

No. 9

Wednesday

Fourth Session

2nd September, 2009

Eighth Parliament

SAINT VINCENT AND THE GRENADINES

THE

CONSTITUTION REFORM DEBATES

(HANSARD)

ADVANCE COPY

OFFICIAL REPORT

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THE CONSTITUTION REFORM DEBATES

OFFICIAL REPORT

**PROCEEDINGS AND DEBATES OF THE NINTH MEETING, FOURTH SESSION OF THE
EIGHTH PARLIAMENT OF SAINT VINCENT AND THE GRENADINES CONSTITUTED AS SET
OUT IN SCHEDULE 2 TO THE SAINT VINCENT AND THE GRENADINES ORDER, 1979.**

FIFTEENTH SITTING

2nd September, 2009

HOUSE OF ASSEMBLY

The Honourable House of Assembly met at 10:15 a.m. in the Assembly Chamber, Court House, Kingstown.

PRAYERS

MR. SPEAKER IN THE CHAIR

Honourable Hendrick Alexander

Present

MEMBERS OF CABINET

Prime Minister, Minister of Finance,
Economic Planning, National Security,
Grenadines and Legal Affairs
Dr. the Honourable Ralph Gonsalves

Member for Central Windward

Attorney General
Honourable Judith Jones-Morgan

Deputy Prime Minister, Minister of Foreign
Affairs, Commerce and Trade
Honourable Louis Straker

Member for Central Leeward

Minister of National Mobilisation,
Social Development, Gender Affairs,
Non-Governmental Organisations,
Local Government, Persons with Disabilities,
Youths and Sports
Honourable Michael Browne

Member for West St. George

Minister of Education
Honourable Girlyn Miguel

Member for Marriaquia

Minister of Rural Transformation, Information,
Postal Service and Ecclesiastical Affairs
Honourable Selmon Walters

Member for South Central
Windward

Minister of Health and the Environment
Dr. Douglas Slater

Member for South Leeward

Minister of Urban Development, Culture,
Labour and Electoral Matters
Rene Baptiste

Member for West Kingstown

Minister of Transport and Works
Honourable Clayton Burgin

Member for East St. George

Minister of Agriculture,
Forestry and Fisheries
Honourable Montgomery Daniel

Member for North Windward

Minister of Telecommunications, Science
Technology and Industry
Honourable Dr. Jerrol Thompson

Member for North Leeward

Minister of the State in the Prime Minister's
Office with Responsibility for the Public Service
Honourable Conrad Sayers

Member for Central Kingstown

Minister of Tourism
Honourable Glen Beache

Member for South Windward

Minister of State, Ministry of Agriculture,
Forestry and Fisheries, Parliamentary Secretary
Honourable Saboto Caesar

Government Senator

Honourable Rochelle Forde

Government Senator/ Deputy
Speaker

Honourable Richard Williams

Government Senator

OTHER MEMBERS OF THE HOUSE

Honourable Arnhim Eustace

Leader of the Opposition
Member for East Kingstown

Dr. the Honourable Godwin Friday

Member for Northern Grenadines

Honourable Terrence Ollivierre

Member for Southern Grenadines

Honourable Major St. Claire Leacock

Opposition Senator

Honourable Daniel Cummings

Opposition Senator

ABSENT

Minister of Housing, Informal Human,
Settlements, Physical Planning, Lands
and Survey and Local Government
Honourable Julian Francis

Government Senator

SAINT VINCENT AND THE GRENADINES

HOUSE OF ASSEMBLY

WEDNESDAY 2ND SEPTEMBER, 2009

PRAYERS

Honourable Mr. Hendrick Alexander, Speaker of the House of Assembly read the prayers of the House.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, Honourable Members, I beg to move under Standing Order 12 (5) that the proceedings of today's sitting be exempted from the Standing Orders Hours' of Sitting.

HONOURABLE SIR LOUIS STRAKER: Mr. Speaker, I beg to second the motion.

Question put and agreed to.

HONOURABLE MR. SPEAKER: Yes, Senator Forde, I have recognized you, as a matter of fact, you seem very to be much in place, not yet, just give me a few minutes. [Interjection] That cheating, why did you say that?

Yesterday I, in paying complements to certain persons in relation to the live streaming here from Parliament, I think I mixed up some names. As a matter of fact, maybe I did not have them, in their proper portfolio. But I think Calick Bailey is from LIME and the other Bailey which is Andre is from Telecommunications. So we want to thank those persons for assisting us in the live streaming of our broadcast this morning. So I hope I got that all correct. I have been told also that there is a link that can be used to log on to the debate and it is NBCSVG.com and you can follow the debate live by logging on to that link, you can see what is happening there, here in Parliament as well, so it is NBCSVG.com All right Senator Forde, I think I would have you now.

HONOURABLE ROCHELLE FORDE: Thank you, Mr. Speaker. Mr. Speaker, if you would permit me before I begin to apologize for the sound of my voice at times, I am recovering from a little bit of a bout with the flu, but I am sure that even the flu understands the importance of what needs to be said about this new draft Constitution, and it would permit me to get to the end of my presentation.

HONOURABLE MR. SPEAKER: Not Swine right? Not Swine Flu?

HONOURABLE ROCHELLE FORDE: No, Mr. Speaker, not Swine Flu at all, Mr. Speaker.

Mr. Speaker, St. Vincent and the Grenadines has been a regional leader in a number of respects, the Education Revolution, the Wellness Revolution, Poverty Reduction, the concept of the Coalition of the Willing to build an International Airport, and when this new Constitutional Bill is passed in this Honourable House, and endorsed by the people of St. Vincent and the Grenadines in a referendum, we would have reached the zenith in

revolutionary change legislatively, achieved masterfully by intellectual combat, with the artillery of a pen, and stand here today, Mr. Speaker, proud to be associated with this Bill and lending my support to its passage here.

Mr. Speaker, I think that the debate for this few days and what would have gone before, in the months before have been the highlight of my parliamentary journey. And I am forever grateful to have been afforded the opportunity to debate this Bill, the highest law of our land. And I have learnt, Mr. Speaker, that one must never be ungrateful, and there is no doubt that in great part our current Constitution has kept us in fairly good stead, and there are in this new draft certain pillars that are retained. But by the same token, Mr. Speaker, there are many concepts and institutions in our current Constitution that no longer serve our purpose.

Mr. Speaker, a Constitution can never be reflective of the will and soul of the people unless it comes from the people, this is the time to make our Constitution truly our own.

Mr. Speaker, I am of the view that the majority of Vincentians agree that it is necessary and desirable for us to have a new Constitution. I know that Vincentians are a patriotic people and they want the best for our St. Vincent and the Grenadines, so to take a negative stance on a Bill simply because it does not accord with one's personal and individual perspective or one's political addenda is to put self before country. We Vincentians have never done that, and we certainly are not about to start now with this most serious document.

Mr. Speaker, this new draft Constitution with its most significant change being the shift from a monarchical system of government to a republican form of government carefully premise on a skillful balance of Proportional Representation and First-Past-The-Post Representation is one of innovation and relevance, and there are many areas on which I would like to speak, but I can only do so for a few. Mr. Speaker, the fundamental rights provision of this draft Constitution is replicated from the existing Constitution, there is not right or freedom that has been removed under the new draft Bill, on the contrary in several instances we have had expansion and increases of existing rights. Just let us take a couple of examples. In relation to the provision that deals with freedom of speech, Mr. Speaker, we now see the inclusion of the specific words, freedom... sorry, in relation to the provision that deals with freedom of expression; we see the inclusion of the word, freedom of the press. Mr. Speaker, no longer would there need be an inference that freedom of expression, means freedom of the press. Mr. Speaker, those few words are of profound effect in our march to greater democracy and I quite like the words, of Adlay Stevenson when he said and I quote, "the free press is the mother of all our liberties, and of our progress under liberty." We are seeing our progress under liberty in this new draft Bill.

Mr. Speaker, I listened to the Leader of the Opposition in relation to his presentation regarding the provision for the protection from the deprivation of property, and I wish to make it abundantly clear that the draft Bill by its formulation provides for several options where assessment is concerned and among these options would naturally include the consideration of current market value provided that it is appropriate so to do. So for the Opposition to say that they want the inclusion market value as the yardstick of assessment of compensation as it to make it appear that one cannot so do is to mislead the people. And Mr. Speaker, we must stop playing this level of politics, Mr. Speaker, our Constitution is the highest law of the land let us say things as they are, let us tell the people how things truly are and stop trying create mischief.

Mr. Speaker, I think that Chapter two of the draft guiding principles of state policy, is one of my favourites of the new innovations, this chapter to me represents the heart beat of the norms of Vincentians society and I find it necessary with your permission to recite apart of the Chapter section 5 of the opening, it says:

“The people are the true political sovereign of the state, power belongs to the people, therefore the will of the people shall be the basis of the authority of government.”

Mr. Speaker, to adopt the words of Dr. Francis Alexis, I quote: *“the inclusion of these chapters makes the St. Vincent and the Grenadines draft Bill unique in this respect”*. Mr. Speaker, need not say more, we are setting the pace. The only chapter comes before this is the one which deals with the preamble and that society should be ordered, the philosophy of the people being based on the Supremacy of God, Mr. Speaker. In short the guiding principles of state policy come right after that, in effect after God it is the people, this is a deliberate design of our Constitution, Mr. Speaker.

There are other critical areas of the new Bill, Mr. Speaker, which include the Human Rights Commission, the Office of the Ombudsman, the Integrity Commission, all independent bodies, to investigate complaints of wrong doings by public authority, instances of maladministration and to ensure that parliamentarians are living up to the higher standards that are expected of them respectively. Mr. Speaker, I do not doubt that the vast majority of public officers are good and decent people who are working hard for the benefit of St. Vincent and the Grenadines. But reality informs us that in all situations there may be bad eggs, these institutions; these independent bodies are there to investigate instances of poor and unacceptable administration and improper behaviour. Mr. Speaker, this could only be progress. Who would want to vote against good and better government? Certainly not us, and certainly not the people of St. Vincent and the Grenadines and that is why we are going to vote yes, for this new draft Constitution.

Mr. Speaker, I wish to highlight that the draft gives to magistrate security of tenure; I am advised that St. Vincent and the Grenadines would be the first to offer such protection to Magistrates in the region. Mr. Speaker, we are getting it right, we must ensure that our magistrates feel comfortable and secure when they administer and adjudicate justice, this new draft Constitution Bill will do just that. We must support it.

Yet another brilliant innovation coming out of the Bill is the involvement of civil society invitees to the National Assembly. Mr. Speaker, this gives Constitutional recognition to the talent of non parliamentary Members of society, in circumstances where Parliament may require specific guidance on some matters. I am advised that no other Constitution in the Commonwealth Caribbean provides for this level and type of participation by civil society, Mr. Speaker, this will truly be our Constitution fashioned by our people.

Special attention must also be given to the creation to a specific chapter which deals with the Minority Leader and his functions; again I am advised that no other country in the Commonwealth Caribbean has such a specific chapter Mr. Speaker. Again, St. Vincent and the Grenadines would be taking the lead, all eyes are on us.

Mr. Speaker, the level of radical change that we see in this Bill especially in relation to the reduction of powers of the Office of the Prime Minister usually only comes by way of a bloody revolution. Mr. Speaker, it is most unusual for any sitting Prime Minister to agree to the reduction in his powers, but this exercise is about nation before self, and I wish to bring to your attention some of the specific reductions in the powers of the Office of

the Prime Minister. Mr. Speaker, among the many significant changes in the Bill is the Office of the President, who will be the head of state.

Mr. Speaker, although this President will be a titular President, the office of the Head of State would have metamorphosed under the new Bill. Under the existing Constitution, the Prime Minister is under no obligation whatsoever to consult with anyone in selecting the head of state. This Bill will effectively remove this unilateral power out of the hands of the Prime Minister. The situation which would then occur is that the Prime Minister must secure the agreement of the Minority Leader or enjoy a majority vote of the National Assembly, before the Head of State is elected.

Mr. Speaker, what is also important is that the procedure for removing the Head of State is no longer the simple one where the Prime Minister pens a letter to Her Majesty and the Head of State is so easily removed, no. It must first commence with a motion that must be supported. Then it goes to a tribunal for investigation. Then after the investigation has been concluded and its recommendations, it is then put to a vote which must enjoy two-thirds majority of the National Assembly before the Head of State is removed. This gives a greater level of dignity, Mr. Speaker, to the office of Head of State. It is clearly far a most superior document.

Mr. Speaker, I sat in utter shock and disbelief as the Leader of the Opposition stated in his address that to consult with the Minority Leader in relation to the election of a president is not a reduction in the powers of the Prime Minister. Well, Mr. Speaker, up until a moment like now I cannot understand that. If you have the sole power to choose a Head of State and you now have to go and consult somebody, is that not an automatic reduction of your power. To me that is as straightforward as it gets.

Mr. Speaker, new Bill recognizes the maturity of our people and to suggest that consultation between Government and Opposition cannot result in joint meaningful decisions is to insult the maturity of our people. This is Constitution is a Constitution of the people, and it is contemplates as it should that Government and Opposition can work together and in harmony for the benefit of our people. We must put a complete end and stop to this bipartisan divisiveness, the people are calling for it, Mr. Speaker.

If I can turn your attention to Section 92 (5) of the Bill we find yet another reduction in the powers of the Prime Minister, in that there is a specific period the last three months just about of the five year term within which elections must be held, save and except in circumstances where there is a resolution of no confidence in the government.

Mr. Speaker, the concept of a Snap Election has been in great part abolish. Under the current Constitution one never knows when the Prime Minister will be blessed with the divine date for elections, far less reveal it to the Opposition who wait with fear and trepidation and in many instances severe intestinal discomfort. I have seen many an Opposition Member lose sleep, weight and even hair when the election bell tolls. Mr. Speaker, as exciting as those days have been a fix election period will lend itself to greater planning, and a more systematic approach to elections. There is now no need for an Opposition to burn out during an election period as there is more than enough time and they have more than enough notice to get fit and ready. The only problem, Mr. Speaker, is if you are a short distance runner invariably no matter how much preparation you make it is often hard to win a marathon, but that is a different speech for a different forum.

Mr. Speaker, yet another reduction in the powers of the Prime Minister is that the number of Cabinet Members is limited to 12. The Honourable Leader of the Opposition said that he did not understand how this is a reduction of the powers of the Prime Minister, well, it is really very simple, it just means that Cabinet will not have an effective monopoly of its views being imposed on the legislature very simple, simple in its logic but profound in its effect.

Mr. Speaker, a brief look at the composition and the selection of the persons who sits in the Public Service Commission, also serves to illustrate a reduction in the powers of the Prime Minister. Currently, the Prime Minister has a major role and much influence in the selection of just about all, not quite all, of the Members of the Public Service Commission and similarly in the Police Service Commission. Mr. Speaker, one must bear in mind that the Public Service is largest employer in St. Vincent and the Grenadines of Vincentians; this is therefore a very important body. This Bill takes away significantly from the influence of the Prime Minister in this respect. And the chairman is now appointed by the President acting in consultation with the Prime Minister and the Minority Leader, as oppose to a situation which currently obtains with the Prime Minister gives the recommendation and that is the end of the story. Further, in relation to the other Members, Mr. Speaker, save and except in one instance the Prime Minister wherever his involvement is required with the recommendations for appointment of Members must consult with another. Mr. Speaker, this is a significant fetter on the power and influence of the Prime Minister.

Mr. Speaker, by Section 84 the Minority Leader would now have the ability to introduce a motion into the National Assembly without the permission of a Minister, which motion if passed can result on a charge on the Consolidated Fund. This concept to the best of my information does not exist anywhere else in the British Commonwealth Caribbean and under the current Constitution, our current Constitution it is forbidden. Mr. Speaker, this is another significant reduction in the powers of the Prime Minister as under our current Constitution, it is only the Prime Minister and his Minister who enjoy the exclusive rights to bring money Bills, Mr. Speaker, as far as I am concerned this creates a hitherto, unknown equality between Government and Opposition. Our Parliament here constituted Mr. Speaker, has seen support by the government through recommendations made by the Opposition. So to suggest that cooperation between governments and Opposition on a motion by the Opposition cannot happen is to attempt to create an unnecessary divide. And I complete reject that proposition. This is certainly not the vision of this Bill.

Further, Mr. Speaker, I have spoken about earlier the new Bill provides, or allows for invitees from civil society to address the National Assembly; and when I speak of greater equality between Opposition and Government, we see it here in all its flamboyance. Mr. Speaker, the Opposition as well as the Government after having made a request of the Speaker, can invite persons from civil society to address the National Assembly.

Of significant importance and possibly among the greatest of the revolutionary changes, is the composition and powers of the Public Accounts Committee in this Bill. Mr. Speaker, the Public Accounts Committee in short is a check on government's spending. Mr. Speaker, by convention, the Leader of the Opposition has been the Chairman of the Public Accounts Committee, this Bill will elevate that convention into Constitutional mandate and the automatic Chairman of the Public Accounts Committee will be the Minority Leader.

More so, the Bill further mandates that a majority of the Members of the Public Accounts Committee must come from the Opposition, further still the Bill gives the Public Accounts Committee, the right to summon

public officers before it and to send for relevant public financial documents. Mr. Speaker, we are voting 'yes', for greater checks and balances on the government. It is only perhaps if you have something to hide that you would want to vote no to this Bill. Mr. Speaker, and let us not let an important point slip by, in relation to the new proposed role and composition of Public Accounts Committee the St. Vincent and the Grenadines Minority Leader will in the words of Parnel Campbell Q.C and I quote "*ultimately becomes the most powerful Leader of the Opposition in the Commonwealth,*" Mr. Speaker, this is significant. And just on a tangent Mr. Speaker, I know that the rest of the region is looking on, and thinking and appreciating that it must be a Prime Minister who is confident in his leadership who would agree to such reductions in his powers. But this government is not afraid of change and our track record has shown that this is a part that knows government and can govern with transparency being the order of the day. We embrace this new Bill.

Mr. Speaker, it is important in small development developing such as ours that any Constitutional change must recognize the value of bi-partisan operation and it is fully realized in section 89 which provides for and I quote "*cooperation between the government and those who do not support the government.*" As a matter of fact we see in several instances throughout the Bill that by designed it is strongly encouraging cooperation by the Prime Minister and the Minority Leader. We see it in the election of the President, the naming of the Chairperson of the Public Service Commission and several persons of the board, and also in the chairman of the Electoral and Boundaries Commission. This is a Constitution of unity and cooperation for the good governance of our nation, Mr. Speaker. We want it.

Mr. Speaker, I wish to take a few moments before I conclude to offer an apology to all the persons of this nation who would have asked me how things were going in the discussion of the Bill and I would have said to them, I cannot divulge much but it appears highly to me that we are working hand in hand, government and Opposition for greater democracy as contained in the draft Bill. Mr. Speaker, I was disappointed to say the least when I heard the contribution from the Leader of the Opposition yesterday and a little later on, the Member for the Northern Grenadines. But more than that I am angry with myself because I should have learnt Mr. Speaker, since 2001 and again in 2005 when the people of this nation by their vote said clearly that they do not trust the NDP but I thought that we would have been able to put nation before partisan politics. I was wrong but I have learnt.

Mr. Speaker, I sat and I listened to the Leader of the Opposition and I heard him say that the goals and the objectives that were agreed upon include that we would change to a Republican form of government that we will strive for a greater deepening of democracy, safeguarding of rights and reductions in the powers of the Prime Minister. Mr. Speaker, the issue that I have is that in the presentation by the Leader of the Opposition, he had not in any way shown that these objectives and goals have not been met in the new Bill.

I listened on the contrary to the presentation of the Member for the Northern Grenadines, and it sounded almost akin to an apology to the people of St. Vincent and the Grenadines for him having no choice but to ask them to vote no. I personally believe that he and other Members of the Opposition in particular my good friend Senator Leacock would be saying one thing but their words are at war with their true feelings. You are my friend from long time I am trying to help you out. I am hoping, Mr. Speaker, that in the true spirit of all the revolutionary changes that we see here, hopefully when my good friend Senator Leacock speaks, he will get up and correct the wrong that his leader has done, because I know he wants to support this Bill. I am confident of that.

Mr. Speaker, it is not an easy thing to have to account to one's conscience, thankfully, mine is clear and I hope that the other Members will find a way to clear their own.

Mr. Speaker, the Opposition said that they support the mix system but they want the size of the Parliament to remain the same. Okay, but, Mr. Speaker, the attendant reasoning proffered by the Opposition respectfully is lacking, the Leader of the Opposition says that Government Senators will not oppose a government. Okay, Mr. Speaker, I do not agree with that, but if we apply that logic then the size of the Parliament does not prevent Parliament Senators from supporting the government. So in effect we have from the Opposition a criticism but no recommendation for improvement on the Bill.

Mr. Speaker, the Opposition further says that they are not happy with allocation of the vote, under the PR system. And that the difference of one vote can form government but, I mean yes, that falls squarely with the concept of majority rules. But, more than that Mr. Speaker, again, we have no alternative suggestion being proffered by the Opposition. Mr. Speaker, the only time, we have a suggestion from the Opposition is in relation to the election of the President. Mr. Speaker, after years of consultation, weeks of meeting in the select committee, a specific invitation for the Opposition to bring its suggestions in relation to how they see the President should be elected for full consideration; this proposal is being submitted yesterday.

Mr. Speaker, the Opposition could not be serious, and the system which they are proposing from what I gathered from the presentation of the Leader of Opposition, it would fundamentally change the character of the Bill. Mr. Speaker, persons from civil society who wanted to make a meaningful contribution to this debate weeks ago submitted in writing what they thought to be included, Mr. Speaker. It is completely unacceptable for the Opposition to come and try to push this on the people of St. Vincent and the Grenadine at this time.

And Mr. Speaker, as I listen to the proposal, it clearly reflects the obvious indecent haste with which is prepared, it is impractical and will only result in complete chaos to bring this suggestion now is the height of disrespect to the people of St. Vincent and the Grenadines. We must be more serious than that. Mr. Speaker, to refuse to support this Bill with the real reason being as far as I am concern that to do so would lend support to this government is ridiculous, Mr. Speaker, for all the many wonderful things that this ULP administration has done, suggest only a clear victory come 2010, 2011, so supporting the Constitution or not supporting the Constitution will not change the forgone conclusion of 2010.

Mr. Speaker, my soul mourns and my heart weeps at the position which the Opposition has taken, but weeping men endure for the night and joy, oh good joy comes in the morning and I know, that I will have my joy come the morning after that date in November, when we pass this referendum and our people vote overwhelmingly yes for our new Constitution.

Mr. Speaker, I wish to commend, the work of the CRC which later revolved into CRSC, the drafts persons Dr. Alexis, Dr. Ghany, and who I would rather prefer to call Professor Campbell, Mr. Campbell Q.C., Chancellor I am told, I have learnt tremendously from your expertise and I am grateful on behalf of nation and my own behalf for your work to all the ancillary and support staff, for their hard work and dedication to this process.

I would also like to thank you, Mr. Speaker, your Clerk, your staff, all parliamentarian who would have participated, all, both Opposition and government, Mr. Speaker. The staff of API, police officers, for your tireless work and effort to get this document ready for final approval by the people of St. Vincent and the

Grenadines, most importantly, Mr. Speaker, I would like to thank the people of our nation for their comments and participation in this process, let us together take the final footsteps on the road to full independence and rejoice and relish in voting for the highest law of our land. Drafted and crafted by us, for us. Mr. Speaker, we owe it to ourselves to vote for this new Constitution. I am voting yes. Mr. Speaker, I support this Bill, and anxiously await the endorsement by our people come November. I am obliged.

HONOURABLE MR. SPEAKER: I recognize the... Senator two seconds slow. Senator that is impute improper motive. That is what I called imputing improper motive.

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker, I just want to say good morning to you and to wish you well for the day, Mr. Speaker.

HONOURABLE MR. SPEAKER: Thank you, very much.

HONOURABLE ST. CLAIR LEACOCK: And the last thing I would want to do is to impute improper motive to you, you know, and so let me wish you well.

DR. THE HONOURABLE RALPH GONSALVES: May I just say, seeing we have start the morning so beautifully, I think the Honourable Senator Leacock knows a word from the folk “truckshun” “truckshun.”

HONOURABLE MR. SPEAKER: He was about two seconds slow. Minister Straker.

HONOURABLE SIR LOUIS STRAKER: Thank you, Mr. Speaker. Mr. Speaker, Honourable Members I am particularly grateful for this special occasion which brings us together to debate an issue of momentous. Certainly as has been said and it bears repeating this is a historic moment and a historic occasion in the life of our country and in my experience also, I shall never pass this way again, at my age I would probably not see a situation like this arising again and I wish to make sure that I can add as positively as I possibly can to the debate, to contribute to the success of a very important piece of legislation, the Constitution of St. Vincent and the Grenadines.

