Chapter 10 The Role of Ethnicity in Shaping Coalition Politics in Mauritius

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1. Introduction

The small island state of Mauritius is one of only a few African countries to have enjoyed sustained political stability through a multiparty democracy since independence. Indeed, over the past decades, it has been hailed as the poster child of democracy and good governance in Africa, with its exceptional governance having been commended by various institutions. For instance, according to the Electoral Integrity Project, which evaluates countries according to expert perception with respect to electoral integrity, Mauritius is ranked 47th globally.[1] Furthermore, it scored 72.8 out of 100 in overall governance in the Ibrahim Index of African Governance in 2023, ranking second out of the 54 African countries.[2]

As is well known, the Ibrahim Index measures the quality of governance in African countries in relation to, among other things, safety and rule of law, participation and human rights, and sustainable economic opportunity and human development. Consistently ranking among the top two countries thus points to Mauritius's relative political stability over the past decades, and cements its position as one of Africa's foremost democratic nations.

Several factors have played a critical role in ensuring the success of the Mauritian democratic model as well as its culture of multipartyism – factors which this chapter sets out to identify and discuss. What will emerge from the discussion are insights into the effectiveness of the framework and mechanisms that foster or constrain the role of political parties in partici-

1 HA Garnett, TS James, M MacGregor and S Caal-Lam, *Year in Elections Global Report 2023*, Ontario and Norfolk, The Electoral Integrity Project (2023), https://static1.squarespace.com/static/58533f31bebafbe99c85dc9b/t/649dee1ee6e6c50219e9fbd9/1688071716978/Electoral+Integrity+Global+Report+2023.pdf (accessed 5 August 2024).

2 Mo Ibrahim Foundation, *2024 Ibrahim Index of African Governance*, October 2024, https://mo.ibrahim.foundation/sites/default/files/2024-10/2024-index-report.pdf (accessed 12 November 2024).

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pating in democratic governance. In particular, it seeks to offer a nuanced account of how ethnicity shapes the political landscape in Mauritius.

To this end, section 2 provides an overview on the ethnic make-up of Mauritius; describes the origins and need for the so-called best-loser system (BLS), which caters for adequate representation of all ethnic groups in Parliament; and traces the emergence of the main political parties in Mauritius. Section 3 then examines the constitutional and legal framework regulating political parties and coalitions in Mauritius, while section 4 considers the interplay between ethnicity and the formation of political-party coalitions ahead of general elections. Section 5 proposes various reforms that could address the challenges faced by political parties in Mauritius. A conclusion in section 6 sums up the findings.

2. Background and context

2.1 Ethnic-based political representation

Political parties in Mauritius often align with specific ethnic groups. This can be explained by the colonial influence on the institutionalisation of ethnic identities. The British colonial administration in Mauritius played a significant role in shaping the island's contemporary ethnic-based party structures.[3] During the colonial period between 1810 and 1968, the British implemented policies that in effect categorised the population along ethnic lines in order to maintain control and manage a highly diverse society. This categorisation was reinforced by the introduction of separate educational, religious, and social institutions for different ethnic groups, all of which served to foster a sense of distinct identity among these communities.[4]

The political landscape of Mauritius may thus be traced to the colonial era, when the local population, predominantly comprising indentured labourers, began to engage politically by organising itself in the early 1900s.[5] Indentured labourers were brought principally from India after slavery was abolished, their purpose being to work on the island's sugarcane fields given that the sugar barons could no longer rely on enslaved people.

3 MF Nagar, The Road to Democratic Development Statehood in Africa: The Cases of Ethiopia, Mauritius, and Rwanda, 1st ed, Palgrave Macmillan (2021), p 51.

4 TH Eriksen, Common Denominators: Ethnicity, Nation-Building and Compromise in Mauritius, 1st ed., Oxfordshire, Routledge (1998).

5 D Sutton, "The Political Consecration of Community in Mauritius, 1948–68", 35(2) (2007) *Journal of Imperial and Commonwealth History*, pp 239–262.

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In this context, the colonial government often favoured certain ethnic groups over others in terms of political representation and economic opportunities. Thus, the Hindus, who eventually became the majority, were initially marginalised by the colonial government in favour of Franco-Mauritians and the Creoles of African or mixed African heritage. Tensions developed between these groups, fomenting ethno-societal divisions that significantly influenced the island's political dynamics. In the course of time, the Hindu community gained political power, leading to the formation of ethnic-based parties that sought to represent their specific interests.[6]

The Mauritian population is composed of five main ethnic communities – Hindus, Sino-Mauritians, Muslims, Creoles, and Franco-Mauritians[7] – though it must be noted that there are other sub-groups which are not mentioned here. Moreover, divisions are evident within each of these main communities.[8] For example, the Sino-Mauritian community exhibits divisions based on religion (Christian or Buddhist), economic status (large business owners or small shopkeepers), and political orientation (communist or nationalist).

Likewise, within the Hindu community, divisions exist along caste, religious and linguistic lines. Various linguistic groups, including Telegu, Marathi, Tamil, and Hindi, coexist alongside distinct castes, such as the Brahmin (high caste), Babouji or Kshatriya (high caste), Vaish (middle caste), and Rajput (low caste).[9] It should be noted that with the sole exception of Paul Bérenger (a Franco-Mauritian), every prime minister of Mauritius since independence has been a Hindu from the Vaish caste, which is the most populous of the Hindu castes in the country.[10] Kasenally has even pointed out that many in the Hindu community take it as an unwritten rule that the Prime Minister should be from this specific caste.[11]

6 SR Mehta, "Power Dynamics of Indian Immigrants in Mauritius: A Study in Ethnic Relations", 25(1) (1995) *Indian Anthropologist*, pp 1–11.

7 R Suntoo and HB Chittoo, "Managing Multi-Ethnic Mauritius", 12(3) (2012) *Global Journal of Human Social Science*, pp 33–41.

8 Ibid.

9 O Hollup, "The Disintegration of Caste and Changing Concepts of Indian Ethnic Identity in Mauritius", 33(4) (1994) *Ethnology*, pp 297–316, 301.

10 M Claveyrolas, "Au 'Pays des Vaish' ? Structure et Idéologie de Caste à l'île Maurice", 163 (2013) *Archives de Sciences Sociales des Religions*, pp 191–216.

