



FIFTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

SECOND SESSION

FRIDAY 19 JULY 2013

CONTENTS

PAPERS LAID

QUESTION (*Oral*)

MOTION

ADJOURNMENT

Members

Members

THE CABINET**(Formed by Dr. the Hon. Navinchandra Ramgoolam)**

Dr. the Hon. Navinchandra Ramgoolam, GCSK, FRCP	Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues
Dr. the Hon. Ahmed Rashid Beebeejaun, GCSK, FRCP	Deputy Prime Minister, Minister of Energy and Public Utilities
Hon. Charles Gaëtan Xavier-Luc Duval, GCSK	Vice-Prime Minister, Minister of Finance and Economic Development
Hon. Anil Kumar Bachoo, GOSK	Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping
Dr. the Hon. Arvin Boolell, GOSK	Minister of Foreign Affairs, Regional Integration and International Trade
Dr. the Hon. Abu Twalib Kasenally, GOSK, FRCS	Minister of Housing and Lands
Hon. Mrs Sheilabai Bappoo, GOSK	Minister of Social Security, National Solidarity and Reform Institutions
Dr. the Hon. Vasant Kumar Bunwaree	Minister of Education and Human Resources
Hon. Satya Veyash Faugoo	Minister of Agro-Industry and Food Security, Attorney General
Hon. Devanand Virahsawmy, GOSK	Minister of Environment and Sustainable Development
Dr. the Hon. Rajeshwar Jeetah	Minister of Tertiary Education, Science, Research and Technology
Hon. Tassarajen Pillay Chedumbrum	Minister of Information and Communication Technology
Hon. Louis Joseph Von-Mally, GOSK	Minister of Fisheries
Hon. Satyaprakash Ritoo	Minister of Youth and Sports
Hon. Louis Hervé Aimée	Minister of Local Government and Outer Islands
Hon. Mookhesswur Choonee	Minister of Arts and Culture
Hon. Shakeel Ahmed Yousuf Abdul Razack Mohamed	Minister of Labour, Industrial Relations and Employment
Hon. John Michaël Tzoun Sao Yeung Sik Yuen	Minister of Tourism and Leisure

Hon. Lormus Bundhoo	Minister of Health and Quality of Life
Hon. Sayyad Abd-Al-Cader Sayed-Hossen	Minister of Industry, Commerce and Consumer Protection
Hon. Surendra Dayal	Minister of Social Integration and Economic Empowerment
Hon. Jangbahadoorsing Iswurdeo Mola	Minister of Business, Enterprise
Roopchand Seetaram	and Cooperatives
Hon. Mrs Maria Francesca Mireille Martin	Minister of Gender Equality, Child Development and Family Welfare
Hon. Sutyadeo Moutia	Minister of Civil Service and Administrative Reforms

PRINCIPAL OFFICERS AND OFFICIALS

<i>Mr Speaker</i>	Peeroo, Hon. Abdool Razack M.A., SC, GOSK
<i>Deputy Speaker</i>	Peetumber, Hon. Maneswar
<i>Deputy Chairperson of Committees</i>	Deerpalsing, Hon. Ms Kumaree Rajeshree
<i>Clerk of the National Assembly</i>	Dowlutta, Mr R. Ranjit
<i>Deputy Clerk</i>	Lotun, Mrs B. Safeena
<i>Clerk Assistant</i>	Ramchurn, Ms Urmeelah Devi
<i>Clerk Assistant</i>	Navin, Mr Gopall
<i>Hansard Editor</i>	Jankee, Mrs Chitra
<i>Senior Library Officer</i>	Pallen, Mr Noël
<i>Serjeant-at-Arms</i>	Munroop, Mr Kishore

MAURITIUS

Fifth National Assembly

SECOND SESSION

Debate No. 17 of 2013

Sitting of 19 July 2013

The Assembly met in the Assembly House, Port Louis,

At 3.30 p.m.

The National Anthem was played

(Mr Speaker in the Chair)

PAPERS LAID

The Prime Minister: Sir, the Papers have been laid on the Table –

A. Ministry of Finance and Economic Development –

- (a) The Statutory Bodies Pension Funds (Amendment of Schedule) Regulations 2013 (Government Notice No. 176 of 2013).
- (b) The Public Procurement (Framework Agreement) Regulations 2013 (Government Notice No. 177 of 2013).
- (c) The Securities (Brokerage Fees for Exchange Traded Funds on Foreign Underlyings) Rules 2013 (Government Notice No. 179 of 2013).

B. Ministry of Education and Human Resources

The Annual Report of the Private Secondary Schools Authority for the period July 2009 – December 2010.

C. Ministry of Local Government and Outer Islands –

The Municipal Council of Beau Bassin/Rose Hill (Bus Terminal) Regulations 2013 (Government Notice No. 180 of 2013).

D. Ministry of Health and Quality of Life –

The Mauritius Institute of Health (Fees) Regulations 2013 (Government Notice No. 178 of 2013).

ORAL ANSWER TO QUESTION

SMALL AND MEDIUM ENTERPRISES – CONSTRAINTS – MEASURES

The Leader of the Opposition (Mr A. Ganoo) (*by Private Notice*) asked the Minister of Business, Enterprise and Cooperatives whether, in regard to the Small and Medium Enterprises, he will –

- (a) for the benefit of the House, obtain from the Small and Medium Enterprises Development Authority, information as to the number thereof –
 - (i) registered, indicating those which are –
 - A. active;
 - B. dormant, and
 - C. under receivership, and
 - (ii) which, since 2010 to date, have been voluntarily wound up;
- (b) now state the number thereof which, since 2010, have closed down, indicating the job losses in each sector of activity, and
- (c) state the measures Government proposes to take to address the constraints and challenges faced by the Small and Medium Enterprises to empower them to enhance their competitiveness.

Mr Seetaram: Mr Speaker, Sir, let me, at the very outset, define what an SME is. It is an enterprise whose annual turnover does not exceed Rs50 m. It includes sole traders, partnerships, companies as well as unincorporated businesses. They are the key drivers of the Mauritian economy through their significant contribution to GDP growth, generating around 40% of the GDP, and socio-economic development. Because of their diversity and their proven resilience in responding to economic and environmental challenges, even during the global economic crisis, SMEs have a crucial role to play in sustaining the Government's efforts to overcome socio-economic disparities.

SMEs have an important contribution in fostering growth, employment and income in the country and in diversifying and democratising the economy. They are a key channel through which innovation occur and act as stabilisers of growth during an economic slowdown.

SMEs are the main drivers of job creation and contribute in a significant way to economic growth of the country. They employ around 307,000 workers, representing around 54% of the total employment. It is worth noting that employment figures for SMEs have increased from 51% in 2007 to 54% in 2012. There are more workers employed in the SME sector than in large establishment sectors like Agriculture, Construction, Wholesale and Retail Trade, Transport and other Services.

SMEs have consistently generated more employment than larger establishments, as I said, during the last 10 years.

SMEs are widely dispersed across the major sectors and are essential in the strategy for stabilising growth.

Mr Speaker Sir, the economy has fared remarkably well in the world economic crisis. Net job creation has been as follows for the last 3 years -

2011	1,600
2012	9,100
2013	7,000

It is obvious that there has been more job creation over the last 3 years than previously. However, the unemployment rate has crept up to 8.3% this year mainly due to increase in labour force as follows -

2012	10,300
2013	8,000

Mr Speaker, Sir, with regard to part (a) of the question, I am informed as follows: there are 22,219 enterprises registered at SMEDA, including Rodrigues, out of which 2,311 are dormant. We have announced 560 who are in receivership.

From the information received from the Registrar of Companies since 2010 to date 1,293 companies have been voluntarily wound up.

Mr Speaker, Sir, with regard to part (c) of the question, the House would certainly appreciate that this Government is strongly committed to SME growth and has in consecutive budgets, including the recent 2013 Budget, taken several measures and incentives aimed at sharpening the competitive edge of the SMEs and the Government has already put in place good operational environment for SME development and growth. It fully supports strategies, programmes and projects aimed at contributing to the development of the sectors.

Over the past years, much attention has been laid in tackling constraints faced by SMEs relating to finance, capacity building, marketing, business development services, infrastructure and institutional support framework. These actions have given a new dynamism and vigour to the SME sector. However, in view of the persistence of the economic crisis which started since 2008, Government is fully conscious that many enterprises, specifically some small and medium enterprises, may be encountering greater difficulties.

Government has not remained insensitive and has taken a series of vigorous measures to address the most important constraints faced by SMEs.

With your permission, Mr Speaker, Sir, I would enumerate some of the various measures namely

-

Access to finance

- (i) Banking Facilities - Rs3.5 billion have been placed at the disposal of enterprises;

“Banking Facilities” include new overdrafts, new term loans and its renewal, and also we have to bear in mind that interest rate is granted at 7.65% per annum repayable;

As at 31 May 2013, 1,687 applications were approved for a total amount of Rs2.07 billion.

- (ii) **Equity Financing**

For equity financing, two instruments are available -

- (i) NRF Equity Fund, and
- (ii) SME Partnership Fund

Under SME Partnership Fund, 87 SMEs have been assisted for a total amount of Rs161.6 m.

Under NRF Equity Fund, 5 SMEs have been assisted for a total amount of Rs64 m.

(iii) **Factoring**

Factoring provides immediate cash inflows to enterprises once a credit sale is finalised with a local counterpart.

As at 31 May 2013, 98 SMEs have benefitted from this scheme for a total amount of Rs494 m.

(iv) **Start-Up Entrepreneurship Scheme**

With regard to the Start-Up Entrepreneurship Scheme, as at 30 June 2013, 23 SMEs have been assisted for a total amount of Rs5 m.

(v) **Refund on Participation in International Fairs**

With regard to Refund on Participation in International Fairs, now you know that it has been raised from Rs100,000 to Rs200,000 per year. As at 31 May 2013, 351 SMEs have benefitted from this scheme for a total amount of Rs12.3 m.

Access to Technology

Leasing Facilities

With regard to leasing facilities, as at 30 June 2013, 424 SMEs have benefitted from leasing facilities for a total amount of Rs636 m.

Access to Markets

Market Development Support

With regard to access to markets, market development support, as from 31 May 2013, 895 SMEs have been assisted under this scheme and a total amount of Rs471.5 m. has been disbursed.

SME Trade & Technology Fair

Concerning the SME Trade & Technology Fair, which is, as you know, a key access to the market, it is organised on an annual basis at the Swami Vivekananda International Convention Centre (SVICC). This Fair enables lots of SMEs to participate, among which 150 SMEs can showcase and sell their products and services.

Business to Business Meeting

From 20 to 22 June 2013, and this was very successful.

Access to Information and Technology

SME Resource and Technology Centre (SRTC)

The SRTC has been quite helpful and has been set up in SMEDA itself. As to date, 176 entrepreneurs have benefitted, and it has also enabled 80 enterprises to improve their efficiency and the way of dealing with their day-to-day business activities by integrating information technology in their operations through the Digital Literacy Programme run at the SRTC.

MBGS Technical Assistance

Concerning innovation and also access to the market and competitiveness, the MBGS Technical Assistance has been quite fundamental, where provision for expert services to enterprises has been developed, and as from 31 May 2013, 151 SMEs have been assisted for a total amount of Rs207 m.

Access to Industrial Space

Access to industrial space has been very successful. Concerning the setting up of SME parks, one of the major problems faced by small and medium entrepreneurs is to find a space where they could conduct their activities. As per the Budget Speech 2012, announcement was made for the setting up of five industrial parks, namely Roche Bois, La Tour Koenig, Bambous, Solitude and Plaine Magnien.

The project at Roche Bois is completed, and the 15 units are fully occupied. As regards the complex at La Tour Koenig, it is nearing completion, and the one at La Valette, Bambous, is underway.

Land at Solitude and Plaine Magnien would soon be vested in my Ministry, and the construction projects for these two sites would then start.

Enhancing of Entrepreneurial Skills

Concerning the enhancement of entrepreneurial skills, many schemes have been set up -
The Craft Art 2012 Competition;
The Empretec Entrepreneurship Training Workshops;
Creative Craft Incubators.

Mr Speaker, Sir...

(Interruptions)

Mr Speaker: Silence!

Mr Seetaram: Mr Speaker, Sir...

(Interruptions)

Mr Speaker: Order!

Mr Seetaram: Mr Speaker, Sir, these are only some of the numerous measures which have been put in place by the Government over the recent years to assist SMEs to mitigate the effects of the crisis. Without these measures, we cannot imagine what the situation would have been. The Government will leave no stone unturned to come up with additional measures to assist our SMEs, especially those operating in sectors which are vulnerable. Furthermore, in the context of the forthcoming Budget, my Ministry is working with the Ministry of Finance & Economic Development on additional measures with a view to addressing the constraints and challenges faced by SMEs, and to enhance their competitiveness.

Mr Speaker Sir, never in the history of Mauritius has a Government done so much to support the SME sector. The current economic downturn is no doubt having an impact on the sector, but we are confident that with the measures we have put into place the SME sector is and will continue to maintain its resilience, buoyancy and competitiveness.

Mr Ganoo: Mr Speaker, Sir, I hope I have heard correctly the hon. Minister. The hon. Minister has talked about the share of SMEs in terms of contribution to GDP and also in terms of employment. If I understood properly, in terms of GDP he mentioned 40%. Is that correct?

Mr Seetaram: Yes.

Mr Ganoo: And in terms of employment, it is 54%. Unfortunately, the hon. Minister has not given us what has been the trend in the past years. But, be that as it may, the figures that the hon. Minister has been quoting purport to indicate an improvement in both cases. Does he agree that this is due to the fact that there has been a change in the definition of an SME in the SEHDA Act of 2009, which provides that a medium enterprise is now one which has a turnover of Rs50 m., whereas in the past it was Rs10 m.? So, now that the definition is Rs50 m., of course, there will be more SMEs, and the share of contribution will perforce increase. Does the hon. Minister agree with this?

