the days of the Vestry they did have more Members in some districts, more than West Bay has now. They may have had five or six. George Town might have had five or six as well in the days of the Vestry, up until 1959. We gradually got to our point and it has worked since 1959. Multi-member constituencies have worked here.

When you look at the electoral turnouts in various countries, Madam Speaker, they get 35 per cent turnout of those persons on the electoral list capable of voting, they get 40 per cent turnout. Some countries get lower. At the last election ours was 80 per cent! And there are hardly any election petitions. I don't know of any in recent years, Madam Speaker. The process is well oiled, well run and the results . . . not even a challenge. In 2000 I think they had a recount in my district on one polling division, one box. I went in and they challenged it. When I came out I had more [votes] than I went in with by having the count over. I had two more votes.

We don't have that kind of problem. We don't. What we have is a well-working system. If people want to change they can change. They have done it. So, Madam Speaker, my advice to the people of this country is going to be to stay put, hold the course. One united Cayman! Don't let them take your votes.

Madam Speaker, a significant clause in this Bill is clause 4. Not only does this clause recite the matter of national importance, namely whether there should be an electoral system for single-member constituencies with each elector being entitled to cast only one vote, but it also stipulates the question as it will appear on the ballot paper. This should be read together with Schedule 1, which is to be found on page 10 of the Bill.

This Bill is very much unlike that of the 2009 referendum because in that Bill moved by the last Government, they had their X where they wanted it, where people could be influenced by it. I don't think that's right. So in our Bill, Madam Speaker, in that section of the Bill you will find "yes" and "no" but we are not telling anybody what to vote there. Not the Bill. I didn't think that was needed then. I don't think it should have been brought into the House like that then. You do what you want to do when you get outside. So, our Bill is quite unlike that one. The Schedule, the question in this Bill does not leave the X beside the "yes" as the last Bill did in 2009.

Neither have we put the X beside the "no," for that matter. Hence, there is no basis for anyone to allege that the Government is attempting to indicate to

the voter how they should vote. And what we are going to make sure of this time is that they won't have that big poster in the polling booth as you walk in, with the biggest "yes" on it, and a tick mark that could fill a boat jib! And people wearing the right colours too.

I take elections serious, Madam Speaker. When I go to that polling station, I know what time I'm supposed to stand inside with my agent and how much time I stand outside. I know that there is no electioneering around that poll station. I don't do it. I don't stick around. I move out to the limits. There are limits. I saw some drift towards that and I forgave them because I said these are younger people and they want to prove to everybody that they're happy. They hug everybody up although they are standing in line.

When I first ran they told us not to even look at them. You go in with your head down, go in your polling division, or as a candidate to talk to your agent, but don't look at that man in line because you can be accused of influencing. So, there are some strict rules that have to be observed in our system. So, Madam Speaker, we are not going to make that kind of mistake in the Law.

Another significant provision in the Bill is that it attempts to track as closely as possible the language in the petition that has been in circulation. That petition which they said they had 3,000 or 4,000 people, I don't know how many they had, but I know they were claiming the victory before they had even won. They worked the crowds, they worked the churches, and they worked the prayer meetings. They even had them by the very shop door on payday telling them where to vote. They signed this petition—have to sign it. People called me.

*[Inaudible interjection]*

**The Premier, Hon. W. McKeever Bush:** I hear the Third Elected Member for George Town making some comment. I will leave him alone, Madam Speaker. He's making a lot of comments these days. I will answer him in due course.

I knew what was going on. I know what went on in Cayman Brac! Mm-hmm. Yes! I know what went on. They were standing by the shop door when they called me, *Mr. Bush, they want me to sign this? Do I need to sign this? I'm a government employee.* I said, *Well you can sign it, but you don't have to sign it because you go into Moses Kirkconnell's shop! You don't have to do that.* They said, *Well, I might sign it because I might be for it.* So, the Member for Cayman Brac might have succeeded on that one.

*[inaudible interjection]*

**The Premier, Hon. W. McKeever Bush:** *[Addressing inaudible interjection]* You got one? All I can say is they called me. I appreciated that call.

So, Madam Speaker, what we are attempting here is to track as closely as possible the language in the petition which has been in circulation and the aim of which was to trigger a people's initiated referendum. Such—

*[Inaudible interjection]*

**The Premier, Hon. W. McKeever Bush:** Say that when you get up. You will have time.

Madam Speaker, the Member will have time.

Such a petition would therefore now be redundant, though. Also of equal significance, Madam Speaker, in this clause is the stipulation that like the requirement in section 70 of the Constitution dealing with a people-initiated referendum which they asked for. The threshold for the referendum to be answered in the affirmative is that of more than 50 per cent of registered electors voting in favour thereof. That's what the people-initiated referendum says in the Constitution. So the Bill is on par, on all fours with that referendum.

That is more than 50 per centum of actual registered voters, not just those turning out to vote. But more than 50 per centum of the actual registered voters on the electoral list on the cutoff date for registration. This again is consistent with what would have been required had it been a people initiated referendum.

So here again, Madam Speaker, the Government tries to be fair in ensuring that the bar is not set any differently from what was contemplated by the petitioners, nor within the Constitution. The Constitution asks for the people [initiated] referendum to say how many votes you need and that is what the Bill is keeping in par with. So those people who signed the referendum cannot say that we have taken anything away from them. They have signed the referendum and if enough of them had signed, that's what would have happened.

Madam Speaker, as I said, there were some mutterings—can't be serious ones, though—that the threshold of more than 50 per cent of registered electors should be lowered. I say that these were not serious because I am sure that most well-thinking Caymanians would readily agree with me as to the significance of this exercise, changing our electoral system which, if successful, would change a very long and proven constitutional tradition.

That being the case, Madam Speaker, it is of utmost importance that it should take at least a majority of actual registered electors to bring about any such changes. Notwithstanding the mutterings of the Third Elected Member for George Town, the Leader of the Opposition, I am sure the majority of persons in our

community will agree that nothing less ought to be enough—at least 50 per cent of the people—and, therefore, nothing less would do. The longstanding multimember constituencies of the Cayman Islands have served us long and served us well. They offer many benefits that this community values and which would be found lacking in any other system. So, it had to be that it has to be 50 per cent plus one—at least 50 per cent of the people to change it.

If we had to have a referendum to change our entire Constitution, and something as fundamental as our voting system, should we ask less for that if you have to have a referendum to change the Constitution for a percentage? The system in the Constitution reads what an initiated referendum would take to make any change it asks.

Madam Speaker, I also draw attention to the specific carve out in the Bill relating to the Sister Islands. The proposal is that in Cayman Brac and Little Cayman each qualified elector would, if the referendum were to pass, be henceforth entitled to cast only one vote. The difference would be that partly in recognition of the physical separateness of the Islands, that constituency would be the only one allowed to retain multiple members of this honourable House. The Sister Islands would therefore retain two MLAs for Cayman Brac and Little Cayman, if the Bill passes, and if the referendum, in turn, succeeds.

Not everyone will be happy with that variation, Madam Speaker. But this format has come forward upon very strong urging from the people of the Sister Islands, I believe. This illustrates the polarisation in the community which I spoke of at the beginning of these remarks. So, you have one country, two systems. Not me [who] supported that. The Constitution might say so, but I didn't support it. No sir. Cayman Brac should be just like all the rest of us, to what we do now; go and vote for the two people that you want. That was what I was told in Cayman Brac when I was at the hustings there. That's not what happened. They decided on this. You go and vote for one man. You have a thousand voters and then the next person coming behind him is elected, declared elected.

*[inaudible interjection]*

**The Premier, Hon. W. McKeeva Bush:** Yeah? Keep going. Sail on, O ship of state.

So, the persons who will be entitled to vote in the referendum will be those who on the day of the referendum would be entitled to vote as electors at an election in an electoral district, and it will need more than 50 per cent of such persons voting in favour for the referendum to be successful.

Madam Speaker, there have also been observations in some quarters that the timing of the referendum for July 18 might be bad in the sense it is said that some electors would have already left for their summer holidays. The Government is not persuaded,

Madam Speaker, that there is much validity to this argument. We are of the view that if this exercise means so much to our people it would not be too much of an inconvenience for them to be here on the referendum day to cast their vote against the old system and for the new system. For different reasons, from differing points of view, both the Government and the Opposition agree that this is an extremely significant vote. It therefore behoves us all, including the Opposition, to join in encouraging people to be present and to cast their vote on the prescribed day.

Madam Speaker, it is also being alleged that somehow the law does not expressly provide that the outcome of the referendum, if favourable, would be binding on the Government to be implemented. For what it's worth, Madam Speaker, I note that there was not so much provision in the 2009 Referendum Law. I note also that no such stipulation was put in section 69 of the Constitution. So, there must have been some valid reason why it was put into section 70, but not section 69 of the Constitution.

But more to the point, Madam Speaker, is that it would be difficult, if not impossible, to fathom a situation where more than half of all registered electors of this country voted in favour of the referendum and the Government then, refuses to give effect to that outcome. That could not be possible. That would not be possible. And we have said that it is binding from the beginning when we said that we would accept the result. We have said that the results of the referendum are binding. In fact, Madam Speaker, the reason for having the referendum now in July is to make preparation for any necessary change in May next year. That's the reason we are having it now. So, if the vote is carried to change to one man, one vote, then that will take place in May next year. That is what we have said.

Accordingly, Madam Speaker, the simple answer to those concerns is that if it is carried it will be treated as binding and will be acted upon accordingly by the Government in time for the General Election in May 2013, God willing.

Madam Speaker, the Bill provides that in most other respects, the referendum will be conducted generally along the lines of an election, including the fact that it will be administered by the Supervisor of Elections and his team as was done in 2009, thus ensuring the independence and integrity of the process as much as that was. Indeed, there is a provision in the Bill where the Governor may appoint observers who will observe the conduct of the referendum, the verification of the ballot paper account as well as the counting of the votes. Madam Speaker, I am not prepared to leave that open. I didn't like that the last time. I didn't vote for it, but I thought the people who voted for it should have been able to get the results in their district and that each district should have been counted there and the results given in those districts.

I didn't know a thing about the results until the Governor came into Cabinet one day and said, "These are the results and I burnt up the ballots." Yes, *that's good democracy, I reckon*. Right! It won't happen that way this time. We have given notice of proposed committee stage amendments dealing with the appointment for scrutineers by the Premier and the Leader of the Opposition and also for the counting of votes in each electoral district.

So, Madam Speaker, I have attempted to outline for the benefit of the House what I consider to be some of the main provisions of the Bill before the House. It is not exhaustive, but I am mindful that this matter has been discussed almost *ad nauseam* in the printed and electronic media. Therefore, the entire country is acutely aware of the pros and cons and what is at stake one way or the other.

Madam Speaker, the feelings on all sides of the argument are high. And so too are the stakes for these Islands. It is about whether we change what we have had since 1959. That is what's at stake. And for what? Nobody has come up and given a scientific reason why. We hear all sorts of things they say are not equal. And I showed a little bit where equality stands with some of them.

Then they say it is better. But that's it; just better. It's their right! Well, the road to hell is paved with good intentions. We know what we have. We know it has worked. We know it hasn't done any wrong to the country. I can't see why we would want to change it. Not me. My vote, when that time comes, goes against it.

In the end, Madam Speaker, we are a democratic society and it is therefore the will of the majority that will inform how we proceed for the future. I therefore commend the Bill to this honourable House and for Members to vote their conscience.

**The Speaker:** Thank you, Mr. Premier.

Does any other Member wish to speak?  
Member for North Side.

**Mr. D. Ezzard Miller, Member for North Side:** Thank you, Madam Speaker.

First, Madam Speaker, let me start by thanking the Government for bringing the Referendum Bill now before the House, which will allow the registered voters to decide if they wish to change the electoral process to introduce the internationally accepted and basic tenet of democracy, one man, one vote, single-member constituencies, equality across the Cayman Islands.

Madam Speaker, I want to particularly thank all of those persons who started this movement to bring one man, one vote and single-member constituencies to the people of the Cayman Islands. That group of mostly young, educated, professionally qualified hardworking Caymanians, have spent a lot of

time, effort and have given of their own resources to bring us to this point. And I want to publicly thank them for their involvement, for the efforts they have put out, and to encourage them to continue.

In fact, now that we have a date for the referendum, we also now have a Bill that lays out the conditions for the referendum, to encourage them to make sure that we get the 8,000 votes we need to win this referendum. I encourage Caymanians who are registered voters in this country to vote "Yes" for the introduction of one man, one vote and single-member constituencies so they can be proud to brag to their children and grandchildren in the future, that they were a part of, or one of the 8,000 who made a difference and thought about the next generation and not the next election.

Madam Speaker, it is highly unlikely that the rest of the world that enjoys democracy with the one man, one vote and single-member constituencies are wrong and we are right. To accept the fact that countries have progressed over decades from whatever system of voting and deciding the number of candidates that they have, to wind up at the point where we are trying to get today, one vote, single-member constituencies, is no justification for us to take even longer to get there.

We have been discussing the need for the introduction of one man, one vote, single-member constituencies since the 1960s—for over five decades! For some strange reason we never seem to be able to get there. And we can go back in the archives and review the various constitutional reports that were done by the various eminent authorities on electoral systems. Every single one of those reports advocated or at the bare minimum suggested that it was time and it would be the right move, the right thing to do, to move to one man, one vote and single-member constituencies.

You can go back to Lord Asquith on the 1972 Constitution. You will find it detailed there. The 1992 Constitution, you will find it recommended there. The 2003 exercise that did not make it beyond these halloved chambers and into constitutional law included it. The more recent exercise to bring about the 2009 Constitution included it. The more recent Boundaries Commission based on the 2009 Constitution clearly advocated single-member constituencies; placed it as one of the recommendations of the three they recommended and clearly reported that the majority of all of the people that came to make representation to them were clearly in favour of one man, one vote and single-member constituencies.

Madam Speaker, let me also thank the Government for deciding to make July 18 a public holiday. That will improve the chances of registered voters being able to exercise their democratic right. And I encourage all of the registered voters to come out and vote in favour of one man, one vote.

Madam Speaker, having said all of that, I have some concerns about the present Bill as drafted. While I agree with the amendments as circulated by the Honourable Leader of the Opposition, and with some of the amendments that have been circulated by the Honourable Premier, they do not address all of my concerns in their entirety.

My first concern is the wording of the question as stated in clause 4(2), and I quote: **“Do you support an electoral system of single-member constituencies with each elector being entitled to cast only one vote?”**

Madam Speaker, my first concern is that I think the word “only” is unnecessary. It carries with it negative implications that people are getting less than what they have. But of greater concern is that the question does not establish a timetable for implementation. And while I heard the Honourable Premier state that if the referendum comes out in favour, his Government intends to implement (which I am confident it will) this system in town for the May 2013 election, I am much happier if the question included the fact that in answering the question it is clearly indicated that it will be implemented for the 2013 election.

Madam Speaker, my concerns are not without foundation because when the one man, one vote group initiated the national discussion on one man, one vote, the Government’s first reaction was that they would hold a referendum, yes, but they would hold it in conjunction with the 2013 election so that it could be implemented for the 2017 election. It was only after some considerable national discussion and it became clear that the one man, one vote group was likely to succeed in gathering the necessary votes to trigger a people-initiated referendum, that the Government then decided to call its own referendum for July 18.

The problem with the Bill is that the Bill as publicised does not in any clause at all, establish an implementation timeframe. I would urge the Government to seriously consider the question as offered in the Honourable Leader of the Opposition’s amendment which clearly establishes May 2013—the next General Election—as the timeframe when this will be implemented.

Madam Speaker, in my discussions with the Election Office, I am fairly confident that they are ready, capable and willing to implement single-member constituencies, one man, one vote, in time for May 2013 election in concert with the electoral boundaries as prescribed by the Electoral Boundaries Commission which was tabled in this House in 2010. So, the Government does not need to fear that if they set a timetable for the next election the Elections Office may not be able to deliver it, because, as I understand it, the Elections Office is quite capable of holding single-member constituency elections and one man, one vote in May 2013. So, Madam Speaker, I

ask the Government to favourably consider the insertion of a timetable in the Bill.

Madam Speaker, the Bill as presented does not make it binding on the Government. I see from an amendment that has been circulated by the Honourable Premier that they are now offering an amendment to clause 4(5) which is very similar to that earlier circulated by the Honourable Leader of the Opposition that clearly makes it legally binding on the Government to accept the decision of the referendum. So, I am happy to see that. Madam Speaker, I will have more to say about the individual amendments when they are moved in committee stage.

Now, Madam Speaker, I am hoping that what has now become “not a people-initiated referendum under section 70 of the Constitution, but a Government-initiated referendum under section 69”, that the Government will consider a lowering of the bar to coincide the precedent that was established under the only referendum this country has had, which was the referendum on the Constitution, which required 50 per cent of those persons voting for the question to succeed and not 50 per cent of the registered voters.

Madam Speaker, it is quite normal, it is quite understandable why section 70 of the Constitution places both bars for a people initiated referendum so high. The first bar for the people initiated referendum is that 25 per cent of the registered voters must sign a petition and present to the Governor in Cabinet, and the Governor in Cabinet still retains under the Constitutional provisions, the right to control what the question is that’s asked, and the right to control when the referendum is called. And it says the second bar is 50 per cent of the registered voters must vote in favour of a people initiated referendum in order to succeed.

As I said, that is normal because most people initiated referenda is trying to get the Government to do something that the Government does not want to do; whatever the issue is. On the other hand, in most Government initiated referenda the Government is trying to get the people to agree to something that it wants to do. So there seems to be a huge dilemma here in that the Government has called a referendum which it is prepared to campaign against and it wishes to lose! And it has set the conditions of the referendum to a level which is—and that’s what the Government is entitled to do—which is likely to achieve the outcome that the Government wants.

Under section 69 [of the Constitution] in the case where a government wants the people to agree to something it wants to do, it can set the bar at any amount—25 per cent. There are no restrictions in section 69 as to what the Government may determine what in its mind is an acceptable indication from the people that they support what the Government wants to do.

If my memory serves me correctly, we know in the local case it was 50 per cent of those who voted. I believe that in the Bermuda case some years ago with

their question on independence, I think the bar was set at 40 per cent.

So, here presents my dilemma. I understand fully that under what the one man, one vote group initiated and started a national discussion on, the introduction of one man, one vote and single-member constituencies, the requirements of section 70 of the Constitution clearly states that it must be more than 50 per cent of registered voters because, as I said, in most instances the people are trying to get the Government to do something the Government doesn't want to do. But, Madam Speaker, people who take the interest, the time, the effort, the concern, the care to go and vote on an issue at national polls should not really be punished for those who do not have interest, care, concern, or the desire to become involved in the democratic process (so they don't vote).

What we are doing by structuring this referendum—which is a Government initiated referendum—is so that the people who are concerned about this referendum and would like to see the introduction of one man, one vote and single-member constituencies and all the benefits that brings with it of equality and accountability and all the other good things that most other democracies in the world have embraced for many years, and those people are being punished by the conditions of this referendum by those who have not voted and have no interest in what is happening in the country, for whatever reason. I think, Madam Speaker, that that is grossly unfair to the people who partake in the democratic process.

So, Madam Speaker, I repeat: I am asking the Government to favourably consider the amendment circulated by the Honourable Leader of the Opposition which makes the bar a truly democratic process in that the judgment for success is based on the percentage of the people who actually voted and does not include those who do not wish to participate by staying out of the process.

Madam Speaker, this referendum is not about me. This referendum is about the future generations of this country, and whether we should make provisions for them to enjoy what the rest of the world is enjoying—one man, one vote single-member constituencies.

The other concern I have with the Bill is clause 9. My concern here is that I would like absolute clarity that my interpretation of what clause 9 does is, in fact, correct. As I read clause 9, it imports into this referendum all of the Election Law provisions and all of the rules of the electoral process except those that are listed in Schedule 1 and that are then modified in Schedule 2. So anything that is not in Schedule 1 remains as it is for a normal General Election.

My particular and specific concern—and I would like an assurance from the Government that my interpretation is right—is that all of the provisions for postal balloting or early voting, mobile voting, are ab-

solutely maintained in place for this referendum. I believe it is, I think there are members of the public that need to hear the Government say yes it is. There are some legal minds that believe and that have made representation to me, in that they are not absolutely confident that clause 9 does what I believe it does. So, Madam Speaker, it would be good if the Honourable Premier would make absolutely clear what clause 9 does.

Madam Speaker, I am fairly certain that I heard the Premier say that the Bill makes certain specific provisions for Cayman Brac and Little Cayman. The Bill I have, as circulated, does not, in my view, make any such provisions. If there is an amendment being circulated, I can discuss that when it's tabled. But the Bill that I have which was sent to me does not make any specific protections or provisions for Cayman Brac and Little Cayman.

Madam Speaker, I believe it is time for Cayman to join the rest of the world. I believe it is time for us to have what is often referred to as universal suffrage—one man, one vote, single-member constituencies. I thank you, Madam Speaker.

**The Speaker:** Thank you Member for North Side.

I think this is a good time before we begin offering debate from another Member, to take the lunch break.

I will suspend the House until 2.00.

**Proceedings suspended at 12.27 pm**

**Proceedings resumed at 2.07 pm**

**The Speaker:** Proceedings are resumed. Please be seated.

When we took the break the Member for North Side had completed his debate. Almost simultaneously with him the Leader of the Opposition had indicated he wished to speak. Does any other Member wish to speak at this time? [pause]

Honourable Leader of the Opposition.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Thank you, Madam Speaker.

Madam Speaker, I rise to offer a contribution to the debate on this very controversial Bill, entitled a Bill for a Law to make provision for the holding of a referendum on the proposal to introduce an electoral system of single-member constituencies with each elector being entitled to cast only one vote; and to make provision for incidental and connected matters.

Yesterday, although the Opposition left this House in protest over the failure or unwillingness of the Government to deal with the Lack of Confidence Motion and we were not here for the debate on the Motion, which is the genesis of this Bill, I did have the opportunity last night to listen to some of the debate,

and I certainly listened to the presentation, at least as much of it as was broadcast, of the Honourable Premier. Madam Speaker, I was astonished, really, to hear the Premier say that he had released all Members of the Government and the Government Backbench from essentially collective responsibility, certainly as far as the Cabinet is concerned, in relation to the position they take on this Bill, and that the Government, its Backbench and its caucus were free to vote their conscience in relation to this matter.

Madam Speaker, I am not sure by virtue of what constitutional provision the Premier is entitled to tell Members of his Cabinet that they are not bound by collective responsibility and to support in this House the policy and positions taken by the Cabinet in their meeting. But whatever constitutional issues that raises, those are not for me; those are for the Government. It does indicate, Madam Speaker, a fracture on that side in relation to the Bill that is now before the House because, plainly, if all Members of the Government and its Backbench supported the provisions in the Bill, there would be no need for that extraordinary pronouncement by the Premier yesterday evening.

*[Inaudible interjection]*

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Speaker, if the Minister for Education wishes me to give way, I am happy to do so. Perhaps he will offer us an explanation.

*[Inaudible interjections]*

**The Speaker:** Let's leave the across-the-hall debate out and direct the Chair.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Speaker, I am happy to forgive them because I understand their discomfiture, given that position.

But, Madam Speaker, the fact that some on that side are dissatisfied with the Bill, at least gives me some consolation that, indeed, some on that side seem to have retained at least a modicum of right-mindedness and fairness and equity. Unfortunately, Madam Speaker, so far only the Premier has spoken in relation to this matter and I am hopeful that before the debate on this concludes that we will hear a clear indication from the Members on the other side who are unhappy with this Bill in its present format.