11 R Kasenally, "Mauritius: Paradise Reconsidered", 22 (2011) *Journal of Democracy*, pp 160–169, 167.

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In the face of this diversity, extremist politicians have historically sought to exploit divisions by urging sub-groups to demand parliamentary representation which is proportional to their numerical strength.[12] For example, they have argued that Marathis, Telegus and Tamils should not be classified as Hindu due to their perceived cultural and religious differences.[13]

Similarly, the Muslim community has divisions along caste, linguistic and economic lines, albeit to a lesser extent.[14] However, they have representation in certain constituencies with a huge concentration of the Muslim population, as a result of which political parties always field Muslim candidates in these constituencies.[15]

For election purposes, the Constitution of Mauritius does not take the five ethnic communities above into consideration. Instead, section 3(4) of the First Schedule of the Constitution divides the population into four groups: Hindu, Muslim, Sino-Mauritian, and General Population. As will be discussed later, in order to run as a candidate in the general elections, individuals must declare their affiliation with one of these four constitutionally recognised communities. At this juncture, it should be noted that the General Population is a catch-all category for those who do not believe that they belong to any of the other three recognised groups. This refers chiefly to Creoles and Franco-Mauritians but so too to persons of mixed heritage, such as European-Africans, European-Indians, and African-Indians. This segment of the population may in turn be subdivided further along the lines of skin colour, social standing, and class.

The 1972 census was the last to officially measure ethnicity, but its data continues to influence the distribution of power even if it is patently outdated. This census revealed a diverse population, with Hindus forming the majority (52 per cent), followed by Creoles (27 per cent), Muslims

12 EG Mukonoweshuro, "Containing Political Instability in a Poly-Ethnic Society: The Case of Mauritius", 14(2) (1991) *Ethnic and Racial Studies*, pp 199–224.

13 L Couacaud, SS Sookrajowa, and J Narsoo, "The Vicious Circle that is Mauritian Politics: The Legacy of Mauritius's Electoral Boundaries", 21 (2022) *Ethnopolitics,* pp 48, 61.

14 R Mathur, "Party Cooperation and the Electoral System in Mauritius", in BV Lal and P Larmour (eds.), *Electoral Systems in Divided Societies: The Fiji Constitution*, ANU Press (2012), pp 135–146.

15 S Bunwaree, "Interrogating Liberal Democracy: The Islamic Movement in Mauritius", in MA Mohamed Salih (ed.), *Interpreting Islamic Political Parties*, New York, Palgrave Macmillan (2009), pp 231–248; A Jahangeer-Chojoo, "From Minority to Mainstream Politics: The Case of Mauritian Muslims", 25(1) (2010) *Journal of Social Sciences*, pp 121–133.

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(16 per cent), Sino-Mauritians (3 per cent), and Franco-Mauritians (2 per cent).[16] The continued use of this demographic information for parliamentary seat allocation potentially favours certain ethnic groups, particularly those whose population shares may have dropped significantly since 1972.[17] The reliance on outdated data raises questions about the fairness and representativeness of the current political system, insofar as it is unlikely to accurately reflect the evolving ethnic landscape of modern Mauritius.

2.2 Origins and characteristics of the best-loser system

For parliamentary general elections, Mauritius is divided into 21 constituencies, with 20 allocated to mainland Mauritius, and one to Rodrigues (a dependency of the Republic of Mauritius). Each constituency on the mainland elects three representatives, while Rodrigues elects two. This brings the total candidates elected through a first-past-the-post (FPTP) system to 62; these candidates in turn become members of the National Assembly.

Electoral boundaries were demarcated by the British before independence in order to guarantee adequate representation for the two most significant segments of the then Mauritian population, Hindus and Creoles. Traditionally, 10 constituencies have been situated in rural areas where Hindus are predominant, while the remaining 10 are in urban areas. This arrangement ensures that Hindus, comprising more than 50 per cent of the population, receive appropriate representation, as parties typically field Hindu candidates in rural areas. The Creoles, accounting as per the 1972 census for about 30 per cent of the population, hold considerable sway in most urban constituencies and can secure a fair share of seats with the support of other minority groups, thereby ensuring adequate representation for themselves in the National Assembly.

An electoral system that could safeguard adequate representation for minorities in the National Assembly was thus devised in order to mitigate ethnic tensions. Indeed, over the years there has been much discussion

16 R Kasenally, "Mauritius: The Not so Perfect Democracy", (2011) 10(1) *Journal of African Elections*, pp 33–47, 34.

17 SS Sookrajowa, "Legibility and the Politics of Ethnic Classification of the Population in the National Census of Mauritius: A Statist Perspective", 27(2) (2021) *Nationalism and Ethnic Politics*, pp 128–148, 129.

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about the best system of minority representation.[18] In the colonial era, the then Parliamentary Under-Secretary for the Colonies, John Stonehouse, proposed an electoral system in which most parliamentary members would be chosen via the FPTP method; however, to address any ethnic imbalances, the system would allocate eight additional seats to the best-performing candidates from under-represented communities who did not win in the initial voting. This came to be termed the "best-loser system".

The BLS operates as follows. To ensure balanced representation of the four constitutionally recognised communities – Hindus, Muslims, Sino-Mauritians, and General Population – up to eight additional seats are allocated by the Electoral Supervisory Commission. The allocation process first determines the most under-represented community by dividing the number of people in each community (as per the 1972 census) by the number of elected members plus one.[19] The community with the highest quota is the most under-represented. The first four additional seats are given to the top candidates from this community who did not win, based on their vote percentage. The next four seats are allocated similarly, but the candidates must belong to the most successful political party or coalition, based on national vote percentage.[20] This ensures that the BLS does not distort the overall election results. If no suitable candidates are found, not all eight seats may be allocated.

Although the BLS is the driver behind the representation of the various ethnic groups in Parliament, there have been calls to reassess its relevance in Mauritius after more than 55 years of independence.[21] The fear is that this system amounts to a perpetuation of institutionalised racism that accords ethnicity and religion a predominant role in shaping the country's socio-political landscape, as opposed to its being a mechanism for building

18 *Ibid*; R Mathur, "The Best Loser System", in S Nirsimloo-Gayan (ed.), *Towards the Making of a Multi-Cultural Society: Conference Papers*, Moka, Mahatma Gandhi Institute Press (2000), pp 203–206.

19 Y Fessha and N Ho Tu Nam, "Is it Time to Let Go? The Best Loser System in Mauritius", 28(1) (2015) *Afrika Focus*, pp 63–79, 66; A Meetoo and C Meetoo, "How Seven Lucky Candidates have been Chosen as Best Loses in 2014 General Elections", *Elections Mauritius*, n.d., https://www.electionsmauritius.com/2014/extra/7/how-seven-lucky-candidates-have-been-chosen-as-best-losers (accessed 5 August 2024).

20 R Mahadew, "The Best Loser System in Mauritius: An Essential Electoral Tool for Representing Political Minorities", in J de Visser, N Steytler, D Powell, and E Durojaye (eds.), *Constitutional Building in Africa*, Nomos, Baden-Baden (2015), pp 135–160.