Mr Seetaram: I would beg to differ, Mr Speaker, Sir. The definition of the small and medium enterprises has always been under Rs50 m. turnover, and for Rs10 m., these are small enterprises; not small and medium enterprises. It has always been the same!

Mr Ganoo: If we could listen to the hon. Minister of Finance! The figure was Rs10 m. for both small and medium enterprises before the new law!

(Interruptions)

Mr Speaker: Silence, please!

Mr Ganoo: The figure was Rs10 m. The new law in 2009 made a difference between a small and a medium. The small firms as up to Rs10 m., the medium up to Rs50 m.! So, when we talk of SMEs...

(Interruptions)

Mr Speaker: Silence!

Mr Ganoo:...the ceiling is Rs50 m. So, of course, we would have more SMEs in the range of Rs50 m.! Mr Speaker, Sir, with regard to access to finance, can the hon. Minister explain why, two years

after the announcement of the setting up of an SME Bank in the 2011 Budget, this measure has not yet seen the light of the day?

Mr Seetaram: Mr Speaker, Sir, concerning the SME Bank, it was a measure announced in the Budget and, obviously, all the procedures concerning the setting up of this bank are going forward. Mr Speaker, Sir, if the hon. Leader of the Opposition wishes to have more information concerning where matters are faring concerning the SME Bank, I believe a substantive question to the relevant Ministry will be more warranted.

(Interruptions)

Mr Speaker: Order, please! Order!

Mr Ganoo: Is the hon. Minister aware that, in spite of all banking facilities which he has just referred to, the SMEs are still encountering a lot of difficulties to have access to loan facilities because the conditions are still not SME-friendly, with banks still imposing usual stringent collaterals? The Government guarantee is 50% only in the case of micro companies, and in the case of SMEs it is 35%. Is the hon. Minister aware that, in spite of Government giving the guarantee, the banks are still asking that the operators have to submit their own collaterals?

Mr Seetaram: Mr Speaker, Sir, there is no imposition of any rate of percentage on any entrepreneur who goes to a bank that that rate has to be given. No! This does not exist! Also concerning all the commercial banks, we have to, of course, be quite clear about it. For banking facilities - Rs3.5 billion - Mr Speaker, Sir, it is this Government that has initiated this procedure. And also, as it stands today, 1,687 applications have been approved and more than Rs2 billion have been given to entrepreneurs till today...

(Interruptions)

This is a historical measure, Mr Speaker, Sir!

(Interruptions)

And also, Mr Speaker, Sir, when they were in power...

(Interruptions)

... they never did such a thing!

(Interruptions)

Not even near it!

(Interruptions)

How can they talk today?

(Interruptions)

Mr Speaker: I want some order now!

(Interruptions)

I want some order! Yes, hon. Leader of the Opposition!

(Interruptions)

Mr Ganoo: Can the hon. Minister tell the House why the interest...

(Interruptions)

Can the hon. Minister inform the House why the interest rate presently charged by the banks to the SMEs have not followed the decrease of the repo rate on two occasions and why does not he, in view of the difficult economic situation facing the SMEs, propose to have the interest rate adjusted for the benefit of these SMEs?

Mr Seetaram: On two occasions the repo rate went down, Mr Speaker, Sir. It was 8.4% and it came down to 7.9%, it did follow and now it is 7.65%

(Interruptions)

It did follow!

(Interruptions)

Mr Ganoo: Yes, yes...

(Interruptions)

Mr Speaker: Silence!

Mr Ganoo: Yes, but my question is that in spite of the decrease of the repo rate...

(Interruptions)

Mr Speaker: I say I don't want interruptions, right!

(Interruptions)

Mr Ganoo: But what is that, Mr Speaker, Sir?

(Interruptions)

Mr Speaker: I want some order in the House!

Mr Ganoo: This is deliberate to prevent me from putting my question!

(Interruptions)

Why is it, therefore, that in spite of the decrease on two occasions, the interest rates charged by the bank to the SMEs have not followed this decrease in view of the difficult situation? Does not the Minister think because of the decrease in the repo rate, the interest charged should have gone down also? This is my question.

Mr Seetaram: As I said again, it has gone down and it has been proved. If we see in the first year, the amount of loan given to entrepreneurs was more than Rs1 billion. In the second year, it has increased to Rs2 billion. It is following and the required loan has increased day by day and week by week. It has done so. I would beg to differ with the hon. Leader of the Opposition.

(Interruptions)

Mr Speaker: Next question!

Mr Ganoo: Sir, can the hon. Minister inform the House, especially in the 2012 Budget which itself underlines “excessive charges by our banks” and the announcement made in the Budget that legislation will be brought so that the Bank of Mauritius would put a cap on bank charges, which would have been beneficial to the SMEs, why nothing has been done as yet on that score?

Mr Seetaram: Mr Speaker, Sir, there are no bank charges charged to entrepreneurs who go to the bank for such type of loans. For the loans given to entrepreneurs under the Financing Scheme there are no charges and no registration dues.

(Interruptions)

How can the hon. Leader of the Opposition say such a thing? It is so wrong!

(Interruptions)

Mr Speaker: Silence!

(Interruptions)

I say silence now!

Mr Ganoo: Can the hon. Minister inform the House how many SMEs have benefitted from the MBGS ?

Mr Seetaram: From the MBGS, Mr Speaker, Sir, as at today, we have 23 projects which have been approved.

Mr Ganoo: What has been the sum allocated to these SMEs under this Scheme?

Mr Seetaram: The sum allocated concerning the MBGS projects, Mr Speaker, Sir, is Rs207 m.

(Interruptions)

Mr Ganoo: Can he tell the House what has been the sum allocated to the SMEs, out of this sum?

Mr Seetaram: It is in relation to SMEs, Mr Speaker, Sir.

(Interruptions)

Mr Ganoo: Can the hon. Minister table the list of the SMEs which have benefitted under this Scheme?

(Interruptions)

Mr Seetaram: I would do so.

Mr Ganoo: Does the hon. Minister find it normal that the SME sector, which, according to him, contributes to about 40% of the GDP, is allocated only Rs37 m. per year for the running of the SMEDA, and for the prospection of new markets? Why is it so low?

Mr Seetaram: Mr Speaker, Sir, this sum obviously is meant for the SMEDA. It has its expenses, but the Leader of the Opposition should also know that the SMEDA also runs the craft markets and so on. These are also finance and revenue that come to the SMEDA.

Mr Ganoo: Does the hon. Minister find it normal that for the SMEDA which now contributes 40% of GDP share, as he himself said, 54% of employment, only a sum of Rs37 m. is allocated, whereas in the case of Enterprise Mauritius, Rs135 m., just like the MTPA, hundreds and hundreds of millions for prospecting new markets? Does he find this normal?

Mr Seetaram: Firstly, Mr Speaker, Sir, you have to bear in mind that the SMEDA is mostly for local entrepreneurs and the Enterprise Mauritius is meant for export-oriented enterprises amongst which you have the tendency that the expenses and also the budgeted figures would be higher.

Mr Ganoo: Does the hon. Minister agree that the Board of Enterprise Mauritius should include a representative from his Ministry and also from the SMEs to better safeguard the interest of the SMEs in view of the fact that the SMEs and the large enterprises have a different economic logic?

Mr Seetaram: The composition of the Board of Enterprise Mauritius has been a matter of discussion and I am sure it will follow and find the right way ahead.

Mr Ganoo: So, the hon. Minister agrees with my question! Can he tell the House whether the Market Development Plan, which was announced in the last Budget, has been prepared, and if yes, will he table same?

Mr Seetaram: Would the hon. Leader of the Opposition repeat the question, please?

(Interruptions)

Mr Speaker: Hon. Leader of the Opposition, could you repeat the question!

(Interruptions)

Mr Ganoo: I am quoting from the PBB -

“A Market Development Plan will be prepared taking into account the needs of the SMEs.”

I want to know if this plan has been prepared. If yes, can the hon. Minister table same?

Mr Seetaram: Concerning the Market Development Plan, we have, firstly, put much effort concerning access to the market. One of the pillars which we have set up is the SMEs and Cooperatives' Fair and such a fair has been done, at least, once a month and this is every month during the last two years. Such access has given opportunities to entrepreneurs and women entrepreneurs - mostly the handicraft sector - to showcase their products and they have been able to make a name out of it and this is only the start; there are other activities concerning access to the market that are being looked at.

First and foremost, I believe, the increase of Rs100,000 going to Rs200,000 concerning the refund for participation in the international fair has been remarkably accepted in the entrepreneurs society and this has really benefitted most entrepreneurs, especially SMEs, who want to go abroad.

Mr Ganoo: Can the hon. Minister explain to the House why the project...

(Interruptions)

Mr Speaker: Hon. Aimée!

Mr Ganoo: ... of setting up a Permanent Exhibition Centre - announced so long - and a Mauritius Trading House which would have been a warehouse in different countries for locally manufactured products, including SMEs, have not yet materialised?

Mr Seetaram: In fact, as far as the exhibition centre is concerned, there has not been any exhibition centre mentioned in the Budget Speech recently, but this has been proposed by several entrepreneurs and also at the level of SMEDA, we think that this is a very good idea. But, as I said, the

exhibition centre needs to be somewhere which is pivotal and this is food for discussion which is going on now itself.

(Interruptions)

Mr Speaker: No cross-talking!

Mr Seetaram: And very soon such measures would come to the public.

Mr Ganoo: The hon. Minister should be aware that in the last budget in the PBB at page 576, mention is made, I quote -

“There is a lack of coordination and duplication in the SME service providing institutions which is the cause for a misuse of human and capital resources”.

Why have these different institutions not been reshaped to improve the performance of these enterprises as announced in the budget?

Mr Seetaram: Concerning the matter raised by the hon. Leader of the Opposition, the real issue is where there is duplication of services in the SME sector and this has been looked at thoroughly. Even at the level of the Ministry of Business Enterprise and Cooperatives, this has been looked up thoroughly in collaboration with the Ministry of Finance and Economic Development and also with officers of the World Bank. Decisions have already been taken and the roadmap has started and they are faring well.

Mr Ganoo: Is the hon. Minister aware that the programme also announced that to create the required synergy, an institution integrating all the services, namely the SEHDA, DBM, EM, MBGS, National Women Entrepreneur Council, the NICE is being considered and can he tell us where do matters stand?

(Interruptions)

Mr Seetaram: Before this concept was called UBEP, but now we came up with the Inter Agency Committee which has already been set up by my Ministry and it is looking into it on a very regular basis of how to run all those institutions on a cost-effective point of view without having much duplication and also where you can have more and precise information, communication and all facilities provided to entrepreneurs somewhere which is more accessible.

Mr Ganoo: Mr Speaker, Sir, I come to the compliance costs and the administrative costs. The Minister is aware that the cost of compliance to the different State agencies like the MRA, the NPF, the PAYE, the DDS, the Registrar of Companies for the payment of all these charges e.g. VAT, CPS, NPF and so on, are very costly and cumbersome, but worse, failure to comply, attracts the same penalty in the case of large enterprises. Doesn't the Minister agree that since these penalties constitute a severe constraint for the SMEs, his Ministry should consider adopting a more friendly regime for the SMEs?

Mr Seetaram: As I said, Mr Speaker, Sir, the hon. Leader of the Opposition is raising basically the same point every time. I have said it that we have put up this Inter Agency Committee and it is looking at all the institutions for the betterment of facilities provided to entrepreneurs, and it is in that direction that we are going.

Mr Ganoo: Mr Speaker, Sir, one of the most prominent problems of the SMEs is their failure to address their accounting needs and their management problems and this is the cause of many business failures. Has the hon. Minister given thought to that and what does he propose to do?

Mr Seetaram: At the level of the SMEDA and also the MBGS, we have officers who do advise SMEs, small industries, mostly micros where they are having difficulties in managing their businesses. It is the role of officers of SMEDA to advise those entrepreneurs how to better manage their enterprise and I believe this is going on. We are also having technology, as I have recently mentioned, the SRTC which is adding to the facilities provided to those entrepreneurs.

Mr Speaker: Last question!

Mr Ganoo: Is it the last question for everybody? Mr Speaker, Sir, in view of the fact ...

(Interruptions)

Mr Speaker: Silence!

Mr Ganoo: ... that the many measures that have been announced have not been materialised, fulfilled, and in view of the fact that the SMEs represent *le parent pauvre et le cendrillon* of the Mauritian economy, Mr Speaker, Sir, in order to revamp this sector, doesn't the hon. Minister think that urgently *pour ne pas laisser ...*

(Interruptions)

Mr Speaker: I don't want any interruption!

Mr Ganoo: ... *les oiseaux se cacher pour mourir*, Mr Speaker, Sir, an assizes of the SMEs should be urgently held and all the stakeholders should be called in order to revamp this sector as urgently as possible, and this assizes should come up with a *plan*, with *un schéma directeur* in order to pave the way for a better future for the SMEs?

Mr Seetaram: Perhaps the hon. Leader of the Opposition is not aware that the *assises de l'entrepreneuriat*, the entrepreneurship forum and various workshops have been done by the Ministry for years and years and even during the year.

(Interruptions)

Mr Speaker: Members will have to allow the hon. Minister to answer!

Mr Seetaram: This has been the case and the hon. Leader of the Opposition should have at least followed up what has been going on. Instead, when they were in power, Mr Speaker, Sir, they never did any such thing.

(Interruptions)

Mr Speaker: No!

Mr Seetaram: No institutions, Mr Speaker, Sir!

(Interruptions)

Mr Speaker: I say order! Members are wasting the time of the House.

Mr Seetaram: When they were in power – they are now trying to teach us lessons - what did they do?

(Interruptions)

In 2000, when Mr Cuttaree was there holding the *portefeuille* of Industry, only 318 small and medium enterprises were created. In 2003-2004, hon. Lesjongard was Minister, it was 82; when Mr Koonjoo was there, it was 42 and now 4,119 have been created.

