

**THE CHURCH OF JESUS CHRIST
PROMOTING COMPLETE NATIONAL CONSULTATION ON CASINO GAMBLING**

POSITION PAPER No. 1 (PP1) ... THIRD DRAFT

The overall aim: provide the church and citizenry with effective overview of the main issues!

Issue date: November 20th, 2006

Please reply by: December 17, 2006 to ensure entry in PP2

Position Paper No. 2 expected issue date: December 31, 2006

Corrections? Suggestions? Need help/clarifications?: **E-mail GuyanaEvangelical@Yahoo.com**

**LEGAL, MORAL, SOCIAL, AND CONSTITUTIONAL CONSIDERATIONS
IN ADDRESSING THE RESPONSIBILITIES OF GOVERNMENT
WITH REGARD TO CASINO GAMBLING
IN GUYANA**

“Casino gambling has traditionally represented a “pariah industry,” outlawed in all but the most distant, sparsely-populated locales and, even then, strictly regulated to prevent growth in both supply and demand (Skolnik 1978). While the rationale behind such prohibition and stigmatization has varied—from religious rejections of the immorality and irrationality of gambling to public concern over the proliferation of organized and street crime around casinos themselves (Reith 1999)—the need for casino operators to justify their existence, activities and operations has remained constant. In the words of Meyer (1977), **a gambling industry represents an extreme case of an institutional field which must produce and disseminate myths legitimating its practices.**”

“Jeffrey J Sallaz, Department of Sociology, University of California Berkeley”

In today's relentless barrage of words, images, slogans, and ideas that assault us from all sides, many of us have become dependent on sound bites – short, simple, predigested, emotion-laden, one-stop conclusions. We have neither the time nor the ability to sort through the primary information for ourselves in order to arrive at our own considered conclusions. ... To disentangle this confusion and form solid principles by which to reach responsible conclusions requires effort ...” (Jeffrey Satinover, M.D., circa 1996).

PRIORITY CIRCULATION:

**THE PRESIDENT OF THE REPUBLIC
THE LEADER OF THE OPPOSITION
ALL PASTORS/PRIESTS OF CHURCHES IN GUYANA**

SUGGESTED READERSHIP:

**EVERY CITIZEN
ALL RELIGIOUS GROUPS
ALL ACTIVE SOCIAL WORKERS
ALL MEMBERS OF THE PARLIAMENT
ALL MEMBERS OF THE LEGAL PROFESSION
ALL LECTURERS OF THE UNIVERSITY OF GUYANA
ALL HEADMASTERS, HEADMISTRESSES AND TEACHERS
ALL STUDENTS OF SECONDARY AND TERTIARY INSTITUTIONS**

Cost: FREE

Monetary Contributions?: E-mail GuyanaEvangelical@Yahoo.com

Accounting oversight provided by GMF/GEF

This document is produced as a public service by the
Georgetown Minister's Fellowship and the Guyana Evangelical Fellowship.

TABLE OF CONTENTS

The context: unconcern for the rule of law is an inappropriate response!	3
The analysis by Dr. Clive Thomas ...the economics of desperation dominates	3
The position of the GEF and the GMF: The consequences of casino gambling are clear! ...	3
Learning from Barbados on casino gambling!	4
Learning from the USA about casino gambling!	4
Doesn't the rule of law, or constitutional provisions regarding civil society, mean anything? 5	5
Recent evidence about the nation's stewardship on regulatory mechanisms!	5
How is the international press beginning to perceive/portray Guyana?	7
Does this latest exclusion of civil society reflect the Commonwealth Assessment?	7
Casino gambling will hurt, not help, our future Transparency International ratings!	7
Government's secret award of licences breaches constitutional provisions!	8
Widespread agreement in civil society about the abandonment of the rule of law!	9
What is the guarantee of casino gambling? Increased bankruptcies, suicides, addictions, family problems, and exploitation!	12
What do I do as a citizen, parent and voter to save Guyana?	16

Research studies and government statistics repeatedly show that the arrival or expansion of gambling opportunities cause significant social problems to the county or localized area where the expansion has occurred. These social problems include increased bankruptcies, suicides, gambling addictions, divorces, child abuse, child neglect, domestic violence and overall crime.

<http://azpolicy.org/pdf/Gb1HarmsOfGambling.pdf>

"Section 13 of the Constitution of Guyana states that the **"principal objective of the political system of the State is to establish an inclusionary democracy by providing increasing opportunities for the participation of citizens, and their organisations in the management and decision-making processes of the State, with particular emphasis on those areas of decision-making that directly affect their well-being"....**

"Section 50 of the Constitution lists Parliament ahead of the President as one of the supreme organs of the State. It is important that this provision is reflected in the part it plays in the political process and that steps are taken to achieve the intentions of the drafters of the Constitution."

(Sir Michael Davies, Commonwealth Consultant; "Guyana Parliamentary Needs Assessment 2005")

**THE CONTEXT:
GOVERNMENT'S UNCONCERN FUELS AN INAPPROPRIATE RESPONSE TO AN ECENOMY IN CRISIS!**

The approach in Guyana is continually informed by a deliberate infusion of arbitrariness and a disrespect and neglect for the rule of law!

"Developers of some hotels currently under construction may receive casino licences from the government pending legislation for which a bill exists in draft, Executive Director of the Guyana Office for Investment (Go-Invest), Geoffrey Da Silva said.

Responding to a question on the television programme Plain Talk as to whether the government had given a commitment to issue casino gambling licences to hotel projects being established in Guyana, Da Silva said, "No, I would not absolutely deny that."

"Govt may issue casino licences pending legislation - Geoffrey Da Silva"; Miranda La Rose; **February 19th 2006**; <http://www.stabroeknews.com/index.pl/article?id=45208897>

THE ANALYSIS: IS THE ECONOMIC CALCULUS WANTING?

As we sink deeper into poverty and anarchy, government gravitates to the economics of desperation!