I must commend, Mr. Speaker, the sacrifice, the struggle, the hard work, that have gone into this initiative by the CRC, by the CRSC and by the drafting committee. I must single out, Parnel Campbell Q.C. for his dedication, his hard work and commitment. I do not know whether these men would have the opportunity to be so involved again on the Constitution of any other country but if they do, then this would be the apex of it all, the zenith and they would just be coursing through what they do here after, because this would have provided ample opportunity for them to have gone through the difficulties and now, they have created something which is the admiration of our country, the region of the world. They can say now, let now thy servant departs in peace, for their eyes have seen the salvation.

I commend Dr. Alexis and Professor Garney for their travels. We take it for granted and we say well they are being paid to come, but I know that sometimes they had to stay at the airport and travel back with the uncertainties of travelling with LIAT. Certainly it was more than a provocation, it was a test of their endurance, but they have been here and they have contributed significantly to an excellent piece of work and I was a little bit disappointed, that the Leader of the Opposition did not have the courtesy or the grace to recognize what they have done in his public remarks. Instead of that he referred to as a weighty contrivance. Well, I do not know

that such an excellent piece of work can be called a contrivance because a contrivance connotes a scheme, it has a pejorative connotation, and I am sure that these men deserves better than that, for what they have put in to this work here, in St. Vincent and the Grenadines.

Mr. Speaker, we have one of the most progressive and enlightened Constitutions. Mr. Speaker, we have one of the most progressive and enlightened Constitution in the region and in the world. I know this task was not easy Mr. Speaker, because if it were easy, there are those who would have completed this a long time ago. I know the old NDP administration spoke about Constitutional Reform, and there are those before them who would have spoken about Constitutional Reform, it is an easy thing to talk about, a concept, an idea, but to get it started is a far different thing, and I must commend the Prime Minister for getting this thing together and making sure that this is done at this time.

It is a good Constitution. It is an excellent Constitution. It is a model for any country who is seeking to institute Constitutional Reform and I am told that there are several of our OECS countries that are seeking to revised their Constitutions, but we are ahead of most of them if not all of them thanks to the herculean task performed by those whom God has sent here, fashioned for us a Constitution worthy of the people of this country, and worthy of a yes vote. I learnt that Jamaica has been trying since 1976; St. Lucia has been trying, Grenada has been trying, Antigua and St. Kitts have been trying, Trinidad and Tobago have been trying, Barbados also, but here we are little St. Vincent and the Grenadines out front with this initiative thanks to those who have been able to achieve this great undertaking. Sometimes we do not appreciate what we have, and we take things for granted. Sometimes it appears that the only talent we have, that God has given us is the talent of destructive criticism, because every man becomes an expert in everything but yet, when they are put to the task they cannot do it.

The process Mr. Speaker has been an excellent one. The process has gained the respect and the admiration of the whole region. It is a case study that students, scholars, academicians, professors can refer to, go and see how St. Vincent did it, transparent process. A process that took our CRC Members to the far reaches of the world, in Canada, they went to Montreal, Winnipeg, Calgary; the United States, they went to Washington, Philadelphia, Boston, New York; in the United Kingdom they traveled to High Wycombe, London, Coventry, Luton, Redding and Peter Borough; they went to Barbados, they went to Trinidad and Tobago, BVI, the University of the West Indies at Mona Campus, at Cave Hill Campus, at St. Augustine Campus and to Ciago de Aviva in Cuba, wherever our people are they had gone there to canvas their ideas, twice in order to make sure that there is an input by all our people wherever they were scattered in the Diaspora. They have had a number of promotional activities. They had calypso competition, they have advertisement; they had left no stone unturned. They have gone to about 28 different schools, in order to hold town hall meetings in order to explain what this Constitution is all about. Broadcast live on radio, on television so that those who come with this nonsense and say oh, we do not have enough time we should put it off, I tell you, procrastination is the thief of time, it is like the school boy, who started his work at the beginning of the year and laid it aside never bothered with it, and when exams comes he tells the teachers that he is not ready for the exam, he must put off the exam. We have to make sure that our people if they fail to prepare well they must be prepared to fail.

Mr. Speaker, we have before us the product of six years, almost seven years in the making and when I hear those people are talking about, oh why are we rushing it, why do not we put it off and give more time, I say Lord have mercy, if these folks were in Egyptian bondage at the time of Pharaoh, they would have still been

there asking for more time, and let them serve bondage a little longer. They would never have enough time, if it were ten years; they would say the same thing. Thank God for a Moses who can stretch his rod out, and lead God's children from Egyptian bondage to the Promise Land, let us go forward Mr. Speaker. We have had enough time, we have had enough discussion, it is time to move forward, and we should not permit anyone to keep us back, this is action time.

Mr. Speaker, we have a Constitution that is a noble piece of work, and I particularly like the introduction to the motion:

“Whereas the peoples of the islands of St. Vincent and the Grenadines, who are known as Vincentians, having affirmed that there nation is founded on the belief in the supremacy of God and the freedom and dignity of man.”

What noble words! You would have thought this was penned by Alexander Hamilton or James Madison or John Jay, those who wrote the Federalist papers under the synonym name of “Publius”. But this is a homegrown thing, that we are recognizing from the very start that notwithstanding the genius of our people that we are still under the belief of the supremacy of the one who is creator of heaven and earth, maker of the visible and invisible. It means that no matter how learned we are, it does not matter how much we have acquired, it does not matter how prosperous our nation is, it humbles us to think, that there is one to whom everyone of us must give an account for with the breath of his nostril he can designate this country and bring us to naught; so that when we acknowledge, when we come to believe the supremacy of God. It is a humble aspect of our moving forward, because we will know that whatever we accomplish, it is not only of our making; because except the Lord build the House, they labour in vain that build it. Except the Lord keep the city, the watchman worketh but in vain.

And it speaks about the dignity of man and we have to respect every one of our citizens, no matter how lowly, no matter how poor, no matter how rich, because we are all made in the image of God and because we are made in God's image, we have to show dignity and respect to our fellowmen. And that is why I speak so much on behalf of the poor, and those who sometimes are thrust aside, those who sometimes are trampled upon because I know what it is to be poor. And those who have not had that experience, those who were born with golden spoons in their mouths, would not know what it means because have never mingled with the masses, mingled with the poor, but we have to respect and accept each one, rich or poor, high or low, black or white, we are all made in the image of God and therefore this nation is founded on the belief in the supremacy of God and the freedom and dignity of man.

Mr. Speaker, we cannot help but to reflect on all who have dreamt of this day, when our fair land Hairouna will be fully independent. Our national hero, Paramount Chief Chatoyer, struggled and gave his life for the independence of our country. We have men as George Mc Intosh who struggled with the masses in order to liberate our people and bring a measure of independence to our country. We have Ebenezer Joshua who in 1951 with the Eight Army following George Charles enlightened the masses as to their political clout that they had and where we ought to go. And we have Milton Cato, the founder of this nation. All these people long to see this day, and would have rejoice to see it, but they all died in faith, having not realized their dreams, but having seen them afar off to use the words in the Pauline Letter to the Hebrews with some paraphrasing, and were persuaded of them and embrace them and confess that they were strangers and pilgrims in the colonial

land, but they desired a better country, better Constitution, a homegrown Constitution, one that they could call their own.

Mr. Speaker, I feel the spirit and the presence of these our political forefathers are in this place, and we listened to two speeches yesterday and they were as different as chalk to cheese from our two leaders in this House. Those who have fought valiantly for the full independence of our country must have listened to the one who is wearing their mantle and as the Prime Minister spoke they must have said, this is our beloved son in whom we are well pleased, hear ye him. But when the Leader of the Opposition spoke, I am sure they must have shown their disgust and when the Leader of the Opposition said, that there were those who were sucking their teeth, there was nobody here sucking their teeth, it is the spirit of our ancestors. It was our leaders who had come here and when they listened to the nonsense they were sucking their teeth, because certainly they were embarrassed by that kind of presentation.

Mr. Speaker, down through the ages our forefathers saw a truly independent St. Vincent and the Grenadines as their desired home. Under colonialism they sat by the rivers of Babylon, and they hang their harps on not the willow tree because we do not have willow trees here, but I would say gumbo-limbo trees and when their colonial masters required of them a song and mirth, they cried and they said how can we sing our song of independence in a strange land. Today, we should be singing redemption song that at long last we have a Constitution that would sever the last link of chain on our feet and cut lose the last string of our umbilical cord from our colonial masters. But those in the Opposition can sing no redemption song; they want to remain with the colonial masters. They are those who wish to linger long at the table of their colonial masters so that they can eat the crumbs, when we are welcoming them into the banqueting hall to sit down feasting at the table of independence, full independence of our country. They are opposed to this Constitution, they want us to linger a little longer with the colonial fetters on our feet and our hands, those men of old who gave everything even their lives for the independence of this country is a noble gesture that we must follow and I will not permit the son of any haberdasher to tie my feet any longer to the colonial masters, set me lose. And my Vincentians I will bring the message throughout the length and breadth of this country that we want our full independence and we are not going to listen to the naysayers, we are going to vote yes for this Constitution.

The Leader of the Opposition and those who want to reject our homegrown Constitution, they have no communion with the masses of the people, having been born among the elites of this country with a golden spoon in their mouth. The Leader of the Opposition has no kindred spirit with the masses. [Interjection] You do not deserve it. He does not understand the groanings, the yearnings, the cry for complete independence. There is no communion and no community between him and the masses. He is not the proud heir of Chatoyer, Mc Intosh or Milton Cato, his speech betrays him. After listening to the Leader of the Opposition yesterday, I realized that his bombastic, obstructionist, negative mutterings said nothing to inspire our people, nothing to lift their spirit, nothing to cheer their souls, nothing to brighten their path, nothing to raise their sight or to provide them with a clear vision of leadership, nothing but a doleful intellectually bankrupt speech that contrasted starkly with the inspiring and uplifting words of our Prime Minister, who having come from a father who was an estate worker and blessed with intellectual and leadership qualities. One who has been beaten by the anvil of experience forged in the cauldron of struggle has proven his metal to lead this nation.

The Leader of the Opposition in opposing this Constitution says he is guided by some noble objectives which have not been achieved, some noble goals which have not been achieved, and what are those noble goals?

Mr. Speaker, on July, 17th 2007 when I made the error in seconding the Motion before the House dealing with Constitution, I made the error because the Leader of the Opposition said he wanted to second the Motion, he seconded that Motion, but ten days later, I believe that there are those who have been saying why would you make Ralph look good, why would you try to give the ULP a feather in their cap. I tell you the truth, Mr. Speaker; there were no other time in the history of the Leader of the Opposition when he acted as a Statesman and with great admiration throughout this country as in the early years when he gave bipartisan support to the measures dealing the Constitutional Reform. But I do not know what got into his head, or who or what are his advisors, but the noble goals that he speaks about he referred to them in a letter to the Prime Minister as to why he would not participate any further, and listen to the noble goals, “in these circumstances, he said it is high time (1), to get the report of the Supervisor of Elections, for the 2005 pole. (2) That Senator Francis publicly explain how he got access to the number of Syrians who voted in the 2001 and 2005 elections for the late Michael Hamlett and Senator Francis. (3) That the ULP Billboards be dismantled and (4) that Rodney Adams, the Supervisor of Elections resigns his position. These are the noble goals which he said prevented him from participating any further in the Constitution. What noble goals?

Mr. Speaker, after the Leader of the Opposition realized that he was ridiculed up and down the country, because these are not goals in which to desist from your support of the Constitutional process, these are absolute nonsense. He realized that he had to get other excuses, not reasons, excuses, and the reason why I addressed my remark, Mr. Speaker, mostly to the Leader of the Opposition, because it appears that the others do not count because when he supported the Motion, all of them were very vocal in their support and the very day he dropped his support then they all turned around, and say what the leader say we have to do, they no longer support. They did not care about the triviality of these things and there were none who was willing to write his name in the profile of courage and stand aside and say that we have started a good job and we will continue it.

Mr. Speaker, the Leader of the Opposition says among other things that he is opposed to the increase of the elected seats from 15 to 17. This was not a big issue to the Leader of the Opposition until very lately, as he began scrambling around and seeking for an excuse why he should not support the process in the House. Because this is what he said, and I am quoting from the Hansard:

“Inter alia, we may quibble over the numbers as to whether it should be 27 or 30 or whether it be 25 but the reality is Mr. Speaker, that we can in fact have a list of persons (and of course, he went on to say how he is opposed to NACE and what not), we can have a list of persons who can be elected to this Parliament on the basis of Proportional Representation and for me, Mr. Speaker, the Members on this side of the House and I understand the Prime Minister that this is not a matter for further debate. I was disappointed Mr. Speaker, because I had assumed that when the parliamentary sessions were held with the review committee that there was an understanding on their part that the proposal in relation to NACE and this was not acceptable and therefore I did not expect the report to reflect what it now has. Mr. Speaker, when I look at the mechanism outlined for the election of civil society...”

And he went on, but he said we will quibble. It was not any big deal. So if you are going to quibble about something, why is it now a matter of such grave importance that you are saying that you cannot support this because you do not want to go from 21 to 27 seats, and changing the constituencies from 15 to 17.

Mr. Speaker, let us look objectively to the situation that obtains in the other OECS countries. Mr. Speaker, we have had 15 seats in our elected Members and 21 seats in Parliament since 1986 and coming to elections of 1989. Prior to that in 1951 we had 8 seats, in 1961 I believe we had 9 seats, we increased that by 1; in 1972 we had 11 seats, in 1974 we had 13 seats and then in 1986 we decided to go with 15 seats. So that from 1986 which is 23 years now we have not had an increase in the number of elected seats, the longest period in the history since adult suffrage. For 23 years now there has been no increase, and if there is need for an increase at this time and there must be, because if within the period of ten year period you increased it by 2, since 1986, there has been no increase now what is the reason, I have heard the Opposition saying we are not for any increase. What is the reason? They have not given any reason. When we look at the small country like St. Kitts/Nevis, they have 14 Members in their Assembly with a population of about 50,000; 14 Members, less than half the population of St. Vincent and the Grenadines, yet they have 14 Members, 11 elected and 3 nominated. Fourteen Members with half the population of St. Vincent, accordingly, if we should extend that then we should have no fewer than 28. And there is a Nevis administration which is additional seats. When you look at Grenada, Grenada has 15 elected Members and 13 Members making it 28 and Grenada has a population about the same or little less than us, 28 Members in their Assembly. We are striving for 27.

When you look at Dominica with a population about 72,000, they have a unicameral Parliament with 30 Members, 21 elected and 9 Senators. And so, Mr. Speaker, when you look at St. Lucia they have 17 Members in the House and 11 Members in the Senate. So you can see that we have the fewest number of seats in proportion to our population. So it baffles me as to why the Opposition would say for 23 years we have not had an increase but we do not want any increase now. Mr. Speaker, the truth is and if the Opposition Leader would tell you the truth, he has been motivated by nothing except politics. This specter of an election next year haunts him and when I read in the Vincentian Newspaper, dated the 28th of August, 2009, the interview by Kenton Chance it only drives home the point that the Leader of the Opposition has no principled position for opposing this Constitutional motion. Because I will read what he says here in the interview: He says:

“Politics, politics, he said that Vincentians would no longer vote just for the Constitution, they are going to vote for who they want to see as government after the next elections. That is going to enter an affect this vote, he said, he believed that if the Constitutional review exercise had gotten to this stage at a time when it was not close to the end of a political term it would have been different.”

So it is not any principle that you have, that you are saying on the basis of a principle, you are looking at the specter of the election, it is haunting you because you know, that come the next election, you would be a defeated candidate and a defeated party and you would be outside of this House. He said if nobody would be watching down the road to see how their polls look, you would have had much more occasions for compromise, if nobody was looking down the road to see how their polls look, you would have much more occasion for compromise. So if you are saying that had it not been for the elections we would have had compromise, then do not come and say that you have this ultraistic principled position, when you know in your heart of heart that it is the election bothering you. What deception that we are being led into here!

Mr. Speaker, [Interjection] No, he was speaking to Kenton Chance for himself. He was speaking for himself. I am glad you said that. No, but it is quite obvious if he talks so many times about the election in this interview. Then he says in addition to that it is very difficult to get 66%, 2/3 of the votes in St. Vincent and the

Grenadines, noting that the NDP did not get 2/3 of the votes when it won all of the seats in 1989 election and so on, and he referred to the 2/3 election all the time. What the Leader of the Opposition is saying, ah hoping, that if they could obstruct the process by preventing the government from getting a two-thirds vote for this referendum that he would claim a moral victory and that would somehow boost his standing in the polls to go on to the election. But if it is two things you are not going to see is that and God's face.

Mr. Speaker, the people of this country would not be fooled and I asked those, because there are some people who trust my credibility, and I have more credibility in this country more than you and that is not nonsense, I have more than you, whoever said nonsense. No, no.

HONOURABLE MR. SPEAKER: You have 10 minutes to wrap up.

HONOURABLE SIR LOUIS STRAKER: What are you saying, Mr. Speaker?

HONOURABLE MR. SPEAKER: 10 minutes.

HONOURABLE SIR LOUIS STRAKER: Mr. Speaker, the Leader of the Opposition says that he is opposed to the PR allocation because when you get to 50%, and 1, you get two votes. Mr. Speaker, it is quite natural that when you get more than half the votes you will get more than half the seats, and it does not work for those in the ULP alone, it would work for you too, but the Leader of the Opposition has this mentality that he is the Opposition from now until eternity so he would never be benefited by the benefits that are coming here.

Mr. Speaker, the Leader of the Opposition says that he wants a president elected by the people and I have heard... I am sorry that he is not here; maybe I should not say it seeing he is not here. I heard the Member for the Northern Grenadines talked about in the past few weeks he has been reviewing Constitution from all over the world. Now, we have in our midst people who have studied Constitution far in excess than the two bits knowledge that that the Member for the Northern Grenadines could have cramped into his head in the past two weeks and we have been guided by these people, men of scholarly ability, men of experience, erudite in their training and they have said, and we have a document here...

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker...

HONOURABLE MR. SPEAKER: Yes, Senator.

HONOURABLE ST. CLAIR LEACOCK: Point of Order, Mr. Speaker, the Honourable Member for the Northern Grenadines is not here but you are speaking about...

HONOURABLE MR. SPEAKER: Just a minute please...

HONOURABLE ST. CLAIR LEACOCK: Let me speak; please... let me speak please.

HONOURABLE MR. SPEAKER: Wait, wait, no, no, you do not have to shout that across, I am still in control of here, let me do that. Honourable Members allow him to make his point; he stands on a Point of Order please allow him to make his point. All right, Sir.

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker, I simply want to make the point in the Honourable Member's absence that he is a person with a PhD in political science and eminently qualified, one does not want

to go the academic route but far more than the Honourable Member on the other side and it is really out of order to be speaking about his and uncalled for, to be speaking about his qualification to be a too bits nature. It is really, it is absolutely not the way to go, the language is uncalled for and he is disrespecting the Honourable Member. That is the point I am making.

HONOURABLE MR. SPEAKER: Honourable Member I see that in a different light. I just thought that he was just making the point, okay, that just a couple of weeks, you read Constitution and there are persons here who have been dealing with this matter all the years of their lives and they would have known... and you see the thing about it is that there are times when we like to use picongs and then there are times when we object to picong when we think the picong does not favour us, and [Interjection] I am not saying that, I did not say that, I am only saying that there are times when we like to use it, and a lot of things have been said here and I view it in that context of just a question of picong and you use it sometimes, and at least you use it more than anybody else. So please do not ask that we tight up on these things eh? Good, Fine, all right, okay.

HONOURABLE SIR LOUIS STRAKER: Mr. Speaker, in the interest of time, let me try get to the conclusion. There are two basic questions which we are faced with at this time. 1. Is the proposed Constitution better than the current one? If the answer is yes, then why are we fighting something that is better, to bring in a better regime, than the one we have; and 2. If the Opposition is serious that there is too much power concentrated in the hands of the Prime Minister in this Constitution then why are they fighting to have the old Constitution in which he has more power to remain in effect? They would be better off fighting for a new Constitution that has distributed and defused the power of the Prime Minister and move on with that.

Mr. Speaker, much has been said... and I wish could get to it but my colleagues would deal with other points in the absence of the time I have, the Leader of the Opposition referred to many substantial changes as cosmetic and no, you could not seriously, election bothering you man. Mr. Speaker, he has been given substantial, well not he, the office has been given substantial power under this new Constitution. But I believe that the Leader of the Opposition does not want any additional power in the Opposition. We know the story about the man that Jesus gave ten, five and one talent to. And the men with the ten and the five invested their talents and they brought profit to the Lord, the man with the one talent came back and he said Lord I know you are a hard man and I took your talent and buried it. The Leader of the Opposition has been given one talent as the Chairman of the Public Accounts Committee and he buried his talent, he has not called any meeting, he has not used it so how could his Lord give him more talents with additional power in this Constitution.

Mr. Speaker, this is our country, this is our finest hour; this is a time... no I know, I leave the particulars for those, I wanted to get the generalities of things, I could have gone through everything, nobody knows this thing as I do. No, but I want to talk about you, I answered your questions with the voting and so on, I have them all here but I do not have the time, but I wanted to get to you, I wanted to enlighten the people what you said and how it does not fit in. I wanted to expose you.

Mr. Speaker, we have some major invocations in the new Constitution. The Prime Minister and those who spoke before have talked about them, and I could talk about them. I have enough notes here to speak about them. But Mr. Speaker, we must lead our people to a brighter and a better day, and we can only lead them with truth and in the part that would bring progress for our country and prosperity for our children. As we move into this period of campaigning, I would be speaking in every village and in every town about the virtues of this

Constitution which I have gone through with all my notes in it, and I will be speaking to the specifics of the Constitution. We need not go through the same specifics here, one after the other because we would be saying the same thing, but I wanted a different track, and I trust Mr. Speaker, that there is some poor soul on the other side who would have seen the light of day and recognize that this is the time, that they probably would never have another occasion when they ought to be good patriots and vote for a Constitution that is one of the most enlightening, one of the most progressive in the region, strike a blow for freedom; strike a blow for full independence and let those who have carried the torch before pass on the torch to men and women who are worthy of carrying the torch and leading our country to full independence.

I pray Mr. Speaker, that those who are listening to me by radio, television or other modern means of communication would have seen that this Constitution is one that is worthy of their acceptance and do not be misled by those who come and tell us that what they have here is just cosmetic and that the people whom we have called the luminaries in law, like Dr. Francis and Parnel Campbell, and the luminary in political science like Dr. Gharny have come here and wasted their time and have produced something not worthy of the best of our Caribbean civilization. I trust that our people would vote a resounding yes for this Constitution and that we all would rejoice in that. Thank you, Mr. Speaker.

HONOURABLE MR. SPEAKER: Yes, Member for the Southern Grenadines whenever you are ready.

HONOURABLE TERRENCE OLLIVIERRE: Mr. Speaker, Honourable Members when the Constitutional Reform Bill was first brought to this Honourable House by the Honourable Prime Minister and it was seconded by the Honourable Leader of the Opposition, as a student of history, a teacher and a Member of this Honourable House I could not help but thinking what a historic moment. It bought to my mind something, you know, from a heading of a chapter from an old West Indian Reader, and it said, the chapter was ‘Men who Made History’, and Mr. Speaker, I remember thinking what a golden opportunity of historic importance not only the Members of this House, the Parliament of St. Vincent and the Grenadines and civil society has in order to craft a Constitution that is uniquely Vincentian.

Mr. Speaker, it had afforded us the opportunity to enact laws that would govern our country, and deepen our democracy and what better way to have deepen democracy of St. Vincent and the Grenadines where the Government, the Opposition and civil society would have been working together to come up with such an important document. Mr. Speaker, I see it as opening new frontier to have had the opportunity to have gone where no other parliament, parliamentarians or country would have gone before, to come up with something that is bold, innovative and fresh.

Mr. Speaker, I have sat at different meetings of the whole House and listened to the deliberations and I believe in winding up phase I said that I felt heartened that this process was taking place when I was a Member of this Honourable House, and you know, the pleasure I had talking even though it was briefly, with some of the persons who had the responsibility in helping us to craft a new Constitution.

Mr. Speaker, I had envisage that we would have take our time and we would have made sure that we did it right, because it is not very often that you get such opportunity that get such opportunity to go about crafting your Constitution, and you cannot wake up tomorrow and seeing that there is something in there that you do not like and set about to change it that easily. I believe Mr. Speaker, we began looking at different Constitutions,

trying to assess the strengths and weaknesses and trying to make modifications in order to suit our own needs, Mr. Speaker, and people began to bring their ideas and innovations and at that time I thought we were ready. We were ready to set about to craft a Constitution that is uniquely Vincentians and I thought at that time in the vanguard of Constitutional Reform in the region.

