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Thursday

Fourth Session

3rd 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.**

SIXTEENTH SITTING

3rd 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 Marriaqua

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

Government Senator

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 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

Honourable Rochelle Forde

Government Senator/ Deputy Speaker

ST. VINCENT AND THE GRENADINES

HOUSE OF ASSEMBLY

THURSDAY 3RD SEPTEMBER, 2009

PRAYERS

HONOURABLE MR. SPEAKER: 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 provisions of 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: We earlier in this meeting announced that the Honourable Julian Francis could not have been here with us because of some matters in his domestic situations existing in his immediate family, today we are please to welcome him here to Parliament here this morning and we hope that whatever would have caused the delay would have by now been revolved in a satisfactory or otherwise. We welcome you to Parliament this morning. We continue the debate on the Constitution Bill and we have to start us off this morning Senator Saboto Caesar and we want you to know that you have 45 minutes to make your presentation.

HONOURABLE SABOTO CAESAR: Thank you very much Mr. Speaker. Mr. Speaker, I rise to join with my colleagues on this side of the House to support categorically the St. Vincent and the Grenadines Constitution Bill of 2009, but before I go into the substantive parts of my presentation Mr. Speaker, I would like to take this opportunity to congratulate all the persons, distinguished members of the drafting team, members of the CRC and the CRSC, members of Parliament, community based organisations and NGO's, the Churches, among others who worked assiduously over the past six years actively participating in this national dialogue to produce this document that we have here today. Mr. Speaker, by no stretch of the imagination was this, an easy task and again I congratulate all of us who worked so hard on this document for a job well done [applause].

Mr. Speaker, please permit me to address personally, speak personally to the matter of Constitutional Reform. Mr. Speaker, and I say with all humility and modesty that I am the youngest person in this House and I am the only member of Parliament who was born after 1979 [applause] so Mr. Speaker, when I speak this morning about how young people see this document I think that I am a credible witness speaking on behalf of the youth of St. Vincent and the Grenadines. Mr. Speaker, I was in 1980 in the small village of Diamonds. My father a banana farmer and my mother a house wife, I grew up on the fringes of want of what once was a sugar estate, I was born in a house Mr. Speaker not more than 20 by 20. Many of the amenities were outside, I am coming

today Mr. Speaker as a young man from the bowels of the working class people of a rural district in St. Vincent and the Grenadines. I attended the Diamonds Government School at the time Mr. Speaker, this school was on shift system so for the most part in my formative years; I only had access to primary school education for half of the time. But Mr. Speaker, I was not bewildered by this and I stand here proudly Mr. Speaker, as a member of the community of San Souci to put forward a case for Constitutional Reform.

Mr. Speaker, when I was preparing my presentation, my mind went back to an essay that I did when I attended the St. Martins Secondary School in the class of Form 3 and the topic was “if you were to choose as a student a period of time in history in which you wanted to live what would that time be?” And Mr. Speaker, I chose the year 1562 because I could imagine myself as a Youngman being on the shores of an English Caribbean Speaking Island when John Hawkins was to arrive with the first set of slaves Mr. Speaker, I wished as I have Stated in that essay that I was there together my brothers and sisters to ensure that he could not begin one of the most dehumanising trade ever to happen to mankind. But Mr. Speaker, further in the essay I was attracted to another period and that was the period of 1776 because I wished that I could fight alongside Lafayette in the American Revolution as America fought against Britain for their freedom.

Mr. Speaker, although it was tempting to live in 1776 during the American war of independence, 1789 the revolution in France I wished I was there in Paris to be one of the first readers of the social contract put forward by Jean Jacques Rousseau to be there with great men like Voltaire and Rose Pierre as we sit in commune to work to fight for three fundamental principles and precepts that of liberty, equality and fraternity, even though that was great Mr. Speaker, I was lured into the period of 1804. I wanted to be in Haiti Mr. Speaker, to fight alongside my fellow Caribbean brothers Toussaint, Dessalines and Christophe as they fought Mr. Speaker, [applause] to establish the first black State in the new world, a cry for freedom.

Mr. Speaker, in 1804 the Haitian independence when the people of Haiti changed the name from Saint Domingue to the old Indian word Haiti, these were things as a young person Mr. Speaker, which moved me and if I come up Mr. Speaker, to the early nineteenth hundreds I will travel through the length and breath of the region and I would join men like Marcus Garvey Mr. Speaker, I would join persons like Errol Barrow and I will come right home, the great leader, Milton Cato and Eric Williams as we fought to stir up a fight for independence. But Mr. Speaker, I could only speak of those things historically and as one speaker on our side of the House said, if I am to acquaint myself with what had happened before 1979, I can only do so through careful reading.

Mr. Speaker today is a special day in the life of our nation and St. Vincent and the Grenadines is under the microscope and under the microscope for something good. Mr. Speaker, I attended a seminar in Costa Rica on the weekend and whilst in transit in Trinidad and Tobago I picked up a newspaper the Sunday Express and the first article that jumped out to me was one done by a very renowned journalist in the region his name is know for great controversy Mr. Ricky Singh and he noted in his article, the title “endorsing the CCJ” today Barbados and Guyana are still the only two CARICOM countries that are members of the CCJ. Thirty years after becoming an independent nation the Eastern Caribbean Island of St. Vincent and the Grenadines is gearing for a national Referendum that could also remove a constitutional burden to access the CCJ as its final appellate institution instead of clinging to the apron string of the British Privy Council. Mr. Speaker, those are not my

words, those are the words of Ricky Singh an outsider, looking into our experience and commending us. Mr. Speaker, he further States, this could well be seen as a case of finally putting the proverbial cat among the pigeons setting as it does the political precedent, Mr. Speaker, I repeat that line, setting as it does the political precedent for other countries in the Organisation of Eastern Caribbean States as well as Jamaica and Trinidad and Tobago to do likewise.

Mr. Speaker, what Ricky Singh is saying here? Is that St. Vincent and the Grenadines we are way out front and we will continue in that part [applause]. Mr. Speaker, he continues, some of these islands also require a two-thirds majority or endorsement by a national Referendum to facilitate ditching the Privy Council in favour of the CCJ. The Vincentian Parliament Opposition, the New Democratic Party of which Arnhim Eustace a former short term Prime Minister has already vowed to vigorously campaign against a “Yes” vote at the Referendum schedule for this coming November. Mr. Speaker, my mother would always tell me sometimes as a child that certain things you must keep under your roof because when you spread your dirty linen in public there are always persons out there looking ready to tell that you are going down a wrong part and St. Vincent and the Grenadines today Mr. Speaker, we are sending mixed signals to the world. Whilst on the one hand there are those of us on this side of the House convinced and convicted that Constitutional Reform is the way to go, there are those on the other side of the House who for many months now are advocating a “no” vote. What is the stance of the Opposition Mr. Speaker?

Mr. Speaker, I sat there on Tuesday Morning and I took copious notes because I was not certain if my memory would serve me right two days after and these are the exact words of the Leader of the Opposition “in my party saying no we are saying no, come again.” I do not know if I get the expression right, how loudly he said, “Come again”, but he said so in a way Mr. Speaker, as a young person listening to him and I do not want to personalise myself Mr. Speaker, because I am not the only young person in St. Vincent and the Grenadines. There are many young persons out there listening to this Honourable House, listening for direction and on such an important issue this is what the Leader of the Opposition has to say, “in party saying no we are saying no, come again.” Mr. Speaker, it is an utter shame and disgrace [applause].

Mr. Speaker, Doctor Eric Williams was very instructive when he wrote a brilliant piece, “the future of the Caribbean” in book from Columbus to Castro and Mr. Speaker, please permit me just to read a paragraph, he noted,

“Dependence on the outside world in the Caribbean is not only economic. It is cultural and institutional. Political forms and social institutions were imitated rather than created; they were borrowed rather than relevant reflecting the forms existing in the particular metropolitan country from which they were derived.”

And Mr. Speaker, Doctor Williams did not stay there, he went on to speak specifically to the legal systems, and we are here today to address the future of the constitutional jurisprudence of our nation. He noted Mr. Speaker,

“Legal systems, education structures and administrative institutions reflect past practices which are now being abandoned in the metropolitan countries which they are originated.”

And Mr. Speaker, this brings me to one of the highest levels of hypocrisy I have seen exhibited by persons in my land and particularly coming from the Opposition side and certain groups in our society who when it suits them they say “Massa days are done” and around emancipation time August 1st, they write all sorts of articles about freedom and what it means to be free and the need for emancipation but Mr. Speaker now we are going to give back Massa his documents, they want to hold on to Massa documents longer than him [applause] could you imagine that Mr. Speaker, one of the highest levels of hypocrisy and these the people who masquerade as historians you know. But these fellows write from their pen and not from an honest conscience and an honest heart.

Mr. Speaker, the question I want to ask the Opposition is this, “Why must we wait?” For 300 years Mr. Speaker, we have waited for the abolition of slavery, 300 years and with a lot of resistance men lost their lives in the process. Men said, I rather be dead than to live as a slave. For over 125 years men struggled for material self government. Approximately two decades after we were able to achieve our independence and Mr. Speaker, thirty years after we would have achieved our independence when we are approaching the very important issue of constitutional decolonisation the Leader of the Opposition in a democratic State is saying to the people vote “no”, “no” means “come again”. Mr. Speaker, there is nothing lower than that especially coming from a Member of Parliament.

Mr. Speaker, the youth of this nation, the young people of St. Vincent and the Grenadines are the persons who we will have to depend on to take our nation forward. I have lived a mantra that for us to move forward as a people Mr. Speaker, there needs to be an exceptional cadre of multitalented and multifaceted young persons who will not only be able Mr. Speaker, to govern their personal lives, but they will be able also to govern the life of this blessed nation. And Mr. Speaker, if our young people can rise to the occasion to govern the life of this blessed nation in years to come, I am certain that we will always play a prominent role in the OECS in CARICOM and it is only then Mr. Speaker that we will have a real chance of creating meaningful change in this world.

Mr. Speaker, I am advocating to every young person, those who have not read the document as yet thoroughly to get hold of the document and read it. There will be seminars, there will workshops, there will be a vigorous campaign, and I am asking you to vote in the affirmative. Mr. Speaker, yes, Mr. Speaker, it is one thing to advice someone off of the top of your head, but it is a different thing when you do a comparative study of something and you advice someone in firm position. Mr. Speaker, I went through the constitutional document of 1979 and not even on one occasion was the word youth or young mention. Mr. Speaker, on the lighter side the old Constitution, the Constitution of 1979 did not even mention Young Island. This new Constitution and I speak with faith, because it is my firm belief that come the end of November we will have a new Constitution, but for the mean time in this Bill clause 19 reads,

“Due appreciation is to be accorded to young persons for their contribution to nation-building.”

Mr. Speaker, if a young person votes ”no” to this, what he is actually doing is saying, he is voting against the appreciation of young people. Mr. Speaker, when the Leader of the Opposition is advocating a “No” vote what

he is saying is that he does not want to submit himself to appreciating young persons. Mr. Speaker, clause 20 reads,

“Every young person has the right to educational, social, cultural and vocational enhancement, including a right to fair opportunity for responsible participation in national development.”

Mr. Speaker, a vote “no” is a vote against allowing every young person to have the right to education, social, cultural and vocational enhancement, including a right to the fair opportunity for responsible participation in national development. Mr. Speaker, as a young person sitting here listening to the Leader of the Opposition saying he is voting “no” against this, he is voting “no” against every young person in St. Vincent and the Grenadines [applause] and I must say if I am to State that otherwise the Leader of the Opposition has just committed political suicide because he is going up against a group of persons who are wise, who can read and who can understand. Do you really think in our minds Mr. Speaker, a young person will vote against a document which says that due appreciation must be accorded to a young persons for their contribution to nation building. Clause 22, Protection of children and Mr. Speaker, I need say that these clauses that I am reading they do not exist under the Constitution of 1979. Clause 68(b) the composition of Parliament dealing with the qualifications, the new Constitution will permit persons to stand as candidates in elections at the age of 18 instead of the present minimum age of 21. Mr. Speaker, this speaks to the issue more than ever of youth empowerment. Under the old Constitution you had to be 21 years old before you were qualify as a candidate. Under this Bill, the proposal is you can be 18 years old and this is what the Opposition Leader is saying no to. He is saying no to young persons having an earlier chance to make a mark, an indelible mark on the landmark of their country.

Mr. Speaker, I have had the opportunity to take the Oath of Allegiance at a very young age. I was 27 years old when I was sworn in as a Senator and as a Parliamentary Secretary. At the age of 28 I had the opportunity again to take the Oath, when I was sworn in as a Minister of State and Mr. Speaker, I consider myself to be a very respectful person and I respect the Queen and I will never ever disrespect the Queen, but as a young person who would have only seen the Queen on a picture, who was born after 1979 and I ask the Honourable Senator Francis, I said to him one day when we were on a radio programme, did you ever see the Queen? And he said to me, he says yes, she came here and I was a little boy and I went..., because I wanted to know, I made an Oath to someone who was the furthest person from my mind. I respect the Oath and I will forever respect that Oath Mr. Speaker, but I must say and I am an honest person, I was a bit uncomfortable especially when it came to the area of saying, her heirs and successors.

Mr. Speaker, I want if I am ever given the opportunity and I say if I am ever given the opportunity because I do not hold the future of my life in my hands, if I am ever given the opportunity to be sworn in, in this Honourable House again Mr. Speaker, I would wish to stand before my nation as a bold young person saying, I Saboto Scroffield Caesar do swear by Almighty God that I would faithfully bear true allegiance not to the Queen Elizabeth of England her heirs and successors, but to the State and the people of St. Vincent and the Grenadines [applause] according to law.

Mr. Speaker and that is what the Leader of the Opposition wants us to vote no to. Mr. Speaker that is a vote against my conscience and the Leader of the Opposition he wants the youths of this nation to bridle their consciences, but Mr. Speaker that is something that we will not do. Mr. Speaker, I was taught as a debater in law school that your debate is not meaningful except if you rebut to exact words being said by the other side and in my preparation for this presentation I was greeted on my computer by a list of words and phrases given to me by the Honourable Leader of the Opposition and I know that these words which he spoke in December of last year he did not know that they will come back to haunt him this morning. In describing the speech given by the Honourable Prime Minister, he used a set of formulations, but I am going to use these words to describe the presentation of the Honourable Leader of the Opposition that he give to this nation where he is attempting to damn the spirits of the young people of this nation as we fight to liberate ourselves.

Mr. Speaker, the speech by the Leader of the Opposition can best be described as a huge disappointment, a rerun of an old drama, a tired plot, the same old story line, a misguided presentation which has lost its appeal, divide of any significant proposals to address the real issues, verbiage grown accustomed to, simply an attempt to make a joke out of peoples lives. Mr. Speaker, I got those words from the Honourable Leader of the Opposition as a young person I stand firm in saying these words best describe his presentation to this Honourable Parliament when we are debating such an important issue [applause].

Mr. Speaker, the Leader of the Opposition wanted to participate in a game of cat and mouse and you hear it clearly from his presentation and once stage earlier prior to this sitting, a case was made for the inclusion of the word or words, Alienable rights, if you search the preamble these words are there today, but no in the game of cat and mouse if the words are there, what do you do? You say, I wanted those words, but guess what I want some more words and that is why I am advocating a no vote. Mr. Speaker, cat and mouse is a good game you know if you know how to play it. The Leader of the Opposition said, he wanted the words, economic development, the right to work, family and marriage to be added but why add them there Mr. Speaker, when they are explicitly outlined in the guiding principles in the Constitution.

Mr. Speaker, at the beginning of the entire process, part two of the cat and mouse game played or continually being played by the Opposition Leader, he was on par with this side of the House, there was unisons but today what we see is complete variance.

Mr. Speaker, as a Youngman, the young persons in St. Vincent and the Grenadines when they listen to the Leader of the Opposition, they wanted to hear what he had for young people. Mr. Speaker, he spoke for over 45 minutes and he did not even mention on one occasion the word young or youth. I may be wrong Mr. Speaker, but I gathered from this is that the youth of this nation, young people is no where, they are no where close to the heart or in the mind of the Leader of the Opposition.

Mr. Speaker, what was more is that the Leader of the Opposition fails to understand the very important process and consultative machinery and apparatus which was at work to create this document. How can anyone say after so many years of consultations the people, this document is a document crafted by the people of St. Vincent and the Grenadines you know Mr. Speaker. Persons in the British Virgin Islands who are listening to us today, those in Boston, in London and in New York, they are the persons who crafted this document, this

document was not crafted by Saboto Caesar or the drafters or by the Honourable Prime Minister by ourselves, this document is coming from the belly of the people and the Leader of the Opposition stood up in this Honourable Parliament and he is asking the people paradoxically to vote against their conscience.

Mr. Speaker is enough for me to do the total opposite of what the Leader of the Opposition is advocating. Mr. Speaker, then the Honourable Member for the Northern Grenadines, a presentation of semantics, what sent off alarm bells in my mind Mr. Speaker, and it is very important that we clarify things in this House, because there are persons listening to us who are waiting on these clarifications. By training I am a lawyer and when I listened to my learned friend on the other side, it made my spirit fall when he noted that if we cannot agree on an issue in the Constitution; leave it out of the Constitution because simply we cannot agree on it. What kind of small boyish law is this? It good goat skin lawyer anywhere will tell you that it is difficult to understand the mental jurisprudential gymnastics going on he only wants..., and I mean it does not take my 14 year old sister in Girls High School, Vatalie will tell you that that does not make any sense so if I am to take what the Member for the Northern Grenadines has said, to reach a logical conclusion, if you do not agree on alienable leave out the preamble [applause], if we cannot agree on how to elect the President leave out the President [laughter] I mean Mr. Speaker, it is hard to sit here and I consider myself to be an ardent student, listening to this coming from grown men, it is difficult, it is paining...,

HONOURABLE MR. SPEAKER: You have 10 minutes.

HONOURABLE SENATOR SABOTO CAESAR: Thank you very much Mr. Speaker. Mr. Speaker, again in his presentation not one mention was made of the youth or the young people and I am certain that there are young persons in the Northern Grenadines who were waiting to hear what he had to say. Mr. Speaker, well the Honourable Member for the Southern Grenadines I felt very scared for him when he found himself lost at sea on matters of comparative law, the person who he turned to was the Member of the Northern Grenadines because I knew that he will get more help if he had turned to his left than if he had turned to his right and all the Member for the Southern Grenadines said about young people was that he was coming up on some boat, he met some young people, they asked him all sorts of questions and he could not answer. I mean, you sat down there for weeks, you sat down there for different sessions, you have the document, and you are saying young persons were asking you questions and you cannot answer, whose fault is that? So you blame me, so you want me to say vote no because you did not read your document?

Mr. Speaker, I have attended mocked Parliaments where there were stronger Oppositions, Mr. Speaker, I have no comments about the Honourable Senator Cummings save to say that and that is in the interest of time, that not once did he mentioned the word youths or young people, but Mr. Speaker, last every I invited the Honourable Senator Leacock to come here to listen to me this morning because when he was winding up he mentioned my name and my mother did not give me my name lightly Mr. Speaker, my mother is someone, and she is here in the gallery, I looked back and to my surprise she is here [applause] my mother chose the name Saboto, she could have chosen Roy or John or Paul, but she wanted the furthest thing from colonialism [laughter] that is why I stand here today [applause] to represent this new dispensation which will be uttered in at the end of November. So Senator Leacock, the Honourable Senator Leacock I think he was messing with the wrong person and I want to speak a bit on this. The Honourable Senator Leacock said that I was too young to understand these things...,

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker, even before I address the substantive matter, I am really surprised and appalled that of the language that I am hearing that it does not invoke a comment that I am messing with the wrong person that is Parliamentary language Mr. Speaker? Where is the, oh! I am asking is that Parliamentary language for a Senator to be referring in the Parliament that Senator Leacock is messing with the young person.