I say that, Madam Speaker, because we on this side are also very unhappy with some of the provisions, some of the critical provisions of this Bill. And, Madam Speaker, the way the Bill is currently drafted it is plain that the Government is setting this up to fail.

Madam Speaker, this whole issue now before the House has come about because on 15 February this year my colleagues, the Elected Member for

North Side and the Elected Member for East End, announced in a press conference the launch of a petition for single-member constituencies and one man, one vote.

*[Inaudible interjections and laughter]*

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Speaker, if the Members on the other side—including the Premier—want to address this House again, I'll sit down.

*[Inaudible interjections and general uproar]*

**The Speaker:** Let's . . . I am glad you all are laughing instead of fighting, but there is a place for both and the Leader of the Opposition needs to get his speech heard in the House.

**The Premier, Hon. W. McKeever Bush:** *[inaudible]*

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** I am glad they are in such a good mood, Madam Speaker. No doubt because they know they have fixed the game!

*[Laughter]*

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** They have fixed the game.

*[Inaudible interjections]*

**The Premier, Hon. W. McKeever Bush:** Pull the rug. You mean pulled the rug from under your feet.

**The Speaker:** Let's let the Leader of the Opposition continue.

*[Inaudible interjections]*

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** So, Madam Speaker, this petition was launched on 15 February and what transpired thereafter took the Government by absolute surprise. They did not believe for a moment that this would develop the kind of momentum that it has, that it would engender the kind of support that it has, and that it would have the kind of grass-roots momentum that it has.

So, Madam Speaker, what next happened was an announcement by the Government that they would hold a referendum on this issue assuming that the trigger was pulled and that it would be held at the time of the next General Elections in May of next year. The petition continued to gather support and signatures and there was a debate organised by Generation Now down at the Harquail [Theatre] at which the Premier, who had been a confirmed guest, was a no-show. Our colleague, the Third Elected Member for

West Bay actually turned up in his place and indicated during the discussions there that if the Government were persuaded that this had sufficient support that it might reconsider the date on which the referendum was to be held.

Madam Speaker, I myself initially had concerns about being able to implement all of the matters that needed to be implemented if the referendum were not held until November, and that really was the genesis of my initial reservation about it.

So, Madam Speaker, what next transpired in the chronology was an announcement by the Government that they were going to hold a referendum on this matter on 18 July. But this was not some benign announcement that those of us, who support this petition, support this initiative, could accept and say, *Wonderful! Thank you all very much for listening to the wishes and the will of the people.* What the Government has done—and is continuing to do, Madam Speaker—is to hijack the people initiated referendum process, take it over, make it into their own, and have now announced that there will be a Government initiated referendum on 18 July.

Madam Speaker, what has transpired in this case, I believe must be unprecedented anywhere. I have never known . . . and I have done some research, and I have called my friends around the region to see what I could find out about this. A government initiated referendum is, as the Elected Member for North Side said in his contribution, called by a government. And actually, Madam Speaker, this Government promised that there would be one on gambling a couple of years ago. We're still waiting on that. But it is called when the Government wants to ask the electorate whether or not it will support a particular position or initiative that the Government wishes to put through. They want to know whether or not they have the support of the electorate in doing so.

That is to be distinguished from a people initiated referendum where the people themselves say that there is a particular matter, a particular policy that they want to change or that they want implemented and the government isn't doing it. So, the people use the provision in the Constitution. Yes, the bar is high, they need to get 25 per cent of the electorate in the first place to trigger such a referendum, and they need 50 per cent plus one voter of the electorate to be able to pass the question. And the reason for that is simply our system of representative government.

The reason we are called "Representatives" is because the people have elected us to represent their wishes, their views, their positions on a whole range of matters for the term of office that we have. And so, when we are asked to give back to the electorate during that term, the ability to make decisions on key policy matters, it must require a significantly high percentage of the electorate to do that. But in the case of a government initiated referendum it is quite different.

The Government is simply seeking indications—not even approval—because, generally speaking, the government initiated referendum is not binding, certainly, constitutionally they are not binding. The government is seeking an indication from the electorate as to what their views are on a particular matter.

What the Government has done in this case is to take the people's question that takes the people's initiative, make it their own and, therefore, taking the electorate, taking those who take an interest and who are proponents of this completely out of the picture, completely out of the game, arrogating to itself responsibility for this entire process—taking the question, making it their own and then, Madam Speaker, wrongly, almost, I am tempted to say, immorally, using the State's resources and funding to campaign against the people's question. That is unheard of! Unprecedented!

*[Inaudible interjection]*

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Not at all.

I am hearing the Deputy Premier say, Madam Speaker, that that's what happened to the Constitutional Modernisation process. The two couldn't be further apart. The Constitutional Modernisation process was something that was initiated by the Government. The draft Constitution that was arrived was a result of negotiations between the Government, the Opposition, and a range of private sector people. We had the Cayman Islands Ministers Association, we had the Chamber of Commerce, we had the Seventh Day Adventists Mission, we had the Human Rights Committee all who sat around the tables (*plural*), two in Cayman and one in London, when we arrived at the document which came back to Cayman which was ultimately approved in the referendum which was subsequently held.

The Opposition then, although they were part of the negotiation and ostensibly agreed ultimately through the process of negotiation to the finished document, came back to Cayman and campaigned against it. The Government put the draft Constitution forward as what we believed the country should have as its governing document and the people were asked to vote on it, and the Government promoted and supported and campaigned for that Constitution. That's perfectly in order.

What the Government is not entitled to do is to take the people's initiative, to take the people's question, which the people want answered, make it their own, draft a Bill which has all sorts of provisions in it—which are going to make it incredibly difficult for the question to get an affirmative answer—take the State's resources, use the Office of Premier, make national radio and television addresses telling people what's all wrong with single-member constituencies,

what's wrong with one man, one vote, why they shouldn't do it, how it's going to be disastrous in consequence for the Cayman Islands; that's what is not allowed. And that is the distinction between the Constitutional Modernisation referendum and the one that is happening now.

*[Inaudible interjection]*

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Speaker, this is just wrong, wrong, wrong! And they may argue as much as they wish but there is really no right way to do the wrong thing. And, they can dress it up, parade it down here as much as they wish under the guise that this is somehow acceding to the will of the people. The Premier said in his contribution this morning that they were endeavouring to make the process fair. Well, well, well, if this is fair, then I can tell you this, Madam Speaker, the Honourable Premier has a very twisted view of what "fair" means.

Madam Speaker, he did say some things that were dead accurate, though. And made admissions which I am surprised he did. He said, and I am quoting him: "The petition is now redundant." He couldn't be more accurate. He couldn't be more correct. I was surprised that I didn't see the smirk on his face when he said that because I know inside he must be gloating, because he has created a trap by which he expects to be able to say on the 19<sup>th</sup> of July, *Well, I gave the people what they wanted. I gave them an opportunity to vote for it. And look, the majority of the electorate didn't support it, so the efforts of the Elected Member for East End and the Elected Member for North Side and the whole OMOV Committee and the PPM were all for naught. They run up and down all over this country making all kinds of pronouncements, wild statements that there was so much support for this. Look! Look at the results!*

But the result is because of the way the Government has dealt, or will be dealing, with this very, very important matter.

Madam Speaker, the first real problem, aside from the fact that the Government is campaigning against its own referendum question—which is unprecedented—you have a question which commits the Government to absolutely nothing. Clause 4 of the Bill prescribes the following referendum question: "**Do you support an electoral system of single-member constituencies with each elector being entitled to cast only one vote?**"

Not only, as my colleague the Elected Member for North Side has said, they have included this word "only" one vote, as though people are giving up something they ought not to give up when they move from the multi-member constituency approach of having three or four votes, or two votes, to having only one. But in addition to that, it does not say that this is to be introduced before the next election, or indeed,

whether it should be introduced at all. It simply asked whether or not the voter supports single-member constituencies and the concept of one person, one vote.

I have heard, as have others, the assertions made by the Premier's press secretary, and we have heard other statements by the Premier and some other Members of the Government, that, *of course this is going to be introduced prior to the General Election in 2013. Do you think the Government would go through all of this and not do it?* Well, Madam Speaker, if that is the case, then I ask: Why doesn't the Government simply amend the question to put that beyond doubt? Forgive me if I don't believe every word that proceeds out of the mouth of the Premier, particularly on matters such as this.

And, Madam Speaker, what I am strongly suggesting if the Government is serious about its commitment, assuming that there is a "yes" response to this referendum question, is that the Government amend the question so that it reads: "**Do you support the introduction prior to the General Elections in 2013 of an electoral system of single-member constituencies with each elector being entitled to cast one vote?**" That would put beyond question that if the referendum succeeds, that the Government is committed to the introduction of single-member constituencies and the principle of one person, one vote before the next election.

Madam Speaker, the biggest hurdle though to the success of this referendum is the formula that the Government has adopted for whether or not the referendum question passes. For they have not followed what was established in the Referendum (Constitutional Modernisation) Law in relation to the new Constitution. In that, the formula was this . . . the question specified in [section] 4(1), which was: "**Do you approve the Draft Constitution which was agreed by the Cayman Islands Constitution Delegation and the Government of the United Kingdom on 5<sup>th</sup> February, 2009 and tabled in the Legislative Assembly of the Cayman Islands on 11<sup>th</sup> February, 2009?**"

"**[4(3)] The question specified in subsection (1) [which was just read] will not have been answered in favour of Constitutional Modernisation unless more than fifty per centum . . .**" (of persons voting in the referendum) "**. . . vote in the referendum in favour of the question.**"

What is being proposed in the Referendum (Single-Member Constituencies) Bill, 2012, is that the question specified will not have been answered in favour of single-member constituencies with each elector being entitled to cast only one vote "**unless more than fifty per centum of persons registered as electors in accordance with section 90 of the Constitution, vote in the referendum in favour of the question.**" [Clause 4]

So what they are proposing, Madam Speaker, is that rather than 50 per cent plus one of votes cast will be sufficient for the question to succeed, or to be

answered in the affirmative, but that 50 per cent plus one of the entire registered voters is what is required for this to succeed.

They know very well, Madam Speaker, that a referendum called mid-term is likely to see significantly less number of voters turning out at the polls than would be the case at a general election. I can tell you, Madam Speaker, because I have done the numbers, that while 79.9 per cent of the electorate voted in the elections in May 2009, only 73.4 per cent actually voted in the referendum—even though the referendum was held at the same time and in the same place. We just had to go through from one room to another to vote. So some 12,000 plus people voted in the election for candidates, and only 11,000 plus voted in the referendum.

A referendum called mid-term where people don't have the added incentive of turning out to vote for the candidates of their choice is going to see a significantly lower percentage of the electorate turn out. And so, Madam Speaker, when the Government insists on this artificially high bar of 50 per cent plus of the electorate to let the referendum question succeed, they are setting this up for failure.

*[Inaudible interjections]*

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Speaker, let me say this: As I said, I have done the numbers. The Constitutional Modernisation referendum succeeded by . . . 62.66 per cent of persons voting in the referendum voted for the new Constitution. But when you actually look at what percentage that was of the electorate, you get 45.9 per cent. So, if the new Constitution had been subjected to the standard which the Government is insisting on for the single-member constituencies' referendum, the Constitutional Modernisation referendum would have failed as well. And that is so at a time when both, the elections and the referendum were being held simultaneously!

*[Inaudible interjections]*

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** So, Madam Speaker, the Government is fixing the game, creating an artificially high percentage to ensure that this does not succeed. And it is important that the people of this country know what it is that the Government is up to!

I heard one of my colleagues across the floor say, "Well, that is the same standard for the people-initiated referendum." Absolutely! But herein is the difference: The people initiated referendum process is supposed to proceed on the premise that the Government takes a neutral position. It is the people's question that is being asked and answered, not the Government's.

At best, the Government should be, in a people initiated referendum process, offering fair objective public education about the issues that surround the question that is being asked. What has happened here is that the Government has taken the people's question, made it their own, derailed the people initiated referendum process, instituted in its place a Government initiated process, and now has adopted the higher standard from the people initiated referendum at the same time as spending Government resources, Government's funding and bringing to bear on it all the weight and machinery and dignity of the Office of Premier who not only today, but in the past, has taken the country's money and gone and made national addresses on radio and television seeking to convince the country that they should not support single-member constituencies.

If that is not wrong, if that is not immoral, if that is not unethical, I don't know what else is.

*[Inaudible interjections]*

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** May I have a moment, Madam Speaker?

**The Speaker:** Yes.

*[Pause]*

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Speaker, there is no doubt in anyone's mind that the Government, and the Premier in particular, is vehemently opposed to the introduction of single-member constituencies. That has been the case as long as I can remember in the years that I have been down here, the nine years that we battled to get a new Constitution, the nine years that we battled, among other things, to get a Bill of Rights, and things like single-member constituencies introduced in this country.

Madam Speaker, with your permission (and I have made a copy for you), I would like to refer to the *Hansard* of this House from Wednesday, 19<sup>th</sup> of November 2003, and in particular to something which the Premier said during the debate on what was then the Report of the Proposed New Draft Constitution [Government Motion No. 5/03]. This is the Constitution which was subsequently derailed by the Premier, the then Leader of Government Business (who is now the Premier).

Do you have a copy, Madam Speaker?

**The Speaker:** I presume this is what you are talking about?

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Wednesday, 19 November?

**The Speaker:** Yes.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Speaker, on page 898 of the [Official Hansard Report](#) for Wednesday, 19 November 2003, the Hon. W. McKeever Bush is reported as having said, at the top of the right-hand column on that page, full paragraph. What was being debated here, Madam Speaker, was the Draft Constitution at the time, Section 70—Electoral Constituencies. **“We propose that the provision for 17 Members be maintained and that the two additional seats be assigned: one to George Town and one to West Bay. We also believe that there should be a phased implementation towards single-member constituencies. There seems to have been a clamour for single-member constituencies, which give rise to “one-person, one-vote”, in the district of George Town. We therefore recommend that, in the spirit of cooperation, the phasing-in of single-member constituencies and the resultant “one-person, one-vote” should begin in the district of George Town. The result would be that, at the polls in the 2004 General Elections, seven of the 17 seats would be contested on the basis of single-member constituencies, or “one-person, one-vote”. This compares favourably to the present situation, where only two of 15 seats are single-member constituencies, or ‘one-person, one-vote’.”**

And then, Madam Speaker, and this must have been a bit of tongue-in-cheek, **“This demonstrates the UDP Government’s commitment to being fair and reasonable in trying to work along with the Opposition.”**

So, Madam Speaker, what the good Leader of Government Business (as he then was) was proposing back in 2003 was that George Town would move to single-member constituencies, but, oh no, West Bay . . . no, no, no, no, no. That couldn’t happen down there. We try this out in George Town.

Madam Speaker, some of the statements that he has made since, recently in the currency of the present debate, are the clearest indications we could ever want of how much the Premier and his Government fear the introduction of single-member constituencies and one person, one vote. But well before that, and as I have said more than once, one of my abiding regrets in the whole constitutional modernisation process was our concession when we were in the Government to the UDP Opposition, not to include a provision for single-member constituencies and the adoption of one person, one vote expressly in the present Constitution, but to agree that instead this would be a matter that would be left to local legislation.

We did that, Madam Speaker, because in the spirit of negotiation and compromise we were seeking to have a document, the draft Constitution, come back to this country knowing full well that this had to pass in a referendum which everybody who was at the table

could get behind, and to avoid the whole constitutional modernisation process being an election issue. But what happened, Madam Speaker? We made that concession, we made that change, and I have a copy here of the draft discussion Constitution document where we started which will show that that was our original position, single-member constituencies, one person, one vote.

What happened when we came back here? Immediately the then Opposition jumped on this and started—not started, resumed—resumed their campaign against the new Constitution which the Premier, right up until this morning, has continued. I am not sure why they fear single-member constituencies so much. I have been elected three times now and we are heading towards a fourth election and I understand the system very well. I understand the pulling power of popular candidates in any constituency. But why the Premier and his colleagues in West Bay are so afraid of not being returned to office if they go to single-member constituencies is something that I can’t quite get my head around.

If after seven consecutive terms (and I don’t know anyone else who has done that in this House, certainly not in modern Cayman politics, maybe back in the old days) why one fears losing their seat because we go to single-member constituencies. But quite frankly, Madam Speaker, if after seven terms you still don’t believe that you have the wherewithal to say to people in West Bay Northwest or West Bay East that *you know, Rollie is with me and CG is with me, so still support those guys*, and that carries some weight . . . I don’t quite understand that.

I don’t really mind how many constituencies we have in George Town, it will certainly be that much easier as a Representative to have a defined smaller area and defined smaller number of people to whom you are directly responsible. And I don’t mind where I run in George Town. After three terms, if I can’t get elected in any constituency in George Town, then so be it. I haven’t done my job.

I don’t know what they are so scared of. I don’t know why they believe that Cayman must continue to run contrary to modern democracies all across the world. We must be one of but a very few places in the world where (and this is what is being proposed) a person in George Town has six votes, six opportunities to influence the makeup of the Government, and the voters in East End and North Side have one. How can that be fair? How can that be equitable? And the Premier has the temerity to come here and go on national television and radio and tell the country about what a terrible thing single-member constituencies is, how offensive the principle of one person, one vote is.

Madam Speaker, as long ago as 1971, constitutional commissioners were advocating a move to single-member constituencies in Cayman at a time when the population of these islands was only 10,000

people. I have in my possession . . . and I regret that I did not bring a copy for you, but I can certainly pass it up to you once I have read the very short paragraph, with your permission). The 1971 Constitutional Commissioner, the Rt. Hon. Earl of Oxford and Asquith, KCMG came to Cayman to look at what the constitutional position was then because Cayman had undergone in the three years before that, a tremendous growth spurt. The population then was about 10,000 people and we were operating under a 1959 Constitution. We didn't have a written Constitution until 1959.

Among the other things he said, on page 21 [section 40. *Organisation of Constituencies*] he spoke about organisation of constituencies, which were not much different then, in 1971, than now, except in numbers. He said, **"There are at present six constituencies which vary in size and return one, two or three members according to their population. It has been suggested that those returning more than one member should be divided so that in future all constituencies are single-member constituencies. I discussed this idea with the present elected members and most of those now representing multi-member constituencies were opposed to it."** (Surprise!) **"Among members of the public, I found few who held strong views either way, although a fair number felt that with single-member constituencies they might get better attention and get more service from their members.**

**"In the absence of political parties or strongly marked divisions of interest, the present system seems to work quite satisfactorily; but I consider that, in the long term, single-member constituencies would be preferable and likely to reflect more closely the wishes of the electorate. Under the present system, a well-organised party . . ." (And this is almost prescient, Madam Speaker). "Under the present system, a well-organised party with superior electioneering tactics could secure a majority of seats in the Assembly by gaining control of only three constituencies with a small majority of their votes, although, in the colony as a whole, two-thirds of the votes might be opposed to it. Under a single-member system the chances of such "unfair" results would be much less; while a form of proportional representation, with transferrable votes, would avoid them altogether. A single-member system would give the advantage, noticed above, of a closer relationship between constituents and their members."**

That was in 1971, Madam Speaker. We have been trying ever since—some of us—to get introduced the concept of single-member constituencies. And here we are on the cusp of being able to do it and what we have is a Government structuring a law in a way to ensure that it fails.

Madam Speaker, there is no doubt that the Government wants it to fail, aside from anything that

the Premier has said, because the reality of the present context is that we don't actually need to go to a referendum. We don't need changes to the Constitution to introduce single-member constituencies. All we need is a small number of amendments to the Elections Law. That is all that is required. And here we have the Government putting the country through all of this, at great expense, to get a "no" result, which they have already fixed the game to ensure. And the Premier has the audacity to talk about the Opposition and the OMOV group and other people causing disruption and distraction and divisiveness and setting us up to fail and shooting ourselves in the foot, and I never heard more.

Madam Speaker, all of this is of the doing of the current Government. It is within their control to decide how this process should play out.

Madam Speaker, on 11 April this year, the Premier came to this House and delivered a statement. I am searching among my many pieces of paper to find it, although I almost know it by heart. And then, not content with that, the next evening he went on national television and national radio and issued under his hand a [statement](#). It has even got the beautiful little insignia of the "Office of the Premier, Cayman Islands Government" with the gold leaves and so forth around it, bringing the full weight, dignity and authority of the office of the Premier on this issue.

He starts by telling the country, and I am quoting: **"As we consider the question now before us in the forthcoming referendum, I want to explain the three main reasons why we should not change our current voting system:**

- **It works well as it is;**
- **the alternative proposal is open to manipulation;**
- **and Cayman cannot afford to add political uncertainty to its current list of challenges."**

*[Inaudible interjection]*

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** *[Addressing the inaudible interjection]* I am simply repeating your words, Mr. Premier.

**The Premier, Hon. W. McKeever Bush;** That's what you're doing?

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Speaker, he goes on to say, **"It is my duty to warn Caymanians of how this proposed system would be open to massive abuse"**

And then he discloses what he describes might be one of his political advantages of using a particular tactic, which I won't go into. That's a UDP thing.

Then he goes on, at page 3, to say: **“Thirdly, in everything we do we must think of how it looks to those who make these islands prosperous. Business and tourists come here not only because of the traditional warm Caymanian welcome and hospitality, but because we have a stable political and legal system. No-one can predict the outcome of future elections under a changed system, so outsiders have to take this into account. It becomes another risk on the list they consider when deciding whether to bring their headquarters here, or send them to Nassau or the British Virgin Islands. In some cases, that one extra risk which does not arise in our competitors’ locations could easily be enough to put them off coming here. The world economy is facing tough times, and as a result, competition between financial centres is fierce - why would we take a gun, load it, and shoot ourselves in the foot before we ever start the battle to win new investment?”**

**“Indeed, that is why I call this referendum now; we could not afford the uncertainty a moment longer. We need to dismiss this idea quickly, and turn our attention back to the important projects that will build our future prosperity.”**

So, Madam Speaker, the Premier hadn’t drafted the Bill yet, or at least we hadn’t seen it. And he was already making it plain that what they had to do was to “dismiss [the] idea quickly and turn our attention back to important projects that will build our future prosperity.”

He concludes by saying:

**“1 - Our current system works well; it’s not broken and does not need fixing, unless your only interest is in fixing a different result.**

**“2 - The new system proposed is open to abuse and manipulation; we could end up being run by 18 family bosses, rather than a shining Caribbean example of English democracy.**

**“3 - Change creates uncertainty and risk, which we cannot afford in the current world economy. We need to promise investors a stable and secure place to live and do business, not a risky, chaotic banana republic.**

**“I know that on July 18<sup>th</sup> Caymanians will consider these three points more carefully and, as they have always done before, come to the right conclusion and vote no to the proposal of single-member constituencies, and stick to the tried and tested system we know.”** [Radio and Television Address by the Premier on Multi-Member versus Single Member Constituencies - April 2012]

Have you ever heard of a deck that has been better stacked in your life?

We are going to spend half a million dollars, or whatever it is, with the Premier and his Government having rigged the process to ensure that there is—

## Point of Order

**The Premier, Hon. W. McKeeva Bush:** Madam Speaker, on a point of order.

Madam Speaker, the Member has been using all kinds of explicative to demonstrate, I guess, his vocabulary, because that’s about all he is doing. But under Standing Order 35, the Member is quite out of order talking about Government “rigging.” It is absolutely wrong to impute improper motives, Madam Speaker, and that’s what he’s doing.