Mr. Speaker, however, it seemed from championing the causes are the reasons for Constitutional Reform. We went from being in the vanguard to arriving at a document which I felt is not far reaching enough, Mr. Speaker, so that the people of St. Vincent and the Grenadines at the end of the day could say we have come up with something that is unique and is truly one, which Parliament, total parliament, government and Opposition and civil society would have delve in and come up with what is best for us in St. Vincent and the Grenadines, and I think somewhere along the line we missed the mark, and places like Belize, you know I was quite surprised, I came to Parliament yesterday and in reading the parliamentary magazine, the Parliamentarian, and when I read it I noticed that there was some initiative which was put forward by the Opposition which was rejected, those measures which were bold and innovative are being adopted by Belize in their Constitutional Reform.

Mr. Speaker, on page 303 it is entitled political and Constitutional Reform in action, and it tells us of the measures Mr. Speaker which have been put forward in Belize in order to make sure that they craft something that will suit their citizens, and Mr. Speaker, yesterday Dr. Friday, in his debate he made mentioned of one aspect of it, and that is term limits which we agree to. Mr. Speaker, and which is not a part of this document, and we on this side of the House, Mr. Speaker, we believe that this will go a long way in reducing the powers of the Prime Minister, and Dr. Friday dealt with some of those reasons yesterday as purported by the Belizean Prime Minister and we go along, we support some of the ideas and as part of the debate, we on this side of the House was saying some of the same things and what is needed. Because here we are also we are touting we are talking the education revolution which is happening throughout this country and yet, as if we saying somewhere along the line that we do not have faith in our young people, that we do not believe that the number of young person's we are sending out there can also rise to the challenge and return here in order to Prime Ministers and represent and lead this country. And if we are part of the proponent of the Education Revolution then we should send the message to our young people that we believe in you, and we believe that you can do it, and you too can return to this country in order to lead and help carry this country forward, Mr. Speaker. And you know it brought me back...

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, my honourable friend has given way. In the process of enlightening the debate would the Honourable Member indicate that if a term limit means an automatic, not having term limits mean an automatic continuation of the office of one person in the Prime Minister's job? Does that mean a bar to other people? Do we not have elections? I want to ask a simple question. And similarly, the current Constitution which has no term limits, you wish to have it retained, so I would like in the discussion would you please answer those for us?

HONOURABLE TERRENCE OLLIVIERRE: Mr. Speaker, I understand what the Honourable Prime Minister is saying, but what I saying, Mr. Speaker; Mr. Speaker, we have to motivate our young people, I am not saying if we do not vote for this Constitution that we do not want one, and we do not need one, but what I am saying it is not far reaching enough in order to motivate our young people and to make sure that they understand that they also have the opportunity, even while studying abroad in the various fields that they have that they too can come back and play a meaningful role in the development of St. Vincent and the Grenadines

even as a Prime Minister, so you do not have one person who will be there four, five terms thus limiting their ability in order to lead this country and that is the point I am making, Mr. Speaker.

You know I have heard yesterday that, you know, it was made by someone I cannot remember who that in becoming a Prime Minister in St. Vincent and the Grenadines that by that time in your mid 1950's heading for your 1960's and all those kinds of things like that, so what are you saying to our young people, you cannot have a young Prime Minister in St. Vincent and the Grenadines. That is what you are saying, that you have to wait until you reach that age in order to excel to that office, and is not that colonial in thinking. Well, Mr. Speaker, so we have to make sure that whatever we craft, Mr. Speaker, speaks to the development of St. Vincent and the Grenadines, and every citizen of St. Vincent and the Grenadines know that they equal rights and the same opportunity as every other person, Mr. Speaker.

Mr. Speaker, also in that magazine I will term it the... and I know he is going to deal with it, but I will call it the Honourable Senator Leacock's initiative, because... it states Mr. Speaker, and I will read it before I comment on it, it is on page 34 item four, and they are seeking to introduce a system to allocate funds fairly to all elected representative whether government or Opposition to enable them to better serve their constituencies. That is in Belize, and Mr. Speaker, I can stand here whole day and talk of the ramifications of being an Opposition Member of this House without any funds to assist and help and serve a constituency, Mr. Speaker. There are times you meet the poor, you meet the young who want to excel educationally, you meet your constituents on a daily basis who all sorts of problems and you have no funds in order to help them solve that problem, Mr. Speaker, and you know from time to time you have to bring those to the parliament from time to time hoping that they would be addressed or like me, I call the Honourable Prime Minister and I say this is the problem and we have to address it and he gives a listening ear, yes, and he address them at times, yes, but I saying that a representative should be afforded such opportunity in order to serve his constituency and this should be part of the Constitution. It should be there. So Mr. Speaker, this issue should be addressed, it should be addressed in the Constitution, because it is fundamental, Mr. Speaker, for each parliamentarian serving his or her constituency you know, some attempts were made, but the other issues that I have...

HONOURABLE MR. SPEAKER: Honourable Members, Honourable Members, allow the gentleman to make his presentation, too much disruption. All right, go ahead.

HONOURABLE TERRENCE OLLIVIERRE: Mr. Speaker, I sat here yesterday and I heard references being made to what the Opposition wants and what it does not want, and Mr. Speaker, it was saying that if we do not vote for the Constitution then we do not want a president that is not what we are saying, we on this side believe that it should be Constitutionally changed, as I said at the beginning this is what all of us were fighting for, that is what we wanted, you know, it would not have been a better day, when both Opposition and government would have gone throughout the length and breadth of this country with a common theme and urging our people to vote for a new Constitution and that is what I believe all of us in this Honourable House wanted; we all wanted that Mr. Speaker. I have heard different Members on the other side saying if you vote no, you would not have a president. We are not saying that, what we differ with is the way that this person, the way that the president comes to office. And even though he is elected that does not mean that he is a executive president, and I believe the Leader of the Opposition has a noble way, I think, in which a president can come to office in St. Vincent and the Grenadines, and that will make that office more independent and I believe that is what we are all striving for. That is what we are striving for and in the debate he explained his point, he

explained his measures and I know that he will continue and he will bring that issue to the public as the debate after we leave this parliament, it will go on and he will elucidate more on that point.

DR. THE HONOURABLE RALPH GONSALVES: If my honourable friend, Mr. Speaker, I have heard two sets of contributions, one in select committee by the Honourable Member for the Northern Grenadines on this innovation as it is called, of the directly elected president sharing certain powers which the Prime Minister currently has, I heard it on the floor of the House but I do not yet know what these powers are to be shared, and since it was not done by the other two spokespersons and no document has been submitted, could the Honourable Member for the Southern Grenadines educate us as to what the powers of the president which is directly elected would be, what are all these powers, which the Prime Minister has which you would now put in the hands of directly elected president. And while you are at it could you please say whether you support term limits for the Opposition, the Office of the Leader of the Opposition.

HONOURABLE TERRENCE OLLIVIERRE: Mr. Speaker some of these powers would be... and I believe some of them were mentioned by the Honourable Member for the Northern Grenadines where heads of departments, permanent secretaries...

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, one set says that the president would appoint permanent secretaries and heads of departments, so that the Cabinet Secretary for the Prime Minister and all the Permanent Secretaries would be secured appointed by the President from one party whereas the Prime Minister from another party is in office and would that not be gridlock? Tell me where else in the world it exist? You know, these half bake ideas, let us get the specifics?

HONOURABLE MR. SPEAKER: Let us allow him to make his presentation and we can probably respond to them at an appropriate time or else we will be here all day.

HONOURABLE TERRENCE OLLIVIERRE: Mr. Speaker, some of these measures came out in the debate and as I said before others and more will come out in order to... the... where you get the views of the Opposition.

Mr. Speaker, I sat here during the committee of the whole House and you know references were being made to the size of constituencies and I know within the Constitution you have a measure which is put in place dealing with geographical locations and communications and things like that in order to allocate constituencies, but just per chance I was going through the Trinidad and Tobago Constitution and when I reach at schedule 2, section 72 I saw a very, very important measure there which I think would be useful to us, because it seems that sometimes we have two seats in the Grenadines and at times we are being chided because of its size and all sorts of reasons because of the size of the population in these islands; and we all know of the difficulties sometimes the people of the Grenadines face in trying to get proper services and things like that. But Mr. Speaker, in terms of constituencies, I believe that just as in Trinidad and Tobago it should be enshrined in our Constitution that you should not have less than two seats in the Grenadines and it should be put in the Constitution. It should be there, a measure to ensure that the people of the Grenadines know that they are not left out and despite their size they would be afforded proper Representation because of the difficulties of traversing between these islands, Mr. Speaker.

Mr. Speaker, [Interjection] but I am not saying it is going to change, but I said the comfort is if it is there, let it be there, Mr. Speaker, because reference is always been made towards the Grenadines, its size and number of seats in reference to people on the mainland but we should take into consideration the peculiar circumstances of the islands of the Grenadines and put measures in the Constitution to make sure that they are properly represented.

Mr. Speaker, local government I have seen page 131 of the document, and it reads:

“The Local Government system and policies for the Grenadines shall reflect the special circumstances of the Grenadines, and shall take into account the uniqueness of each of the communities in the Grenadines as well as the considerable contribution of the Grenadines to the national economy of Saint Vincent and the Grenadines. It will be appropriate for more autonomy to be afforded local government bodies in the Grenadines than those on the mainland.”

Mr. Speaker, this is a measure I agree with but it is not far reaching enough. Mr. Speaker, I have heard the Honourable Prime Minister said yesterday that the decision has been taken in order to craft Local Government measures after the Constitution is passed, but I am saying that we believe on this side of the House that something more concrete should be in here in order to specify what is going to take place Mr. Speaker.

Our Constitution it says has been founded on the belief of God and we talk about the freedom and the inalienable rights and all these sorts of things, then if that is so, Mr. Speaker, then why is it that you still have in place a fee, a dollar fee for people travelling from mainland to the Grenadines, and I believe, I know Mr. Speaker, that that is infringing on our Constitutional right and this ridiculous fee, a tax or whatever it is should be removed.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, I am grateful that my honourable friend has given way, or otherwise I would have risen on a point of order. Unless I could be advised to the contrary by my honourable friends on the other side, the Constitutional issue as to whether the fee within the four walls of the Constitution or not is still before the courts. The courts have decided on one matter, I do not know whether that matter has been withdrawn, I have not seen any document that it has been withdrawn or they just keeping it lying low. If it is as I know it is still within the courts it is wholly wrong for him to declare a conclusion on that suit, to make an assertion which would in fact be what the court is invited to declare. We just have to follow the Rules. The question of the relevance of that is another matter for the debate; I was not rising on that, Mr. Speaker.

HONOURABLE MR. SPEAKER: I agree with the Prime Minister, the matter is sub judice and we should not comment too much on it, unless we are advised otherwise.

DR. THE HONOURABLE GODWIN FRIDAY: He is not talking about the specific case; he was talking about the principle.

HONOURABLE MR. SPEAKER: Well you just cannot talk about the principle, I do not think without talking about the case. [Interjection] But, that is exactly what I would have thought, I mean I am no lawyer, but I guess the case is about the principle. I would rather that we do not speak about it under these circumstances.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, it is quite possible for someone to get up and criticize it, the administrative fee, but what is not permissible once the matter is before the court, for him to declare that it is unconstitutional. That is what he said. Because first of all, all laws are presumed to be Constitutional, there is a presumption of Constitutionality, and you have to rebut that Constitution and that is what they have gone to the court to do, and that is the simple point I am making.

HONOURABLE MR. SPEAKER: Let us avoid... let us continue with the debate.

HONOURABLE TERRENCE OLLIVIERRE: Mr. Speaker, I never thought what I had to say today would have been... you know, you come to this Honourable House, you are representing people, you are sharing the views, I am not only sharing my views, but when I come to Parliament, I talk to my constituents, they have their views on certain matters and how else can the matter... if I sometimes do not come here and tell you what they say sometimes you would not know what they have to say on these matters. So that is why I am here representing their interest. You understand?

Mr. Speaker, traveling on the boat from Canouan to the Parliament here yesterday there were quite a number of young people on the boat and I had... and they were asking questions. They were seeking clarifications; they wanted to know what this whole Constitution is all about. They need to know, Mr. Speaker. And some of the things which I have spoken about there today are of concern to them, some of them they agree with and some they do not agree with, do you understand, Mr. Speaker?

And the people throughout St. Vincent and the Grenadines, every time you talk to them, Mr. Speaker, the Constitutional Reform is of great importance to them. And the government and the Opposition... and I have always said in this Parliament has a role to play, so we need to listen to the debate on either side of the House in order to fashion something that will benefit our people and all I am saying is what most of the persons who have spoken into in the Grenadines, that is what they are saying. Because there was a consultation at the learning resource centre in Union Island and a whole host of questions were being asked. And some of the people they are not in agreement with some of the issues, some of the measures inside of the Constitution, and they felt that it has not gone far enough even to touch the peculiar situation of the people in the Grenadines, and these are just some of the measures, some of the things which I am bringing to this House and to the government and the drafters of the Constitution, Mr. Speaker. You understand? So in that light most of the people in the Grenadines they see nothing special in the Constitution as it relates to the Grenadines. You understand, Mr. Speaker. For us on this side of House we believe it has not gone far enough to break new grounds because once we have the golden opportunity, Mr. Speaker, in order to change radically, innovatively, that is the word I want to use, change our Constitution for the betterment of St. Vincent and the Grenadines. We have talked about getting; moving from our colonial masters yet some of the things which are here, still reflect that we are still holding on to some aspects of colonialism, Mr. Speaker. And other Members on this side of the House have dealt with that and I am sure that other Members in this Honourable House will continue to show you...

DR. THE HONOURABLE RALPH GONSALVES: On a Point of Order.

HONOURABLE MR. SPEAKER: State your Point of Order.

DR. THE HONOURABLE RALPH GONSALVES: The Point of Order, the Honourable Member is entirely incorrect that any Member on the Opposition who has spoken before has pointed out anything in the

Constitution that shows that colonialism continues it. I would like a reference to anyone before who has spoken on the Opposition for him to show that. It is an entire error for that to have been stated because, no such statement was made by either the Honourable Leader of the Opposition or Honourable Member for the Northern Grenadines absolutely not.

HONOURABLE MR. SPEAKER: Just a minute, he is going to respond, he is consulting.

HONOURABLE TERRENCE OLLIVIERRE: Mr. Speaker, a point that was made, Mr. Speaker, we moving from what, the Governor General to a president, still a figure head. And we have spoken about that Mr. Speaker.

HONOURABLE MR. SPEAKER: Let us... Honourable Members the Member should have finished his debate at quarter to one. Within all this he has about five minutes, time added, could you allow him for the next twenty minutes or so to complete his debate. It is obvious if there are controversial matters, we have a right to deal with them, but give him a chance for the next twenty minutes or so to complete his debate Honourable Member for the Northern Grenadines. Honourable Member you finished, you complete?

HONOURABLE GIRLYN MIGUEL: Be yourself. Be yourself.

HONOURABLE TERRENCE OLLIVIERRE: No, no. Mr. Speaker, the Honourable Minister of Education has just told me to be myself. I have been myself, I will always be, I know myself.

HONOURABLE MR. SPEAKER: Please, Honourable Members please, please, please, please.

HONOURABLE TERRENCE OLLIVIERRE: You know I am getting the feeling that...

HONOURABLE MR. SPEAKER: You have until one o'clock.

HONOURABLE TERRENCE OLLIVIERRE: ...as if you know what am saying, people on the other side of the House.

HONOURABLE MR. SPEAKER: He will be there until one.

HONOURABLE TERRENCE OLLIVIERRE: ...do not want to hear, do you understand, they do not want to hear another side, always interjecting, interrupting, you understand. The flow of thoughts being interrupted all the time, Mr. Speaker okay and you know, Mr. Speaker, with all that I have said, Mr. Speaker, and in relation to what was said in case of the people of the Grenadines, you know, we have no choice, even, well they say we cannot talk about it, but certain measures which we feel are against us then, we have no other choice than to vote no. Much obliged. Thank you.

HONOURABLE MR. SPEAKER: Honourable, you standing? You rising No, no, we have another one before lunch. Minister of Culture [Pause] you are ready, Minister Baptiste? All right you go ahead. Twenty-five minutes to one.

HONOURABLE RENE BAPTISTE: Much obliged, Mr. Speaker. Thank you, Mr. Speaker.

Mr. Speaker, Honourable Members, I rise today to join this debate with a sense of pride. I have never expected in all my years that I would have this opportunity, this privilege and this honour bestowed upon me by the

people of St. Vincent and the Grenadines in this historic moment to contribute to this debate for a Bill for a new Constitution for St. Vincent and the Grenadines.

Mr. Speaker the awesome nature of this exercise is indeed overwhelming. During the period that we were in consultation in the select committee of the whole House, sometimes I bit my lips because I was overcome by emotion when I looked at my former classmate, Dr. Francis Alexis, Q.C., and Mr. Parnel R. Campbell, Q.C., whom I had the honour and privilege to work with, to study with, at the newly founded University of the West Indies at Cave Hill, at the feet of Professor Andrew Carnegie, the discipline of Constitutional law. Those of us who came straight from High School and meeting these giants, we used to think we could out read them, stay longer in the library than they would, and finished much more work than they could. So because we were young we thought we were bright and smart. And we learnt from them. What is important and the reason why I set out in my opening to speak about the credentials of these two distinguished West Indian scholars of the law is to ensure that whatever we do we are standing on a firm and solid ground, something that will not find question in the international arena, but we will be looked upon with distinction and honour that the University of the West Indies one of our own creations in the Caribbean has spurn such scholars as these persons.

I had the opportunity as well to work with Parnel Campbell Q.C., in our honourable courts. As a matter of fact I was pleased to be an instructing solicitor in a Constitutional matter here in our honourable courts, and I also had that privilege to stand in the gallery of the Privy Council and look down below at 10 Downing Street and when you stand and you look down below at 10 Downing Street while you wait for the Law Lords to walk into the Privy Council something overwhelms you as a student from the Caribbean, that here you are where you have read about “Lord this” and “Lord that” making judgments and you are standing in the same gallery but you have come out of the bowels of the Caribbean and you have learnt this jurisprudence at the feet of these scholars, (because they were both tutors as well in Constitutional Law at the faculty of law.) And you sit there, you say yes, you are sound, you are well grounded, you have good background and you have a solid grasp of what you are going to stand before, the Law Lords that make laws for quarter of the earth’s surface. So these gentlemen that we see here, Professor Gharny I do not know very well, because he is a young breed, but I have had the opportunity to read his C.V. and I felt jealous because I said perhaps if I had stayed in the academic arena we would all be writing as fast and as furious as he does on new subject matter. And these people are respected. They came here joined us and we listened to them; the draft they before us in a number of the meetings it was a pity that there was no draftsman nominated from Her Majesty's Loyal Opposition.

Mr. Speaker, as a Member of this Parliament with access to other parliamentary literature, it is useful and it helps you to engage your intellect in searching and wanting to know more about what is happening in the other Commonwealth countries in particular and that forced me to go back to text books that I thought I would never read again, feeling that you have left them so far behind, and also to go back to notes that you had years ago, my old political bag I called it, an old red bag, and that old red bag had in a lot of documents, so that today, Mr. Speaker, I speak with the tongue of good report from the living experience of my parents and grandparents, who drilled me in the history of the 1940’s and 1950’s in this country; as a matter of fact, I should have been stillborn because my mother rolled down the steps, running out to see Rudolph Banes, she was eight months pregnant, and rolled down the steps of the House, and they were marching the 8th Army coming down Bay Street, she said, and everybody scrambled her up and said you will lose the baby. God knows exactly what he is doing.

They drilled me in what happened with the spontaneous ratio of the people of St. Vincent and the Grenadines with a parliament chamber meeting here with two tall police officers outside, and you dear not passed in front of the gates of this building. A conversation carried on within that the people did not know about or understand and so they run to Doc Mc Intosh. They drilled me in the formation of political parties, the PPP, when Herman Young with his trade union and political, when Milton Cato came back and Sir Rupert John and they formed the Labour Party. What Cato was doing in the federal house, our neighbours used to be whispering across the fence of what was happening in the Federal House. The rise of ET Joshua, and the fame of the academy of political science, the Market Square, Milton Cato and his Labour Party coming to the forefront, despite the brief experiment of flirtation of “Junta”, we moved to Statehood and then to Independence.

I had the good fortune to say to sit with Hudson Tannis of blessed memory and Milton Cato, when they called and asked could you bring, *'you just young pup,'* he referred to me as; I do not know if you called young lady lawyers young pups, but he called me a young pup, bring those Constitutions that you all just studied there at university from Jamaica and Trinidad and Barbados, Hudson and I want to start talking about Constitution for independence. My archives, I went through them, are filled with photographs and speeches of 1978 and 1979; even the photographs when they returned from England saying they have gotten a new Constitution coming down the steps at ET Joshua Airport, 30 years ago we were caught up this month with preparing for the celebration of the active independence, 30 years later we are in this hollowed chambers, we have matured, to draw with our own hands, the new supreme law of our land.

I give this framework because as I have said it was not something that one expected. I also draw on this breath of experience and my level of authority and knowledge that I have gained over the years. I have attended consultations that were held in West Kingstown and elsewhere in the first round with Mr. Campbell, he was there at Stoney Ground School and I travelled to New York, Canada and England during 2003 to 2007. I had occasion to address Vincentians and to engage Vincentians and listened to the questions that they asked about Constitutional Reform. They asked several questions, the main issue being the change from the monarchy to a republican status. We want a president, and no longer a Governor General and they always said with due respects to all the persons who have served in that honourable office.

They want a president but not an artificial or cosmetic president. Teachers, former teachers said what about the commission for the teachers, former trade union Member, said despite the fact that there is respect and convention relating to collective bargaining; can you all put it in the Constitution? Is it time to have more representatives in parliament? Is hanging, you are going to take hanging out of the law? Do get rid of the Privy Council and let us have our own final court in the Caribbean. Persons with US citizenship and Canadian citizenship, can we hold on to this, what if we want to serve? We know as much as you all know in St. Vincent, what is happening in our fair land, and by the way when the meetings are over ex-police officers would say, is it possible to change from police force to police service. In the programmes from time to time on radio, that I had occasion to anchor, I would make notes, and the technicians would always tell you that of the calls that came in and what people said, and the people were fully engaged, even if they are asking you something about a political matter, a constituency matter or something that somebody said, they would always ask what about this Constitution, or what does the Constitution say about this, six yawning years civil society got a breath of fresh air being involved in a matter of this magnitude.

Mr. Speaker, these things that have happened in the course of the last six years have never happened before. We never had consultation like this. Consultation used to mean some people will meet in somebody's chambers or office, closed the door, six people, get some juice and sandwiches and you have a consultation. This was on radio; everyone can turn on and listen. Everyone has the opportunity to speak, and call in, when we talked about consultation did we assumed they would be going to the United States of America, to Canada to England as you would have heard so eloquently put by the Honourable Member for Central Leeward. So in fact, the whole process is historic. The whole process was different and we have emerged after six years with this document that is on the table of this Honourable House. In my view it is a good sound and solid document. Not perfect, but show me perfect. I have two cemeteries in West Kingstown.

I will tell you what I find noble about this Constitutional Bill. 1. There is a patriotic cast over it. It seems to reflect what the people want to know, it reflects the views of a people. They say make sure you keep "supremacy of God" in there you know, all you keep God in the middle of it. 2. It was not crafted by foreign scholars, we knuckled down to the work. We drew on our own Constitutional scholarship and political science and political history in St. Vincent and the Grenadines. 3. The legal language in my view has been so sufficiently crafted and sooth in this Constitution, I make this point, because every discipline has its language, Maths has its language, accounting has its language and style, medicine has its language and style, Aeronautics has its language and style, so pilots have their language when they are going to land, they would not be saying "herein before and whereas", lawyers have their language and style, and so does the law. The enrichment of the political processes overall, the inclusion of independent institutions and functionaries. 4. The Constitution reveals a fresh and new spirit, a new sense of collective responsibilities of these institutions, and 5. The inclusion of the first time, nowhere in my search because I had to do some work alongside dealing with the Electoral and Boundaries Commission and researching on the referendum, nowhere can I find in any Constitutional document, in any Constitution the guiding principles of state policy. And we take it all for granted because we get caught up in partisan, political upmanship rather than looking at what the issues are and germane and what are the substance of the document before us. We must grow up and leave the colonial premises according to Barrow, now our joyful hearts must be pledged to St. Vincent and the Grenadines and under this new Constitution we can certainly pledge to St. Vincent and the Grenadines. First time you would be taking an oath to the people of St. Vincent and the Grenadines, is under this Constitution. First time; that is why we must vote yes and approve this Constitution.