(Interruptions)

Mr Speaker: Time is up!

(4.07 p.m.)

PRIVATE MEMBERS' MOTION

CONSTITUTION - SECULAR NATURE OF THE STATE

Ms K. R. Deerpalsing (Third Member for Belle Rose & Quatre Bornes): Mr Speaker, Sir, allow me firstly to thank you for permitting me to bring forward this Motion which has been circulated. It concerns the issue of secularism.

Mr Speaker, Sir, I beg to move the Motion standing in my name on the Order Paper, namely -

“This House is of the opinion that the Constitution be amended to provide for the secular nature of the State to be enshrined therein.”

Mr Speaker, Sir, I am here in this House because I have aspirations for my country - not personal aspirations – aspirations for better things for the collective good of my country. And I think that's the reason we should all be here.

In fact, politics is not a career and there is a difference, Mr Speaker, Sir. Politics is not a career; *c'est un engagement et quand on a ces engagements, il nous faut avoir des convictions pour* further the cause of our convictions. So, *M. le président, aujourd'hui on est là*, let us imagine 60 years from now. Most of us, if not all of us, will not be here 60 years from now, I think. There will be people here sitting in this House, on those rows, who are probably not born yet. What are these individuals, these citizens who are going to be sitting here 60, 50 years from now, what will be their socialisation process? What are they going to represent? Who are they going to represent? What ideas are they going to represent? What kind of Mauritius are they going to be holding forth for? I think this is what we should also be able to imagine, not just be *cantonné aux problèmes d'aujourd'hui, mais voir le pays comme il pourrait être. Imaginez ce pays dans 50 ans, dans 60 ans ce que les honorables membres de cette assemblée qui seront là, qui n'ont pas encore pris naissance aujourd'hui peut-être et qui est-ce qui serait là pour faire quoi et représenter quoi?*

Mr Speaker, Sir, as the House knows, a few months ago, I asked a PQ to the hon. Prime Minister to suggest that the word 'secular' be inserted in our Constitution. I was thinking in particular then of Chapter 1, section 1 of the Constitution which would then read as follows -

“Mauritius shall be a sovereign secular democratic State which shall be known as the Republic of Mauritius.”

So, ‘sovereign secular democratic State’ as opposed to ‘sovereign democratic State’ as it is now.

There are several questions that arise from this proposition. What exactly do we mean by secular? What kind of secularism? Why is this word needed and what will it change? Before I come to that let me say very clearly, what according to me, secularism is not. It is not the absence, nor the repudiation of religion. India introduced the word ‘secular’ in its Constitution and it certainly has not seen the vanishing of religion in Indian Society and nor should it. The secularisation of the State does not mean the secularisation of society. And contrary to widely held beliefs, there are various flavours of secularism, not just one and it cannot be encapsulated in a simplistic proposition of saying: let’s separate State and religion. Or let’s separate politics and religion, without contextualising what the overarching goals of the Constitution, of this society and of the collective citizenry is.

Mr Speaker, Sir, as an individual, I have my own personal spiritual beliefs which is tied to a particular belief philosophy and I try to live my life according to those tenets. At the same time, I hate to be boxed in, into suffocating straitjackets. For example, I don’t ascribe lock, stock and barrel to some of the subtexts of the codes, for example, say, the existential space of women in society. I am only too aware that these kinds of subtexts not only constitute, but permeate the very structure of patriarchy. *Le Patriarcat*, just as an aside, *il faut le rappeler, qui repose sur des structures qui oriente la femme à vivre sous la tutelle sociale, morale, psychique, physique ou sentimentale de l’homme.*

That being said, Mr Speaker, Sir, there are two important tenets of the Bhagavad Gita on which I was raised and which lend very deep meaning to me. The first one is where the Gita talks about the fact that you have the right to actions but not to the rewards of the actions. The second one is about the eternal, the continuing seeking of mastering our ego. These two tenets, Mr Speaker, Sir, I was fed those two tenets and I grew up on them and they are my guiding principles. They were deeply enshrined in my religious socialisation. It would be nice if the ones who don’t want to listen could go out and talk.

(Interruptions)

As I said, as an individual I have my own set of religious and spiritual values. I feel the need to say this, Mr Speaker, Sir, because when I expressed my views on secularism, I was attacked as being either irreverent towards my own religion or as being irreligious or declared to be an atheist.

Mr Speaker, Sir, as I said, as an individual I have my own set of religious beliefs. However, here as an MP in this House, in this temple of democracy, I don't conceive of myself as representing one single religion. I do not conceive of my role here as representing only and strictly one religious group. If I am supposed to represent anything, it is a set of universal human values aligned with the socialist world view. I actually do conceive of my role here as representing equally - and I stress the word 'equally' - a Christian, a Hindu, a Muslim, a Buddhist, a Jew, an atheist, an agnostic or anyone else. Mr Speaker, Sir, I say this because as some of the hon. Members here may be aware, I think it was about two years ago, I asked a Parliamentary Question to the hon. Prime Minister about the issue that Haafiz had in the month of Ramadan. And it just happened that as a representative of my Constituency, some Muslim clerics came to see me and informed me of the problems that they were having because the Haafiz who come from overseas get only a 20 or 25-day visa and, therefore, they are not here to celebrate Eid. I came here in this Parliament and I asked the question, because, as I said, I do not conceive of myself as there are things that I should not be concerned about. Mr Speaker, Sir, this, I think, is what we should - at least in my opinion - strive for when we are talking about this Mauritius of the future, of these people who are not born yet, but who are going to be sitting here, that they should all be here representing every single Mauritian and not representing one single group only.

Donc, M. le président, je ne suis pas contre la religion. Je suis simplement contre l'instrumentalisation de la religion. That being said, I think we have to acknowledge the social subtext around the issue of secularisation. It is interesting to see, Mr Speaker, Sir, the various reactions to my stance on secularism. One group thinks that I am upsetting the applecart, that I am onto a dangerous path to upset the established *status quo*. Another group thinks that I am calling for a radical suppression of religion, and specifically of certain religions from society.

I would like to say very forcefully, Mr Speaker, Sir, I am in neither group. As I said before, I refuse to be boxed in. But I think that we do need to wrestle with the fact that those two perspectives do exist at a certain subtext level. It is important to acknowledge that they exist and try to understand what that means for our society or for our striving of a common Constitutional identity. We probably need to address the issue that these perspectives give and they give us a glimpse of a sort of existential insecurity which I think, if they prevail over time, can expose our country to great risks. No society can sustain the latent existence of groups of individuals which either imagine - and the imagination here is important, Mr Speaker, Sir - themselves as having *de facto* superior entitlements which are being constantly bashed and threatened, and other groups of individuals who imagine themselves as struggling to claim those entitlements. We cannot have - even if it is not at the visible level - at the invisible level these forces just

existing latent. So, I think it is - I will elaborate later - important to realise that a society cannot modernise, cannot sustain itself, cannot progress if we have groups which are latent on the invisible realm, having these imaginations of their belonging and their sense of entitlements or non-entitlements in the country.

That being said, this is probably a good place since we are also on the heels of the hon. Prime Minister's White Paper on our electoral reforms to highlight the fact that although I may personally focus on representations of ideas rather than the representations of socially ascribed identities, it would be sheer denial not to recognise that the politic of representations is important in this country and this is a paradox, Mr Speaker, Sir, because in the age of globalisation when there was this prediction that everybody would become homogeneous, we would all ascribe to some universal 'culture'. The paradox of globalisation is that as the waves of the globalisation came through it was accompanied paradoxically by a rise in the resurgence of group identities. That is the paradox of globalisation! At the same time this wave of supposed global culture, at the same time the resurgence of very deeply held group identities and even I would say and it has been seen in some places in the world, *un certain repli sur des groupes auxquels on appartient*.

I want to emphatically stress that being a symbol of diversity does not mean representing strictly that parameter of diversity. What I mean is that, in the ever increasing importance of the 'politics of recognition' over the 'politics of ideas', it is probably a 'good' that a symbol of diversity is represented here, but that in no way should be construed as meaning the representation of that specific group which is what I said earlier on. For example, if we were to pick 69 individuals at random from our Mauritian society, we should have more or less half men, half women. We should have more or less all the different group representations of our society represented here; if we were to pick at random 69 individuals! But there is an intellectual problem with liberal democracy and group rights. The group rights model may presuppose that the societal fabric is made up of a confederation of groups rather than individual citizens and what does that mean about the democratic fabric to which we subscribe and that we want to perpetrate? Do we want a liberal democracy of individual rights or do we want a liberal democracy of group rights? The question that arises there in the group rights model is: Is membership to a group fixed and permanent, should it be? These are the kind of questions that we need to wrestle with, Mr Speaker, Sir.

Now, let us come to what is the meaning of the word 'secular'? The Oxford English Dictionary defines the adjective secular as –

“Of or pertaining to this world, not connected with spiritual or religious matters “

The word ‘secular’ derives from the latin word ‘*saeculum*’ meaning ‘this age’ as opposed to eternal religious works. But, I think it is important for us to know that there are two main founding contexts to the word ‘secular’ and ‘*laïcité*’ and this is why I do not use the word and I do not like the word ‘*laïcité*’ or ‘*laïc*’ because it sprang from a different context. I much prefer the word ‘secular’ and you will see why I say so, Mr Speaker, Sir.

The word ‘secular’ originated in the USA, I think 18th or 19th century. In a context of variants of Christianity mostly Protestants who were competing for recognition and the way they saw that problem was to say – okay, there is no competing strands of Christianity. The State will step back and treat everybody equally. That was the context in which the word ‘secular’ arose in the US whereas in France ‘*laïcité*’ arose within a context of a struggle against a powerful church. It is two different contexts, Mr Speaker, Sir. ‘*Laïcité*’ was about controlling and managing religion. ‘Secularism’ is about having a distance and treating all variants of religious views - in that time Christianity - mainly Protestants, on equal footing. This is a complex issue, Mr Speaker, Sir. I received some calls yesterday and the day before from journalists pressing me to say - are you for or against? Are you for or against this or that? But it is a complex issue. There is no such thing as the simple for or against and there should not be because we are a plural society. We have to define what we mean. What flavour of secularism fits in our plural society and trying to focus on just a reductive, simplistic for or against ; it precludes the intellectual space to have a reflexive discourse about what shape of secularism, what flavour of secularism Mauritius should have now, tomorrow and the day after tomorrow. This is why I refused to answer all the questions by the journalists and I said I need to elaborate my point. I will not again be boxed in, into a for or against. For example, as pointed out by an article in the University of Pittsburgh Law Review by a gentleman by the name of Jorge Elorza. He says –

“Given that religion makes a number of claims that relate to this world both empirical and normative, it is impossible to precisely define secularism as that which is not religious.”

He continues to say, I quote-

“Contrary to what the dictionary definition of secular suggests, there is no inherent conflict between secularism and religion’.

The courts in the USA have recognised this point and have found that even if the Government policy coincides with an explicitly religious belief, it will not be struck down on that ground.

Religion is more than belief in God. It also provides a framework for helping individuals to grapple with life's most profound issues and also helps them to find purpose, and thus determines the socialisation process of individuals. In a plural society, it would be foolish not to mention or is eventually dangerous to turn a blind eye and/or to exclude totally these diverse ways of knowing and apprehending the world we live in. This is why I said, we have to reject the simplistic, reductive formulations of for or against this or that. So, it is important for us to realise and to acknowledge that there are several variants of secularism. In India, for example, another well-known scholar on the subject has rightly pointed out that Indian secularism did not put a strict wall of separation, but proposed instead a 'principled distance' between religion and State. It is different from the western concept of secularism. It is important to realise and remember that secularism has multiple interpretations and they do change over time and depending on the context on which we are talking about. I am certainly not proposing a tyrannical secular doctrine which would rule over people's private lives or even their interaction in the public sphere. Another Canadian scholar points out –

“No liberal democracy actually has achieved full separation between State and religion. For instance, all western States finance faith-based care and social services organisations either directly through subsidies or indirectly through tax exemptions”.

Mr Speaker, Sir, there are several seminal thinkers who have grappled with the issue of secularism in a plural democratic State. One of them, Jurgen Habermas, the renowned scholar philosopher previously held that religious discourse should have no place in the public sphere. In fact, he was quite radical, Mr Speaker, Sir. Let me quote what he had to say about the place of religion even in Parliament. So Habermas used to say - because he has changed his views since then - and I quote:

‘In Parliament, for example, the rules of procedure must empower the house leader to strike religious positions or justifications from the official transcript. ‘

This is what Jurgen Habermas used to say about the place of religion in the public sphere or in particular in institutions like the Parliament or the Courts. But since then, Mr Speaker, Sir, he has nuanced his views after being challenged about the tyrannical aspect of that previous perspective. For me the most compelling model of secularism comes from a Canadian scholar by the name of Charles Taylor. Okay I am biased, but it is the model that I think really works in terms of recognising plural diversity and having

an equal treatment towards all different ways of knowing and ways of socialisation. Charles Taylor provides a non-Western centric model of secularism for plural societies. In fact, he has written a huge book which I have not read totally, Mr Speaker, Sir. In any case, I don't read books from cover to cover. I usually read books - I start from somewhere and I just see where it leads me and then I go back and I go forth but this is a seminal book by Charles Taylor.

In fact, I would really recommend people, hon. Members not to read this whole thick book, but there is an article that Charles Taylor has written where he enunciates his three-pronged model of secularism in a plural society. That is a small article. It is well worth reading and if hon. Members are interested, I will give them the reference and they can go and pick it up. On page 36 of this book, he says: 'We think that secularism has to do with the relation of the State and religion whereas, in fact, it has to do with the correct response of the democratic State to diversity.' In his three-principle model of secularism, he says we should be focused on the ultimate goods we seek for a plural democratic State. These three goods are – and he neatly puts in a really neat little-schema by taking the '*Liberté, Égalité, Fraternité*' of the French by modelling his three-pronged model of secularism. So, for him, the three-pronged model is: liberty - free to engage or not engage in religion; the freedom of conscience and association; equality - each religion or non-religion be treated with State neutrality, that is, not favouring any basic positions over another whether that is a religious view or a non-religious view or an agnostic view.