Government is not rigging anything. We are not doing any piece more than he did. And I ain’t going to spend as much as he did! I ain’t going to create the kind of glossy reports and papers that he did!

**Mr. V. Arden McLean:** You can’t be getting up here making speeches.

The Premier, Hon. W. McKeeva Bush: That is a point of order!

**Mr. V. Arden McLean, Member for East End:** That ain’t no point of order.

**The Speaker:** It is a point of order, and you’ll be quiet while I rule on it. Thank you.

*[Inaudible interjection]*

**Mr. V. Arden McLean:** That’s a speech!

**The Speaker:** It is a point of order.

**Mr. V. Arden McLean:** It’s a speech!

**The Speaker:** Would you like me to deal with you first?

**Mr. V. Arden McLean:** It doesn’t bother me one minute.

*[Inaudible interjection]*

**Mr. V. Arden McLean:** It doesn’t bother me one minute.

**The Premier, Hon. W. McKeeva Bush:** No?

**Mr. V. Arden McLean:** I do what I got to do.

**The Premier, Hon. W. McKeeva Bush:** Well you do what you did yesterday or [inaudible]

**The Speaker:** It is a proper point of order. Standing Order 35(4) says, **“(4) No Members shall impute improper motives to another Member.”**

The third part of that says, “**(3) It is out of order to use offensive or insulting language about other Members.**”

It is wrong.

Honourable Leader of the Opposition, please refrain from making statements which impute improper motives to any Member of this House. And, Member for East End, you will stay out of the matter unless it's your turn to speak or I have given permission for you to speak.

Thank you very much. Please proceed.

**Mr. V. Arden McLean:** I guess it is Sunday school up in here now.

**The Speaker:** You would do well to attend one.

*[laughter]*

**Mr. V. Arden McLean:** So would you.

**The Speaker:** Member for the Opposition, please continue your debate.

**The Premier, Hon. W. McKeeva Bush:** You must think this is yesterday at that Courthouse?

**Mr. V. Arden McLean:** Yeah.

**The Premier, Hon. W. McKeeva Bush:** Huh?

**Mr. V. Arden McLean:** With you.

**The Speaker:** Please continue, Honourable Leader of the Opposition.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Thank you, Madam Speaker.

Madam Speaker, coming back to my concern and objection to the provision in clause 4(4) of the Bill: I am urging, beseeching, begging the Government to reconsider the provision here which requires 50 per cent of the electors plus one in order for the question to be answered in the affirmative. And I am urging them to replace clause 4(4) with the following: “**The question specified in subsection (2) will not have been answered in favour of the introduction prior to the General Elections in 2013 of an electoral system of single-member constituencies with each elector being entitled to one vote unless more than fifty per centum of persons voting in the referendum vote in favour of the question.**”

Madam Speaker, that is eminently reasonable, that is the precedent which was set in the Constitutional Modernisation referendum and it will give this issue a fair chance of succeeding, because under the present arrangement, the Government have the luxury of not even having to worry whether people turn up to

vote. Staying home on that day is as effective a “no” vote as actually going and marking an X in the box, because the number of persons required to ensure the success of the question is fixed.

We know—we know—that the electoral roll is closed, so says the Government. April 1 was the date. Anyone who is registered after that doesn't count. As of April 1 there were 15,136 persons registered to vote. That means, by my calculation, that we need 7,547 votes to make this succeed.

I warn the Government in advance that we have taken advice and we are satisfied that persons who were entitled to vote or to be registered to vote have not been allowed to be registered to vote under the current system. And we shall have to decide in due course whether or not we challenge the whole process down the road.

*[Inaudible interjections]*

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** In case they think I am bluffing, the present Constitution, the 2009 Constitution, changed the qualifications to be registered to vote.

**The Premier, Hon. W. McKeeva Bush:** Yeah? You did that, but go ahead.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** And it is no longer necessary under the current Constitution for persons who have Caymanian status to be naturalized in order to be registered to vote. And we have a number of persons who have attempted but who have not been allowed to be registered to vote because they have not been naturalised.

So, Madam Speaker—

**The Premier, Hon. W. McKeeva Bush:** You want to clarify it some more?

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** No, that's fine.

**The Premier, Hon. W. McKeeva Bush:** Explain it man.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** That's fine.

**The Speaker:** Let's continue.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** No, no, no. These are arguments which will be rehearsed somewhere else if we need to have them rehearsed somewhere.

**The Premier, Hon. W. McKeeva Bush:** *[Inaudible]*

*[inaudible interjections and laughter]*

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** But, Madam Speaker, in order to reduce the level of unfairness which already exists, I urge the Government to utilise the provision which was in the Constitutional Modernisation Referendum Law of 50 per cent plus one of registered voters rather than this artificially high standard of 50 per cent plus one of all registered voters.

Give the question a fighting chance.

*[Inaudible interjections]*

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Speaker, I see that the Government is proposing an amendment that will make the results binding on the Government, which is an improvement. But, Madam Speaker, we are urging that the following provision be included instead of the one that the Government is proposing, which is: **“If the question specified in subsection (2) is answered in favour of the introduction prior to the General Election in 2013 of an electoral system of single-member constituencies with each elector being entitled to one vote the Government shall be bound thereby.”**

Madam Speaker, I will conclude by saying that the Bill in its present form cannot be supported by the Opposition because, quite frankly, Madam Speaker, it creates a system, it creates a referendum process which we regard as grossly unfair and designed to ensure defeat of the question. And so, Madam Speaker, I am hopeful that the Government is prepared to take on board our objections and, indeed, our proposals to amend this Bill to make it fairer, more equitable, for it to truly demonstrate what the wishes of those who are interested in this issue are.

We are going to press for these changes during the committee stage debate as this process unfolds. And I am hopeful that the Government is prepared to take what we say on board, otherwise we will be in the most curious position where the side which has proposed and promoted a referendum on single-member constituencies and the principle of one person, one vote, is forced to vote against the Referendum Bill which is being brought by the Government which has taken over the process, substituted their own question, their own standards in an attempt, in our view, to ensure that the question is not answered in the affirmative.

I thank you, Madam Speaker, for the opportunity to put forward the views of the Opposition on this most important Bill.

**The Speaker:** Thank you Honourable Leader of the Opposition. Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]

Minister of Education.

**Hon. Rolston M. Anglin, Minister of Education, Training and Employment:** Thank you, Madam Speaker.

Let me begin my debate by reminding this honourable House that we are discussing a Bill that will enable the people of this country to make a decision on a single issue of national importance—that is, our voting system. Madam Speaker, for those who are involved with the process, I commend them for having an issue that they believe in and that they are willing to put effort and work into.

Democracy is always better when it isn't just citizenry involvement every four years at General Elections to elect the Members of this House. Democracy is always strengthened when the people in any community take an active role in the participation of the affairs of the country. Madam Speaker, this goes beyond whether we agree on an issue or not, because agreement is not the essence of democracy. It is debate, respect for rule of law, respect for each other and participation that is essence. Oftentimes, people disagree. That is one essence of humanity that we will not always agree on issues.

Let me start by not addressing some of the key Government points in regard to our position, but by dealing with the circuitous and convenient positions that are constantly taken by the Leader of the Opposition. The Leader of the Opposition made it quite known to the public through the press that indeed it was the Elected Member for North Side and the Elected Member for East End that held a press conference to which he was not invited to launch the whole effort of a people initiated referendum.

Now, Madam Speaker, it is obvious that since the issue has gotten steam, that the Honourable Leader of the Opposition has now conveniently jumped on the bandwagon, as is his usual style. Wherever two or more are gathered, he is there to show up and conveniently say, *Yep, I'm the Leader of the Opposition, what's the issue? I'm with you. Let's go.* Ultimately, it is because he is concerned with one thing—getting to be in the position of Premier of this country. He has ultimately proven in his tenure as Leader of the Opposition that he is absolutely and fundamentally bankrupt of any underlying conditions that would, in my humble submission, make him a person that should be in that position in this country.

Madam Speaker, if the Honourable Leader of the Opposition was indeed so convicted he would have ensured that this whole matter would have been dealt with from February 2009. But he comes to this House in May 2012 in his usual style, with his own twisted recount of history. I have never seen a Member in my 11 years of being elected who is more capable of taking history and re-writing it so eloquently.

Madam Speaker, what the Honourable Leader of the Opposition knows full well is that when we came back from London the then Opposition (of which

I was a member) did not start any campaign against the Constitution. In fact, in the lead-up to the elections, when asked at the chamber forum, Mr. Cline Glidden and I both responded in the affirmative, that we were personally going to vote for the Constitution. From 2009 the United Democratic Party took the position that in constitutional matters we were leaving it to the conscience vote of our individual members. We took that as a party position, that when it came to constitutional matters, those were of such a nature that members would not be bound by party rules or, indeed, a party whip.

So, Madam Speaker, when the Leader of the Opposition gets up and points to the referendum in 2009 and suggests, and actually tries to compel, and convince the Government that we should use a similar standard, I wonder if the Honourable Leader of the Opposition understands fully the tool of referendum and how it should be applied.

The referendum on the Constitution was a referendum on a highly complex document that had individual parts that some people supported wholeheartedly. It had individual parts that some people were vehemently against. But we all took the collective position at the time that because of the fact that it was such an important issue that we would not make it a hugely divisive and contentious issue in the General Election.

Now, the Honourable Leader of the Opposition well knows that the United Democratic Party did not go out on any campaign against the Constitution. If we did, we would have used the part of the Constitution that caused, and up until this day still causes the greatest concerns which is the chapter on "Human Rights". But we didn't.

We also know that when you are looking at an issue that involves a highly complex document, like your Constitution, where the average citizen is not going to become familiar with its entirety, then how you go about constructing the percentage for support ought to be very different than when you are looking at a single issue. And, of course, it depends on what the single issue is.

Madam Speaker, the Honourable Leader of the Opposition full well knows that this matter of the voting system of this country is one that we ought to try to ensure that a robust threshold is set in order for us to change it. Unlike the Constitution, where one person may have said, *I want the Bill of Rights but I don't want a full ministerial form of government*, another person might have said, *Oh I love a full ministerial form of government, I want a premiership, but I don't like the Bill of Rights*. Another may have gotten up and said, *I don't want this commission of standards in public life*. Another may have picked the Constitution apart and the individual pieces would have had people for, people against.

For instance, this issue, we are talking about a single matter. Therefore, whether or not there had been a petition started, when a government goes about a referendum process, ought to quite naturally have had the government look at the single issue and make a decision about what the threshold of passage should be. I do not believe in a maturing democracy that we should have any possibility where less than 50 per cent of the persons who are registered to vote should be able to make the decision about the very basis in which you vote for the remainder. This is an issue where a clear majority, 50 per cent plus one, must say "yes" in order to have the single system of voting changed.

This isn't an issue where you have a myriad of issues contained within it, with some supporting, some not supporting and trying somehow to come to a reasonable consensus. At the time we could have made issue when the PPM Government announced that they were going with 50 per cent of those turning up versus 50 per cent plus one, because they were the Government. They had to make a call about what the threshold should be for that new Constitution to take hold.

But I remember us discussing it. And while there were some of us who looked at it and said, *Shouldn't it be 50 per cent plus one that would decide for a new governing document?* We came to a consensus that the gravity and the nature of the referendum was such that we couldn't look at it that way because in a document that is as complex as our style of Constitution is in the English speaking Caribbean, we couldn't reasonably have expected that we would have constructed it in any other way. We accepted that in order for us to move forward we ought to have had what would have been a majority of those casting votes at the 2009 General Election.

Madam Speaker, our position as an Opposition in 2009 would have been very different than if the PPM Government had said, *Well we're going to do a referendum just on the Bill of Rights, on the Human Rights chapter*. That may have then caused us to say, *Well hold on. It can't just be 50 per cent of those turning up if you're just going to put one issue. Let's make that 50 per cent plus one*. But because we were going down the road of dealing with the entire document, we agreed and did not kick up a fuss and therefore did not make it an election issue and did not make the way in which the PPM Government was addressing it, an election issue.

Government has to decide on every single issue that it would bring us a referenda, what that threshold should be. There may be a government in the future who wants to do a referendum on gaming. They may say that they want 75 per cent of registered electors to say yes. We don't know what the future holds. We may get huge pressure 10, 15, 5 years from now, whenever, to have a referendum on other

issues that are being dealt with in Europe and other countries that are highly controversial, especially so in a small conservative society like ours. Issues like same sex unions. Would there be a sensible government that would go out and hold a referendum on that and make it just 50 per cent plus one? I hope not. I hope that whoever was the government in that instance who may have to hold a referendum on that type of issue would use a different threshold, a higher threshold.

So, Government has to look at the particular issue and make a critical decision about how the referendum ought to be held. So this comparison back to the 2009 referendum is one that I believe the Opposition is using out of convenience just as yet another detractor point to try to score cheap political points with the public; cheap political points to try and gain an advantage.

Madam Speaker, the Leader of the Opposition and his colleagues have become accustomed to suggesting and saying that the Government has hi-jacked the process that was started with the petition. In any democracy, sensible government has to watch and look at everything that's happening in the community and make the best possible judgment, but at the same time, stand ultimately for what it believes in. So, the best possible judgment that we as Government made was to say that since there was so much division being caused, and so much misinformation being spread about this issue, that we ought to honour the wishes of the people who had become involved with this initiative and facilitate a referendum.

In facilitating a referendum, the Government has looked at two things. It has looked at where the process which was started would have wound up, which it would have if they had gotten the 25 per cent. It would have culminated within a reasonable time Government having to set a date for a referendum for 50 per cent plus one additional registered voter voting in favour of the question.

As Government we also looked very carefully at the issue. And after considerable debate, not only amongst ourselves but amongst many people in the community, both for and against one man, one vote, it was clear to us that this highly emotive issue could not be one that we took so lightly as to say, *Well, if 6,000 people show up, 3,000 plus one will carry the day.* We said after careful consideration and consultation that to change one of the fundamental planks upon which our strong democracy has been built, that is the voting system, it ought to have a reasonable threshold.

For us, the reasonable threshold is a simple majority. We haven't gone for a super majority. We haven't said this is fundamental so it should be three-quarters of registered voters or anything like that. What we have said is, not even 51 per cent. You don't even need 51 per cent for this to pass. You need half the registered voters plus one person. That is the simplest of majorities.

And we said, for us to change our voting system it must be more than half the people saying, *We want it changed.* No minority in this country should be allowed to change something as fundamental as the way in which we vote. I hope that the persons who are involved with this initiative clearly understand that. I hope they are people who do honour democracy and who do care about democracy. I hope that they are people who are sensible enough to realise the gravity of this issue. I hope that they do realise that just as they are passionate about changing the system, there are people—good, honest Caymanians—who also are equally passionate about not changing the system. I hope they clearly recognise that this is about the very essence of our democracy. And I hope that they are not going to take on some of the more dictatorial stances that I have heard proffered by the Opposition.

The Opposition is advocating today in this House that we don't need to go through this process, that we could just change the law ourselves. That would be, in my humble opinion, the absolute wrong thing to do and would fly in the face of democracy as it relates to single issues of national importance. We went down this road in our constitutional makeup of introducing this tool called a referendum. If we are going to be serious about democracy then we must start practicing democracy. But we must be responsible in our practice of democracy.

So, Madam Speaker, I hope that those who are involved in this process and are not on the Opposition Benches, are sensible enough to take a big step back. That's difficult, you know. When you are involved in an issue and you are on one side and you want it really bad, and the humanity takes over, it's very easy to just believe that you must have it right. I hope that they are not going to take that sort of arrogant stance. I hope that they clearly recognise that there is more than one opinion in life, because when you don't realise that there is more than one opinion in life then I feel very, very sorry for you. As a human being you have started down that slippery slope of sounding like a dictator, and dictatorial in your views.

We must be about having democracy front and centre of everything we do while ensuring that everything we do as we start to practice these new tools in our Constitution, that we dispose of those responsibilities in a mature and unbiased and fair manner. Now, what position we take is based on our experience and our conviction. But how we do it must be about ensuring that democracy and equity is front and centre.

I dare say that anyone who would say that we should change our voting system . . . that's the one item that will definitively impact every elector. No if's and's or but's. This is not like the Constitution where you can look at some pieces and say, *Well that might impact me; that might not impact me, that, don't know.* This is a single issue that will—100 per cent will—impact every single elector. And anyone, in my opin-

ion who does not respect that it should be 50 per cent of electors plus one is not a friend of democracy. Anyone who takes that position is not a friend of democracy; they are a friend of something very different and they need to go back to school! They need to get Webster's Dictionary and pull out the meaning of "democracy."

At the end of the day, Madam Speaker, what I can say is that the Opposition finds itself in a pickle now because the Government has acquiesced to the call of the movement.

**The Premier, Hon. W. McKeeva Bush:** That's right.

**Hon. Rolston M. Anglin:** The movement started, it garnered steam and the Government said, *Fine. Good. Let's take it to the polls and just let everyone have their say.* So now the Opposition needs to find something to complain about. That is their classic style; that has been their MO [modus operandi] for the last three years.

**The Premier, Hon. W. McKeeva Bush:** All the time!

**Hon. Rolston M. Anglin:** Madam Speaker, not only did the Leader of the Opposition re-write what happened after we came back in 2009, he also re-wrote the Constitution today. I mean, he was making very good use of his pen. He then came along and said to this honourable House . . . and I could understand if he were out in Hero's Square carrying on with all of his rubbish, but, Madam Speaker, he actually came to this House today and said that Government is not entitled to do this, to take the people's petition and put it in the referendum.

Madam Speaker, what the Government has done, is it has listened and has put into action what the people have been calling for. But the Honourable Leader of the Opposition is not man enough to get up in this House and say that the Government did the right thing. These are very dark days for our democracy—dark days!—when we are so childish and personal that we cannot readily admit when what is happening is to further democracy to continue building on what our forefathers laid.

So, the people spoke, the Government has listened. We're here to facilitate it. We're saying 50 per cent plus one, then the voting system changes. The majority has spoken and that's it. Sorry, 49 per cent, 49.99 per cent, the 50.1 per cent rules. How much fairer can Government be than that? But you see, Madam Speaker, I don't know if the Honourable Leader of the Opposition understands anything about democracy. I really don't. I don't believe that he does. I don't.

Then he gets up and he says we have made all sorts of provisions that would make it difficult to pass. And now listen to his evidence for that one: The

good lawyer's evidence for that one is that there is some single word in the question, and he came back again, *Oh well, you know, this 50 per cent; they're trying to kill it before it started. Kill it before it goes to the polls.* Madam Speaker, I am afraid. As a young Caymanian it really scares me that people could rise to the rank of being an elected Member. I can understand the people in the petition, you know. They don't have the experience of having to come here and be a Representative. They don't have that weight bearing down on them of being a Representative of the people in the representation governance model that we have.

But for an elected Member, any of them, the Leader of the Opposition and the Elected Member for North Side, to get up and say that we shouldn't have a majority position to change something that will affect every single elector is a slap in the face of democracy. And it's a slap in the face of every elector in this country.

But you see, Madam Speaker, it tells you of a mindset. And that mindset is, *Oh well, if I say I want it and if I say it's good for you, then it's good for you and you should take it.* It is so funny how they always complain and talk about, *Oh, this is a dictatorial government* and all that sort of thing. Yet, when the Government listens to the people, when the Government says democracy must rule, the majority must have its way, they are then going to get up and say, *No, no, no, no. No, no. Give the minority its way. That's more democracy; that's better for you. That's better for the country. That's better for Cayman. That's how we should be building this democracy. That's how we should start practicing our constitutional framework and arrangement.*

Madam Speaker, really, it is worrying, absolutely worrying, when you can have people get to this level in a society, to be one of the honoured 15 who, for a period of time, can come and occupy these seats and not understand that if you want to change the fundamental basics of the democracy or something fundamental in the community that it should be a majority that says it. And as long as I am in Government, or in this House, I will always advocate for that when it comes to these crucially important issues.

This isn't asking whether or not green iguanas should be able to be killed. If it were that, Mr. Leader of the Opposition, then, yes, I would have agreed with you. Let a simple majority have that. I would agree with you 100 per cent. But come on. Come on, Elected Member for North Side and Leader of the Opposition, let's get serious and let's get real here. Let's stop playing the politics and let's accept this is fundamental to our democracy unless you really don't believe it is a matter of national importance and unless you absolutely don't believe that it's a matter that is fundamental to democracy. Maybe this is yet another one of those that you believe ought to be just tossed around

and played around with, like it's a little football, or something that your child pulls out of his toy box.

This is serious stuff. What we do, what we say ought to be taken with much more care and seriousness than those two Members have taken it. Much more serious!

**The Premier, Hon. W. McKeeva Bush:** Taking it and destroying it. That's what they want to do.

**Hon. Rolston M. Anglin:** Then, let's talk about the next piece of folly the Leader of the Opposition has now created. Anyone who understands—because I have already proven and I have already been convinced in my mind that he absolutely positively does not understand anything to do with how referendums are supposed to work—the second piece that proves that, is that anything in a referendum is supposed to be a question that is clear, short . . . as short and clear as possible and unambiguous.

The Leader of the Opposition in his haste to try and make the Government look bad and to try to score some cheap political points has now said that there is something wrong with the question. Listen to the ridiculous proposal that the Elected Member for North Side, the Leader of the Opposition and the entire Opposition Bench has come with: **“Do you support the introduction prior to the General Elections in 2013 of an electoral system of single-member constituencies with each elected member being entitled to cast one vote?”** What happens to the person who supports one man, one vote, but thinks it should come in 2017? Then should they vote “no” because of this ridiculous question?

What happens to the person who absolutely believes it but looks on and says, *You know what, I think the country may need to prepare itself.* A few weeks ago when the Leader of the Opposition did not think that the Elected Member for North Side and the Elected Member for East End were going to get any steam with this, was saying, *What I tried to tell them was that they don't understand the complexities involved with introducing this. I don't think that they understand how much time it will take to get ourselves sorted out to be able to introduce this.* He got up on national radio and said it because he was Leader of the Opposition and wasn't an invited guest to the press conference.

**The Premier, Hon. W. McKeeva Bush:** Yeah!

**Hon. Rolston M. Anglin:** So he gave them what the old people call a good little slapping up. Right? He took the Elected Member for East End . . . which we are used to down here. The public doesn't get to see it too often and not everybody listen. He does his usual thing, because he has to slap him up. You know, that Member for East End is really, really out of order. We saw it today, challenging the Chair for no reason. Out

of order completely! He doesn't understand anything to do with the Constitution, anything to do with referendum, anything to do with voting systems, but he believes he does, you see.

**The Premier, Hon. W. McKeeva Bush:** Who? The Leader of the Opposition? Or the man from East End?

**Hon. Rolston M. Anglin:** All three. But the Member for East End is who I was talking about at this point in time.

So, the Member for East End rolled out of bed, got up, followed the Elected Member for North Side and the Leader of the Opposition had to go on national radio and slap him up.