HONOURABLE MR. SPEAKER: So probably, playing might be a better word you see.

HONOURABLE ST. CLAIR LEACOCK: You are comfortable with that language?

HONOURABLE MR. SPEAKER: Well...,

HONOURABLE ST. CLAIR LEACOCK: You are comfortable with that language?

HONOURABLE MR. SPEAKER: Do not try to push me on anything.

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker, I do not ever try to push you on anything.

HONOURABLE MR. SPEAKER: Yes that is what you are trying to do. You ask me a question, you do not need to ask me it twice, okay, I mean I know that as just as common sort of language that people use I not really give it much thought, but if you are objecting to it, say so and ask...,

HONOURABLE ST. CLAIR LEACOCK: No, it is not for me to object to Mr. Speaker. I thought that you...,

HONOURABLE MR. SPEAKER: But you are the one who are raising it...,

HONOURABLE ST. CLAIR LEACOCK: I am raising it, because there are matters Mr. Speaker that ought not to require Members to so raise Mr. Speaker, because you are the director of welfares here.

HONOURABLE MR. SPEAKER: Well you are the one who get up and say that.

HONOURABLE ST. CLAIR LEACOCK: So I was just asking you if you are comfortable with that to be Parliamentary language.

HONOURABLE MR. SPEAKER: No, I am saying if you feel that it is language that shouldn't be use, get up and say so.

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker that is the point I am making, it is not for me to..., I asking if you Mr. Speaker, consider that to be Parliamentary Language that is all I am asking.

HONOURABLE MR. SPEAKER: I have not paid any thought to it.

HONOURABLE ST. CLAIR LEACOCK: Okay good.

HONOURABLE SENATOR SABOTO CAESAR: Mr. Speaker, I humbly withdraw, but I am happy that it took that to bring him in [laughter] [applause] it carries me back to the cat and mouse game being played by the Opposition. He was outside Mr. Speaker, I am certain that he had to hear..., he was in a position to hear, but he only came in on that. Mr. Speaker, the Honourable Senator Leacock said that I am too young to understand these things referring to the need to have a Constituency Development Fund. Mr. Speaker, I go down on record today, I do not believe that any one man should have access to Government monies to talk about he having Constituency Development Fund. If monies are to be distributed give the monies to social organisations, community based organisations and the privilege persons, but do not give the money to any single individual. Mr. Speaker, sometimes we give a man some jerseys to share...,

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker, on a point of order,

HONOURABLE MR. SPEAKER: On a Point of Order, State your point of order.

HONOURABLE ST. CLAIR LEACOCK: The point of order is that the Statement from the Honourable Member is attempting to impute improper motives to me as a Senator by suggesting that the recommendation made here in this House on that very important subject is one which makes a request for Government funds to go to an individual. I heard in this House with respect to that remark the Honourable Leader of the Opposition not only joined in support, but taking time out as a former Minister of Finance and Prime Minister to explain in great detail that those funds will go to the normal process to be manage by the Ministry of Finance with appropriate line items and that the requisitions will have to go through the normal procedures and no individual will ever be intend to have those monies in their pockets and so to speak to the subject to impress or give the impression that a case is being made for personal disbursement of monies by any member of Parliament is not to comprehend the important contribution I have tried to make which has won the support of the drafters of the Committee, Members on the other side of the House and is also very contemptuous of those us who have seen the wisdom of having it included there in the guiding principles. We either support the matter that is in the guiding principles and go forward to see that it is properly implemented or we are not, but he should withdraw the remark that the public may assume that a case is being made for the personal enrichment of an individual or personally manage by a person. The representative was always for one which would realize Government strictures.

HONOURABLE MR. SPEAKER: I do not..., in listening I cannot really apply anything to him indicating that the money is to be disbursed to the personal enrichment of an individual. What he is saying is that it is not a good thing for the individual to have the money to disburse, I think that is what he is saying, but I have not heard him indicating that the person should be personally enriched. I mean I agree with you on the point that the Opposition Leader went at length to say how the money should be distributed, I agree with you on that, but I cannot agree with you on the question where you say that the man is indicating..., the Honourable Member rather is indicating that the money is for the personal enrichment of any individual. I think he is warning against an individual having the money to be disburse because maybe a number of reasons, accountability and

other things like that but in terms of personal enrichment I do not agree with you on that and Honourable Senator Caesar, I hope that you are not imputing improper motives and I will ask if you are so doing that you kindly desist from so doing.

HONOURABLE SENATOR SABOTO CAESAR: Mr. Speaker that Statement was actually made in agreement; it is the only thing I agreed with the Leader of the Opposition that the money should not be sent to persons directly, but you see sometimes Mr. Speaker, when Statements are made in the open, certainly man pick up “conugal” on what has been said, I never directed it to anybody you know, I was just going on to say that I stand, I go on record that no monies must be disburse to any individual. I did not say that the monies will be disbursed to Senator Leacock but I was going on to say before I was interrupted that if you cannot trust some individuals to distribute some jerseys for a worthy cause, how can I trust them with money? And I was ending my Statement there. Mr. Speaker....,

HONOURABLE MR. SPEAKER: Honourable Senator [laughter]

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

HONOURABLE MR. SPEAKER: Yes, Honourable Senator Leacock.

HONOURABLE ST. CLAIR LEACOCK: The person who has brought this legislation or this amendment to the Constitution to this floor and this House repeatedly is myself and the connections that the Honourable Member in its most out of place manner is making to link that Statement and a motion that I cannot be distrust because the influence with jerseys to be disburse because everyone knows here that that has been a political issue and it is really, really out of order and I am asking and appealing to you to address this matter firmly because that is the only inference that the Honourable Member could be bringing to this Parliament to suggest that the person who is associated with that legislation is also associated with disbursing jerseys dishonestly and I have never been so associated with disbursing any jerseys dishonestly in this country....,

HONOURABLE MR. SPEAKER: Well you have just made the case....,

HONOURABLE ST. CLAIR LEACOCK: The inference is there and I am asking Mr. Speaker,

HONOURABLE MR. SPEAKER: You have just made the case so it does apply to you.

HONOURABLE ST. CLAIR LEACOCK: I am asking that the remark be withdrawn.

HONOURABLE MR. SPEAKER: You are just saying that you have not been associated in such a manner. I think you have just made a point so therefore it could not apply to you. It is a simple case as that. I mean you have just said it, you never did it, I mean he called no name, he said persons who cannot be, you said I am no such person and that is the answer to the question as far as I am concern, Senator Caesar would you please continue.

HONOURABLE SENATOR SABOTO CAESAR: Mr. Speaker, as I conclude....,

HONOURABLE ARNHIM EUSTACE: Very often in this Parliament Mr. Speaker, I ignore as many of us often from time to time rather comments, there are things that we know about out there which have been said which infer and the public can infer who the reference is made to, I think this is such a case and we have to be very careful as to what we say because when it is out there in the public they understand what the inference is. I am saying this is such a case. I have listened to a lot of things here today I could have stood up but a lot of times I just let these things past, but this is such a case and we have to be careful Mr. Speaker, when we do these things.

HONOURABLE MR. SPEAKER: Honourable Leader of the Opposition, you see sometimes we make our case but then we go on to unmake the case that is the point I am trying to make. We make our case, I am prepared to deal with the case as you make it, but then when you go on to unmake the case well it is a different situation that is what I am talking about and I have asked the Honourable Member to desist from making any remark and this is also to all Members that will insinuate any improper motive to any Member of this Honourable House and I mean I am strong about that and if you bring a case here and you want me to rule on it, you bring a case, you State your case, you leave the case and let me deal with it, but when you go on as you are saying to unmake the case, then what do you want me to rule on? I have nothing to rule on. You say it is not you, you say, it *ain't* mean me, so what am I going to say? Senator Caesar, continue to speak please.

HONOURABLE SABOTO CAESAR: Mr. Speaker, as I conclude to our youth, no one could have it better than Antonio in the Merchant of Vennis when he noted, "*I hold the world but as the world, a stage where every man must play a part*", we the youth of St. Vincent and the Grenadines must continue to play a part in nation building and this Bill is facilitating such. Mr. Speaker, this document is no a Saboto Scroffield Caesar document, it is not a South Central Windward only document or is it an East Kingstown only document, it is not a ULP or NDP only document Mr. Speaker, it is neither Catholic, Methodist, Anglican, Adventist, Spiritual Baptist, Pentecostal or Rastafarian only, it is a document for every single Vincentian [applause] it is a document of and for our people and advocating a "no" vote Mr. Speaker is asking to vote against our consciences.

Mr. Speaker, today I stand here as a proud young Vincentian citizen and I recommend this document to the people of St. Vincent and the Grenadines. Mr. Speaker, God has granted me the opportunity to speak on an issue of immense importance and I thank Almighty God for that opportunity. May God richly bless the youth of our nation as we continue to excel and as one good friend would say, until the victory, always. Thank you Mr. Speaker [applause].

HONOURABLE MR. SPEAKER: I recognise the Honourable Clayton Burgin and Honourable Member again I would caution that you be guarded in the Statements that you make here in this Honourable House must be careful that you do not insinuate improper motives in any way to any Member of this particular House and that is my at least advice and caution to you. You may begin.

HONOURABLE CLAYTON BURGIN: Mr. Speaker, Honourable Members, I rise to make my contribution on the Constitution Bill for the St. Vincent and the Grenadines Constitution 2009. Mr. Speaker, I must commend the excellent work by the Committee and the drafters for putting such a wonderful document

together, a document Mr. Speaker that will make all Vincentians proud. A document that will be the hallmark for the Caribbean, the Commonwealth and other countries, I want to say to the drafters' thank you for a job well done [applause].

Mr. Speaker, as a popular calypso by Mr. Dennis Bowman says, we got to have a strong Constitution and to me Mr. Speaker, this is the strong and vibrant Constitution that we are debating here this morning or that we have here in this Bill. This Constitution will lift the spirit of our people Mr. Speaker, this Constitution is alive, this Constitution that was put together by Vincentian of all walks of life is one that we as Vincentians should be dearly proud of. Mr. Speaker, I am proud to be associated with this product. This product that took six years of hard work and dedication by Vincentians at home and abroad, Mr. Speaker, after seeing what the Constitution document entails, no one should have any doubts as to voting otherwise than a resounding "yes" in the Referendum in November.

HONOURABLE DR. DOUGLAS SLATER: Oh yes, I will be voting "yes" and my friends on the other side too.

HONOURABLE CLAYTON BURGIN: Mr. Speaker, we have listened to the debate and as we proceed and conclude today you would be even more convinced by the many and varying facts that would be borne out in the new Constitution. Mr. Speaker, how can we as a people, as a nation in the 21st century want to deprive ourselves of this historic moment where we can have our own homegrown Constitution, not one that is colonial based? Mr. Speaker, when the Constitution Review Commission was set up in 2002 we had members from all walks of life, from many different organisations and these organisations include the Opposition, they selected and elected persons to sit on this Committee, persons who would have gone on the Committee or gone to the Committee Meetings to put forward their views, their opinions on the subject matter, persons who would have gone up and down the country throughout the region and the rest of wider world to meet with Vincentians in the Diaspora and at home to discuss the new Constitution for St. Vincent and the Grenadines. So Mr. Speaker, I cannot understand the logic behind the Opposition with their many concerns or the few concerns that are in this document stating that they would campaign a "no" for this document or vote "no" in the Referendum.

Mr. Speaker, measures in the Constitution, this new Constitution that we are debating will ensure that the development of St. Vincent and the Grenadines move forward in the 21st Century. This Constitution Mr. Speaker, as was Stated by many persons is not the ULP Constitution, it is not the NDP Constitution, it is not the Prime Minister's Constitution, it is not the Leader of the Opposition Constitution, it is the Constitution of all of us combined that is why we are all here debating a very important piece of document Mr. Speaker, the most important and most supreme law of the State we are debating here and you want to deprive the people of St. Vincent and the Grenadines of a proud moment like this.

Mr. Speaker, the vote is "yes". Mr. Speaker, I listened to the presentation by the Members on the Opposition side and I must dear say that their presentations were not in their heart or the heart was not in it. Mr. Speaker, when your heart not in something you cannot really give of your best, because deep down in their soul and mind and spirit, they know that what we have here is much better than what the present Constitution is, if I may use a phrase from our last campaign, better by far. Mr. Speaker, how can they being patriotic and sincere Vincentians

who have this country at heart want to deprive young people, older persons of being a part of this historic occasion?

Mr. Speaker, yesterday I listened to the Member from the Southern Grenadines and he mentioned about the education revolution and in passing he mentioned where the Prime Minister said that most persons who become Prime Minister in these parts sometimes do so in their early or mid or late 50's, but the Prime Minister did not say that to be a Prime Minister you have to be in your 50's, he said the reality what is happening in these parts. Then the Member for the Southern Grenadines went about and saying that the young people we have no confidence in them and would not motivate these young people so that they can aspire to be Prime Minister.

Mr. Speaker, why you think we have scholarships in all corners of the world for our young people and are sending them? It is for this very reason we want to educate our youths and our young people so that we will have an educated nation, so that young persons would not have to wait until they are in their mid 50's to put themselves up as leader of political parties and for the chance of being a Prime Minister in St. Vincent and the Grenadines. So the education revolution Mr. Speaker that the Opposition does not support is one that they talk about all the time and this Government is the Government that enshrines the education revolution as one of its top priority in the development of St. Vincent.

Mr. Speaker, the Opposition has some concern they stated and what are the concerns. Mr. Speaker, there are 273 clauses in the new Constitution and the Opposition find difficulties with just a few, I in listening I find about six according to my recollection, if I am wrong I ask to be filled in with the others, but that is my recollection and these are clause 30 Protection from deprivation of property, they are strong on that one, clause 50 the election of the President they are very strong on that one again, clause 67(2) the composition of Parliament instead of 27 Members leave it at the 21, clause 99 elections of representatives instead of 17 leave it at 15, clause 100 election of senators leave as is and 124 the Minority Leader they did not say that they are in support of the name.

Mr. Speaker, there are some other issues with the powers of the Prime Minister and the reduction that they have some issues with and so on. So Mr. Speaker, out of 273 clauses my recollection is of six clauses really in the document they are not happy with and Mr. Speaker, do you think that six out of 273 is any cause for saying "no" to a document like this? So Mr. Speaker, not for the love of mike I could understand their logics, not this mike here, [interjection] well I cannot understand yours because I say six clauses, those are the ones that I hear debated over and over here you know in the Parliament. As a matter of fact, a couple of your Members for example the good Senator Cummings only dealt about with two issues in the Constitution.

Mr. Speaker, take for example the guiding principles that are enshrine in the document. These are first time elements Mr. Speaker of State policy which enhance the democratic process of our country, these principles are true reflections of our peoples aspiration and Mr. Speaker, you want to tell me that the Opposition is say no or want to tell people no to give a no vote. Mr. Speaker, something is wrong radically. Mr. Speaker, I will like to focus on a few of these guiding principles, so if you turn to page 13 with me, Mr. Speaker, the right work it says every member of the Vincentian workforce has the right to work in his chosen field whether his work be manual

or mental or otherwise, there being dignity in an honest labour and he has the right to be paid fair remuneration for his work.

Mr. Speaker, fundamental right like this I cannot see Vincentians giving up on such a right where they should work based on their skill, based on their qualification and technique and be competent in the area where they want to work and study as long as that position is available to them or are available in the workforce. So we cannot say no to this Mr. Speaker, we have to say yes. The right to health, every person has the right to the enjoyment of health; the State shall protect and promote public health and shall establish and maintain appropriate sanitary measures to ensure to every Vincentian the highest attainable standards of health to the extent feasible according to the resources available to the State. Mr. Speaker, I must dear say that the health system in St. Vincent and the Grenadines is an excellent one. We have challenges, we all know that and those are challenges that we are trying to overcome and the Minister of Health I must dear say is doing a great job in that. We see the many health facilities which are being repaired, upgraded, we see new facilities being put down like the diagnostic, the modern medical complex in Georgetown where a number of facilities that are not at the Kingstown General Hospital and elsewhere would be in that modern medical complex so that our Vincentian persons who have to leave here and go overseas for certain treatment would get it here in St. Vincent and the Grenadines. So come next year when that facility opens that would be another improvement in the health service in St. Vincent and the Grenadines, a right to health, we cannot deprive our people of that Mr. Speaker.

Mr. Speaker, there is the right to a more humane society. State power is not to be abuse rather it exercises to be characterise by fair play in action in building a more caring and humane society. Mr. Speaker, I want to turn to page 14 and look at clause 17, this one is one Mr. Speaker that we usually have a lot of debate on or a lot of persons feel strongly about this one. The State acknowledges the family as the natural basis unit of society. Consequently, the State accords the family recognition, respect, protection and support; asserting that men and women of the age of civil legal and societal responsibility have the right to marry and establish a family. It further state that the State should recognise and protect marriage, which shall be a legal union only between a person who is biologically male at birth and a person who is biologically female at birth.

Mr. Speaker, on this one I was on Monday at a calling radio programme ULP speaks and persons called in on this topic and this is one of the clause that persons are very happy about. One caller called in and he said to me, comrade even if we have a 1000 clauses in the Constitution and I only agree with one the family and marriage I would vote “yes” just for this one clause here to make sure that the teaching of the Bible and the belief of most Vincentians if not all should be enshrined in the Constitution. The person further went on to state Mr. Speaker that when we were growing up we never heard this thing about man and man getting married and women and women and if it is happening in other countries soon it would come here, so we have to make sure we ensure that it is enshrined in the Constitution so that there would be no doubt that you cannot entertain such a thing. Then on the same topic Mr. Speaker, as I told you a number of persons called in, about 13 persons called in and this special topic and one lady called in, she said, comrade when we catch them, we must burn them, I say, no, that is the language of Minister comrade Selmon. She say, well I quite agree with him [laughter] you know, she say, if there was not a law against it I would have helped round up all of them and burn them. I say, you cannot say those sorts of things you know. Within their own private sphere they can you know do things behind their

private thing, but not to come out in public. So people Mr. Speaker is very strong and passionate about this clause and do you want to deprive persons or deprive Vincentians of voting against such behaviour and say no, we have to say yes to the family and marriage Mr. Speaker.

Mr. Speaker, I see clause 18 the elderly and disabled, the elderly and the disabled are entitled to have their special needs met and to receive care befitting their circumstances according to the resources available to the State. Mr. Speaker, right now this Government is taking care of the elderly and disabled, but because it is not in the Constitution which is not obligatory, but then we a putting it into the Constitution so whoever is the Government one of these guiding principle is to look after the need of the elderly and the disabled people within our society.