Now, Mr. Speaker, I will make my case. What is new? What is different? Have the issues been addressed that were canvassed in the consultations? What we have before us is it merely stylistic? There is something positive about the tone that comes from this document; brave steps have been taken to move to a republican form of Government. I know some older persons said Republican are you sure, you want to go that way; because they had their own understanding of what Republican form of government means. And in those meetings that we had, lately we had meetings with the Adult Education Zone Five and Zone Six, we had meeting with women's groups at the Kingstown Anglican School, at the Largo Height Community Centre, at the Youth Department, they wanted to know what this Republican? What it really means? Can you show me where you all going to have it in the Constitution? And I was pleased to see in the preamble: And I quote Mr. Speaker:

“Whereas the Peoples of Saint Vincent and the Grenadines have been profoundly engaged in public consultations spread over six years beginning February 2003 in a process

designed to Reform their Constitutional arrangements so as to produce a genuinely home-grown Constitution truly rooted in their history, heritage and culture with the objective of ensuring a more secure Constitutional future for Saint Vincent and the Grenadines, under a Republican form of government;”

And republican form of government we have a president and you have the other institutions under the form of Parliament and the president is given certain powers. From the scholarship that is before us, and I like to speak as a lawyer, you are trained that you must always have your authority, when you are speaking in order to persuade the honourable court, and to persuade this Honourable House in this Constitution, what is the authority of the president? We have heard it said this president you just put a name there and truly the Prime Minister will still have this monumental set of powers. Who man would stand up and allow someone to put on clothes on him to call him a president? In this Constitution the president is elected by the representatives. Are you going to tell me based on the scholarship where the course taken by our drafters and with us in Select Committee having agreed that the learning says they are these republican forms of government where you have an elected president in Guyana. Then there is the midway portion that was taken by Dominica and now you St. Vincent and the Grenadines and even in Trinidad where you have the gradual process from the monarchical system to the republican system and so you move out from the monarchy to a president. In due time, after all it took 30 years for us to be here today, Mr. Speaker during the next 30 years we may find that we have the political maturity to move on to an elected president, elected by the people. But with an election of president as the head of state by the representatives, we are of course, when you are elected here are you not representing the people? We all supposed to be in this Honourable House representing the people. Is not that what democracy is all about?

A democratic state represents the will of the people, government by the people, for the people and of the people; so how something is going to happen with the election. Even the process that has been chosen and designed in this Constitution is for a parliamentary commission, that is what is new, a Parliamentary Commission working with a Speaker, with the composition of the Parliamentary Commission to come up with a person a Prime Minister and Minority Leader; before a Prime Minister did not have to consult with anybody about appointing a Governor-General. It is well known in our political history how that happens. Now you would not have that. Are you saying that the Prime Minister's powers have not been reduced that the reduction of his power to say I want this person is not different in this process? So then you are putting less store on what the Office of the Minority Leader may be, we are not dealing with personalities, individuals or characters, we are dealing with institutions that are crafted in this Constitution, the institution of Minority Leader and the institution of Prime Minister; and we have to learn to separate those issues and to put square pegs in square holes, and do not allow ourselves with our own ambitions to cloud what are the real issues. Put it before the people; let the people understand what it is about. Do not be so concern about what you know, and how you know it and how you feel. Say what it is. And what the real issue is.

Mr. Speaker, what is new and different about this Constitution apart from the parliamentary commission which I must touch on; the prerogative of mercy, we are all well acquainted with the provisions, and I make this assumption perhaps maybe incorrectly in relation to the exercise of the prerogative of mercy under the current Constitution and how it will be done now, with a Parliamentary Commission having their full functions, and this is something that is entrenched in the Constitution, it is not done by a statute sometimes later down the

road, the Constitution is your supreme law has placed it within its pages, so that when you have to deal with reduction of sentence, when you have to deal with issues of life and death, when you dealing with the parliamentary for the elections in the chamber and other functions that may be designated to the Parliamentary Commission. It is well spelt out.

We go on to the Integrity Commission, it shows that you can have an Integrity Act but the reason why it is placed here, it is yet another pillar within the Constitution that sets up how your Constitution would be grounding these democratic and political in some cases institutions.

Something else that has been placed within this Constitution which is different, new for us, the Electoral and Boundaries Commission it has been muted for years. We have had our university scholars write about independence of the electoral process where there could be less or any interference from the political directorate where you have established the electoral and boundaries commission with appointees from both political heads and appointed by the president and you have placed within the provisions of the Constitution that they are subject to no direction or control of anyone creating the independent institution, that is new in the Constitution.

For years we have had a Public Accounts Committee and the reason why I am familiar with this is that my mother spent half of her working life, thirty something odd years, she was in the public service and in the last fifteen years in audit. Public Accounts Committee, politicians would scream about it on political platform, now are we going to function. To make this Constitution work we are going to have to function. We have a Public Accounts Committee now where when you read it in the existing Constitution, you are there saying okay, it says you can do this, this person could be it, the Prime Minister names who he wants to name from this side. In this Constitution you have put in there in definitive language how it would be comprised, how it would be composed, what is the construct, what to the function and how it can function, how it will have its independence, whom it can summon, by what means it can summon. I sat on one where they tried to summon an ambassador. We are still waiting for the conclusion. We are still waiting on it. I have been on the Public Accounts Committee for the eight years I have been in this parliament. Now we have to function.

We have heard about the Ombudsman, well certainly that is new, because people come in our political culture, people come to politicians when they have to make a complaint about some public functionary, somebody in a public office and the first thing you will hear is political victimization. Get the politician to phone me and the politician says this and that politician says that. It is out of the hands now of the politician, it is in the hands of someone whom will be appointed by the... let me get the exact section here for the Ombudsman. I do not want to get it wrong, Mr. Speaker, where section 141, the Ombudsman would have this authority to deal with the matters that come before...dealing with administrative abuses, and when this comes before the Ombudsman, this individual, and I know from experience it works, because I have a sister in the Soroptimist who is an Ombudsman in Barbados, and she will explain to us how it functions, how the office functions, what is the nature of respect that is given to the Ombudsman, how the Ombudsman is able to bring solutions to the problems that people assumed have this large political content in it, that is not there anymore, Mr. Speaker, it is not there. You see we are building institutions you know. It is like everything else when they were reclaiming the waterfront, people used to say oh God, now the sea is going to come in when hurricane come. That was the view of the people in St. Vincent, Leyon Evans and Partners when they came here to reclaim that waterfront. All *yo* backing the sea when hurricane come, all *yo* go against the face of God, because we did not understand, what was going to happen, it was new engineering we were seeing. Now, who remembers that over there? Who

remembers the administrative centre of government is over there? So now that we are building this Constitution and we speak glibly about nation building but we now have the tools in our hands in this Honourable House we are now placed with the trowel and the shovel to build the pillars for a new nation. You are going to vote No to this; Integrity Commission, Parliamentary Commission, Minority Leader, electoral and Boundaries Commission, Ombudsman.

Mr. Speaker, one of the issues, I listened with care to the Honourable Leader of the Opposition in making his case, and my learned friend would know when you are making a case in court you even digress in order to compare and distinguished the case on its facts and how the case turns, what issues it turns on. This case turns on certain issues you cannot say, you look at the preamble and you do not agree, no mention of market value and the system for general elections. In the court of our training you have to be able to substantiate that this goes to the substance of the case and will turn the case on those points. You have to have more than that because these issues that you have brought, market value is addressed in law already, it is in the Compulsory Acquisition Act. So in the Constitutional section 30, Mr. Speaker, we simply, what we did, because we form in this Select Committee here a committee of the Attorney General, drafting persons and the practicing attorneys and myself, we sat down and we looked at the issues and you have to listen to the people who have the knowledge and the practical application of the law. It is not our wishful thinking. It is not a movie. It is not Gilbert Grissom writing something in CSI. This is the reality on the ground in the court. I know what I am speaking about because I was sitting with learned council when they were dealing with the Orange Hill acquisition so I am not talking here because I have a mouth. Section 30, protection from declaration of property in bold print I will read the section, Mr. Speaker.

30 (1) No property of any description shall be compulsorily taken possession of, and no interest in or right over property of any description shall be compulsorily acquired, except for a public purpose and except where provision is made by a law applicable to that taking of possession or acquisition for the payment, within a reasonable time, of adequate compensation, that is, compensation which in all the circumstances, in all the circumstances, (not some) is fair and reasonable to the person entitled to compensation and also to the State, without limitation as to the date at which compensation should be assessed.

Provided that the compensation shall be paid within twelve months of the date of the compulsory taking of possession or acquisition...

Mr. Speaker, I speak with authority again, having been involved in a case concerning the Central Leeward Highway I am not standing here and talking from a movie script with authority, living experience. So that I know what happened. This is not something because you have, I believe this is right, and this is so, institutions and a democratic state have rules and regulations, and you have to go by the rules and regulations. You cannot throw it out when it suits us. We have to abide by it, that is why you make laws, good governance and you have law and order and this is good governance. Because I know has happened especially in the Central Leeward case. How many people you had to be phoning to ask but when you think they are going to get pay, when you... this is the reality here, this has been in my view; it will go a very long way to cure that particular defect that people feel in the deprivation of the right of property.

The next matter that we go to is in relation to the elections and the system, composition of Parliament and elections. Now, Mr. Speaker, we said and it has been canvassed that you should have the number of seats. I hear the argument that the constituencies are not to be increased. We do not need to have this Constitution to increase the number of seats. You do not need it. They were increased from 13 to 15 without this but, Mr. Speaker, again living reality. The time has come. We sat here we listen, at one time the drafting committee even proposed a larger number and I think a comparative analysis was already done by honourable friend from Central Leeward, having the 17 seats and the 10 Senators elected. Yes, it is a novelty we will have here in saying that Senators are going to be elected, but even if it is a novelty for us, it is a new way of saying Proportional Representation will come with by 10 people who would be on party list. You know, it is for the first time, Mr. Speaker; you have the word political party in a Constitution, this Constitution. And I think the moment is escaping us in history what we doing. That all the things that the scholars, Professor Carnegie and Liverpool and all those scholars who thought Constitutional law, that these were some of the things that they thought of, how best we can make democracy more fair and more equal and more participatory, and we in St. Vincent and the Grenadines is setting the precedent today. Seventy years after the Second World War, seventy years after the Second World War; the Faculty of Law was founded in 1970. After all we must be, we must have the courage of our own conviction, Mr. Speaker. And this is having courage to go and tell the people; now it is our business to go and educate the people and do not tell them about what fashion I wear in the Parliament. Go and educate the people out there and tell them what Proportional Representation means, what it says in the Constitution, how the seats would be divided, how the 10 Senators would be elected, that you add all the votes together and there is a table in the Constitution laying out how the seats would be apportioned.

I hear the argument about mathematics, Mr. Speaker. I am not a mathematician, I do not exercise myself in those matters, but I take learning, and I listen to the persons with expert knowledge and this system has already been tested and tried mathematically, after all, are we going to go back to saying we are going to have 1989, we are going to have another road block. Are we going to have another road block?

Mr. Speaker, page 100, A party polling 10% plus one would be allocated one seat. A party polling 1% plus one allocated two seats, 30% plus one, three seats; 40% plus one would be allocated four seats, right down. At the time we only had eleven submissions and somebody raised the question what do you do with an independent? You remember the 6-6-1? And somebody went fishing and then came the Junta.

Now, subsection 12 says:

Where more than two parties and independent candidates contest a general election, and any party or independent candidate fails to qualify for a seat pursuant to subsection (3) of this section, the votes validly cast for that party or independent candidate shall be subtracted from the total number of votes cast for all parties and independent candidates, and the percentages which have been specified in subsections (3) to (11) of this section shall be calculated on the basis of the total number of votes remaining after the subtraction mentioned in this subsection.

It is here in clear language and I want us to be truly to our vow that we took in this Honourable House before you, to go to the people in all honesty and enlighten them about this electoral process that we are going to enter. Let us not be so worried or caught up in morrow if we will or will not be elected rather let us worry about

whether or not the people will have the best Representation possible in this Honourable. Let us worry about that.

Mr. Speaker, the other issue that I heard raise is that there is nothing dramatic in this Constitution. But I will tell you where is the drama for me. I will tell you where the drama is, Mr. Speaker. Do you know what is dramatic for me, having studied this year, I do not Campbell Q.C., has even thought about it, it would be 33 years, since we left the portals of law school.

HONOURABLE MR. SPEAKER: You have 10 minutes to complete your debate.

HONOURABLE RENE BAPTISTE: Yes Sir. Thank you, Mr. Speaker. Dramatic Chapter 2,

The people are the true political sovereign of the State; power belongs to the people. Therefore, the will of the people shall be the basis of the authority of government. The people exercise their sovereignty by the process of democracy through their Representatives and Senators in the National Assembly and through such other democratic organs as may be established by or under this Constitution.

That is dramatic.

(2) Subsection (6), every person has the right to participate actively in party politics, (remember how the Constitution read before) to join a political party of his choice and to hold and express political opinions according to his conscience, subject only to such limitations as are properly imposed by or under this Constitution.

Let me tell you what is dramatic is listing this. Paramount Constitutional doctrines, Mr. Speaker, one has to behave and work with the knowledge that you have and pass it on.

This Constitution is founded on and dedicated to enshrining the paramount Constitutional doctrines of –

- (i) The freedom of the individual balanced by the civic responsibility of the individual;**
- (ii) The rule of law;**
- (iii) The separation of powers, particularly the personnel and powers of the Judiciary from those of the Legislature (Parliament) and the Executive (Government);**
- (iv) Parliamentary democracy; and**
- (v) Good governance.**

And Senator Leacock amendment – economic development and social justice and I quote:

This development must pay due regard to the existence of constituencies whenever the annual estimates of revenue and expenditures are prepared.

That is dramatic. Show me a Constitution anywhere in the world that has that. Let us start with the Commonwealth Caribbean, it is not there. Next act, legal aid Clause 9:

In order to better to promote justice, Parliament shall enact legislation to provide legal aid (since I became a Member of the Bar 33 years, we have been asking government to do something about legal aid, here is the government's step, here is the people's step) to provide legal aid to indigent accused persons in cases where such persons may be liable to be subjected to capital punishment, (et cetera, et cetera, et cetera.)

Dramatic, "every person has the right of equality of treatment by public authorities". Dramatic:

"The state acknowledges the family as the natural basic unit of society. Consequently, the State accords the family recognition, respect, protection and support; asserting that men and women of the age of protection and support; asserting that men and women of the age of civil, legal and societal responsibility have the right to establish a family."

Do you want to tell me that is not dramatic?

"Parliament may make provision prescribing what status and protection may be accorded to comm. Law unions in the context of this section."

I know how many single parent households there are in this country. Dramatic.

"Political parties are obliged to aspire to having not less than thirty percent of the combined total number of persons whose names are included on the Party List submitted by a party in accordance with section 98 of this Constitution as women; and not less than thirty percent of that combined total as men."

Dramatic, show me a Constitution that has this. Adherence to regionalism and international law, you cannot talk the talk, you must walk the walk, and here are the footsteps of St. Vincent and the Grenadines.

Organs of the State and other public authorities shall adhere to and be guided by the obligations and commitments of St. Vincent and the Grenadines to regional integration such as in the Caribbean Community ("CARICOM") and the Organisation of Eastern Caribbean States ("OECS") and to applicable international law; while protecting the rights and benefits which St. Vincent and the Grenadines derives from such regional integration and international law.

Dramatic, Mr. Speaker Section 29, oh how we moan and bemoan; people write letters to the Honourable Prime Minister, constituency representatives say, he kill and cannot get hang dramatic, Mr. Speaker.

Proviso Section 29, protection from inhumane treatment:

Provided that Parliament may prescribe the infliction of other description of punishment including the description of capital punishment other than by hanging...

Subsection 4:

Parliament may prescribe relevant criteria for determining whether murder is capital, (first time, Mr. Speaker) on conviction for which a person shall be subject to the death

penalty; or non-capital, on conviction for which a person shall not be subject to the death penalty:

It is all laid out there, so how can we deny what is in writing that this is not something of substance, something of bringing a new stature to the people of St. Vincent and the Grenadines to real power of being a citizen. You have to vote yes for this referendum, because it says here in this Constitution provided that non capital murder shall be confined to murder committed in sudden passion. Provided that high treason shall always be a capital offence and we discussed this is our legal subcommittee that high treason may find itself in the new formulation of terrorism and terrorism acts.

On the trial of a person indicted for murder, if the jury returns a verdict convicting that person of murder, it shall be a matter for the judge presiding at the trial to determine whether the murder is capital, as distinct from non-capital.

I want the people of St. Vincent to know that this is their Constitution.

The carrying out capital punishment in accordance with this section shall not be held to be inconsistent with or in contravention of this section or section 26 of this Constitution protecting the right to life or any other provision of this Constitution.

Mr. Speaker, I know, particularly the women have said to me, one thing I want this Constitution say that when you murder people you must dead. It is not a matter you look, Reverend Jobe made an eloquent contribution here, and it is in the reports, but we were also able to show that every coin has two sides.

Mr. Speaker, as I wrap up to tell the people of St. Vincent and the Grenadines to be not afraid of this document and of the innovations of the new creations in this Constitution. It is intended for us after 30 years to renew the pillars and structure of this democracy that has been created over the years by blood, sweat and toil. By people, George Mc Intosh of rested, there is a little book that students should read, "The Trial of George Mc Intosh" by one Dr. Ralph E. Gonsalves. They must read that. They must find time to sit downstairs and read the old newspapers of the 1930's 1940's, 1950's and 1960's. I did that one summer and learnt a lot as a student. So when you see this Constitution today that comes before you, document appears huge, do not make anyone terrorize you, it lays out in detail, what other Constitutions leave up to lawyers and judges to fill in the blank spaces, and sometimes we have seen what has happened in that case.

I want the young people to be aware not only of the guiding principles but included under the protection of fundamental rights and freedoms the age of civil legal responsibility. It cost them money when they left as young people at 18 or 21, could they get control over certain property and how they would be able to take full control and legal responsibility and authority and possession. This leaves absolutely no doubt, it has been spelt out in language that is more than clear Human Rights Commission Mr. Speaker. The reportage of representatives to National Assembly, I have seen in some other Constitutions where that was placed in it. And that is very recent innovation and also again how the prerogative of mercy, the Minority Leader, all these are new provisions, Integrity Commission, Ombudsman, Local Government, as I close Mr. Speaker. These things that are put in our Constitution, when something is placed in your Constitution, this is your supreme law, anything that is going to be tested would be tested in court against this law, not against what is said on a radio

programme and somebody is sleepy and had too much curry. This is here is your supreme law. And in this supreme law, you have to test everything against it.

Mr. Speaker, Local Government is something I heard about with Vilna Cox of blessed memory being elected and Alpheus King at Kingstown Park above me, also of blessed memory when we call them and tell them the water flowing down in your house, they cutting drains and the roads in and around Kingstown, and Honourable Member for Marriaqua whom we well acquainted with the district government and Sir Vincent Beache, but in this room anybody under the age of 30 does not know a think about it. Absolutely nothing about it and your Constitution has made provision for it. So they have to go and read up and be creative in what all would be put in, apart from looking at the precedents that already exist but this Constitution guides you. Local Government would be prescribed, what are the general principles and special provisions for the Grenadines. We live in a plural country, a multi-island state. We are not the only multi-island state in the world, Mr. Speaker, so let us not think that we are setting any unusual or new precedent because we are a multi-island state in this regard. Go to Malaysia which is a state in the Commonwealth, and you will see how they have done local government.

Mr. Speaker, as I close the vexing question with the Public Service Commission and the Teacher's Service Commission and the Police Service Commissions have been addressed, we listen to the submissions of their leadership and we cure that, the draftsmen have cured that by inserting this... I want us not, all of us in here have scholarship, all of us have learning and we have been to universities and colleges and we must be faithful to the oath we took in this Honourable House and we subscribe our names and we must tell the people the truth, the whole truth and nothing but the truth.

You cannot say Mr. Speaker, in all good conscience and good faith that efforts have not been made to address the vexing issues of the commissions, and of the unions, to make sure that you try to create as far as humanly is possible where you will have inclusion and a spirit of compromise and cooperation for better governance than having persons from your organization being placed there. Do not tell me... how do you expect to do it. If you say, you have a process of consultation, 'that *ain't* mean nothing', come on, Mr. Speaker, how are we going to do it, are we going to be mature enough, we have to show the rest of the world that we are at grips and we know what governance is about and what government is about and how to run a country, and that is what this has done, especially when we deal with the issues of the police and prisons services commission. We have taken them on board a government must listen, and representatives must listen, listen and respond.

Mr. Speaker, I thank you and Members of this Honourable House, I thank you for the time you have given me to speak on this. Mr. Speaker, there is a passion in my heart, it is something that moves my spirit and makes my soul rise up to the roof of this Honourable Chamber, that today, today, I the granddaughter of a Kingstown fisherman, the daughter of a public servant, yeah, your father should know that, you should know too, do not laugh, because in St. Vincent it suddenly becomes popular only one set of people come from one set of place you know. You are not from the plantocracy, we are working class people who have ambition, and intellect that God gives us, and we use it. What you think 1939 was when my mother went to Girls' High School, who do you think was in there? Thirteen children in Form 1, she is still alive, four of them are in their 1980's, that went there in 1939. Her father was a fisherman pulling boat, right over there by Hazell's Wharf. So do not tell me, do not dear tell me about working class, and you have those children and grandchildren today and you have the grandchildren of other people because God gives us different talents and skills, and we must not blame people for our inadequacies and laziness and lack of ambition and character. And so where we are today we must take

our learning and bring it for the benefit of the country and lift up the country. Lift it up. And this is the cornerstone of the 21st century, of the new nation called St. Vincent and the Grenadines my Yourmei. I thank you.

HONOURABLE MR. SPEAKER: All right, I recognized Senator Cummings, but we will have you after lunch and then you will follow, Minister Burgin.

DR. THE HONOURABLE RALPH GONSALVES: Both of them after lunch, I take it Mr. Speaker.

HONOURABLE MR. SPEAKER: Yes, we will have them after lunch.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, this is a convenient time I believe to take the luncheon suspension. Accordingly, I beg to move, that this Honourable House do stand suspended until 3:30 p.m.

HONOURABLE SIR LOUIS STRAKER: Mr. Speaker, I beg to second the motion.

**Question put and agreed to.
House suspended for lunch at 1:30 p.m.**

HONOURABLE MR. SPEAKER: Pray be seated.

House resumed at 3:35 p.m. after lunch.

HONOURABLE MR. SPEAKER: Okay we continue the debate on the Bill, and the schedule of the Bill. Senator Cummings.

HONOURABLE DANIEL CUMMINGS: Thank you, very much, Mr. Speaker. Mr. Speaker, Honourable Members, I wish to begin with your indulgence by offering a special word and wish for a speedy recovery from illness for Barbara the sister of the Senator the Honourable Julian Francis. It was not too long ago I was visiting the Milton Cato Memorial Hospital and I saw most of the family Members there. His brother Elroy and I studied at university in Guyana together indeed, his brother Bradley was at St. Augustine around the same time with me. I left him down there and came home. And I know the family very well. And when I came into this Parliament and saw that he was not here, I immediately went across to the Honourable Rene Baptiste to inquire how come Senator Francis was not here, because I knew it would take something like that to keep him away from this exercise. But wish a speedy recovery to Barbara and I know what the family must be going through at this time.

Mr. Speaker,...

HONOURABLE MR. SPEAKER: Just a minute. I would not want to deduct you for that... okay, start now.

HONOURABLE DANIEL CUMMINGS: Thank you, very much. Mr. Speaker, the exercise in which we are engaged is indeed a very special one. I wish to go back a little bit to when the issues was raised in this Parliament, of course, I was in another capacity then, and to me one of the concerns I had even then was the mechanism used to select persons to comprise the team was to do certain work. And I remember noting they

seemed to be putting people into two camps and that troubled me. A matter of the Constitution in my mind I would like to see both, a team of people get together put some name together and looked at people who can make different types of contribution regardless of the party affiliation. The very act of allowing both sides to designate people, in my mind anyway troubled me. I came into the process belatedly and my very first recollection of what this meant was in a Select Committee of the whole House and I remember sitting there and in my usual style trying to make sense by listening and observing and I was hoping that it would have been a forum at which persons can more or less brainstorm, you have an idea, you throw it out and its merits and demerits can be discussed without being personnel or being bitter. But immediately I was stumbled I felt I was stumbled because I felt I was back in the House of Assembly debating a subject and one side had to tear what you said apart regardless. And immediately my heart sank. And I made very few interjections into that discussion.

Mr. Speaker, I am a little bit troubled when I hear honourable Members on the other side speak of the passion they have for this subject and at times, suggesting that we on this honourable side do not share the same passion. And that is very troubling. In the natural realm, Mr. Speaker, today I stand here as an Opposition Senator, I will not attempt to predict whether I will have another term in Parliament, either as a Senator on this side, or as an MP on this side, as a Senator on the other side, or as a Member of Parliament on the other side. These things are not in our control generally. And in most of the discussions I have heard sometimes I get the feeling that some of us believe that we are in government now and we are going to be in government ad infinitum. This indeed is a very troubling exercise, Mr. Speaker.