**The Premier, Hon. W. McKeeva Bush:** And made him know he was a swashbuckler!

**Hon. Rolston M. Anglin:** He slapped him up and he said, *Look folks, I don't think the Elected Member for East End understands what's involved with single-member constituencies and what it takes to bring it into effect.*

So you see, quite a few people would have heard the Leader of the Opposition say that and quite a few of them called me that day. They said, *Did you hear that? I kind of think I like one man, one vote, but the Leader of the Opposition made some sense. I don't see how we can do it that quick. That's quick! How can we rush it? This is a serious thing. This is changing our voting system. So let's get it, but I think he may be right. I don't know how we can do it. May 2013 is a short time away.*

So now, they are going to bring such an absolutely ridiculous amendment and proposal to this House to say, **“Do you support the introduction prior to the General Elections in 2013 . . .”** What does prior to the General Elections of 2013 have to do with “let's get the answer from the people”? Do you support it or not? Let's not confuse this question so that people can be all over the place and now have to decide, *Well, I want it; but I don't know if I want it prior to General Elections 2013.* Okay?

We need to be careful. We need to think these things through. We need to be more sober minded. We need to stop playing these little cheap political games for our own political gain. It's funny, sometimes when we plan and plot and we put the pen to paper there is someone higher above and we don't even realise that we are just tripping ourselves up. This is an absolutely rubbish amendment. Rubbish is what it is, Madam Speaker. Rubbish!

The Government has committed that if the referendum passes we are bound by the resolve of the people and if they want it they will get it, and, God willing, they will get it in May 2013, period. Now, how ridiculous would a Government be . . . the Honourable Premier has gotten up and stated that publicly and in

this House. Does the Opposition think that we are so silly that we would get up and say that just to give them another issue in 2013 by not introducing it? To turn the people against us?

*[inaudible interjection]*

**The Premier, Hon. W. McKeever Bush:** *[Addressing inaudible interjection]* That's what you would like!

**Hon. Rolston M. Anglin:** Come on. These guys really, really . . . as they would say, true. What we heard around here today; did this past the mark? Madam Speaker, they are absolutely past the mark. I think that they . . . anyway. Let me not say any more about what I think.

Madam Speaker—

*[Inaudible interjection]*

**Hon. Rolston M. Anglin:** No, no, no.

*[Inaudible interjection]*

**Hon. Rolston M. Anglin:** He said, not yet, not yet.

**The Premier, Hon. W. McKeever Bush:** Don't pay any attention to them.

*[Inaudible interjections]*

**Hon. Rolston M. Anglin:** Well, I know one thing. The hole that the Leader of the Opposition has dug for himself over the last few months with this issue, I couldn't dig any hole, Madam Speaker, any deeper or any wider. Could not, Madam Speaker.

*[Inaudible interjections]*

**Hon. Rolston M. Anglin:** Madam Speaker, let's get to the crux of this matter, because it is not lost on me that while there may be some genuine people who are involved with this movement, there are people involved with this movement simply for the sake of politics. They are involved simply because they think somehow that this is going to be the way for them to break up our team in West Bay.

Now, Madam Speaker, here is what I would offer all of them to do. I am not even going to give them the information today because they are supposed to be research-type people. If you are going to be involved in this type of issue you should be people who like to research and read. What I would invite them to do is to go onto the electionoffice.ky and go into the section "election results." Then I want them to go to the district called "West Bay" because that's the hot topic now, West Bay. *Yeah, we got to go down there and break 'em up.*

Then I want them to look, because, interestingly in the 2009 elections, we voted and people were organised in their polling divisions along the lines of the Boundary Commission's report. So, the people already got a preview into what an election could potentially look like (results that is), if we had single-member constituencies. So, what I want them to do is go and look at the result for the Fourth Elected Member for West Bay in every single one of those single-member constituencies and you will see that he was fourth. And he was fourth by a safe margin, in not one, not two, not three, but all four single-member constituencies as proposed in the district of West Bay.

So you see, Madam Speaker, somehow or another people believe that the influence in West Bay is going to be ended if the Honourable McKeever Bush has to pick one area and run. Oh yes. Because according to them my result of 2,000-plus votes . . . oh nope, that's a fluke! Mr. Glidden's 1,800, another fluke; Capt. Eugene's 1,600, another fluke. What West Bay has is 1,600 people who just blindly go and vote for whoever Mr. Bush says to vote for. That's what they believe, they say. That's their logic. Don't they think that that logic would hold if those same so-called very blind people [voted the same] when Mr. Bush goes into West Bay Northwest and says, *Vote for candidate X*, if he goes into West Bay South, *Vote for candidate Y*, if he goes into West Bay East, *Vote for another candidate?* How does it change? That's the piece of this puzzle that absolutely evades me. The logic of it absolutely evades me.

How is that logical, that somehow Mr. Bush has this coattail that can sweep whoever he wants into office across the entire district but if he goes into a single area of West Bay now, all of a sudden, those people are not going to listen to him? Madam Speaker, the bottom line is that the last time we had vote counting centralised in the country by district was in 2000. In the 2005 and 2009 elections we voted in the individual polling divisions.

I happened to be the member on our team that volunteered to go around . . . I just love my numbers and I love being able to start making predictions based on the numbers. So, I went from each polling station. as I am allowed to do as a candidate. I got our counting agents to give me the updated results so that I could then make predictions well before the count was over. And what was interesting was that when we got our debriefing from our agents, what they were not more pleasantly surprised at was, yes, our party . . . in West Bay we had what is a bloc of voters, a bloc of supporters. They are from all over the district that are going to vote for us. They are going to vote for us for different reasons.

So, Madam Speaker, when I went around, yes, that was the same result that we heard. But then we heard about all of the different what we call "split votes," people who voted for all different combinations

of people. And what is a testament of the electability and strength of the four of us in West Bay is that we picked up such a high percentage of those split votes. That's where you individual . . . if you want to start and try to measure now, take your bloc away. How strong are you individually?

But just remember (for those who don't understand anything about politics but believe they do), the bloc is going to be there whether you are a wide open district or you are in a sliced up district. The people in Northwest Point that support me are still going to support me. And if it is someone else running in that district, when I go into that area to campaign (as I will) they are still going to support whoever I am asking them to support. That's what happens in single-member constituencies.

In the last election, do you think both parties went into each other's' districts as a group just for fun? We did it because we understood that each of us has influence in other areas. And by showing our unity and our influence in other areas was how we got more and more people to vote for our candidate. And so, we clearly understand that there are many of these detractors who somehow believe that we don't have wide and deep support in West Bay. They really need to go and look at the election results.

If it was about being afraid, and if it was about being selfish, we would have followed the advice of the Leader of the Opposition and simply came and changed the Election Law. But, Madam Speaker, we have to look at the country. And we have to look long term. And we also have to not just think about ourselves. Of course, it would be very appealing, instead of having a district that is going to have around just probably over 4,000 voters next election, 1,000 per person if a referendum were to pass. Who in their right mind wouldn't rather have the security of a smaller area, a smaller number of people to represent, versus having to try and win broad based support? Single-member constituencies are great for candidates, great for elected Members. Absolutely positively great, because I have heard the experts say this is going to make you work harder.

I don't know. I mean I have really tried to wrap my head around this, and I have gone back to West Bay and thought about it. I have seen, as people come and knock on [my] door early in the morning, late in the evening, the emails from the constituency office, the texts, and the phone calls . . . I have tried for the last few weeks since I was on the CITN show about four and a half weeks ago, to take a step back and say to myself, *Have I really gotten this wrong? Let me see. Let me monitor what happens on a day-to-day basis.* And then try to imagine how having to represent a quarter of West Bay was going to be harder than representing all of West Bay. I can't get it.

It is those experts who are not in the House that know all this stuff because apparently they know the day and the life of an elected Member. Now, I

don't know, because I have not been to their meetings and I haven't been privy to their meetings. I don't know if the Members of the Opposition who are from multi-member districts have actually been telling these people this.

Now, I can understand the Elected Member for East End and the Elected Member for North Side who know no better when telling people this, because they only know the life of existing in a very small district. But surely, I cannot believe that the Members from the larger districts could ever be telling these people that having, firstly, to attract and get a wide cross-section of people to vote for you, that that's more difficult than going into a narrow area. And that having gone through the election, then having to represent an entire district is somehow easier than representing a slice of your district. I certainly hope that the Members from multi-member districts haven't been telling that. Because the one thing that we all know from multi-member districts is that after the votes have been cast and the elections are over, everybody voted for you.

Madam Speaker, I have found very few people in the district of West Bay that did not support me. Very few. In 2000 I got around 1,000-and-something votes, representative of about 48 per cent of the votes cast for that year. But after the election I could have sworn I should have gotten around 2,000 votes, according to the number of people who told me they supported and voted for me.

In 2005 I got more votes. Even more people said that they supported me. In the last election the same thing; I got what equated to 60-something per cent of the people who were eligible to vote voted for me. But everyone that comes tells you that they voted for you. And we understand that piece of it and the humanity of it. So, somehow on God's earth the people who are involved with this petition somehow, from what I can gather, are either lying to themselves and the public or they actually believe this. Somehow they actually believe that you work harder by representing a smaller piece, less people. And somehow that's harder to get elected.

Madam Speaker, I don't know where their research has been done. I think it's probably been at the back of some smoky room with the Opposition. That's what I think. I think that all of this must have come from that sort of setting. It couldn't . . . it had to be, Madam Speaker. It could never, ever have been that this was done from thorough research.

Madam Speaker, there are many, many opportunities for the public to do quality research on this issue. What I can tell you, Madam Speaker, is that all authorities as it relates to elections and election systems, clearly come to the conclusion that when you move from multi-member to single-member systems, you are setting the country up for two parties to dominate.

This is the second lie that has apparently been told to these people, because I hear this a lot too . . . *oh yeah, this could be the panacea for unna two parties because l-o-a-d-s of independents would be elected now.*

**The Premier, Hon. W. McKeeva Bush:** Yeah. Right!

**Hon. Rolston M. Anglin:** Apparently, these unelectable independents who can't go out in the district of West Bay, George Town, wherever and get enough support, can apparently now run in a smaller area and get these votes. So, let's see how this is going to work.

If this referendum were to pass we are going to have some 16 single-member districts, constituencies (different terminology is used in different countries). I don't think that the Honourable Leader of the Opposition can leave any school uncovered when he leads his charges. I think he could be going into all six of the areas of George Town. I think he is going to go in there and try to get them to support his candidates, every single one of them.

**The Premier, Hon. W. McKeeva Bush:** They are going to run him out of some of those areas, though.

**Hon. Rolston M. Anglin:** I know that we are going to be going, God willing, into every one of those districts, just as we did last election, and try to get them to support our candidates. We are going to be playing on the support base we have and build on with that silent group in the middle that determines most, if not all, General Elections in every single country.

So, Madam Speaker, this other fallacy that has been spread by these well-meaning people is really sad to see. Let's wait and see what the majority of people say, but I believe a lot of them are going to be mightily surprised at what will happen in a General Election under single-member constituencies, single-member districts of what you want.

As John Kilcullen has said, **"With single-member constituencies a 'gerrymander' is possible. That is, the party in power may draw the electoral boundaries so as to create some constituencies that are very safe indeed for the other party, so that some of that party's support is wasted, while making their own safe constituencies only moderately safe, thus maximising their own vote in constituencies that are winnable but not safe. In a gerrymandered system a party can win a majority of seats with less than 50% of the total popular vote (i.e. the vote of all the people, totaled over all the constituencies)."**

Madam Speaker, this change isn't just about 2013. And I hope that the people involved with this process are sober enough, care about this country enough, understand about this country, are mature

enough, have enough experience under their belt to understand that this is a generational issue. This is an issue that is going to impact this country forever and a day. So we need to be most careful.

It is all good and easy to say that a system is used "everywhere else." And then you start naming those countries included in "everywhere else." They will jump up and say the Bahamas, Barbados, and use all these countries. They'll say, *See? They have it, why shouldn't we?* I grew up being taught that just because you see somebody else with something doesn't mean it is good for you. I know that there are those who will want to turn off and zone out and not listen to logic. But, by God, I believe still in this community that more Caymanians than less are willing to listen to all sides.

One man, one vote isn't about PPM or UDP. One man, one vote is about Cayman, the Cayman Islands. One man, one vote is about unity. Or is it about division? One man, one vote, Madam Speaker, is about where our country will go from here.

Let us take a quick look. Buzz words: accountability. First of all, for me to want to change anything (and let's say our voting system) I would want to see a good business case for change. What is the case for change? Let's take a look at our system and see if we can really develop a case for change. Accountability: Does our current system of voting engender accountability and result in accountability? Well, last time I checked, in the last decade and a half here is what happened with this system that some would want us to believe is so broken, so awful and isn't working.

Going into the 2005 General Elections the UDP Government was in power. We had four members in West Bay, two in George Town (the PPM had two), we had two in Bodden Town (PPM had one), the PPM had one in North Side, and the PPM had one in East End. We had two in Cayman Brac and Little Cayman. In 2005 there were 13,118 voters. Of them, 10,330 showed up to vote—around 80 per cent.

After that election the country decided that we would have four UDP in West Bay, four PPM in George Town, three PPM in Bodden Town, one PPM in North Side, one PPM in East End, one PPM and one UDP each in Cayman Brac and Little Cayman. And the People's Progressive Movement came to this side of the House. We went to that side of the House. It changed the power in the country.

Then in 2009 we had 15,361 voters. Of them, 12,204 came out to the polls; again, another 80 per cent because we have this real weak democracy. This democracy of our is so broken and so awful, according to these people who have done so much research internationally and so much research locally. Well, here is what the people said then: four UDP, West Bay; two UDP George Town, two PPM George Town; two UDP Bodden Town, one PPM Bodden Town; one

[independent] . . . well, I don't know if you can call him independent, but let's go with what he calls himself. One independent North Side; one PPM East End; one UDP Cayman Brac and Little Cayman; one PPM [Cayman Brac and Little Cayman].

And then another thing happened. It meant that the UDP took this side of the House and these benches; it became the Government, and the PPM became the Opposition. What a broken democracy we have, Madam Speaker. We have a system that is getting 80 per cent of the people to come out and vote. We have a system that for three consecutive General Elections we have seen a change in Government. We have a system that we have seen change in membership in districts, yet they try to say somehow that we have a broken democracy and we need to fix it.

I say, on the business case for changing our voting system to anything, that on accountability it fails miserably. Is it better representation? They say that what's going to happen is (this is the story in the one man, one vote petitioner's dream world) that they are going to get better representation. Well, the last time I checked, hundreds and hundreds and hundreds of people see the Premier, see me, see Mr. Glidden, Mr. Ebanks, Ms. Juliana, Mr. Tibbetts, the Leader of the Opposition . . . because, you see, it doesn't matter what side of the House you're on. Once you are a Member for a district, people are going to come out to see you. All of my colleagues, Minister Adam, Minister Scotland, Mr. Solomon, Mr. Seymour, just ask them about the pressures and rigours involved with being an elected Member in a small island like this.

We have the weight of our entire district pouring down on us and we serve them. We have had six new Members this time (or there about). We had about the same amount of new Members last time. That must mean that people are getting good representation. Why else would you have this large number of people continually being sent to this House? It could never be that group that started the one man, one vote, who are Caymanians, think so little of the rest of Caymanians that they believe that Caymanians wouldn't change all of their elected Members in every district if they weren't getting good representation. Madam Speaker, we have a system that produces good representation. So it fails on the representation point.

So, what I can safely say is that in the business case for one man, one vote, single-member constituencies, in my opinion it fails on the better representation test.

They talk about equality. That's the big word. Apparently I happened to be fortunate enough to have an address in the district of West Bay. It means I am superior to the Elected Member for East End, and I am superior to the Elected Member for North Side because I have four votes. That's what they say. This is about fairness, they say; this is about equality.

Somehow or another some Caymanians are less equal.

Let's break that argument down and let's think about it carefully. Under one man, one vote, single-member constituencies there would not be an entity called the electoral district of George Town. But there is going to be a district called George Town. That district called George Town is the capital of the Cayman Islands. Whether we have one man, 1 vote, ten men, 10 votes, ten men, 1 vote, one man, 15 votes, change the system how you want, you are going to have a district called George Town. That district is the capital of our country. As long as the district of George Town has the population size that it has, the district of George Town is going to have more representatives in the House than North Side. George Towners are going to be more equal than North Siders. They are more equal because they have more people.

Until North Side gets 3,000 voters they will not be as equal as West Bayers. Until we get 6,000 in West Bay, we cannot be as equal under the proposed system in numbers, as the number of people sent to this House. Okay?

Big districts in all countries are more equal than the small districts in our style of democracy. Plain and simple! George Town, by nature, has to have more members than North Side. Okay? So, this whole business about fairness and equity is another fallacy that the Opposition has conjured up, in that dark smoky room that all of these great and novel ideas seem to be emanating from.

Madam Speaker, what the next level of discussion is about, apparently, is that there are those who say, *Okay, George Town, you have more members. But do you know what we want to do with you? We want to tell you how you can elect those members. We want you George Towners to divide yourselves up, get your candidates to each come to one of those divisions, they're called constituencies in our proposal, and we want you to go to the polls and just vote for one of them, because that's what is going to make you more equal. That is going to make North Siders more equal to you. That's what's going to do it. That's the trick.*

*That's the trick. That's what's going to make our democracy way better. We are going to have a superior democracy. Yep. What we need to do now is those districts that are more equal than the small districts, we are going to divide you up, and by dividing you up that is what's going to be the thing that pushes us forward in democracy and lifts our democracy and really makes us be a real robust and thriving democracy.*

Madam Speaker, in my humble opinion, this whole issue of equality . . . the business case fails miserably on that too. Miserably! Absolutely miserably!

Madam Speaker, whenever we are going to change or, rather, whenever we are going to look at

alternatives, the country should always look carefully at the point in time. First of all, look at your circumstances. Just because the Bahamas, Bermuda, Jamaica, Barbados, England and Canada have a particular style of voting doesn't mean it is better than mine and that we should change ours. We must look at our circumstances and then make a sober and clear judgment and say, *Okay. Based on our circumstances should we change it?*

I know. But you see, a lot of people in this House don't want to talk about the real social issues that exist in the country because they are afraid you know. They don't want to upset anybody's apple cart because if you want the Jamaican vote, you want the English vote, you want the American vote, you want the Caymanian vote, you want this vote, you want that vote. Madam Speaker, one thing that's inescapable is the point in history that we find ourselves at. It is inescapable. None of us can get out of that.

For whatever reason, through the 1980s, the 1990s and up until 2001, when the first quota was set in many, many years in this country to allow people the grant of Caymanian status other than through two very narrow routes, it was set. I sat on the IRT [Immigration Review Team] and the Leader of the Opposition sat on the IRT. He knows as well as I do that there were some 10,000 people who we as a community welcomed in. They came, they worked, some have been married, some had children, and they lived and worked and had their being in our midst. And the number grew to somewhere around 10,000 having been in the country for more than five years.

There was no natural rollover. It wasn't happening naturally that people were coming to spend a few years in Cayman and then returned back home or go somewhere else. No. People liked this little country—not surprising—and stayed.

We also had, I think 700-plus who had been here over 25 years. If memory serves me correct, it was over 1,500 that had been here between 20 and 25 years. I think there were around 3,000-something from 15 to 20 years, and then if I remember correctly, it was close to 2,500 that had been here 10 to 15 years. In total, of the 10,000 or so that had been here over 5 years right around 50 per cent of them had been in this country for over 10 years. So, Madam Speaker, we have to understand that whenever we are going to look at the fundamentals of democracy, we must look at our current circumstance and think clearly whether or not those other countries that adopted one man, one vote had anything similar to the social makeup and circumstances of this Island.

I'm not a betting man, but if I were, I would be willing to wager that if in the Bahamas, Jamaica, Barbados, Bermuda, all these countries that love to be touted by these experts on social development and history, these experts on election systems, I would be willing to bet that if any of those countries had the

same societal makeup and circumstance as we find ourselves, they may have very well adopted a slightly different voting system.

#### Hour of interruption—4.30 pm

**The Speaker:** Minister for Education, can I just interrupt for a minute?

We have reached the hour of 4.30. I need a motion to continue please.

#### Suspension of Standing Order 10(2)

**The Premier, Hon. W. McKeever Bush:** Madam Speaker, we intend to finish the Bill tonight. Therefore, I would like to continue after the hour of 4.30. So we move the suspension of Standing Order 10(2).

**The Speaker:** The question is that Standing Order 10(2) be suspended to allow the business of the House to continue after the hour of 4.30. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Standing Order 10(2) suspended.**

**The Speaker:** Minister of Education, please continue.

**Hon. Rolston M. Anglin:** And so, Madam Speaker, when we look clearly and soberly at the point in history of this country, I think all of us would agree that what is better democracy is for candidates to have to run in districts and win broad-based support from every socio-economic group, every group of whatever background they are. Because right now in George Town you can't get elected if you are not getting the Jamaican vote, the English vote, the American vote, the Caymanian vote. You have to get all those votes to get up to those numbers. All!

Let me ask, Is it better democracy to have to go out and appeal to the broadest possible base of people to support you and get elected than to have to go and potentially have to get very narrow pockets of support? Which one is better democracy? Which one causes a better House? Which one causes better representation?

You know, I don't know how they were convinced, but I do believe that many people on this one man, one vote train were led down the path without understanding. I bumped into one yesterday, as I was . . .

*[Inaudible interjections]*

**Hon. Rolston M. Anglin:** Okay, I . . .

*[Inaudible interjections]*

**Hon. Rolston M. Anglin:** Madam Speaker, I had an occasion to converse with a young man from the district of George Town. When I got to just that last point, he looked at me and said, "You know, I wish I had spoken to you before I put my name on that petition." He said, "Now I am starting to understand why you don't support this." He said, "That's a very important point." He said, "Of course I want my elected members to have to win support from everybody in every district."

Now, the Premier mentioned another point that the other side isn't going to want to talk about, because they don't want to talk about that, you see. They are afraid now that they are going to upset one voting group and lose some votes. And remember now, they are on the train that says, *We do everything possible to become the government. We don't care what we have to do.*

As the Leader of the Opposition said, the Elected Member for North Side is a swash buckler! Now this is a public record, Madam Speaker. In the <sup>1</sup>[Journal](#), he is quoted as saying that he is not a swash buckler like the elected member for North Side, who goes out on 10 per cent truth. So, you see, what has happened here is that the swash buckler happened to converse with the Member for East End, and they are both from very small districts, and they went with 10 per cent of the facts with one sexy little argument, *Oh, equality. See, we from North Side and East End, we so poor; we not equal to the rest of you all. Make us equal. Make us equal*—and have convinced quite a number of people.

But I believe that even the people who have signed this petition, once they start to understand the real issues that run to the core of changing our voting system, especially at this point in our history, would clearly agree that this is no time for us to be changing our voting system that has served this country so well and given us a thriving, sound democracy where in three consecutive elections we can have a government change, two consecutive elections 80 per cent. The election before that was over 75 per cent as well with a strong voter turnout, strong participation.

But, Madam Speaker, you see, it's according to the Member for North Side and the Member for East End that somehow people are not equal; that's their interpretation. This is not a reality, Madam Speaker. There is nothing real about it. This is all about their little imaginary friends and how they talk to that imaginary friend that sit on their shoulders each morning when they roll out of bed and say *I'm not equal, I'm not equal, I'm not equal.*

The other issue, Madam Speaker, that they do not want to talk about—and will never get up and talk about because they don't believe in giving the people the facts, they don't believe in telling the truth. I said a long time ago they have a serious allergy to the truth. They have a serious allergy to the truth on the Opposition benches.

The Honourable Premier spoke about a fact of life in his debate. Once you start dividing this country it is a fact of life that you start to concentrate power, and concentrate influence in different hands. And one of those hands is the criminal element in this country. Right now in the districts of West Bay and George Town we're big enough. We don't have to "deal with anyone." We have gangs in this country. We know it! We can ignore them. Any influence they have is completely diluted.