21 Fessha and Ho Tu Nam, *supra* n. 19.

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a nation predicated on a single Mauritian identity. Nonetheless, it should be noted that, to an extent, the BLS caters for the inclusion and representation of the country's full ethnic composition.

Electoral reform – including reform affecting political parties – has been a recurring topic of discussion for various administrations over the past decades. Throughout the 1980s and 1990s, parties advocated for reforms that would introduce an element of proportional representation to address the imbalances inherent in the FPTP system. However, the electoral system in Mauritius has remained largely unchanged since the country gained independence in 1968.

There is nonetheless general consensus among political parties, civil society organisations, and the public that the electoral system needs to be updated to reflect the contemporary realities of Mauritian society.[22] Towards the end of 2018, the government introduced a constitutional amendment bill aimed at overhauling the electoral system, with assurances given that the reforms would enhance the representation of political parties and women in Parliament, as well as promote social cohesion. However, the bill failed to meet the minimum three-quarters majority required for an amendment of the Constitution, as there was insufficient support for it among the opposition.

2.3 Mauritius's main political parties

There are four main political parties in Mauritius: the Mauritius Labour Party (MLP), the Mouvement Socialiste Mauricien (MSM), the Mouvement Militant Mauricien (MMM), and the Parti Mauricien Social Démocrate (PMSD). Both the MLP and PMSD were established in the 1930s and 1940s amidst a socio-political climate in which the two largest ethnic groups – the Hindus and Creoles – were seeking greater political representation and the right to vote. These demands were directed at the then ruling minority, the Franco-Mauritian sugar oligarchs, who dominated the political and economic landscape of the time.

22 A Mahadew, "Reforming Mauritius's Electoral System: More Gender and Less Communal Representation?", ConstitutionNet, 25 February 2019, https://constitutionnet.org/news/reforming-mauritiuss-electoral-system-more-gender-and-less-communal-representation (accessed 5 August 2024).

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Each of the four political parties represent specific factions of the different communities. For instance, on the one hand, rural areas – where most of the Hindu population is concentrated – have traditionally been the bastion of the MLP and MSM, whereas urban areas, on the other, have traditionally been represented by the MMM and PMSD. The electoral bases of the main parties have fluctuated over time, though voter allegiance in the rural and urban areas has mostly been constant. All four dominant political parties have an ethnic foundation, but have progressively become multi-ethnic.[23] Even so, since independence the leaders of the MLP and MSM have consistently come from the Hindu Vaish caste, while those of the MMM and PMSD have traditionally been from the General Population. The Mauritian political-party landscape thus encourages bipolarisation in terms of party cooperation and sharing of political power between the Hindus and the General Population (mainly the Creoles).[24] This is also precisely why, before each general election, the MLP and MSM, representing principally the Hindus (in rural areas), have to enter into an alliance or coalition with the MMM or PMSD, the large majority of whose voter base is from the General Population in urban areas.

During the 1963 elections prior to independence, the predominantly Hindu MLP, led by Seewoosagur Ramgoolam, secured just below a majority in the legislative council.[25] Subsequently, it formed a governing coalition with two other political parties, the Muslim Committee of Action, and a smaller Hindu party. However, tensions arose when the PMSD – representing mainly the Creoles – was excluded from the colonial cabinet, a turn of events that led to demonstrations and violence between Hindus and Creoles.[26] In 1964, an attempt was made to establish a grand coalition that included the PMSD, but it collapsed due to disagreements over the issue of independence, which the PMSD opposed. The situation escalated in May 1965, with renewed violence between Creoles and Hindus prompting the intervention of British forces.[27] The elections that followed in 1967, served as a de facto vote on independence for Mauritius. Despite winning 44 per cent of the vote, the PMSD obtained less than 40 per cent of seats, even

23 Sookrajowa, *supra* n. 17, 139.
24 *Ibid*, p 143.
25 ES Poupko, "An Exploratory Study of Constitutional Design in Three Island States: Seychelles, Comoros, and Mauritius", 35(3) (2017) *Journal of Contemporary African Studies*, pp 324–348, 336.
26 Sutton, *supra* n. 5.
27 Ibid.

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after having been granted four best-loser seats. When Mauritius gained independence in March 1968, communal violence erupted once more, thus necessitating the intervention of British troops. Simultaneously, there were initial signs of separatist movements forming among the predominantly Creole population of Rodrigues Island.

In response to the turmoil, the MLP (in an alliance with two other smaller parties) and PMSD agreed to establish a coalition under Prime Minister Seewoosagur Ramgoolam, leading to a constitutional amendment that postponed the next elections until 1976. Although the coalition eventually dissolved, there was a period of relative stability during which the process of democratisation was effectively stalled. However, an emerging socialist party, the MMM, led by the Franco-Mauritian Paul Bérenger, began to gain traction by the end of the 1960s, particularly among a more diverse electoral base. The MMM itself was founded as a purely leftist party advocating for the abolition of class struggle and communal divisions. While it began existence as a non-ethnic party, it gradually gave way to ethnicisation. In particular, party candidates are selected on the basis of ethnic profiles, with consideration given to the ethnic configuration of the constituencies where they could be fielded in order to represent their respective ethnicities or castes. This practice has been called "scientific communalism", a term which

> describe[s] the sorts of ethnic calculations that all the major political parties engage in when deciding which candidates to offer a ticket to and how to match their ethnic profile with the constituency they are running for in the run up to general elections.[28]

Seewoosagur Ramgoolam's coalition government faced major challenges in 1971 and 1972, when debilitating general strikes (called by the MMM and General Workers Federation) prompted it to declare a state of emergency. This led the Legislative Assembly to enact the Public Order Act of 1971, which placed restrictions on political parties and union activities. A day after the law's enactment, Bérenger and other members of the MMM were arrested and imprisoned. The state of emergency was lifted eventually in May 1976, as was, in November, the ban on political activities. Elections were finally held in December 1976, but although the MMM won the most seats in the Legislative Assembly, Ramgoolam was able to continue as

28 Couacaud, Sookrajowa, Narsoo, *supra* n. 13, p 51.

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Prime Minister thanks to a coalition government made up primarily of the MLP and PMSD.

The 1982 elections saw a landslide victory by the MMM and Mauritian Socialist Party (a now-defunct entity), but this coalition collapsed within a year due to leadership disputes, leading to the formation of the MSM by Anerood Jugnauth. In 1983, the newly created MSM won the elections on the strength of a new alliance with the MLP and PMD, with Anerood Jugnauth again serving as Prime Minister.[29] The MSM emerged as a dominant force primarily within the Hindu community, thus consolidating its support among Hindus who had previously supported the MLP before its decline in 1982. While the MSM positioned itself as a multi-ethnic party, its electoral success often relied on navigating the ethnic dynamics of Mauritius and forming coalition governments affording representation to smaller ethnic groups. This delicate yet essential balancing act highlights the pervasive influence of ethnicity in Mauritian politics, even among parties with ostensibly broad ideological platforms.