"There is a strong and seamless interconnection between the country's economics and its politics. Politics (in Guyana) is clearly in command. This has occurred to the extent that political irrationality, arrogance, stupidity, and ineptness have replaced the 'economic calculus' evident in most other countries as the driver of economic change. Unfortunately, for all of us, this has produced, by and large, an unimaginable array of negative consequences particularly those born out of senseless acts of violence. Politics, perhaps more than any other factor, has operated in a manner designed to perpetuate the cycle of poor growth, impoverishment and wasted opportunities, which have been the lot for the broad masses of the population since Independence. ... but will also have considerable adverse economic consequences. This is not surprising; after all this is an election year, with all the gloom and doom that conjures. Furthermore, it follows a year in which the economy has performed badly - with a negative rate of growth of GDP of 3 per cent. Also, as is well known, between the death of President Cheddi Jagan and today the average annual rate of growth of the economy has been less than one-half of one per cent, signifying a very prolonged period of stagnation."

(Dr. Clive Thomas; IDS, Guyana; <http://www.stabroeknews.com/index.pl/article?id=43640027>)

THE CHURCH PROVIDES LEADERSHIP IN THIS AREA

The position of the GEF and the GMF:

The Guyana Evangelical Fellowship (GEF) and the Georgetown Minister's Fellowship (GMF) has not conducted any scientific survey in Guyana or elsewhere to determine the effects of gambling (**NEITHER, IT SEEMS, HAS THE GOVERNMENT**), but it has been observed in many communities that gambling is a destructive activity. Some of the deleterious effects of gambling are:

- i. **The false values of getting something for nothing or much for very little.**
- ii. **Discouragement of thrift.**
- iii. **Promotion of greed – a vice which is apparently latent in everyone.**
- iv. **Temptation to weak-willed persons, who frequently develop an addiction to gambling.**
- v. **Family neglect, thus undermining the most important unit of society.**
- vi. **Hindrances to the development of a productive work ethic.**
- vii. **Wastage of money which could be used for productive purposes.**
- viii. **Promotion of gains by a few at the expense of all the other players.**
- ix. **Increase in crime, since gamblers tend to engage in crime to obtain money to gamble.**
- x. **Pauperization of the gamblers, who often will have to resort to begging in order to gamble or just survive.**
- xi. **Promotion of opportunities for illegal activity of international agencies, thus leading to corruption in the public or/and private sectors.**

Backed up by the report at page 11 (<http://azpolicy.org/pdf/Gb1HarmsOfGambling.pdf>)

THE LESSON LEARNT BY BARBADOS OVER THE YEARS

"In any event the Church has the right, indeed the inescapable responsibility, to speak when it perceives increasingly dangerous trends in the society, even if it did miss or failed to note the danger signals in the nascent stages.

The level of gambling in Barbados has now reached alarming proportions and threatens to engulf increasing numbers of our people both poor and rich. BEA considers that the addition of casino gambling, even if only for the tourists, will further corrupt our morals and undermine the spirit of honest enterprise of our nation. BEA opposes the introduction of casino gambling and appeals to the Government to act without delay to arrest the growth of gambling in this nation and also to reduce the number of lotteries which are now draining the resources of the country.

The suggestion that casinos may be located in the country for tourist gamblers only may be compared to implanting a cancerous cell in the body on the pretense that it can be isolated from the other cells and will not contaminate them.

The introduction of casino gambling in Barbados or the extension of existing forms of gambling will be morally harmful, economically destructive, socially intolerable, and a serious disfigurement of our national heritage." (**Statement on gambling by the Barbados Evangelical Association**)

THE LESSON LEARNED IN THE USA OVER THE YEARS

**"Harms of Legalized Gambling"; by Ken W. Karouzos, Legislative Coordinator
Increased Bankruptcies (see page 12 for complete report by Center for Arizona Policy)**

Bankruptcies during the mid- and late-1990's have approached record levels despite their paradoxical occurrence during a period of sustained economic growth.

A national study found that counties having at least one gambling establishment averaged 18% more bankruptcies than those counties without gambling. If the county had five or more gambling facilities, the increased rate was **35%** higher.[1]

A five-year Iowa study found that counties having a casino, racetrack or riverboat casino had a bankruptcy rate averaging **21%** higher than the rest of the state.[2]

Nevada, being the 35th most populous state, ranks 4th in terms of total bankruptcies.[3]

Atlantic County, New Jersey, home of Atlantic City, has a substantially higher bankruptcy rate than any of New Jersey's 21 other counties. Prince George's County, Maryland, the only Maryland county where casino gambling was legal in 1996, bankruptcies rate was also substantially higher when compared to Maryland's 24 other counties.[4]

Of California's 58 counties, the two with the highest bankruptcy rates, Riverside and San Bernardino, are both adjacent to Las Vegas.[5]

Gambling-related bankruptcies in metro Detroit increased by as much as **40-fold** within a year and a half of the opening of Casino Windsor.[6]

Various studies of pathological gamblers show that **20%** or more eventually file for bankruptcy. **[7]**

[1] "The Personal Bankruptcy Crisis, 1997: Demographics, Causes, Implications & Solutions," SMR Research Corporation, 1997, p. 117.

[2] John McCormick, "Many Iowan's Going for Broke," *Des Moines Register*, June 15, 1997, p. 1. (Note: For the years 1991-1996.)

[3] Calculations based on data provided by the American Bankruptcy Institute.

[4] "The Personal Bankruptcy Crisis, 1997," *op. cit.*, p. 117 and 123.

[5] *Ibid.*, p. 117.

[6] Ron French, "Gambling Bankruptcies Soar," *Detroit News*, December 3, 1995, p. A1.

[7] William N. Thompson, Ricardo Gazel and Dan Rickman, "The Social Costs of Gambling in Wisconsin," Wisconsin Policy Research Institute Report, July 1996, p. 15; Henry R. Lesieur and Christopher W. Anderson, "Results of a 1995 Survey of Gamblers Anonymous Members in Illinois," June 14, 1995; "The Personal Bankruptcy Crisis, 1997," *op. cit.*, p. 124.

DOES THE RULE OF LAW MEAN ANYTHING TO GOVERNMENT?

The position of the government is opposed to research, national inclusion or parliamentary scrutiny!

"In response to what regulatory mechanisms would be in place to deal with tax evasion and money laundering, which are closely associated with casino gambling, Da Silva said, "Singapore, the most conservative country, has gone into it now."

Ram remarked that, "Singapore has one of the best regulatory mechanisms for dealing with tax evasion and money laundering..." but before he could pose the question, Da Silva interjected, "We could put that in place, I am confident."