What I can say is that as proposed, and you can't get away from this because you can't put a little circle around the houses you think are gangs and say that those people can't vote, because they have to vote too. And so, because they have to vote, as long as they are not incarcerated in Northward Prison, they are going to be in constituencies. Whoever winds up in the constituency that would contain, as the Premier said, Logwoods (for example, in our district), what do we honestly and truly think? I'm not saying it will happen in 2013, but long term, what is going to happen in this country? Who is going to be a person who can basically go to potential candidates and say, *Look, we have a lot of people that I have influence over, what are you going to do for me? I have lots of influence to bear.*

Do we honestly and truly think that gangs involved with drugs won't have influence in our communities? That they don't have influence today?

Madam Speaker, in my time in this House I have only heard of one rumour involving any district that said that they were supporters of a candidate, purported supporters of a candidate, who was having some very dubious behaviour with persons in a particular district who were known or strongly believed to use illicit drugs. And it wasn't West Bay. It wasn't George Town. It wasn't Bodden Town. It wasn't North Side, and it wasn't the Sister Islands.

**The Premier, Hon. W. McKeever Bush:** Oh-oh!

**Hon. Rolston M. Anglin:** And let me just say that I personally . . . I can say . . . I mean, let me make it clear. I don't believe any of the rumours, because I know what politics brings. Politics bring lots of rumours. They talk all sorts of stuff and manner of evil about anybody who puts their hat in the ring. I know that. Whether they are PPM, Independent, UDP, any of us brave enough to put our \$1,000 up, they are going to say all manner of evil about us.

But what I can say is, isn't it funny that there is all sorts of talk, you know, about the bigger districts,

<sup>1</sup> "A dinner conversation with Alden McLaughlin," *Cayman Islands Journal*, 7 March 2012

now about the fridges, this that and the other, all I can say is in a district our size, you better come from some pretty serious wealth if you can buy a fridges for every vote that you get. Imagine poor little me, from North-west Point, son of a painter and a maid, being able to get fridges for 2,000-plus people. Boy, I would have had to have had some serious cashy!

So, Madam Speaker, let's throw that foolishness to the side because all of us, when you get in this thing called the House of Assembly, every one of us, and I have said this many times in this House, every one of us helps people. Every one of us helps people. That's a part of our job. Right? We help people. Well, Madam Speaker, I can say that no such rumour erupted about any other district.

As I said, I don't believe the rumour. I believe it was absolutely false and it was just that, people just trying to spread stuff about people because they ran. But isn't it funny that that would be the only district that a heavy rumour like that would come out of? Why? Small. People are trying to say that in a small district that could have made a difference. They know it couldn't make a difference in George Town. It wouldn't have made any difference in Bodden Town, West Bay. It wouldn't. The numbers are just too big. The numbers in our districts are too big, too large for anything like that to cause a material impact on the result of a General Election.

What I can say is that as I picture my district of West Bay, and I picture a constituency that has just 1,000 people, and I picture a PPM, a UDP candidate, and I picture one or two Independents, a thousand people. Let's say that each of those [candidates] can garner 100-plus votes. All of a sudden, whoever is going to perhaps stoop to the lowest common denominator is who is going to win. Is that what our democracy is supposed to be about? Is that better democracy? Is that the better voting system that we want? That's what we want to create for our country? That's what we want to create for our children and grandchildren?

Madam Speaker, you know, there is theory and there are theoreticians, and there are practical people who are willing to look at the theory, look at the circumstances and make a sober judgment. I do not believe that anyone being honest and true to themselves can look at our community and our country and believe that one man, one vote single-member constituencies is the best thing for us to do. I do not believe there is a compelling case to be built and made for changing our voting system in the first place. But let's just go with the theoreticians now, because all of them that I have ever encountered, the most rabid of them, when I give them the facts they quickly say, *Okay, okay, you're right. All that is true; people turn up, we change government, we got accountability, yes, you have to be a good representative to get all*

*those votes, but one man, one vote is more equal. That's the best way.*

You see, they come back down to this little fundamentalist type argument, right? If any of them are going to be willing to still say that given some of the inherent risks to our democracy that's what they want to do, then I don't believe they are good Caymanians who want the best for this country. I don't believe that they understand much about humanity. I don't believe that they are doing what's best for our children and grandchildren. That's a strong statement, but that's how I honestly feel.

Now, the last thing I will mention on this whole little issue about potential social impact. You see, people from outside Jamaica like to come up with this thing of, and I hear them: *Oh, what ruined Jamaica were corrupt politicians.* Apparently, the poor country of Jamaica got nothing but a whole slew of candidates that were all corrupt. So when the people went to vote, whoever they voted for, you could just end up having a corrupt government and that's what caused the place to decline from its hey-day in the 50s and 60s to now.

Madam Speaker, that is absolute rubbish. Rubbish! What did happen? Just like it happens in the United Kingdom and other countries, because we try to pretend like these other countries don't have real garrison districts or strongholds as we . . . you see, the UK likes to call it these nice fancy words. What they say is that you have a "Labour stronghold," a "Conservative stronghold." But what makes it a stronghold? What is it that creates these safe seats, that you go into every election and you can look for decades and Labour has won a seat in a particular constituency in the UK for decades; the Conservatives have won a seat for decades. What is it that causes these safe seats?

There are many, many issues. Some may be because of trade unions, and one may be a real trade union area and whoever is the union man and the union supporter can win the support. Yes, you have those types of circumstances. They have them in Jamaica and other countries too. But, Madam Speaker, when you take these small communities like ours, and let's just face it. Jamaica with two million people—much larger than Cayman—is still a small country. The entire English-speaking Caribbean is a small country. Add us all up and we're small.

Yet we try to take all these systems from the big countries and believe somehow that we can just transport them in, plop them down and they are just going to work seamlessly. Madam Speaker, small constituencies were created and you had these different people that were involved with different activities having some very significant influence. If they had significant influence, well, they had a preferred candidate and they strongly encouraged their neighbours to vote for their preferred candidate. So then you get this

negative connotation about “garrisons” and these “garrison” constituencies.

Madam Speaker, somehow, somewhere the theoreticians don't see the same humanity that I see. They certainly must not recognise all the possibilities that exist, not just in 2013, or 2017, but let's think long term of what we are going to do and what we can do in our community, and what we can do to our strong democracy. I say, Madam Speaker, that we should be looking at ways of having a broader base to draw from to really create strong accountability so that people understand that it is about national representation when we come to this House. We don't have any local government in Cayman. This is it! The buck stops with us. We are all national MLAs, and we should have the pressures of the biggest possible block of voters bearing down on us because the truth is that on an island 22 miles long whatever I do and say in here should be about what is the best for all of those vast 22 miles and that vast 8 miles wide on Grand Cayman and even smaller on Cayman Brac and Little Cayman. We should have all of those pressures to bear on us because we are so small that everything that we do will inevitably impact the vast majority, if not all, in every square inch of these Islands.

I don't believe that there is a business case for changing our democracy. So, the Leader of the Opposition was right on one point today, one. I listened carefully and of all that clatter and noise that he made he was right on one point. It is odd for a government to bring a referendum and for it to not be an issue that the government supports. But, Madam Speaker, there are many counties in the United States that have brought referendums where the individual county commissioners, et cetera, are not supportive or they are split on [both] sides of the issue. So just because the Government is bringing it does not mean that it has to be an issue that we want passed. What we want is 15,000 people to show up and vote “no” because we believe this is not something that is good for us, it is not good for our democracy, it is not good for our society and it's not good for our future.

But, just because that's our feeling we were not about to sit back and ignore the people. We are giving the people their voice. And if the people so chose, then all of us will gladly ensure that the Boundary Commission does the work it needs to, the Elections Office does the work it needs to and we'll all run in those districts. But we don't believe it's right; plain and simple.

I would say to the Leader of the Opposition that perhaps he should be commending the Government for bringing forward an issue that it doesn't support, but is still bringing it to the table for the public, because that is the essence of democracy. In this instance it's a matter of national importance. It is not obvious just from soundings that we take in here where the majority is. You ask them, they say the majority is for; you ask us, we believe there is a silent

majority that is going to show up and vote “no.” So neither side is willing to relent. When the House can't decide and can't come to a consensus, then that makes it an issue that we should take to a referendum.

That's what the Government is doing. We are taking an issue that the House cannot have any consensus over and letting the public tell us what their view really is. So, I say that this is a good thing for us to get that sort of sounding. It's not scientific, it's absolute. Scientific is when you go through some sort of polling. This is an absolute sounding. We are going to the polls and letting the people decide.

We also know that this has really been a boiling issue over the last decade that has had different peaks. But it's been a boiling issue since the 2001 Constitution Commissioner's rounds and report. And we also know that Cayman Brac and Little Cayman have been seen as outer islands with a very, very peculiar set of circumstances. So much so, that all of us, when we negotiated the Constitution gave a specific carve out that Cayman Brac and Little Cayman shall return two Members to this House. If in 50 years' time the population of the district of West Bay shrinks and people move up to East End and East End has all the people, then East End is going to get the Members. West Bay has no such guarantee. West Bay seats in the House are going to be determined on its population.

We recognise that Cayman Brac and Little Cayman were such a unique district for us as a country that we have given them as a minimum two seats, constitutionally guaranteed, irrespective of population size. If their population grows then, naturally, they could get more seats. But at a minimum they get two seats on Cayman Brac and Little Cayman. And it was clearly demonstrated to Constitutional Commissioners and Electoral Boundary Commissioners, that the view of the Sister Islands in regard to one man, one vote single-member constituencies, was also very unique and that there was much concern for many reasons as to why it might not be to the betterment of the district to divide it into two different constituencies.

And the Government is cognisant that we have to pay due cognisance to that fact. And we have one of our colleagues, the Honourable Deputy Premier, as one of our elected Members from that district. In carrying out her responsibilities to her district she has to pay attention to what her people are *on record* as having said. Right? The rest of us may say that we think our districts lean this way or that way on this issue, but the Constitutional Commission and the Boundary Commission in two consecutive times around have noted that the people of Cayman Brac and Little Cayman have some serious concerns about the voting system and which way it should go.

So to that end, just as we did in 2009 when we came back from London, and like despite what the Leader of the Opposition got up and said this after-

noon, we in the party decided that from then, constitutional matters were going to be a matter for our conscience. Individual Members would vote their own conscience on those issues. And I believe that as we mature as a country, as we mature as a party, that it is very important for parties to start to decide what issues are not, as they would say, the bigger country's subject to the party whip, and we have taken the constitutional issues and said it would not be one within our party that would be subject to the party whip. No pressure is going to be brought to bear internally from any party whip or otherwise on Members as they vote on these issues. And that should be the case, Madam Speaker, because ultimately that is singly one of the most nationally important issues when it comes to our legislative framework and how we run our country.

So, Madam Speaker, the lady Member for Cayman Brac and Little Cayman, having expressed her views to us in our caucus, enjoys our full support in caucus, and, indeed, in the party, in the position that she has taken.

**The Premier, Hon. W. McKeever Bush:** [*inaudible interjection*]

**Hon. Rolston M. Anglin:** And true, the Honourable Premier has also reminded me that we noted that point in Cabinet when we were discussing this as well because we want to ensure that she clearly understand that we understand the peculiarity of her district. We understand the sensitivity of her district and the issues brought by her people. So, we fully support the position that she takes on these matters. She is fully on board with the Government and continues to be a key and important Member of the Government. But this is an issue that she has to go back to her base, that is, her people, and the views of her people. So, we fully support that.

Madam Speaker, I certainly hope that as both sides go out now to campaign on this issue that we would be a little more careful, that we would be most careful, in fact, to be responsible elected Members of this House. It is quite cute and convenient for the Leader of the Opposition to get up and talk about, *Oh, we should all just be getting up to educate*. Yes, we should be getting up to educate but the public expect us to have a view and an opinion. And that is just what we are going to do as Government; we are going to educate and we are going to show the reasons why we take the position we do, but ultimately, it will be left in the hands of the electors of this country.

Madam Speaker, the last point that I want to address, which was raised by the Leader of the Opposition, is that when he made his veiled threat . . . and that's his usual style, you know. His style is about challenging and going into the streets with marches, walking out of the House. You know, I think he's on record now as being the most frequent Member to

abdicate his seat and responsibilities on purpose when the House was sitting.

**The Premier, Hon. W. McKeever Bush:** [*inaudible interjection*]

**Hon. Rolston M. Anglin:** I mean, he certainly is on record, I believe, as having a record for that. So that's nothing new.

But he, of course, makes his threat that they have taken advice from people and that they may very well just challenge the whole process. And of course, Madam Speaker, as I listened very carefully to the Leader of the Opposition in his time having taken up that post, the more I listen, the more I am convinced that he is a wholly inappropriate person to hold that current position and will be a wholly inappropriate person to hold the position of Premier in this country.

I say that because I do believe that he would want to challenge, and would lead a charge to challenge this if it fails, because he would stop at no ends to get power in this country. No ends.

**The Premier, Hon. W. McKeever Bush:** Oh yes! Power hungry!

**Hon. Rolston M. Anglin:** And so, Madam Speaker, it matters not to him what damage that would do to our democracy or to our country or our Islands. He would do it if he believes there is a vote to be gained. If it can be a strike at the Honourable McKeever Bush he would do it. He doesn't care what it is, once it can be against the UDP, but, more importantly, against the Honourable McKeever Bush.

**The Premier, Hon. W. McKeever Bush:** Yes!

**Hon. Rolston M. Anglin:** He's the first one; head of the class.

**The Premier, Hon. W. McKeever Bush:** That's because he is married to my cousin.

**Hon. Rolston M. Anglin:** So, Madam Speaker, I heard him lay a charge, and this is one that all of us need to put on record and, as Government, we are committed to finding out if there has been anything inappropriate in the Elections Office or any wrongdoing, because that's what he charged.

He said that there are people who legally are entitled to be on the voter list but, after having attempted to get on, have not been allowed to register. I wrote down his words as he said them. That's a very serious charge to make.

Now, Madam Speaker, I find it rather irresponsible of him, though. And if that's the case, why would it be that he would pick today, of all days, to make such a serious revelation? You are going to tell

me that as an elected Member of this House, irrespective of position, that if you found that out you shouldn't be making noise about it? Even if you don't want to come to the Government, even if you just want to oppose for the sake of opposition, that should be something that he should be marching up and down the streets about, if people can't get on the voter registration list. That is a serious thing, Madam Speaker.

You hear about striking at the core of our democracy. Any person who is eligible to be on your voting register in any country must be put on. Must be! Otherwise, how can you exercise your democratic right? How can you continue to have a strong democracy? And he has certainly not officially lodged anything with the Government. So I don't know where he has taken this complaint. But I suspect that he hasn't taken it anywhere. I suspect that it's one of those that, again, didn't really care about what was happening with the people, just picking the right moment. So the right moment was today to mention that. No care for the people. No care for democracy. No care for rule of law in the country. He really only cares about political advantage, so, he can go ahead and challenge. I don't know what he is going to challenge. He can challenge all he wants. The people of this country are going to be given the opportunity to vote.

Now, if after they vote, if they vote and don't support one man, one vote, I would love to then see the Leader of the Opposition go up and challenge the majority of this country to tell them they were wrong. I would love for him to do that. But, you know, he's been a part of these sorts of things in the past. Look at the last election and what happened in Bodden Town. You see, he ultimately likes to call the Government dictatorial. Just look at his behaviour. Just look at the way in which he carries himself and disposes of the duties of his very, very responsible office.

Madam Speaker, the Bill enjoys my support. I am happy to be a part of a Government that is going to be bringing a referendum to the public for them to make a decision on. In fact, Madam Speaker, it is a first stand-alone referendum in the history of the country. So, I am very happy to be a part of a Government that is facilitating that and doing it.

Madam Speaker, I look forward to the public discussion that's going to take place. I look forward to the campaign that we are going to have to go on. And we will spread our message with every bit of vigour as those who support this. I pray to God that those who support it will really stop and think. And this isn't all of them, but many of them, really, first of all, reconsider their position and think about this country and put it first. I would hope that they would start to understand that this isn't just about theory; this isn't just about looking at the neighbour's backyard and saying what's working for him. But this is looking clearly at our own circumstance, our own country, our own society, our own social makeup, our own size. Taking all of those

things into consideration and then thinking it through and coming up with a position.

I hope, I pray to God that that's what happens. I also pray for those, some of those who are involved, even the smaller minority, who seem to really have a lot of venom. A couple of them spoke to me and it was like they were attacking me. I really hope and pray for them that they will start to understand what this big world is all about, what this big thing called governance is all about, and how important it is, and how important it is to all of us and our children that we start understanding. Taking a fundamentalist attitude about anything isn't very positive, isn't very healthy. It is much better to look, to research, to think and then listen to all sides.

I have listened to all sides of the argument and have come down on the side that tells me that our present voting system has served us well, will serve us well going forward, and that certainly, if we are going to change it, changing it to one man, one vote single-member constituencies is not the best thing and in the best interests of us, our people, or future generations.

So, Madam Speaker, I hope that my debate . . . I can't say it was short today!

**The Premier, Hon. W. McKeever Bush:** Short? When? Today?

**Hon. Rolston M. Anglin:** I hope my debate has been one that will go down in the records of the House as one that people will have listened to, taken some advice from and, hopefully, would have been helpful. That's what our debate should be about in here; being helpful to the national conversation. And this is an important one. Thank you, Madam Speaker.

**The Speaker:** Thank you, Minister for Education. I am going to call for a 15 minute suspension to give everyone time to stretch a little bit.

Proceedings will suspend for 15 minutes.

**Proceedings suspended at 5.09 pm**

**Proceedings resumed at 5.43 pm**

**The Speaker:** Proceedings are resumed. Please be seated.

When we took the break, the Minister of Education had just concluded his debate. Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]

Fourth Elected Member for George Town.

**Mr. Ellio A. Solomon, Fourth Elected Member for George Town:** Thank you, Madam Speaker.

As I listened to the Minister of Education during his contribution, I couldn't help but note all of the smoky rooms that he kept referring to. So, I can say to

you that intend to be very short and brief. But having heard all of the smoky rooms, Madam Speaker, I say with some degree of joviality that it kept me breathing very shallow. So just that as evidence I am not going to be very long in this discussion.

I will be like the Minister of Education, very short and very brief!

*[Laughter]*

**Mr. Ellio A. Solomon:** Madam Speaker, the issue as we talk about one man, one vote, I believe that as we engage in this public discourse it is important that we are fair to the members of the general public. I believe the way things have been conducted thus far, in my humble opinion, have not been quite fair, haven't been quite transparent. I heard the Minister of Education referring to the Leader of the Opposition, and other members of the Opposition, and he mentioned the words "educating the public." Madam Speaker, I humbly submit that I don't think there has been very much of an education process at all in terms of the issue of one man, one vote, or one person, one vote.

What I hear every morning is a bombarding on the talk show at every opportunity, at least, that the three Members of the Opposition can make in terms of saying that the country needs one man, one vote. And we heard one of those persons today even throw out again that every country has it, or that other countries have it, and if it is not wrong for them, why would it not be right for the Cayman Islands.

Madam Speaker, I want to talk a little bit, to very quickly help throw a wrench in another direction about national vote. I want to talk about it because I believe it will perhaps highlight a couple of things. It will make the point that I believe the Premier was mentioning when he talked about unity versus division. I will also highlight as just one example that we haven't really had a thorough discussion. It has been very limited, very myopic.

I remember watching a movie not too long ago. I think the movie was entitled the "Shawshank Redemption." In that movie there was a gentleman who had been in prison for such a long period of time (and I know it sounds difficult for us who are arguably free citizens to understand) that he found it difficult if arguably not impossible to even deal with the issue of being released from prison, almost to the point that he did whatever he could to stay in there. In fact, when he was released, no choice, had to leave, I think that actually ended in suicide.

Madam Speaker, I mention it to say let us look at the contrast and the difficulties how hard it is for some of us who are free to appreciate what it is to have to be and live a life in captivity and, likewise, some of those persons like the individual in that movie who had been captive for so long found it difficult to

understand and comprehend and to arguably deal with the stresses of being free.

Madam Speaker, it is the same way as I discuss today even the issue of a national vote. I am going to put forward at least two Members on the Opposition side who now live in a constituency where persons cast one vote because there is one representative. I find it also very difficult to understand what it is like to be in a constituency that casts votes for three or four persons, five or potentially six; and that likewise it might be difficult for those who live in multi-member constituencies who cast three, four, five or six votes to understand what it would be like to have a national vote.

Madam Speaker, when you take a trip around this Island and you talk to people, I believe there are some commonalities in terms of the complaints. There are commonalities where people say we want perhaps to hear less bickering, less fighting. We want to see people working together more. Some people even take that stance and remonstrance and resistance against the party which they blame as the individual, the group, the entity, the institution culpable for propagating that sort of back and forth. Where we may disagree on the latter, Madam Speaker, those are the sentiments that I hear being expressed by members of the public.

So, Madam Speaker, it has to cause us to question how it is that the public sends out a tone, a resonance that says we want less bickering, we want more working together, we want more unity, yet there will be some members within our society that would embrace the system which doesn't unify any more but only seeks to further divide. When I heard last, we have two persons in the room chatting, it could only get more chatting when you add five or six more. That's what it is. We are talking about introducing more division.

So, as we sit around the proverbial campfire let us ask ourselves, imagine what it would be like, because they talk about equality. And, Madam Speaker, I will mention up front that equality is something very difficult to achieve. I actually had a discussion with a young lady via BBM who was raising the issue about the one man, one vote equality. Look around in Good God's creation and tell me, even in that regard how many things you see that are equal. Just about everything has some similar traits, but everything is different. Everything is unique as we always say.

The commonality with humans, for example, is that all of us have life given to us by God and a right to that life. But in many respects, and in so many respects, we are all so different. I am sure I probably can't squeeze hands as hard as the Serjeant-at-Arms. And he probably can't run as fast as I can. That doesn't make him any less than me, and it doesn't make me any less than him. We're just different.

To even engage in an argument about equality is irrelevant, Madam Speaker. And that is Good God's creation. So the issue on national vote . . . imagine all of us asking ourselves whether the only way then to achieve this equality is to take away, strip away somebody's one, two, three, four votes, and to only give them one; or could equality not be achieved by saying I can give everyone in the country 15 votes, 17, 18, or 19, whatever that magic number will be that the Constitution today or tomorrow demands.

What prevents that? Nothing prevents it.

I dare say that in the short amount of time I am going to take, that I believe, even in that we can see a glimmer of hope that I think it offers the people of this country what I hear resonating from them. It offers them the solution to that particular resonance more than what we would get by dividing the country further from six into 18 pieces.

So, if we take down that route and allow our minds to wander and ask ourselves to let us look at it from a Representative's standpoint as to what has to go through the Representative's mind if he or she knows that the vote in Bodden Town may make the difference between whether he or she is elected just as well as the vote in George Town. The vote in Cayman Brac is just as important to him or her as the vote in West Bay. And that the vote in West Bay is just as important as the vote in North Side.

What difference would it make to the Representative? I dare say, Madam Speaker, that just that simple move of knowing that everyone could cast 18 votes, I dare say would make the difference that the Representatives would have to take a more national view of the country.

We hear the word "parochial" thrown around all the time. And to make sure that we can get that loosely defined at least: "parochial," limited in your thinking; only concerned about your little neighbourhood, your little constituency, your little precinct. Isn't parochialism what we're always trying to get away from?