The MSM later aligned with the MLP and other parties in various combinations, save for the period in 1995 when a significant coalition between the MLP and MMM won decisively and saw Navinchandra Ramgoolam – the son of Seewoosagur Ramgoolam – becoming Prime Minister 10 years after the demise of his father. The MLP/MMM coalition fell apart in 1997 over policy differences. In 2000, the MSM and MMM formed another coalition, securing a victory but in 2005 this too collapsed.

Subsequent years saw alternating alliances, including the 2014 MSM-led coalition with smaller parties that ousted the MLP, as well as the 2019 MSM-Muvmen Liberater-led alliance under the leadership of Pravind Jugnauth, which retained power. These coalitions, while instrumental in winning elections, have frequently collapsed due to ideological differences, leadership rivalries, or shifting political alliances, thereby clearly demonstrating the fragility of coalition politics in Mauritius. The alternation of power between the MSM and MLP through various coalitions during this period highlights not only electoral competition but also the entrenchment of political families at the helm of these parties.

In this regard, the history of Mauritius has long been marked by the dominance of the Ramgoolams and Jugnauths as political dynasties. Anerood Jugnauth, as indicated above, first rose to power in 1982, leading a coalition of the MMM and his newly formed MSM. His tenure as Prime

29 A Dubey, *Government and Politics in Mauritius*, Delhi, Kalinga Publications (1997).

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Minister spanned from 1982 to 1995, barring a brief period of opposition rule in 1983 due to certain political reshuffles. He became Prime Minister again from 2000 to 2003, after a coalition victory with the MSM. Anerood Jugnauth transitioned to the ceremonial role of President from 2003 to 2012, before returning to active politics and winning the 2014 general elections, after which he served as Prime Minister from 2014 to 2017. In 2017, his son Pravind Jugnauth succeeded him as Prime Minister following Anerood Jugnauth's resignation, thereby continuing the family's leadership at the helm of the MSM. As for the MLP, Navin Ramgoolam served as Prime Minister again from 2005 to 2014.

It should be noted, too, that both the MSM and MLP have faced criticism for a lack of internal democracy, as leadership succession has often bypassed broader party consultation in favour of hereditary transition as of right. This dynastic control has limited the emergence of fresh political talent and thus stifled dissent within party ranks.

More recently, Mauritius held its twelfth general elections in November 2024, an occasion that illustrated many of the complexities of political coalition-building in the country; the elections were also marked by significant competition for leadership. Unlike the general elections of 2014 and 2019, in which the MSM emerged as the dominant party, thereby securing consecutive mandates, the 2024 election landscape revealed a highly contested struggle for governance. On the one side, the L'Alliance Lepep – a coalition led by Pravind Jugnauth and comprising the MSM, the PMSD, and a few other small parties – sought to extend its long-standing influence. On the other side, there was the L'Alliance du Changement, an opposition coalition led by Navin Ramgoolam and consisting of the MLP, MMM, and two other small parties. The latter was united by a shared commitment to ousting the current government and advancing reformist policies.

Although Mauritius is known for having one of the most open media landscapes in Africa, during the 2024 campaign, recordings were leaked of private phone conversations among opposition politicians, thus fuelling accusations of wiretapping.[30] In a somewhat misguided response, the MSM-led government under Jugnauth went on to restrict access to social media platforms in the run-up to the election, adding an unexpected layer of tension to the electoral process and hitting the final nail in its own coffin.

30 ENews Channel Africa, "Mauritius Votes in Poll Clouded by Phone Tapping Scandal", 10 November 2024, https://www.enca.com/news/mauritius-votes-poll-clouded-phone-tapping-scandal (accessed 16 November 2024).

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The opposition alliance under Ramgoolam won all 60 seats from the 20 constituencies on the mainland. This landslide victory marked only the third occurrence of such a decisive outcome in Mauritius's history since independence.

Earlier, an account was given of the historical context in which Mauritius gained independence in 1968 after years of negotiation between the British colonial authorities and various political parties representing diverse ethnic groups. As this account made clear, a delicate balance was struck between the country's different ethno-religious groups, one that eventually translated into efforts to ensure political representation for all the ethno-religious groups. A core feature of this balance was the establishment of a framework for multiparty politics aimed at fostering political stability, economic diversification, and social cohesion; this multiparty framework in turn facilitated regular alternations of power between parties or coalitions through general elections. However, as mentioned, historically the nation's political leadership has been dominated by a few prominent families (principally the Ramgoolams and Jugnauths), while divisions along ethnic lines have grown increasingly salient.

Indeed, during field work conducted in Mauritius in 1991, researchers were struck by the diversity of ethnic groups and religious associations involved in the country's politics.[31] Many of these organisations were explicitly based on ethnicity, while others consisted primarily of members of a specific ethnic or religious community even if their membership was technically not restricted to those of a particular ethnicity. It seemed evident that the presence of such groups, along with their acknowledgment by the government, played a significant role in legitimising the state and fostering ethnic harmony. The next section will elaborate on the constitutional, legal, and regulatory framework surrounding political parties.

3. Constitutional and legal provisions regulating political parties

The Constitution of Mauritius was adopted on 12 March 1968 when the country attained independence. It has provisions relating to the electoral process, in particular ones setting out the management structure for the organisation and conduct of elections. It also provides for the delimitation

31 BW Carroll and T Carroll, "Accommodating Ethnic Diversity in a Modernizing Democratic State: Theory and Practice in the Case of Mauritius", 23 (2000) *Ethnic and Racial Studies*, pp 120–142.

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of constituencies and the review thereof every 10 years or whenever the need arises. Furthermore, section 44 enshrines the right to vote. Universal suffrage was granted in 1959 to people over the age of 18 years. Other relevant provisions in the Constitution cater for the rights of the leader of the opposition (section 73) and articulate the principles of free and fair political participation (sections 38–41).