What I want to do today is to put myself in the position of John Public, an ordinary man on the street who has lived in this country all his life, has a secondary level of education, has worked on an off, has watched governments come and governments go. Mr. Speaker, the current Constitution as we are told has been in place for about 30 years, and it is under this Constitution that we have survived and come to where we are. I think there is no need for any argumentation as to whether or not the Constitution should be amended, indeed at another forum I said it is just as silly when I hear people trying to make the case for regional integration. One should not have to make a case for that or one should have to make a case for change in the Constitution. It requires as I said no argumentation. So when I hear Members on the opposite side of the Honourable House referring to us as not wanting that, or not wanting that, I am wondering what they are talking about. What on earth are they talking about? And when I hear Members speak of perfection, I wonder to whom are they speaking? What on earth is perfection when it comes to the law? If it is one thing I know about the law is that it never makes any sense to me. And I am not unique in that. I am not unique at all in that. In fact, there is a famous expression, it is a very famous expression about the law which all of us know, Mr. Speaker.

Now, Mr. Speaker, we have it in the realms of power in this land a government that came to office with the solemn promise that within the shortest practical time certain things will be done. Not the least among these Mr. Speaker, was a piece of legislation to deal with integrity in public life. Let me say, Mr. Speaker, with or without any amendment to the Constitution, this legislation should have been on the books.

Mr. Speaker, the matter of integrity legislation has engaged this Parliament repeatedly, and the record would show that in sequence of my attempts to bring the matter to the foe, I have been thrown out of this House. Mr. Speaker, PACE. When one looks at a relative increase in criminal activities and when one exams the significance increase in the number of complaints as they relate to police brutality or allegations of police

brutality, one wonders why was PACE removed from the statute books and whether or not the removal of PACE has any direct bearing on the increase numbers of alleged brutality on the part of the police. That is the question.

Mr. Speaker, I listened with extreme interest to the presentation by the Leader of Government business in the House, the Honourable Prime Minister and in the course of his presentation I had to make several notes, Mr. Speaker, I read in the local newspapers, the writings of a learned judge to the effect that Prime Minister has nothing to do with the appointment of judges or something to that effect and I have great respect for that learned judge. But I am sure I am heard, Mr. Speaker, in discussions relating to the office the Attorney General this Prime Minister made the case that when there is a difficulty with a removal of an unwanted Attorney General, one of the options available for the Prime Minister to try to get that person to become a judge. That is what I heard. That is what I heard. And then Mr. Speaker, I listened to the Honourable Minister of Education expounding on the changes that the Constitution has proposed to bring.

DR. THE HONOURABLE RALPH GONSALVES: If my Honourable friend would give way.

HONOURABLE DANIEL CUMMINGS: No, I would not give way.

DR. THE HONOURABLE RALPH GONSALVES: On a Point of Order.

HONOURABLE MR. SPEAKER: State your Point of Order.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, the Honourable Member is seeking to mislead the House on the matter of the processes of appointing a judge and a statement made by me in the Select Committee when we were addressing the question of the difficulty of having a public service Attorney General leave the Office of Attorney General when a government changes, or when a new Prime Minister is appointed, that is the Point of Order which I am rising on in respect of the misleading of this Honourable House. And Mr. Speaker, if you entertain this point I can elucidate.

HONOURABLE MR. SPEAKER: I did not hear what you say.

DR. THE HONOURABLE RALPH GONSALVES: I said if you entertain the Point of Order I will elucidate, Mr. Speaker.

HONOURABLE MR. SPEAKER: Well we would want you to.

DR. THE HONOURABLE RALPH GONSALVES: Fine, Mr. Speaker. Mr. Speaker, it is well established both in the law and in the practice that the only person in the judiciary that a Prime Minister has anything to do with his or her appointment is to the Office of Chief Justice, because it is required that all the Heads of Government of the OECS agree and that person is then appointed by the Lord Chancellor, since the way in which the Supreme Court Order is drafted and all the relevant antecedents that is processed. The Chief Justice is then the Chairman of the Regional Judicial and Legal Services Commission.

The Judicial and Legal Services Commission chaired by the Chief Justice interviews the candidates for judgeships and have the process of the appointments done through that body. In the Select Committee, I made the point that what it has been shown is that if you have an Attorney General who is a public servant, when the

government changes or the Prime Minister the Attorney General remains as Attorney General and you can only have that Attorney General leaving the office if the Attorney General voluntarily demits or if there is some arrangement to send them as an ambassador somewhere, put them in somewhere of a comparable position and there is none in the public service comparable, pay them of huge sum of money to passed them off, or if they are of a particular quality, to see if that person possibly could become a judge. If the person is of a particular quality, what happens that person will apply for a judgeship and the appointment is made by Judicial and Legal Services Commission without any input and it is entirely specious and disingenuous for the Honourable Senator Cummings who has confessed that he knows nothing at all about the law, because I heard it when I was coming in, and it is not the first time he made the statement; to make these statements in this highly self serving manner, and to drag persons who are from the legal profession like myself into a morass into which I had not put myself, and that is the substance of this Point of Order, Mr. Speaker.

I do not know why Mr. Cummings does not speak more truthfully and circumspectly particularly on matters about which he absolutely ignorant. And I make the simple statement, Mr. Speaker, that he is most assured about matters about which he is most ignorant. And I do not mean to say, I do not use the word ignorant in the pejorative sense, I use it only in the sense of not knowing. I am obliged.

HONOURABLE MR. SPEAKER: Before I ask Senator Cummings to continue I have also heard him making a statement a few minutes ago which I did not bother to challenge, it is in relation to why he was thrown out of this House which is also very, very misleading. It was very also very misleading when he made the point and I can remember the only time he was thrown out of this House when there was a situation where I had to ask him to leave. I had nothing to do with the issue he was trying to make out. So again we have to be very careful about the statements we make and how they relate to the actual instance or incident. We have to be very careful about that.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, if you will permit me, as Leader of this Honourable House that the particular... I heard that but I was not going to raise anything about that because, I was not on the floor of the House, I was coming in, in the vehicle, otherwise I would have raised it. He sought to tie that to the issue of integrity legislation, when in fact, the truth of the matter...

HONOURABLE MR. SPEAKER: Exactly.

DR. THE HONOURABLE RALPH GONSALVES: He raised a question in this Honourable House and I answered the question and I pointed out that in this country there are several laws which address the issue of the integrity of parliamentarians and public officers but that the law needs to go further, but do not give the impression that it is law of the jungle which exists which is not the case at all. And that the way in which we should proceed in a particular manner. He went at a public meeting at Petit Bordel and told a whopping untruth...

HONOURABLE MR. SPEAKER: I am aware of all the...

DR. THE HONOURABLE RALPH GONSALVES: And Mr. Speaker, he came here when I raised it, he denied it, until you presented the tape and when you asked him to apologize, he said he was not doing any such thing and you eventually had to ask him to leave the Chamber because he disobeyed and order of the Chair, the

Speaker. And the short time he has been here he has not learnt and it seems as though he has no intention to learn.

HONOURABLE MR. SPEAKER: Thank you, very much.

DR. THE HONOURABLE RALPH GONSALVES: And he does it with a certain kind of supercilious self-righteousness which is unbecoming.

HONOURABLE MR. SPEAKER: Thank you, very much. Senator Cummings you may continue into your debate.

HONOURABLE DANIEL CUMMINGS: Mr. Speaker, I am accused of not having memory. I say to this Honourable House that in the presentation yesterday morning, yesterday morning, the statement I made about what the Prime Minister said, was said in this Honourable House, not in the Select Committee. I made a note of it and in fact, I went to a Member of the Commission who agreed with me that they heard it, and I urged Mr. Speaker, that the tape in relation to the Prime Minister's presentation yesterday morning be used in evidence, Sir.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, again, I would make it explicitly clear that yesterday; I made a passing reference to the subject matter. There was no detailed discussion on it, and absolutely nothing which I said yesterday, comes anywhere close to what Senator Cummings has said or the interpretation, to be put upon it. I am very careful in the way in which I speak these things. May be he hears things, he assumes that he hears something which he has not quite heard. I mean this is a matter... I have been a lawyer now, for some 30 years, and I am very careful of what I say about these things, and I have been Prime Minister for eight years, and a Member of this House for over 15 years. And Mr. Speaker, never ever, with those sorts of statements be made. But it is regularly he imputes these sorts of things on a radio station when there is nobody else to answer. And I am determined that this kind of falsehood must not be perpetrated by this Honourable gentleman, determined.

HONOURABLE MR. SPEAKER: Okay, I would be the judge of that situation, because I would also, I remember that the reference was made yesterday but let me listened to it again, and I will deal with it at an appropriate time.

HONOURABLE DANIEL CUMMINGS: Mr. Speaker, having allowed all of this character assassination to take place; I shall await your judgment. I shall await.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, I rise again. I rose, on a Point of Order; I did not assassinate the character of my honourable friend. I made a comment in relation to an unjustified statement which he made. And if he persists in making them, I will continue so to do here in this House. And when he crosses the line in public, I shall sue him, as I have done.

HONOURABLE ARNHIM EUSTACE: I agree with your ruling that we will get the tape, because I myself was surprised yesterday to hear the comment of the Prime Minister on this matter.

HONOURABLE MR. SPEAKER: I will get the tape and I will be the judge of that situation, we will have it done. Would you please continue the debate?

HONOURABLE DANIEL CUMMINGS: Thank you, Mr. Speaker. I was saying Mr. Speaker, during the presentation of the Honourable Minister of Education, she had the following to say, and she was relating to the changes that the new Constitution will bring about. And this is the effect of what she said; Mr. Speaker, and again, I too made my notes. She said that the Prime Minister no longer has control over the magistrates and the President of the Family Court in the new Constitution. And I thought I was dreaming, because the logical conclusion to that Mr. Speaker, is that under the current Constitution the Prime Minister has control over the magistrates and the President of the Family Court.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, again, my honourable friend if he gives way, if he does not I will raise a Point of Order. If he does not give way, Mr. Speaker, I raise a Point of Order.

Mr. Speaker, again he is misleading this Honourable House. There are two areas in which there can be controls. [Interjection] You, just listen to me nah, you do not understand this either.

HONOURABLE ARNHIM EUSTACE: That is what you said.

DR. THE HONOURABLE RALPH GONSALVES: You do not understand this either; you just listen.

HONOURABLE ARNHIM EUSTACE: Neither you.

DR. THE HONOURABLE RALPH GONSALVES: You just listen, you just listen.

HONOURABLE MR. SPEAKER: All right, let us have some order in the House, please.

DR. THE HONOURABLE RALPH GONSALVES: You just listen.

HONOURABLE MR. SPEAKER: Let us have some order in the House.

DR. THE HONOURABLE RALPH GONSALVES: You just listen.

HONOURABLE MR. SPEAKER: Let us have some order in the House.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, in the current situation, the magistracy is under “*the administrative*” control of the Ministry of Legal Affairs through the Attorney General, but the magistracy in the judicial functioning have absolutely no control under the system which we are putting in place the magistracy will not have nothing administratively to do in connection with any government. And what the Honourable Minister of Education said, no control over the tenure of the Members of the lower judiciary as in the case of the magistrates and the Family Court. The point about it is this, we have said inside of these new proposals that the magistrate’s court for the first time will come constitutionally within the protective arm of the judiciary. Just like you have the High Court which is constitutionally protected, so too would be the magistracy constitutionally protected. At the moment, statute laws govern the magistracy, appointments are done by the Judicial and Legal Services Commission but administratively the matters locally are dealt with by the Ministry of Legal Affairs. There will be no administrative control whatsoever. So both the Honourable Leader of the Opposition where he thinks he heard something, he did not hear what he thought he heard, and the Honourable Senator and they must address the issue, if they are incapable of making a distinction, between administrative link and judicial decision-making, that is there problem, but I have hear in my hand, what the Honourable Minister of Education said and I am stating the facts as they are and the law, as they are, and you can ask

anybody in the profession and those are the facts, I have nothing to do with the appointment of a magistrate. I have no control over the appointments of a magistrate. But what you have happening, sometimes there are magistrates who have contracts, what you are doing now is to make sure that even a magistrate who has a contract, that nobody can deal with them. The Chief Justice will handle that. And there is a difference between administrative matters and matters in relation to the judiciary. And that Mr. Speaker, is the reality.

HONOURABLE MR. SPEAKER: Okay, I will look at it. Continue the debate and I will deal with it.

HONOURABLE DANIEL CUMMINGS: Thank you, Mr. Speaker. Mr. Speaker, I was saying what I heard the Honourable Minister of Education said and again...

DR. THE HONOURABLE RALPH GONSALVES: You heard wrong.

HONOURABLE MR. SPEAKER: Just a minute.

DR. THE HONOURABLE RALPH GONSALVES: And it was misunderstood.

HONOURABLE MR. SPEAKER: Just a minute, was it you heard, "*no control over the tenure of Members of the lower judiciary, as in the case of magistrates and President of the Family Court*" was it that you heard because this is what she has here in her notes.

HONOURABLE DANIEL CUMMINGS: Not quite.

HONOURABLE MR. SPEAKER: Then would you please pass on until I can prove otherwise. Good fine, right.

HONOURABLE DANIEL CUMMINGS: I take your point, Mr. Speaker. Well, Mr. Speaker, I ask the question, why is it, why is it, that a government that has thus far not brought the much totted integrity legislation to this Honourable House, why is it, that there is such haste, there is such emergency that on the weekend the statutes as they relates to the operations of the Port, were changed. The statutes which have to do with the payment of fees, regulations, relating to the payment of fees, that that can be done over the weekend, that is priority, absolute priority to give effects to an action after it had been taken. This is the government, Mr. Speaker, that wants its people to have abiding faith in their ability to dispense justice, under the much totted new Constitution, when under the existing Constitution, you have seen. Mr. Speaker, this is a country where a magistrate turn President of the Family Court under the Constitution and under the rules for appointment of Judges and Magistrates, et cetera, can be unceremoniously removed, shortly her husband contested the election in the Opposition. And not long after that, the wife of a government minister who served as campaign manager for that minister is appointed a Magistrate in the same area that she served in that political office in this country.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, really, now, I mean, my honourable friend is casting some serious aspersions...

HONOURABLE MR. SPEAKER: I think so, I really think so. I think so. I think so.

DR. THE HONOURABLE RALPH GONSALVES: ...on the Chief Justice, and the Judicial and Legal Service Commissions. Mr. Speaker, the facts are these, Mr. Speaker.

HONOURABLE MR. SPEAKER: Honourable Prime Minister, I am really not interested...

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, Mr. Speaker, no, it is important, if you may permit me, Mr. Speaker, if you may permit me, I crave your indulgence, on one matter in defense of the Honourable Chief Justice former acting Sir Brian Alleyne. Mr. Speaker, if you will permit me.

HONOURABLE MR. SPEAKER: All right, go ahead.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, the post for the President of the Family Court was up for an appointment. The incumbent, the Honourable Senator Cummings' wife was on a contract; her contract had come to an end, she did not apply for the job, which when she in fact, when it was raised, by the President of the Bar Association. I saw the letter sent to the Bar Association, a copy I think was made available to the Attorney General, she showed me a copy where the Chief Justice simply said, but, she could not have been considered simply because she did not apply for the job. It is the same situation when the Honourable Senator Cummings was at the Water Authority that he claimed he was unceremoniously dismissed when the post was advertised his contract had come to an end. It is a simple process; the government has absolutely nothing to do with these matters. This is a matter with the Chief Justice and this is a matter of the Judicial and Legal Services Commission, and to suggest that the Judicial and Legal Services Commission is league with the political directorate is an offensive statement by Senator Cummings and ought to be withdrawn.

HONOURABLE DANIEL CUMMINGS: Mr. Speaker, I crave your indulgence to read a letter, Mr. Speaker. The Honourable Prime Minister suggests that my wife did not apply for apply for the job, the letter is written by the Honourable Attorney General, Mr. Speaker, and it is dated the 20th of January 2006. It is from the Attorney General to the President of the Family Court the subject '*End of Contractual Term*'. I quote Mr. Speaker.

“Your memorandum dated 17th January 2006 relative to the above caption refers:

Kindly be informed that your requests to continue in your current capacity at the Family Court and to be paid outstanding vacation leave have referred to the Chief Personnel Officer. Please be advised accordingly.”

Mr. Speaker, we are told that my wife did not apply, I repeat, kindly be informed that your request, kindly be formed, an acknowledgement. But she did not apply.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, there was an advertisement, she had come to the end of her contract, so she had certain benefits, that is all the letter is saying, and that you deal with the Chief Personnel Officer on these administrative matters but the appointment is done by the President of the Court of Appeal, the Chief Justice who is Chairman of the Judicial and Legal Services Commission, obviously Senator Cummings does not have the most elemental understanding of law and government and you want to represent people.

HONOURABLE MR. SPEAKER: Honourable gentlemen we need to deal with the issues that we are here to deal with, and I find that we are getting into too many personal issues that have nothing to do with the debate on the Constitution. And I am insisting that we desist from doing so, it must be done and continue to debate the issue that we are debating here, we are debating the Constitutional Bill and some of these issues that are raised,

I do not see the purpose of doing them; you cannot be casting aspersions on people and I am very mad with that, especially people who are not here to defend themselves. And you have to be very careful with that.

HONOURABLE DANIEL CUMMINGS: Mr. Speaker, may I ask who are the people that I am casting aspersions on I am referring to a letter written by the Honourable Attorney General of this country.

HONOURABLE MR. SPEAKER: No, what did you say before; what did you say before in relation to who appoint magistrate and you are surprise that magistrates are...

HONOURABLE DANIEL CUMMINGS: I am simply quoting what the minister said...

HONOURABLE MR. SPEAKER: But what I am saying,...

HONOURABLE DANIEL CUMMINGS: Mr. Speaker, with respect...

HONOURABLE MR. SPEAKER: No, no, no, would you please sit, I am speaking. I am saying, I am not talking about the letter you read. When you were stopped just now, it had nothing to with any letter that you read. You were making statements about your wife being thrown out the moment you became a candidate and then a minister's wife who was campaign manager for her husband became thing. I am saying that I am not going to accept these here, unless you can really bring them as real facts, prove them to me, black and white that they are related in the way that you say they are related I am not going to accept them. I am saying that straight. If you cannot make the connection and I am not satisfied even though you try to make it, I am not satisfied. And I am saying let us continue with the debate and let us stop this... we were going very well; let us continue with the debate.

HONOURABLE DANIEL CUMMINGS: Again I thank you, Mr. Speaker. I am pointing, Mr. Speaker, to the question of governance in this land, I am pointing, Mr. Speaker, to a critical element of trust. That is my point. That is my very point, Mr. Speaker. And I turn my attention now, Mr. Speaker, Honourable Members, to specific components of the draft legislation and I want first of all to deal with something call Proportional Representation and First-Past-the-Post. Mr. Speaker, I believe I have training in some elements of science; and mathematics therefore is part of my core. I understand Proportional to mean incremental and related. For the life of me, if there are ten seats to be allocated there, it simple requires 10% of the total votes to get one seat. It is as elemental as that. That is what Proportional Representation is. You get 10% you get 1. You get 20% you get 2. For some strange reason, Mr. Speaker, we have a requirement to get one more than 10% to get one. I really cannot begin to fathom where it is coming from. Up to 10%, 10% is 10%, you get one, but, Mr. Speaker, and I speak first where there are only two parties contesting the election. Two parties contesting the elections, one party gets 55% of the votes, plus one vote, the other party gets 44.9%. Mr. Speaker, if it is truly Proportional Representation...

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker, could we have one Parliament please, Mr. Speaker.

HONOURABLE MR. SPEAKER: Are we not having one Parliament?

HONOURABLE ST. CLAIR LEACOCK: It does not appear so, Mr. Speaker, I am hearing mumbling in the back and it is happening all the time. [Interjection] You give me a chance *nah*.

HONOURABLE DANIEL CUMMINGS: If it is Proportional Representation, [interjection] do not worry I can handle it. If it is Proportional Representation 10, 20, 30, 40, 50% each 10%...

HONOURABLE ST. CLAIR LEACOCK: What I am speaking about is the conversation with the committee, it is unhealthy, let him take his seat...

HONOURABLE MR. SPEAKER: Just a minute, just a minute for me please. Where are you are referring to.

HONOURABLE ST. CLAIR LEACOCK: I am talking about the Prime Minister's habit of going into the Gallery and now at this time of the day and having side Bars with the CRSC Committee, let him go into his seat and sit down, it is distracting. He is absolutely not listening when other people are speaking and distracting, let him sit down. Let him take his seat and have some manners. It is disrespectful, discourteous.

HONOURABLE DANIEL CUMMINGS: Especially to the Members.

HONOURABLE MR. SPEAKER: Lord have mercy! Well, I understand what you are saying but I wonder if it is consultation has anything to do with the...

HONOURABLE DANIEL CUMMINGS: But, it is the wrong time, Mr. Speaker.

HONOURABLE MR. SPEAKER: Well, I do not know if it is the wrong time, we are dealing with the matter of the Constitution.

HONOURABLE DANIEL CUMMINGS: Because this matter relates to them more than anybody else.

HONOURABLE MR. SPEAKER: All right go ahead. But let me just make a point, you know, I cannot force the Prime Minister to listen, even if a matter even relates to him and you are speaking...

HONOURABLE DANIEL CUMMINGS: Not him, you know, Mr. Speaker, the Members of the committee.

HONOURABLE MR. SPEAKER: Well, I cannot even make them listen if they do not want to listen.

HONOURABLE DANIEL CUMMINGS: Now may I continue, Mr. Speaker.

HONOURABLE MR. SPEAKER: Continue, Sir.

HONOURABLE DANIEL CUMMINGS: Thank you, very much.

HONOURABLE MR. SPEAKER: Honourable Prime Minister could we just...

DR. THE HONOURABLE RALPH GONSALVES: If I may say in my own defense, I am capable of multitasking.

HONOURABLE MR. SPEAKER: Thank you. Continue Senator. You have proven it already. Continue.

HONOURABLE DANIEL CUMMINGS: I was saying Mr. Speaker, where there are only two parties running, and Mr. Speaker, may I ask you how much time I have left.

HONOURABLE MR. SPEAKER: You are 23 remaining quite a lot of time still.

HONOURABLE DANIEL CUMMINGS: Thank you, very much. Looks like I have been here an eternity. Mr. Speaker, the Proportional Representation thing, if there are only two parties running, and I really want to make this point, because it is a very serious matter, in fact I consider it a very fatal flaw of this draft Constitution, fatal flaw. If we go back to really understand why the change from only First-Past-The-Post to First-Past-the-Post plus Proportional Representation, it is not only because of the 1998 election, if you look around in this parliament, the last two parliaments, a party that got 44 plus per cent of the votes got about 15% of the seats, in two occasions.

In the 1998 election you had a situation where a party got fewer seats with 55% or thereabouts of the votes and the one that got more seats got forty something percent of the votes. So one has to be careful if you are trying to correct a problem that you do not create additional problems because what is in this Constitution cannot be called Proportional Representation, far from it, something triggers when you get past 50% and you no longer Proportional, what rubbish. That is not Proportional Representation. If it is Proportional and you go back to the 1998 scenario for example, listen to what the average mathematician will tell you, you take out the 10 percentages, one got 40 it got four, one got 50 it got 5; eh? That is nine, one to go; how do you determine the other one. You round it up. The one that got 5% plus 1 would get it, the one that falls under will not get it, it is as simple as that. That is what Proportionality means, the nearest you can do is round it, common sense, and if you do not have a mathematical mind you would not see the wisdom in that. It is as elementary as primary school Maths, arithmetic. What you have in this document cannot be called Proportional Representation. How can a party that get 50.1% of the votes get six seats, to another party with 44, of just over 40 getting four seats. That is Proportional? What is Proportional about that? What is Proportional about that? Eh? Well those who have ears to hear will hear, you know. Some may not understand. You cannot have your cake and eat it. The First-Past-The-post is the First-Past-The-Post, Proportional Representation is exactly it says, you accord seats in proportion to the percentage. Now, you did not get it, eh? Yes.

HONOURABLE MR. SPEAKER: All right, please, please, let the Senator continue his debate. But I will beg the Senator to do me one favour please, do me one favour please would you direct your debate to the Chair, and I think, it seems to me that you are making direct reference to the drafters, it looks so to me. Would you please direct it to the Chair?

HONOURABLE DANIEL CUMMINGS: My apologies if my movements suggest that, Mr. Speaker, I am very much aware of the function of the learned gentlemen of the Steering Committee. And Mr. Speaker, if you will allow me to digress a bit, I must say that I am very pleased that we are privileged to have such outstanding gentlemen participating in this exercise, but I must at the same time say, Mr. Speaker, as a consultant myself, I am dismayed, and I must make this point publicly because I think it is important, I am dismayed that on no occasion did they attempt to have dialogue with the main Opposition party in this country, before making any presentation here. I am dismayed. But that is the fact. In the spirit of an exercise of this kind to think that these consultants would not find it necessary to have an audience with the Leader of the Opposition...