Mr. Speaker, we have been hearing the talk of the young people, the youngest Senator spoke, he has been interacting with them, all of us here as Parliamentarians and Politicians have been interacting with a number of youths and we want to see the best for our young people and our youth here and in one of the guiding principles we have young persons to be honoured. So Mr. Speaker, we are not just taking for granted our young people, we are ensuring that we show some appreciation for their service and what they do in making a contribution to nation building. So clause 19 says, due appreciation is to be accorded to young persons for their contribution to nation building. So Mr. Speaker, we would ensure that the young persons in St. Vincent and the Grenadines be applauded, be rewarded for their contribution to building this nation St. Vincent and the Grenadines.

Clause 20 in the same guiding principles states, every young person has the right to educational, social, cultural and vocational enhancement including a right to fair opportunity for responsible participation in national development. Mr. Speaker, I must dear say that that is happening right now, but we are ensuring that it is in part of the Constitution to make it obligation to whosoever is in-charge of Government down the road. Equality for women and men, mention was made of those Mr. Speaker by the two female Parliamentarians here and other persons as well. Protection of the children and equality for children born out of wedlock those are things that we are ensuring even though we have laws, we are ensuring that in the supreme law of the land that they are here.

Mr. Speaker, I want to Vincentians to know that these are some of the things that the NDP are saying no to. Guiding principles that would assist or ensure that the rights of individuals are maintain. Mr. Speaker, you must understand that a no vote will deprive you of these basic and fundamental rights and freedoms. Do not allow anyone to blindside you and to let you lose focus on what is critical to your being and what is fundamental and essential for the way forward for us in St. Vincent and the Grenadines. A “yes” is the only vote that will suffice. A “yes” vote is the only right conclusion you can come to at the Referendum stage in November. Let no one because of their narrow party political views detour you from being a part of history.

Mr. Speaker, this as I have stated before is not about you ULP, it is not about NDP, it is not just about you, this is a Constitution as I have stated before and I must emphasise for the entire Vincentian population at home and abroad. Mr. Speaker, when the Prime Minister eventually leaves the scene is he talking the Constitution home with him and says; this is mine? When the Opposition Leader eventually leaves the scene and goes as we know would happen with all of us, is he taking it with him and say, this is mine? No Mr. Speaker, of course not, if I

miss in passing Mr. Speaker, all of us will have a copy to carry home that will be our personal copy, but the Constitution as I have stated before is the Constitution of St. Vincent and the Grenadines and on the cover of the Constitution document that we have here I am not seeing any party name being placed here or any individual. I am seeing it says, the St. Vincent and the Grenadines Constitution Bill 2009 and inside we have arrangements of various sections and chapters outlining what the document contains. We did not specify a political party or any individual. This is the Constitution of St. Vincent and the Grenadines.

Mr. Speaker, how can we allow the hard work of those persons who were on the Committee at the initial stage and also at the end to go in vain? How can we allow the work of persons who burn the midnight oil volunteering their services to ensure that we have a document befitting Vincentian, how can we deny them the opportunity for their hard work, honesty, dedication and sacrifice to go to naught. Mr. Speaker, if we have a conscience we would support this Constitution to ensure that we move forward and we do not stay where we are or go backward. Let us move away from our colonial past history, let us do something Vincentian as we are doing now, so we have to vote “yes” Mr. Speaker and as I stated earlier on Mr. Speaker, I know deep down in the hearts and minds and soul and body of the Opposition, they know that this is a document that they should support wholeheartedly. This is a document if they listen to their heart, this is a document that is befitting us as Vincentians notwithstanding the few doubts that we have or the few concerns or difficulties that we have, and we cannot always have perfection Mr. Speaker in anything that we are doing. What we have here is the best that we can do at the moment.

Mr. Speaker, thousands of Vincentians have turned up to the various consultations, they have called in on radios, they have written, they have made submissions to the Committee about what should be entailed in this document our Constitution for 2009 and beyond. It was not something that was done by a hand pick few, so all the suggestions that we have here are representations of persons of varying levels of literacy, of varying degree of literacy throughout St. Vincent and the Grenadines. People of different class, people of different race, religion and so on, all of them these represents their views and how can you deny Mr. Speaker, our people these rights, how can we tell them not to be a part of history, how can we as patriotic Vincentians allow such things to happen? So we have to say “yes” Mr. Speaker and I am pleading to all of us here, Members of the Opposition, those persons out there who for one reason or the other have no view one way or the other, it is a “yes” vote during the Referendum for this Constitution. Mr. Speaker, I know...

DR. THE HONOURABLE GODWIN FRIDAY: Just a little clarification from my Honourable friend, with respect to the reference, are you suggesting that if somebody votes or advocates a “no” vote on this draft Constitution they are being unpatriotic? Is that what you are suggesting?

HONOURABLE CLAYTON BURGIN: Yes, I am saying so.

DR. THE HONOURABLE GODWIN FRIDAY: Mr. Speaker that is one of the most odious comments that any Member of Parliament could make of another Member of Parliament that simply because people differ in their opinions deeply held opinions that one is patriotic and the other is not. I do not stand for that Mr. Speaker, because I come here as a representative just like any other person in this Honourable House and when I speak, I speak for the interest of my Constituents and the people of St. Vincent and the Grenadines and I speak with

conviction in the same way that they say that they do and I do not question their motives and I get very, very upset when Members on the other side wrap themselves in the flag and claim to be more patriotic simply because they have a point of view that is different from mine. And it is insulting and it ought to be withdrawn and I asked that for clarification, because I thought the Honourable Member said it because it had some poetic value that you seem to appreciate but he said no, that this is exactly what he means and that cannot be allow Mr. Speaker, you cannot use insulting language in this House, but that goes beyond insulting language, to call a Member of this unpatriotic because you do not support a Bill.

HONOURABLE CLAYTON BURGIN: Mr. Speaker, I do not call any Member of this House unpatriotic.

HONOURABLE MR. SPEAKER: What did you say?

HONOURABLE CLAYTON BURGIN: I say, any Vincentian or persons who do not support...

HONOURABLE DANIEL CUMMINGS: We are Vincentians.

HONOURABLE CLAYTON BURGIN: But I did not say the Opposition, I did not say the Opposition.

HONOURABLE DR. GODWIN FRIDAY: Mr. Speaker, I asked for clarification, the other Members on the other side says, yes that is exactly what he meant and the Honourable Member did not get up and clarify it. There was approval on the other side.

HONOURABLE MR. SPEAKER: So approval...

DR. THE HONOURABLE GODWIN FRIDAY: The point is we must have a debate on this serious issue without calling names to one another you know, we cannot have this..., you cannot have a serious debate when you are questioning the motives or you disenfranchising everybody who opposes or have a different point of view. [Interjection] I do not joke about things like that. You try go in other Parliament of any develop country, you call a member an unpatriotic because they disagree with your opinion.

HONOURABLE MR. SPEAKER: Just a minute please Honourable Members. Honourable Member, in the first case you ask the Member for clarification you said Members answered. The Member then got up and made his clarification on the issue, this is the Honourable member who addressing the House and he is the one you ask for the clarification and other Members as you say, say yes, well they could not really be speaking for him, he has to speak for himself in relation to what he is saying, or what he is thinking and he got up and he said, [interjection] the man himself said yes? But then you were saying that he got up and made the clarification and he indicated that he was not particularly referring to any particular Member of the House. I mean I really do not see it in the context that you see it, but Honourable Member, as I have warned, let us try to avoid these..., well the Member refer to it as insulting statements, so I do not know what is really insulting.

HONOURABLE CLAYTON BURGIN: Mr. Speaker, you see the thing about it is that many of us when our...

HONOURABLE MR. SPEAKER: To be honest I feel we are a little bit too touchy and you know,

HONOURABLE CLAYTON BURGIN: Petty with our conscience and so on and you know we allow our conscience....,

HONOURABLE MR. SPEAKER: Just a minute Honourable Member, I find we are a too touchy on so many little issues that we use every day to persons for various reasons. I mean we are grown people [interjection] but I mean it is happening here in this House all the time. Sometimes if something does not really..., we use some of these things to other people but when they are use back to us we tend to see them as being objectionable.

DR. THE HONOURABLE GODWIN FRIDAY: Mr. Speaker, I wish to disassociate myself with that comment that you just made. I have never called a Member in this House and never will, unpatriotic neither anybody who disagrees with my opinion. So if other Members say it I think it should be disapprove of and it shouldn't say that this is something that is done and therefore it should continue.

HONOURABLE MR. SPEAKER: I am not approving of it you know. I am only saying that sometimes I find that we get so touchy you know about some of these issues that sometimes you forget outside of the walls of this Parliament.

HONOURABLE CLAYTON BURGIN: Mr. Speaker, if the Member feel so about it you know even though I was not addressing him, so is Mr. Speaker I say all the time I am addressing you, Mr. Speaker, if a Vincentian who say no to this, that is what I was saying, but if he feels strongly that it is him I am directing it at, I take it back [laughter].

Mr. Speaker, I was saying if we love this country St. Vincent and the Grenadines so much, how can we say no to this Constitution, a Constitution that bears the hallmark as I stated earlier of hard work of all Vincentians especially those....,

HONOURABLE MR. SPEAKER: I suppose that statement could be challenged as well, if we love, we do not love the country [laughter].

HONOURABLE CLAYTON BURGIN: Well if we love it dearly. Mr. Speaker, for example....,

HONOURABLE RENE BAPTISTE: You cannot be passionate; you cannot be loving....,

HONOURABLE CLAYTON BURGIN: Yes, Mr. Speaker, you know this country, now that you mention that reminds me of our pledge, our pledge says, "*Land of my birth I pledge to thee, our loyalty and devotion*" and not only devotion you know, "devotion in all I think or say or do" that is what when I was talking about the love really, that is what I meant you know. You *ain't* saying that because you did love one aspect of certain things that thing. So the devotion to our country Mr. Speaker is very dear to me and I think it should be dear to all of us and the Opposition they have their views you know, they say well they are going to support the thing, but I am saying that we on this side going to support this thing yes because of our love and devotion base on the pledge of St. Vincent and the Grenadines in all that we think or do or say and I am not saying that the

Opposition do not love their country, for example I know my good friend Senator Leacock, a very ardent and patriotic son and Vincentian, you know we are good friends, we have been talking from time to time on various matters and I know his heart based on how I listened and it came over is in this Constitution, he has a famous amendment in the Constitution that I applaud him for and I want to say to him let your heart be the judge of your decision and what you do.

Mr. Speaker, I want to say a bit on the protection of the fundamental rights and freedom. If you turn to page 17 Mr. Speaker, clause 25 whereas every person in St. Vincent and the Grenadines is entitled to the fundamental rights and freedoms, that is to say, the right, whatever his race, place of origin, political opinions, colour, creed or sex, but subject to respect for the rights and freedom of others and for the public interest, to each and all of the following namely; life, liberty, security of the person and the protection of the law, freedom of conscience, of expression and of assembly and association and the protection for the privacy of his home and other property and from deprivation of property without compensation, I know this was one Mr. Speaker that the Opposition fell strongly about and what we are saying here is that we are ensuring that the fears that the Opposition have would be taken care of here and they have no need to fear these measures because these are measures that are there for the protection and Members would have spoken about the Central Leeward, the difficulty and the long wait that persons had in receiving compensation. I know also in the Villa area where we have the Community College persons have been just paid since we got into office, so to avoid these things, you know these are some of the things I know that the Opposition had come up with the economic aspect of the whole thing, but you know this is something that we have here to ensure that our citizens their rights are protected.

Mr. Speaker, we have to say “yes” to clause 25 because we would not want to deny people of these rights and freedom you know and have persons calling us all names and saying that we not humane, we do not want to ensure that people have their proper compensation for these things. So we are civic minded Vincentian you know we would want to deny someone of these liberty and security and protection of themselves and their property.

Mr. Speaker, so as I stated before, all of us here I believe are true to our conscience and would do what we think is best, some persons say what is best for them would be no, but I am asking them still to reconsider and rethink their position and to listen to what more persons are saying and to the Vincentian population and also to listen to their heart instead of dealing with things from just a party point of view. Let us drop the colours, let us drop the individual party matter in this case and let us go forward as one unit to promote this Constitution in the Referendum in 2009 November, so let us vote “yes” Mr. Speaker.

Mr. Speaker, this is not a process for now. This is a process for the future and if we pass it in November, it would be from November or whatever date into the future. So let us go beyond what we might see, the mere few concerns that we have, let us rise above that and move forward from there. These are the plea and these are things I am asking for. Let us make that decision for our future generation. Let us not just think about ourselves here being in Parliament at the moment and think that this Constitution is just for ourselves who are here at the moment, no it is not. We had one for 30 years Mr. Speaker that served us well, but we are moving on into the 21st century and there are some deficiencies and some things that could be added, so we have to move forward and that is what we are doing.

The Opposition participated in most apart from the few times that they would have stayed out of the discussion and they had an opportunity to ensure that certain things were placed or certain clarify or rewarded because they were part of the process. After six years Mr. Speaker, I cannot see you coming maybe at the last couple of occasions you know just to change something and you had an opportunity and these are things that we discussed and talked about and I would like for the Opposition to rethink and not let perfection as it stated be the enemy of the good. Everyone would agree that not every subject matter we can get perfection in, we will fall short some place and somewhere along the line. So let us as Vincentians do not deprive ourselves of this moment. This moment is once in a lifetime moment Mr. Speaker. This is something that will not pass our way again so soon as to go about another six years developing a Constitution for St. Vincent and the Grenadines. Why make this opportunity past us? We have the opportunity now to tell those who are behind that I was part of this process. I did not like everything inside of it that was put in it, but I am part of this process and despite not getting all that I consider should have been in it or should have left out. I supported such a document; I supported this new Constitution for St. Vincent and the Grenadines, a Constitution that would improve the lives of Vincentian so Mr. Speaker, I am pleading to all of us to think about what this means to us as Vincentians. I am pleading for all of us and asking all of us to vote “yes” in this Referendum.

Mr. Speaker, I am happy with the product that we are debating. The composition of Parliament Mr. Speaker, will witness innovations where the Parliament will be more democratic accountable and representative. This Constitution will go a long way towards helping us achieve all the noble goals that we want to achieve as a nation.

HONOURABLE MR. SPEAKER: You have five minutes to conclude.

HONOURABLE CLAYTON BURGIN: Mr. Speaker, time went fast there boy. Mr. Speaker, the National Assembly, the establishment of the National Assembly that is what the House of Assembly will called, the National Assembly and despite the Opposition having reservation about the composition of the National Assembly based on the various discussions during the debate and also in the Select Committee I think that the explanations that were presented were as such that would allay the fears that we may have about the National Assembly and the Composition of Parliament. Yesterday there was a strong debate from Senator Cummings about the 50 plus 1 and so on and I think that that was cleared up and clarified. I do hope that it was clarified enough for him so that he could be a part of the process.

Mr. Speaker, there is a position in the Constitution under Ministers of Religion. Mr. Speaker, you would know that at the present time no ordained Minister in any religion in any church could put themselves up forward for General Elections to be a candidate, but this Constitution is ensuring that Minister of Religion can put themselves forward as candidate so that they can make their contribution otherwise to the nation of St. Vincent and the Grenadines. We know they have to resign if they want to do such, so we are ensuring that they do not have to resign their position in order to be a candidate in a General Election in St. Vincent and the Grenadines. Mr. Speaker, we have to say yes to something of that nature, something that would ensure that the rights of those individuals who want to contribute in another way is being heard by all of us. So Mr. Speaker, the Constitution will change all that restrictions. No restrictions will be placed on them and Mr. Speaker, what a

glorious time in the life of us as Vincentians when this Referendum, this Constitution is in place, this Referendum in November is passed and this Constitution is in place.

Mr. Speaker, why would we want to go through a General Election for a President when we are not electing an Executive President that is one of the argument that came from the Opposition and we can look at clause 50 which is well placed and tell us all about how the President is elected by all of us in here, us in here as the representative from the Northern Grenadines said, are representing the people in our constituencies and in the country. So I think that if they give us the opportunity to be here to represent them why cannot we in the National Assembly be the ones to really ensure that we have a President, a homegrown President that would befitting all of us as Vincentians, so that one Mr. Speaker, I cannot see the argument there. Why would we want to deny people of an opportunity to select their own President, a homegrown person?

The Queen has served us well as been touted often enough and we must say thank you for her as Head of State, but let us have our own Head of State and as Senator Saboto Caesar puts it aptly, “we have to move on Mr. Speaker, from that time, from that era we are now into a new era, a new dawn, the dawn of a new day.

Mr. Speaker, the Electoral and Boundaries Commission...

HONOURABLE MR. SPEAKER: You are asked to wind up now Honourable Member, you have more or less used up your time.

HONOURABLE CLAYTON BURGIN: Yes, yes, Mr. Speaker, this is something that the Opposition should be happy about, the Commission would be five Members strong and two persons would be selected by the Opposition and two by the Government, is not this a wonderful thing Mr. Speaker? So Mr. Speaker, I want to urge all of us come November when we go to the Referendum stage to vote a resounding “yes” for this new Constitution of St. Vincent and the Grenadines, let our hearts be, let our conscience be the guide in whatever decision we are making. Thank you very much Mr. Speaker [applause].

HONOURABLE MR. SPEAKER: Honourable Member for West St. George, Minister of National Mobilisation, Youths, Sports etc.

HONOURABLE MICHAEL BROWNE: Thank you very much Mr. Speaker. Mr. Speaker, Honourable Members, I begin on a fairly somber note with an expression of solidarity to Senator Francis regarding the medical condition of his sister; I wish her all the best. I know too that a few hours ago I was informed of the death of one of my good comrade and friend you know as Girly, Geneta George, on this side, our comrades know Princess and it is Princess’s mother and I am really touched by the passing of my good comrade Girly. She is more important than a vote, but I am sure she would have voted yes, (I would like some more volume if possible) because as a grass root woman she would have understood the benefits of this Constitution. I extend my condolences to my very, very good friend Princess and her family and we have already set up a team to work with her at this difficult time.

Speaking of times Mr. Speaker, this is a special time not only in the life of this Parliament, but in the life of this country. I say time as distinct from a moment to historic moment because of the spread over a period of what we are going through. The mobilisation of Vincentian thinking to be incorporated in our new Constitution, never before in the history of this country have Vincentians be so consulted on the future of this country, never before [applause], never before in the history of the working people of St. Vincent and the Grenadines has a Government so sought to formalise and to codify the transfer of so much power to the working people of this nation [applause]. Never before in the history of St. Vincent and the Grenadines has such a consorted effort, be near to place real power in the hands of the working people of St. Vincent and the Grenadines. Never before in the history of St. Vincent and the Grenadines have the concerns, the aspirations, the dreams of the working people been so captured and so reflected in a single document namely the Constitution Bill. This is a special time for our working people. It is a time when in a sense certain battle lines are being drawn and being drawn very sharply so that you have a divide in this important institution where one side is saying a categorical “yes” and another side is saying somewhere between a lukewarm and a categorical “no”, but the horns are locked, they are locked in a battle and I suggest to you Mr. Speaker that on this side coming from the particular philosophy of our organisation, the Unity Labour Party which reflects all interest in our society but especially the interest of the disadvantage, I am suggesting that the many changes in the Constitution reflect a repositioning of the disadvantage in our society where they accrue more advantages than they do under the old Constitution and on the other side which is saying “no” there are concerns on the part of the many interest that back them that much propelled them to say “no” so they are locked in a battle.