3.1 Registration and the status of political parties

Section 13 of the Constitution guarantees protection of the freedom of association, in terms of which political parties are allowed to operate freely. However, every party must be registered with the Electoral Supervisory Commission (ESC) at least 14 days prior to the nomination of its candidates in any general election. This is by virtue of paragraph 2(1) of the First Schedule to the Constitution, which requires a political party to be a lawful association and registered with the ESC for the purposes of the general election. It also provides that any two or more political parties may be registered as a party alliance for those purposes. While the roles and responsibilities of the electoral commissioner (section 40), the ESC, and the Electoral Boundary Commission (section 38) are enshrined in the Constitution, "their impact seems to be visible only during the short time preceding, during and after elections".[32]

Although Mauritius has neither an electoral law nor specific legislation on political parties, some of its laws do touch on political parties tangentially. For instance, the National Assembly Act 1968 lays out the process of registration of political parties. Section 7(1) of the latter provides that every political party wishing to be registered under paragraph 2(1) of Schedule 1 to the Constitution shall make an application to the Commission at least 10 days before nomination day. Section 8 of this Act then empowers the ESC to register the name of the party and the names of the person or persons making or authorised to make the application in a register kept for that purpose. More specifically, the National Assembly Elections Regulations 2014 lay out the procedure that political parties or alliances have to follow in order to be registered under paragraph 2(1) of the First Schedule to the Constitution. Every application has to be signed in the presence of

32 S Bunwaree and R Kasenally, *Political Parties and Democracy in Mauritius*, EISA (2005), p 13.

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the electoral commissioner and be supported by a certified extract of the minutes of proceedings of the meeting at which the decision to register the application was taken.

These constitutional and legal provisions are applicable during general elections only. In other words, parties are not regulated before or after them. It has even been observed that insofar as political parties in Mauritius have no legal status outside of an electoral campaign, there is no clear process for scrutinising them and keeping them accountable.[33] Indeed, "political parties in Mauritius, outside of an election, are non-registered entities making accountability and transparency around financial activities difficult to monitor even if legislation is in place".[34]

3.2 Intra-party democracy

Although there are no specific laws governing the operation of political parties outside of general elections, each political party has an internal constitution that lays down fundamental political guidelines. However, "the applicability of the party constitution is questionable as members of some political parties have said that they have never been able to access such documents".[35] Political parties nonetheless retain the freedom to choose their structure and operating guidelines. As regards their specific structure and organisation, political parties adhere to internal constitutions that provide operational guidelines and establish sub-structures for the expression and dissemination of views, opinions, and decisions across all levels of the party.[36] Despite minor variations, the four major parties take pride in adopting an inclusive and participatory approach to governance.

These major political parties, along with some of the smaller ones, typically employ a four-tier structure comprising a political bureau responsible for policy formulation, a central committee tasked with decision-making,

33 R Kasenally and R Ramtohul, "The Cost of Parliamentary Politics in Mauritius", *Westminster Foundation for Democracy*, 21 September 2020, p 10, https://www.wfd.org/sites/default/files/2022-01/Cost-of-Parliamentary-Politics-in-MauritiusWEB-FINAL.pdf (accessed 14 January 2024).

34 *Ibid*, p 2.

35 DK Kadima and R Kasenally, "The Formation, Collapse and Revival of Political Party Coalitions in Mauritius: Ethnic Logic and Calculations at Play", 4(1) (2005) *Journal of African Elections*, pp 133–164, 149.

36 Bunwaree and Kasenally, *supra* n. 32, p 12.

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a general assembly convening at least annually, and regional branches representing grassroots members.[37] However, despite the appearance of a well-established party framework, closer examination reveals the predominant authority of the party leader. According to Bunwaree and Kasenally, this authority in practice often extends to a veto power in crucial matters such as candidate selection, party financing, and the formation or dissolution of alliances.[38]

Intra-party democracy in Mauritian parties is often limited, with many of them characterised by centralised leadership and personalised control.[39] Party decisions and candidate selections are typically driven by a small group of senior leaders or a single dominant figure, rather than made through broad-based, democratic processes. Bunwaree and Kasenally note that on closer examination; "the actual operative setup of political parties demonstrates the overriding authority of the party leader".[40] This concentration of power can stifle internal debate and reduce accountability, leading to political factionalism and frequent defections as party members seek greater influence or better prospects elsewhere.

Despite these challenges, there are ongoing efforts to enhance democratic practices in parties, the aim being to foster greater transparency, member participation, and responsiveness to the electorate's needs. For example, as noted earlier, successive governments have called for reform of the electoral system – steps in this regard include the promulgation of a law to regulate political parties and clarify their role in democratic governance.

3.3 Oversight of political parties

According to section 41(1) of the Constitution, the ESC has the general responsibility, inter alia, to supervise the conduct of the election of members of the Legislative Assembly. The ESC works in conjunction with the electoral commissioner – a separate constitutional institution under section 41(2) of the Constitution – to oversee elections and ensure that they are free and fair. The ESC comprises a chairperson and between two to seven members. These are appointed by the President following consultation with the Prime Minister, the Leader of the Opposition, and leaders of other parties

37 Ibid.
38 Ibid.
39 Ibid.
40 *Ibid*, p 12.

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in the National Assembly. While the Constitution provides safeguards, such as the requirement to consult with particular role-players when appointing ESC members, and guarantees the electoral commissioner's independence from external control, such measures might not insulate these bodies entirely from political influence.

The electoral commissioner is appointed by the Judicial and Legal Service Commission and serves as a public officer. The Constitution ensures the electoral commissioner's independence and impartiality by stipulating that the commissioner shall not be subject to the direction or control of any person or authority in the execution of his or her duties. The commissioner is supported by a team that includes senior officers and other electoral staff. In practice, both the ESC and electoral commissioner have operated with significant autonomy and command respect across the political spectrum.

Moreover, it should be noted that the Judicial Committee of the Privy Council of the United Kingdom – which continues to function as the highest appellate court in Mauritius – had signalled back in 2008 that the ESC should draw up a code of conduct for election periods.[41] The ESC went on to issue its code of conduct for the 2019 National Assembly elections, incorporating, inter alia, rules on campaign and election expenses for political parties.[42] However, parties have not always abided by this code of conduct, and since it was not legally binding, they were not required to follow it to the letter. It is difficult to assess with any precision what impact the failure to abide by this code of conduct had on the behaviour of political parties during the 2019 general elections, but there can be little doubt that it did not help. The code of conduct was eventually ignored as a mere remnant of the past and with no application to the 2024 general elections.

With respect to political financing (discussed further below), parties do not specify in a transparent manner how they finance their campaigns during general elections given that there is a lack of comprehensive regulation.[43] There is, however, outdated legislation regulating electoral expenses. According to the Representation of the People Act 1958, candidates from political parties have a spending limit of MUR 150,000 (USD 3,200), while independent candidates have a limit of MUR 250,000 (USD 5,300).

41 *Jugnauth v Ringadoo* [2008] UKPC 50 at 49.

42 Electoral Supervisory Commission, "Code of Conduct for the National Assembly Elections 2019" https://electoral.govmu.org/oec/wp-admin/admin-ajax.php?juwpfisadmin=false&action=wpfd&task=file.download&wpfd_category_id=8&wpfd_file_id=803 (accessed 5 August 2024).