HONOURABLE MR. SPEAKER: I do not understand this statement.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, it seems as though the Honourable Senator Cummings has an appetite for mistaking facts to the point of outrageous falsehoods. This Honourable House decided that we will have by agreement between us, way back, that we will have three persons on the drafting

committee, the chairman, who would be appointed by the Honourable Speaker after consultation with the Leader of the Opposition and the Prime Minister that was done and that is how Dr. Francis Alexis was appointed. And that one person would be appointed by the Speaker upon the advice of the Prime Minister that is to say the Speaker, has to appoint the person that the Prime Minister says, and a third person to be appointed by the Speaker, on the advice of the Leader of the Opposition with Mr. Parnel Campbell QC as Chair of the CRSC as a resource person.

Now, the chairman was appointed, the Prime Minister's nominee was appointed and the Honourable Leader of the Opposition chose not to have someone appointed. And when they came they worked with the CRSC on which persons from the Opposition were with the parent organization and several other entities and they met with all the relevant parties in committee here, several of them, I was not accorded any special meeting with Dr. Alexis, they conducted their work, they did their work through the structures and did their work diligently. I hear many things, but if the Honourable Leader of the Opposition had chosen to participate in the way in which it had agreed that he would participate, he would have had somebody on the drafting committee to put any ideas that he wanted to be put, but every single idea which was advanced was discussed at various committee meetings and reports have been brought to this House on an ongoing basis.

Again, Senator Cummings has this knack of traducing people who cannot respond and traducing them unfairly. So it is the Chief Justice and Judicial and Legal Service Commission, now it is the drafts persons whom he, if you listen to him, Mr. Speaker, 'the learrrrneded', 'the learned' in other words they are not learned, only he alone is learned, the very way he pronounced 'learned', 'learrrrneded', will tell you that he has a contempt for their work. But yet he comes back afterwards, I mean this is the kind of instability that we get on an ongoing basis, sorry not instability, inconsistency we get on an ongoing basis from... I withdraw the word instability, Mr. Speaker, that we get from Senator Cummings.

HONOURABLE MR. SPEAKER: Thank you. Senator Cummings I...

HONOURABLE DANIEL CUMMINGS: Can I continue now?

HONOURABLE MR. SPEAKER: Yes, continue to debate the Constitution.

HONOURABLE DANIEL CUMMINGS: Mr. Speaker, the Honourable Members, the learned gentlemen of the committee and I have had many of discussions and they know better than what we have just heard.

DR. THE HONOURABLE RALPH GONSALVES: You pronounced 'learned' properly this time. You are learning. There is two learned.

HONOURABLE DANIEL CUMMINGS: Proportional Representation, Mr. Speaker,... I thought I had one board exams in university, I am not that slow. Am I? No, I am not that slow. Anyway Proportional Representation, Mr. Speaker, when there are more than two political parties contesting an election, and Mr. Speaker, I am of the point of view, you know, that if this Proportional Representation takes roots it will encourage more parties to contest the elections, it will, and yes, ah I am glad you said that, it will encourage, but if we use the current formula we will be in deep trouble. It is the same basic Proportionality that should apply when you take that 50% jump and you start giving two and you have three reasonable parties then is where you see how this thing is ludicrous. It should be a straight Proportionality there should be no 50% point where the

thing literally goes haywire. Continued the same Proportionality, so that whether you have two parties or five parties, and I agree absolutely with the requirement in the draft that if a party, because it is common sense, that if a party does not get any elected seats and does not pass the 10% threshold you throw that out. That is commonsense that is logical; totally correct, throw that out, so that the percentage that you are talking about now, it is the percentage among the eligible beautiful.

HONOURABLE DR. DOUGLAS SLATER: Mr. Speaker, if my honourable friend would give way, regarding Proportionality, I was asking in a little cross talk but I want to make it formal now, in the case where you have a 55%/45% are you suggesting then that we will to cut a Senator we have 10, we will have five and cut one, Senator and have 5 ½ and 4 ½, because if you are arguing that we must stick strictly to mathematical Proportionality in the case of two parties and one with 55% and the other with 45%, that is what we will have to do. Yeah, you could only divide 10 proportionately 55% of 10 is 5 ½. Much obliged.

HONOURABLE DANIEL CUMMINGS: Mr. Speaker, I would want to laugh but I believe my learned friend obviously did not hear what I said. I said in such a case, the one who gets more than 5% will get it. So if you get 45% and one vote, you get it. So that one will end up with...

HONOURABLE DR. DOUGLAS SLATER: Fifty-five and forty-five, no extra one, exactly 55% and 45%, how do you... if you are sticking to the argument of exact Proportionality we will then have to cut one, Senator and give one side 5 ½ and the other 4 ½. Yeah.

HONOURABLE MR. SPEAKER: Could we continue?

HONOURABLE DANIEL CUMMINGS: We are not in an operating theatre.

HONOURABLE MR. SPEAKER: Once we do not cut Senator Leacock.

HONOURABLE DANIEL CUMMINGS: I will not respond to that. Mr. Speaker, you see, I am saying if there are three or more parties it makes a more urgent case to have a strict Proportional Representation. I repeat Proportional Representation should be Proportional. And just to make the point, if a party gets 42%, and a party gets 48%, it is very logical what will happen there. You round up, if you have a balance where the 55%, you have to find a means of breaking the tie, that is quite straightforward. In the case of 42%, 58% clearly the one that get 42% gets four seats, and get no more, does not get more than 5% more and the rest goes to the other side. You see when you have several parties; I want to really stress this point. When you have several parties and you one party getting passed 50% and getting an extra seat it is unfair to the others. It is no longer proportional, as it is in this current arrangement; it is not proportional at all. Proportional must be Proportional.

Mr. Speaker, I move to land acquisition. Mr. Speaker, in this country sometimes we get the impression that we have a lot of land. St. Vincent is a very small country. Very small, our people have a pride in owning a piece of this rock if you talk to people of a Vincentian roots who reside overseas their lifelong dream is to own a piece of this rock. There is not a lot of it left. There was a time in this country when the plantations when a few people own a lot of the land. That was changed under the New Democratic Party when a lot of the estates were bought and given to the people who worked on them under good conditions people who worked laboriously for years. And the land owner democracy was established. People have a vested interest and a right to own piece of land.

No one, Mr. Speaker, is suggesting that you should do anything to prevent any government from being able to use lands for the benefit of all the people. And this is one of the areas where throughout the discussion at home and wherever from all the reports, Vincentians felt very strongly that the process for compensation must be made absolutely clear. Good, we have put a time frame on it, excellent; I ask the question under the present arrangement, reasonable time or reasonable compensation. What has been the experience, a lot of people, by the admission of Members on the other side, a lot of have found difficulty in getting compensation. What we are asking, what everybody is asking is that you make it abundantly clear.

Mr. Speaker, if I pause for a while, you know, I spent some time in another regional territory namely Anguilla, and for a government agency to run a water line near to or in the road of a private owner or any small operations you have to go through a whole series of hoops, people feel the land is their life, you touch it at your own peril, and it is understandable people from Europe and North America, when they land on these shores, most of them do not go back, the land is beckoning, never mind the crime rate is going through the roof. So what we are asking is not inconsistent with what the people are saying, let the thing be absolutely clear, if government has to take 'me' land for good reasons so be it, but for God's sake let me get fair market price in a timely manner. That is it; pronto finale. Because Mr. Speaker, you see we have some people call assessors in this country, and they are part of the problem. We are not at the developed stage yet where we a sufficiency of professional people in all the disciplines. The same applies in plumbing, electrical and so on, we are a growing nation. This is natural, it would take time for us to do all of these things properly, and so you can have people who call themselves competent in these areas, really making a mockery of evaluation, in addition to that the Surveys Department is far from satisfactory, there are too many areas of the recording system needs improvement, the method of registration of title leaves a lot to be desired. When people raise concerns about acquisition of land, it is not a shot in the dark, it is a serious matter, there are numerous instances where people have concerns, so when we say, make it allusively clear that if government has for good reason to take people land, let them rest assured that they will get fair price in fear time.

HONOURABLE MR. SPEAKER: You have seven minutes to conclude your debate.

HONOURABLE DANIEL CUMMINGS: Thank you, Mr. Speaker. I listened to an Honourable Member on the opposite side made the remark that 90% of the people's recommendations have been accepted in this draft. And I wonder if I read the same documents that they read, because the land acquisition is one and there are so many others that simply have either been watered down or not included, or totally ignored. And I am saying if, and let me make a point I totally applaud and support the strenuous effort to canvass the views of our people both at home and abroad, but I am not satisfied, I am not at all satisfied that their views have been sufficiently incorporated in this draft. I am not at all satisfied. And that is one of the heavy concerns. Why is it, Mr. Speaker, for example, that we cannot have term limits for the Prime Minister but we can have term limits for the president?

Mr. Speaker, I believe, that and I make the following observations based on my own experience as a manager, I have looked from a distance obviously, at different management styles of Prime Ministers of this country, I believe the late Eddie Griffith would have made one of the best Prime Ministers this country would have ever seen. Why, he is a genuinely humble man, and he believes absolutely in the team. I make a bold statement Mr. Speaker, any political party that does not put term limits on its president would have problems. One of the strengths of leadership is the ability to delegate responsibility and to empower people working with you.

My greatest pleasure in former engagement as a CEO in this country was a simple fact that when I left that institution for two days or for two months and I came back to that office that office the desk was as any normal day, there was nothing piling up waiting for me, everybody knew what they had to do and they did it, the institution in fact, it ran better when I was not there. And I made that bold statement. Because everybody in that institution was trained and empowered; trained and empowered, the point is Mr. Speaker, you see, it important, it is imperative that succession planning be part of any institution and what a better way. If you know that after a certain time, somebody else has to take over, it forces you to expose the person. I look at this Parliament, whenever a minister is absent which one of the ministers is delegated to answer a question, none, the Prime Minister has to answer everything; that is what I called delegation. Give people an opportunity to stand up and be counted. It is called leadership. You cannot know what you can do unless you have given an opportunity to try.

So I am simply saying, I am simply saying, Mr. Speaker, you know, I hear a lot of comments that cannot be done, that cannot be done, and Mr. Speaker, with your permission I crave your indulgence to greet my dear wife who has just arrived in the Strangers' Gallery.

HONOURABLE MR. SPEAKER: She has been there for quite some time.

HONOURABLE DANIEL CUMMINGS: Thank you, Mr. Speaker. And I am lost without her. It has been said, Mr. Speaker, that so much depends upon this Constitution, you know I think it is a panacea, as important as the Constitution is and I am not trying to water it down, there is so much more, there is so much more that we can do, I hear this thing about inviting people to participate in the discussions in this Honourable House; Mr. Speaker, you have discretionary powers even without amending what exists to invite people to participate, do you know. And that is...

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, if my honourable friend would give way.

HONOURABLE MR. SPEAKER: He just has one more minute.

HONOURABLE DANIEL CUMMINGS: Well, he can say it afterwards, Mr. Speaker.

DR. THE HONOURABLE RALPH GONSALVES: No, it is an important issue, Mr. Speaker,

HONOURABLE DANIEL CUMMINGS: He had time to wrap up, Mr. Speaker.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, I am on my feet. If my honourable friend, once I stand on my feet, you have to sit down.

HONOURABLE DANIEL CUMMINGS: Is he on a point of order, Mr. Speaker, what is your ruling?

HONOURABLE MR. SPEAKER: No I have not ruled.

DR. THE HONOURABLE RALPH GONSALVES: Once I stand up, you have to sit down.

HONOURABLE MR. SPEAKER: I did not rule at all.

HONOURABLE DANIEL CUMMINGS: Okay, I am not giving way, Mr. Speaker.

DR. THE HONOURABLE RALPH GONSALVES: Once I stand up you have to sit down, that is...

HONOURABLE MR. SPEAKER: Well, he can move on a Point of Order.

HONOURABLE DANIEL CUMMINGS: Well, I am waiting on you, Mr. Speaker.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, I rise on a Point of Order. Once I arise you sit down. That is the rule of the House.

Mr. Speaker, it is entirely incorrect both in terms of Constitutional law and statute law that the Speaker, can invite anyone to come here and address us while the Bill or a motion is being debated in this Honourable House. It is impermissible. What happens, Mr. Speaker, is that the select committee process, you can invite persons to provide evidence at the select committee and if you call a meeting of the House and there is a special occasion and you want somebody to address the House, the House is not meeting, the House is suspended and what you have happening is not a meeting of the House. For example, on May 28th, the House had to be suspended in order to have statements made by the Members of the drafting committee and the Chairman of the CRSC, I mean these are elementary things, I have gotten up no less than half a dozen times to correct the Honourable Senator on the simplest of matters. I do not really know, I am really too old to be educating a grown man, Mr. Speaker, so continuously, and what he has said is wholly wrong.

HONOURABLE MR. SPEAKER: Senator you have one minute to conclude.

HONOURABLE DANIEL CUMMINGS: Thank you, Mr. Speaker. And Mr. Speaker, I agree with the 'wholly' part. Mr. Speaker, I listened to many Members on the other side, speak about this Constitution and to deride Members of this honourable side of the Honourable House for taking a stance. Mr. Speaker, the record will show that no party in recent times because I do not know of the past has supported more Bills presented by any government than this New Democratic Party. None, Mr. Speaker, when the current Prime Minister was in Opposition, I would like to ask him, how many select committees he attended, it is that formerly leader of the Opposition who said, what the role of Opposition is in this county, that it is oppose, propose and depose. So do not lecture us about Opposition. We come here and we are objective in all that we do. When it is right we say it is right, when it is wrong we say it is absolutely wrong, you cannot have your cake and eat it and try to tell us how we should vote, you want unison on a Constitutional issue and you are introducing an antagonistic approach from the very start. Make up your mind what you want. If you were truly cooperative, if you worked in a spirit of cooperation we could have been here today supporting a Constitution. We could have been. So Mr. Speaker,...

HONOURABLE MR. SPEAKER: Thank you very much, could you just wind up.

HONOURABLE DANIEL CUMMINGS: Yes, it could have been Mr. Speaker, so when we say that we cannot support it we know that the vast majority of Vincentians would go to the polls and vote absolutely no. Thank you, Mr. Speaker.

HONOURABLE MR. SPEAKER: You know Senator I had Minister Burgin before you and spoke about that Senator, do not test me.

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker, I stand to remind you of our conversation that following Minister Burgin.

HONOURABLE MR. SPEAKER: I would have recognized you after Minister Burgin.

HONOURABLE ST. CLAIR LEACOCK: I am grateful; I am indebted to you, Mr. Speaker.

HONOURABLE MR. SPEAKER: What, Minister Burgin not speaking.

HONOURABLE CLAYTON BURGIN: Mr. Speaker, the Minister of Agriculture has some, the MP for North Windward has some persons from North Windward here who came down to hear his presentation, and he asked me if I can allow him, with your permission.

HONOURABLE MR. SPEAKER: I know the Senator would not mind, the Senator has his prime time, so he would not mind giving way to Minister Daniel. He would not mine. He has his prime time.

HONOURABLE MONTGOMERY DANIEL: Thank you, Mr. Speaker. Mr. Speaker, am I having equal time like the Honourable Senator Cummings?

HONOURABLE MR. SPEAKER: Do you anticipate being disrupted?

HONOURABLE MONTGOMERY DANIEL: Not at all, not at all. All right, Mr. Speaker. Mr. Speaker, I stand before this Honourable House at this time to support a Bill for an act to provide for a new Constitution for St. Vincent and the Grenadines. Mr. Speaker, today at this historic moment and time, I stand a proud citizen of St. Vincent and the Grenadines, working with my colleagues to ensure a better way of life by giving support to this new Constitution. Mr. Speaker, I am indeed very happy to be given this glorious opportunity to be standing here today, by the people of the North Windward constituency and I believe Mr. Speaker, that my constituents are very elated at this time and no doubt some of the Members of my constituency council are here with me at this historic moment in time to participate in this historic debate.

Mr. Speaker, for over the last eight or so years, I have worked to improve the socio-economic, the educational, the cultural, spiritual life of the people of in that constituency and so Mr. Speaker, today they are benefiting from my presence here in this Honourable House to ensure that this Constitutional Bill become a reality here in St. Vincent and the Grenadines. Equally, Mr. Speaker, I believe that my fore-parents are here with me. For many years they have struggled to ensure a better way of life for all of their peoples.

Mr. Speaker, as history would have had it under colonialism Mr. Speaker, many of my fore- parents they were captured, they were tortured, they were banished out of this country and those who remained were forced to live in the most remote, inaccessible areas of this country. And having understood my history Mr. Speaker, I have vowed once given the opportunity that I will shake the shackles of time off the feet of my forefathers and move forward in this case with the Constitution Bill, to ensure a homegrown Constitution that can restore pride and dignity and for a people charting their own destiny.

Mr. Speaker, no longer, would our people want to genuflect to a monarchial system when we can have a system, one that is home grown with a democratic Constitution in place. Mr. Speaker, I believe the way of life of any society depends on accepting norms and values, and with such established norms and values I believe

that maintaining any of these disciplines in any society that there would be constant revision and constant improvements to ensure that having also had experiences overtime that these will be done for better and good order. And I say that to say equally I believe that the Constitution is one that guides our democracy and the way of life which our people are governed. So from time to time as we would have understood after 30 years we have seen certain flaws in the Constitution. St. Vincent and the Grenadines is a sovereign democratic state Mr. Speaker, and so in recognizing the weaknesses within our Constitution it is for us as Vincentians, to respond accordingly. I honestly believe that our Constitution is the hallmark through which our democracy prevails.

I made a note a while ago, as I heard my previous speaker speaking that the law does not make sense to him. Mr. Speaker, I believe a Constitution is the major law of the land and so this Constitution makes great sense to me and so with any such weakness or weaknesses that prevailed such democracy renders itself unfit.

Mr. Speaker, the first time I realize that our Constitution was really a laughing stock was back in 1972 when two major parties contested the general elections then; Mr. Speaker, one party got six seats the other party got six seats. And the lone independent candidate then became the leader of this country, St. Vincent and the Grenadines. Let me also say that at that time we were not an independent state but supposed tomorrow Mr. Speaker, there is an election in this country, because as far as I am aware there would have been no changes to the Constitution that we would have gotten over the last 30 years. And if there were to be an election let us say next week and you also have two major parties in this case, in this case the ULP and the NDP with 15 seats where the ULP will get seven seats and the NDP getting seven seats and you Mr. Speaker, as the independent candidate contesting the seat and winning to make 15 seats Mr. Speaker, and let us say for argument sake that the ULP party getting 51% of the votes and the NDP gets 47% of the votes, with you as an independent candidate decide to join ranks with the NDP having 49% of the votes would you consider that to be democracy in St. Vincent? In other words, does democracy still prevails?

And so Mr. Speaker, this present Constitution corrects that issue, that if there is going to be such a situation that with the first past the post system and Proportional Representation Mr. Speaker, the party with 51% of the votes will be the party to establish governance and government in this country. If this is one thing that I am happy about is that within the Act that is before us it is able to help us to correct what happened in 1972.

Mr. Speaker, equally after the general elections in 1989, Mr. Speaker, where again the Constitution showed its weakness, where a party holding 34% of the votes had no one on the Opposition side is that democracy? And we knew Mr. Speaker, that during 1984 and 1989 that we would have seen at the time one of the largest projects of about \$200 million that was published at that time only valued approximately \$18 million, when we actually made the assessment of that project. This Mr. Speaker, this act that is before this Honourable House at this time, Mr. Speaker, would give us because there will be Opposition in the House, this Act gives will give us the position where we will know exactly what is happening.

Equally, Mr. Speaker, again in 1998 further weaknesses were shown up in our Constitution where one party got 55% of the votes another party got 55% of the votes and that party was the governing party of the day. Mr. Speaker it shows to me that under this present Constitution majority does not rule, and if our democracy is telling us majority rules then something is wrong with our Constitution. I recall Mr. Speaker, that I was a candidate in 1998 elections and I did lose at the polls gaining 1,817 votes but Mr. Speaker, there was a Member of Parliament at the time who had just over 800 votes and he was sitting in this House of Parliament as a

Minister of Government, is that democracy? These are the weaknesses I am talking about, Mr. Speaker, and having identified those weaknesses Mr. Speaker, this Bill that is before us today corrects all those weaknesses and so these are the weaknesses of which we have identified and we are putting forward to the people for a yes vote. We cannot in this country have minority government ruling. We cannot. And I cannot see that I being a candidate with 1,800 votes and someone with 800 votes is sitting in the parliament and I am outside. I believe it is wholly wrong.

Mr. Speaker, Proportional Representation...

DR. THE HONOURABLE GODWIN FRIDAY: It is a point of clarification. I just want the Honourable Member because we are streaming outside to the public and so on to explain what exactly is the logical conclusion to the point he is making, that if a Member gets 1700 votes, that he is entitled to be in Parliament, and if a Member gets 800 votes from another constituency but wins that he is not entitled? And I want to know what the logical conclusion of that point is.

HONOURABLE MONTGOMERY DANIEL: Mr. Speaker, I am speaking in terms of the flaws in the Constitution as it relates to our democracy. That is what I am speaking to. And I make reference in terms of my own personal experiences as it relates to the present Constitution. What is the point?

Mr. Speaker, what I am saying that with a combination of first past the post system and the Proportional Representation that is proposed in the Bill that we have before us that this situation will be corrected. No longer would be able to have an independent candidate without a party coming to rule this blessed land of St. Vincent and the Grenadines.

Mr. Speaker, in 2002 when this motion on Constitutional change was put before this Honourable House, the Prime Minister put forward the motion and the motion was seconded by the Opposition Leader, but Mr. Speaker, since then have there been any Reform of the Constitution? Bearing in mind that at the time that the Opposition did recognize that there is need for Constitutional Reform I have not known of any changes in the Constitution since then. But today the Opposition is saying no to a new Constitution. And what I would consider an insult to an injury is that the Opposition would have come, they would have debated in the committee of the whole House, they would have put forward their own suggestions and now the Opposition is saying no to this Bill.

Mr. Speaker, not only do I find this unethical, Mr. Speaker, I find it very hypocritical and surely Mr. Speaker, it shows a lot of a direction of a party. I recall that the Opposition Leader himself brought to this Honourable House a social and redemption charter seeking to have it passed in this Honourable House. But under the current Constitution I could not have passed in this Honourable House and so Mr. Speaker, in this new Constitution that is being proposed, Mr. Speaker, the Opposition do not only can oppose but the leader who is the Minority Leader he chairs the Public Accounts Committee, he can also bring motions to the House regarding expenditure from the consolidated Fund and Mr. Speaker, the Opposition Leader can be part of the governance because of the fact that he can appoint Members to the Public Service Commission and to the Police and Prisons Commission. So therefore, the Minority Leader would have enhanced roles, this shows how much our governance would be integrated, where you would have Opposition and government participating together in the governance of the country; this is what the Opposition is saying no about. Of course, I recall when we

were in Opposition what happened and this is why having had the experiences that we can afford to put forward to this nation of what is right in terms of the governance of this country.

Mr. Speaker, in better securing the fundamental rights and freedoms of our people. This new Constitution in clause 29 strengthens tremendous such fundamental rights and I believe Mr. Speaker, that the majority of Vincentians do understand that safety is what as a society what we look forward to and having the result of the 'Compay' Trimmingham case where it is understood that capital punishment has questions under clause 29 this clause strengthens corporal punishment once again.

Mr. Speaker, within the agricultural sector farmers will toil night and day for a living to ensure that their families have a living standard like anyone else. And so Mr. Speaker, sometimes it can be an unfortunate situation where a farmer in attending his crop or livestock may be attack by someone and be killed and after several months of trial, maybe several years of trial you may find that the accused may walk free. Mr. Speaker, our farmers will not feel very happy with such an action. As a matter of fact, Mr. Speaker, the same can be said if you have a niece and you happen to go home one night and find her dead whether it is on a tree or on a bed and after several weeks or months or years the accused walks free, I am sure that you would indicate a position where the institutions responsible are not fair and so you would want to have justice in the best possible way. And so Mr. Speaker at this present time and hour our society...

HONOURABLE MR. SPEAKER: Honourable Member let me disrupt you for just a very short while. Dr. Garney is about to leave to go back to his home Trinidad and Tobago and we want to thank him for being here with us. At this time, I do give him leave and wish him a safe journey back home. Okay Minister.