The third one is fraternity where he says: all spiritual families, all groups must be included in the ongoing process of defining what that society is about. He adds a fourth and he says: it would be good to have a model which maintains relations of harmony and comity between various groups. Therefore, as Charles Taylor proposes, we must not be obsessed with defining secularism as one single or two institutional arrangements, for example, separation of politics with religion but rather we should start with the three goals in mind and then derive from there – the arrangement from these. But, of course, there are specific things that we have to grapple with in a democratic plural society, multi religious society. For example, in my opinion, should we not have a code of practice not only for politicians because this has been proposed elsewhere, but I would say a code of practice for politicians and clerics or representatives of religious groups? Is it acceptable for politicians to go to a ceremony and say: 'Thank you. It was thanks to you, this group that I was elected'. Is it acceptable to say that and then during the night do something else? Is it acceptable for clerics or representatives of any religious group to crop up from nowhere and hold a press conference to put...

(Interruptions)

No, to throw mud on our institutions. Is it acceptable for clerics to do that? It is more, I think, dangerous if we have a group of clerics who think because of some *actualité*, they come and hold a press conference and say: all the institutions are down the drain in this country. This is very, very dangerous and not acceptable.

(Interruptions)

This is why I think there has to be a Code of Practice. What is Sauce for the Gander is Sauce for the Goose. We cannot have only one eye for one representative of one group but the same principle does not hold for others. Is it acceptable for religiously affiliated individuals or groups to publicly comment during an election campaign to say either I control 400,000 votes in this country or vote with your Heart? I am asking the question. These are the things that we should grapple with. Do we want that kind of society or do we want to change that? Do we have an aspiration for something better or not? These are the questions that have to be in our mind. Of course, Mr Speaker, Sir, the other thing - I see maybe you wanted to ask me a question.

Mr Speaker: I have no right to ask questions.

Ms Deerpalsing: Okay. Regarding religious subsidies, Mr Speaker, Sir, there has been a lot of debates about that and, of course, that is also another point on which the journalists have been after me. I have said in the past that I thought that religious subsidies maybe do not have any place any more in the society, but I have since nuanced my position. Let me tell you what it is...

(Interruptions)

Yes I used to hold that view, but I have been informed by Charles Taylor's view. I have been informed by his three-pronged model of secularism in a plural society and, therefore, I have a nuanced stand on the subject and I think there was an editorialist also who wrote along the same lines, that is, instead of publicly unaccountable grants or subsidies why could we not, for example, imagine separating the operative costs and what I would call project costs of all the religious denominations. Also why not move towards a disclosure of other sources of financing? If, for example, a religious group is financed by big businesses or whatever, or even private individuals, this should be publicly known.

I think it is of importance for all members of the Constitution of the country if we adopt the secularism model that we are talking about, we move towards greater governance, greater accountability and greater transparency. So, for example, if there are private or other sources of financing, these should

be known; these should be out in the public. These are the kinds of things that I think we should reflect upon. In Charles Taylor's language, this issue of religious subsidies can be viewed as an institutional arrangement that is part of our historic identity. But, as Amartya Sen so aptly says –

“No identity is fixated immutable in time.”

No! Therefore, democracies as well as societies must undergo redefinitions of their historical identities.

There are other issues also to address, Mr Speaker, Sir, when we are talking about a secular nation. I will just finish this little point before we break if you want.

Mr Speaker: Carry on!

Ms Deerpalsing: There are other issues that we need to reflect upon. I don't have the answers. I am not presumptuous enough to say that 'here is my recipe, we should adopt it.' What I am saying is that we need to have the debate, we need to reflect, we need to really think these through. For example, should we teach evolution in schools? Do we? I don't know if we do. Evolution as opposed to creation! So, I don't think we should be presenting one restrictive model. If we are serious, for example, about creating curious scientific minds, we should, at least, be able to tell the children these are the different world views out there. You should, at least, know the different world views, and then you choose which one. So, if you want to...

Mr Speaker: We will break at 4.45 p.m.

Ms Deerpalsing: I have one more minute, but then I have to start a new paragraph, Mr Speaker, Sir.

Mr Speaker: No, not a new paragraph. I think that's the proper time to suspend for half an hour.

At 4.45 p.m. the sitting was suspended.

On resuming at 5.21 p.m. with Mr Speaker in the Chair.

Ms Deerpalsing: So, Mr Speaker, Sir, before the break, we were talking about the specific issues that we need to address in order to chart our own model of secularism.

In order to take into account the plurality of various religious and non-religious views that constitute our society, we need to integrate these in and not exclude them, which is what the old model of secularism used to stand for; the exclusion of the ways in which people get meaning in their lives and the ways in which people get socialised. This new model of secularism says: no, we should integrate these plural views; we should not reject them or repudiate them. This is what is new about this new model of secularism, Mr Speaker, Sir, because it takes into account, it acknowledges the fact that societies have changed over time. Today, societies are much more diverse than they were before, whether we are talking about Western societies or non-Western societies.

I do realise, Mr Speaker, Sir, that the stance that I am arguing is not probably from a sensational point of view satisfactory because *ce n'est pas braqué sur un pour ou contre. Ce que je suis en train d'arguer, c'est que cette question est une question complexe, très complexe même, et qu'elle requiert une réflexion intellectuelle sérieuse, et non pas un 'je suis pour ou je suis contre', parce que c'est trop simpliste, et c'est réducteur. Cela ne peut pas fit dans une société plurielle.*

Therefore, Mr Speaker, Sir, as Charles Taylor says –

“For people to act together - in other words - to deliberate in order to form a common will on which they will act, (...)”.

Because, surely, that is what we are at the end of the day, individuals, but we are also members of different groups and those groups can overlap or not with our religious perspectives and socializations. You can be a member of a group of legal professionals as well a member of different groups. But, at the end of the day, what it means to have a common citizenry is that, at some level, we all have a reference point in our Constitution that relates to us.

And, this is what Charles Taylor is saying –

“For people to act together, to deliberate in order to form a common will on which they will act, requires a high degree of common commitment, a sense of common identification in the context of the plural nature of the society.

A society of this kind presupposes trust, the basic trust that members and constituent groups must have, the confidence that they are really part of the process, that they will be listened to and that their views taken into account by others.”

This means that the modern democratic State has generally accepted common purposes like, for example, the provision of good health and of a good system of education. These are primary goods that we all aspire to as individuals, whatever our group membership be or not be.

So, these generally accepted common purposes, or reference points, the features whereby it can lay claim as a locus of expression of its citizens, are important. And it is important for the State to be imagined like that by its citizens, in order for it to have the same level of legitimacy for everyone in the society.

On page 45 of this article that I was referring to, Charles Taylor says –

“Free societies require a high level of mutual trust.”

And this resonates with us, Mr Speaker, Sir. Free societies require a high level of mutual trust, in other words, these plural societies are extremely vulnerable.

“They are extremely vulnerable to mistrust on the part of some citizens in relation to others, (...)”

For other societies as well!

“(...) that the latter groups are not really assuming the commitments. For example, that others are not paying their taxes or are cheating on welfare or as employers are benefitting from good labour market without assuming any of the social costs. This kind of mistrust creates extreme tension and threatens to unravel the whole fabric of the mores of commitment that democratic societies need to operate.”

This notion of having a common ‘reference point’ in the Constitution is therefore very important, so that we can all hang on to that ‘reference point’ and feel that we have a membership on equal footing to our Constitution as anyone else in the country. These reference points, as I am calling them, and in this case, I am talking about the word ‘secular’ in our Constitution, they allow people to imagine their country and to clearly ascribe themselves as full-fledged members of that Constitution without any tension, of who has more entitlement in the subtext level, not in the visible level but in the invisible level.

Talking about the Canadian experience, Charles Taylor has this to say –

“To form a State, in the democratic era, a society is forced to undertake the difficult and never-to-be-completed task of defining its collective identity.”

This is a never ending task, Mr Speaker, Sir, as the river of change takes us along time, it is a never ending task for societies to continue to redefine what their collective identity is above all the constituent parts of their identity. So, I think in that context, it is time that we start to define in a structured and institutionalized manner our collective identity.

(Interruptions)

Mr Speaker: Hon. Members should refrain from talking and disturbing the orator!

Ms Deerpalsing: In fact, this is partly what I think the White Paper on Electoral Reform would lead us to do, to talk about what our collective identity is and, as I said before when I started, what do we come here for in this House? We sit on these benches, we represent what ideas, what symbols? This is why, Mr Speaker, Sir, I am suggesting, as I had done before, that we amend the Constitution to insert the word ‘secular’ in it. I am not naïve to say or to think that the day we amend the Constitution and we put the word ‘secular’, the next day things will change.

But, it is an important step for us to imagine a collective identity which goes beyond our differences. I am also suggesting, with the opportunity of this Motion, Mr Speaker, Sir - and I come to my concluding remarks – that a Select Committee be set up to do precisely that. Of course, a Select Committee of Members on both sides of the House to do precisely that, to start to grapple with exactly what flavor of secularism we need to chart for our country, not just for today but for the future, so that every single citizen in this country can imagine, without any existential insecurity, their membership to our Constitution.

This Select Committee, I hope, would also help to draft a code of conduct for politicians and for clerics – not just for politicians but for clerics as well! This Select Committee, I hope, would also help to reform the support, whether it is public or private, financing to religious groups. These are the things that we need to reflect upon *d’une façon posée, calme, et en ayant en tête, comme je l’ai dit tout à l’heure, M. le président, l’Ile Maurice de demain. Cette Ile Maurice, où aucun d’entre nous ne sera là ; cette Ile Maurice où les membres de cette Assemblée qui vont s’asseoir ici ne sont pas encore nés. Il est impératif que nous prenions cette responsabilité. Bien sûr, ça va changer over time, mais il nous faut commencer à imaginer cette société pour le futur de notre pays. Ce n’est pas juste attaquer les problèmes*

d'aujourd'hui, c'est-à-dire, est-ce qu'on doit avoir une séparation stricte de la religion et l'Etat, etc., il nous faut vraiment ne pas être braqués sur des questions où les réponses sont, soit noir ou blanc, pour le sensationnalisme mais vraiment sortir en dehors de ces sentiers battus, de pour ou contre, et aller vers une vision plus large, plus complexe et plus riche de notre société multiethnique, multi-religieuse, notre société plurielle.

Voilà, M. le président, ce que j'avais à dire et j'espère qu'on pourra avoir un débat très riche, controversable s'il le faut, mais je pense qu'à la fin de la journée the ultimate aim goes beyond party politics. I think the ultimate aim is that we want to have the primary goods and the corollary goods that any citizen of this country could aspire to, and that any citizen in this country should be able to live in this country, without any existential insecurity, he or she should be able to have this relationship with his or her Constitution in a confident manner, in a proud manner and this is the kind of country that can only progress to the future and can only bring progress to its citizens, Mr Speaker, Sir.

Thank you.

Mrs Martin rose and seconded.

(5.31 p.m.)

The Leader of the Opposition (Mr A. Ganoo): M. le président, permettez-moi d'abord de vous remercier de me permettre d'intervenir au sujet de la motion qui est présentée par l'honorable membre cet après-midi.

La motion dont propose l'honorable Mlle Deerpalsing a sans conteste, M. le président, trait à un sujet d'extrême importance. La question de *secularism*, de laïcité - même si l'honorable membre a voulu faire une différence entre ces deux termes - la dualité État/religion, la problématique de l'État séculaire, date des nuits des temps, M. le président. Elle a été, depuis des siècles, l'objet des controverses; elle a provoqué des graves crises politiques et sociales; elle a impacté sur la vie de multiples peuples. Le sujet, M. le président, acquiert une importance additionnelle dans un cas comme le notre - un pays pluriel, multiethnique, pluriculturel, multilinguistique et un pays *composite* comme on le dit souvent dans nos discours.

Mais d'emblée, je voudrais dire à la Chambre, M. le président, que de ce côté de la Chambre, nous avons décidé de participer à ces débats eu égard l'importance du sujet. Vous savez, M. le président, ou peut-être vous ne le savez pas, mais je vous annonce que les membres de l'Opposition ont choisi de ne

pas déposer de motion en vue de la présente séance qui se tient aujourd'hui, c'est-à-dire le *Private Members' Motion* parce que nous considérons que cette *clause* de nos *Standing Orders*, et beaucoup d'autres encore, *on occasion arising*, devraient être revus pour mieux cadrer avec la réalité parlementaire. Nous avons déjà dans le passé, M. le président - je pense que c'était peut-être avant 2010 - lors d'une séance de *Private Members' Motion*, expliqué à la Chambre et au *Speaker* d'alors, notre position. Je m'explique, M. le président. Nous sommes d'avis que les *Standing Orders* concernés doivent être impérativement revus pour doter plus de légitimité, authenticité et validité à ce mécanisme du *Private Members' Motion*.

Par exemple, nous avons proposé dans le passé que les motions auraient pu être déposées un jour fixé par le *Speaker* et le tirage au sort, le *balloting* s'en suivra, et une fois la séance fixée, la motion sera débattue et mise au vote. Donc, les motions auraient cadré avec l'actualité et auraient suscité beaucoup plus d'intérêt et auraient été *disposed of* durant la même séance. Nous espérons *in the near future*, M. le président, dans un avenir pas trop lointain, cette proposition et la proposition de revoir nos *Standing Orders* aussi seront retenues parce que le temps a passé depuis l'adoption de nos *Standing Orders*. Je suis sûr que vous conviendrez qu'il est grand temps qu'un jour pas trop lointain et sous votre férule, cet exercice se concrétise.