43 Kasenally and Ramtohul, *supra* n. 33.

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These limits have remained unchanged since 1989, even though election campaigns are increasingly expensive and complex. Once election results are declared, candidates are required by this law to swear an affidavit and submit their financial returns to the Electoral Commission within a month. Nevertheless, the latter does not have the authority to verify these declarations or impose sanctions outside of the election period, insofar as political parties are not considered legal entities during that time. This limitation thus undermines the Electoral Commission's effectiveness in monitoring the financing of candidates and parties in the course of the wider political process (that is, outside of election periods).

The discussion above analysed the constitutional and legal framework applicable to elections and political parties in Mauritius; the next section proceeds to examine how ethnicity exerts a gravitational pull on the structure and operation of the country's main political parties.

4. Coalitions and ethnicity

Mauritian politics have been marked by constant shifts in coalitions, seeing as every government since independence has been the result of a coalition, one typically formed before an election.[44] This is so because dominant parties face an ongoing necessity to establish inter-group coalitions in order to achieve a legislative majority; conversely, losing parties seem to have recognised that, in a country where political alliances are fluid, future coalitions are what offer them the opportunity to participate in government. As Poupko observes, this trend would not have arisen if a proportional representation electoral system were in place, as the Hindu majority would probably have been able to gain and maintain power without the inclusion of other groups.[45] The existence of a parliamentary executive system also appears to have played a crucial role, given that a directly elected presidency would likewise have enabled the Hindu majority to govern independently.

When compared with other African countries, Mauritius is unusual for the fact that, ever since independence, it has always had a coalition government of at least two parties, with these coalitions regularly crumbling

44 Kadima and Kasenally, *supra* n. 35.
45 Poupko, *supra* n. 25, p 340.

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and then reconstituting themselves in a different guise.[46] Even outside of election periods, this imposes a level of responsibility on governments that surpasses what is typically seen in parliamentary systems with majority governments. In both the 1982 and 1995 elections, opposition party alliances secured all the elected seats in the National Assembly. However, neither coalition government lasted for even half of its five-year term.[47] More recently, the coalition L'Alliance du Changement achieved resounding success by winning every seat in the National Assembly elections of 2024. Whether the MLP and MMM will stick together in government for a five-year term remains to be seen, though, given that coalitions are subject to change in response to internal tensions or evolving public opinion.

4.1 Personalised party factions and temporary alliances

Arguably, the volatility of political alliances is healthy for Mauritian democracy as it serves to remind governments that they are always at risk of losing their legislative power. Yet it also highlights an important flaw in the country's political framework, namely that political parties consist mainly of personalised factions, each led by its own leader who forms a temporary alliance in support of a particular candidate for the prime ministerial position. If a factional leader feels undervalued by the party leader, or sees better prospects in leading a separate party or joining a different coalition, the faction simply leaves the alliance. Indeed, ahead of both the 1991 and 1995 elections, then Prime Minister Aneerood Jugnauth severed ties with junior coalition partners and formed new alliances with what had previously been the main opposition party, partly because he believed it would enhance his chances of re-election.[48]

In election periods, parties typically enter into strategic alliances, marking out constituencies amongst themselves based on ethnic considerations and reaching agreements to prevent vote fragmentation by refraining from contesting against each other; conversely, in non-election periods, these parties often fracture into smaller factions. Party cohesion is thus tenuous, with coalitions and alliances fragmenting regularly. As a recent example,

46 BW Carroll and T Carroll, "The Consolidation of Democracy in Mauritius" 6(1) (1999) *Democratization*, pp 179–197, 180.
47 Ibid.
48 Mathur, *supra* n. 14.

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the PMSD left the then main opposition alliance because its leader could not negotiate electoral tickets to field more PMSD candidates as part of the alliance.[49] The PMSD went on to form a coalition with the MSM.

As previously noted, the MLP and MSM represent a significant portion of the Hindu population in rural areas. As such, they always have to enter into alliance with either the MMM or PMSD, which are traditionally seen as representing the other communities, particularly those in urban areas. It comes as no surprise that these political parties often strategically target their specific *bassin électoral* ("electoral pools"), typically defined by ethnic and geographical factors, in order to maximise their vote share. This strategy is crucial in a multiparty system where alliances and coalitions are formed to represent broader, more diverse segments of the population. As William Miles has observed, in the dynamic political landscape of Mauritius, factors such as personality, ideology, and, in particular, ethnicity coalesce unpredictably within a robust democratic framework and result in unexpected electoral outcomes and unconventional alliances.[50] Consequently, coalition governance becomes the norm.

4.2 Consociationalism and its effect on multiparty democracy

While class-based politics is certainly relevant in Mauritius, efforts to supplant communalism with leftist ideologies have had only limited success. This may be attributed directly to the FPTP and BLS, which have been described as "the root cause of the proliferation, creation and ultimately the disbanding of political party alliances … [that] have created much political instability".[51] It is both interesting and disquieting to see how this electoral system has spurred on an oversimplified ethnic categorisation of political parties, given the need to secure competitive electoral advantage through the formation of party alliances.[52] Mauritius, as noted, has been able to strike a delicate balance in giving adequate representation and protection to its various ethnic groups. As a result, consociationalism – a system

49 S Oodunt, "L'Alliance PTr-MMM-PMSD Vole en éclats", *L'Express*, 15 April 2024, https://lexpress.mu/s/lalliance-ptr-mmm-pmsd-vole-en-%C3%A9clats-533647 (accessed 5 August 2024).

50 WFS Miles, "The Politics of Language Equilibrium in a Multilingual Society: Mauritius", 32 (2000) *Comparative Politics*, pp 215–239, p 220.

51 Bunwaree and Kasenally, *supra* n. 32, p 16.

52 Ibid.

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of democracy based on power-sharing between elites from different ethno-religious groups – is deeply entrenched in the country's socio-political landscape.[53] This can be explained by several factors.

First, the FPTP system in itself obliges parties to take ethnic considerations into account in their choice of candidates. Political parties tend to select candidates based on ethnicity and field them in constituencies where the majority population is of the same ethnicity as the candidate. For instance, the big national parties usually field Hindu candidates in rural areas and candidates from other segments of the population in urban areas. Moreover, "in their choice and nomination of candidates in the different constituencies, political parties do not merely look at the ethnic configuration of a constituency".[54] Instead they also have to ensure representation for the different sub-group castes from the Hindu community.