HONOURABLE MONTGOMERY DANIEL: Thank you, very much, Mr. Speaker. I too I would want to thank Dr. Garney for the tremendous work he would have done in helping to fashion this document that is before us. No wonder he would have done a wonderful work and on my own behalf I would like to say thanks to Dr. Garney. But, Mr. Speaker, in reference to corporal punishment in this land of our, Mr. Speaker, what our communities want is to ensure that kind of safety that kind of confidence that our neighbourhoods are safe for our own living. Mr. Speaker, equally added to these rights are listed in clauses 44 to 48 where there is the establishment of the Human Rights Commission. I know many a day I would have heard individuals being locked up by the police or even the rastas having being locked up. And even sometimes they would have had their hair removed. I remember even in my own community where after a rastaman was locked up his hair was removed, and I was travelling and when I met the gentleman I could not believe it was the same gentleman because two days ago he had his locks and after that his hair was removed and I thought it was someone from the United States of America, and how he indicated to me that he was locked up by the police and his hair was removed. Mr. Speaker, these rights can now be reported to the Human Rights Commission because of course we know and we hear sometimes of the police not responding quickly enough and so on. So that there would be a Human Rights Commission that you can lodge your complaints and have your complaints dealt with in a more effective and most speedy manner.

Mr. Speaker, as a parliamentary representative over the years from time to time I know my constituents and I believe it is so for most of the constituency representatives, my constituents will give me blows from time to time, not seeing you, not performing and so be it, but of course, Mr. Speaker, they do that because when I came to this position I came to this position with a document known as the North Windward Development Plan. And

so from time to time we meet and we would identify where we are and where we go and it is important that that is done. But under the current Constitution one do not have to report officially to their constituents and clause 87 of this Constitution imposes for the first time where constituency representatives must report to their constituencies every six months.

Mr. Speaker, personally, I am very happy as a constituency representative for embedded in this Constitution is this clause because when there are problems, my constituents must know what are the problems, what is it to be done to ensure that we can have the process moving forward. And I am indeed happy Mr. Speaker, that I am official to report to my constituents at least every six months and to come here to this Parliament to do so. I remember very well, Mr. Speaker, in the discussions in the committee of the whole House where the arguments were that one should not come to this Honourable House to report to their constituents but, Mr. Speaker, for me I believe that this Honourable House is the best place to come and report, because at the end of the month when I finished working Mr. speaker, my salary says it is from the House of Assembly and so if my salary comes from the House of Assembly why should I not wanting to come to this House and to report to this House what I am doing for my payment? I think, Mr. Speaker, that the new Constitution is really putting constituency representatives on the right track. And bearing in mind further Mr. Speaker, under the new Constitution where a provision is now put in it where public funds can be made available to the constituency as you say, the 'Leacock Proposal' meaning the Honourable Senator Leacock, where funds from the Consolidated Fund will now be made available to constituency representatives I think that is the best place to come and to have such a report is this House. After all I do not really want to keep my constituents out of the loop, and so I believe that my constituency should know that at every single step where I am, where I am going and how am I getting there.

HONOURABLE MR. SPEAKER: You have ten minutes, Honourable Member.

HONOURABLE MONTGOMERY DANIEL: Thank you, very much, Mr. Speaker, it seems as if my minutes have really been cut short. But I will try and see what I can do in that period of time, Mr. Speaker.

HONOURABLE MR. SPEAKER: I do not understand you Honourable Member. I do not understand you at all.

HONOURABLE MONTGOMERY DANIEL: I was only looking at watch Mr. Speaker.

HONOURABLE MR. SPEAKER: All right.

HONOURABLE MONTGOMERY DANIEL: Mr. Speaker, there is no doubt that before the ULP came to office with Montgomery Daniel as the representative for that constituency that the North Windward constituency would have been really a forgotten constituency. And so, in this new Constitution there has been implanted a position for local government.

Mr. Speaker, this no doubt would enhance the local governance in that constituency and increase the governance to the people in that constituency and I dear say reduce the marginalization that once existed in that area. I am glad for local government in that constituency, Mr. Speaker, which we can also see certain decentralization of certain goods and services within that constituency. It is not an easy thing for someone who requires let say a birth certificate to travel all the way from Fancy and equally I believe the same goes for the

Grenadines constituencies and also the North Leeward constituency. And so this action is indeed a welcoming one for the constituency of North Windward.

Mr. Speaker, much has been bandied about by the Opposition saying that the Prime Minister's powers have not been reduced, but Mr. Speaker, I have been here for maybe 8 ½ years and since I have been here Mr. Speaker, no time at all has the Prime Minister consulted me when he wants to appoint the head of state, when he wants to appoint a Senator, when he wants to appoint a chairman of any institution, but in this Constitution, Mr. Speaker, if the Prime Minister and the Minority Leader cannot come to any agreement with any head of state he has come to me here, and that is the difference Mr. Speaker, he has to come to all of us here for that decision making. Isn't that a major step by reducing that power of the Prime Minister? Equally, Mr. Speaker, if tonight the Prime Minister and anyone of us engage in an argument and he is not satisfied tomorrow morning he calls the Governor General and he says look I am having an election in 30 days but under this new Constitution there is a specific time as to which he can call the elections, isn't this again a measure of reducing the powers of the Prime Minister.

Mr. Speaker, what I have seen in this document has shown to me that there have been reductions in the powers of the Prime Minister and so I would be asking Vincentians both home and abroad to vote for a Constitution that reduces the power of the Prime Minister.

Mr. Speaker, equally, we know for a fact that over the years civil society would have castigated politicians for being worthless, being liars, being no good, to the extent that there are good and decent people out there who would really want to come to this Parliament and to make a contribution to the development of this country. Under the old Constitution this is what happened, but under the new Constitution persons can come to this Parliament and they can through the framework of guiding principles of state policy such can be facilitated Mr. Speaker, where of course we would have had from time to time, Bills and so on presented in the House and persons who are much more knowledgeable on such subjects can come to the house and brief the House on matters of such nature.

Mr. Speaker, what I am also enthused about is that there would be the enhancement of trade unions positions by way of Constitutional protection for the right to collective bargaining. Mr. Speaker, I hear the Opposition calling a 'no vote' to the proposed Constitution but I say Mr. Speaker, that from the experience that would have shown on the Orange Hill Estate, on the Richmond Hill Estate, the Walillabou Estate that for over 17 years where because workers had no such protection that it is this government that had to come to this Parliament to correct a historic wrong to ensure that workers benefited and so in this new Constitution, Mr. Speaker, where you would have collective bargaining for workers with their trade unions, I do not see a reputation of what transpired for 17 years under the NDP...

HONOURABLE MR. SPEAKER: Two minutes, Honourable Member.

HONOURABLE MONTGOMERY DANIEL: ...where we would come here to undo what was done. And so Mr. Speaker, I have not seen anything taken away from this proposed Constitution. I have seen much added to this new Constitution. Mr. Speaker, this Constitution is a good Constitution. It is an excellent Constitution, Mr. Speaker, that brings improved democracy and governance to the people of St. Vincent and the Grenadines. And

what touches me most Mr. Speaker, lies in the preamble on page 1, of course, which I would like to read Mr. Speaker, if you would permit me and it says:

WHEREAS the Peoples of the islands of Saint Vincent and the Grenadines, who are known as Vincentians –

- (a) Have affirmed that their Nation is founded on the belief in the supremacy of God and the freedom and dignity of man;
- (b) Desire that their society be ordered as to express their recognition of the principles of democracy, free institutions, social justice and equality before the law;
- (c) Realize that the maintenance of human dignity presupposes safe guarding the rights of privacy, of family life, of property and the fostering of the pursuit of just economic rewards for labour;
- (d) Desire that their Constitution should enshrine the above-mentioned **inalienable rights**, freedoms, principles and ideals;

Mr. Speaker, I love this preamble very much because I believe that Vincentians are Christian people and really would want to ensure that whatever is proposed is based on such values. And so, Mr. Speaker, there may... I have heard from the Opposition that the document can be better of course the document can be better but I do not think we should make perfection the enemy of the good and so, Mr. Speaker, I will be voting yes for this Constitution. I will be campaigning for a vote to say yes for this Constitution and I am saying Mr. Speaker, that I am asking for a vote to say yes, because in this new Constitution there are enhanced guiding principles and a young people's charter; there is better securing fundamental rights and freedoms, there is the presidency being head of state of our own, there is a Parliament being more representative democratic and accountable, that there is a reduction of the powers of the Prime Minister, that there is enhanced role of the Minority Leader. That there would be establishment of local government and there would be strengthening of civil society participation in Constitutional governance of our nation. Mr. Speaker, I am going to be campaigning vigorously for a yes vote on these issues because

I believe I will not have another opportunity for changing anything within the Constitution of this country in my life time. And so Mr. Speaker, I stand ready in support of this new Constitution that can bring enhanced democratic ideals for the future benefit of our your children my children, our grandchildren so as to ensure a better way of life for all Vincentians. I thank you, very much Mr. Speaker.

HONOURABLE MR. SPEAKER: Senator Leacock but before I take you I am going to invoke 12 (6) my Deputy Speaker is not here because of illness so we have a 5 minutes Members convenience break suspend for five minutes.

House suspended for Members convenience at 5:50 p.m.

Resumed at 5:58 p.m.

HONOURABLE MR. SPEAKER: Pray be seated, sorry about that I do not have a Deputy Speaker today. Senator Leacock you may begin as soon as you are ready

HONOURABLE ST. CLAIR LEACOCK: Thank you, very much, Mr. Speaker. Mr. Speaker, I am obliged to acknowledge that I have as the people would say locally proper reinforcement in this distinguished Parliament. They are not strangers to me at all, I happen to know these people very well. Mrs. Margaret Leacock, my wife, and Mellissa K. Leacock in the Strangers' Gallery in support of my presentation, and you would know of course Mr. Speaker, that they are also proud Members of the New Democratic Party. [Interjection] They would not want me to say that Mr. Speaker,... Seriously Mr. Speaker, I rise to make my contribution to this very important debate for which there has been so much expression of passion that we perhaps on the way to having one of the strongest brew of passion juice that we can come across for a long time. For some people it has taken them all the way to the roof.

Mr. Speaker, let me say from the outset that I have no compulsion to a yes vote or a no vote, but I am a deep and abiding party man. And I understand the imperatives of the argument that are being proposed by my party. That said Mr. Speaker, my whole career has been one in which I never proceeded along any party blindly and I always allowed myself to be persuaded or influenced by the weight and strength of arguments on the subject matter that is before me. Let me admit, Mr. Speaker, this evening the subject matter is in fact not just historical but very weighty. I need not go into great details Mr. Speaker, on the background to what has taken us here. Certainly, the notion of Constitutional Reform it is not novel, it is not new, it is not breaking new ground, the ULP, it is not the first in these parts but some credit must be given to them for having beaten the track, and to be where they are at this juncture. But my own party Sir James Mitchell had that commitment and I am confident had Honourable Arnhim Eustace had enough time in office not haunted out of office he would have continued in that vein and we may have been at that very point, seeing this point completely today, Mr. Speaker.

Mr. Speaker, through you, I want to have a conversation with the Honourable Prime Minister to talk with him perhaps for the first time in this Parliament. And Mr. Speaker, he will decide whether it is also the last time, I am not here to rant, I am not here to rave, I am not here to be in any vexatious statement, but I want to deal with the matters in the way that I see them.

Mr. Speaker, let me start with one of the passionate statements for the Honourable Prime Ministers himself. His famous country boy statement, and he has two versions of these statements and they varied depending upon the audience. There is one in which he is the poor country boy, peasant community came to town with shoes on his foot, shoes burning him, barefooted, et cetera, et cetera, he made it through the Grammar School, nobody should begrudge him for his success in that regard. That is version one. Version two of course Mr. Speaker, is that at age 14 he had large acres of estate, shop, gas station and things so nice, so we could have our pick. Maybe there are times when both stories come together; I am not interested in the outcome of that Mr. Speaker, because Mr. Prime Minister it does not bring me any political benefit but let me say to you if I have not said it before in all of our years of sojourn and it goes back, I have deep respect for you, I do not dislike you, in fact I do not know if it is political disadvantageous for me to say that I like you, it may not be advantageous, but I despise the way in which you can see how you progressed from the peasantry, and the country, the rural life to Prime Minister ship through the sweat and tears of your parents and other support systems to be where you are today, nobody should begrudge of that, but I will let you know, it is the same way,...

HONOURABLE MR. SPEAKER: I would rather that you make those statements through the Chair, it seems like you are having a little dialogue.

HONOURABLE ST. CLAIR LEACOCK: You rather I make the statements through you, Mr. Speaker, well my initial statement was through you, I did say that, I did preface that, through you.

HONOURABLE MR. SPEAKER All right, I see,

HONOURABLE ST. CLAIR LEACOCK: I want him to know in the same breath that I respect his progress that as proud town man as they would say it is, son of a coconut and a market vendor, it pains my mother no end at age 87, in fact, she has asked me on more than one occasion to come to the Parliament to ask him directly what he knows about her child. [Interjection] Yes. It pains her. That is why on each occasion in this House and outside when he has made statements that as a Prime Minister so long as he has life, I will not see it through parliamentary office. I have taken offense because his sojourn is very little different to my own. I will tell you why we are going through this personal story; it is first and second degrees from the University of the West Indies, primary education at the Grammar School, yeah! It is the same picture, and I too went to the United Kingdom at University as he did. So there is no differentiation between opportunities and we have to stop this academic certification and wearing our own successes on our sleeves, let us move on, we have to develop mutual respect for each other. Let not the politics of the day have to be dividing us in the way it has happened, Mr. Speaker.

Of course, the public would not understand that he is no longer in a position to make those statements again, particularly if he was so fortunate for this Constitution to be passed. Because baring ill health it does not seem that the Good Lord who knows does not have sleeping pajamas, has so constructed things that whether elected or selected, whether Representative or Senator, yours truly is likely to be here one more time. My suspicion is if I do you may not come back into this House to sit on this side of the House, I do believe that. I believe that in my heart even when he wins his seat, he may not want to be here to face those of us on this side of the House over there.

But Mr. Speaker, both the Prime Minister and the Leader of the Opposition captured in their presentation the notion of a Constitution that is pregnant, I think the Prime Minister might have said, pregnant with history, pregnant with opportunity and I am adding with simple language, pregnant with some good stuff. The Honourable Leader did say that we need to guard against this Constitution being a still born, because it seems to be heading that way.

Now, in that vein, Mr. Speaker, I want to say it would be regrettable if we have to abort, that is not something either of us want to promote. But I also want so to affirm, that this debate does not have to have a C-section and we can avoid all that by going to a full term of the discussion, that is my way of saying, even though I understand we have been on this debate for the last six years or so, there is no magic about November or December or January, to go to the people in a referendum, equally it cannot be forever, we have to bring this thing to a conclusion in some reasonable time. But I do not want to put a magic date to it, but sufficient to say that if some more time is necessary for us to get the best results we should not hesitate to do that.

Mr. Speaker, in much of the presentation I have heard from my colleagues on the other side have been predicated on a simple notion that the existing Constitution, this document is bigger, it has in more in it, and there is nothing there that does injury to what is in the old existing Constitution.

Mr. Speaker, that may be a reasonable basis to start an argument but it does not have to be conclusive. You have been around long enough Mr. Speaker, that we have a lot of things around today that are more modern, more up to date in some regards, and yet the purpose that they serve is even conclusive as to whether it is an advancement of who in the past. I just chose some at random. I think of the days when we had the old buses on the roads, the old Bedfords, for example wooden trucks with the back, we have replaced them with Toyotas and Nissans and all sorts of new vehicles but many farmers still argue, give me back the old bus because it can bring the loads at the back. Minister Daniel may understand the point that I making, because it is good for some passengers but not for the farmers that produce goods, where we play vinyl records by CD's but the guys who produce music probably make less money now, because it is so much easier to replicate the CDs, the Minister of Culture can relate to that. We used to have old crocus bags, we replaced them by nylon bags, a lot of people would not feel that that was necessarily an advance; we will move from a lot of foods we used to tin foods, we are now in the fast food culture but it does not mean that we are eating better. So because we have a bigger document, because there is more material in the document does not by itself say that we are more advance along the Constitutional path?

So, Mr. Speaker, I have state that in this House before perhaps at a budget exercise, I have done so on radio and I want to do so again today. And if I have to make it a document of the House I would so do. All of us have to have something that drives us that guides us in our lives. Just as the Constitution has its own guiding principles and one of the things that inform me, Mr. Speaker, as a person in the way I approach life, and public policy came out of a visitation I had to South Korea a few years ago when met a vice president of Hyundai, he was the president of football at South Korea at the time. His father owned the big conglomerate Hyundai that makes motor cars and ships and other things and so forth, and he said that his father from a philosophical point of view favoured Confucius over Mencius, and his argument was that Mencius advanced the cause of the individual over the country.

Mencius stressed individualism, and I will read what he says how his father put it. Only when the country prospers can we be well, only when we thrive can the country succeed, and he says that this represents his father's belief that a country's development ultimate depends on the efforts of the individual. I want to repeat that. A country's development ultimately depends on the efforts of an individual likewise the success of the country is measured by the well being of the individual. He therefore opposes the idea that people should be sacrificed for the benefit of the nation. That is important to me, Mr. Speaker in a Constitutional debate, because one of the things that we ought to be measuring is the extent to which the Constitution finds a good balance between the individuals development and that of the country; or put another way that the promotion of the state activities are not at the expense of the individuals.

Mr. Speaker, we in the New Democratic Party have argued in our own philosophical approach to development, economic and social of what we call a Basic Needs Approach, not just putting people first but putting the poor man in the forefront for public policy. Mr. Speaker I want to quote from another document that informs the way we approach this matter.

“We believe that development entails more that economic factors and measures. It requires a far broader strategy and more comprehensive administrative initiatives than now prevails. The priceless assets of any country are its human resource as such great emphasis must be place on the society's perception of human life, to man's intellectual and spiritual potential.”

The third tenet that I want to represent today Mr. Speaker, in terms of my own approach to public policy as a politician is the importance of the constituency as the basis for parliamentary Representation, the constituency. In the same way the family is the basic unit of society. My view is that the constituency is the gateway to parliamentary Representation and when we get here we are not lords unto ourselves, we are here temporary as it is to represent the interest of particular communities and before advancing our own self interests we must always be mindful of whatever we say and or do, captures and or reflects those people who have given us the privilege to serve.

Mr. Speaker, in that regard I want to reinforce an important observation to my own mind, and I am going to show you out Mr. Speaker, how all of this feeds into the Constitution that capitalism, that is the economic form of activity that we practice here in St. Vincent and democracy, the ideal to which we strive and which I am complete satisfied are still two best forms of economic and social formation that I know. Important as they are it is capitalism and democracy that produces the twin sins of poverty and inequality. So we have a built in contradiction, Mr. Speaker. I raise that point, Mr. Speaker, because the notion of Constitutional Reform is not a willy-nilly exercise because we had it for 30 years and we must move on or to trivialize it, you going to salute the Queen, you are going to bow down to the Queen and you are going to worship the Queen, and Sir Louis, I was disappointed with you today as one of those who bowed and rose before Her Majesty, as Sir Louis and I am not questioning as to whether you desire, you have made your contribution, the very Speaker has his OBE, Order of the British Empire, proudly serenades it. I have the privilege of an MBE, I am low on the totting poll, [interjection]

HONOURABLE SIR LOUIS STRAKER: That does not mean I have to favour colonialism.

HONOURABLE ST. CLAIR LEACOCK: Well you do not have to favour it, you can give it up if the Constitution is passed. But let us not be side tracked with that. I found the language a little bit not in sync but let us not go off on that Mr. Speaker. The essential tenet of our Constitution, Mr. Speaker, has been advanced by my colleagues on the other side, is ridding ourselves of the vestiges of colonialism. Well I do not know what is in the mind, I do not know if that is in practice, if it is in reality, but a lot of the vestiges that we are talking about of colonialism are practiced on the same day, Sir James did not have an out-rider every day, the Prime Minister does, that is perhaps one way of reminding us who is boss. [Interjection] Let me, I listened to you in silence, and all I am appealing to you is to give me the same courtesy.

Mr. Speaker, in the process of arguing that we should rid ourselves of the vestiges of colonialism we have gravitated and embraced republicanism as the best alternative system of governance.

At the same time Mr. Speaker, we have embraced republican form of governance we want to still maintain the best of the West Minster systems, kind of want to straddle the fence, have a foot in both camp, well you know if you do that, you are exposing the middle, because the foot is across the bridge, this Mr. Speaker, is where the challenge begins for the Constitutional makers and the draftsperson, finding a good fit between the republican form of governance and the West Minster system. Because Mr. Speaker, it is undeniably so that a system or a feature of parliamentary system is that the legislative branches and the executive branches are fused. They are especially in our case one and the same for the main part. So that when Members come here and argue to me that enlarging the parliament from 21 to 27 creating a bigger government which we do not support would resolve that problem because the legislative branch will have more than the executive because the executive will

now be confined to 12 Members plus the Prime Minister makes it 13, and so that there are 14 in the legislative, I say wheel and come again.

I simply cannot accept that Back Bencher argument and it is so ludicrous, because in the first instance the Prime Minister is the leader and head of the executive branch and so he is also the head of the legislative branch. It is like Feddoes going over the counter and say sell I Feddoes one drink and come back on the other side and receiving the drink. It is the same man, Massa Bull, Massa Cow, he heads both branches. That is the nature of our parliamentary system. It is not as obtains in the United States which is perhaps the best form of republicanism in which the president there is allowed to select his own executive to carry out his work and the work of the Congress and the Senate are removed from that Prime Ministerial oversight or authority. So let us be clear about that Mr. Speaker, and how we will resolve that ambiguity, and we have tried to find ways and means to do that in the Constitution.

Let me concede that and if I did not before Dr. Alexis, let me thank you for your work and Dr. Garney, I show great appreciation for the work and effort and even with my provocations from my old and esteemed friend Parnel Campbell I still have to salute him for the level of work rate that I see demonstrated and that is not easing up, so I want to compliment you too, Mr. Parnel Campbell, Q.C., for hard work and dedication, we will save our differences for another place and forum.

Mr. Speaker, let us step back from where we are somewhat, to this six year argument that has been advanced that we have been at this thing continuously for the last six years and we are ready to give birth to this baby – this Constitution; I am still speaking through you, Mr. Speaker, to the Prime Minister, and to my colleagues. Because my interpretation and understanding of a Constitution is that it is the living embodiment of a people. It is as much about law as it is about politics and as it is about economics. It is equally about the state, individuals and institutions.

In short Mr. Speaker, for me the Constitution to really and truly be alive is a verb, it breathes to us here in the legislature and to you on the other side when you function as executive and to the district functions and through the public servants and all the stakeholders who have an interest in it, it breathes, it is not something we form and put on a shelf.

So, Mr. Speaker, as we strive for democracy and good governance in St. Vincent and the Grenadines, we have to ask or raise an important interrogation, because you said that this thing has been six years in the making, now if it has been six years in the making, we have not stood still, we have had the old Constitution and do not tell me what you did was because that one was old but when you come, it is going to be new wine in old bottle or old wine in new bottle, all things are past and new things have begun. Prime Minister this is not my dislike of you, this is not intemperance, but this is your score sheet. The learned gentleman on my left of the drafting committee, and I old had two years of law study so I am not even goat skin, he who wants justice must come with clean hands. I learnt that, you did not have to go to law school to learn that, I heard that. We got so incensed this morning when the Honourable Member for the Southern Grenadines raised the way the \$1.00 tax came into being, for me up to today that is such a serious violation of the fundamental rights of the people of the Grenadines that it pains me and we cannot see that.

There many people on mainland St. Vincent in Arnos Vale, in Vermont in Calliaqua, in Green Hill, if they had to find a dollar in order to come to town or to go back home would not be able to leave home on a day, they would be imprisoned in their homes and do we have failed to see that simply as it appears one dollar as a tax have imprisoned a set of people in this country, and the way it was done whether it was a Saturday or a Sunday or whether it was retroactive told me it was evil in its intent.

I am sorry that Margaret Leacock is in the Strangers' Gallery; and we have already had the reference to Mrs. Sharon Cummings, but the way that my wife was moved from Grammar School the Ministry of Education, hopefully to put to rot before she went home, (and I believe the Minister Slater was never comfortable with her being a principal of the Grammar School), is something should never have happened. So to write in the Constitution now that we want to champion the cause of women, but that is a woman who has suffered at your hands in the six years; so too Mrs. Cummings. I am not touching the Constitution motion issue because I had lessons about it before but for me to say and to know that we still hope that this matter could be tried before the courts. I said Mr. Speaker that I listened in silence, it pains. This is an administration that speaks about freedom of the press and the media, but have also elected to make Nice Radio an issue at a general election.

HONOURABLE MR. SPEAKER: Just a minute, just a minute. You said you want to be heard in silence but you made reference to Minister Slater and I guess he is just asking how he is involved.