Mr. Speaker, it is of paramount importance that we understand the nature of this struggle that we are engaged in through these debates and on the streets and that we must make sure that we win this particular epic struggle, we have to say “yes” we must win this particular struggle in the interest of the working people of St. Vincent and the Grenadines [applause] but how did we arrive at this particular impasse? On our side, on the side of the Unity Labour Party we have this to say in our 2001 Manifesto, the ULP believes that central to the idea of good governance is the active participation of the people in and control over the institutions which governs their day-to-day lives. Essentially the ULP sees good governance as the empowerment of people not a handful of political leaders, good governance cannot exist amidst raging corruption in Government to ensure that the people is empowered to the fullest, their democratic consciousness has to be raised through appropriate education and the system of governance has to be reformed accordingly. A ULP Government will set up a broad based and competent Constitutional Review Commission to begin the exercise formerly of fashioning a new more democratic Constitution as befitting a peaceful people at the dawn of the 21st century.

We go on to say, the ULP is deeply committed to reforming the Constitution of St. Vincent and the Grenadines through extensive and intensive public debate between and among the people of our nation at home and abroad to this end, the ULP has already published the document on Constitutional Reform for initial public discussion that document is to be read as one with this Manifesto, a more deeply democratic effective model of governance will be fashioned in which non-governmental organisations, traditional social partners and viable communities will participate in the legislative and administrative processes of Government, our 2001 commitment.

Our 2005 Manifesto commitment, it says in the next term which is this term in Government the ULP will continue to translate policies listed above deepening political democracy, modernise, reforming Government,

moving resolutely against corruption Government, tough on crime etc. the ULP will continue to translate these policies into actions and initiatives and history has confirmed that namely the process of Constitutional Reform and Local Government Reform will be concluded and the ULP Government will implement the recommendations in communion with the people and the closing statement, the New Democratic Party cannot be trusted with this exercise. I repeat, the New Democratic Party cannot be trusted with this exercise.

Mr. Speaker, over the past four decades we in this country have experience several Constitutional Reform exercises. In the late sixties, with Statehood and I am not going back to the fifties with the whole Federal experience and so on, the sixties with Statehood, the late seventies with the Independence Constitution and this decade with the current exercise. As a progressive man I have been at the forefront, I have always been at the forefront of trampling the cause of a peoples Constitution. I have been led, enlightened and tutored by our current leader and the leader of the House and that is an objective fact. I also have been influenced when he wore a progressive hat by the Leader of the Opposition and indeed several members in that party's leader including Senator Leacock were there shoulder to shoulder in wanting and working towards a progressive Constitution namely "a peoples Constitution" and one may ask the question, where did the Leader of the Opposition go wrong, where did he go off course that he ends up in a certain direction and we are in another one.

Mr. Speaker, the 1979 Constitution involved many battles akin to some that we have now and in a sense reflective and mirroring some of the same battles and debates we are having. We have set up the National Independence Committee and we tried as best as we can to get a more homegrown Constitution, but that was not to be, we did get some things in. Now there are those persons who do not understand this history and indeed there are revisionists who are trying to rewrite the history, trying to persuade this nation and our people that what is happening now is new, brand new and they are therefore calling for more time precisely because it is new. Well Mr. Speaker, there is a certain continuity yes, some of the things are new in terms of substance and process are new now, but some are continuation of the older ones in new circumstances, so there is a connection between that which is old and that which is new as the dialecticians will advice us the philosophers in that field and I say to those who want to delay the process that they must study their history because we will not retreat from having this Referendum in November [applause]. We say nonsense to their call, the just comes, nothing wrong if you just come, but you must just come and do a little research in the history, do not sing like if it is brand new stuff that you are going through. So our November date we will press forward Mr. Speaker, with our November with destiny.

Mr. Speaker, I look at this Constitution as an orchard with a lot of trees and flowering plants, fruit trees with each of the 273 clauses and the sub-clauses representing hundreds of wonderful trees in our orchard and when we look at it from above as distinct from the individual plants and trees we asked ourselves what is the preeminent what is the defining feature of this beautiful orchard. And I will say to you Mr. Speaker, that that feature, that defining features that preeminent feature of this Constitution is the further democratisation of Vincentian Society, so when you..., do not get caught up with too many of the individual clauses and trees as important as they are, let us look at from above in its totality and what emerges, what picture emerges and I will say to you that the one defining feature, the dominant defining feature is the further democratisation of

Vincentian Society and we are doing this by strengthening the position of the working people in St. Vincent and the Grenadines.

Mr. Speaker, this Constitution is replete, it is full with examples of such strengthening and a number of the Members have dealt with them but I really want to touch some myself. We start with the preamble and the word “dignity” which is so central to working people, the word dignity in the old Constitution was the only word, the only noun that appeared twice in the preamble, now we have included alienable rights, the word rights appears twice and the word dignity occurs again in the document and I say to you, this is an important element for the development for the consciousness of the working people. We look at the guiding principles that so many of the speakers have dealt with and the first one..., because let us understand it you know, the preamble in a sense captures a national philosophy. What as a nation we could say is our national philosophy is capture in that, but the guiding principles links that philosophy and that outlook with the policies that is to say, our direction, our line of march which will be reflected in some of the clauses, the legislations, our programmes and so on and the guiding principles, the first one is like music to my ears, 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 and I read when you say, power belongs to the people political and economic power. It is not spelt out in that way but that is how it has to be translated.

Mr. Speaker, the working people must rejoice and including the working people who I may say sadly still rally with the New Democratic Party, they have to understand that this is working in their interest and the current direction of the leadership of the New Democratic Party objectively is not advancing their interest, but it is our job to try and persuade of that. We have to drive a wedge and we make no apologies for this, between the leadership of the NDP which still has some direction if not control over the membership and their membership because we have to win the membership over to the “yes” position because we know it is in their interest as working people in St. Vincent and the Grenadines. Every member according to clause 10 of the Vincentian workforce has the right to work in his chosen field, whether his work be manual or mental or otherwise, there is dignity, and here the word dignity again, there is dignity in all honest work labour and he has the right to be paid fair remuneration for his work and that ties in with the clause in the preamble Mr. Speaker, which says that we must work for the fostering of the pursuit of just economic awards for labour. So we are saying to Vincentians to Chalky and the boys on the block at Fountain Gap and Turtle and boys on the bridge down by Delco and Ennus and Michael and the boys in Fountain Hill and Daliah and Damiel up in Georgie Cutter and Damal and Cheryl up on Pomsomby, we are saying to you that the you true *ain't* working are entitled under this to claim employment and you say we are not strengthening the position of the working people, and you say that we are not..., this is the same as before and it *ain't* gone far enough.

Mr. Speaker, legal aid under 9 is important. It pains my heart when I go to the court and I see the grass root working people there and I know they cant' afford legal lawyers and this is an important element in strengthening the working people so that they can get justice. Mr. Speaker, I go down to number 11 dealing with the enjoyment of health. For my own part I would have liked to see that a little stronger, I do not know if it is too late for these amendments. Every person has a right to the enjoyment of health, but I would have liked to see inserted a definitive statement on medical aid in the same way we have legal aid and I think as I talk to you about a number of people, Jean up in Fairbaine Pastures with her medical condition, Veronica by the round

about who I had to help just recently with some assistance for medical health, [inaudible] is using up a lot of his funds because his son is very sick, he had a Barbecue on Friday and I went to support him, he had others and I went to support it, but the point is you must understand that this connects directly with you and therefore you have a vested interest in supporting and campaigning for this document to be supported strongly with a “yes” vote.

Mr. Speaker, the defense of the family and importantly, the defense of common law families, the advancement of them, working class families are the larger ones, five, six, seven children, middle class family is one and two and three, so this is objectively assisting them, these developments, working people, the elderly and the disabled, never before these things were in a Constitution. Miss Ida I talking to you, Miss Matilda I talking to you, the elderly who enjoy the home helpers, you have to vote “yes” for this. Do not make them spin cobwebs around your head. This is for you, I am talking directly to you and all of those who are benefiting from the home helpers and I salute those who work in West St. George particularly, but generally because I am the relevant Minister, take care of them elderly people, you are doing your job out there, we want to do it in Parliament so that we could enhance your work and support your work in taking care of those and whose shoulders we are going forward and who in the past contributed to Constitutional Reform. The disabled never before such attention, the young people was competently dealt with by Senator Caesar, Donna a young girl in her thirties eight children, we have to help you Donna but this is for you and those eight children from Queens Drive.

Education the position of the education revolution is consolidated by these references to the right to education and I share the views of the Leader of this House when he said in closing at the last meeting of the Committee that the two most important enterprises that this administration has taken, the two most important ones was this one Constitutional Reform and the Education Revolution and I have seen how it has advance the working people and to consolidate it through legislation, through the Constitution, it lifts my heart both as a politician and as an educator, it lifts my heart. We just had some phenomenal results from the West St. George Secondary School. Under the previous administration we did not have Secondary Education in West St. George; you did not have in North Windward now you have Secondary Schools. When we started we were expecting the World Bank money to give us a brand new school for whatever \$15 million we said we will start until the money come, well we understand it is still on the way and we may have it started next thing..., but we could not wait and we started the West St. George Secondary School, they call it Mike Browne School. We had a lot of passes for the Common Entrance, good passes and the Ministry Officials were placing them all in tops schools and so and we had a lot of them what we call fail place, they fail the Common Entrance, but they still had to be placed, they say Minister what we will do with all these people who they fail, but they cannot go back so we have to place them, I say send them to Mike Browne School, all yo say is Mike Browne School in West St. George, send them to Mike Browne School, so they sent them 105 who failed the Common Entrance the results came out few days ago 60% passes for those children who would have been in the hills and on the street, grass root people, working class people, now that is consolidated in this, so the teachers up there I salute you because I know you put in extra work with those children I know because I know them by face I know they have some of them who support the NDP on that staff, I see the face, I know and I say to you if you want vote your party whenever elections come fine, but this one is for you, this one is for you because we also have in it the Teaching Service Commission something Mike Browne battled for with the Union over the years and therefore that will

advance your interest. So while I salute you for the wonderful work you have done in the education of these disadvantage children, I say to you, the Teaching Service Commission would come in this, it *ain't* in the old one. So vote "yes" you could vote otherwise when the election comes, but vote "yes" for this one because we want you to understand objectively that this is in your interest as a professional, as a teacher and therefore you should not only vote for it, but campaign for a "yes" vote.

Mr. Speaker, many things walking through the orchard of this Constitution with these beautiful fruit trees and flowerings plants, well you know for me one of the most beautiful plants in this Constitutional Orchard is the one that deals with the collective bargaining, it is on page 39 Protection of freedom of assembly, page 39, clause 35 except with its own consent a person shall not be hindered in the enjoyment of his freedom of assembly and association that is to say, his right to assemble freely and associate with other persons in particular to form or belong to a Trade Union that is exactly, taken exactly word for word from the old one, but hear, this is where the difference part come in and this is the part I love, and to participate in collective bargaining activities and agreements, brand new piece, and to form or belong to political parties or associations and they add another new piece, organisations and institutions for the protection of its interest.

Mr. Speaker, understand what we are into here, over the years we have struggled for collective bargaining. It is one of the issues in the list of demands for the Teachers Union in 1975, it is one of the issues I very proudly went to jail for because it is so cardinal to this fundamental right of people of association and assembly. And I say to have it in the Constitution now makes my heart sing because I know the sacrifice that I have made, the cross that I had to bear, the pain that I had to suffer to get something like this. So when I see it in the Constitution the highest law of the land I say the working people have scored through their party and their Government an important victory [applause]. I would have liked to have seen the issue of cooperatives, but I may not get everything in this Constitution. But what this does it allows people to be on the defensive, so some of the people those who pay the piper and I am not saying who the piper is but those moneyed capital interest, but pay the pipers for their music lessons and for their instruments and therefore define the tune that they play, the no tune, those who pay them in their supermarkets when you take the totality of their business years, several hundreds of business years, every single year or those hundreds of business years of the backers of the NDP have seen a relentless campaign to keep Trade Unions out of their supermarkets and business places. Now you think they could support this? Something which objectively advance the interest of the working people? You do not want the Trade Unions there so you could pay the workers anything. You think they are going to say yes to this and they are paying? They are the payers of the piper, no, no, no, no, no never. So we have to understand the struggle that we are in, but the new Constitution put in words, other words that would allow maybe the formation of staff associations if they cannot form Unions.

Mr. Speaker, many other elements..., Mr. Speaker, you could tell me how the time going eh, because I am getting real involve in this thing you know. Mr. Speaker, lots of other things, the Human Rights Commissions, who suffers the most in terms of the Human Rights, the..., disadvantage, you are telling me that this do not advance them to put in a Human Rights Commission, you are saying under clause 65 under Parliament that the greater representation does not mean more people coming in including bringing in Trade Unions, I am sure we are going to make sure that those people are linked organisationally and institutionally with Trade unions are sitting here and speaking for their workers and you say things remain the same. You are saying to me that bringing in civil society and giving them the immunities of Parliament does not advance democracy and

therefore the interest of the working people and that is not new and that is insignificant, you are saying that representatives reporting to the National Assembly dealing with one of the severe limitations we have in terms of connecting back with our constituents that that is not an advance for the working people and for democracy and for people as a whole?

Mr. Speaker, between May 9th and August 1st ...,

HONOURABLE MR. SPEAKER: You still need the time?

HONOURABLE MICHAEL BROWNE: Yes Sir, tell me.

HONOURABLE MR. SPEAKER: 17 minutes.

HONOURABLE MICHAEL BROWNE: I wonder if in keeping with the figure we have for the National Assembly you can extend it to 27 [laughter]. Mr. Speaker, I had between May 9th and August 1st nine town hall meetings in the constituency. I have nine polling divisions, one for each polling divisions different numbers about 100 up in Upper Cane Hall I thought I would have seen the Honourable Mr. Parnell Campbell because he is up in that area, but I believe he is working was working on the Constitution that night when we had 100 people in the town hall meeting at the Learning Resource Centre, some of the numbers were small 12 because of rain and so. But Mr. Speaker, you go in there you take your licks, you did not do certain things and so on, but the important thing is that it should be institutionalised, it should not be left up to an individual representative to say call him when you feel like, and we need to work through this structure. Should be done by polling division, should it be done by one big meeting, what is the structure and so? We need to work through these, but the point is we are calling for it and we are calling for the Parliamentarians to come here and to submit reports and obviously we will work out the modus operandi in relation to how we address issues raised in reports and so but that is critical to deepening democracy that..., we have been campaigning as progressives for decades for something like this. In a sense it reflects the principle of recall; well we have that element woven into it recall, that is to say the people must call it back and report to them, something we struggled for as progressives for years.

So Mr. Speaker, these things strengthen the position of the working people. The Parliamentary Commission does, the Integrity Commission does, the ombudsman does, well do not tale about Local Government. So Janet who is on the radio and not so often now campaigning for her village road with some thing the Prime Minister in another capacity dealt with at the party convention, if you have Local Government you would not have to be phoning in on the radio and calling me all the time, “way happen to the road, way happen to the road” because a lot of these things will be address in this way. But you do not have it now and therefore everything is too centralised because in a sense what this Constitution does is also to decentralise power and administration to make it in a sense more accessible to the quote and quote ordinary people. What a wonderful instrument, a beautiful orchard of flowering trees and fruiting plants.

Mr. Speaker, the issue of finance when I think of it Mr. Speaker, I think could Ottley Hall have happened if we had this Constitution and that is a word that we are not hearing much about, but when we read the section in

finance that must ring to our minds. Mr. Speaker, we come down to some of the instruments, other instruments, the Public Service Commission prior in the old Constitution refer to the Civil Service Association Consultation, now we are saying the Public Service Union and if I remember correctly, Civil Society. We go to the Police and Prison Services Commission where the Police Welfare Association can have a voice, the Public Service Union can have a voice on behalf of the Prison Officers, we come to the Teaching Service Commission which I touched before, we come to the Public Service Board of Appeal where the PSU has a voice, the Police Welfare Association has a voice, the Trade Unions have a voice or the Teachers Union has a voice. Now here you are giving not only the working people in general, but their voices meaning their instruments, their bodies which represent them actual say on all these important bodies.

Mr. Speaker, I close finally on this point on the question of pensions which is a vex question among the working people and we saying we are giving the best deal under this Constitution when it comes to determination of pensions. So Mr. Speaker, when we review the ULP's history of role on this question the conclusion is inescapable, democracy is significantly extended and the position of our working people considerably strengthened under this Constitution.

Now let us turn to the New Democratic Party. Mr. Speaker, the NDP had committed itself via Manifestos to Constitutional Reform 1998 Manifesto NDP, the New Democratic Party will set up an independent Constitutional Review Commission to examine the Constitution of St. Vincent and the Grenadines in consultations with the citizens of the State, 2001 Manifesto, I remember you know the Manifesto said for a kinder gentler society oh my gosh, you going to have a kinder gentler society with this old Constitution relative to the new one. Are you serious that a Constitution which lives the dignity of the people, gives them power so they can shape a society which is kinder, gentler you are saying no to that? And yet you sing this song all the time about kinder gentler society. Here is what they said under Constitutional Reform, the New Democratic Party is convince that the Constitution of St. Vincent and the Grenadines is a need of a thorough review and reform in light of our experience since 1979. I repeat, the New Democratic Party is convince that the Constitution of St. Vincent and the Grenadines is a need of a thorough review and reform in light of our experience since 1979. Accordingly [interjection] what did he says? I have the Manifesto, Sir Vincent give me the Manifesto please, [interjection] oh, thorough, okay, okay.

Accordingly the NDP will appoint (this is still in the Manifesto) a Constitutional Review Committee, now listen to this visa vie what has transpired in this experience, hear them, accordingly the NDP will appoint a Constitutional Review Committee consisting of nationals drawn from the Government, the Opposition, the youth, the Churches, the business community, the Trade Unions, the farmers, the Women's Movement, the Governor General's nominees and other significant interests under Chairperson jointly approve by the Prime Minister and Leader of the Opposition and adequately finance to undertake the consultations nationally and from overseas nationals and to submit proposals for revisions or replacement of the existing Constitution.

Mr. Speaker, where did they go wrong? Where did they go wrong? Pussy cat, pussy cat where have you been, I have been to London to see the Queen, pussy cat, pussy cat what did you dear, I frightened the little mouse under the chair. Who frightened them Mr. Speaker? Who frightened them that they moved away from this glorious position that they went under the chair. Who frightened them? Mr. Speaker, clearly the New

Democratic Party cannot seriously advance the argument that they did not get everything, others speaker have elucidated on that point, not one of us got everything we want in the Constitution, not one. I would have liked the cooperatives in some how, the health aid in, the right to food, the right to shelter, I would have like to see these things in, but I believe they can be dealt with administratively against the backdrop of the existing, I mean the new Constitution. So I will live with it and as Minister Burgin said, if disagree with say 10 out 273 clauses let us do the Maths, maybe Senator Cummings who knows Maths well can help me, 273 minus 10 leaves how much 263 a vast majority of items.

So Mr. Speaker, the number of differences or different issues raised by the Parliamentary Opposition is really small compared with the plethora of changes in our new Constitution and some of the issues of difference have been addressed and in a sense we have counted them or we have tried to accommodate them during..., why then have they gone off course? Mr. Speaker, I submit to you that the moneyed interest behind the New Democratic Party long before they were singing a no inside here had directed the pipers to pipe the music no the radio stations, wherever they can, on the street corners, in the bars you name it, they had a resolute no campaign going round before the formality of a no inside here, because it goes against the interest of certain elite minority and hence they could never support a Constitution like this which advances the cause of the majority, it goes against their interest.