"Govt may issue casino licences pending legislation-Geoffrey Da Silva"; Miranda La Rose; Sunday, February 19th 2006; <http://www.stabroeknews.com/index.pl/article?id=45208897>

WHAT DOES THE EVIDENCE SUGGEST REGARDING DaSILVA's COMMENT?

The evidence about government's stewardship about regulatory mechanisms is dismal!

"The Government of Guyana (GoG) launched its National Drug Strategy Master Plan (NDSMP) for 2005-2009 in June 2005. However, the GoG has yet to implement any of the NDSMP's substantive initiatives. Guyana is a party to the 1988 UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (the 1988 UN Drug Convention) but still needs to pass and implement additional legislation to meet its obligations under the convention."

"The FIU (Financial Investigations Unit), established in 2003 with material support from the U.S., is handicapped by the lack of effective legislation to deal with money laundering, such as the lack of an amendment to allow for seizing assets."

"The launch of the 2005-2009 NDSMP after a five-year gap was significant. However, the government has not completed any of the short-term milestones mentioned in the plan."

"Guyana made no other significant progress in achieving or maintaining compliance with the goals and objectives of the 1988 UN Drug Convention. In 2005, Guyanese law enforcement agencies did not make a single publicly reported cocaine seizure in excess of 10 kilograms. Nor have Guyanese authorities brought to justice a single important member of a drug trafficking organization."

"The GoG's counternarcotics efforts suffer from a lack of adequate law enforcement resources, poor inter-agency coordination, and endemic corruption."

"There is little productive interaction or intelligence sharing among these organizations. For example, according to the 2005-2009 NDSMP, the JICC is supposed "to bring together various counternarcotics agencies in a single work environment, encourage the sharing of information and intelligence", but "has not met for some time.""

"Guyana is party to the Inter-American Convention Against Corruption (IACAC) but has yet to fully implement its provisions, such as seizure of property obtained through corruption." "Guyana is not a party to the UN Convention Against Corruption."

"News media routinely report on instances of corruption reaching to high levels of government that go uninvestigated and unpunished."

"Guyana signed a bilateral agreement with the U.S. on maritime counternarcotics cooperation in 2001, but has not yet taken the necessary internal steps to bring the agreement into force."

"The Ministry of Health and the Office of the President will administer most of these plans. As with the 2005-2009 NDSMP's other components, the government has yet to take concrete action to reduce demand for illegal drugs."

Volume 1 of the INCSR (US State Department Narcotics) Report for 2006
(<http://www.state.gov/p/inl/rls/nrcrpt/2006/vol1/html/62108.htm>)

WHAT IS GUYANA'S RECORD ON REGULATING MONEY LAUNDERING AND FINANCIAL CRIMES?

The record is equally compelling and dismal, so how does Da Silva expect to monitor casinos?

"The Money Laundering Prevention Act passed in 2000 is not yet fully in force, due to inadequate implementing regulations, difficulties associated with finding suitable personnel to staff the Financial Investigations Unit (FIU), and the Bank of Guyana's lack of capacity to fully execute its mandate."

"Guyana is neither an important regional financial center nor an offshore financial center, nor does it have any notable offshore business sector or free trade zones. However, the scale of money laundering is thought to be large relative to the size of the economy, with some experts estimating that the informal economy is forty to sixty percent of the size of the formal sector."

"Money laundering has been linked to trafficking in drugs, firearms and persons, as well as corruption and fraud."

"Drug trafficking and money laundering appear to be propping up the Guyanese economy. Known drug traffickers have acquired substantial landholdings and timber concessions, are building large hotel and housing developments, and own retail businesses that sell imported goods at impossibly low prices."

"Political instability, government inefficiency, an internal security crisis, and a lack of resources have significantly impaired Guyana's efforts to bolster its anti-money laundering regime. Investigating and trying money laundering cases is not a priority for law enforcement."

"The Government of Guyana (GOG) made no arrests or prosecutions for money laundering in 2005 due to lack of adequate legislation, regulations, and resources, as well as the apparent lack of political resolve to tackle money laundering as a serious crime."

"The Money Laundering Act of 2000 provides for seizure of assets derived as proceeds of crime, including money, investments, and real and personal property, but the guidelines for implementing seizures/forfeitures have not been finalized. "

"The FIU has prepared drafts of legislation related to terrorist finance and money laundering. This more robust legislation is currently under review and is expected to be presented to parliament in spring of 2006."

"In 2001 the Bank of Guyana, the sole financial regulator as designated by the Financial Institutions Act of March 1995, issued orders to all licensed financial institutions expressly instructing the freezing of all financial assets of terrorists, terrorist organizations, individuals, and entities associated with terrorists and their organizations. Guyana has no domestic laws authorizing the freezing of terrorist assets, but the government created a special committee on the implementation of UNSCRs, co-chaired by the Head of the Presidential Secretariat and the Director General of the Ministry of Foreign Affairs. To date the procedures have not been tested, as no terrorist assets have been identified as located in Guyana."

"Guyana is a member of the OAS' Inter-American Drug Abuse Control Commission (OAS/CICAD) Experts Group to Control Money Laundering. A 2002 CICAD review of Guyana's efforts against money laundering noted numerous deficiencies in implementation, resources, and political will."

"Guyana has not signed the UN International Convention for the Suppression of the Financing of Terrorism."

"Guyana should publish regulations to implement its money laundering law and provide greater autonomy for the FIU by making it an independent unit with its own budget. Guyana should also provide appropriate resources and awareness training to its regulatory, law enforcement and prosecutorial personnel."

"Guyana should criminalize terrorist financing and adopt measures that would allow it to block terrorist assets."

HOW DOES THE INTERNATIONAL PRESS RATE THE STATUS QUO?

What reason is there to believe that anything will be different with casino gambling?

"President Bharrat Jagdeo asked President Bush for aid to fight drugs in October. But the United States has criticized the country's record on drug control. Indeed, there are many in Guyana who murmur about whether their government can't crack down on drugs - or won't.

"If not cooperation, there's an understanding between major drug dealers and the government," McCormack said.

Some have called for Ronald Gajraj, the domestic affairs minister, to step down because he has failed to prosecute criminals. He did not return repeated calls for comment.

He "kept saying there was no crisis," said Rhyaan Shah, head of a citizens group. "It's like the Wild West. There's no order, no discipline, no justice."