An example of how political parties choose candidates on the basis of ethnic profile is provided by Constituencies 2 and 3, where the majority of the Muslim population is concentrated. The three candidates from these constituencies who have been returned in past elections have consistently self-identifed as "Muslim". There is no doubt, though, that these candidates could determine their community affiliation more freely, which would introduce an element of flexibility in the system. Indeed, in theory this would go some way towards mitigating concerns that the electoral system is perpetuating a form of institutionalised ethnicisation. There may well be expectations on the part of voters about sufficient ethnic representation for their respective communities. It can therefore be observed that the system itself encourages candidates and parties to think and strategise in ethnic terms, in the process maintaining a level of institutionalised ethnic classification.

The second explanation for consociationalism is evident in the persistent coalition politics and the BLS. The necessity for inter-group coalitions to achieve a legislative majority ensures that diverse communities are included in the political process, promoting a sense of shared governance. The BLS reinforces this by correcting ethnic imbalances in parliamentary representation. This framework has prevented any single group from monopolising power, and as such has helped sustain political stability despite the coun-

53 SS Sookrajowa, "The Paradox of Power-Sharing in Mauritius", in EW Aboultaif, S Keil, and A McCulloch (eds.), *Power-Sharing in the Global South: Patterns, Practices and Potentials*, Cham, Springer International Publishing (2024), pp 189–213.

54 Kasenally and Ramtohul, *supra* n. 33, p 5.

https://doi.org/10.5771/9783748963165-281 https://www.inlibra.com/de/page/agb - Open Access - (cc) BY

try's ethnic diversity. However, the BLS also contributes to the volatility and vulnerability of political alliances, as parties continuously negotiate and reconfigure themselves to maintain political clout.[55] This tentative balance between inclusivity, on the one hand, and political fragmentation, on the other, is a hallmark of consociational democracy, and in the context of Mauritius, both of these strengths and weaknesses are in full view.

4.3 Ethnic representation in political parties

As already noted, the BLS has been criticised for breeding institutionalised racism.[56] It has been claimed that it is an electoral system that "legitimises/institutionalises the process of political ethnicization".[57] Mahadew, though, does not agree with the assessment that it is a system that breeds institutionalised racism, inasmuch as it was introduced in the electoral system to allow for the political representation of minorities.[58] It has, according to him, encouraged political parties to be multi-ethnic in nature and prevented their polarisation on religious or racial grounds.[59] Ethnic representation in political parties does, to a certain extent, prevent polarisation along religious or racial lines.

Be that as it may, the leadership and power structures of the dominant political parties do not always reflect true diversity. All four dominant political parties, as previously discussed, are controlled largely by Hindu or Franco-Mauritian leadership dynasties. The Hindu Ramgoolam family leads the MLP, with Navin Ramgoolam having succeeded his father, Seewoosagur. Similarly, the MSM is dominated by the Jugnauths, also a Hindu family, with Anerood Jugnauth's son, Pravind Jugnauth, as its current leader. The MMM was created and shaped by Paul Bérenger, a Franco-Mauritian, while the PMSD has traditionally been led by the Duval family, which has strong ties to the Franco-Mauritian community notwithstanding that it mostly professes allegiance to the Creole community.

55 Kadima and Kasenally, *supra* n. 35.
56 A Nave, "Nested Identities: Ethnicity, Community and the Nature of Group Conflict in Mauritius", in C Bates (ed.), *Community, Empire and Migration: South Asians in Diaspora*, Basingstoke, Palgrave (2001), pp 87–108.
57 Kadima and Kasenally, *supra* n. 35, p 143.
58 Mahadew, *supra* n. 20.
59 Ibid.

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It should be noted, however, that even though the leaders themselves are consistently of a particular ethnicity, their political parties always include candidates from a diversity of ethnic groups in order to appeal to a broader electorate and thus engender a sense of inclusion among the country's multi-ethnic population. This approach most certainly encourages collaboration between communities and prevents the balkanisation of political loyalties along strictly ethnic or religious lines, something which would unravel the fragile democratic fabric of the nation. For instance, there are always attempts to maintain a veneer of ethnic inclusivity through balanced ticket selection and representation in various constituencies. This is to ensure that no group feels entirely excluded from political participation.

5. Suggestions for reform

As previously mentioned, there have been many attempts at reforming the electoral system over the past decades. First, there was the Sachs Commission on Constitutional and Electoral Reform, which was established in 2001 to consider reforms to the Constitution and the electoral system.[60] The Commission recommended that a dose of proportionality should be included to correct any imbalance created by the FPTP system, and that the BLS should be subsumed within this new system. With respect to political parties, it made recommendations on funding and registration (which will be referred to below).

Secondly, the Select Committee on the Funding of Political Parties was instituted to examine the recommendations of the Sachs Commission, further to which it developed additional proposals in the area of public funding of political parties.[61] The Select Committee made a range of recommendations, including providing a model law on the funding of political parties – a law which has never been enacted.

60 Commission on Constitutional and Electoral Reform (Sachs Commission), *Report of the Commission on Constitutional and Electoral Reform 2001/02,* https://mauritiusassembly.govmu.org/mauritiusassembly/wp-content/uploads/2023/03/Report-of-the-Commission-on-Constitutional-and-Electoral-Reform-Volume-I-735.pdf (accessed 19 December 2024).

61 Select Committee on the Funding of Political Parties, "Report of the Select Committee on the Funding of Political Parties" (2004), < https://mauritiusassembly.govmu.org/mauritiusassembly/wp-content/uploads/2023/03/selectCommitteeOnTheFundingOfPoliticalParties.pdf> (accessed 19 December 2024).

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There was also the Carcasonne Report, which recommended a radical overhaul of the electoral system by abolishing the FPTP and BL systems. It proposed the creation of new constituencies in which candidates would be elected on the basis of proportional representation. In addition, and fourthly, the Carcassonne Report was followed by the Sithanen Report, which recommended "a mixed electoral system with 62 FPTP [Members of Parliament (MPs)] in three-member constituencies (2 for Rodrigues) and 20 additional [MPs] elected from a closed rank-ordered party list".[62]

Finally, the government adopted a Consultation Paper on Electoral Reform in 2014, which considered all the previous reports and made recommendations geared towards updating and redesigning the electoral framework to better reflect a pluri-ethnic society such as Mauritius.[63] It invited the views of all interested parties before it could draw up legislation on the way forward. The Consultation Paper included recommendations on the following: introducing a dose of proportionality in the current system; anti-defection rules to prevent members elected through the proportional representation system from crossing the floor; subsuming the BLS, as its operationalisation depends on the 1972 census, which should be updated; and discouraging particularistic parties by adopting a formula that does not exacerbate ethnic divisions.

The various reports above focused first and foremost on the electoral system, but also reflected to some extent on the roles and obligations of political parties within the electoral process and beyond. This section sheds light on proposed reforms that relate specifically to political parties.