So Mr. Speaker, they are locked in this battle and we need to understand that when the working peoples position is strengthened in the new Manifesto, they are also strengthening the economic position, their economic position as reflected in the administration, Mr. Speaker, sweet heart deals. When last we hear that word, sweet heart deals? That was a characteristic of the previous administration. You do not hear that under this administration. You ever hear anybody talk about we getting sweet heart deals under this administration?

Mr. Speaker, when we came to office the National Commercial Bank basically was not making a profit, but the National Commercial Bank declared making profits in 2007 of \$14.2 million, the Minister of Finance could correct me, but I think that is the figure they told me, a \$15.8 million last year, there might be some difficulties with this year giving the economic situation and some fiscal adjustments that have to be made overdraft and all that, but the Minister of Finance knows these things better than I do. The point is that when you strengthen the position of the working people through this Constitution, you are strengthening the control over institutions like that and those payers of the piper who have their eyes on certain things, they are not going to get their hands on them. They cannot support this, how they could support this? You have National Properties which this Government sets up and ranging from land to food city supermarket to headquarters for National Commercial Bank and Shrewsbury House and Reigate Complex and all those things, National Properties have an unbelievable fix asset base of \$400 million approaching half a billion dollars, now some people will loooove to put their hands on those kinds of assets, loooove to put their hands on those kinds of assets and I am saying to you that this new Constitution by strengthening the position of the working people will deny them putting their hands on those kinds of assets, it is a serious struggle. So when I say Mr. Speaker that the stakes are high in the Referendum they are indeed high. There are some people who will not pull stops to make sure that it is no. The stakes are extremely high in this Referendum and we have to lock horns in a battle that is uncompromising. We have to rage a strong and resolute defense and promotion of this new Constitution. We have to ensure the comprehensive mobilisation of our people, our supporters and we have to cut into the support base of the NDP,

we have to drive a wedge between the leadership and the moneyed interest over there and the mass of people who they want to drag in a no direction. Mr. Speaker, the National Mobilisation exercise must be conducted by this Government. We have to draw on all our resources, no stone must be left unturned; the mobilisation must definitely include the isolation of the NDP leadership and their financial backers from their supporters. This Constitution is for a better life and a better St. Vincent and the Grenadines for our people.

Mr. Speaker, I in closing I have to salute our predecessor advocates many of them in the progressive movement, some were involved in the process, some not around, but I have to salute them. I have to salute predecessor Governments to have advanced the Constitution in the past. I particularly salute the people of St. Vincent and the Grenadines whether they live here or they live abroad, I salute the Honourable Prime Minister as my leader and I expected no less as a progressive man who has trained me, I expected no less than the kinds of advances under him, his ample amateur is clearly on this document and I expect that of my political leader and the leader of the House. I salute the colleagues in Cabinet, the Members of the CRC which included my wife and some reference was made, but I would not address that, yesterday by Senator Cummings, I would not go down that road, the CRSC must be saluted, the Drafting Committee, what phenomena, I did not study Law, but my gosh that was a crash university course they put me through, I salute them. This thing is not easy, these men are outstanding, and we really should give them a round of applause [applause]. I salute this Parliament because we will pass with the two-thirds and I say let us embark on a campaign that will really even make our election campaigns look small, because that is the kind of campaign we have to wage.

Mr. Speaker, yes we must, thank you [applause].

HONOURABLE MR. SPEAKER: Senator Williams I recognize you but I think we will have to take you after the luncheon period. It two past one, so we will have one hour lunch?

DR. THE HONOURABLE RALPH GONSALVES: No, if colleagues will wish us have an hour and a half lunch, we can do that.

Mr. Speaker, I beg to move accordingly that this Honourable House do stand suspended until...

Question put and agreed to.

House suspend at 1:05 p.m. [Luncheon]

House resumed at 2:30 p.m.

HONOURABLE MR. SPEAKER: I think Senator Richard Williams indicated that he was going to speak, so I so invite him now to do his speech.

HONOURABLE RICHARD WILLIAMS: Mr. Speaker, I rise to make my contribution to the Constitution Bill of 2009. Mr. Speaker, this is indeed a proud day for me. I feel privilege to be given the opportunity to be a part of a process which I consider to be uplifting, enlightening and one of the most important steps or things which I think that this Parliament can ever give to the people of St. Vincent and the Grenadines.

Mr. Speaker, in this process which we have been engaged in has been ongoing now for over six years. It started with a Resolution made on the 8th October 2002 and the CRC was inaugurated in February of 2003. Mr.

Speaker, it is important for me to give a brief history as to this process so that this Parliament and the people of St. Vincent and the Grenadines can get a feel for where we are now and where we should be going. Mr. Speaker, when this process started it was agreed Mr. Speaker, and if I may dear say so, it was identified Mr. Speaker in the Manifestos of both political parties that Constitutional Reform was something that was necessary. It was something that was promised by both sides, both sides recognised that the Constitution that we have now is inadequate and outdated. So Mr. Speaker, we start from that premise. Between 2003 and 2009 well this date, substantial work has been done in order to discover exactly what it was that the people of St. Vincent and the Grenadines wanted in a Constitution. This Constitution Mr. Speaker, does not belong to Dr. Gonsalves, it does not belong to Arnhim Eustace.

HONOURABLE MR. SPEAKER: Honourable Member would you please address persons properly.

HONOURABLE SENATOR RICHARD WILLIAMS: Okay, the Honourable Arnhim Eustace.

HONOURABLE MR. SPEAKER: Use the Parliamentary titles please.

HONOURABLE SENATOR RICHARD WILLIAMS: I apologise Mr. Speaker. Mr. Speaker, the Constitution does not belong to me; I have played my part in it as a Vincentian and my part in it as a Member of this Honourable House. Mr. Speaker, this Constitution belongs to the people of St. Vincent and the Grenadines and I want us to get this clear Mr. Speaker. This Constitution was not drafted by anyone of us here Mr. Speaker. Consultations were done over the last six years, a lot of money have been spent Mr. Speaker, consultations were done in “every nook and cranny” of this island, people have given their opinions as to what they think the Constitution should embody.

Mr. Speaker, consultations were done up and down the length of this world where Vincentians are scattered in cities far and islands near to find out what Vincentians..., because this Constitution is not for Vincentians living in St. Vincent alone, it is for Vincentians on a whole. The information that was gathered was presented to this Honourable House and Mr. Speaker, both sides acknowledge the information that came forward, the principles that Vincentians wanted in a Constitution, both sides and Mr. Speaker, 2007, June 2007 by agreement in this House, it was agreed that draftsmen would be appointed to put the will of the people into a document which we can feel and touch Mr. Speaker. This was by agreement by both sides Mr. Speaker. This is as late as 2007.

Mr. Speaker, it was agreed that the Honourable Speaker would appoint the Chairperson of the drafters, one member to be appointed on the recommendation of the Prime Minister, the Honourable Prime Minister and one by the Honourable Leader of the Opposition with Mr. Parnell Campbell QC being a person of..., to assist, a resource individual. Mr. Speaker, this is four to five years after the process have been started Mr. Speaker. Mr. Speaker, I cannot say at this stage or do not know how much money was spent to this date, but Mr. Speaker, I dear say that I assume by this date millions of dollars have gone in to this Constitutional Review Exercise.

And Mr. Speaker, this money that I refer to is tax payers' money, a lot of it, money that has come from the pockets of Vincentians. Now Mr. Speaker to our surprise ten days later on the 27th July 2007 a letter was sent by the Honourable Leader of the Opposition stating that they are no longer going to take part in the process

unless certain demands of theirs were met. Now Mr. Speaker, these demands had absolutely nothing to do with the Constitution, nothing. They responded again after pleas were made by the Honourable Prime Minister on the 3rd September 2008, they responded again refusing to take part in the exercise. Now Mr. Speaker, what Vincentians must understand is the reasons for this refusal to take part in the exercise and in these reasons Mr. Speaker, can be summarise as you are complaining about some ULP Bill Boards that they wanted Senator Francis to say how he got access to the number of Syrians who voted for him and they wanted Mr. Rodney Adams to resign.

Now, by the time they wrote the letter on the 3rd September 2008, the Bill Boards were already removed so they wrote a letter now on the 3rd September to 2008 still refusing to participate in the process and citing now two reasons only that Senator Francis explains how he got access to the number of Syrians who voted for him and that Rodney Adams the Supervisor of Elections resigns. Now Mr. Speaker, Senator Francis has explained in this House on more than one occasion that he cannot know how much Syrians voted for him, but obviously a person who was being involved in the electoral process you have a list you go around, you speak to people and you will know who is supporting you or you would have an idea from the way people speak to you as to who is supporting you from who not supporting you.

I mean if you go by Tom Jones yard and Tom Jones say, Julian do not come in my place you know you are not getting his “x” and if you go to Mary Jones house and Mary Jones say, oh brother Francis and hug you up you could put that down, one down with a red tick sometimes [laughter], but Mr. Speaker, he has explained that in the House. So Mr. Speaker, what we have boiled down to is that they refuse to take part in this important exercise which they committed to and which based on their agreement millions of dollars have been injected an exercise and the reason that Rodney Adams is Supervisor of Elections resigns. Now Mr. Speaker, what..., I am trying to figure out if they want someone from here to go up to the Supervisor of Elections Office and beat him into resignation. Resignation is something he personally has to do. What does the Supervisor of Elections resigning..., we cannot make him resign, the Prime Minister cannot make him resign, and you based a position millions of dollars at stake, six years of work on whether or not Rodney Adams resigns.

Mr. Speaker, I mean [laughter], Mr. Speaker, during that time they boycotted 11 meetings of this Honourable House between Committee of the Whole House and the CRSC, 11 meetings and yet Mr. Speaker, drew a salary, a full salary even though Mr. Speaker they have not performed their full duties to this House. Mr. Speaker, and I would just dear to just say briefly that is one I think shortcomings of the Constitution. It really should have been in here some how that if you do not work you do not get paid [interjection] the Richard amendment.

But Mr. Speaker, we have to congratulate the drafters Mr. Speaker [applause] has to congratulate them and I want to say Dr. Francis Alexis is a teacher to teachers of Constitution that is the brightest star in the Caribbean with regards to Constitution. I read his book in university when I did Constitutional Law that was the guiding light. We have given Vincentians the very best. People who teach me Constitution, people who taught me Constitution in school learnt those principles from Dr. Alexis also Dr. Ghany, we have to be so appreciative of the assistance, time, hard work, ingenuity that they have pomp into the Constitution which we now have before us. Mr. Parnell Campbell who has worked tirelessly [applause], so Mr. Speaker, when persons talk as if this Constitution was written with a few Members on this side of the House huddle up in a room they are quite

wrong Mr. Speaker. This Constitution was drafted by people of the highest eminence who has taken instructions from the people of St. Vincent and the Grenadines.

Mr. Speaker, the most interesting thing that has happened in this entire exercise is that from the time the first draft was sent out, the ruff draft there was people ready to vote no. This Honourable House did not even have the time to go through it, make the amendments, changes what they think the people will want, what they think the people will right and what they do not want, you understand, by the time the ruff draft came out there was a campaign for no in this country. Mr. Speaker, I really had wanted in this exercise not to go down this particular road but to deal with the Constitution per say, but Mr. Speaker, I had no choice after hearing my learned friends on the other side and what they had to say in relation to the Constitution.

Mr. Speaker, I will finish off that introduction Mr. Speaker by saying that the people of this country will be the ones who will eventually have to judge the conduct of the Opposition in this exercise. Mr. Speaker, come November, there is going to be a Referendum on the Constitution and Mr. Speaker, it is going to be either “yes” or “no” either “yes” we are for the Constitution or “no” we are against it. Mr. Speaker, there is no denying that both sides of this House Opposition and the Government have concluded that the old Constitution is inadequate and must go that is already agreed upon. So the question one has to ask themselves when the debate on this Constitution begins is simply this, “is this Constitution better than the old one or not?” If it is better, if it has made even only one advancement then a “yes” vote can be the only vote a person can make, if it is that the old Constitution gives Vincentians more rights and freedoms than new one, and then you vote to keep the old one that should be what the debate should be Mr. Speaker. People looking at the two documents and comparing them, which one is better? Mr. Speaker, I am of the view that this Constitution is better than the old one and Mr. Speaker, we have heard the Opposition speak and we have heard their concerns with the Constitution which basically boiled down to two, but I will get to them in a while Mr. Speaker. The people of this country wants to know how does this Constitution affect me, how does this Constitution make life better for me?

Mr. Speaker, I would like to turn my attention to the issue of crime, because Mr. Speaker, crime is something that can affect and in some cases has affected many of us in St. Vincent and the Grenadines. Mr. Speaker, I remember the days when persons in St. Vincent and the Grenadines could not drive a motor vehicle to the country without fear of being road blocked and robbed. Mr. Speaker, gone are those days, thanks to the hard work of the police force [applause]. People feel safer now than they felt several years ago. But Mr. Speaker, while one type of crime has gone down, we have seen the rise in homicides murder. There seems to be a loss of respect for other persons life in St. Vincent and the Grenadines, total lost and Mr. Speaker the Constitution has made a provision to ensure that greater respect is paid for persons lives Mr. Speaker.

Mr. Speaker, during the consultations there was one thing that nearly every Vincentian or most Vincentians, great majority of them were sure of and that is the penalty of death. Mr. Speaker, the majority of Vincentians like myself believe that hanging is a deterrent which we need to be able to stem the tide of murders in this country, it is really getting out of hand and we have seen people who have lost loved ones and friends, do not feel satisfied in the manner in which the criminal system has dealt with their lost. Mr. Speaker, over the years we have had an erosion of our ability to carry out a sentence of death. If my memory is correct, the last time a hanging was done in St. Vincent was in the days of Hamlett that ions ago Mr. Speaker, to this date since then

through the Government has made every effort they have been stalled in one way or another [interjection] I am advised that the last one was in 1995 Mr. Speaker, but Mr. Speaker, the final Court of Appeal rest in England has found all manner of ways to stifle the laws of St. Vincent and the Grenadines which mandates the sentence of death for murder.

Mr. Speaker, it started off with a case I think was Sprott and Morgan was the name, where the Privy Council says that if a man is charged with an offence for murder, he is found guilty and you take more than five years Mr. Speaker to carry out that sentence it is tantamount to cruel and unusual punishment and inhumane treatment. Mr. Speaker, only in England could something like this come out of. In America, the Supreme Court has been hanging men who have been going through Court Appeals, appeals for over 20 years but you have committed that cardinal sin and committed that cardinal sin in a manner which is atrocious, abusive and most criminal, and you have to suffer the penalty. So Mr. Speaker, the first thing they say was five years Mr. Speaker, because at that time by the time a case passes through our system here, goes to the Court of Appeal reaches to the Privy Council in England get set down on their list and is heard and a decision handed down we done passed five years that was the first stumbling block. So efforts were made to speed up the process, have the appeals heard a little earlier, records done up quicker for persons who have rehearing to do, get it in a timely fashion, let us try to get the process done and then we ran into a difficulty in relation to the application of the old Constitution which is the one we have now and our local laws with what the right to life entails and other cases.

Mr. Speaker, we have reached a situation now where up to a few months ago the Privy Council, the law on the island was always that..., okay then, we has reached a stage where everybody has been satisfied with the development of the law. The law said that if a person commits an offence it is considered to be worse of the worse and it is a murder which is done in pursuant of a crime then you should face the sentence of death, just fair enough, because I personally believe that injustices have been done in the past. I always remember a case I think the fellar name was "*Scalar*" from Greggs, I always think that he lost his life very..., I mean it was carrying out the law of the land that it stood at the time, but I think it was..., there must be a distinction between different types of murder, there must be distinction between myself and Saboto fighting I take out piece of board and hit him in his head and kill him than for a man who comes into my house rapes my wife and shoots people in there, there is a difference. The crime of passion, vexation and there is a other crime of brutal wicked senseless murder in pursuance of a criminal act, most heinous act. Those Mr. Speaker, we cannot tolerate in St. Vincent and the Grenadines [applause] cannot tolerate in Vincent and the Grenadines Mr. Speaker. Those are the criminals Mr. Speaker that need to face the ultimate sanction of death and this Constitution Mr. Speaker, is going to ensure that we deliver, this country Mr. Speaker delivers that ultimate sentence to those persons who engage in those nefarious acts, that is one of the benefits of this you know Mr. Speaker.

Come when this Constitution is passed, well I do not expect a lot of the, would be murderers are those who are running and hiding to vote for this, because this is something that we have tied out for all of them Mr. Speaker. We are going to make St. Vincent and the Grenadines a safer place for myself, my family and the families and the people of St. Vincent and the Grenadines, all of them [applause] this Constitution Mr. Speaker has a benefit for you.

Mr. Speaker, the Privy Council has recently in the Daniel Trimmingham case and let me just tell you how recently that was Mr. Speaker, June 2009 few months ago and Mr. Speaker, I have first hand knowledge of this case Mr. Speaker, because I was involved in representing the State in the prosecution of Mr. Trimmingham also his appeal. So I know, have first hand knowledge and in-depth knowledge Mr. Speaker, of this particular case. And Mr. Speaker, the Privy Council Mr. Speaker has given a decision where they have that Mr. Trimmingham offence that he has committed is not the worse of the worse. Mr. Speaker, now I do not know, Mr. Speaker, this is a case where Mr. Trimmingham went into the mountains "*Compay*"... also known as "*Compay*" stole 'Berty' Browne's goat and killed him, chopped off his neck, bury his neck in one culvert somewhere, his body somewhere else Mr. Speaker, a most gruesome and heinous crime Mr. Speaker. Mr. Speaker, the High Court Judge thought that this was the worse of the worse case, most heinous case right here, our local Judge said that this is the worse of the worse, our Court of Appeal three Judges drawn from our various islands, belong to us have also found it due that this is the worse of the worse Mr. Speaker, could you believe Mr. Speaker that the Privy Council has found otherwise.

Mr. Speaker, let me give you some examples, cultures are different, and the only person who could say what a culture abhors are the persons who live in that culture. I have gone to certain parts of the world French Speaking parts of the world and saw people in restaurants sitting eating and spitting on the ground, I saw that, I shocked but that is the culture that they are accustomed to, I cannot judge them. I have gone to South America seen people use the toilet and take toilet paper and wrap it and put it in a waste paper bin, appalling to me, but to them that is their culture. We are the only ones in St. Vincent and the Grenadines who could decide what we consider to be most heinous and the worse of the worse, not a man in England Mr. Speaker [applause] not a man in England. And this is why Mr. Speaker, we have to vote to put this Constitution in place Mr. Speaker.

Mr. Speaker, this country is taking a hard line and nonsense. Not tolerating it anymore Mr. Speaker. Mr. Speaker, anybody who could say that this old Constitution which has abolished death penalty, abolished it that is what we have here now you know, because if the *Compay* case is not the worse of the worse, then what is. The DPP when he was doing the sentence of Mr. Rudolph Lewis the man, who murdered Marcia Quammie, said that his hands are tied, he cannot even seek the death penalty anymore, and his hands are tied. There is nothing we could do now; the death sentence has been abolished in St. Vincent and the Grenadines and the rest of the English Speaking Islands which have this same old Constitution in place, put an end to it.