"Wild, remote Guyana becoming Caribbean drug hub"; Philadelphia Inquirer; 2/6/2004; by Gaiutra Bahadur; http://www.accessmylibrary.com/coms2/summary_0286-8111405_ITM

WHAT DOES THE COMMONWEALTH FEEL ABOUT DELIBERATE TACTICS IN THE PAST TO EXCLUDE CIVIL SOCIETY FROM THE DISCUSSION PROCESS ... AND SO ON CASINO GAMBLING?

Guyana Parliamentary Needs Assessment 2005 by Sir Michael Davies

1. I spoke to many leaders of Civil Society organisations during my engagement. I also had a very useful meeting with representatives of the private sector. They were universal in their views that there were, at present, few opportunities for them, or those they represent, to engage with the National Assembly over policies which affect citizens or business in Guyana. They find it difficult to obtain even basic information from the Parliament Office, which historically has not seen any necessity to do anything other than to provide basic services to Members. I was further told that it is very difficult to present Petitions to the National Assembly. This should not be so since the Standing Orders on the matter are very simple and the rules say absolutely nothing about the content; they merely specify the form of the Petition. The Clerk of the National Assembly has no knowledge of anyone wishing to present a petition. This may be because of the perceived difficulties or it could be that the complaint is unfounded.
2. But the perceived reluctance of Members and staff to develop a parliamentary interaction with civil society must change.
3. Section 13 of the Constitution of Guyana states that the "principal objective of the political system of the State is to establish an inclusionary democracy by providing increasing opportunities for the participation of citizens, and their organisations in the management and decision-making processes of the State, with particular emphasis on those areas of decision-making that directly affect their well-being".
4. This section is one of the fundamental principles of the Constitution and it will, therefore, be most important for the reputation of the National Assembly, as it begins to take its place at the heart of political dialogue in Guyana, that it is seen to interact fully with leaders of the civil society. ...

DO WE IGNORE TRANSPARENCY INTERNATIONAL YET AGAIN?

Guyana has recorded another poor rating for corruption ... how does casino gambling help to correct this?

"Guyana has recorded another poor rating for corruption according to the 2006 Transparency International (TI) Corruption Perceptions Index. ... The index focuses on corruption in the public sector and defines corruption as the abuse of public office for private gain. The surveys used to compile the index ask questions that relate to the misuse of public power for private benefit, including bribery of public officials, kickbacks in public procurement, embezzlement of public funds. It also looks at the strength of anti-corruption policies. Surveys are carried out among business people and country analysts. The surveys used in the CPI utilise two types of samples, both non-resident and resident. It is important to note that residents' viewpoints correlate well with those of non-resident experts." (<http://www.stabroeknews.com/index.pl/article?id=56507473>)

**THE FACT THAT GOVERNMENT MAY HAVE ALREADY GIVEN COMMITMENTS ...
OR AWARDED CASINO GAMBLING LICENCES ... IS CONTRARY TO THE CONSTITUTION!**

Definition: The **rule of law** implies that government authority may only be exercised in accordance with written laws, which were adopted through an established procedure. The principle is intended to be a safeguard against arbitrary rulings in individual cases. By its very definition, then, allegations of rule-of-law infringements will usually emanate from those stakeholders outside the incumbent administration/government, or those inside who are dissatisfied with the status quo.

Generalities: In Commonwealth law, the most famous exposition of the concept of rule of law was laid down by Albert Venn Dicey in his *Law of the Constitution* in 1895:

"... every official, from the Prime Minister down to a constable or a collector of taxes, is under the same responsibility for every act done without legal justification as any other citizen. The Reports abound with cases in which officials have been brought before the courts, and made, in their personal capacity, liable to punishment, or to the payment of damages, for acts done in their official character but in excess of their lawful authority. [Appointed government officials and politicians, alike] ... and all subordinates, though carrying out the commands of their official superiors, are as responsible for any act which the law does not authorise as is any private and unofficial person."

-- *Law of the Constitution* (London: MacMillan, 9th ed., 1950), 194.

Thus, **those who make and enforce the law are themselves bound to adhere to it.**

Guyana

Constitution: "Section 13 of the Constitution of Guyana states that the **"principal objective of the political system of the State is to establish an inclusionary democracy by providing increasing opportunities for the participation of citizens, and their organisations in the management and decision-making processes of the State, with particular emphasis on those areas of decision-making that directly affect their well-being"**.

"This section is one of the fundamental principles of the Constitution and it will, therefore, be most important for the reputation of the National Assembly ..." (Sir Michael Davies, Commonwealth Consultant; "Guyana Parliamentary Needs Assessment 2005")

Concepts: The concept "rule of law" is generally associated with concepts such as:
***Nullum crimen, nulla poena sine praevia lege poenali* - No *ex post facto* laws**

An ***ex post facto* law** (from the Latin for "from something done afterward") or **retroactive law**, is a law that retroactively changes the legal consequences of acts committed or the legal status of facts and relationships that existed prior to the enactment of the law.

An ***ex post facto*** law may, for example, decriminalize certain acts or alleviate possible punishments retroactively.

Application: **The government of Guyana is, before our eyes, trying to make the provisions of the Gambling Prevention Act CAP 9:02 of no effect simply to facilitate the vested interests building hotels for the Cricket World Cup 2007.**

At the end of CWC 2007, with our vastly inferior capacity in almost every social, economic, legal and enforcement department, the government would essentially have abandoned governance to persons who would have us ignore the frightening effect of gambling in other states. Please take the time to read the report: <http://azpolicy.org/pdf/Gb1HarmsOfGambling.pdf> ("Harms of Legalized Gambling")

"Research studies and government statistics repeatedly show that the arrival or expansion of gambling opportunities cause significant social problems to the county or localized area where the expansion has occurred. These social problems include increased bankruptcies, suicides, gambling addictions, divorces, child abuse, child neglect, domestic violence and overall crime."

**EVERY PUBLIC OFFICER IN GUYANA LAMENTS THE ABSENCE OF RESPECT FOR THE RULE OF LAW ...
AND IN THE CASE OF CASINO GAMBLING THERE IS LITERALLY ... NO LAW!**

14 KEY OPINIONS INFORMING NEGATIVE ASPECTS OF THE EXTANT LOCAL CONTEXT:

The law should be changed before any casino licences are issued!