Be that as it may, Mr Speaker, Sir, je viens à la motion de l'honorable membre. Je me suis attardé longuement sur la pertinence d'un tel sujet dans le contexte de notre pays pluriel, aujourd'hui, M. le président, dont l'instance suprême de ce pays est appelée, à travers cette motion, à se prononcer sur le sujet. Quel doit être donc notre état d'esprit, nous tous ici en tant qu'élus, en tant qu'*opinion leaders*, en tant que représentant de notre peuple?

Je vais insister, M. le président, sur le fait que cet exercice auquel nous participons ne devrait pas être un débat d'intellectuel, d'intello qui s'apparente à un jeu académique ou théorique. Le but, aujourd'hui, nous espérons ne serait pas d'épater la galerie, d'étaler nos connaissances livresques parce que nous devrions aujourd'hui saisir de cette motion pour faire un *soul searching exercise*, un *self-introspection* en tant que parti politique, en tant que parlementaires avec un *sincerity of purpose*. Nous devrions, M. le président, *take stock*, jouer franc jeu et, à la fin des débats, nous engager pour qu'éventuellement nous mettions en pratique, nous vivions dans notre quotidien de politiciens et puissions, nous tous ici, s'assurer que ces débats nous enrichissent et nous permettent de mettre fin à certaines pratiques susceptibles à faire du tort à notre pays pluriel. C'est à ce moment-là, M. le président, que la motion d'aujourd'hui revêtera toute sa pertinence et son importance. Ce n'est qu'alors que l'exercice auquel nous nous participons aujourd'hui ne restera pas un *exercise in futility*.

M. le président, la motion *reads as follows* et donc nous sommes conscients du libellé ! Elle a été circulée, elle a été lue par l'honorable membre et comme je vous le disais, nous atteindrons notre but, c'est-à-dire de pouvoir faire ce travail d'introspection et enclencher les mesures nécessaires. L'honorable membre a proposé un *Select Committee* à la fin de son discours – si à la fin du jour, l'exercice, comme je viens de le dire, ne reste pas en un débat académique ou à un exercice en futilité. Nous aurions alors atteint notre but et nous devrions être reconnaissants envers l'honorable membre pour avoir présenté sa motion. Ce serait donc un débat positif auquel nous nous serions engagés.

Mais le premier point que je voulais dire en venant sur le fond, M. le président, est de dire à l'honorable membre qu'elle aurait dû circuler la motion. Elle a proposé un amendement. Mr Speaker, Sir, according to us, on this side of the House, the motion should have provided what is the exact nature of the amendment. I think the hon. Member has explained what she has got in her mind, but although I did not want to equate the debate today to an argument before a Court of Law – I mean it is not a question of asking particulars - but I think the hon. Member should have gratified us and be clearer. This would have helped us in the debate because we are dealing with an important issue relating to Constitutional amendments, relating to other sections of our Constitution, impinging certainly on various sections of the Constitution. So, we would have been happier - let me put it like that - if the motion would have for the sake of clarity included, contained, elaborated on the particular amendments that the hon. Member has in mind, Sir.

Mr Speaker, Sir, on this question of whether we are a secular State, barring the proposed amendment, we note the pronouncements made in several judgements of the Supreme Court. We also know, Mr Speaker, Sir, how in the course of history, in the course of the ages, the different relationships that have existed between the States and religion in different parts of the world. In certain parts of the world, Mr Speaker, Sir, in fact, the priests had so much influence on the political rulers, that they were, in fact, running the country. And in the Indian mythology, we hear very often that the kings were Gods and that the Gods were kings. In Europe, for centuries before the reformation, we also know what were the close links between religion and the State. This situation changed after the reformation, and the word '*laïcité*' in French is relatively recent, Mr Speaker, Sir. As far as I remember, it was at the end of the 19th century.

Without having to go into history, Mr Speaker, Sir, let us look at the situation of our country here - because I would like to be very practical in my speech and more *terre-à-terre* and concentrate on the situation in the country. I would subscribe to what our Supreme Court has enunciated in the several

pronouncements that although the word ‘secular’ does not appear in our Constitution, it is implied that Mauritius is a secular State.

To the answer of hon. Ms Deerpalsing in the Parliamentary Question which she mentioned, the hon. Prime Minister, when answering the hon. lady, reminded the House of the different provisions in our Constitution, especially section 11 of the Constitution which provides that no person shall be hindered in the enjoyment of his freedom of thought and of religion, freedom to change his religion or his belief, and freedom in public and in private, to manifest and propagate his religion or belief in worship, teaching, practice and observance.

The hon. Prime Minister, in his answer, went on to cite the landmark judgements relating to the question of whether Mauritius is a secular State or not. And in the famous case of Bhewa ...

Mr Speaker: I will have to interrupt the hon. Leader of the Opposition. The Deputy Speaker will take the Chair!

At this stage, the Deputy Speaker took the Chair.

Mr Ganoo: In the famous case of Bhewa v.s Government of Mauritius, Mr Deputy Speaker, Sir, Senior Puisne Judge Lallah said the following -

“The secular State is not anti-religious but recognises freedom of religion in the sphere that belongs to it.”

So, Mr Deputy Speaker, Sir, secularism is, in fact, a very difficult concept. The hon. Member has gratified us with her reflections, learned reports, discourses, documents or publications of no less learned Professors or experts. True it is, Mr Deputy Speaker, Sir, secularism is not a well-defined concept and it can convey several meanings. But what it does, certainly it refers to the characteristics of a Government or to a society.

In fact, Mr Deputy Speaker, Sir, secularism, when it relates to the characteristics of Government, involves two basic propositions: the separation of the State from religious institutions and that people of different religions and beliefs are equal before the law. In other words, the secular State protects both the believers and the nonbelievers and, therefore, ensures and protects the freedom of religious beliefs and practices for all citizens. So much ill-defined concept it is, Mr Deputy Speaker, Sir, that the concept of

secularism has taken different forms in different socio-cultural context. Two clear examples are those of the United States and France.

Mr Deputy Speaker, Sir, the American declaration of independence and the Constitution sought to protect religion and religious freedom of citizens. Article 1 of the Bill of Rights of the Constitution of the United States stipulates, I quote -

“Congress shall make no law respecting an establishment of religion or prohibiting the exercise thereof”

From this perspective, therefore, Mr Deputy Speaker, Sir, the focus is not on how religions will restrict the State and the political sphere. The use of religion and religious symbols in Government is used there as compatible with this type of secularism and, in the US, it even goes to the extent that religion is an important ingredient of the political debate in that country. But the paradox of the American type of secularism, Mr Deputy Speaker, Sir, is that the Supreme Court has upheld secular principles on several occasions which appeared previously as outright anti-religious. This went to the extent of not allowing brief morning prayers in public schools. Government buildings openly display religious symbols and the Bible is permitted even required to be the indispensable paraphernalia of the court system. I mentioned the two contrasts: US and France.

In France, Mr Deputy Speaker, Sir, in contrast, we all know French secularism has given significant importance on keeping religion from Government. The French secular principle draws from the Jacobins Rule whereby the State needs to be protected from religion just as much as the citizens' religious freedom has to be protected from State interference.

To come to our country, Mauritius, Mr Deputy Speaker, Sir, we do have a concept of secularism and if we go down memory lane or history, we can see, in fact, that the concept of secularism in independent Mauritius was drawn from its colonial understanding and application. We can have a look at our Constitution before we became independent and the same sections which I just referred to and were referred to in the Supreme Court's judgement which I just mentioned, Mr Deputy Speaker, Sir, are to be found in our previous Constitutions during colonial days. As our country drags over time an understanding of secularism whereby the State is, in fact, neutral towards religious traditions and also ancestral cultures.

In fact, Mr Deputy Speaker, Sir, since Independence, when we look at it, there has been no attempt to engage in a deep reflection of the separate roles and functions of the Mauritian State and the religious institutions. The hon. Member was talking about what flavour of secularism do we need - in fact, secularism in Mauritius implies a neutral State and less our intervention state in religious matters.

Mr Deputy Speaker, Sir, it is a fact that in Mauritian politics, very often religious discourses are used. I will say at two levels. Religion is used by Mauritian politicians, sometimes Statesmen in their political discourse. For example, I remember, our new elected President himself called on religion and spirituality to address the declining social values among the Mauritian youths and society at large, I think, a few days after he took office. In that way, there is tendency to see religion as orienting our citizens towards better values, towards tolerance and co-existence, Mr Deputy Speaker, Sir. This is in a way a tool to prevent decline of religious traditions and moral values, but this is one level, Mr Deputy Speaker, Sir. I am coming to the other level; how religion is used by politicians or other leaders in a few minutes.

Furthermore, what is the peculiarity in our country, Mr Deputy Speaker, Sir, when we are talking about secular State, religion and our Institutions? In fact, somebody said and I am going to quote him, Mr Deputy Speaker, Sir and I think he is perfectly right –

“In Mauritius we have seen that our Institutions tend to promote ancestral cultures to improve the Mauritian cultural social fabric and this is why - this learned gentleman said, I quote – “Mauritian secularism can be understood as a strategy of Governmentality; a technique of regulating social life in the context of controlling the welfare of the population.”

Therefore, it would seem that our concept of secularism implies that belonging to the Mauritian nation is not perceived as incompatible, for example, with the intense cultivation of our diasporic links and tend to reinforce each other. This is what is often referred to as ‘unity in diversity’.

The other peculiarity of our situation, Mr Deputy Speaker, Sir, is the Mauritian State – as you all know – currently subsidises the activities of religious organisations, massively assist in the public celebration of religious holidays and pilgrimages, provides for the teaching of ancestral languages in the State schools, substantially contributes to the establishment of cultural centres which, in most cases, have clearly an ethnic religious agenda for all those with recognised claim to an ancestral culture.

Mr Deputy Speaker, Sir, when we look at all this, how the Mauritian State behaves in the context of an implicitly secular State, I think we should ask ourselves the question whether our Constitution is

amended by introducing the amendments as proposed by the hon. lady that Mauritius is a secular State. The question to be asked is; if the word 'secular' is inserted as proposed by the hon. Member, will all these activities of Government be compatible with the fact that Mauritius is explicitly characterised and qualified as a secular State? The question I am asking is if tomorrow, we amend the Constitution to the effect that Mauritius is a secular State, therefore, will the Mauritian State be able to subsidise their activities of religious organisations, assist in the public celebration of pilgrimages, invest so much in all those pilgrimages, and involve in other activities. I have just listed the other activities of the Mauritian Government. So, Mr Deputy Speaker, Sir, the application of secularism in our country contrasts with secularism as understood in other countries.

As I just mentioned the French understanding of secularism is the exclusion of religious symbols and discourse from political debate and State institutions. It would seem that our secularism tends to have much more in common with the politics of secularism in India. And, the more so, Mr Speaker, Sir, we know that in both countries the population is officially divided into different components although in India, secularism is a constitutional concept whereby the State does not intervene in religious matters.

Now, what is the problem with our form of secularism, Mr Deputy Speaker, Sir? The problem arising with the Mauritian concept of secularism, according to me, is that the Mauritian State conceives our population as subjects with the different origins; with ongoing commitments to diasporic traditions and, according to me, this type of support has led to support to religions which has resulted in organised religious and ethno political lobby groups. This is where the danger is, Mr Deputy Speaker, Sir. This is why at the beginning of my speech I said – let us take stock of what is happening in our country today. Let us face the situation. Let us do a self-introspection. Let us take the decision that we have to in this House, Mr Deputy Speaker, Sir. It is an opportune occasion where, as Members of this House, we have been called to debate such an important issue and to reach a conclusion or a decision at the end of the day.

Mr Deputy Speaker, Sir, this is why therefore I wish to underline the fact that there is a problem with our Mauritian concept of secularism. Our concept of secularism has led to a problem where, today, I say it again, unfortunately, in some way organised religious and ethno political lobbying groups are very active. Unfortunately this has happened, in some way, by the support of the State to certain institutions!

Mr Deputy Speaker, Sir, we know also that it is difficult to categorise and to indulge in an exercise of categorisation. What I am saying does not necessarily apply to the private belief of all individual Mauritians in this country. In fact, somebody said also, Mr Deputy Speaker, Sir, when talking about our Mauritian style, cultural unity and ethnic diversity. This is what he said and I think it is very

apposite for me to quote him. I quote: “when it is politicised, religion thus competes directly with nationhood in our Mauritian society, but when religion is not politicised, religious diversity is compatible with Mauritian nationalism.” It can be true, Mr Speaker, Sir. So it is only when religion is politicised, it becomes a threat to our nationhood in our society and when our religion is not politicised and is allowed to flourish in a healthy manner, religious diversity is compatible with Mauritian nationalism.

To come back to the role of this ethno political lobbies, Mr Deputy Speaker, Sir, we have seen in our contemporary Mauritius how we have witnessed a growing competition among these lobbies not only to influence politics or political behaviour or the political thinking of the masses, we have witnessed, also a growing competition among these lobbies to influence resource allocation and even public policies. This is where the danger comes, Mr Deputy Speaker, Sir. I am not pronouncing myself for or against the CT Power project, but, a blatant example is the CT Power case which met intense resistance from a segment of the population on a part of public opinion, but we remember the role of the lobbies thereat or even in the case of Sarako, Mr Speaker, Sir. So, we can assess today how lobbies can be very strong in our country.

This is why I would ask the hon. Member and put it to her that it is clear that the question of rethinking the Mauritian concept of secularism today poses itself as a necessity to stop the use of religion as a means to secure economic power and to further political interest. In a democratic State, no one should have to be a member of an organised religious Body to have access to resources or tender or any type of economic power. I repeat it, Mr Deputy Speaker, Sir. The question of rethinking the Mauritian concept of secularism today poses itself as a necessity to stop the use of religion as a means to secure economic power or to further political interest.