5.1 Constitutionalisation of political parties

It is beyond doubt that political parties in Mauritius should be recognised and regulated by the Constitution. The constitutional regulation of parties is an "important part of the political and social reality which brings an es-

62 R Sithanen, "Roadmap for a Better Balance Between Stability and Fairness in the Voting Formula" (January 2012), < https://ionnews.mu/wp-content/uploads/2014/03/er-final-report-26-01-2012.docx> (accessed 19 December 2024), 96.

63 Government of Mauritius, "Modernising the Electoral System: Consultation Paper on Electoral Reform", (24 March 2014), https://ionnews.mu/wp-content/uploads/2014/03/document-reforme-electoral.pdf (accessed 19 December 2024).

https://doi.org/10.5771/9783748963165-281 https://www.inlibra.com/de/page/agb - Open Access - (cc) BY

sential contribution to the functioning of democracy".[64] Given its decisive victory in the 2024 general elections, the newly elected government now has the required majority to amend the Constitution. This presents a golden opportunity for it to solidify the principles outlined by Fombad in the overview chapter of this book[65] by enshrining them in the constitutional framework. For instance, the ESC could be given a clear and independent mandate in the Constitution to oversee political parties, in particular during general elections. The constitutionalisation of parties in Mauritius can secure their long-term existence as well as affirm their place as institutions with a key role in governance and wider democracy.

5.2 Enactment of an electoral law

Another suggestion is to enact an electoral law that regulates political parties. A more widely encompassing law than that which exists at the moment could seek to ensure the impartiality and neutrality of regulatory authorities such as the ESC. This would involve adopting mechanisms for stricter enforcement of the code of conduct during the general elections and making compliance legally binding. Such a law should also address how coalitions are formed and dissolved. The Political Parties Act 2011 of Kenya may be used as a blueprint in regard to the rights and privileges of political parties and coalitions.

Consideration should be given as well to regulating internal party elections by mandating regular leadership contests and establishing clear procedures and criteria for candidate selection. Given that the ethnicity of the candidate is often the determining factor in the selection process, there is a need to regulate such practices at the level of the legal framework. Regarding the problem of anti-defection, reforms should be geared towards refining grounds for disqualification.

64 I van Biezen, "Constitutionalizing Party Democracy: The Constitutive Codification of Political Parties in Post-War Europe' 42(1) (2012) *British Journal of Political Science*, pp 187–212, 190.

65 See CM Fombad, "An Overview of Political Party Constitutionalisation under Contemporary African Constitutions", in this volume.

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5.3 Financing political parties

The expenditure caps under the Representation of the People Act 1958 are considered highly unrealistic. As mentioned above, the Sachs Commission was instituted to consider, among other things, the question of public funding of political parties.[66] It noted that these limits are often ignored. Parties raise funds either through directly corrupt tactics throughout their term in power or through what are craftily labelled as "donations", primarily from private sector corporations in ways that are unofficial and undisclosed.[67] The possibly corrupt tactics used by parties to raise funds include taking kickbacks from government contracts, a practice in which a portion of public funds is siphoned off to the party itself in exchange for the contracts it awards.[68] Parties may also misuse state resources, such as public funds or state-owned enterprises, to finance their campaigns or fill their coffers. In addition, they might accept illicit donations in exchange for political favours, in the process using shell companies to launder the money and obscure its origin. The Sachs Commission thus proposed the enactment of legislation which would provide for the establishment of a Fund which will receive funds appropriated by Parliament and such other funds which it may lawfully receive.. Such funds would be controlled by the ESC and allocated to political parties and elected candidates when certain conditions are fulfilled.

Funding for political parties has been a contentious issue in numerous parliamentary debates, but the lack of bipartisan consensus suggests that legislative changes might be challenging to implement. In both 2019 and 2024, the Political Financing Bill did not secure the necessary three-quarters majority in parliament to pass into law.[69] The Political Financing Bill could be enacted only if the Constitution (Amendment) Bill were to be

66 Sachs Commission, *supra* n. 62.

67 AL Darga, "The Electoral Reform Process in Mauritius" 4 (2005) *Journal of African Elections*, pp 117–132, 124.

68 R Sithanen, "Electoral Reform: The Case for Transparent Funding and Better Regulation of Political Parties", *L'Express*, 4 April 2016, https://lexpress.mu/s/idee/279017/electoral-reform-case-transparent-funding-and-better-regulation-political-parties (accessed 16 November 2024).

69 The Political Financing Bill No. XIV of 2019, https://mauritiusassembly.govmu.org/mauritiusassembly/wp-content/uploads/2023/03/bill1419.pdf (accessed 5 August 2024); the Political Financing Bill 2024, https://pmo.govmu.org/Communique/Draft-The_Political_Financing_Bill_29.4.24.pdf, (accessed 5 August 2024).

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passed to amend the Constitution and provide additional powers and functions to the ESC and Electoral Commissioner in matters relating to political financing. It thus aimed to expand the roles and authority of both the ESC and the Electoral Commissioner, mandate the registration of political parties with the Electoral Commissioner, enhance transparency in the political donation process, and require political-party accounts to be recorded and audited.[70] Such a law could help to mitigate the influence of private sector donations and promote transparency and accountability in party funding.

6 Conclusion

With its focus placed on coalition politics, this chapter has examined the role of ethnicity in shaping Mauritius's political landscape. The persistence of coalition governments since independence highlights that, in order to secure a majority in the National Assembly, there is a need for forming inter-group coalitions. Coalition politics has in turn led to a sense of shared governance among diverse communities and been integral to the stability and functionality of the Mauritian political system. However, given the presence of an electoral system based on the FPTP and BLS, there is an inherent need for parties to make ethnic calculations in their candidate selections. On the one hand, this practice ensures representation for a variety of ethnic groups, encourages the formation of multi-ethnic political parties, and prevents extreme polarisation along ethnic or religious lines; on the other hand, it also perpetuates a form of institutionalised ethnicisation within the political system.

One is thus left with the impression that ethnicity in coalition politics is a double-edged sword in Mauritius. It tends to promote balanced representation and shared governance, yet at the same time necessitates constant negotiation and recalibration of political alliances. The success of Mauritian democracy, therefore, lies in its ability to maintain this delicate balance of ensuring that all ethnic groups feel adequately represented while navigating the inherent challenges of coalition governance.

More generally, the constitutionalisation of political parties in Mauritius could be a crucial step in promoting internal democracy, ensuring financial transparency, and reducing communal influences. These reforms would not only strengthen the democratic foundations of political parties, but

70 Kasenally and Ramtohul, *supra* n. 33.

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also enhance their credibility and accountability to the Mauritian public at large.

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