Tuesday, February 21st 2006

<http://www.stabroeknews.com/index.pl/article?id=45395745>

Dear Editor,

The revelation that the government is contemplating issuing licences for something that is presently unlawful defies all logic. Is there no limit to which this government will go to flout the rule of law. Simply put, you cannot permit something to be done which the law says cannot be done. Only Parliament has the power to do what is being proposed.

Does the PPP/C government think it is God?

There is a right way and a wrong way to govern and obviously wrong is being made into right and this must end.

Yours faithfully,
Raphael Trotman

1. "The rule of law is inextricably linked to governance, economic-performance, social development and anti-corruption policy issues." (**Saqib Rizavi, IMF, Guyana;** <http://www.stabroeknews.com/index.pl/article?id=48024730>).
2. Stability in social, political and economic relations is a function of the commitment to the rule of law. (**Saqib Rizavi, IMF, Guyana;** <http://www.stabroeknews.com/index.pl/article?id=48024730>)
3. "The protocols of good government may sometimes seem a bureaucratic nuisance. But it is all of these laws, rules and conventions that together help to create the rule of law that provides the bedrock for good, stable government. If they are frequently disregarded there is eventually created an executive lawlessness which is not conducive to long term development and the stability of the state." (**Editorial;** <http://www.stabroeknews.com/index.pl/article?id=47759994>)
4. "The present government was fairly elected but it has on a number of occasions shown less than full respect for the rule of law and the conventions of good government. The failure to pay lotto funds into the consolidated fund and the use of those funds at the president's discretion is a well known example; no government minister or senior official has ever resigned or been prosecuted for impropriety or gross negligence; appointments to official posts have not been made for long periods of time; the establishments of fuel smugglers have been patronised; the separate corporate personality has not been respected in the case of state owned companies and there has been direct political intervention in their affairs. And there are other examples of a failure to respect the rule of law and related conventions and protocols." (**Editorial;** <http://www.stabroeknews.com/index.pl/article?id=47759994>)
5. "It is easy for politicians in power to see the rule of law, whether domestically or internationally, as an undesirable constraint on their actions. That is perhaps one of the things that distinguishes the statesman from the run-of-the-mill politician. The former has the wisdom to understand that there are some institutions that are vital to our future and that should not be weakened or put aside for short term gains." (**Editorial;** <http://www.stabroeknews.com/index.pl/article?id=47759994>).
6. "It would be in my view, therefore, an extreme perversion of reality for one to attempt to analyze Guyana's economic structure, functioning and performance in isolation from its political system and the related issues of political power and its distribution." (**Clive Thomas; IDS, Guyana;** <http://www.stabroeknews.com/index.pl/article?id=43640027>)

7. "There is a strong and seamless interconnection between the country's economics and its politics. Politics is clearly in command. This has occurred to the extent that political irrationality, arrogance, stupidity, and ineptness have replaced the 'economic calculus' evident in most other countries as the driver of economic change. Unfortunately, for all of us, this has produced, by and large, an unimaginable array of negative consequences particularly those born out of senseless acts of violence. Politics, perhaps more than any other factor, has operated in a manner designed to perpetuate the cycle of poor growth, impoverishment and wasted opportunities, which have been the lot for the broad masses of the population since Independence. ... but will also have considerable adverse economic consequences. This is not surprising; after all this is an election year, with all the gloom and doom that conjures. Furthermore, it follows a year in which the economy has performed badly - with a negative rate of growth of GDP of 3 per cent. Also, as is well known, between the death of President Cheddi Jagan and today the average annual rate of growth of the economy has been less than one-half of one per cent, signifying a very prolonged period of stagnation." **(Dr. Clive Thomas; IDS, Guyana; <http://www.stabroeknews.com/index.pl/article?id=43640027>)**
8. "The absurdity of this situation, however, does not stop there. The country has regressed to a stage where politics is not only in command; it has by now become a business beholden unto itself! Here I am not referring to these professional politicians who make a living serving professional causes. This happens everywhere in the world where some form of electoral democracy is practised, and is quite acceptable. I am referring instead to the politics that accumulates wealth on the basis of transforming the state into a 'criminal enterprise' for the benefit of the ruling political class." **(Dr. Clive Thomas; IDS, Guyana; <http://www.stabroeknews.com/index.pl/article?id=43640027>)**
9. "One consequence of this development has been the deep penetration of organised crime into the interstices of the state, national decision-making, and the playing out of political opportunities. In an election year (with every prospect of a strong contest) this is a deadly mixture of circumstances." **(Dr. Clive Thomas; IDS, Guyana; <http://www.stabroeknews.com/index.pl/article?id=43640027>)**
10. "In the last decade or so my organization, the Guyana Public Service Union, has had to rely on the judiciary to resolve disputes which were grounded in the procedures, regulations, agreements and laws in place since time immemorial. In the process, some of these principles have acquired the status of those which are treated as part of the foundation on which the rule of law is premised. ... The recent initiative by the government to downgrade, if not eliminate the status and position of the Chief Justice, is rightly regarded with alarm by the public in general and my union in particular, linked as it is to the protracted delay in filling the high judicial offices of Chief Justice and Chancellor. ...There is in my view justification for the suspicion that this initiative is geared to preventing the appointment of an existing judge to the post of the Chief Justice in light of a recent decision given by that judge which the government regards as unfavourable. We do not regard this as a suitable approach to the appointment of persons to high judicial office." **(Patrick Yarde, President, GPSU: <http://www.stabroeknews.com/index.pl/article?id=36475591>)**
11. "The high court was created by the constitution, and the High Court Act, more particularly the aforementioned sections, could be said to be a constitutional statute, that is, it forms part of the constitution. There is nothing wrong with Parliament reproducing the constitution for legislative purposes. The problem arises when Parliament changes the constitution to make it inconsistent with the constitutional mandate." **(Patrick Yarde; GPSU, Guyana <http://www.stabroeknews.com/index.pl/article?id=36475591>)**
12. "Why did the Prime Minister bypass the ACB? Why do we always create structures in the form of Committees and Commissions, establish them, then hop right over them? Simply because we find them to be fettering hurdles? Surely this is not the way to create that culture of constitutionalism, or rule of law, or inclusionary participation we so much spout. Such a culture of evasion and avoidance of consensually created structures and institutions exhibits the control-freaks in our midst, the commandists who feel that their sensibility is a quality more important than Constitutionality." **(Undoing democracy: Government emasculates own institution! By Khemraj Ramjattan, Saturday, January 29th 2005; <http://www.stabroeknews.com/index.pl/article?id=9501404>)**
Khemraj Ramjattan is an attorney at law and chairman for the Alliance For Change:
13. The National Assembly yesterday passed the contentious Public Utility Undertakings and Public Health Services Arbitration (Amendment) Bill with the PNCR withholding support on the grounds that the constitutionally enshrined right of workers in essential services to strike was being denied. But Minister of Labour Dale Bisnauth who piloted the bill through the second and third readings said that the

amendments in the new bill seek to bring conditions in line with International Labour Organisation (ILO) definitions of essential services. He said that the bill does not proscribe industrial action on the part of employees with essential services.