In a secular and democratic State, no one should have to be a member of an organised religious Body to have access to resources or to be the most preferred bidder or to any type of representation. In the pursuit of equal opportunities and equal access to resources, it is important, Mr Deputy Speaker, Sir, that one’s religious belonging does not constitute a defining factor for access to resources. Unfortunately, our political system has, in so many ways, promoted this inequality which is dangerous for a society as plural as Mauritius, as dynamic and fluid as the Mauritian society, Mr Deputy Speaker, Sir, and the same society which is often referred to as a melting pot implying that the focus on social cultural lobbies may not be relevant to national unity, national harmony and nation building.

Mr Deputy Speaker, Sir, the plea that we make today to the hon. Member who is presenting this motion is that we wish that she should ‘demarque’ herself, Mr Deputy Speaker, Sir, and agree that the

political and social dynamics of our system have left our people at the mercy of sociocultural leaders who have used their position of leadership to interfere in politics and resource allocation by the State.

Mr Deputy Speaker, Sir, we remember recently how one of these leaders, a member of the J.B.A Board, lashed out against a daily newspaper, and how many other public interventions followed. This does not do good to our plural society, Mr Deputy Speaker, Sir. We know the case where some of these religious groups even went to the extent of trying to tamper with the freedom of expression of some youths during a young people campaign which they had organised or which they had announced they would organise.

Mr Deputy Speaker, Sir, after having said all this, therefore, we want the hon. Member to clarify her position. What does she propose, Mr Deputy Speaker, Sir? She has done a lot of homework, she has discoursed very lengthily; a lot of theory and philosophy. But is she proposing, Mr Deputy Speaker, Sir, when we include the word 'secular' in the Constitution - as I just said, I put the question - whether in law, including 'secular', means rendering all these activities incompatible with the explicit qualification of our State as being secular; activities as the subsidies of religious organisations? These are facts! The investment for the pilgrimages, the teaching of the ancestral languages, the cultural centres.

Mr Deputy Speaker, Sir, the CWA spends Rs12 m. yearly on all our *lieux de culte* for all communities. Not only temples or kovils, but all mosques, churches and other religious places are exempted. The hon. Minister of Public Utilities can confirm that the sum amounts to Rs12 m. I don't know whether it has gone up these days. As we know, all *lieux de culte* use water, and this is a form of subsidy. The CWA does not send any claim for the consumption of water by these *lieux de culte*. So, Mr Deputy Speaker, Sir, are we going to stop all this? This is why we would like the hon. Member to clarify. Are we going to do away with religious subsidies? Is this what she has in mind?

Mr Deputy Speaker, Sir, I can understand what the hon. Member has in mind or has at heart. I give her the benefit of the doubt. She might have been genuinely disturbed by the *agissements* of certain religious or sociocultural leaders. This is why, therefore, she specifically mentions that the code of conduct should not only apply to politicians but also to clerics and other religious leaders. She has not mentioned it, but I know she has it at the back of her mind. Sociocultural leaders also will have to abide to a code of conduct, Mr Deputy Speaker, Sir. I can tell her that, from this side of the House, we, today, commit ourselves and we pledge that we are agreeable to sign any code of conduct disbarring, preventing and enjoining all politicians to make speeches in religious activities!

We are focusing on religious activities. We make the difference between social functions and religious activities. We insist that we specify religious festivals and religious activities. I say it again that social functions are different. I am sure the hon. Member agrees with the Opposition.

We reiterate, Mr Deputy Speaker, Sir, that we have no objection to commit ourselves to such a pledge. I think we should include in that code of conduct, which should be elaborated by both sides of this House that we keep away from this particular type of function. What has a politician to do, let us say, with Navratri festival? Why does he have to make any speech? Or in the Maha Shivaratri festival? The priests are here to address the public. But the politician can attend like all members of the public and can participate in the prayers. He assists like everybody and participates in the prayers. I think we must make a difference between that type of function, which is a religious function, and a social function.

Mr Deputy Speaker, Sir, I want to also comment on the use that these sociocultural leaders make of such type of gatherings, where, in fact, they have all the liberty to say whatever they want. And we know what happens! Sometimes they make use of hate speeches, sometimes in a vague manner, in a covert manner, but sometimes in an overt manner, Mr Deputy Speaker, Sir. Of course, the law regulates that type of behavior. But we have to review all this! It is time now for everybody in this House to stand up. Hon. Ms Deerpalsing was saying 'let us think of what will happen in 40-50 years, who will be here, who will be there, who will be sitting here or there.' Very Good! We are preparing for the future. This is what she meant. Yes, we prepare for the future by starting now and we should take a pledge to emasculate these people who are spreading poison and division among the population in this country, Mr Deputy Speaker, Sir!

Mr Deputy Speaker, Sir, I would refer the House to the Report of Mr Sachs. As you would remember, the terms of reference of Mr Justice Albie Sachs, did not restrict to electoral reforms. He was given also the task of commenting on the proposed prohibition of communal or religious parties. His Commission was tasked to make proposals for the prohibition of communal or religious political parties. This is very interesting reading.

I would wish that all of us should go back to what the Sachs Commission proposed and this is linked to our debates today, Mr Deputy Speaker, Sir, and if you will allow me, I will quote a few lines from this part of the report.

Mr Deputy Speaker, Sir, this is what he said –

“The Commission is invited to propose a prohibition of communal or religious political parties.”

And he says, very candidly –

“Such prohibition might raise questions of constitutionality in terms of section 3 of the Constitution –

“everyone in Mauritius may, subject to respect for the rights and freedom of others and for the public interest, enjoy the right to freedom of assembly and association.”

And he goes on by saying the following -

“We would strongly oppose any general derogation from freedom of assembly which is vital to the existence of political democracy.”

Then he proposes that -

“Consideration should be given to introducing provisions in our Constitution which establish more clearly than does our text at present, what constitutional values maybe said to underlie the concept of public interest.”

Then he goes on to say, Mr Speaker, Sir, that –

“We should propose an amendment in the Constitution and the effect of that amendment would be that there would be no direct prohibition of communal or religious parties as such...”

So, we cannot even prohibit communal or religious parties, Mr Deputy Speaker, Sir. But, he says –

“...nor would such parties be prevented from participating in elections...”

We cannot even prevent them to participate in elections -

“...simply because they were communally or religiously based. Such parties could however be prevented from running in elections if the Electoral Officials had reason to believe that they were actively fomenting harmful division based on religion, ethnicity, race, community or caste.”

He says –

“The provisions in our criminal law penalising what has been referred as hate speech could be energetically implemented.”

He comments furthermore –

“Parties could be required to undertake in general terms that they will respect the Constitution of Mauritius and abide by the electoral code of conduct which we will recommend. In this way, the broad principle of freedom of association would be maintained, while the specific damage that will be caused to the unity and integrity of the nation by the participation in election of parties through its function in a manner that seriously and in a clear and immediate manner threatens the democratic and tolerant foundations of the nation would be avoided.”

Mr Deputy Speaker, Sir, having said this, although I have said I have given the hon. Member the benefit of the doubt, I can understand what might have prompted her with this motion, but, we must also say that the hon. Member belongs to the majority and we have not heard her very often denouncing the socio-cultural leaders. We have not heard her ...

(Interruptions)

She should have been more proactive and affirmative!

(Interruptions)

Because the Members of the majority and of the Labour Party often claim that there is so much democracy in their party and one can speak one's mind in this Party; but we have not heard many of the Members, even if they disagree with the discourses and hate speeches made by several of these socio-cultural leaders; unfortunately, we have never heard one of them dissociating themselves with such types of speeches, Mr Deputy Speaker, Sir.

This is why I want to end up by saying, Mr Deputy Speaker, Sir, *en guise de conclusion* – but before I conclude, Mr Deputy Speaker, Sir, I would just also like to mention what I have said publicly. Mr Speaker, Sir, I was listening to the hon. Member; she was explaining why she has decided to propose this motion. She spoke for so long about herself and on her motivation! I was thinking that she was a bit in contradiction with herself when she talked about the lessons she had learned from the Bhagwat Gita. I am using other words just to try to explain what I understood from what she said. She has studied the Bhagwat Gita and one of the most prominent principles that she has learnt, is this question of ego and the

need for the individual, the person in his everyday life to fight and suppress this monster that swallows all of us, Mr Speaker, Sir This applies to especially politicians! I was thinking that she was a bit departing from that principle when I heard her speaking so much about herself!

(Interruptions)

But, this is not a criticism. This is *une constatation* of how difficult it is to master the ego.

(Interruptions)

Be that as it may, Mr Speaker, Sir!

(Interruptions)

It is good that the hon. Member was citing the Bhagwat Gita in Parliament today. There is nothing wrong in that, Mr Deputy Speaker, Sir. I am not going to say that this is in contradiction with the secularism because I personally make a difference between religion and spirituality, Mr Deputy Speaker, Sir. Religion divides at times, but spirituality unites, Mr Deputy Speaker, Sir.

(Interruptions)

Mr Deputy Speaker, Sir, we know of so many examples and this is not also out of ego that I am referring to them. We know, Mr Deputy Speaker, Sir, why spirituality unites. I know of a book - hon. Minister Bachoo is here and he will understand me surely. Swami Sivananda has authored a book on the 'Serpent Power' which is known as *Kundalini*, Mr Deputy Speaker, Sir. On the first page in this book, Swami Sivananda, in his foreword, was thanking all his masters for having inspired and enabled him to write such a profound spiritual chef-d'oeuvre. Do you know whom he thanked in the first place, Mr Speaker, Sir? Jesus Christ! Meaning that Jesus Christ was and is a great master for some of these fortunate spiritual masters!

Mr Deputy Speaker, Sir, Jesus Christ was the first of the masters to whom he expressed his acknowledgement. Just like Swami Paramahansa when he wrote the Autobiography of a Yogi. When he travelled all over the world decades ago he told us about how he met St. Theresa in Europe, Mr Speaker, Sir. This was a meeting of two evolved and great souls. Mr Speaker, Sir, St. Theresa at that time had stopped eating and drinking. She was fasting till the rest of her life and she was still alive like all of us! And you know that all these great masters and yogis do not have to consume food as we do, Mr Speaker,

Sir. They do not need that type of energy. They are provided energy by other means. That was just to explain the unity in spirituality.

It is some politicians and socio-cultural leaders who are bent dividing the people in pre-electoral days with all types of *discours inflammatoires* but this is also another level, Mr Speaker, Sir.

I would end up by saying that we could adopt this resolution today. We could similarly amend the Constitution to make of Mauritius a secular State and I think the hon. lady herself said that might not make any difference by finally inserting ‘secular’ in our Constitution.

True, Mr Deputy Speaker, Sir! Do you know why? I was reading a distinguished author who was writing about liberty, democracy and freedom the other day. This is what he said Mr Deputy Speaker, Sir, and I think – *je vais parodier ce qu’a dit ce grand homme*, and I will delete the word ‘liberty’ and perhaps replace it by the word ‘secularism’, and this is what he said –

“This feeling, this wish, this desiderata of those of us who want really to live in a secular State or to amend the Constitution or to set up a real secular State, this wish must lie in the heart of the men and women who want to do it. But if it dies there, no Constitution, no law, no Court can save it. No Constitution, no law, no Court can even do much to help it”.

The point, Mr Deputy Speaker, Sir, is that the law can be adopted; the constitutional provisions introduced, but what can make of Mauritius a secular State, a land where there is no division, where there is harmony, where national unity is not a vain word; where respect prevails. Mr Deputy Speaker, Sir, this spirit does not lie in the law and in the Constitution, it lies in the heart of us politicians and of our people!

Thank you, Mr Deputy Speaker, Sir.

(6.31 p.m.)

The Minister of Foreign Affairs, Regional Integration and International Trade (Dr. A. Boolell): Mr Deputy Speaker, Sir, let me, from the outset, congratulate the mover of the motion which reads of course –

“This House is of the opinion that the Constitution be amended to provide for the secular nature of the State to be enshrined therein.”

Of course, this is a very thought provoking debate. Whether we like it or not, passion will be raised. The issue is sensitive and we have to put our best endeavour to rise on the occasion and to be able to say loud and clear that unlike some countries, our country is not vestigially linked to any religion. And we say it with pride, without fear or prejudice. I may not share the views canvassed by hon. Ms Deerpalsing as to whether there is a need to amend the Constitution to provide for the secular nature of the State to be enshrined therein. However, I do praise her for her honesty of purpose, for her staunch belief and to have the freedom to speak her mind. And this is basically, Mr Deputy Speaker, Sir, why we take pride to say that Mauritius Constitution is already implicitly secular or some would argue and say that it is unwritten in our Constitution.

Mr Deputy Speaker, Sir, we have the opportunity to travel, to interact and to interface with people from different walks of life, people belonging to different communities, people who have different beliefs, but they have always been full of praise for little Mauritius. This great little country which has earned the respect of leaders the world over, known, Mr Deputy Speaker, Sir, as a world in miniature, as a country which has rule of law and where decency prevails, a secular State, multiracial, multiethnic, a country owing to the multiplicity of religion, faith and belief system as well as its commitment to democratic values and human rights. That is why I say, Mauritius is clearly a secular State understood in the Constitution which sums up that Parliament may make laws for the peace, order and good Government of Mauritius. And this is our supreme duty and responsibility from which we will not be diverted.

Of course, Mr Deputy Speaker, Sir, we cannot prevent others to react differently, but there is a threshold in this country that no one wants to raise or to go beyond, precisely because we value the importance and relevance of living in a multiracial, multiethnic country, Mr Deputy Speaker, Sir.