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

HONOURABLE SENATOR RICHARD WILLIAMS: Mr. Speaker, the Head of State. Mr. Speaker, if it is one reason why, and I have to be short Mr. Speaker, one other reason why I would support this Constitution is to ensure that we remove the Queen as our Head of State. Mr. Speaker, I do not know the Queen Mr. Speaker, I have never seen any person, never spoken to her [laughter], I do not see how this lady could be the Head of my State and Mr. Speaker, and I hope the camera Mr. Speaker can show you, the Queen is here now you know, this is the Queen we know, the Queen is in this Parliament right now and if the camera man could show us the representative of the Queen here in Parliament now that is the mace that is it there. Mr. Speaker, really, Mr. Speaker aren't we mature enough to be able to have a President of our own Mr. Speaker, a Head of State of our own Mr. Speaker?

Really Mr. Speaker, let me jump to the next most important thing that I think this Constitution have for Vincentians, the enlargement of the powers of the Minority Leader. Now Mr. Speaker, a lot of persons have gloss over this you know and I notice that the Minority Leader..., the Opposition Leader himself, he hasn't touched it, he stayed away from it. Mr. Speaker, you know why they do not want this Constitution passed because they find they are going to get some power in their hand. No longer are they will be able going to say, oh, well you know we are not in Government, we cannot do this and we cannot do that, we are giving power, the people of St. Vincent and the Grenadines is putting power in the hands of the Opposition Mr. Speaker.

Mr. Speaker, the President apart from the Prime Minister now, no longer has the authority to just appoint what he..., who he wants in certain post. There are certain posts now Mr. Speaker, I cannot go into all of them now which the President has to consult with the Prime Minister and the Minority Leader and then the President appoints how it is now Mr. Speaker, is the President acts solely on the advice of the Honourable Prime Minister Mr. Speaker.

Mr. Speaker, section 85 of the Constitution gives the Minority Leader two very important powers and these powers Mr. Speaker are unheard of anywhere else in the world. Mr. Speaker, the Opposition Leader has complained in this House time and time again and I do not want to use the wrong words Mr. Speaker, but basically that he feels like a lame duck. Could you believe a person who represents 46% of Vincentians cannot come into this House Mr. Speaker and make arrangements if he feels it necessary to put a security guard anywhere? He cannot spend a cent of the Government money, 46% of the people voted him, he is representing 46% of the people, they come in here time and time again and complain about things not being done, but Mr. Speaker, we are going to give them the power to do things for the people of St. Vincent and the Grenadines Mr. Speaker and Mr. Speaker, I would hope that everyone who supports the Opposition would realise what is being done here Mr. Speaker.

Mr. Speaker, the Minority Leader is going to be the Chairman of the Public Accounts Committee and this Mr. Speaker, will consist of the majority being persons from the Opposition, the majority, the Government is not going to have any controlling influence on that and Mr. Speaker, the Constitution has given a power by which they Mr. Speaker may summon public officers and could ask for any relevant papers, documents that they see fit in order to ensure that persons are doing a good job. Nowhere in the world has Opposition had such a power. When people take about corruption, they could now go and check it Mr. Speaker, they could summon persons to come before them and enquire as to these allegations that are being made. Mr. Speaker, this Constitution is giving them that power that is going to ensure Mr. Speaker that all these allegations, all over the years of persons spending money recklessly, persons stealing money will put all those questions to rest, we are going to give them that power Mr. Speaker. The people of this country has said that they deserve to have that power as Dr. Gonsalves said it will give the Minority Leader the power to summon Rudy Mathias, he is always asking for information on the airport, well from the time this is passed he could call and say Mr. Mathias you know I want to get the information on the airport and he has to bring it, all the information that he has, that investigative power Mr. Speaker, is so important to ensure that Vincent and the Grenadines has a good system Mr. Speaker and will ensure that our country runs more on the straight and narrow way.

Mr. Speaker, the Leader of the Opposition may now bring money business before Parliament that is restricted in the Constitution we have you know, the old one you know, and a motion for the expenditure of revenue. The Constitution the old one restricts that, he cannot spend a dollar of the Government's money; he cannot bring a motion here to spend a dollar, so Mr. Speaker, instead of hiding behind the old story, well you know we not in Government you know we cannot spend any money for the Government you know, you have to you know, the Government..., we are giving you that power. So when persons say that they want something done you could do it. When persons say they want something done the Minority Leader can do it Mr. Speaker.

Mr. Speaker, there is also something that is quite dear to me Mr. Speaker and that is something that I think is important to people of St. Vincent and the Grenadines the issue of children. We are living in a society where children born out of wedlock is becoming more of the norm, it has been for quite some time and this Constitution is as one of its guiding principles is ensuring that children whether born in wedlock or out of wedlock has the same rights and status, Mr. Speaker that is a very important and fundamental goal of this Constitution [applause] and one Mr. Speaker which touches the lives of nearly of most Vincentians. Mr. Speaker, I have done a case where an uncle has ended up with property from a man who was died and left children because even though the States for Children Act says that that man is the father, there was not sufficient evidence that you can be the father for inheritance. So you could be two fathers, you could be just a father and you could be a father whose child could inherit. Mr. Speaker, that is nonsense really, but that is what our Constitution, our laws say Mr. Speaker and that is what we a Constitutional point as to discrimination in that particular case, I mean, I am not proud to say, but I represented the uncle [laughter] but Mr. Speaker, Mr. Stanley John represented the child, no Mr. Speaker, but that is the law, I have to follow..., I am a student of the law before anything else and if the law says that and discrimination is raised and we go to court on a constitutional argument and this Constitution we have here the old one says that that is not discrimination then who am I? All I can do is to support this Constitution Bill [applause] that is all I can do Mr. Speaker.

Mr. Speaker, finally Mr. Speaker we have the issue of victimisation which has been raised here time and time again. I have already mentioned the power that is being given to the Minority Leader to investigate, call for documents and make checks, there is also going to be the creation of the office of the ombudsman Mr. Speaker and the ombudsman is going to be an office Mr. Speaker created by the National Assembly and that person will be able to investigate and report to the National Assembly and persons who have suffered injustice as a result of an administration. So Mr. Speaker, people who believe that they have been victimised they do not have to go home and whatever Mr. Speaker, you could go straight to the ombudsman, we are creating an office, a person, an office and a person by this Constitution protected in here for you to go and make your complains to Mr. Speaker and who will deal with your complains, so this issue of victimisation on the radio that would be the end of that Mr. Speaker.

And the last point Mr. Speaker, [laughter] no Mr. Speaker, the Integrity Bill, the last point. Mr. Speaker, we have been..., the last point Mr. Speaker. Mr. Speaker, the Integrity Bill Mr. Speaker, we have been for years, we have been promised legislation to deal with integrity among Parliamentarians and other high officials in the Government. This Government has put it in their Manifesto more than one occasion. I remember the Opposition last year or year before coming in here and making a motion, oh they want the Integrity Bill pass, the response is, it is coming. Mr. Speaker, it is here [applause] it is here Mr. Speaker. Mr. Speaker, I do not

know, I am not saying that this is the reason behind it, but the Integrity Commission is being sunk into the Constitution of St. Vincent and the Grenadines where none of us or none of you will ever touch it. We are putting it deep into the breast of every Vincentian. So when I hear the Leader of the Opposition talk about, oh, we could just pass a Bill in Parliament, no look it here. Nobody is going to come in this Parliament here and on a majority say, oh, you know we are not satisfied with how the integrity thing is working and you know we need to suspend them while we investigate; some are leaking some information, nothing like that. It is going to be put in a place Mr. Speaker, where no one will ever touch it again Mr. Speaker and Mr. Speaker, with that Mr. Speaker, I think I have another 10 pages here but I am out of time Mr. Speaker. I want the people who are listening St. Vincent and abroad and Honourable Members here to consider one thing and one thing only whether this Constitution is better than the old one that is simply it. There may be things in it that everybody do not agree with, there are things in this that I would not have liked to see, but that is the sole question and I am going to agree with Mr. St. Clair Leacock with one thing, this Constitution, sorry, the Honourable Senator Leacock, with one thing, he has admitted Mr. Speaker, at the end of his speech yesterday that this Constitution, this proposed Constitution has made several advancements and Mr. Speaker, with that there can only be one vote and that is “yes” Mr. Speaker [applause].

HONOURABLE MR. SPEAKER: Member for Central Kingstown, Minister of State, I recognise you, just give me a couple minutes.

HONOURABLE CONRAD SAYERS: Mr. Speaker, Honourable Members, I rise to give solid and unstringing support to this document, the introduction for the introduction of a new Constitution for the State of St. Vincent and the Grenadines call “St. Vincent and the Grenadines Constitution Bill 2009”. Mr. Speaker, all of us who are in this Honourable House should count it an enviable privilege and honour to be able to stand here and speak in support of this Bill. This is indeed an historic occasion Mr. Speaker, an occasion that is going to be written in the honours of history and our reaction, our response Mr. Speaker is seeming going to be indelibly written for generations on end to behold and to make the judgment.

I do not stand here with any fear of what I am doing Mr. Speaker, I do not have any second thought, I have some mixed feelings because I think this Mr. Speaker, should not be debating in the sense of trying to fight a battle, but rather should be explaining and teaching those out there who do not quite understand what this Bill is all about so as to persuade them to vote “yes” for the Referendum, but alas Mr. Speaker, there are opposing forces that occurs a battle to be necessary, but I must say by and large Mr. Speaker that the battle has been fought and won by many of my colleagues and I will just like to appeal to those who have a sense of reason and conscience so that we can have “yes” vote come November.

I first would like however Mr. Speaker, to acknowledge the hard, gracious, conscientious and dedicated service put into this Bill by let me call the Chairman first, Chancellor P.R. Campbell QC and his dedicated team of Commissioners’, I want us to give them a round of applause for that [applause] I also want us to recognise Mr. Speaker, all the many Vincentians here and abroad who attended the consultations and who made very important contributions so that we can have this document. This brings us to the drafters. The draftsmen have done a great job Mr. Speaker and they did not just draft the Constitution and give it to us, but they subjected it

to scrutiny and hence we had a Select Committee of the Whole House examining the contents of this Bill so that we can give our “yes” in support of what is contained therein.

Mr. Speaker, for 30 years we have operated under a Constitution given to us by the British, 30 long years next month. There was great joy among our people when this Constitution came, but I did not quite know what was in it Mr. Speaker, but by the excitement of those around me, I felt that this must be a good thing and the reason why I was excited Mr. Speaker is because their leaders went to England, came back holding it up so and we had confidence that what our leaders did was on our behalf and it was for the good of the country. At that time Mr. Speaker it was good. It has served its purpose, so much so that the Opposition themselves agreed in 1998 and 2001 that although the Constitution served us in good stead it was time for it to be changed, it is time for improvement, it is time for amendments and so they put it in their Manifesto and say, okay, we will do it.

And Mr. Speaker, this objective was in line with the objective of the Unity Labour Party because we ourselves also agreed that it is time to change the old Constitution. We are not ungrateful; we appreciate how far it has brought us Mr. Speaker, but like everything else, everything has its time span, its share of life and the time comes when you have to move on and change it, improve it, so too with this Constitution. Mr. Speaker, not because this document is not a perfect document that we should reject the entire work that is done here that we should pay no mind to the many hours of hard work the amount of money spent, the consultations, the expertise, all the advice, all the innovations that was put into this Constitution not because it is not perfect we can just turn our backs on it and say no, we will keep the old one, because that is what a “no” vote is you know.

We are saying okay, we know it is better, it has a lot of good innovations, very creative compare to many in the region, many are trying to get one like this and perhaps using it as a model, as I understand. Dr. Alexis is now in Grenada speaking to his people; perhaps they will just look at it and see how far or close to it they can reach, because they would applaud us for taking the step we have taken Mr. Speaker and not because it has areas where we can improve it further, we are going to tell the future generation who should follow us, we do not want it, we will..., and we will keep what we have because that is what we are doing. We are saying we will keep the old one of 1979 handed to us by the British which none of us; none of our fore parents had an input into. They got it lock, stock and barrel and they brought it to us and say, here it is and we have been operating on it and as we operate, we saw a number of defects and faults and flaws and shortcomings and we said, as a mature civilised educated intelligent people we ought to do something about it. It is like you are giving somebody a house with outside facilities like toilet and kitchens and things like that and a family get together Mr. Speaker, they say you know, we get this house 30 years ago it is time we get the washroom inside, it is time we put the kitchen inside, it is time add some more rooms, it is time we do some things and they agreed and they did it in a certain way and some people are saying, listen me, yes I agree we should put in a toilet, but I do not like the corner of the house you put it, therefore let us keep the old house. I do not like the fact that the kitchen is painted in this colour, minor changes, yes it is important, but I am going to say no, let us keep the old house, let us suffer under the shortcomings of the old house, no Mr. Speaker, we are voting “yes” for a new Constitution [applause]

I want the people out there to understand how important this is, how serious this is. We cannot afford to let this moment slip us. I want to go down in history as fighting to help to change that former which we called the

former Constitution into this new proposed Constitution. This is what I want to know that I fought for it that I was one who say yes, we can do it, we will do, and we will change it because it is the best thing and the right thing to do. Mr. Speaker, we in this country and at this period in time must always try to do what we think is best for our country and our people. There is a old dictum that say, man know thyself and to thy own self be true and it is difficult for you to fight against something that you know is good just because you have a political position against it and what is hard you know Mr. Speaker, is that these are not the days when we sat here in the quiet of the hall and the outside world is not hearing us. These are the days when people are listening to what we are saying and perhaps they are wondering, how we could say no to this thing.

My good friend the Honourable St. Clair Leacock yesterday, I met him this morning and I said, Senator I understand how difficult it is when you are put to convinced people that two and two make three. It is a difficult Mathematical impossibility, two and two cannot make three and therefore Mr. Speaker, I [interjection] that is my friend eh, do not come between us, what you say *dey* Senator, yes. So Mr. Speaker, if you examine this Bill we are going to find a number of provisions, the first thing we must understand Mr. Speaker that we have not produce a Bill that had some secret clauses in it that provided some secret unfair advantages for us as Parliamentarians or for the supporters of the Unity Labour Party. This is not the purpose Mr. Speaker. This Bill is a Bill that forgets who is ULP, who is NDP, or anything like that, it is a Bill for the future young people and the future generations to come in this country. This is what this Bill is for and we must always view it like that, why should we rob them of the opportunity to have a Bill that is going to bring their lives into a higher standard of development, enhance their own freedom, enhance their own sense of democracy, why should we rob them of that how could we explain that Mr. Speaker.

Mr. Speaker, this is no time for playing politics, this is the time for us to be men, be patriotic, I want to use the word patriotic because when you are patriotic you love your country and you love everything that is put in place for the development and the enhancement of your country and your people that is what patriotism basically is all about and if we are patriotic we are going to look at this thing and we are going to see it for this vote and we are going to say to our party and our comrades listen me, I do not know how you guys think you know, but as I look at this thing it is truly something that we should support and stand up as a man in history and say listen to me, if I have to go down the wrong way I am going down the wrong way for the right thing, for the right reasons I am going down the wrong way because I call a spade a spade and I say this is good for us. Because you cannot go wrong that way Mr. Speaker, time is going to prove you right. Generations are going to come, if we do not pass this Bill even in the House or in the Referendum, if we do not pass this Bill with a comfortable majority, it is not going to make it disappear you know, it is going to be there and people are going to read it and say, let me see the reason why and when they cannot find any substantial reason when they compare it with the old one, they are going to say maybe our fore parents are like the slaves. You free them and yet they still felt the effects of the shackles and they did not want to get away from it. So they could not feel free, they could not move out of that they could move out from *massa* yard and so they do not want to stand on their own.

I think 30 years is much too long we have taken before we reach this stage Mr. Speaker, nevertheless I am happy that we did and we are to move with haste and we should move in unison. I would like to see the entire Opposition come on board, because Mr. Speaker, I am going to say to them, this does not take any skin off your nose, any skin off your nose in the face of your supporters because you have a responsibility to show them,

listen to me this is not supporting the ULP, the is not supporting the Prime Minister, this is supporting you the people of St. Vincent and the Grenadines and although we will like certain things in it, we have to agree that we sat there, we looked at it, we worked with it and it is the better choice we have, let us go with it, join together as one nation, we will be respected throughout the region as a people, because we know what we want, we know when something is good and we are not afraid to choose it that will be a good feather in our cap Mr. Speaker.

Mr. Speaker, this Constitution Bill today makes several provisions, many of which were presented and discussed by my colleagues, but the guiding principles Mr. Speaker, these form the sort of philosophical underpinning for the entire Constitution as it pertains to the development, the freedom and the democracy of this nation state of ours Mr. Speaker. The guiding principle touches 20 important aspects all of which are important for our people. We looked at the whole question of the elderly Mr. Speaker, I saw them on television sometime I think, was it last week or Monday or Tuesday night, this week, Mr. Speaker, when I saw these people to know that under former administrations they were left either to the elements, to their family some of them who did not care much about them and there are some families who care, but could not do much, had to go to work, had no other help and when we look at the happiness portrayed and showed by these elder lies and see how the caregivers was singing to them, combing their hair, treated them right and to know that this came out as a policy of this Government. A policy Mr. Speaker, you know what this Constitution is doing, it is saying to us do not let it be something of the Unity Labour Party only, let it be something for our future generations and parties and Government in this country [applause].

We do not want to be selfish and say okay, it is just a policy initiative of this Government and therefore we can always look back and say sometime ago from the year 2001 and beyond up to whatever, whether is 25 or whatever the date may be, we do not know Mr. Speaker how far God in wisdom will let us go, but that was then, but this is now and we cannot do it, we will not do it you know there are some people Mr. Speaker, who like to say we cannot afford it, we cannot afford it Mr. Speaker, a simple thing like allowing the barrels to come in with the concession that we allow at that time when the days were better than they are now, the Leader of the Opposition says at that time, we cannot afford it. Mr. Speaker, there are a lot of things we cannot afford but our Prime Minister makes it possible because of the compassion [applause] and the desire to help the people, there is some people who think he is doing too much and giving too much, but that is the man and so we catch the spirit, the vision to help, Mr. Speaker, care of the elderly.

Then we have the wellness revolution, youth development to appreciate our young people in clause 19, how we can appreciate our youths, making them responsible, accountable and being able to stand on their feet at 18 years of age. Mr. Speaker, there could be for the next General Election a party of 18 to 25 year old people who come up and say, we can do better, we will do better we want to run against this Government and there is nothing to stop them if this document today is accepted by the people in November in the Referendum. That is how far we want to help the young people, we do not want to hug the show, once the people are mature enough, we want to give them the opportunity to shine Mr. Speaker and therefore we are making a way..., that is why I was very put out when the Honourable Member for the Northern Grenadines said yesterday, oh, when you do not have term limit you are not giving the young people a chance to shine and to move on.

Mr. Speaker, nothing could be further from the truth. We are not putting in the Constitution that the Prime Minister who wins an election shall serve for three consecutive terms regardless of what the people feels, that is a totally different thing, but if you are subjected to the will of the people each term the people are free to say this is what we want, let the people decide their term limit, why should we come here in 2009 Mr. Speaker and decide that a brilliant once in a while or once in a lifetime leader should have only two terms when the people are yearning for something better, when the people like to give him four terms how could we determine that here, because we have the opportunity and because we have the privilege now to say so, that is not democracy. We cannot determine for the people in the future like that we will be tying their hands Mr. Speaker. Let the people feel free that if the Prime Minister in the time to come worth only six months, then he get six months, if he worth six terms, he get six terms that is my feeling Mr. Speaker, because the people will always determine, the people should decide and we should just follow the people that is why this Constitution said that the people are sovereign, the will of the people is what we are subjective too under God.