Just that system alone would cause the Representative to know that every vote counts, and that when he or she campaigns it's not about three islands. It's not just six electoral districts; it is one unified country because every vote makes a difference between winning and losing. Therefore, if that is the case that the national vote would cause the Representative to think like that, at the minimum, Madam Speaker, I believe I have an obligation to stand in this honourable House and to raise it because all we are hearing is a one-sided argument. And even with that one-sided argument not all the facts are being presented.

What about the 18 votes per individual, the national vote? What about it from the individual who casts a vote? He or she knows that at the end of the day as they always say in this country, *I want to know that all of our elected officials are accountable to us.*

That's what I hear. And there are persons in this honourable House who have been alive longer than I have, but that's what I have heard in my 43 years, *All of them should be accountable to us; all of them work for us.* Well, all of us would work for you if it was a national vote.

At the end of the day it says that I cast 18 votes, played a determining role in whether he or she was elected and at the end of the day they are now accountable.

**The Premier, Hon. W. McKeever Bush:** That's a lot of votes though, Ellio.

**Mr. Ellio A. Solomon:** I hear an echo, Madam Speaker, "18 votes is a lot to cast."

Madam Speaker, let me point this out.

**The Premier, Hon. W. McKeever Bush:** It is going to be 19.

**Mr. Ellio A. Solomon:** Not at the end of the day when persons know . . . you see, it's always a convenient argument. We always say when it fits and suits us that the constituents are an educated group of people; we have to have confidence in them casting a position.

Madam Speaker, I have confidence in the people. I have confidence that they can cast one vote in North Side, and if we gave them the opportunity they could cast three. And if we asked them to cast six, they could cast six. And if we asked them to cast 18, they could also cast 18.

Madam Speaker, to think any less than that of any of our constituents, I dare say we have a problem and we need to change that thinking because that national vote from a Representative's standpoint causes and creates more national thinking. So it will do when an individual is not just voting for a defined parochial area like it is now, the district of George Town, but he or she as a voter will also think national.

When he or she watches, as a voter, a young lady running in the district of Cayman Brac, he or she is fully aware and says, *I like the Christian stand of that particular Representative. And I believe that she has good intentions for the Cayman Islands, and that she understands certain issues.* Therefore, Madam Speaker, whether he or she as the voter is in North Side, West Bay, Bodden Town, he casts a vote for the Member that came from a particular district in Cayman Brac. Therefore, at the end of the day we know that the voter at the end of the day understands that the Representative that he cast a vote for 100 miles away is just as accountable to him or to her as the individual that they voted for just down the street.

I am not going to labour it on, Madam Speaker, because I believe it is very clear, very simple and easy to understand. If we have the confidence that you can cast one vote, we can have the same confidence that you can cast four, six or, no different, 18.

And no one should add that it's going to be, *Oh well it is going to be a significantly larger cost because you'll have to . . . no more cost*, Madam Speaker. At the end of the day that sheet that the Elections Office makes might be five inches longer, but that's it. We can have confidence in them. But we see that the same unity that the public calls for would be achieved.

We would see that even in that case the Representative will have a more national outlook, not a parochial outlook but a more national view in terms of what they want to see happen in the country. And likewise, the person who casts a vote will also do the same. They will also have, in my opinion, not what you see today, where certain persons are going to say to you, Listen, *I voted for you here in the district of Bodden Town. I don't want to hear what you're doing for West Bay; I want to hear what you're doing for Bodden Town*. A lot of those gripes disappear.

*[inaudible interjections]*

**Mr. Ellio A. Solomon:** They raised an issue of what happens to the districts. Madam Speaker, let me expound on that for just one second. When you have a national vote just on the complete opposite of when you have one man, one vote single-member constituencies, on a national vote it is not going to be issues of district because at the end of the day it is a national vote. It is a matter that when you campaign you campaign nationally to three islands. There is nothing about districts. There are no more boundaries. And that, at the end of the day, is the exact opposite of what we are talking about single-member constituencies.

So, Madam Speaker, even for those who may seek to believe and brand that as panacea, it will give them something to talk about, I am pretty sure, on the talk show. But at least Ellio Solomon gave them something, finally, different to talk about. At least they can compliment me on that. I gave them something different to talk about, something different to think about.

So, let's now take the national vote and start shrinking that in, Madam Speaker, and get to the point the Premier raised when he rose. When we now move for a national vote of the individual casting 18 votes and in my humble submission seeing a more national outlook from both the voter as well as the Representative, what happens? We see that we diced the country into six (that is the present system). We diced it into six, whereas we already know that some persons cast one, some persons cast three, some persons cast four and some may be casting as much as five or six. That introduction in itself was already an element of the vision.

Madam Speaker, I will stress that when I checked last, whenever we sought to make something stronger we sought to unify it, not to divide it. So, even

John Monnet, in 1952 with the European Coal and Steel Community's effort there was to try to tie Europe together. Not to try to create more division, actually trying to bring all of these disparate countries together at that time under the European Coal and Steel Community, thinking about becoming the United States of Europe, and eventually calling themselves the European Union.

It is the same thing on the other side to the north of us. Note the word "European Union" and "United States of America." See? There is strength in unity and there is weakness in division. "United we stand and divided we fall." That's it. And that's probably just perfect, Madam Speaker, because there isn't a reverse. It is as it is, "United we stand and divided we fall." So, we see we go right away from one common country; we already shrank right now down to six electoral districts.

Therefore, my submission is for those who seek and talk about unity, that it can only get worse—less unity, more division, simply by saying six isn't satisfactory, that we should divide it up even further. If we already have a parochial mentality among Representatives and among persons who are going to cast their vote, because understand. I don't care. Let's be honest, put it on the table. Whether it is the ministers, the backbenchers, or members of the Opposition, they want to come to the table with a national view of what they can do for the country. But oh, there is something that trips in, Madam Speaker. Some call it reality; some may brand it something else. And that reality is that they understand ultimately that they have to concentrate first and foremost on that little defined area that is the ultimate determining factor as to whether he or she is elected. That's the reality. That's whether they are ministers, backbenchers or members of the Opposition.

Anyone that is going to say that at some point in time someone isn't losing out in terms of what is good for the national interest for a more defined parochial issue, I think perhaps, Madam Speaker, we're making a mistake. So, we see that we go from a large, united country to six divisions. And the proposal today is to further divide that, not from six, but 300 per cent more. Let's make it 18.

Madam Speaker, I dare again submit that if a person can now sit in the district of George Town with approximately 6,000 voters and say, *I voted you in in George Town and that's what I want you to concentrate on*, I do not think it is going to be any different when they divide George Town up into six and whether it is precinct one, two, three, four, five or six, that is not going to change. The persons who are in precinct six, in what we now call the district of George Town, are going to be concerned ultimately with what happens in precinct six because the Representative knows that it is not precinct four, three, two, one, it is number six that will elect him or her.

So, we get further division, Madam Speaker. And again, I cannot see how that is positive for the country. No proposal has come forward from the Opposition, the proposers of the single-member constituencies, and the one man, one vote, as to why this is so good for the country. They only simply say things such as, *Well, other countries do it*. And, you see, Madam Speaker, that's influential, you know. When persons are driving in their car and they don't really have a lot of time to think and debate on these issues, they can take what they call a peripheral route to persuasion, simply saying, *Well, Jamaica has it, America has it*. It has an influence.

People do it all the time. That's why they put people in a nice white suit so they look like a doctor in an advertisement. He or she may not be a doctor, but it sure convinced you that he seemed like he was a doctor. I hear one of them call the radio every morning.

[Laughter]

**Mr. Ellio A. Solomon:** But the reality, Madam Speaker, is that they are taking a peripheral route to that persuasion. But when you really look at it and itemise it, I think at the end of the day what we are doing, if anything, is like the dog looking in the lake and seeing his own reflection. We are dropping something that we now have of substance to pick up something that is worth nothing, Madam Speaker, and is going to cause just the opposite of what I hear resonating in the public.

Here are some of the things that they talk about: He says that single-member constituencies at the end of the day increases accountability. Accountability ultimately comes down to the voter. Doesn't matter about the boundaries; it is about the voter.

Let me give you a small area. You can have 5,000 voters, or you can have 250. If those voters don't pay attention to what you are doing with blatant disregard, then there is absolutely no way that they can hold that Representative accountable. Because, their way of holding them accountable is the ability to either cast a vote on their behalf or to influence another voter not to cast it on their behalf. So, to cast a vote, withdraw a vote, or influence a vote is how they hold their Representatives accountable. And that happens whether it is in 250 members of the voting public or 250,000. It's the same principle. Accountability does not come defined by any one particular geographic area; it comes as a result of the general public.

How vigilant are we? How critical is our thinking when we hear these roosters crowing every morning? How critical are we thinking? That is ultimately what will determine accountability. No area defined is going to increase it, Madam Speaker.

One of the other things that they again talk about, as has been mentioned, is that there are per-

sons who believe it will be easier for them to get elected if we divide the country up into 18. But, Madam Speaker, again, that thinking is flawed. It is two-dimensional thinking. It is saying that you expect that one thing would happen and nothing else would change. I think economists refer to that as *ceteris paribus*, assuming that we can do this and nothing else changes, here's what's going to happen. But do you know why that's flawed? Because, you can never do this without anything else happening.

The moment you, or any Member in this House, tells me that they are going to have to run in constituency or precinct number six, I guarantee you everyone is going to start focusing their areas or resources, whatever it is, to ensure that they can secure their election. That is why we can look . . . we don't have to go overseas. We can look in our own country and see members like the good Mr. John McLean, who was in this House for a long period of time, many terms. If moving someone out of a small voting base was so easy why then was it so difficult to remove Mr. John McLean?

No, Madam Speaker, because if I argued or if anyone on this Government Bench argued about our own selfish interest, we would go with single-member constituencies. I can tell you, getting two or 2,500 votes is a lot more difficult than trying to secure 250 or 500. And if we even got more selfish we'd say, *By the way, when we're dividing it up, can you make it my neighbourhood? Right where I grew up, where I meet with people and eat out of their pot all the time*.

Madam Speaker, that is it. Just like how they think because their numbers are small and they can get a little gateway in, is the same way on the flip side of the coin (because there's always two sides of the coin), and the other flip side is that in the same way they think it's easy to go around and talk and canvass with 250 people, well, it's just as easy for the person who's elected; who, by the way, has more time, arguably more resources, and arguably is being paid by the taxpayer to do just that. And those are just the realities. You don't make it any easier.

At the end of the day, anything good that you get in life, you have to work hard for it. If you want to get elected, get out there and work hard for that.

The other thing I hear is, they talk about, *Oh, well, the single-member constituency and the one man, one vote, will get rid of the party system*. Again, Madam Speaker, with the greatest of respect, that logic is rooster logic. It is flawed. Flawed, Madam Speaker, because here is what happens. And they talk and they brag about what is happening in other single-member constituencies. Well, whether you look at the United Kingdom or whether you look at the United States of America or you look at Jamaica, look at any one with the single-member constituency and chances are what you are going to find in those constituencies is a two-party, dominate, two-party system.

And it happens, Madam Speaker, for a fundamental reason, because whether you have five, six, or 10 persons running in that constituency, the moment you say to someone that they only have one vote it is not going to be any different from what you see happening on American television every time there is a vote for the president. Their job is very quickly to eliminate all the ones that are a waste of time and get to the top two runners so that you can decide out of the top two runners which one you think has the best chance to win. And you cast your vote there.

Madam Speaker, here's another reality of politics: it takes money to run a campaign. I know that people don't like to hear it. That will be something else for them to talk about on the talk show, but that's the reality. Regardless of how clean your heart is and pure your hands are, or how great your intentions are, and no matter what you want to do for your country, if the people don't have a chance to hear what you have to say and what you intend to do, then you have no message and they won't know who you are.

All those media houses that are supposedly independent, neutral and doing a great job, I can tell you, they turn into a money-making machine when it comes to election time. Ask some of these more long-standing Members of Parliament. Money machines! You are not getting anything for free in the newspapers or on television. Even the Rooster [Radio Station] that is letting them on for free now, will be charging I'm sure.

So, Madam Speaker, that is a reality. Let's ask ourselves if when those five persons go to campaign, two members of a party and three supposed independent members in a small constituency, who has the increased chance of being the top two runners in the constituency? Chances are the ones with the most funds. And unless they are Ross Perot, with a lot of money as an independent candidate, chances are the parties, collectively, will have more money. And therefore, the party players in that particular constituency will be the top two.

So when the one person with one vote casts their one vote, chances are they are casting that vote for one person out of one party or another. That is why over hundreds of years it has not changed; that where there are single-member constituencies there are two dominant parties that exist.

When I went to the United Kingdom on the seminar, I asked the member surprisingly. I said, "How is it that the United Kingdom has managed to keep a third party here for so long?" He said, "It only happens for one reason, and that's because the Government, the taxpayers of this country, fund it."

They have to fund it, Madam Speaker, to try to keep a third leg alive. That's the only way the Lib's stayed alive for so many decades, because they have been funded by the taxpayers of the UK. Where there

are single-member constituencies, there are dominant two-party systems. So anyone that has been selling people in that smoky room over a glass of scotch that at the end of the day it is going to remove the party system, Madam Speaker, is flawed.

It does not make it easier for you to get in. It does not remove the party system and it has nothing in terms of the increase in accountability. At the end of the day accountability regardless of the numbers is about the individual.

So what happens when you go to a constituency in the United Kingdom and there are six million people? You can't have accountability because the numbers are too large? No! At the end of the day, accountability is on the individuals.

I think I dealt with the issue about staying in power for long. Again, we didn't have to go far. We can simply look around here. The Member for North Side also talked about the fact that other countries have it, and if it is right for them, how can it be wrong for us. Madam Speaker, again that thinking is flawed. That's rooster thinking.

Madam Speaker, at the end of the day there are countries around the world, they all have income tax. Why isn't the Member bringing a proposal now for us to change that? Change that system. Now we should implement income tax because the United Kingdom has that. America has that. Jamaica has that. No, Madam Speaker. Part of what has made us unique and successful, I believe, over the last 500-plus years is the fact that we have dared to be different. And we have been very successful at it and that obviously causes some problems even with the mother country.

The Member also goes on to mention, and again, open to perhaps peripherally persuade people of getting them out to cast a vote for single-member constituency because they would be historic. They would go down in history and be proud to be able to say, *I did this!* Madam Speaker, again, that is rooster-flawed logic.

Bottom line of the situation is that we need to open our eyes and see that what we are voting for is not one nation, not even six, but dividing it even further into 18 pieces. Madam Speaker, myself, I don't want my name on anything that says I have actively played a role in further dividing this country. As I stated yesterday, first before a country can be conquered from without it must first be conquered from within. Division, Madam Speaker, weakens; it doesn't strengthen. I don't strengthen anything by dividing it and breaking it into more pieces.

Talked about this issue of the referendum and it should be about 50 per cent of the votes and I will give the Leader of the Opposition something else that he can tattle-tale about. You can't make it that simply any 50 per cent of the numbers that walks into a booth

plus one person is going to change such a major system.

How do you even call yourself the Leader of the Opposition, and aspire to be Premier and leader of the country, and even make a statement like that? Let's go down to the deepest extreme to prove a point. As far as that Member is concerned, that rooster-flawed-logic thinking Member is that if you have three persons who walk into the booth and two of those persons vote for single-member constituencies, it should pass. That's an extreme. But it helps to make the point. I would sure hate to know that three persons went into a booth and two cast their votes for single-member constituency and that as a result of that, because everybody seemed to have been out for a coffee break, they took a trip somewhere, that the system changed overnight.

You see? That's why you can't do it.

And you can multiply that number to a number that makes us all feel comfortable—500; 1,000; 2,000; 4,000; 5,000; 6,000. It doesn't change the fact. It is simply strictly just as ridiculous as three persons going in. It is just as ridiculous to say that you are going to allow a minority group, arguably, change such a major system.

So, with that, Madam Speaker, I am going to conclude my debate. I know that there are those who are eager to wrap up, but I like to say that I know that they will have something different, if anything, to talk about. But the Leader of the Opposition loves to talk about me. He has already told my colleague that if it costs him his seat he is going to do everything it takes to get Ellio Solomon out of office. That's what he said. So, I know his agenda.

**The Premier, Hon. W. McKeeva Bush:** And that's what he said about me too.

**Mr. Ellio A. Solomon:** But, Madam Speaker, they have no qualms in their lack of respect for the truth. They even accused me a few days ago of attending their public meeting. Madam Speaker, they must be wanting. They may have needed a number, but it wasn't Ellio Solomon that helped them with the numbers. *I was at their meeting recording names?* Madam Speaker, I know that the Leader of the Opposition is desperate, but he's not getting Ellio Solomon's help with it.

Bottom line of it is, Madam Speaker, that the three blind mice I referred to earlier have given the country no direction. They have simply had the advantage of being able to have at least two media houses that repeat their garbage every morning and every evening and every afternoon and every night, that may have convinced some persons. But I have confidence, just as I started my debate, that I have confidence that the majority of people in this country want to see greater unity and just like I have confidence that they are intelligent enough to cast a good

18 votes, let alone six. I also have the same confidence that they are going to see the rubbish coming from those three individuals and that when they go to the polls I pray God Almighty, Madam Speaker, that they will make the right decision and vote "no" against one man, one vote single-member constituencies.

**The Premier, Hon. W. McKeeva Bush:** Hear, hear.

**Mr. Ellio A. Solomon:** My colleague has already expounded a lot in terms of some of the specific division that will take place. So I don't need to repeat it, Madam Speaker. But I encourage the voters out there that when the time comes on July 18 to vote against the one man, one vote single-member constituencies. I believe from everything that I have seen, everything that I have heard in terms of the people's cry for less bickering, less fighting, more unity, that at the end of the day the single-member constituency carries them in just the opposite direction.

With that, Madam Speaker, I thank you and other Members of this honourable House for the opportunity and definitely those who gave me a chance to be here to offer up another point of view, another perspective and to give my contribution to this debate. Thank you very much.

**The Speaker:** Thank you, Fourth Elected Member for George Town.

The Minister of Health was getting to his feet.

*[Inaudible interjection]*

**The Speaker:** No?

Does any other Member wish to speak?  
[pause]

The Honourable Deputy Premier.

**The Deputy Premier, Hon. Juliana Y. O'Connor-Connolly:** Thank you, Madam Speaker.

The hour is late and I can give you my word that I won't be long. My position has not changed from the position that was proffered yesterday. I just want to mention, as it is set out in the Constitution in section 89(2)[(d)](ii) so that I can set the basis and foundation quite briefly for the stance that I am going to be taking, again with the full approval of my Government and our backbench support.

It reads, Madam Speaker, that: "**Cayman Brac and Little Cayman shall**" (which makes it mandatory) "**(between these two islands) at all times return at least two members to the Legislative Assembly.**"

So, Madam Speaker, that in itself really neutralises the genesis of the one man, one vote. When you take it against the background that the Electoral Boundaries Commission for the Cayman Islands, the report in 2010, page 7, as they referred to their findings of Cayman Brac and Little Cayman, they said:

**“The constituents of the Sister Islands of Cayman Brac and Little Cayman, who attended the public meetings made it clear to the EBC that they would like to retain the existing position of each voter having two votes and the two islands forming one constituency (and not two constituencies).”**

Further on in that same report, as they sought to set out the position in paragraph 23, **“The position of Cayman Brac and Little Cayman. . .”**, If I could beg your indulgence to so refer, it says: **“The position of Cayman Brac and Little Cayman is that they will form a multi-member constituency returning two members to the Legislative Assembly with each voter having two votes, and electors there would like it to remain that way.**

**“The Electoral Boundary Commission of 2003, in pursuit of its mandate to create 17 single-member constituencies, divided the islands into two constituencies, namely, Cayman Brac West, and Little Cayman and Cayman Brac East.**

**“From the public meetings which the Commission held in the Sister Islands, it was clear that there was a preference in favour of the existing position and not changed to a one person, one vote system.”**

Madam Speaker, when one takes the time also to look at the maps they proffered, one will see that it sought to divide the Islands, as I said, to Cayman Brac East, which pretty much cuts Cayman Brac into two sections from an electoral perspective, and then having Cayman Brac West and Little Cayman. Obviously, this was envisioned for some time because when it was put into practice I did have exchange with persons in the Elections Office because it went from four polling divisions to three. In fact, it is now well situated to go into this system in the Constitution, but my constituents of Cayman Brac and Little Cayman—and I really wish that the First Elected Member for Cayman Brac had remained in the Chamber to help support me on this, because I am sure he too would concur that it is not a position that any of our constituents, as far as we could find from our canvassing, supports.

The manner in which the question is written . . . and my Government had to so do because it was a people initiated referendum and the Government, being a responsive Government, in responding to the request from the persons as good Representatives, so fashioned the question to read as is set out in the Bill, which says, **“Do you support an electoral system of single-member constituencies with each elector being entitled to cast only one vote?”**

For me to support the question in this form, I would be going against the mandate of my people because if the referendum is put—and it will be put in July—and the response comes back in the affirmative, it would mean that I would have supported Cayman Brac and Little Cayman being divided into two, as I

understand it. Out of an abundance of caution I have gotten permission from Cabinet and from my colleagues, I have explained the situation, and I will be doing as I did yesterday, and voting in the negative.

I thank you.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause].

If not, I am going to call on the mover of this Bill.

Honourable Premier.

**The Premier, Hon. W. McKeever Bush:** Madam Speaker, thank you very much. And I want to thank my colleagues who spoke in support of the Bill before the House.

It is important, Madam Speaker, that we attempt to give to the public of the country an opportunity to have a say in the system that they have campaigned for, have pushed for, and talked about. Never mind that we as a Government do not support it. It is appropriate under the Constitution that we do that.

Madam Speaker, two Members from the other side spoke. And I would like to refer to what they said (some of it at least). Before doing that I would just like to begin by saying again that there is nothing wrong with our voting process. Madam Speaker, we do have a good democracy. Let them not wreck it. We should not tinker with it, Madam Speaker; it is not broken. Why then try to fix it? Nothing is wrong with how we vote. What is wrong, if anything, is who stands for election. The system is okay.

Madam Speaker, I listened to the Leader of the Opposition who I heard, with no astonishment . . . I heard him with his threats of a legal disruption of the process and result of the referendum. Madam Speaker, we should understand that the matter of registration of electors or voters and the matter of the votes cast in the process has nothing to do with a referendum, if that is what he is somehow mad about. I don't know. If he has some gripe against the registration of electors then he should talk about that through the representation of the people's Act or Law.

So, this is just another banner headline for CNS [*Cayman News Service*]*—Alden says there will be a legal challenge to Referendum.* That is likely to be on there now. And that is all he is good for.

Madam Speaker, I listened to the Leader of the Opposition and all of his argument today has been filled with half-cocked, half-baked thought; no real substance. In fact, I think he is hypocritical, Madam Speaker.

**The Speaker:** Be careful how you use your words.

**The Premier, Hon. W. McKeever Bush:** I will withdraw if that is unparliamentary.

*[laughter]*

**The Premier, Hon. W. McKeever Bush:** Madam Speaker, I do not believe that he is in for this because I hear him talking—and I will get to that point—but he is not for this. You could hear it. If that could . . . He does not want this; this is just another thing for them to beat up on the Government and to talk bad about the Government and the Premier.

You heard them. I mean every word out of them is “the Premier.” So, he debated in lukewarm (if we can say that) and stumbled over the truth, but hastily picked himself up and hurried on as if nothing had happened.