HONOURABLE ST. CLAIR LEACOCK: Well, I am just simply saying, thank you, very much for the assistance, Mr. Speaker, I think he was at one time the head of the PTA at the Grammar School at the time my wife happened to be the principal, and I know he was never comfortable with the notion that a woman was the head of a boy school. That is what I am saying, I am not speaking untruths about you, isn't that correct? You did say that, and that is all, I am simply saying. It just coincidental that having felt that way, and being a Minister of Government, she not long after lost her position at the Grammar School, having broken the ceiling, do you know what I mean? That is what I am saying, Mr. Speaker. I am not accusing him. I am saying it is coincidence. That is what I am saying. It is just coincidental that having felt that way and being a Minister of Government she not long after lost her position at the Grammar School having broken the ceiling, do you know what I mean? That is what I am saying, Mr. Speaker, I am not accusing him, I am saying it is just coincidence. That is what I am saying, it is all coincidence. You are my family and friend, I will not make statements... do you want to defend that?

HONOURABLE DR. DOUGLAS SLATER: Yes, Mr. Speaker, sure. I do not think that what you are talking about has any role in this debate now. Whether or not when I was the head of the PTA...

HONOURABLE ST. CLAIR LEACOCK: I withdraw. I withdraw. Mr. Speaker, I withdraw the statement.

HONOURABLE MR. SPEAKER: He has withdrawn the statement. Continue.

HONOURABLE ST. CLAIR LEACOCK: The hole is still there, Mike Browne? Well I would not say that, because when I withdraw, I withdraw.

Mr. Speaker, our foreign policy with Prime Minister, through you Mr. Speaker, in the six years has worried me, for a country and a Constitution that wants to promote the best of democratic tradition; I have been uncomfortable many times with the new friends that they have made. It is not that I am backward as they would

like to call the NDP, but the Ahmadinejads of the world; - I went to Cuba and could not go into a hotel with my wife, because she was fair and I was black. In Venezuela with Chavez, in Libya with the Lockerby Bombing fame I am saying what I have observed for the last six years, you would have to understand where I am coming from; I am trying to say, I am looking for a fit between the leadership and the Constitutional change, because I am saying a Constitution is not just law, it is also of men. So I will not mention the Vermont shooting because you will get upset about that, nor the Otto Sam transfer, or the Junior Bacchus firing, or the Matthew Thomas, the Arden Grahams sedition treatment, but I will go some stage today if I have the chance, to the Auditor General's report because some nice things are there, because you all have been talking a lot about this..

HONOURABLE MR. SPEAKER: Are you suggesting that the Minister is somewhat involved in the Vermont shooting?

HONOURABLE ST. CLAIR LEACOCK: Far from that, absolutely nothing to do with that, Mr. Speaker. All right continue.

HONOURABLE DR. DOUGLAS SLATER: Mr. Speaker, if my honourable Member will give way, I really do not understand this line of argument. First of all I was not even in St. Vincent when the shooting took place, so to insinuate that I would be upset about what happened in Vermont or not upset in the way you put it over is unacceptable, because you are suggesting, in my opinion that I may be upset, or maybe involved, and I totally was not.

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker, you would not know the Honourable Member and I are virtually friends, we dwell in the same household, I would not cast those sorts of aspersions on him.

HONOURABLE DR. DOUGLAS SLATER: But you named me. I do not know what you are talking about, but those are serious allegations. People listening out there would want to know what involvement I have in the shootings.

HONOURABLE MR. SPEAKER: Let me just make this point. You see we have to be careful with the things we say here, in this Parliament. We have just announced yesterday morning that we are being heard worldwide on the World Wide Web, directly from this Parliament and we have to be very careful with the things we say so that we would not create any insinuations in relation to anybody or anything that we say and let us, be very careful about what we say.

HONOURABLE ST. CLAIR LEACOCK: Why you all are cutting off my microphones as quickly as you all are doing. Is that the procedure? I want to invite my honourable friend to share with me the pain over the shooting in the Vermont area.

HONOURABLE MR. SPEAKER: He does not have to share your pain.

HONOURABLE ST. CLAIR LEACOCK: He does not have to. I said I want to invite him, he does not have to.

Mr. Speaker, I am just saying things over the six to eight years that I informed and the way I approached my support or lack of support for the Constitution. Mr. Speaker, you know, I am heard references to the functioning or the non-functioning of the Honourable Leader of the Opposition with respect to his role with the

Public Accounts Committee. I want to pull one or two things from the Public Accounts Committee why they should perhaps thank him. I want to go to page 4 of the 2006 report. There are some departments where records have not been audited, a conspiracy of reasons account for the non-completion of the programme of works for 2006; chief among them being inadequate accommodation for audit teams and lack of adequate equipment to facilitate the access of records which are kept electronically in various data base in the governmental systems as part of the standard integrated government financial integrated systems.

Mr. Speaker, in this transparent government Mr. Speaker, if I go to this auditor report because I heard... on page 172 of this report I heard Minister of Family Affairs making big boast, and the report speaks not in glowing terms of what is happening, maybe I do not need to belabour those audit reports to make my contribution to debate.

Mr. Speaker, contained around the eight years period, it is my own opinion that civil society has either shrunk or have been sufficiently maculated over the last eight years and certainly six years of Constitutional debate and I do not know why. Where is the National Youth Council, whether Council of Women, where is the ODD thing, where is the Christian Council? Where is the Labour Congress? I cannot even tell when last I see a union on the street for a Labour Day. The first year they went off in flying colours. And Mr. Speaker, worst of all as we attempt to change what would become the supreme law of the land, we have not heard a single word from the Bar Association of St. Vincent and the Grenadines. I am not blaming you. I am not saying this is your fault. All I am simply saying is that something so important to us a people, something that would guide us through the rest of our lives, we have not heard...

DR. THE HONOURABLE RALPH GONSALVES; If my honourable friend, I did not want to interrupt you while you are going along, I would like to offer to the extent that one could offer any defense to the Bar Association on the matter, that I saw a communication which came to the select committee dated the 27th of August, after the select committee had closed its work. It was a one page, one and half page. I am not removing the stricture you have leveled against them you know, I just want it to be said that something came. I give you the facts as I have them because I must provide. I like to... if I see there is an error, particularly on a matter about which you are not aware, that I draw it to your attention. I do not know whether I defended them or I darn them, but I have to say it in their defence that they sent in something.

HONOURABLE ST. CLAIR LEACOCK: I am indebted to you Honourable Prime Minister. And while I am going through my review of the last six to eight years of the things that bothered me as I come to my position on the Constitution, Mr. Prime Minister again through you, Mr. Speaker. You have this way that you choose your message for audiences, you know, and one of the messages I found a little worrying, because remember I said I like you at the start, remember that, is the one you made in Trinidad, Mr. Speaker, that you were reluctant to give Vincentians the Constitution via the newspaper because they will wrap it in salt fish cloth.

DR. THE HONOURABLE RALPH GONSALVES: I said that?

HONOURABLE ST. CLAIR LEACOCK: You did not?

DR. THE HONOURABLE RALPH GONSALVES: No, that is not true.

HONOURABLE ST. CLAIR LEACOCK: Well, let us play the CD, Mr. Speaker. Do you want to? It is four minutes. Well, I am saying we could resolve that. It is four minutes.

HONOURABLE MR. SPEAKER: We will deal with that another time.

HONOURABLE ST. CLAIR LEACOCK: We will deal with that another time? If it was not a joke, I would laugh. I apologize to you, Mr. Prime Minister, I will listen to it, again and if it is a voice...

HONOURABLE MR. SPEAKER: You know why I do not want it played? You know why I would not take it at this time?

HONOURABLE ST. CLAIR LEACOCK: Of course.

HONOURABLE MR. SPEAKER: You know why?

HONOURABLE ST. CLAIR LEACOCK: Yes, Mr. Speaker.

HONOURABLE MR. SPEAKER: Why?

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker, we will save that for when we are in another forum.

Mr. Speaker, let us rest the reductionist debate that has been taking place on this Constitution, a lot of heavy weather has been made about the fact that the Prime Minister's powers have not been reduced, it has not been reduced. I want to say that is a truism but not in its absolute sense, because we are learned men, all of us in here on both sides of the House and those who are listening in the Gallery but reduction between competing parties and forces does not necessarily have to mean the taking away of, but if you increase Proportionally to another party there is a change in the balance. And what we have to look at in the Constitution, Mr. Speaker, on this reduction's argument and the balance of power, is to what extent the provision in the constitutional Reform have been able to improve the checks and balances in the system. Because that is why the Prime Minister got the support of the Honourable Leader of the Opposition very early in the debate when he said we did not even have parliamentary system or cabinet system of government, we have Prime Ministerial system of government. I suspect he meant we were trying to see what did we have in the system that could put checks and balance on the way the Prime Minister dispense his power.

Mr. Speaker, let us go to the Belize government and I want to make the comparison, and my Honourable Member from the Southern Grenadines cited it this morning and so too did Honourable Member for the Northern Grenadines. Mr. Speaker, in Belize where they also had a senate and I will going to read the whole section. How much time do I have left, Mr. Speaker? Do I have enough time?

HONOURABLE MR. SPEAKER: You have ten minutes.

HONOURABLE ST. CLAIR LEACOCK: Ten minutes, I think this is important enough for me to read it because the approach is important. Strengthening the Senate, because I want to spend some time on the senate and I am a Senator for the time being,

“The Upper House or the Senate in the parliamentary democracy is often perceived as a rubber stamping institution which often do the bidding of the party in power. This is simply because the

government almost invariably holds a majority in the Senate. The sixth amendment that we are proposing blazes a new trail in this respect. And for the first time in the history of Belize, the Senators appointed by the Opposition and nongovernmental organizations together will constitute the majority in the senate.”

A majority of seven to six so you see they are going to have a senate of 13, and they are proposing by law, that the Opposition and the independence outnumber the government. So they want somebody to say not so fast, or yes on this we are in agreement with you, bold and innovative.

The president of the senate will also lose his or her casting vote in event of an equality of votes. This is a measure of self abnegation whereby the present government is voluntarily giving up control of the senate, to enable it to perform its functions fearlessly and independently. No longer will the Senator be dubbed as an obedient servant of the government of the day only too willing to please its political masters, hence forth the government would need to enlist the support of nonaligned Senators to have a measure carried through the Senate. This amendment also extends the powers and functions of the Senate to enable it initiate and conduct public inquiries into complaints of mismanagement or corruption by persons in the Central Government or public statutory bodies and to summon ministers of public officers to answer questions related to such inquiries. These Reforms can justifiably characterized as a Senate Charter.

People love this word charter, all over the place you hear this word charter coming out. But you see, Mr. Speaker, and you have to admit, this is a powerful check and balance on the parliament, where the senate can do those things. I do not know if my learned friend the CRSC, the drafters had a look at this, but I find it quite attractive, because Mr. Speaker, that is one of the reasons why I had reservations when we tried to pass the minutes of the meeting of the Select Committee, because I had a distinct recollection in those sessions, Mr. Speaker, of the views of Dr. Alexis, now what the minutes says: “Drafter Dr. Francis Alexis stated that the term Senator was more user-friendly than the term party representative, and that party representative lack grounding in our political Constitutional cultures.” Well in fairness to him I think the Honourable, I will call him Honourable Dr. Alexis, he does not mind if it is only for a day, said much more than that. He highlighted how pleased he was with the work of Senators throughout the Caribbean, in his home Grenada, in Barbados, and in other jurisdictions and that they have brought a level of maturity and in some cases independence and professionalism to parliamentary debate, and he will love to see Senators continue in St. Vincent and the Grenadines on the basis of that, now that is important to me, you know, Mr. Speaker, because he saw the functionality of Senators as a *reasondesh* for a continuation of parliament. Not so in our Constitution, Senators we agreed, I think last December should have been our last hurrah, Senator Cummings and myself went and had some, what is your best wine name again, Senator Cummings? Ginner wine, I am told it is De Andre Ginner Wine. And we celebrated that, because we were going home. In fact in this very debate in the Select Committees we heard the Honourable Prime Minister said that there was a settled view that Senators would be a thing of the past. I hope I captured you accurately and we were moving to party representatives.

But what has emerged? It has emerged that we want to have a parliament of 27 to avoid the 1989 situation, the 1998 situation where we had 8-7 and what, any kind of combinations where it was so closed and we could not get a separating vote. Well that is not a good enough reason to enlarge the parliament, not enough reason at all. Just simply to make sure we do not have tied votes. That is what Senators have been reduced to? You know,

and if you look Mr. Speaker, at 70 (1) (b) of the Constitution I think it is, it really puts the Senators in the Parliament today because after all they are party representatives, they are still there by the whims and servings of the party leaders. We will come to that at a later stage, but I want to say Mr. Speaker, that I would much prefer to see that if we were going up to 10 Senators, then maybe we could have had a separate House, maybe we could have gone to 12 or 13 if that is the argument that Senators are really a justification, if that is the argument. Then give them a separate House that we could have another body of men and women having a look over legislation and public policy issues and in that senate, we just now did not have solely Members of political parties but the original or innovative approach in the Caribbean at least where the Senators represent a special interest, the Chamber of Commerce, women, farmers, churches, youth, rasta, fisher folks were in a senate to bring the benefit of their arguments, that could have been another approach we could have taken to this matter of the parliament.

Mr. Speaker, the Honourable Member for West Kingstown made an important observation that this Constitution has introduced for the first time the notion of political parties in the laws here, that is before now the Constitution did not recognize the existence of political parties. And one of the things the Constitution needs to reflect or to answer is whether the notion of political parties, and by the way, I am not so sure whether political parties are body corporate but that is something for another discussion.

HONOURABLE MR. SPEAKER: Yes Sir, because you only have three minutes to finish, to wind up.

HONOURABLE ST. CLAIR LEACOCK: That is fine, I will make sense of the three minutes. I was saying Mr. Speaker, that we have to be sure that emergence of political parties is not at the expense of individuals coming to Representation in the new assembly of St. Vincent and the Grenadines.

Mr. Speaker, a feature of our economic system is that it not only distributes money and wealth unequally, but it also distributes power unequally and Mr. Speaker, I was looking at the Constitution and I hope you will give me a few minutes, Mr. Speaker, of India to see how the approach, the importance of redistribution of power and inequality in societies. And section 38, of that Constitution and I will go through it very quickly, Mr. Speaker, it says that the states are striving to promote the welfare of the people, I will go back to my proposition, by securing and protecting as efficiently as it may a social order in which justice, social, economic and political shall inform all the institutions of national life. Section 2: The State shall in particular strive to minimize the inequalities in income and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas engaged in different societies. And it goes on to list a whole set of other things, Mr. Speaker. And section 40 which leads me to my next point, the state shall take steps to organized villages and endowed them with such powers and authority as may be necessary to enable them to function as users of self government.

Now, Mr. Speaker, I am grateful for the fact that some recognition have been given to the contribution that I have made for more attention to be paid to the constituencies by which I called a Constituency Development Fund. And section 8 of the guiding principles speaks to that, but I would like to see, make assurance, doubly assurance Mr. Speaker, and I speak to the ears of the draftspersons, I think it is section 153 of the Constitution authorization of consolidated fund because we are told the guiding principles are non justiciable, that they cannot force them by law to do so, which was my concern. I do not know that in the same way that authorization of expenditure from consolidated fund makes provisions, let say for a contingency fund and when

we go on to 157 for debt charges, whether we should state specifically that the contingency fund should have the provision for the constituencies. Because I note that post the debate at the select committee Members on the other side who up to now had not given me the support now embraced that it is important for a constituency development fund, but I feel we should go into the finance section of the law and have that provision there for constituency development. Now, you hear...

HONOURABLE MR. SPEAKER: I am going to ask you please to wind up.

HONOURABLE ST. CLAIR LEACOCK: I am going to wind up, Mr. Speaker. There is a lot of nah nah and nah nah but again, Mr. Speaker, going back to the political and constructional Reforms in Belize what originally being dished here in St. Vincent has found favour there. And listen to what they say,

“There must be a system to allocate funds fairly to all elected representatives whether government or Opposition to enable them to better serve their constituencies.”

This is not rocket science and what before seemed like heresy is being done in other jurisdictions in the Caribbean and now these are people with 25 – 30 and 40 years of Prime Ministerial and other experiences, far more than I have been arguing this. So Minister Straker not because you are on your way out, and Minister Browne, leave the nah nah alone and I am surprised the Honourable Senator Caesar does not see the wisdom of this, but given time, you are young you will grow it out, ... [interjection] the invitation is noted and I will respond.

HONOURABLE MR. SPEAKER: All right, wind up. Wind up, Sir.

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker, I do not have the time but I want to make some comments about some of the new innovations, the teachers commissions, the human rights, some of which we said you do not have to have Constitutional... Mr. Speaker,

HONOURABLE MR. SPEAKER: You do not have the time to do that, I am asking you to wind up now.

HONOURABLE ST. CLAIR LEACOCK: I am winding up, and thereof I am saying I do not have the time and would have like to comment for sure that some of these things that are being touted as leading edge innovations save and except for depoliticizing the public service do very little for new and modern human resource management practices for effectiveness and productivity in organizations. We can do more in that regard Mr. Speaker. Mr. Speaker, the Minority Leader's position I cannot comment on, but the powers of being spectacular as described by Parnel Campbell, all of its importance means that this comes four or five years after the fact, but we all agreeing on this side, Mr. Speaker, that there are some important improvements in that regard.

Mr. Speaker, where we go with this Constitution? Have there been significant improvements in this Constitution? The answer is yes. Is this sufficient for us on this side to vote yes, you have heard the voice of my leader, then you heard the voice of my Honourable Members from the Northern Grenadines and the Southern Grenadines, you do not have to hear my voice. The one good thing about today, the old Constitution says Senators are not allowed to vote. Much obliged, Mr. Speaker. I am not taking the easy way out, Mr.

Speaker, not taking the easy way out, Mr. Speaker. I have to stand firmly behind my party, the New Democratic Party. Much obliged, Mr. Speaker.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, we are almost at 7:00 p.m. May I say, Mr. Speaker, that two things, 1. Dr. Alexis is leaving tomorrow morning and he is going to Grenada to present a paper entitled “Constitutional Reform, method and substance, the Vincentian model”, a paper to be delivered at a public lecture in honour of Dr. the Honourable Lloyd G. Barnett, Q.C., and it is organized by the Caribbean Council of legal education. So I am very happy to see this model being taken throughout the region.

Mr. Speaker, I just want to say this, now, the suggestion made by my friend the Honourable Senator Leacock that this Constitution which we are debating here that I did not want it to be published in a newspaper, because people would wrap fish or salt fish in it, or something like that that I made such a statement in Trinidad.

Mr. Speaker, I made no such statement about this Constitution in Trinidad. I boasted in St. Vincent and Trinidad that the original Constitution, the single one, not in these blue volumes, that we printed over 15,000 and sold them at \$2.00 subsidence heavily so that people will have a sense of ownership of this document which have been passed and we did not print it in a newspaper so that people could wrap it up with every different thing, that is the point, I said that here, I said it in Trinidad, and it is not something everyone who knows my colourful language that is not something in any way at all that derogates from what is happening. But in so far as this current Constitution is concerned the reason why we have printed it in the newspapers is because there were amendments which we would have and when we are finished with this for swift consumption by the people we will print also in the newspapers but we are going to have before the referendum hopefully copies in hard copy; so I want to say this that if Senator Leacock thought he had a bombshell.

I mean, I remember when I say things you know, and I know he tried to say it for dramatic effect, as though I will back away, we have... the most copies of a Constitution, hard copies ever done in this country, is when we began this process several years ago. And I boasted here about it and I was boasting in Trinidad about it. That if you have an adult population of 60,000 people and you print 15,000, and I want to say, all of them, were bought, they were lapped up, you cannot find one anywhere about, people have them in their houses. And I should be praised for being associated with that, rather in a way of subterfuge for one who has declared himself to be my friend to take the matter outside of the context. So I want those who are going to sleep tonight and when you play your four minutes on NICE Radio, that everybody would know what I had said, where I had said it and I noticed, you know you have no comeback on that because I have not yet reached the stage that I forget what I say, but the context in which you were saying it, is that this Constitution, you do not want to do anything, no, we are talking about when we began the process and my friend knows that but he was thinking that, he had one in the moment. I am very pleased however that Mr. Speaker, as we go to bed tonight he has no compunction to a yes vote, or a no vote, and he has declared himself a party man and he has no vote here, because he is a Senator. That you have no vote here as a Senator on the issue I was just saying what you said.

HONOURABLE ST. CLAIR LEACOCK: Let me make myself very clear, I will be voting solidly with my party on this matter, Mr. Prime Minister.

DR. THE HONOURABLE RALPH GONSALVES: But you cannot vote here.

HONOURABLE ST. CLAIR LEACOCK: Well, not in the House.

DR. THE HONOURABLE RALPH GONSALVES: Well that is the point I am making.

HONOURABLE ST. CLAIR LEACOCK: Oh, in the House.

DR. THE HONOURABLE RALPH GONSALVES: That is what you said. I was just quoting you what you said. I was just quoting you approvingly actually.

HONOURABLE ST. CLAIR LEACOCK: Approvingly, but I want you to know, beyond doubt that I a firm party man, I want that to be clear.

HONOURABLE MR. SPEAKER: Prime Minister...

DR. THE HONOURABLE RALPH GONSALVES: Well, Mr. Speaker, it was a very interesting contribution and we will talk about it sometime. I think..

HONOURABLE MR. SPEAKER: I do not really want you to wrap up yet, because I think I want to deal with an issue that arose earlier. Well there were two issues, and

DR. THE HONOURABLE RALPH GONSALVES: Yes, Mr. Speaker, well I did not know that, Mr. Speaker, but I will sit down and then when you are finished I will...

HONOURABLE MR. SPEAKER: One in relation to the statement that was made about the Attorney General and judge and that sort of thing. Now, the statement according to the transcript says:

Now, many times in this region, there is bacchanal between attorneys general and government, sometimes they have to try and find to see if they get a job as a judge for her or send oversees or something that is the spirit with which this Ralph Gonsalves not Prime Minister, this Ralph Gonsalves has approached this matter.

That was the statement which you made. Then:

The magistracy is protected for the first time under the Constitution, you are hearing people say all the time, oh, Prime Minister could influence magistrates, I cannot influence magistrate, because I am not like that but for the first time in the history of the OECS, the magistracy is in this new Constitution will be Constitutionally protected.

Those were the statements that you made and I am satisfied that you were truly, you were misquoted in relation to the statement about the magistracy. And I really think.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, as you heard and everyone heard me defended my position, I just had my 63rd birthday and thank Almighty God, no defect of the brain has set in.

HONOURABLE MR. SPEAKER: I will deal with the other one tomorrow.

DR. THE HONOURABLE RALPH GONSALVES: There is no instability in my head, no forgetfulness. So that Mr. Speaker... and I am not asking for an apology Mr. Speaker,...

HONOURABLE DANIEL CUMMINGS: Mr. Speaker, may ask what is the relevance of...

HONOURABLE MR. SPEAKER: What is the relevance? No, I was just tying them all, the whole magistracy situation, the situation in relation [Interjection] Well whether you want to see that or not I thought I would just tie them together.

SUSPENSION

DR. THE HONOURABLE RALPH GONSALVES: I am obliged, Mr. Speaker. Well I can feel that I can go home, vindicated again by this Honourable House in matters which I have said and where persons think they have smoking guns they have none.

Mr. Speaker, interestingly, though yesterday Mr. Speaker, I spoke for an hour and today, we had eight speeches yesterday, today when everybody spoke for 45 minutes, we had seven speeches. We have Mr. Speaker, that 15 persons, we have five other persons plus the winding up tomorrow. So that we should finish in the early evening tomorrow. I may indicated, Mr. Speaker, in fact, I will indicate that, I spoke to the Honourable Senator Francis who has assured me that he would be in tonight, after 8 p.m. So that 15 and 6 and myself, seven so that we would finish about the same time tomorrow. Hopefully, if we start promptly about ten past 10 tomorrow, rather than half past ten we should be able to finish by about 6:30 p.m. maybe 6:15 p.m.

I beg to move accordingly Mr. Speaker, that this House do stand suspended until tomorrow at 10:00 and we ask Almighty God to take Dr. Alexis safely to his family, with our gratitude.

HONOURABLE MR. SPEAKER: Once again, thank you, very much.

DR. THE HONOURABLE RALPH GONSALVES: I so move.

HONOURABLE MR. SPEAKER: Thank you, very much Dr. Alexis for being here with us and for assisting us so well in this whole process. We wish you all the best in your future endeavours. May God bless you? Motion.

DR. THE HONOURABLE RALPH GONSALVES: I move the motion, Mr. Speaker.

HONOURABLE MR. SPEAKER: There was a seconder?

**Question put and agreed to.
House adjourned accordingly at 7:05 p.m.
Until Wednesday 3rd September at 10:00 a.m.**