Mr. Speaker, this document is indeed a master piece. It provides not only our freedoms, freedom of speech, freedom of movement and all these other freedom of assembly, not only these are guaranteed, not only our rights are put in such a way that they are entrenched that they cannot be tampered with. Mr. Speaker, we have a Constitution that others in the region can envy and will be doing justice to the people who work so hard on it, if you say thank you to them by voting “yes” and showing them that we are in support of the hard work and dedication.

Mr. Speaker, in this Constitution in chapter 4 we have provision for a Human Rights Commission. One man was heard to have said that the Human Rights Commission is just inserted; it has no teeth [laughter]. Mr. Speaker, that Human Rights Commission makes provision for people who have been wrong who had their rights as provided for in the Constitution tampered with to make a complaint. We would have a Chairman chosen by the President, not the Prime Minister, the President and such other persons as the Parliament may decide, but among their function is to investigate complaints, investigate any sense of wrong doing in terms of depriving people of their rights and their freedoms and presenting a case to the Attorney General who will then develop this into a credible case to bring justice to the people. This is indeed a good step Mr. Speaker and I am saying “yes” to it and to, I am saying vote “yes” for the new Constitution [applause].

Mr. Speaker, in chapter 5 we have that great departure from the norm from many Commonwealth countries that is to say the introduction of a President. You know right now we operate under a Head of State who is a Governor General, one whom we respect very much and because of the monarchical system under which we are functioning we have to go that way Mr. Speaker, but we are saying when we introduce a Republican style or type Government of system we are going to have with it a President. Now there are those who call for an Executive President, and although we provide in this Constitution for the President to be elected within the National Assembly, they are saying no we want the President to be elected by the people. But Mr. Speaker, the Opposition has a number of ideas but you know as I said, the devil is in the tail. Many times I think it is when you start planning properly we realise the defect in what you are doing.

Tuesday was the first time heard some attempt to give a sense of detail to that idea, but Mr. Speaker, listen to this, if you would have an Executive President who should be elected by the popular will of the people, you are

talking about campaigning and elections okay, you are talking about campaign funds, you are talking about symbols and then you are talking maybe about a number of candidates. Now these people who will come forward to be elected as President are not from out of space, they would have some association with some party and hence you are going to have people recognising that and say oh, you are supporting that party I am not going to vote for you and the others on the other side say, the one over there is supporting that party and they are going to have the same kind of seeming tribalism taking place all over again. So then, he is elected and he has to be a very noble statesman to say to the people who did not support him when he was campaigning, okay, you did not support me but I am going to do something for you beyond somebody who I know support me in my campaign.

So you have a political situation, now Guyana has an Executive President that is because he is the head of the party in Guyana that won the election and if you have an Executive President you will have a figurehead Prime Minister who would become like a Governor General, a ceremonial kind of person, titular, so Mr. Speaker, you cannot have two executive of equal strength managing the same country, one has to be the head of the State and one has to be the head of Government and so I think a lot is done to give the President due power, because the President and not the Prime Minister would now be naming the heads of the Police Service Commission, the Public Service Commission all these sorts of things and you know what it says in chapter 7; 102 it is stated clearly that he would be the head of the arm forces of St. Vincent and the Grenadines. That is not a figurehead that is a powerful man. But you will not have a President more powerful than you Prime Minister and I know there are those Mr. Speaker who would like to see the Prime Minister totally emasculated in so far as power is concern. Well we cannot have a Prime Minister who loses all his power overnight, then what is the sense, and then is better you run to be as President, eh Mr. Speaker and get all the power that they are trying to take away from him, so Mr. Speaker, we have to be careful how we make our case and make sure you make a case that is for the peoples sake.

I personally have nothing to gain except the pride of knowing that we have moved out totally from colonialism, except the pride of knowing that our people stand a better chance for democracy, for development, for improvement in all aspects of their lives, because this in the guiding principle also makes provision for culture development, almost every aspect of national life is provided for in this Constitution Mr. Speaker. This is something that was carefully thought out, thoroughly planned, and let me say this, it is not the end of it, and there is always room for improvement.

Mr. Speaker, when Henry Forde built his first car one could not say that there is not room for improvement, so what you do, throw the car in the dump and say let us think of a better one, no, you use that and as you go along you recognise the defect, you convince the people of the shortcomings and they are with you as you make a better one. The same thing with the telephone when Alexander Belle developed the telephone, was not that the best thing in the world, but look where it comes today, look where it is, the Wright brother with the aero plane Mr. Speaker, these things needed improvement and so after 30 years, if it is the first time, 30 years we have this, I am sure the Englishmen are surprised we kept it so long [laughter] yes, they are shocked, they say, but boy, they might be saying, Lord so and so you remember when we did that thing we say it would only last five years, you know the thing last 30 years and the *fellars* over there arguing whether they should keep it [laughter].

Mr. Speaker, this document would be improved in time, but it can serve us for a number of years to come and those who would inherit are going to be thankful to us, they are going to appreciate us for what we have done and I am saying to the people of St. Vincent and the Grenadines vote “yes” in the Referendum [applause].

Mr. Speaker, the Members of the Opposition is my good friends, I must say that but there is saying there is no friendship in business [laughter] and this is serious business Mr. Speaker. Although I will not denigrate them or embarrass them unnecessary except if I make a political truth and it becomes an embarrassment [laughter] I must say Mr. Speaker that we cannot afford to let politics get in the way of a new Constitution by the people of St. Vincent and the Grenadines. Mr. Speaker, I am afraid you know that in time to come, I am afraid that in time to come we will day hear someone saying to the people of St. Vincent and the Grenadines, you remember when I said to vote “no”, it was not that I did not like the Constitution you know, I was afraid that if the ULP get that Constitution pass we will not move them out of power easily, Mr. Speaker that is a horse of a different colour. We got to go beyond that Mr. Speaker, if there are areas were we shall remove the ULP from Government that are credible and genuine reasons that we can stand up to the people and show them, let us use those, we cannot hide behind the smoke screen Mr. Speaker, we cannot use any kind of created excuses that cannot hold water.

I expected the Members of the Opposition Mr. Speaker to take the different proposals we have here, put them out to the people that if they are saying no, I will turn to them and say well listen me, this is how we change, this is how we improve this one, this is how we improve that one, it does not mean that the people will say no you know, they say okay, yes, but we are going to take this one now and when you get your chance you do that, but you get to show that you want to take us a bit forward, you got to show us by being serious that you want to move us an inch forward beyond where we are.

Mr. Speaker, the question of an ombudsman was scouted for years, chapter 11 provided for that. Someone again chosen by the President who is going to be responsible for that only, no other employment and he is going to take the complaints against public officers and try to bring some redress to these situations. Too often you know there are members of the public who go to different places of Government business and they felt that they were not dealt with properly and with that they will come making noise and complaining blaming this person or that person now you have an ombudsman if we accept this Constitution to go to and they can say to him, sir, dear or madam, this is what happened and he will go now and investigate it and come up with something that will bring you a sense of satisfaction.

Mr. Speaker, we had a point when we say what a Government, but you know I cannot help when you see this Bill, what a Constitution Bill. Mr. Speaker, this thing is relatively easy to understand. You know most time you find a legal document, a bill difficult, this thing is very rational, the language is straightforward and it is good reading, smooth reading. Mr. Speaker, we should invite children that is why I hope the people who got these in the newspaper will give your children to read, you yourself will read them, there are many copies of these which came into the paper, yes there are further amendments, not so major but further amendments that you would be guided by and will compliment and complete the document, but you ought to take it very much at heart and read the document and listen to every bit of explanation. I want to invite every radio station to get with your programme a substantial amount of time for the explanation and the discussion of the Constitution.

Not with the view to saying one way or the other, but for people to understand it, because I am confident Mr. Speaker that once you understand this Constitution, once you recognise that it is different and better than the former one, you are going to say “yes” in the Referendum [applause] you have no choice, absolutely no choice at all. When you recognise the difference, you look at the two documents, I challenge somebody, I will sit down on a point of order if somebody will stand and say, Mr. Speaker, the Honourable Member is not speaking the truth, and the former Constitution provided advantages over the present one we are proposing in this way or that way.

No one Mr. Speaker, you see Mr. Speaker, if you are going to vote “yes” you must have a series of reasons and points and clauses at your finger tips ready to say “yes” and if you are going to vote “no” you must have a series of credible arguments, factual, truthful arguments that you could come up and say “yes” or “no” and that is what we want that is what the future..., that is why we have the education revolution you know Mr. Speaker, because our people will not be easily fooled, neither by us nor anybody else. They say that people who are ignorant are easy to manage and if you want to manage people you keep them in ignorance, but you can see what the Prime Minister is doing, giving everybody education from preschool right up to tertiary levels, university, degrees, masters, PhD’s, people are asking us in Cabinet to let them go on and do further studies and the Prime Minister is saying, let them fly, let the young people fly, no hindrance, because we want when we have given this country over to the young people we can sit back and say we have done our part, now let them do their part and we want to know that we put it in the hands of competent people because they are trained, they are educated and they are prepared to manage the country at every important level. If you hear the range of studies people are doing Mr. Speaker, you would be amazed. It is to prepare a whole new civilisation within this little part of the Caribbean, I believe this nation is heading for greatness Mr. Speaker, I truly believe so and with the emphasis we are putting on Technology, on Science, on Mathematics, these are going to propel us on further, because these Sciences are precise and they allow us to do inventions and be creative and this is the kind of nation we want.

Mr. Speaker, we heard much debate that under the present Constitution people are not easily or apparently no longer go to capital punishment, this is indeed a sad thing and I think we perhaps need to look at the number of deaths we had since that judgment came out in that short space of time. We were going quite well before you know, but we want to say to people do not be fooled, you would not have a Government and a people sit down helpless and do nothing about criminality.

Mr. Speaker I remember under the former administration we look back over there on the prison and it was littered with people sitting on..., do you all remember that, are you Vincentians do you remember when people use to be sitting, the prisoners sitting on top the prisons roof there like they are in charge at large? Nobody could say nothing, you could imagine if they knew they cannot be hang, ah, Sir Vincent say, do not go up there otherwise we will take you down [laughter] we are not saying how and Mr. Speaker, I heard a few days after a fellar tried to go up and they grab him down and say, you ain’t hear the man say do not go up there, fellars pull him down fast and look at it now, the roof is what roof should be, clean and free for the rain to drop and the sun to shine [laughter] not for people to sit on, calling out people, seeping people in the road eh, Mr. Speaker, if this Government did not come into office you hear, all now so fellars will be going and out prisons when they feel like [laughter].

Mr. Speaker, you might have thought, it might have been worse than a home and a shelter.

HONOURABLE MR. SPEAKER: You have 10 minutes.

HONOURABLE CONRAD SAYERS: Thank you very much Mr. Speaker. Mr. Speaker, I want to say this, my friend, all right I would not hold that against you, I take it as a pecan. Yes Mr. Speaker, we want a Constitution that allow our people to live free, that allow our people to respect the rights of others, to enjoy their rights and their freedoms, to obey the law, to experience justice and fair play, to be able to work in any employment that they are suited for without discrimination, to get fair reward for their pay, to feel that they are protected by the State, that they can go about their business in peace, it is a Constitution that sets the framework for that kind of a society, to provide the space for people to be enterprising, to have entrepreneurship among the people, to have people to invest, to have people Mr. Speaker, to move in creative ways in the art and in all aspects, the culture, in education and to bring development.

For Trade Unions to flourish not for them to be up and down or marches and protest but Mr. Speaker, for the Trade Unions to have collective bargaining recognising the Constitution as it is and able to enjoy it so that both workers and employers will live together and productivity will be lifted in the country. This is what we want Mr. Speaker, this is the kind of Constitution that we have provided here, this is what we are asking people to vote for and you cannot say “no” for a Constitution that offer so much. Mr. Speaker, if I may quickly just go back to my point on capital punishment, I believe that this coalition should ensure and maybe in the future when you are doing amendments they might do that, you see I saw something in the scripture which said, that when people shed people’s blood and murder, it brings a curse on the land and it is when the blood of that one who shed, the victim’s blood is shed then the curse is removed and I will only support a bloodless execution like hanging if the person did like something like strangling or blunt object and no blood is shed.

I went to Doha Catarrh and I always like to investigate how countries are running, I heard the Honourable St. Leacock refer to Indian a constitutional place, where there is a lot of cast system looking for freedom the quality among the people. Mr. Speaker, I asked my chauffeur, I say excuse me, how is the crime situation here? He says well it is not bad you know. I say when last you had a murder? He is from India, but he is living in the Middle East, he said, well about 10 years ago, I say, what? I say, what you all are doing, what happen? He say well whenever they murder they line them up and they shot, people respect that, people respect that kind of execution. You know Mr. Speaker; people love their life you know. You notice how everybody whenever they take somebody else life they are struggling and fighting going to Appeal Court and Privy Council and all kind of things, you notice that Mr. Speaker eh, Mr. Speaker, how could you afford to have 500..., I mean if you have 10 a year, or even 20 a year in five years, count the amount. Mr. Speaker, our country has to do better than that. Our country has to do better than that, we must support people, provide opportunity for them to get justice, we are trying to help people in all aspects of life, but we want to see people respect each other, respect life, respect the freedom, the dignity of man. We believe that as the open of this Constitution said that our nation is founded on the belief in the Supremacy of God and the freedom and dignity of mankind. Those are inalienable rights.

Mr. Speaker, that word has been branded about you know, but you know there are countries, I cannot forget when Martin Luta King reminded the people in the North about this inalienable right, they were sitting in the

back of buses, cannot go into certain places you know. So what you need in the country is the institutions to ensure that the Constitution is upheld. You need a quality of people with a certain mind set, a certain character, a certain live and let live, a certain dignity, a certain industry among themselves, a certain neighbourliness, and a sense of partnership working together, helping each other that is what we need and this book is what we use..., this Constitution is what we use to form the framework, to create the environment to have that sort of people among us.

Mr. Speaker, I want to say to the people of St. Vincent and the Grenadines, you would be proud of yourself one day if you go to the poll, or when you go to the poll on the date in November and vote “yes” to change this Constitution [applause]. Your children will thank you because later on they will get a copy of the old one and say, but you know when boasting how great a job you did, he may say, but mom and dad you know that *ain't* so great, I would have done the same think. I mean, I would have done the same thing because if you love your country, you will do everything to make it better and nothing could hinder it from moving forward. Let us do not oppose the things that are good for St. Vincent and the Grenadines let us stand firm together and support each other and I want to advice the Opposition Mr. Speaker, to take a break and go into a caucus and say among themselves, *fellars* look, now is our time to get back into history, let us come together ask the Speaker for his indulgence, make a statement and say guys, I think we are convinced we changed our minds [laughter]. Let us have peace in the land, let us progress in the land, let us have development in St. Vincent and the Grenadines, let us vote “yes” for the Referendum, let us vote “yes” for the new Constitution. Thank you very much Mr. Speaker and God bless you [applause].

HONOURABLE MR. SPEAKER: Any further debate, Senator Francis, just hold a while please. Honourable Senator Francis, Minister Housing, you can begin now.

HONOURABLE JULIAN FRANCIS: Thank you very much Mr. Speaker. Mr. Speaker, I rise to give my full support to this Constitution Bill and for the Revised Constitution of St. Vincent and the Grenadines and I will over the next 45 minutes try to convince those on the opposite side of this House and those who support them that we should all join together for a “yes” vote. But before I get into my contribution Mr. Speaker, if you will permit me just to respond briefly to the words of encouragement and words of support that have been given to me, I think the Prime Minister on Tuesday announced that I had to miss Parliament to go to Trinidad, because of my sister being ill. For those of you who do not know, it is not one of the two sisters that you know, this is a sister who has lived most of her adult life overseas and a lot of it in Switzerland returned last year and is currently building a house in the constituency of the Parliamentary Representative for Northern Grenadines in Bequia and took ill last week and had to be rushed to Trinidad for support services. Unfortunately she is still in bad shape and she is not out of the woods as yet and she is getting a lot of care and attention and the facility that she has been transferred to is a well equipped facility and again I want to thank all those who give support, who continue to give support. I want to appeal to persons who have friends and families in Trinidad who could donate blood, her name is Barbara Francis and she is at the West Shore Medical Centre in Port of Spain. She will be using a lot of blood and she is going through very trying times, so I want to thank you all for the support and we hope and pray that she will come out of it. Thank you very much for that Mr. Speaker.

Mr. Speaker, I am not a lawyer, but I do have a clear understanding as to what we are dealing with here and I want..., I am surprised in the end that the Leader of the Opposition and the New Democratic Party and from

what I have heard because I was not here to hear all the debates, but with the compliments of Star FM I was able to go live on my laptop in Trinidad in between hospital visits and I heard some of the debates. But it seems as if Senator Leacock is not in full tow of the NDP no vote and that by the end of this session he may very well break party lines and encourages the people of St. Vincent to vote yes.

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker, I was hoping to reserve my comments perhaps until the Prime Minister sums up, but I want my Honourable friend Senator Cummings to know not only [interjection] Senator Francis sorry [laughter] as I said yesterday they are both my friends Senator Francis, not only I am a party man I am Vice President proudly serving the New Democratic Party which has a strong rich tradition. My support for the New Democratic Party on this matter is unreserved. I will be voting as a private person “no” against the Constitution, I will be campaigning vigorously for my party in this exercise. Let no one misunderstand my reserve, thank you very much.

HONOURABLE JULIAN FRANCIS: Well I am very glad that you have finally made your position clear, because from what I picked up you were unclear as to what you wanted to do but now that you have made it clear. Somebody has to provide some form of leadership to the people of this country and we have to try to tell them that what we are going into in November is not a vote for ULP, is not a vote for the NDP it is a vote “yes” for the Constitution. The vote for the ULP and the NDP will come next year, not November and I think if we do that collectively Mr. Speaker, because 67% is a hard task, I am confident we will get it because I believe that the majority of right thinking Vincentians would give us that 67%, but it will be a sad day in the history of this country that persons who look to us in this Parliament for guidance is misguided and then they regret afterwards that they did not vote “yes” for the Constitution.

Mr. Speaker, I hear the Leader of the Opposition say that there are things inside of the draft Constitution Bill that could be put into statute or legislation by Parliament itself. For the benefit of those outside who are listening to us Mr. Speaker, my understanding is this that statutes and laws can be changed by the party that is in power and have the majority in Parliament, but the Constitution requires us to go to the people to vote for that change that is how I understand it. So while the Leader of the Opposition and the New Democratic Party who have come to this Parliament already asking for integrity legislation to be passed and now it is in the draft bill for the Constitution and he is voting “no” against it I believe that the NDP feel that they are going to win the next election so that these things can be changed by the whims and fancies of the New Democratic Party. I cannot see any other reason because to argue and to present the argument to put the ombudsman, to put integrity commission and all of these things.

HONOURABLE MR. SPEAKER: Honourable Senator Francis the...

HONOURABLE JULIAN FRANCIS: If I am giving way Mr. Speaker?

HONOURABLE MR. SPEAKER: Yes, are you giving way to the Honourable Leader of the Opposition?

HONOURABLE JULIAN FRANCIS: You want me to give way sir. I will give way to my good friend.