Madam Speaker, he asked what I am afraid of after winning seven elections. I should be able to go from one constituency to the next. That is what I said earlier in my opening remarks. Madam Speaker, I never dragged in on anybody’s coat tail, he did.

*[Inaudible interjections]*

**The Premier, Hon. W. McKeever Bush:** He did. So, it is he that I think is scared of what he is doing. That is why he is debating so coldish.

*[Inaudible interjections]*

**The Premier, Hon. W. McKeever Bush:** Bad democracy, he says, and unfairness. Complaining (can you imagine?) about the Government will spend the Government’s money. What a short memory he has, Madam Speaker. What a short memory! What did he do with the Constitution and the Referendum when he started with that process? What did they do?

They talk about spending money—well he should be the last one! Anybody on an island with 50,000 people, building a \$100 million school, should not talk about people spending money. But what did he do with the Constitution and the Referendum? I have never seen more glossy books, a big bash at Pedro Castle, many, many T/V shows, many, many radio shows, full page ads, big cash payout for one newspaper to sell his story and put him—not even the rest of the Government, him—on the front page. Even “man of the year” he got.

Government money! Madam Speaker, it is a wonder he does now swallow his tongue. He has the audacity to talk about my Government spending money now on the Referendum. He says if I spend that money on the Referendum it is dirty, it is bad.

I can never forget, Madam Speaker. And you know what? As a true democrat and one who really believes in the system, I can never forget when I was leading the Opposition what I had to put up with. I asked them, I begged them, I played with them—

*[Inaudible interjection]*

**The Premier, Hon. W. McKeever Bush:** Whatever! Bled!

*[Inaudible interjection]*

**The Premier, Hon. W. McKeever Bush:** *[Replying to inaudible interjection]* No, no. Ha, ha, ha.

I pleaded with them.

*[Inaudible interjection]*

**The Premier, Hon. W. McKeever Bush:** No, Madam Speaker, you cannot play with them. They are people who, whenever you play with them they will pick up their marbles and walk out if they are losing.

*[Inaudible interjections]*

**The Premier, Hon. W. McKeever Bush:** Madam Speaker, you don’t play with them. I don’t play with them, Madam Speaker.

Any inclination of listening to them or even grinning with them, I will watch them for the next eleven months because what I see them doing, Madam Speaker, and what they are trying to do to me, I’m going to play with them? I’m not going to play with them. Not today BoBo!

We played with them, me and my colleagues, to give us the funds to be able to get television or radio and some kind of PR, Madam Speaker, so that we could give a different opinion, a different point of view on the Constitution. But do you think Kurt Tibbetts listened to me? No! He listened to Alden McLaughlin. He listened to the now Leader of the Opposition (the then Minister of Education) who was leading the charge on the Constitution debate.

The Opposition had no help from the Government of the day at that time. I sat there in that seat and begged and asked. I went on the radio and did the same thing. I talked to the Governor then and asked him. I think I wrote to them about it. I wrote to the Governor. I wrote to them asking for them to give me money so that I could tell the people our side of the story. Did we get it?

Now he comes here crying some kind of tears about it. You see, he is just a fop, the Leader of the Opposition; just a fop who does not understand democracy or appreciate it. If he did he would know how you win. And when you win Government does have a majority and that this ball called democracy is round today for you, tomorrow might not be for you. And that is his problem!

That is his problem from day one. Well, he has a longtime problem with McKeever Bush. That’s long time. But his current immediate problem since 2009 is because he thought in their mad rush to get the Constitution that they were going to control; that

they would [have] the first Premier and get all that they had planned to do. That is why they are stuck that I must resign. That is why it is a stuck record today.

*[Inaudible interjection]*

**The Premier, Hon. W. McKeeva Bush:** Madam Speaker, they are fops who cannot have their way. That is all that is.

*[Inaudible interjection]*

**The Premier, Hon. W. McKeeva Bush:** They do that too.

*[Laughter]*

**The Premier, Hon. W. McKeeva Bush:** Madam Speaker, now he says we should not campaign as a Government. Tell me something, Madam Speaker, where did we get him from?

*[Laughter]*

**The Premier, Hon. W. McKeeva Bush:** We should not campaign as a Government? Well, what are we supposed to do?

*[Inaudible interjection]*

**The Premier, Hon. W. McKeeva Bush:** We must call the vote or wait until they call the vote. They are not in the Government, Madam Speaker! This is a democracy and people voted for us, gave us nine and them five!

*[Inaudible interjection]*

**The Premier, Hon. W. McKeeva Bush:** Madam Speaker, that is democracy. And today they come in here into this House and it really, *really* gets on me; sits there, can't have their way, picks up, goes outside and says they are having a parliament, in this little two-by-four Island.

That is good democracy?

He goes out there, makes a mockery of this Legislative Assembly, makes a mockery of the Speaker . . . Can you imagine, Madam Speaker? At least May Lawrence does not get drunk. She and I argue, but at least Mary Lawrence does not get drunk! And they go and put people out there, making a mockery of what is going on in this House, because they cannot have their way.

*[Inaudible interjection]*

**The Premier, Hon. W. McKeeva Bush:** And then they broadcast that they have hundreds of people. They can't even count but we know that because they didn't know the difference between 18 and 81. And that is good democracy? That is what people are aspiring to? That is what people are aspiring to? No!

My little grandson is half Filipino and he said "Papa, they mad?"

*[Laughter]*

**The Premier, Hon. W. McKeeva Bush:** I said "Maxie, you are pretty well close to it."

We are going to have our say. We are using the Government's funds to try to educate the people. That is what we are supposed to do.

Madam Speaker, I left the Constitution alone. I remember the night I decided. We could have done a whole lot better. And today . . . if you think we do not have problems with it, wait. Let them win, they will see—the cost alone that is creeping up on us. Do they know how much it is going to take to institute the Bill of Rights? Do they know? The last count was thirty something million dollars with all the things that have to be done.

They have the audacity to say that we must not campaign. I am going to shout it from the tallest building I can and the most airwaves that I can because I do not believe that the one man, one-vote is any solution to our problems. None! What is wrong with what we have? Have they said, Madam Speaker? Both of the Members speaking over there today—the Member for North Side and the Leader of the Opposition—claimed that this one man, one vote is the international standard of democracies and so it will bring equality across Cayman. Can you imagine? A mouthful for some of them!

The Member for North Side and the Leader of the Opposition need to ask themselves the question, which no doubt resounds in the public's ears, when they hear this kind of comparison. They need to ask: What is the real comparison? What have been the results and the experience in those countries that they are talking about with international standards, as compared to ours?

Who has enjoyed more access to their representatives? Who has gotten better results out of their system? Who has enjoyed a better and more quickly improved quality of life, standards of service and infrastructure?

Whose experience of public responsibility has been better? And whose experience of controlling or banishing corruption has been better? Tell me, which country has been better off?

Our electoral system is not broken, it does not need fixing. The old saying goes "The grass is always looking greener on the other side." And that is not

UDP green, Madam Speaker. That is the green of illusion that the Member sees.

Madam Speaker, people from afar off marvel at the fact when they come here that people can come up to me as the Premier and talk to me wherever I am at; that they can come to my home; that they can call me up at five-thirty in the morning or two o'clock in the morning. They cannot do that in other countries. Just go and see the amount of security that they have.

When I went to Curacao and was elected as the Deputy Chair of the European Union Caribbean Overseas Countries, when they took me back to the airport they had something like eight outriders. They had three security [officers] with me at all times. This little rock here—as the Jamaica Carnival song says, “*No weh better than yard.*” We got it good here. Let’s not try to change this; hear?

The other point made by the Member which calls for comment, Madam Speaker, is to do with his claim that Government is engineering the outcome of the referendum by setting the bar too high. That’s the most ridiculous thing and Members spoke on it. But let me say, Madam Speaker, they make a very convoluted argument between section 69 and section 70 of the Constitution—the Government-initiated and the people-initiated referendum.

It is not true to say, as those Members claim; that the Government has set the bar artificially high to cause the referendum to fail. That Member, the Leader of the Opposition, should be ashamed of himself to think that in Cayman in this day and age he can fool people with his half-cocked numbers. The Member surely knows, Madam Speaker, that in the same international realm that he referred to, or he referred us to, the bar for a referendum to carry is set high, very high—sometimes, in some places, Madam Speaker, 75 per cent. For good reason. Because, Madam Speaker, it is to discourage frivolous actions by minority groups who could otherwise hold the majority hostage (so to speak) and impede government functioning. That is the reason also, Madam Speaker, for the non-numerical bar, the bar which requires the matter of a referendum to be a matter of national importance.

We are a majority Government, Madam Speaker. If the results of the referendum shows that on this matter we do not have the majority support, then so be it! That is exactly what referendums are for. There is no need to import sinister motives into it, Madam Speaker. Whether the electorate is trying to get the Government to do something it does not want to do or the Government trying to get people to agree with something it wants to do, such sinister colorings are not conducive to the public trust in our institutions.

And the Member would be well advised to refrain from so tinting the debate. That is the first thing they have to try to do; to put some wrongdoing to it, as I said. But you know what the Bible says, Madam Speaker, about those kinds of people? It says, “As man thinketh, so is he.”

*[inaudible interjection]*

**The Premier, Hon. W. McKeeva Bush:** Mm-hmm.

For the Member, Madam Speaker, to get up in such an important debate as the Leader of the Opposition, who holds a high position in the Constitution . . . he does not have a deputy yet, but he has the position. And to suggest that shenanigans are being played and that we are not being fair, Madam Speaker, I did not draw up this Bill. We have a Legal Department; we have a very capable and respectable lady of integrity that I trust. And if she makes a mistake she makes a mistake, but you can believe she is not going out to do anything to hurt us, and that is Mrs. Myrtle Brandt. She is a lady, Madam Speaker.

Madam Speaker, I have to depend on their instructions because I am not versed in these kinds of things and I will tell that to the public. But I do say to them that I want the scrutineers, and that I want to make it a public holiday.

*[Inaudible interjection]*

**The Premier, Hon. W. McKeeva Bush:** *[Addressing inaudible interjection]* No, the bar is set according to the Constitution and I am going to come to that!

He talks about shenanigans and unfairness was played, Madam Speaker. Played by who?

Played by them when they put an X by “yes” in their law. That is when the shenanigans were being played! Who advised who on that, Madam Speaker?

And a big check mark of “yes” above where people were marking their ballot. Who did that? Who advised that? The man who got the MBE for it, or the one who got the OBE for it? Who?

Somebody advised somebody on it. Now he just wants to blame me. Eh? If there were any shenanigans, that is where shenanigans [were]. Check the difference between what we are doing. Look at our Bill. No markings on “yes”, no markings on “no” and when people go in there they are not going to see that check mark that I said was as big as a boat jib.

Most of all, Madam Speaker, for him to talk about immorality . . . I told that Member a long time ago that he is not lilywhite. The last time I saw him—or saw her . . . it didn’t look like him. There is no immorality and if there was any, that is where it was back in 2009. That is where the immorality lay. That is where the wrongness lay.

The Constitution says 50 per cent of registered electors are what will count in the referendum. The immorality would exist, unfairness, impropriety, undemocratic, Madam Speaker, would be if we followed the PPM and the Leader of the Opposition. And with contempt, disregard our Constitution. How dare him, Madam Speaker, when he sat in Lancaster House and negotiated it himself! How dare him to talk about immorality, to talk about being undemocratic.

Who put it there? Me? No! I didn't support it.

Him! The Leader of the Opposition! And now today it is a bad thing because we are going to use it. Why?

That is what the people asked for when I heard the Member for North Side giving accolades to the people who signed and the people who pushed the referendum. It was them! Don't blame me for putting it; I am following the Constitution for a people initiated referendum. Whether it is a government [initiated] or not, if it had been, Madam Speaker, the people-initiated referendum, what was it going to be? What was it going to be? Never mind about who hijacked. Nobody hijacked anything, Madam Speaker. What we did was to pull the rugs from under their feet.

I was much more politically smart than them; that's all. And that is what he can't live with. He knows nothing but being a little fop!

[Laughter]

**The Premier, Hon. W. McKeever Bush:** Madam Speaker, if the initiated referendum had gone through, what would have happened? What was going to happen?

So you were not going to follow what they say? You were going to load a bar? That is what you would want us to do?

[Inaudible interjections]

**The Premier, Hon. W. McKeever Bush:** We could not do that constitutionally because the Leader of the Opposition, back in 2009 in Lancaster House, made that change.

If the percentages in the Constitution are wrong, it is him to blame. He was adamant in London for it to be put that way. And, Madam Speaker, if he wanted it any other way, they could have done it. He did not have to get a referendum, Madam Speaker. He had the control. They had the members . . . they didn't even have their members; they had some of the NGOs with them. They could have put one man, one vote in the Constitution and started it immediately—

[Inaudible interjection]

**The Premier, Hon. W. McKeever Bush:** —if they wanted it. The fact is that they do not want it.

They are like Brother Rabbit and the Tar Baby! That is all it is. As that man said when him and his brother-in-law was fighting in West Bay and he told his wife "hold me back, hold me back, let me go".

[Laughter]

**The Premier, Hon. W. McKeever Bush:** They are a bunch of democratic cowards. That's what they are.

[Laughter]

**The Premier, Hon. W. McKeever Bush:** If they wanted one man, one vote, they were the Government.

[Inaudible interjections]

**The Premier, Hon. W. McKeever Bush:** It was the Leader of Government Business then (who is now still the First Elected Member for George Town); it was the Minister of Education (who is now the Leader of the Opposition); it was the Member for East End and they had the Fourth Member for George Town at the time. Well, you had five or six of your Members there with you.

[Inaudible interjections]

**The Premier, Hon. W. McKeever Bush:** Ossie wasn't there too?

[Inaudible interjections]

**The Premier, Hon. W. McKeever Bush:** Yeah, they must have had nearly the whole of their Backbench with them. I do not think Ms. Lucille Seymour was there. But they had all of the votes. They could have put the one man, one vote in place if they believed it.

[Inaudible interjections]

**The Premier, Hon. W. McKeever Bush:** Implicate me?

He wasn't implicating me, Madam Speaker. I was against it. What were they going to implicate me for?

If they could have killed me . . . if they could have left me in London, they would have done that.

[Laughter]

**The Premier, Hon. W. McKeever Bush:** Don't talk no foolishness around my ears about implicating me.

Madam Speaker, I shouldn't take the time, but because of what it is and because it has gone in the *Hansard*, I have to reply to him. He referred to the Premier on a point about I was a no-show at a debate on one man, one vote at the Harquail [Theatre]. The fact is, Madam Speaker, that no request was received by the Premier's office for me to attend this event. When I was contacted, I did tell them that I had a meeting overseas and that if I couldn't come, the Minister of Education . . . sorry, the Deputy Speaker, would come. So I couldn't be there, but the Deputy Speaker was there.

Madam Speaker, this referendum did not start out as a people's initiative. They're not fooling anybody with that. It was started by the Opposition on the

15<sup>th</sup> of February. And it is just as inaccurate to call it “this Government’s question,” because that is why it is called a referendum. He suggests that the Premier must be gloating—of all things—at what he looks forward to seeing (I think he said) on July 19<sup>th</sup>; *that he gave the people a chance and they rejected the one man, one vote system*. Obviously, Madam Speaker, that is what the Member is hoping. He expects defeat of the referendum.

If that matter is of such compelling interest to the public, if the overwhelming momentum, he suggests is real, then it is very puzzling that he feels already defeated. I merely said the people’s initiated referendum as a means of getting the matter heard is now redundant. That’s what I [meant when I] talked about redundancy. It is he who is now suggesting that the referendum itself is redundant. That is a very sad position for someone who supposedly passionately believes in the proposed change to our electoral system.

He said that, to continue the present system is inequitable because this system gives a George Town or West Bay voter multiple chances to influence the Government, whereas the voter in East End or North Side has only one chance.

Madam Speaker, will the one man, one vote system give North Side and East End more chances? Will the one man, one vote give them more chances? No, it won’t! Or, will North Side or East End still have one Representative? If being equal is the order of the day, Madam Speaker, why is it suddenly a big thing for them?

Did East End not have their one Representative as a Minister? We have four Members, not one Member in Cabinet. Equality? Where? Where is it?

But, as he himself has noted, Madam Speaker, there is no reason why Members in multiple-member constituencies should not campaign or cast support across the boundaries of the district. He already does that. We all do. The difference with me, Madam Speaker, is that when I go, my candidates, wherever they may be, they don’t say they are not with McKeeva. Even as bad as the North Side Member was, he said that if he wins he was coming with McKeeva.

*[Inaudible interjection]*

**The Premier, Hon. W. McKeeva Bush:** *[Replying to inaudible interjection]* Yeah, he saw your light! You must have hit him hard in the head too!

*[Laughter]*

**The Premier, Hon. W. McKeeva Bush:** Madam Speaker, that’s the difference. I noted in West Bay the group that they are saying wasn’t with them. They were certainly on their platform a couple of nights ago and have been for the last several weeks.

But, the hypocrisy in them—and you can’t believe them—is that when they campaign and put it on television it had below it, “sponsored by the PPM.”

*[Inaudible interjections and laughter]*

**The Premier, Hon. W. McKeeva Bush:** They can’t even tell the truth about the candidates that they have! And they are fit for governance? They are not fit for governance—they’re little boys! That’s what they are. Fops! All of them!

Madam Speaker, of all the things they carry poor old shot-in-the-foot Frank and put him on a platform to discredit me!

*[Laughter and inaudible comments]*

**The Premier, Hon. W. McKeeva Bush:** And get him to threaten to shoot poor little Ellio!

*[Laughter]*

**The Premier, Hon. W. McKeeva Bush:** Madam Speaker, the Member placed great reliance on his remarks on the approach taken in the vote of the 2009 Constitution. And this is very pitiful, because, does the Member not realise that he has just acknowledged that we got this new Constitution through the vote of 40-odd per cent of the electorate? Forty-odd per cent; one that has changed the whole works of this country—40-odd per cent! They say that’s democracy?

Even more serious and worrying is that the Member wants us to follow this model again. Madam Speaker, he mightn’t know that two wrongs don’t make a right. And we have no intention of proposing to the people of this country that any less than 50 per cent of the electorate would make the decision to change our voting system.

Madam Speaker, I am going to close. I want to close because of want to wrap the two of those Members who spoke in opposition to the Bill. And this is how I feel about them. This is what I think about them, because this is what he says about the Member for North Side. He said, “**I get beaten to death**” and I quote from the *Cayman Islands Journal* of [7] March 2012, an interview, “A dinner conversation with Alden McLaughlin.”

He said: “**I get beaten to death [by the public], and in fact I’m getting beaten to death now, because I’m not more vocal and I’m not attacking the government the way many people think that I should . . .**” Boy! “**But I told many people over the course of the last few days . . .** “Listen, I am not the swashbuckler that Ezzard is; I don’t believe in this principle which he espouses that all you need is 10 per cent of the truth . . . as long as people believe what you say. That’s not the way I am and then I wouldn’t be true to myself. Of course I could be mistaken, but I am not going to go and deliber-

**ately say something is the truth, which I don't believe. It runs contrary to me; I can't live with myself."**

But he does live with himself, because he does that too!

That, Madam Speaker, is what we have to deal with. First the Leader of the Opposition castigates Mr. Miller—he's a swashbuckler and he can't tell 90 per cent of the truth! And then he takes his old nemesis, the former Minister of Community Works, who they investigated, and takes him up on the platform with him to castigate me. And I can trust them? I must smile with them? No. I will be human, and I will try to be as Christian as I . . . but I am not going to be fooled by their hypocrisy.

Further, this is what he says. Now he complains about us going in July for the vote. And this is his paper, I guess . . . no, this is <sup>2</sup>[CayCompass](#); you can believe this one . . . somewhat. This is an interview with him: **"Although he fully supports the 'one man, one vote' principle, Cayman Islands Opposition Leader Alden McLaughlin, wonders why there is suddenly a rush to hold a referendum on the subject in November."**

*[Inaudible interjections]*

**The Premier, Hon. W. McKeeva Bush:** **"The Constitution states that a simple change in the law is all that's needed to create single-member constituencies," Mr. McLaughlin said Wednesday. "The PPM [People's Progressive Movement] has promised that it will adopt 'one man, one vote' if it is put back in government. So why do we need a referendum on it six months before the general election?"**

**"Mr. McLaughlin said there would be less than six months between 30 November and the general election in May 2013. Even though the 2010 Electoral Boundary Commission drew up and identified the 16 voting districts on Grand Cayman that would be utilised if the territory went to single member districts, Mr. McLaughlin said it would still be a matter of organising and educating voters as to where they needed to go and what 'one man, one vote' means."**

**"I'm just not sure there's enough time," Mr. McLaughlin said.**

I must trust them? You trust them, you find out where you go. And he wants to bring an amendment now? And I must agree with that amendment? No! No!

Madam Speaker, I can tell you that this concerns me a lot. It gives me great consternation to know what they did a couple of days ago when they rushed out of this House. I think I am going to dock

their pay, as the Minister of Finance. I think I am going to dock the pay of the six Members for going out there and leaving the House. While we were working they were outside playing dolly house with Consuelo. That's what I think. I am giving that great contemplation.

*[Inaudible interjection]*

**The Premier, Hon. W. McKeeva Bush:** The last thing I want to mention, Madam Speaker, is that 18 seats, gives me great concern because the day that we have 9/9 it's more crises for us. We saw it in Trinidad, I have seen it in New York, I have seen it in different places—deadlock; the Government can't go anywhere. And we do have the ability to either bring it down or to go up one more. And we can do that through the Elections Law. That's what the Constitution says.

Madam Speaker, that is something that we are debating amongst ourselves.

*[Inaudible interjection]*

**The Premier, Hon. W. McKeeva Bush:** No, you can't go down, because the UK would not accept for one down. They told us that during the constitutional debate. Some of us were concerned about the numbers. I still don't think we need all these numbers, but we have to go to them, it sounds like. So, we have to consider whether we want to take the risk in our democracy for a deadlock at any one point, and when you have small numbers, that's a possibility. So, we could go to 19 Members, and that is something that we proposed to look at and as far as cost is concerned, what we propose to do, if we have to get another one to add to the 18, is to cut down on the salaries on Members so that it wouldn't be that increased.

Madam Speaker, it has been a long day. So, we have now to go into Committee stage to complete the Bill. I want to thank you for your patience to be here at this time of the night. And I thank all Members who debated. Again, I want to thank the Honourable Attorney General and the drafters, people in the Legal Department who have worked and made the necessary changes and worked on this for us.

Madam Speaker, it is important. It is a historical referendum, and the Government is grateful to all who have helped thus far. The referendum will be on July 18<sup>th</sup>. God willing the bell will ring.

**The Speaker:** Thank you, Honourable Premier.

The question is that a Bill shortly entitled the Referendum (Single-member constituencies) Bill, 2012, be given a second reading.

All those in favour, please say Aye. Those against, No.