I have listened to the hon. Leader of the Opposition and I don't want to make this issue, which is very sensitive and relevant to the harmonious blending of national unity, a political issue. But, at the same time, Mr Deputy Speaker, Sir, one has to acknowledge certain realities and I recall, when we were together with our friends from the MMM, when we were in power together in 1995, a decision was taken and, rightly so, not to attend – of course, unless it is unavoidable - activities of a religious nature or if we do attend, our presence has to be low-keyed. That was the decision taken and we thought that we would be embarked upon a new mindset which, of course, would allow us to ensure that in the decision taken, there would be respect and compliance. Unfortunately, politics being what it is, we fail to honour our obligation and commitment. But I am not going to apportion the responsibility. I know what I am saying. I am trying to be fair.

But the fact remains, Mr Deputy Speaker, Sir, that we need to have strong belief and our belief, Mr Deputy Speaker, Sir, has to be deeply rooted and not speak for the sake of saying things loud and clear without this compliance when commitment is taken and I say it without fear and I say it at the same time to make some of us realise that what is said openly is not practised open. So, this is why we have to live by obligations. The obligations of a State for the people, by the people - in Abraham Lincoln's words - are to ensure the welfare of each and every citizen and to promote the progress of the country. And these obligations cannot be met unless the State's provisions are applied with impartiality and uniformity.

The issue of religious subsidies have been raised. We have stated or the commitment is there that there should be transparency and accountability in respect of allocation of resources and the word "unity" has to be put into practice. Let us be fair, Mr Deputy Speaker, Sir!

The Registrar of Associations has deemed it fit to see to it that there is proper allocation of resources and fair distribution and, at the same time, there is an obligation upon any association to disclose financial commitments, and they have to submit their returns. Where I agree with my colleague, hon. Ms Deerpalsing, we have to ensure that financial resources coming overseas are subject to proper scrutiny because we have to know where the money is coming from; whether it is not favouring one community at the expense of the others. This is where there is relevance for a vote in respect of subsidies to socio-cultural organisations. We have to tread cautiously. We have to err on the principle of caution, but we have to be mindful also of where financial resources are coming. I am glad that we live in a country where the relevant institutions like the Financial Intelligence Unit; if ever there is a perception that it is tainted money, we can certainly follow the trail.

So, we have to tread cautiously when it comes to obligations of the State. The State is obliged to find out for certain how money is used and how the resources are allocated and whether the resources coming from overseas are not tainted. So, Mr Deputy Speaker, Sir, that's why we say that the State remains separated from the bias and influence of arbitrary religious norms and principles. And our justice system, Mr Deputy Speaker, Sir, has constantly demonstrated the impartial nature of Mauritian legislation and governance as can be seen very starkly through the following cases heard by the Supreme Court: Bhewa and Aladdin v.s Government of Mauritius and DPP 1990; Government Teachers' Union and Anor v.s Roman Catholic Education Authority and others 1987, Minerve v.s Minerve 1987, and it is good to recall what Justice Lallah in the latter case emphasised, and I quote -

"We live in a secular State in which freedom of conscience is a fundamental right for every individual."

“In which freedom of conscience” and I lay emphasis on the word ‘conscience’, Mr Deputy Speaker, Sir. That’s why when we make a statement or when we speak on behalf of socio-cultural organisations or when we preach from the pulpit, Mr Deputy Speaker, Sir, we have to weigh our words carefully and we have to err on the principle of caution if we want to consolidate national unity, and if we want to enhance the relevance and importance of being a citizen in a multiracial country. What is true for politicians is equally true for those who allegedly have the power to preach, to discourse; that’s why I say when we talk of standards, when we talk of norms, when we talk of code of conduct, it applies to the nation at large. That’s why when we talk of the Constitution, equal opportunities, rights and obligations, we have to make sure that we live up to our obligations.

So, Mr Deputy Speaker, Sir, we have to take into consideration that the secular characteristic of Mauritius has been the inevitable result of the twin phenomena of our commitment to democracy, rule of law and of the multiplicity of faith in the Mauritian social fabric. Whatever we say can become the mirror image of the message that we are conveying. So, Mr Deputy Speaker, Sir, the social fabric can be fragile if we want to undo the tapestry. That’s why I agree with the hon. Leader of the Opposition when he stated that we should not allow people hailing from socio-cultural organisations or preaching from the pulpit to act in a manner which is contrary to the spirit of national unity and solidarity.

I recall when the issue of oriental languages was raised there was a case of Tengur v.s the Confessional Schools in respect of G.N. 114. Mr Deputy Speaker, Sir, a lot of emotions were raised to the extent that, you know, we had to appeal to rational thinking and not allow emotions to override rational thinking. That’s why I say, Mr Deputy Speaker, Sir, I am glad that we live in a country where there is separation of power, where the lines of demarcation between democratic institutions are wide, which has earned us the pride, Mr Deputy Speaker, Sir, of many countries.

Mr Deputy Speaker, Sir, we have also witnessed how changes, be it in our educational system or changes to consolidate national unity, have been subject of a lot of resistance, how religious faith has been used to undermine the process. That’s why I want to make it quite clear that we all have an obligation, a moral obligation. If we believe in moral supremacy, that moral supremacy should override all other considerations to consolidate our social fabric; we have, therefore, to ensure that no faith is undermined at the expense of the other and this is primordial, that every faith has its place in society rather than one religious group undertaking unconstitutional or violent action to install its supremacy as is sadly the case in so many war-torn countries around the world. Mauritians have evolved with an adherence to the principle of harmony, cohabitation and independence.

Mr Deputy Speaker, Sir, we have been cited as a showcase and I know for certain whenever there is conflict and whenever attempts are being made to resolve those conflicts, how many times Mauritians

have been cited as a showcase, a world in miniature where there is harmonious blending of all communities and this is one of the great characteristics of the Mauritian people: the value of tolerance.

This is why, Mr Deputy Speaker, Sir, we have to impress upon one and all as to one's responsibility and this is very relevant. You don't learn of one's responsibility from cultural or religious events. It starts at home; the value of tolerance, mutual respect, appreciation of differences. This is why I say our Constitution provides, Mr Deputy Speaker, Sir, for our rights; rights which are enshrined and deeply rooted in the provisions of our Constitution. Mauritius, if I may say so, is a richly woven tapestry made with various beliefs, faiths, ideas and ideologies of its people and this is the beauty of Mauritius.

Our different ideologies, nothing is imposed, but the freedom to express – the freedom of expression, freedom of conscience, freedom of association - the State does not point the finger, the State doesn't, Mr Deputy Speaker, Sir, usher in the command. This is why we thrive as a nation. This is why we are different from others. In countries where there have been conflicts, Mr Deputy Speaker, Sir, and trying to remove even one of those threats. This is the appeal that we make; don't unravel one of the threats because in so doing you will unravel the whole masterpiece.

I will come later in respect of countries which have been strived secular State in their Constitution where there has been crisis provoked. It is not because of the – what I call – the holy trinity, Mr Deputy Speaker, Sir, *liberté, fraternité, égalité* that the crisis has been averted or avoided and I will come to this later on; the perception and reality of islamophobe in those countries, Mr Deputy Speaker, Sir.

It is, therefore, our human nature that makes our belief system inalienable from our identity. No matter how whole-heartedly we strive to achieve full objectivity and sometimes it is very difficult as subjects to achieve full objectivity, but we have to strive. We have to put on our best endeavour to achieve the full objectivity. Some would argue that only robots, Mr Deputy Speaker, can be fully impartial. This means that we must not think of this debate as being an 'either or' one. There are various nuances as has been highlighted by hon. Ms Deerpalsing where we have to tread the fine line between freedom of speech, freedom of religion and freedom of thought.

In Mauritius we must be careful to develop our own brand of secularism and I am glad that an article has been given to me by hon. Ms Deerpalsing on 'why we need a radical, redefinition of secularism?' Sensitive, delicate, but then Mr Deputy Speaker, Sir, it is a matter that has to be discussed and discussed almost endlessly. Let me, therefore, state that there is no State religion as such instead we stand guided by the imperatives of inclusiveness. We know, Mr Deputy Speaker, Sir, for certain, in Mauritius the relevance of inclusiveness and when the habit of saying that – if you don't have five fingers, you cannot clasp the hand and this is the beauty of Mauritius. There are certain realities that

overnight we cannot throw overboard, but the process of inclusiveness is relevant to the stability and sometimes without any interference from the church or socio-cultural organisations, we cannot be indifferent to the voices of people from socio-cultural organisations or from the church, but what we are saying – they cannot define the policies of Government. Government is here to define its policy, but we cannot be indifferent to the voices of people from socio-cultural organisations or from the church otherwise the process of inclusiveness is jeopardised. We don't want to jeopardise the process of inclusiveness in a country where we put a lot of emphasis on harmonious blending of all communities.

We have to be true to policies defined by Government. We have seen in the past what has happened when a specific community has been ostracised, Mr Deputy Speaker, Sir. We have endangered the very fabric of the society that is why we make an appeal to one and all; we have to go beyond the threshold of emotion. We need a rational thinking. Let me again remind our friends you cannot stay far away from the naked truth. The stark reality stares once in the face. The debate on secularism shows some interesting precedents in various countries which I shall like to cite here in order to demonstrate how variables ...

(Interruptions)

The Deputy Speaker: Sorry, hon. Minister! It is already 07.00 p.m and the business of the House is interrupted.

Dr. A. Boolell: Okay, I move for the adjournment of the debate.

The Deputy Speaker: No, the business is interrupted!

ADJOURNMENT

The Prime Minister: Sir, I beg to move that this Assembly do now adjourn to Tuesday 23 July 2013 at 11.30 a.m.

The Deputy Prime Minister rose and seconded.

The Deputy Speaker: The House stands adjourned.

MATTERS RAISED

(6.57 p.m.)

PARLIAMENTARY QUESTIONS - REPLIES

Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière): Mr Deputy Speaker, Sir, my question is addressed to the hon. Prime Minister. For some time, Mr Deputy Speaker, Sir, the Opposition has been following up matters relating to Parliamentary Questions and the hon. Prime Minister knows what I am talking about as Leader of the House. So, in our Parliament, we are mandated by the people and we are elected Members. We have a Government and an Opposition, but the people outside have their eyes on us and also...

(Interruptions)

We are out there, we are in here, we are here *depi longtemps!*

(Interruptions)

The population, Mr Deputy Speaker, Sir, the taxpayers always want to know how their money is spent and how their different problems in their day to day life are being managed and this is why, according to our Standing Orders we have the opportunity, provisions are made from us – Members of Parliament – be it in the Opposition or Government to ask questions, Mr Deputy Speaker, Sir. We have remarks, Mr Deputy Speaker, Sir. We have followed during the past years and many of our Parliamentary Questions have remained unanswered. I am going to lay on the Table of the Assembly and for the attention of the hon. Prime Minister and Leader of the House; this is not the case totally, Mr Deputy Speaker, Sir, if I have been knowing the recourse. For 2011: 51 questions have remained unanswered. For 2012; 122 questions and for 2013 up to now – I heard that next Tuesday would be the last sitting - 202 questions have remained unanswered.

(Interruptions)

This question, I have discussed personally as Opposition Whip delegated by the Opposition with the previous Speaker and also, Mr Speaker. According to the Standing Orders, Mr Speaker doesn't not have authority on hon. Ministers to ask them to reply to questions and do their duty. So, my appeal is to the hon. Prime Minister that now we will be going on holidays, I'll be tabling this document, so as the hon. Ministers can have some homework during holidays.

(Interruptions)

They can go through this list and, at least, send some answers to the Library. We are now being provided with - I would say - electronic equipment. We can spend our holidays there to see whether the questions we have asked in the public interest are being answered. So, I rely on the Leader of the House, the Prime Minister, to send the message to these, I would say, HC Ministers who do not do their job - I don't say habitual criminal, this is a Mauritian term - at least, to do their job properly to have the answers. I think in the interest of transparency and in the interest of one and all these questions should be replied. Sir, I think we owe it to the population and the Prime Minister, also, I am sure, will agree with us that this must be done within a relative period of time. Thank you. I am tabling this document.

(Interruptions)

To mem to ena enn paket kestyon to pa reponn dan ki to pe pozer.

The Prime Minister: Let me thank the hon. Member. I know him since a long time, but there is a slight exaggeration on the numbers because I went to check. Let me say something though, Mr Deputy Speaker, Sir. Very often, we find so many questions to be answered and then, on the eve of Parliament or on the day itself, questions are withdrawn.

(Interruptions)

The hon. Member has not listened to me yet, he is reacting. The questions are withdrawn. I agree and then the questions are put again, same questions. So that question which is withdrawn is not then circulated because it has been asked anew.

(Interruptions)

Are you telling me it is not so. I have so many examples I can give you. That question that you think has not been circulated, has, in fact, been answered. I am not saying all of them, but some of them because they have been re-circulated. Very often, there is another thing that hon. Members don't perhaps realise. I have to answer within thirty minutes - I am speaking for myself - and then the others have got the time that they have, and then you are supposed to circulate, but very often there are other events, superseding events, which happen which require that you have a look at the question. I do that, I must tell you. There is a delay in my case, but I do that because I want to relook at the questions otherwise it would look odd. There are other events which have happened in-between.

Mr Deputy Speaker, Sir, we have a time limit for questions. Now let me take an example on myself. There are thirty minutes for PNQs often addressed to the Prime Minister, but not always and then there are thirty minutes for the Prime Minister himself. Now, in the thirty minutes, the first question is nearly like a PNQ so many supplementary questions. You must realise yourself. If there are thirty

minutes, obviously we will not be able to answer all the questions. On average Mr Deputy Speaker, Sir, only four or five questions are answered. But then, remember there are thirty minutes to answer questions, it means an additional burden that we have, therefore, to prepare for the two hours of questions even for the Prime Minister. I have other duties. So, I have to find time to relook at these questions and my suggestion would be...

(Interruptions)

It is not just me, hon. Jeetah just said, the former Prime Minister, your leader, has been Prime Minister for three years, but there are many questions he has not answered up to now. I will tell you something. Do you know how many questions you ask on average? To me, I am talking about. As an average, it is fourteen to sixteen questions.