He said that if the essential services are withheld then this could lead to jeopardy or loss of life and limb. "What the bill does is seek to amend Section 2 A (1) of the Principal Act by deleting the definition of 'strike and putting in a new definition [of the term]," Bisnauth said. He said that the definition is now broader and allows for the Ministry of Labour to make more timely interventions in the event of a cessation of essential services because of strike action.
<http://www.stabroeknews.com/index.pl/article?id=53454525>

14. "I refer to Minister of Labour, Dr. Dale Bisnauth's comments in the Kaieteur News (May 6, 2006) and Stabroek News (May 9, 2006) on the Public Utility Undertakings and Public Health Services Arbitration (Amendment) Bill which was passed in the National Assembly on April 27. The GTUC submits it is a wicked piece of legislation. Wicked in the sense that this nation continues to suffer atrocities of an administration that uses its parliamentary majority to arbitrarily impose its discriminatory policies on constituents it perceives are not their supporters. It is clear from the government's track record and their haste to rush this law through parliament that they are acknowledging to this nation their guilt in violating fundamental rights and principles. There is no mistaking the category and identify of workers this Bill intends to stifle. There is no mistaking the government's intent to pursue its policy of regardless of what it costs.

The GTUC received a copy of the Bill but we were never consulted. This issue is not about sending the Bill to us; it is about an engagement by the parties. The GTUC's position is very clear that it is the responsibility of the government who initiated this legislation to consult with the stakeholders and consultation does not mean sending us a piece of legislation, but constructive engagement across the table by the parties. Minister Bisnauth knows that this did not happen and he should tell this nation so."
<http://www.stabroeknews.com/index.pl/article?id=56288853>

The Center for Arizona Policy Issue Brief (January 2006)

"Harms of Legalized Gambling"

<http://azpolicy.org/pdf/Gb1HarmsOfGambling.pdf>

Highlights

The availability of legalized gambling, primarily casino gambling, exploded during the 1990's. In 1990, legalized casinos operated in two jurisdictions – Nevada and Atlantic City. By 2004, there were 411 Indian-run casinos in 28 states, with more than half of 341 federally recognized tribes running casinos. **[1]**

Research studies and government statistics repeatedly show that the arrival or expansion of gambling opportunities cause significant social problems to the county or localized area where the expansion has occurred. These social problems include increased bankruptcies, suicides, gambling addictions, divorces, child abuse, child neglect, domestic violence and overall crime.

The tragic consequences of casino gambling are being realized in Arizona. Two unrelated professional women with no prior criminal records were arrested recently on embezzlement charges.

- A former PTO president at Magnet Traditional School in Phoenix admitted embezzling \$20,244 in PTO funds to support her gambling habit. The woman is also charged with "concocting a bizarre kidnapping plot to extort \$20,000 from the mother of a friend of her 6-year old son." **[2]**
- A senior bank manager at Metris Direct in Scottsdale stole more than \$10,000 in a credit card scam of her bank's customers. She admitted having gambled away more than \$6,000 in about 90 minutes in October of 2002. In all she had run up more than \$50,000 in gambling debts and has filed for bankruptcy because of them. **[3]**

Increased Societal Problems

Numerous research studies and other statistical information have identified a strong link between our nation's recent increase in legalized gambling and increased societal problems. These problems include increased bankruptcies, suicides, addictions, divorce, child abuse, domestic violence and the exploitation of the poor.

Increased Bankruptcies

A national study found that counties having at least one gambling establishment averaged 18% more bankruptcies than those counties without gambling. If the county had five or more gambling facilities, the increased rate was 35% higher. **[4]**

- A five-year Iowa study found that counties having a casino, racetrack or riverboat casino had a bankruptcy rate averaging 21% higher than the rest of the state. **[5]**
- Nevada, being the 35th most populous state, ranks 4th in terms of total bankruptcies. **[6]**
- Of California's 58 counties, the two with the highest bankruptcy rates, Riverside and San Bernardino, are both adjacent to Las Vegas. **[7]**

Increased Suicides

Gambling-related suicides are becoming an increasingly common tragedy. The extent of this phenomenon remains largely unrecognized due to reasons ranging from a desire by family members to protect privacy to attempts by suicide victims to make their deaths appear accidental for insurance purposes. Even so, the evidence paints a grim picture of the depth of despondency that often accompanies gambling habits.

- According to University of California-San Diego sociologist Dr. David Phillips, Las Vegas "displays the highest levels of suicide in the nation, both for residents of Las Vegas and for visitors to that setting." In Atlantic City, N.J., Phillips found that "abnormally high suicide levels for visitors and residents appeared only after gambling casinos were opened." **[8]**
- In Gulfport, Mississippi, suicides increased by 213% (from 24 to 75) in the first two years after casinos arrived. In neighboring Biloxi, suicide attempts jumped by 1,000% (from 6 to 66) in the first year alone. **[9]**

- At least 140 clients at Minnesota's six gambling addiction treatment centers have attempted suicide, according to the Minneapolis *Star Tribune*. **[10]**
- A survey of nearly 200 Gamblers Anonymous members in Illinois found that 79% had wanted to die, 66% had contemplated suicide and 45% had a definite plan to kill themselves. **[11]**

Increased Gambling Addictions

Gambling promoters frequently maintain that there is little, if any, relationship between the availability of gambling and gambling addiction. However, testimony from experts and data from gambling communities indicates otherwise.