<sup>2</sup> Rush for 'one man' questioned—Opposition leader: What's the hurry? *CayCompass* 17 February 2012

**Ayes and Noes**

**The Speaker:** The Ayes have it.

**The Premier, Hon. W. McKeeva Bush:** Can we have a division, Madam Speaker?

**The Speaker:** Madam Clerk.

**The Clerk:**

**Division No. 30/2011-12**

**Ayes: 8**

Hon. W. McKeeva Bush  
Hon. Rolston M. Anglin  
Hon. Michael T. Adam  
Hon. J. Mark P. Scotland  
Hon. Cline A. Glidden, Jr.  
Capt. A. Eugene Ebanks  
Mr. Ellio A. Solomon  
Mr. Dwayne S. Seymour

**Noes: 3**

Hon. J. Y. O'Connor-Connolly  
Hon. Alden M. McLaughlin, Jr.  
Mr. Anthony S. Eden

**Absent: 4**

Mr. D. Kurt Tibbetts  
Mr. Moses I. Kirkconnell  
Mr. V. Arden Mclean  
Mr. D. Ezzard Miller

**The Speaker:** The result of the Division is 8 Ayes; 3 Noes; 4 absent. The Referendum (Single-member constituencies) Bill, 2012, has been given a second reading.

**Agreed by majority on division: The Referendum (Single-member Constituencies) Bill, 2012, given a second reading.**

**The Speaker:** The House will now go into Committee to consider the Bill.

**House in Committee at 7.17 pm**

**The Chairman:** Please be seated.

The House is now in Committee. Please be seated.

With the leave of the House, may I assume that, as usual, we should authorise the Honourable Attorney General to correct minor errors and suchlike in this Bill?

Would the Clerk please state the Bill and read the Clauses.

**COMMITTEE ON BILL****Referendum (Single-member Constituencies) Bill, 2012**

**The Clerk:** The Referendum (Single-member Constituencies) Bill, 2012.

Clause 1 Short title.

**The Chairman:** The question is that clause 1 do stand part of the Bill. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clause 1 passed.**

**The Clerk:** Clause 2 Interpretation.

**The Chairman:** Honourable Premier.

**Amendment to clause 2**

**The Premier, Hon. W. McKeeva Bush:** Thank you. In accordance with the provisions of Standing Order 52(1) and (2), we have sought the agreement of the Speaker to move the following amendment: That the Bill be amended as follows:- in clause 2(1) in the definition of the word "Governor", by deleting the words "and the Deputy Governor"; by deleting the definition of the word "observer" and substituting the following definition—"observer" means a person appointed in accordance with section 7(1) and includes a scrutineer;" And by inserting, after the definition of the word "referendum", the following definition—"scrutineer" means a person appointed in accordance with section 7(2)."

**The Chairman:** The amendment has been duly moved, does any Member wish to speak thereto? [pause]

If no Member wishes to speak, the question is that the amendment stands part of the clause.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Amendment passed.**

**The Chairman:** The question now is that the clause as amended stands part of the Bill.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clause 2 as amended passed.**

**The Clerk:** Clause 3 Holding of referendum

**The Chairman:** The question is that clause 3 do stand part of the Bill.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clause 3 passed.**

**The Clerk:** Clause 4—

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chair, I beg to move the following amendment to clause 4.

**The Premier, Hon. W. McKeewa Bush:** No.

*[Inaudible interjection]*

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Okay.

**The Clerk:** Clause 4      Matter of national importance and referendum question.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chair, I beg to move the following amendment to clause 4—

**The Premier, Hon. W. McKeewa Bush:** Madam Chairman, I would think that [since] the Government has an amendment here we should take it.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chair, it's just that my amendment is to clause 4(2) and the Government's is to clause 4(4); that's why I moved mine now.

**The Premier, Hon. W. McKeewa Bush:** But—

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** It's just logical that we would deal with it that way.

**The Premier, Hon. W. McKeewa Bush:** But, Madam Chairman, it is clause 4, and we're dealing with a Bill as a Government . . . I don't see how we can move that amendment at this time. I think the Government has to move its amendment.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chair, all the years I have been here we proceed with these things in numerical order. My proposed amendment is to clause 4(2). The Government's is to clause 4(4).

**The Premier, Hon. W. McKeewa Bush:** Well, Madam Chair, let's not hold an argument, if that's what he wants to do.

**The Chairman:** I am going to allow him to move his amendment.

**The Premier, Hon. W. McKeewa Bush:** Yes.

**Proposed amendment  
to clause 4(2)**

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Thank you, Madam Chair,

I beg to move that the Bill be amended as follows: In clause 4(2) by deleting the words "Do you support an electoral system of single-member constituencies with each elector being entitled to cast only one vote?" and substituting therefor the words: "Do you support the introduction prior to the General Elections in 2013 of an electoral system of single-member constituencies with each elector being entitled to cast one vote?"

**The Chairman:** The amendment has been duly moved. Does any Member wish to speak thereto?

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Yes, Madam Chair, just to reiterate the position I took when we were in the House that the present proposal by the Government as contained in the Bill does not commit the Government to introducing single-member constituencies and the principle of one person, one vote, before the General elections in 2013 or, indeed, at all; it merely asks for an indication of support from the voter that they support the electoral system of single-member constituencies with each elector being entitled to cast only one vote.

And for the purposes of clarity and for the purposes of certainty, given the undertaking that the Government has made to introduce it before elections in 2013, I think it is only logical and safe that we include it in the question that is being asked.

**The Chairman:** Does any other Member wish to speak?

**The Premier, Hon. W. McKeewa Bush:** Well, Madam Chair, I think it is just a bunch of hypocrisy for the Member to just have voted against this even in a voiced vote of no and come now and expect to amend the Bill. Suppose the Bill had failed in the first instance, then what would have happened?

I can't support this, Madam Chair. We have said that it is what it is.

**The Chairman:** The question is that the amendment as put forward to the Leader of the Opposition [to clause 4(2)] stands part of the clause.

All those in favour please say Aye. Those against, No.

**One audible Aye and Noes.**

**The Chairman:** The Noes have it. The amendment fails.

**Proposed amendment to clause 4(2) failed.**

**The Chairman:** Honourable Premier.

**The Premier, Hon. W. McKeever Bush:** Madam Chair, in accordance with what we just did, perhaps, if the amendment by the Leader of the Opposition is by deleting clause 4(4) and substituting, it seems like his would come before mine again, because I move on now in clause 4 by inserting after sub-clause (4) the following sub-clause (5).

**The Chairman:** Leader of the Opposition, do you want to put your amendment?

**First proposed amendment  
for new sub-clause (5) to clause 4**

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Thank you, Madam Chair.

I beg to move that the Bill be amended by deleting clause 4(4) and substituting the following: "The question specified in subsection (2) will not have been answered in favour of the introduction prior to the General Elections in 2013 of an electoral system of single-member constituencies with each elector being entitled to one vote unless more than fifty per centum of persons voting in the referendum vote in favour of the question."

**The Chairman:** The amendment has [been duly moved] by the Leader of the Opposition. Do you wish to speak further on it?

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chair, this is the principal point of objection by the Opposition to the Bill, which has just passed the Second Reading, and that is that the bar that is set, is too high and that instead of it being 50 per cent plus one of the electorate, that the more appropriate standard is the one that was used in the constitutional modernisation referendum exercise and law, which is 50 per cent plus one of the persons voting in the referendum. If they should vote in favour of the question then the question should be taken as having been answered in the affirmative.

**The Chairman:** Does any other Member wish to speak to this amendment?

**The Premier, Hon. W. McKeever Bush:** Madam Chair, we have already put our case. We have made it very clear that we are not lowering the bar to change the voting system in this country. My remarks about the way the Member dealt with this Bill, in accepting this amendment at the time, if his "No" vote had carried, we wouldn't have a Bill to be doing anything with.

And his explanation about the matter of the 2009 . . . in 2009 we didn't have a Constitution that talked about this. If I look back, as far as I can recall the new Constitution sets the bar for us; they didn't have that in that old Constitution at the time. They made a law, but the Constitution—they are the ones always saying what the Constitution should or should not do and how we should follow the Constitution. Well, the Constitution sets the guidelines there.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chair—

**The Premier, Hon. W. McKeever Bush:** And Madam Chair, we are following what the people-initiated referendum calls for.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chair, that is precisely the point. This is a Government-initiated referendum and, therefore, our position is that we should adopt the standard that was adopted for the only other Government-initiated referendum the country has ever held in 2009.

**The Premier, Hon. W. McKeever Bush:** Madam Chair, it is a fact that this people-initiated referendum was at the end of this point; it didn't start with the people-initiated referendum, it started by the Opposition.

However, they all join in together. But, Madam Speaker, it is only fair for us as a Government, after we are trying to stop them from derailing everything in this country that's going on in this country with their noise, to follow what the people-initiated referendum is. And, Madam Chair, this is not just anything we are doing. It is about changing our voting system, fundamental to democracy.

No.

**The Chairman:** Does any other Member wish to speak? [pause]

The question is that the amendment as duly moved by the Leader of the Opposition stands part of the clause.

All those in favour please say Aye. Those against, No.

**One audible Aye and Noes.**

**The Chairman:** The Noes have it. The amendment fails.

**First proposed amendment (new sub-clause (5)) to clause 4 failed.**

**The Chairman:** Honourable Premier.

Amendment moved by the Premier, the Honourable Minister of Finance, Tourism and Development.

**Second proposed amendment  
for new sub-clause (5) to clause 4**

**The Premier, Hon. W. McKeeva Bush:** I move that the Bill be amended in clause 4 by inserting after sub-clause (4) the following sub-clause: "(5) The outcome of the referendum shall be binding on the Government if more than fifty per centum of persons registered as electors in accordance with section 90 of the Constitution, vote in the referendum in favour of, or against, the question specified in subsection (2)."

**The Chairman:** The amendment has been duly moved. Does any Member wish to speak thereto? [pause]

If no Member wishes to speak, I will put the question that the amendment [to clause 4, new sub-clause (5)] stands part of the clause.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Amendment to clause 4 (new sub-clause (5)) passed.**

**The Chairman:** The question is that the clause as amended stand part of the Bill. Does any other Member wish to speak?

If not I will put the question that clause 4 as amended stand part of the Bill. Does any Member wish to speak? If not I will put the question that [clause 4] as amended stand part of the Bill. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clause 4, as amended, passed—sub-clause (5) added to clause 4.**

**The Chairman:** Leader of the Opposition?

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chair, I have one more amendment to clause 4.

**The Chairman:** Would you offer it now please?

**Third proposed amendment  
for new sub-clause (5) to clause 4**

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** I beg that clause 4 be amended by the addition of a new sub-clause (5) as follows: "If the question specified in subsection (2) is answered in favour of the introduction prior to the General Elections in 2013 of an electoral system of single-member constituencies with each elector being entitled to one vote the Government shall be bound thereby."

**The Chairman:** The amendment has been duly moved. Does any Member wish to speak thereto?

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chairman, just to reiterate the point that I have made a number of times over the course of the day, that under the present provisions of the Bill, the Government is not bound by the outcome of the result of the referendum and it is important that that is the case.

**The Premier, Hon. W. McKeeva Bush:** Madam Chairman, this is what we just voted on, and we have agreed that this would be in there.

*[Inaudible interjection]*

**The Premier, Hon. W. McKeeva Bush:** No, we have not adopted yours, we've adopted mine—as we said we would. We said that we were doing it.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** But, Madam Chair, the significant difference between the amendment proposed by the Premier and mine, is that theirs includes the provision that I am objecting to, which is that it is 50 per cent of persons registered as electors that is the bar. That is not included in my proposed amendment.

**The Premier, Hon. W. McKeeva Bush:** But neither is it included . . . I mean, if you are going into that, in this amendment, this actual clause you are not talking about any per centum here. What this is saying is that "[If] the question specified in subsection (2) is answered in favour of the introduction prior to the General Elections in 2013 of an electoral system of single-member constituencies with each elector being entitled to one vote the Government shall be bound thereby."

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Precisely.

**The Premier, Hon. W. McKeever Bush:** But we just moved, as I said earlier.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Madam Chair, the—

**The Chairman:** Out of an abundance of caution I will put the amendment to the vote and everybody can decide whether they are supporting it or not.

**Hon. Alden M. McLaughlin, Jr., Leader of the Opposition:** Thank you, Ma'am.

**The Chairman:** The question is that the amendment to clause 4 as proposed by the Leader of the Opposition stands part of the clause.

All those in favour please say Aye. Those against, No.

**One audible Aye and Noes.**

**The Chairman:** The Noes have it. The amendment fails.

**Third proposed amendment to clause 4 failed.**

*[Inaudible interjection]*

**The Premier, Hon. W. McKeever Bush:** I wish I could do some other things with you. I would give you a good flogging every day of the week. Every morning you get up.

**The Chairman:** Please move on.

**The Clerk:** Clause 5 Entitlement to vote.

**The Chairman:** The question is that clause 5 stands part of the Bill.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clause 5 passed.**

**The Clerk:** Clause 6 Conduct of referendum.

#### **Amendment to clause 6**

**The Premier, Hon. W. McKeever Bush:** Madam Chairman, in accordance with Standing Order 52(1) and (2), I move that the Bill be amended as follows: In

clause 6(2) by inserting after the words "be responsible" the words " , together with the returning officers,".

**The Chairman:** The amendment has been duly moved. Does any Member wish to speak thereto?

If not, I will put the question that the amendment stands part of the clause.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Amendment to clause 6 passed.**

**The Chairman:** The question now is that clause 6 as amended stand part of the Bill.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clause 6, as amended, passed.**

**The Clerk:** Clause 7 Observers.

**The Chairman:** Honourable Premier.

#### **Amendment to clause 7**

**The Premier, Hon. W. McKeever Bush:** Madam Chairman, I move that the Bill be amended as follows: By renumbering clause 7 as clause 7(1); and by inserting after clause 7(1) as renumbered the following sub-clause: "(2) The Premier and the Leader of the Opposition may each, by instrument in writing, appoint in respect of each polling station and each counting station, two persons to observe the conduct of the referendum, the verification of the ballot paper accounts and the counting of the votes."

**The Chairman:** The amendment has been duly moved. Does any Member wish to speak thereto?

*[Pause]*

**The Premier, Hon. W. McKeever Bush:** Madam Chairman, I think that I should intimate that we are withdrawing (d) in clause 7 in the first set of amendments. Sorry, withdrawing not (d) but (c) in clause 7 (am I right?)

**An Hon. Member:** Yes.

**The Premier, Hon. W. McKeeva Bush:** [We are withdrawing] (c) in clause 7, in the first set of amendments.

**The Chairman:** The amendment has been duly moved. Does any Member wish to speak thereto?

If no Member wishes to speak, I will put the question that the amendment stands part of the clause. All those in favour please say Aye. Those against, No.

**One audible Aye.**

**The Chairman:** The Ayes have it.

**Agreed: Amendment to clause 7 passed.**

**The Chairman:** The question now is that clause 7 as amended stand part of the Bill.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clause 7, as amended, passed.**

**The Clerk:** Clause 8 Legal challenge.

**The Chairman:** Honourable Premier.

#### **Amendment to clause 8**

**The Premier, Hon. W. McKeeva Bush:** Madam Chairman, I move that the Bill be amended in clause 8(1) by inserting after the words "as certified by the Supervisor" the words "based on returns as certified by the returning officers,".

**The Chairman:** The amendment has been duly moved. Does any Member wish to speak thereto?

If no Member wishes to speak, I will put the question that the amendment stands part of the clause. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Amendment to clause 8 passed.**

**The Chairman:** The question now is that clause 8 as amended stands part of the Bill.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clause 8, as amended, passed.**

**The Clerk:**

Clause 9	Application of Elections Law
Clause 10	Expenses of referendum
Clause 11	Regulations

**The Chairman:** The question is that clauses 9 through 11 stand part of the Bill.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clauses 9 through 11 passed.**

**The Clerk:** Schedule 1 - Form of Ballot Paper

**The Chairman:** The question is that Schedule 1 stands part of the Bill.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Schedule 1 passed.**

**The Clerk:** Schedule 2 – Part 1: Application and Modification of Provisions of the Elections Law (2009 Revision).

**The Chairman:** Honourable Premier.

#### **Amendment to Schedule 2 Part 1**

**The Premier, Hon. W. McKeeva Bush:** Madam Chair, I move that the Bill be amended in Part 1 of Schedule 2 as follows: In the modification relating to section 29(1)(a) by deleting the words "one counting station" and substituting the words "counting stations";

By deleting the modifications relating to section 58 and substituting the following modifications—"section 58 (The count)" omit subsections (1) and (2) and substitute -

"(1) Each returning officer, or deputy returning officer, as the case may be, shall, upon receipt by him of each of the ballot boxes place his seal thereon in the presence of the observers, and shall then take every precaution for its safekeeping until the count commences.

“(1A) After the ballot boxes have been received by the returning officer for the count, he shall break the seals thereon in the presence of observers and of any other persons who are lawfully in the counting station at that time and place all the ballot papers therein contained in the appropriate ballot box which shall be provided.

“(2) When all the ballot boxes from an electoral district have been received by the returning officer and dealt with in accordance with subsection (1A), and not before, the returning officer shall, in the presence of such of the observers as are present, or, if no observers are present, two voters -

- (a) record and count, in such segments as the returning officer may deem appropriate, the number of votes for the electoral district (allowing the observers or, in the absence of the observers, the two voters present, full opportunity to see such votes but not the official number on the back of the ballot paper) and a poll clerk and not less than two witnesses shall be supplied with tally sheets upon which they may keep their own scores as each vote is called out by the returning officer; and
- (b) reject all ballot papers -
  - (i) which have not been marked; or
  - (ii) upon which there is any writing or mark by which the voter could be identified, but no ballot paper shall be rejected on account of any writing, number or mark placed thereon by any presiding officer.”

Omit subsections (7) to (13) (inclusive) and substitute:

“(7) If, in the course of counting the votes, the returning officer discovers that the presiding officer has omitted to affix his initials to any ballot paper as provided by section 47(1), he shall, in the presence of the poll clerk and such of the observers as are present, affix his initials to such ballot paper and shall count such ballot paper as if it had been initialed by the presiding officer in the first place, provided that he is satisfied that the ballot paper is one that has been supplied by the presiding officer, and also that every ballot paper supplied to such presiding officer has been accounted for as provided by paragraph (f) of section 57(1).

- “(8) Where a vote is marked -
- (a) otherwise than in the proper place;
  - (b) otherwise than by way of an X; or
  - (c) by more than one mark,

the vote is valid if it clearly appears that it was intended for a particular answer, and that answer shall be awarded the vote accordingly.

“(9) The returning officer shall keep a record, on the special form printed in the poll book, of every objection made by any observer or any voter present, to any ballot paper found in a ballot box, and shall decide every question arising out of the objection. The decision of the returning officer shall be final, subject to reversal on petition under section 85 questioning the return; and every such objection shall be numbered and a corresponding number placed on the back of the ballot paper and initialled by the returning officer.

“(10) All the ballot papers not rejected by the returning officer shall be counted and a list shall be kept of the number of votes for the respective answers relating to the referendum and of the number of rejected ballot papers. The rejected ballot papers shall be put into one packet and the remaining used ballot papers into another, both of which shall be sealed by the returning officer and may be sealed or signed by such observers or witnesses present as desire to seal or sign the packets.

“(11) Any of the observers, if not satisfied with the accuracy of the count of any segment of the count, may, on completion of the count of that segment, immediately demand a recount which shall thereupon be carried out in the same manner as the original count; but no observer may demand such a recount more than once in respect of any segment of the count.”

And in the modification relating to section 61(1)(a) by deleting the words “his return” and substituting the words “the return.”

**The Chairman:** The amendment has been duly moved. Does any Member wish to speak thereto? If no Member wishes to speak, I will put the question.

The question is that the amendments to Part 1 of the Schedule stand part of the Schedule.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Amendment to [Part 1 of Schedule 2] passed.**

**The Chairman:** The question is that Schedule 2 as amended stands part of the Bill. If no Member wishes to speak, I will put the question. [pause]

*[Inaudible interjections]*

**The Chairman:** All right.

The question now is that the amendments to Part 1 of Schedule 2 stand part of the Bill. [pause]

*[Inaudible interjections]*

**The Premier, Hon. W. McKeeva Bush:** Madam Chair, I move a further amendment to Part 1 of Schedule 2 in the modifications relating to form 25, by deleting the words “oath of an observer” and substituting “oath of observer/scrutineer” and by deleting the word “observer” and substituting the words “observer/scrutineer.”

**The Chairman:** The amendment has been duly moved. Does any Member wish to speak thereto?

If no Member wishes to speak, I will put the question. The question is that the amendment [to Part 1 of Schedule 2] stands part of the Schedule.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Amendment to [Part 1 of Schedule 2] passed.**

**The Chairman:** The question now is that Schedule 2, as amended, stand part of the Bill.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Schedule 2, as amended, passed.**

**The Clerk:** Schedule 2 — Part 2, Part 2: Application and Modification of Provisions of the Elections Rules (2009 Revision).

**The Chairman:** The question is that Part 2 of Schedule 2 do stand part of the Bill.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Part 2 of Schedule 2 passed.**

**The Clerk:** A Bill for a Law to make provision for the holding of a referendum on the proposal to introduce an electoral system of single-member constituencies with each elector being entitled to cast only one vote; and to make provision for incidental and connected matters.

**The Chairman:** The question is that the Title stands part of the Bill.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Title passed.**

**The Chairman:** The question is that the Bill be reported to the House.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Bill to be reported to the House.**

**Proceedings resumed at 8:01 pm**

**The Speaker:** The House is now resumed. Please be seated.

## **REPORT ON BILL**

### **Referendum (Single-member Constituencies) Bill, 2012**

**The Clerk:** Referendum (Single-member Constituencies) Bill, 2012.

**The Speaker:** Honourable Premier.

**The Premier, Hon. W. McKeeva Bush:** Thank you, Madam Speaker. I have to report that the Referendum (Single-member Constituencies) Bill, 2012, was examined in a Committee of the House and amended.

**The Speaker:** The Bill has been duly reported and is set down for third reading.

### **Suspension of Standing Order 47**

**The Premier, Hon. W. McKeeva Bush:** Madam Speaker, I have to move for the suspension of Standing Order 47 to enable the Referendum (Single-member Constituencies) Bill, 2012, to be read a third time.

**The Speaker:** The question is that Standing Order 47 be suspended to enable the Referendum (Single-member Constituencies) Bill, 2012, to be read a third time.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Standing Order 47 suspended.**

### THIRD READING

**The Clerk:** Third Reading the Referendum (Single-member Constituencies) Bill, 2012.

**The Speaker:** Honourable Premier.

**The Premier, Hon. W. McKeever Bush:** Madam Speaker, I move that the Referendum (Single-member Constituencies) Bill, 2012, be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled the Referendum (Single-member Constituencies) Bill, 2012, be given a third reading and passed.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: The Referendum (Single-member Constituencies) Bill, 2012, given a third reading and passed.**

**The Speaker:** Honourable Premier, that brings us to the end of this agenda. Can we have a motion for adjournment?

### ADJOURNMENT

**The Premier, Hon. W. McKeever Bush:** Madam Speaker, before I move the adjournment, let me thank the Speaker, the Clerk, the Serjeant, and all Members of the House, particularly the civil servants who have been here with us all day. I want to thank them, and Mr. Dilbert in my Ministry who has been here from this morning, and the Cabinet Secretary, and police officers who have been here with us from yesterday.

This was a Special Meeting. So, Madam Speaker, I am minded to say that, as a Special Meeting, the meeting has ended and, therefore, that would be the adjournment when the meeting ends. And we have announced a meeting for 23 [May]. Perhaps we will call the meeting back before that, but the House is adjourned until the 23<sup>rd</sup>.

I think, Madam Speaker, that out of an abundance of caution I move that the House be now adjourned.

**The Speaker:** The question is that this Honourable House do stand adjourned from this Special Meeting.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**At 8:05 pm the Special Meeting of the Legislative Assembly stood adjourned.**