(Interruptions)

Of course, I will be occupying more perhaps later on, but the fourteen to sixteen questions, how do you expect them to be answered in thirty minutes. My time is thirty minutes, not two hours. Let me reassure the hon. Member, we will try to circulate, but there is a time limit.

(Interruptions)

I am doing it this way and I am not going to change. I want to relook because there are events which happen and the Prime Minister's, any Prime Minister's duty is not only to answer questions in Parliament, he has got lots of other duties as you rightly said. What I am suggesting is ask fewer questions then you will have less risk. The risk will be minimised.

Mr Deputy Speaker: Hon. Mrs Hanoomanjee!

BEL OMBRE SUGAR ESTATE – WORKERS – VRS II

Mrs S. B. Hanoomanjee (Second Member for Savanne & Black River): Mr Deputy Speaker, Sir, I'll raise an issue which concerns the Minister of Agro Industry.

Workers of Bel Ombre Sugar Estate who opted for VRS II in 2005 are still waiting for the contract of the land which was allocated to them in Case Noyale. In fact, Mr Deputy Speaker, Sir, 236 workers opted for VRS II in the hope that they may build a decent house for themselves and their families on the land which was allocated to them. Eight years have gone by and, up to now, no sign of the contract from Bel Ombre Sugar Estate.

Mr Deputy Speaker, Sir, it is sad to note that 12 of those 236 workers have already passed away. They have not been able to taste the fruit of their hard labour. Bel Ombre Sugar Estate never gives a definite reply to them. Whenever the workers go to Bel Ombre Sugar Estate, they never get a definite reply. I have also contacted Bel Ombre Sugar Estate on their behalf, but it appears that it is not the priority of Bel Ombre Sugar Estate and I am given to understand that neither the Ministry nor the MCIA is following this file to exercise pressure on Bel Ombre Sugar Estate.

Now, this is one case. The second case is that there are ten other persons whose case was favourably considered by Bel Ombre Sugar Estate because they took their retirement just before VRS I. The drawing of lots was done as far back as 2002. We are now in 2013. Eleven years after, still they have not got their site plan, Mr Deputy Speaker, Sir. So, I am only requesting the Minister of Agro Industry to exercise pressure on Bel Ombre Sugar Estate so that both the workers of VRS II and those who took their retirement before VRS I can get their land contract. I rely on the hon. Minister of Agro Industry to do that.

Thank you Mr Deputy Speaker, Sir.

The Minister of Agro-Industry and Food Security and Attorney General (Mr S. Faugoo): Mr Deputy Speaker, Sir, I cannot offhand sort of confirm what the hon. Member is saying is factually correct or incorrect. I have to look into it. I will have a word with the MCIA and see where the problems are and try to solve them.

COMMISSION DE POURVOI EN GRACE - CASES

Mr S. Obeegadoo (Third Member for Curepipe & Midlands): Mr Deputy Speaker, Sir, mon intervention ce soir concerne la *Commission de Pourvoi en Grâce* et elle s'adresse au Premier ministre.

M. le président nous savons tous que l'article 75 de la Constitution confère des pouvoirs très étendus au président de gracier toute personne condamnée; d'accorder à toute personne un sursis de substituer une forme de peine moins sévère; d'accorder une remise totale ou partielle mais dans l'exercice de ses pouvoirs, le président est tenu selon la Constitution d'agir sur avis conforme de la *Commission de Pourvoi en Grâce*. C'est dire toute l'importance de cette Commission. Alors que voyons-nous dans les faits ces temps derniers c'est que le nombre de demandes adressées à la Commission a connu une augmentation spectaculaire à la suite de différents facteurs. Par exemple, la nouvelle loi régissant les compagnies de sécurité qui imposent que tout vigil doit soumettre un certificat de moralité par exemple. Le résultat c'est qu'il y a beaucoup plus de demandes arrivant à la Commission qu'auparavant mais la Commission fonctionne toujours de la même manière: un commissaire, un

président et deux membres de cette Commission se réunissant une fois par mois sans un personnel permanent, pas même une personne en permanence mais un officier du Prime Minister's office qui, avec toute sa bonne volonté évidemment, le fait à temps partiel en sus de ses attributions, de ses fonctions normales, habituelles.

Alors, les conséquences c'est que la liste d'attente s'allonge ! Aujourd'hui, c'est avec chance qu'un cas est considéré dans un délai de six mois. Souvent, cela arrive que des gens attendent un an ou même plus. Parfois, les gens dépendent de cela pour leur emploi, pour pouvoir se faire embaucher, pour pouvoir travailler. Donc, l'appel pressant que je voudrais lancer au Premier ministre, pour faire justice à toutes ces demandes, c'est d'intervenir de toute urgence pour réexaminer le mécanisme. Je ne parle pas d'amender la Constitution, mais le fonctionnement dans les faits, et d'attribuer les ressources appropriées à cette Commission pour qu'elle puisse adéquatement, et dans un délai raisonnable, traiter toutes les demandes qu'elle reçoit. Merci, M. le président.

The Prime Minister: M. le président, je vais certainement étudier la question que l'honorable membre a soulevée au Parlement; pas nécessairement en toute urgence, mais en urgence. Je ne peux pas le faire demain ; c'est cela que je veux dire. Je vais...

(Interruptions)

Peut-être après demain, mais pas demain. Je vais voir si c'est possible de le faire, M. le président.

POINTE AUX SABLES - MORCELLEMENT REY – ORANGE & EMTTEL NETWORKS

Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West): Mr Deputy Speaker, Sir, I will be short and to the point. The issue which I am raising is addressed to the Minister of Information and Communication Technology.

Sir, since some two months, the inhabitants of Morcellement Rey at Pointe aux Sables cannot use their cellular phones, mobile phones. They can neither make nor receive calls when they are inside their houses. They have to get outside to make and receive calls. Those who are in business encounter much difficulty with their clients who, unaware of the problems, think that the phone has been switched off. It should seem, Mr Deputy Speaker, Sir, that there is a problem with the networks, Orange as well as Emtel. Complaints have been made to the two operators. It would seem that, with regard to Orange, the problem would be solved by September.

I am, therefore, making an appeal to the Minister so that the problem faced by these people be solved as soon as possible.

Thank you, Sir.

The Minister of Information and Communication Technology (Mr T. Pillay Chedumbrum):

Mr Deputy Speaker, Sir, the hon. Member mentioned Morcellement Rey at Pointe aux Sables. I am going to look into it, and try to see in what manner we can help to sort out the problem raised.

EBENE REGION – SECURITY MEASURES

Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes): M. le président, je vais aborder un grave problème de sécurité dans la région d’Ebène. C’est une question adressée au Premier ministre.

M. le président, le problème se pose, à mon avis, à trois niveaux. Dans le camp sucrier d’Ebène et dans le nouveau morcellement, il y a une recrudescence des vols qui affectent les maisons construites et aussi les maisons en voie de construction. Les habitants souhaitent une présence plus visible et aussi régulière de la force policière. Il y a des patrouilles policières, mais ces patrouilles policières ne dépassent pas une heure du matin. C’est assez grave en termes de sécurité pour les habitants de la région. La requête des habitants, bien-sûr, est que les patrouilles soient faites de façon plus régulière et surtout pendant la nuit.

M. le président, toujours sur l’aspect de sécurité, le SSS Ebène (Filles) qui se trouve à côté du Spiritual Park a dû faire appel, à plusieurs reprises, à la force policière, en raison de la présence de sadiques et des voyous qui représentent un danger certain pour les filles qui fréquentent le collège.

M. le président, plusieurs cas d’agressions ont été répertoriés sur le passage pour piétons, dans le Spiritual Park, qui relie la route royale de Belle Rose à la région d’Ebène. Une dame a même été agressée quelques jours de cela. Une présence policière permanente est vivement demandée dans le Spiritual Park qui est utilisé comme un *shortcut* par les habitants de la région d’Ebène.

The Prime Minister: I thank the hon. Member. I will certainly take up the matter with the Commissioner of Police tomorrow. You want to put a Police Station in the Spiritual Park, but I don’t know whether it would be right; maybe in the vicinity, to make sure that there is police presence. There is a whole organisation when you want to have Police. There must be a rota, they must be given so many hours, but I will take up the matter with the Commissioner of Police.

MORCELLEMENT PEERUN, VACOAS & ENGRAIS MARTIAL & CITE L’OISEAU – RIVERBANKS - LANDSCAPING WORK

Mrs F. Labelle (Third Member for Vacoas & Floreal): Mr Deputy Speaker, Sir, I would like to make an appeal to the hon. Minister of Environment regarding the state of the riverbanks in my constituency.

I will refer to only two rivers. One is along Morcellement Peerun in Vacoas. Mr Deputy Speaker, Sir, some years back, landscaping work was effected, I think by the then Minister of Environment, hon. Bhagwan. This was a place of leisure, but now it has become a dangerous place because there is no maintenance. The inhabitants have been facing some aggressions and so on in this region.

The other river I will refer to is the river between Engrais Martial and Cité l'Oiseau. It is a beautiful river in a densely populated area. If some embellishment work or landscaping could be carried out there, it will allow the people of Engrais Martial and Cité l'Oiseau to have a place of leisure, instead of having a dumping ground in this area.

So, I make an appeal to the Minister of Environment if he could look into this matter for the safety of the inhabitants, and to have some place of leisure.

Thank you.

The Minister of Environment and Sustainable Development (Mr D. Virahsawmy): Mr Deputy Speaker, Sir, I shall arrange for an inspection of both sites, and shall take action accordingly.

MONTAGNE LONGUE – RUISSEAU ROSE – REINSTATEMENT WORKS

Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue): Mr Deputy Speaker, Sir, the issue which I wish to raise today is addressed to the hon. Deputy Prime Minister, Minister of Energy and Public Utilities. It concerns Constituency No. 4, and is related to works which have been carried out by the Central Water Authority in the region of Ruisseau Rose, Montagne Longue.

A CWA contractor, I think by the name of Mr Hurryram, has carried out pipe laying works in that area. Works have been completed since last year. He had started some partial reinstatement works, but unfortunately, he has left the site about three months ago without completing the works. There are a lot of potholes, drains have been blocked on that road, and this is causing a lot of inconvenience to the inhabitants of that area.

I am raising this issue because this has been addressed earlier by the inhabitants of that area to the Central Water Authority, this has been aired on the radio, but nothing has been done until now. The inhabitants have been told that the contractor has left the site because he has not been paid the total amount which he was supposed to be paid.

I make an appeal to the Deputy Prime Minister if he could look into the matter, and get the road reinstated as it was before and to the satisfaction of the inhabitants of that area.

Thank you, Mr Deputy Speaker, Sir.

The Deputy Prime Minister: Mr Deputy Speaker, Sir, yes, certainly, I will look into it and make sure that things are remedied.

ST. MARTIN – BUS STOP & PAVEMENT

Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière): Mr Deputy Speaker, Sir, the matter I am raising is addressed to the Vice-Prime Minister and Minister of Public Infrastructure. It is related to the road along St. Martin, from Mont Roches to the St. Martin cemetery which, as the hon. Minister knows very well, is the only access road from Beau Bassin to Albion and Flic en Flac. It is heavily used, and there are lots of trucks, buses and lorries that go along that road.

Since there is a lot of new *morcellements* that have been set up there and a lot of people have now moved and lived there, with children and people working late, may I kindly ask the hon. Vice-Prime Minister to look into the possibility of having an additional bus stop there? Because there is only one bus stop at the Cooperative Shop of Mont Roches along the road, which goes straight down beyond the cemetery. So, if we can have an additional bus stop in-between, and also if he can look into putting up a pavement along the way because, as you know, this road is heavily used, and there is a lot of speed driving along that road. So, can the hon. Minister look into the question of putting a pavement and an additional bus stop, and see how we can limit speed driving in that area.

The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, St. Martin Road is already in our programme and the needful will be done.

(7.19 p.m.)

QUATRE BORNES TO PORT LOUIS - MOTORWAY - TRAFFIC CONGESTION

Mrs L. Ribot (Third Member for Stanley & Rose Hill): Mr Deputy Speaker, Sir, I would like to address myself to the hon. Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping and I am referring to something that happened not later than this afternoon.

Mr Deputy Speaker, Sir, it took me more than one hour to travel from Quatre Bornes to Port Louis by the highway this afternoon. I left my place at 14.35 hours and I reached here at 15.50 hours.

On a roulé pas à pas, M. le président, sans savoir pourquoi. Il n'y avait pas un seul policier sur la route pendant plus d'une heure, pour la simple et bonne raison qu'un camion était tout bonnement en panne. Un camion en panne sur l'autoroute, M. le président, a paralysé toute la circulation pendant plus d'une heure dans une Ile Maurice de 2013!

Ma requête, M. le président, à l'honorable Vice-Premier ministre et ministre des Infrastructures publiques n'est pas d'empêcher que le camion tombe en panne bien sûr, mais d'essayer de mettre sur pied un plan pour qu'un véhicule en panne sur l'autoroute soit enlevé ou alors mis sur le côté dans les plus brefs délais afin que la circulation ne soit pas paralysée. Au moment où on a les travaux sur l'autoroute, peut-être que la solution serait aussi d'avoir plus de *lay-bys* pour pouvoir bouger ces véhicules en panne.

Merci beaucoup, M. le président.

The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, it is really surprising that in the daytime the hon. Member had to take so much of time. Most probably there might have been an absence of Police in that region but, tomorrow, I will take up the matter with the Traffic Branch of the Police which regulates the traffic. If I am not mistaken, there must be some additional work which is being done at Sorèze which will take at least one week and that might have caused that problem. Tomorrow, I am going to take it up with the authorities.

At 7.25 p.m., the Assembly was, on its rising, adjourned to Tuesday 23 July 2013 at 11.30 a.m.