- The number of Gamblers Anonymous chapters in the United States has nearly doubled in the last eight years. **[12]**
- The percentage of Minnesota adults who demonstrated a serious gambling problem climbed 76% from 1990 (the year when Minnesota introduced its lottery) to 1994 (the year when a 17th Minnesota casino began operations). **[13]**
- The percentage of Iowa problem and pathological gamblers rose by over 300% over the six-year period after casinos began operations. **[14]**
- A court-ordered temporary shutdown of video lottery machines in the state of South Dakota resulted in a drastic reduction of people seeking treatment for gambling addictions. Before the machines were shut off, addiction treatment centers averaged 11 gamblers treated per month. During the shut down, the average monthly number of plummeted to less than one per month. Once the machines resumed operations, the average monthly number immediately jumped to 8. **[15]**
- The percentage of New York individuals who reported having had a gambling problem increased 74% during the decade when gambling opportunities greatly expanded. **[16]**
- In Oregon, the number of Gamblers Anonymous chapters increased 1,000% within five years of the introduction of video poker machines. **[17]**

Increased Family Problems

- Twenty-eight percent of Gamblers Anonymous members reported being separated or divorced as a direct result of their gambling. **[18]**
- The National Gambling Impact Study Commission reported that it received "abundant testimony and evidence that compulsive gambling introduces a greatly heightened level of stress and tension into marriages and families, often culminating in divorce and other manifestations of familial disharmony." **[19]**
- A nationwide survey of divorced adults found that "2 million adults identified a spouse's gambling as a significant factor in their prior divorce." **[20]**
- The number of divorces in Harrison County, Mississippi, which is home to ten casinos, has increased by almost 300% since the introduction of casinos. **[21]**
- The National Gambling Impact Study Commission reported: "Children of compulsive gamblers are often prone to suffer abuse, as well as neglect, as a result of parental problem or pathological gambling." **[22]**
- In Indiana, a review of the state's gaming commission records revealed that 72 children were found abandoned on casino premises during a 14-month period. **[23]**
- In Louisiana and South Carolina, children died after being locked in hot cars for several hours while their caretakers gambled. **[24]**
- Cases of child abandonment at Foxwoods Casino in Ledyard, Connecticut, became so commonplace that authorities were forced to post signs in the casino's parking lots warning parents not to leave children in cars unattended. **[25]**

- According to the National Research Council, studies indicate that between 25% and 50% of spouses of compulsive gamblers have been abused. [26]
- A University of Nebraska Medical Center study concluded that problem gambling is as much a risk factor for domestic violence as alcohol abuse. [27]

Increased Rates of Overall Crime

- The crime rate in Minnesota counties with casinos accelerated over 200% faster than counties without casinos. [28]
- The overall number of crimes within a 30-mile radius of Atlantic City increased over 100% during the nine years following the introduction of casinos. [29]
- A *U.S. News & World Report* analysis found average national crime rates in casino communities to be 84% higher than communities without casinos. [30]
- The number of court cases filed in Tunica County, Mississippi, increased by over 1,600% during the five-year period after casinos began operating. [31]
- The annual number of police calls jumped over 400% within the five years after the opening of the Foxwoods Casino. [32]
- Nevada ranked first in crime rates among the fifty states in both 1995 and 1996, based on an analysis of FBI Uniform Crime Report statistics. [33]
- University of Nevada-Las Vegas researchers concluded that the state of Wisconsin experiences an average of 5,300 additional major crimes a year due to the presence of casinos in that state. They also attributed an additional 17,100 arrests for less serious crimes each year to the existence of casino gambling. [34]

Exploitation of the Poor

- A study of 1,800 Minnesotans in state-run gambling treatment programs found that over half had yearly incomes of \$20,000 or less. The study also discovered that the amount of debt, as a proportion of income, was highest among the poorest gamblers seeking treatment. [35]
- In New York, those living in the most impoverished areas of the state spent 800% more of their income on lottery tickets than did those living in affluent sections. [36]
- A University of Louisville study showed that Kentuckians with annual incomes less than \$15,000 spent \$9 per week on lottery tickets, while those earning twice that amount only spent \$7. [37]
- A Texas A&M study found that residents earning 2% of the state's total income provide 10% of the state's lottery's revenue. [38]

Notes:

1. **"Tribal Casinos beat Vegas in Profits,"** Associated Press, Feb. 16, 2005, www.nwherald.com/MainSection/other/302494312640135.php
2. Daniel González, Former PTO president faces charges in bizarre kidnap plot, Arizona Republic December 30, 2002.
3. Toni Laxson, Scottsdale bank exec arrested in credit scam, East Valley Tribune, October 19, 2002 p. A3
- 4 **"The Personal Bankruptcy Crisis, 1997: Demographics, Causes, Implications & Solutions,"** SMR Research Corporation, 1997, p. 117.
5. John McCormick, **"Many Iowan's Going for Broke,"** Des Moines Register, June 15, 1997, p. 1. (Note: For the years 1991-1996.)
6. Calculations based on data provided by the American Bankruptcy Institute.
- 7 Ibid., p. 117.
8. David P. Phillips, Ward Welty, and Marisa Smith, **"Elevated Suicide Levels Associated with Legalized Gambling,"** Suicide and Life-Threatening Behavior, vol. 27, December 1997, p. 373.

9. Attorney General J. Joseph Curran, Jr., "**The House Never Loses and Maryland Cannot Win: Why Casino Gaming Is a Bad Idea,**" Report on the Impact of Casino Gaming on Crime, October 16, 1995, p. 7.
- 10 Chris Ison, "**That Last Losing Bet Often Is More Than Some Can Take,**" (Minneapolis) Star Tribune, December 3, 1995, p. 18A.
- 11 Henry R. Lesieur and Christopher W. Anderson, "**Results of a 1995 Survey of Gamblers Anonymous Members in Illinois (N=184),**" Illinois Council on Problem and Compulsive Gambling, June 14, 1995.
- 12 Information provided by Gamblers Anonymous International Service Office, Los Angeles, California, February 23, 1998.
- 13 Michael O. Emerson, J. Clark Laundergan, James M. Schaefer, "**Adult Survey of Minnesota Problem Gambling Behavior; A Needs Assessment: Changes 1990 to 1994,**" Center for Addiction Studies, University of Minnesota, Duluth, September 1994.
- 14 Rachel A. Volberg, "**Gambling and Problem Gambling in Iowa: A Replication Survey,**" Iowa Department of Human Services, July 28, 1995.
- 15 Robert D. Carr, Jerome E. Buchkoski, Lial Kofoed, and Timothy J. Morgan, "**'Video Lottery' and Treatment for Pathological Gambling: A Natural Experiment in South Dakota,**" South Dakota Journal of Medicine, January 1996, p. 31.
- 16 Rachel A. Volberg, "**Gambling and Problem Gambling in New York: A 10-Year Replication Survey, 1986 to 1996,**" Report to the New York Council on Problem Gambling, July 1996.
- 17 Jeff Mapes, "**Gambling on Addiction,**" The Oregonian, March 9, 1997, p. 1A.
- 18 National Gambling Impact Study Commission (NGISC) Final Report, June 1999, p. 7-27.
- 19 NGISC Final Report, p. 7-26.
- 20 National Opinion Research Center, "**Gambling Impact and Behavior Study: Report to the National Gambling Impact Study Commission,**" April 1, 1999, p. 48.
- 21 Mississippi State Department of Health, "Vital Statistics Mississippi" for the years 1991-1998.
- 22 NGISC Final Report, p. 7-28.
- 23 Grace Schneider, "**Children Being Left Alone While Parents Gamble,**" [Louisville] Courier-Journal, July 18, 2000.
- 24 Joe Darby, "**Sitter Indicted in Toddler's Death,**" New Orleans Times-Picayune, May 23, 1997, p. B1; "**Police: Baby Died of Dehydration in Car While Mom Gambled in Casino,**" Associated Press, September 2, 1997.
- 25 Stephanie Saul, "**Tribe Bets on Growth,**" Newsday, August 11, 1997.
- 26 National Research Council, "**Pathological Gambling: A Critical Review,**" April 1, 1999, p. 5-2.
- 27 John Jejkal, "**U. Nebraska Doctor Contributes to National Domestic Violence Study,**" Daily Nebraskan, January 13, 2000.
- 28 Dennis J. McGrath and Chris Ison, "**Gambling Spawns a New Breed of Criminal,**" [Minneapolis] Star Tribune, December 4, 1995, p. A6.
- 29 Andrew J. Buck, Simon Hakim, and Uriel Spiegel, "**Casinos, Crime and Real Estate Values: Do They Relate?,**" Journal of Research in Crime and Delinquency, August 1991, p. 295.
- 30 Joseph P. Shapiro, "**America's Gambling Fever,**" U.S. News & World Report, January 15, 1996, pp. 58, 60.
- 31 Bartholomew Sullivan, "**Once-Sleepy Tunica Awakens to Gambling-Inspired Crime,**" [Memphis] Commercial Appeal, October 20, 1997, p. A5.
- 32 Mayor Wesley J. Johnson, Sr., "**Fiscal Impacts of Foxwoods Casino on the Town of Ledyard, Connecticut,**" April 1997.
33. Ed Koch, "**Nevada: Most Dangerous?**" Las Vegas Sun, July 16, 1997, p. 1A.
34. William N. Thompson, Ricardo Gazel, and Dan Rickman, "**Casinos and Crime in Wisconsin: What's the Connection?,"** Wisconsin Policy Research Institute Report, November 1996.
35. Pat Doyle, "**Compulsive Gambling Hitting Poor Hardest, New State Study Says,**" Minneapolis Star Tribune, July 25, 1997, p. 1B.
36. Ford Fessenden and John Riley, "**And the Poor Get Poorer ...,**" Newsday, December 4, 1995, p. A7.
37. Sheldon Shafer, "**Blacks and Poor Spend More Money on Lottery, Study Says,**" Louisville Courier-Journal, June 29, 1994, p. 1B. (Note: Based on weeks in which respondents played the lottery.)
38. Crystal Humphress, "**Survey Shows Poor Lose More to Lottery,**" Dallas Morning News, March 10, 1994, p. 16A.

WHAT DO I DO AS A CITIZEN, VOTER AND PARENT, TO SAVE GUYANA?

READ THIS DOCUMENT AND RELATED WEBSITES CAREFULLY. OUR FUTURE AS A NATION DEPENDS ON IT!

SHARE IT WITH YOUR LOCAL, COMMUNITY AND NATIONAL POLITICAL REPRESENTATIVES.

SHARE IT WITH FRIENDS IN THE NEIGHBOURHOOD. IF YOU NEED FREE COPIES, THEN CALL 226-4642 OR 225-9015!

THROUGH YOUR CHURCH LEADER/S, SHARE IT WITH CHURCH GROUPS, AND OTHER SOCIAL GROUPS!

SPREAD THE WORD THAT NO ONE IS “OUT TO GET THE GOVERNMENT”, MERELY SHOW THEM THE WAY OUT.

ATTEND ALL PTA MEETINGS, AND FIND OUT YOUR SCHOOL'S POLICY ON THE 'CASINO GAMBLING' ISSUE.

ENCOURAGE ANY CABINET MEMBER YOU KNOW OF, THAT THERE IS A WAY OUT FOR GUYANA!

ASK YOUR LOCAL RELIGIOUS LEADERS TO PREACH OR EXPOUND ON THE ISSUE!

DISCUSS THE ISSUES WITH YOUR CLASSMATES ... ENCOURAGE DEBATES.

SEARCH OUT ALL THE WEBSITES LISTED IN THIS DOCUMENT! READ, READ, READ ...

WRITE LETTERS TO EDITORS OF THE LOCAL NEWSPAPERS! IF YOU ARE NOT PUBLISHED, TRY AGAIN!

DISCUSS THESE ISSUES WITH YOUR CHILDREN. THEY ARE WISER THAN YOU THINK, AND ALSO VULNERABLE!

DISCUSS THE ISSUE AT CLUBS!

IF YOU NEED SPEAKERS, ADVICE OR COUNSELLING, CALL 226-4642 OR 225-9015.

FINALLY ... REJECT THOSE WHO ADVOCATE PASSAGE OF A “CASINO-GAMBLING” BILL!

SAY NO TO CASINO GAMBLING INTERESTS!

SAY NO TO THE PROPOSED LAW!

SAY NO TO THE SOCIAL CHAOS GAMBLING BRINGS!

SAY YES TO INCLUSIONARY PARLIAMENTARY DEMOCRACY!

SAY TO OUR PARLIAMENTARIANS:

“VOTE NO!!” .