HONOURABLE ARNHIM EUSTACE: You give way already [laughter]. Mr. Speaker, when I made my presentation on this matter on Tuesday, I just want to make a clarification actually, I said that there are those on the other side who are saying to the people of St. Vincent and the Grenadines that if you vote against the new Constitution you are voting against an number of things like ombudsman and so on, and I therefore made the point that I do not regard that as true because in any event one has the opportunity to bring separate legislation. So that is what I was referring to that you said we, if we vote against or vote “no” we are throwing out those things. That is not so, I was simply saying

DR. THE HONOURABLE RALPH GONSALVES: You vote no, but another time you will vote yes.

HONOURABLE ARNHIM EUSTACE: Eh, I am not voting against them, I accept those principles, but to tell the public that because you vote “no” in the Constitution you are voting against them is not true and that is the point I was making Mr. Speaker.

HONOURABLE MR. SPEAKER: All right thank you Senator Francis.

JULIAN FRANCIS: Mr. Speaker, I am sure that you did not hear those words out of my mouth. I was arguing and I am...,

HONOURABLE MR. SPEAKER: Continue your debate.

HONOURABLE JULIAN FRANCIS: That such important things as the Opposition think they are like integrity legislation, why are you saying it should be in statute and not in the Constitution? That is the question I am asking and the people must understand the difference and this is why I made the explanation just now. What is statute and regular laws that are passed in Parliament and what is the Constitution because there was a big fight in this Parliament Mr. Speaker in the Select Committee when we moved to reduce the 67% required to change the Constitution to a 60% and there will be debate on that still. Well there will be further debate in the public on it. The points is, do you really..., are you convinced as the leader of the Opposition and the New Democratic Party that we ought to entrenched integrity legislation? If we ought to do that and if we are to be guided by integrity legislation the best place for it is inside of the Constitution, not in statute where next year political party changes, we go on that side, you come on this side and you bring legislation because certain things happens within the ranks of your party you want to pull it out of statute.

You cannot pull it out of the Constitution, you have to go to the people and ask them for 60%, 60% is plenty Mr. Speaker, we won the election 1989, I will still say we win and I will come to make that point just now, 2001 and 2005 and we *ain't* reach 60%, but yet we get 67% of the seats so the 60% it is a hard task to hit and this is why I want to appeal to Members of the Opposition because Mr. Speaker, Senator Williams went through the process that started since 2002 and for four years we worked in this Parliament together, something happened in 2007 and for flimsy excuses were presented and the Opposition stayed away from Parliament, then in 2009 there was a return to Parliament after we got the final draft and the Members of the Opposition sat with us Mr. Speaker, day in, day out discussing all these clauses that are in this Constitution, they were here with us, so I was saying to my colleagues it looks as if the Opposition is going to go with us for a “yes” vote for the

Constitution. They were in here up to 11 o'clock one night with us. Everything that they..., not everything that they opposed and recommended for change did we change, or got the approval of the majority, but they made significant input and changes and contribution to this.

So I hear now and I am listening in Trinidad and I am hearing the Leader of the Opposition with a lot of anger, real, real anger coming out and when he said the word "no" my computer vibrated. I am serious, you felt it in your chair too Senator Cummings did not you [laughter] every time he said a "no" vote my computer vibrated and I was wondering whether the hard drive was going bad or not, but it is just the reverberation by the expression by the Leader of the Opposition. So I want to appeal, they have already made that statement but I am asking them to reconsider the people of this country and let us go jointly, we will vote for each other, we will ask your 42% and my 56% to vote for us next year. We fight among ourselves with many things, let us not fight on this Constitution. I am appealing to you all as Members of the Opposition. Ask your 42% to go with us and let us get this Constitution approved. It is better for the country. The document is a better document than what was handed down to us from the Privy Council and I will read something just now in the Constitution, because Senator Williams went into the matter of the Queen sitting there looking at us and now we are going to have our own President.

And he also referred to the death penalty being killed by the Privy Council so that our Constitution of 1979 according to the decision of the Privy Council the death penalty is null and void, you cannot hang anybody in St. Vincent and the Grenadines again. Mr. Speaker, it is the same Privy Council in the first page of the old Constitution Mr. Speaker, it say, whereas Her Majesty in pursuance of the regency Acts 1937 to 1953 was pleased by letters patent dated 16th day of July 1979 to delegate to the six counselors of State therein named or any two or more of them full power to grant us independence. Six members of the Privy Council, and this were signed by N.E Lee Clerk of the Privy Council. We are today in here 21 of us debating our destiny, our own Constitution crafted by the people of St. Vincent and the Grenadines. Consultations were done through the length and breath of this country, the region and internationally.

Mr. Speaker, every single radio station in this country had a debate going on, on Constitutional Reform, every single one including Praise FM. I heard it on Praise FM myself and they do not normally enter these arenas. So I hear the Leader of the Opposition refer to the word consultation, what does consultation means. Mr. Speaker, you cannot ignore what is in this document. It is not the hard work of Parnell Campbell and Dr. Francis Alexis QC and Dr. Ghany and the other members of the CRC and the Select Committee, what is in this document came out of the bowels of the people of this country. We are representing here..., because you cannot have 100,000 persons fit into Parliament to debate in a Select Committee and I am putting it in very simplistic form because I want persons outside of this Parliament to understand what we are saying. I do not argue here for those who are benefitting here, because I know a lot of people are glued to their radios this afternoon listening to this debate.

So that the elected representatives of the people of St. Vincent and the Grenadines sit in this Parliament and in the wisdom of the Prime Minister and I want to congratulate on that, that the Select Committee was suggested to be the Committee of the Whole House. You could not have it any better than that. Normally when you put a Select Committee together there is four or seven from the Government and two from the Opposition, now we suggested that the Committee of the whole House in other words all Members of the House of Assembly were

involved in this fine tuning and that is why I am so surprised, I am really surprised and I want to harp on that Mr. Speaker and I am still hoping that they will be a change of heart. This is why I am giving way to anyone on the Opposition who want to stand up, anyone who ask for me to give way, I will give way because I am hoping that by the time we are finished and Prime Minister does his wrapping up, I hear Senator Leacock says he was waiting until the Prime Minister's wrap up to make his commence, so I believe that they were going to come back afterwards and say that they change the thing.

But Mr. Speaker, Sir James Mitchell was a proponent of the proportional representation form of Government. I heard him myself in this Parliament. The New Democratic Party articulated in the past on proportional representation. There was discussion in this same Parliament, I was not a Member of Parliament then and I am wondering and I am appealing to Sir James this evening, I am wondering if Sir James will come out and speak his piece on the Constitution, I really want to, because I do not want us to waste this exercise.

Mr. Speaker, Senator Caesar Saboto, what your second name is again? [Interjection] Scroffield said that he asked me if I remember ever seeing the Queen and then I realized how much older I was than Senator Saboto Scroffield, because I remembered when she came down I was a very little boy at that time, but we have that opportunity 30 years later after 1979 to make this thing work, please let us do it together and make it work. My normal style of debate in this Parliament is to come find the Leader of the Opposition and Members..., find comments that they make, sometimes I do not even prepare my debate until I come to Parliament and I will stand up here and I will strip them like last time I showed the people of this country what all the Leader of the Opposition was opposing in the Prime Minister's Budget Speech and what it meant to poor people and it struck a cord and that is how I normally debate. But today I am appealing to the Leader of the Opposition, let us work together on this one and tell the people let us vote "yes" for this new Constitution.

Mr. Speaker 30 years is a long time and is time that we change that document and gives us what is in this Constitution. The people asked for it. The Leader of the Opposition and in the Select Committee, the Honourable Parliamentary Representative for Northern Grenadines did raise the matter of the election of the President and again that view never surface before that day and when I heard the Leader of the Opposition articulating his position on it, on Tuesday, I believe that this is just a stalling and looking for an excuse that they do not have in the document to give to their people to vote "no" and it is sad, because the position of the New Democratic Party is not even fully thought out on this to say that we must have an elected President by the people of the country, as Parliamentary Representative for Central Kingstown said. If this was put into the constitution, nobody wants to be Prime Minister.

Dr. Ralph Gonsalves is an individual is the most popular man in St. Vincent and the Grenadines; would he waste his time and not throw his hat into the ring to be elected as President of the country? Of course he would, he would be silly not to if we were to put that into the Constitution. Arnhim Eustace and I am not speaking here representative here, I am naming you as an individual like name Dr. Ralph Gonsalves, as the leader of the next popular political party will naturally throw his name into the ring too to become President. So the two persons who are possible Prime Ministers will now be fighting to become President of the country that make sense, it does not surely the position is not thought out and then he says that you must have [interjection] I always spoke for you, I will remind you that I told them in East Kingstown that if they voting me they will have two in one, if

they vote you they will only have you alone. Now they vote you they get you alone, you understand what I am saying? So I spoke for you then, yes, yes, yes, because they voted you in the end, but you was saying that there must be..., because I think he was quite in his presentation critical of the statements made by Parnell Campbell QC about a dramatic in a presentation that Mr. Campbell made that it is a dramatic event and he asked, there is no drama he says, there is no drama in the appointment of the President. You are going to come into the Parliament and vote in accordance with party. Well how do we vote in the Parliament, right here we are separated by party, even on the Constitution.

So let us not confuse our people out there with all these red herrings. I listened to you, when I am finished I will give way if you want me to because I want you to clarify this, because the people need to understand what you are saying and to understand that this is just a red herring for your supporter [interjection] I will give way just now Mr. Speaker, it is a red herring for you to tell them vote “no”, so if you can explain what you mean now. I will give way Mr. Speaker.

HONOURABLE ARNHIM EUSTACE: Mr. Speaker, I have here the document that I was referring to when I spoke about dramatic. This is a document by Mr. Campbell himself QC and I was referring as he was referring only to that part of the Constitution which related to the reduction in the powers of the Prime Minister that is what he referred to as dramatic and I went on to say that if what happened to the Prime Minister can be called dramatic, then what happens to the Minority Leader and we regard it as spectacular. So it is only in relation to the recommendations [interjection] that is your opinion I have mine, so it is only in the relation..., in the reduction of the Prime Minister but I do not agree.

HONOURABLE JULIAN FRANCIS: Mr. Speaker, I was sitting in my hotel room in Trinidad listening on my internet on my laptop and this notepad that I have here is the HYAT regency in Trinidad that I was making my notes on while the Leader of the Opposition was speaking. I still have it here; I walked with it from Trinidad, because I know he was going to say he did not say it. You said that PR Campbell said that..., you said there is no drama in the appointment of the President that is what you said, when PR described it as dramatic change, you said, there is no drama in the appointment of the President I am not asking you if you say so, I heard you say so and I write it down on a HYAT regency notepad, I have it here and Mr. Speaker, why it was so dramatic that I remember it, Mr. Speaker, bear me out a minute please and wish the Leader of the Opposition would not go outside now, because I gave way to you just now, sit down and listen to me a minute, let me finish the point and then you can go outside.

Section 33 Mr. Speaker, why I remember and I want to be dramatic about it is the rules of the Standing Orders of this House Mr. Speaker would have to be amended to accommodate the Leader of the Opposition in future, because section 33 says, time and manner of speaking, no member shall speak more than once on any question except when the House is in Committee, in explanation of certain paragraph 4 in the case of a move a substantial motion and (d) to a point of order, but the Leader of the Opposition spoke twice on this subject matter. His main subject the appointment and election of the President was the corner piece of his presentation. When he got there he said, I will come back to that later on and he forgot completely about it and sat down. I was shocked, because I know him you know, in all the budget debate I listened to him, when he ready to make a point that he *ain't* sure about, he touch it and he say I will come back to that, but he never comes back to it and

while he was there, he sat and I suspect might be Senator Leacock or somebody reminded him, but you did not say anything about the election of the President, and then hear what he said, he said, what did he say, Mr. Speaker, one point I want to make, he was still sitting down then you know, well I could not see, but I suspect he was still sitting down [laughter].

Mr. Speaker, one point I want to make, I forget, one point and the Speaker was so nice and gracious to you, to allow you to get up a second time, so Mr. Speaker, we have to amend Standing Order No. 33 to make sure and call it, the Leader of the Opposition amendment.

HONOURABLE MR. SPEAKER: It would be amended anyhow. The whole Standing Order will be amended [laughter].

HONOURABLE JULIAN FRANCIS: But Mr. Speaker, no, but in serious and I want the people of the NDP to listen to me, because you know the unfortunate thing is that we are going to line up ULP against NDP, I really do not want it to happen. Mr. Speaker, you cannot have a Prime Minister as is in the old Constitution or the new Constitution and have an elected President, who is going to be the figure head? Mr. Speaker, there is the example of the UPM where they had three heads [laughter] Parnell Campbell, Ralph Gonsalves and Renrick Rose and Mitchell himself, Sir James Mitchell criticised them rightly so. There is nobody that can function properly with two Executives head, it cannot happen. One person has to be Executive. So I wish that the Leader of the Opposition would either withdraw that suggestion, because it is confusing his members and his supporters and let us go with the President as we have it. We are accustomed to electing..., Mr. Speaker; the appointment of the new President when you compare it with the Governor General is more participatory, there is more democracy in it. The Leader of the Opposition and the Prime Minister, if they agree on a name all they have to do is come to this Parliament and tell the Speaker, two of us agree, there is no election, the President is appointed, right.

If four or five members of Parliament even thought the Leader of the Opposition and the Prime Minister agree, five members of Parliament can come up with another nomination and then the rogue five as we discussed it in the thing, but that allows for democracy that is the point I am trying to make. So that even if the leader of the Opposition and the Prime Minister agree, you can still have members Senator Leacock, Julian Francis, Richard Williams and Dr. Friday and Dougie...,

HONOURABLE MR. SPEAKER: Honourable Senator Francis, I am reminding you that you need to address when you are addressing Members of this Honourable House you need to address them by their..., either by their portfolio or by their, Senators or Honourable Senators, or Honourable Members.

HONOURABLE JULIAN FRANCIS: Thank you very much Mr. Speaker. Mr. Speaker, my initial minutes were not included in my thing right?

HONOURABLE MR. SPEAKER: What is that?

HONOURABLE JULIAN FRANCIS: My initial minutes that I had ask you for.

HONOURABLE MR. SPEAKER: 36(4) you have Standing Orders right?

HONOURABLE JULIAN FRANCIS: Okay, I do not want an amendment to the Standing Order Mr. Speaker, but the point I am making is that under the existing Constitution a Governor General and hired and fired by the Prime Minister, because the Governor General is appointed by the Queen on the advice of the Prime Minister, with the President we have to come into this Parliament and elect him if there is not a joint and agreement between the leader of the Opposition and the Prime Minister, we have to come to this Parliament here and elect him. So that is the vast difference. To go now and say the Prime Minister on the other hand is elected, is appointed by the President after he is being elected here in Parliament as the individual who commands the majority of the Representatives and Senators in the House of Parliament that is how the Prime Minister is appointed.

And this is where the term limits argument do not come in because if for example the Honourable Prime Minister continues to be the Leader of the Unity Labour Party and we have a convention in December, [interjection] you will never be the Leader of the Unity Labour Party, if that is what you are hoping [interjection] yes [laughter] well I will hate to think that Jonathan would take you out [laughter] I do not want him to reduce you to that to have Jonathan take you out, I prefer the Honourable Senator to take you out [laughter].

Mr. Speaker, so the Honourable Dr. Ralph Gonsalves Prime Minister and Political Leader of the Unity Labour Party are reelected at the next election in his party and continues to be so, you cannot limit him to two terms, neither can we limit the Leader of the Opposition as leader of his party if party continues to elect him as the political leader of their party, because he will be the one in Parliament to command support of the majority of the members who support his party. So we cannot limit that because what we are doing is taking away the democracy from the political party which we are now entrenching inside of the Constitution and this is where the hypocrisy comes in, all these things link you know, because I hear that we are now entering into the Constitution the matter of political parties.

Mr. Speaker, let us not be hypocritical about this thing. We are here in this Parliament because of political parties, the world over. Very few Parliaments are made up without a political party being involved, so what if we put it in that we now put a list. Mr. Speaker, how much time I have left.

HONOURABLE MR. SPEAKER: You have 25 minutes.

HONOURABLE JULIAN FRANCIS: Left?

HONOURABLE MR. SPEAKER: Yes.

HONOURABLE JULIAN FRANCIS: Okay. Mr. Speaker this country is better off...

HONOURABLE MR. SPEAKER: Well if you do not stop him he will have a shorter time.

HONOURABLE JULIAN FRANCIS: Mr. Speaker, that time being added to me [laughter] while the private discussion was going on, I thought I was on the floor.

HONOURABLE MR. SPEAKER: You get back your time.

HONOURABLE JULIAN FRANCIS: Thank you. Mr. Speaker, I brought up the matter just now of proportional representation and it is something that I think I should spend a few minutes on Mr. Speaker, because let me just make this point before I go to that and I want the cameras to pick this up, because I want, I really want to appeal to the NDP people, I have in my hand Honourable Senator Leacock a copy of the 2001 NDP Manifesto to show you how long that these two parties have been talking Constitutional Reform. We both had it on our platform from 2001, we had it from 1998 they added it in 2001 after 17 years in office, the Honourable Parliamentary Representative from West St. George read it this morning, but I think it is important that I read it again, because sometimes, I have learnt a couple of things from my political leader, there is no harm in repeating something, people eventually get the message.

Constitution Reform and this is what the NDP had to say in 2001, the NDP is convinced that the Constitution of St. Vincent and the Grenadines is in the need of a thorough review and reform in light of our experience since 1979. You know why 1979? Parnell Campbell and the Honourable Prime Minister will tell you all why, UPM, UPM got 15% of the votes, did not they? Under this Constitution UPM would have had a seat or two in Parliament, well one seat because we 10% but in 1979 if we had PR it might not have been 10,000 votes 10% of the vote you understand what I mean, it might have been 7½ and at 15 you get 2 because the population was smaller then, you understand what I am saying, so that..., and I believe that Mr. Speaker, may have had something to do with this drafting but I think that is [laughing] 1979 accordingly, the NDP will appoint a Constitutional Review Commission consisting of everybody that we put together as a Constitutional Review Commission.

So Mr. Speaker, you put it in your Manifesto, you came into this Parliament and talked with us, you discussed it, we discussed it as an assembly, as a Parliament and you still going to come back and tell people vote “no”, come on. Let us be big enough to say we have a document that is better than the 1979 Constitution, let us all vote “yes” when we finish next year, we are going to vote for individual parties [applause]. We must ask the people for a “yes” vote Mr. Speaker. Mr. Speaker, Parliamentary Representation, Proportional Representation gives us a greater representation in the Assembly based on the majority of the votes, that is how I understand it. So that in 1979 as I used the example of the UPM, the UPM would have been represented in Parliament, there are parties in Guyana that get a single seat based on a percentage of vote, there is now..., Jomo Thomas’s party PMC, if PMC takes off like UPM and gets 10% of the votes his party could have a seat in Parliament.

HONOURABLE MR. SPEAKER: His is not a party, it is a movement.

HONOURABLE JULIAN FRANCIS: Oh sorry

HONOURABLE MR. SPEAKER: That is what I read, it is not a party.

HONOURABLE JULIAN FRANCIS: Mr. Speaker, I must say that you are very up to date on these matters, I must admit [interjection] yes, well I prefer to use Jomo's [laughter] because Jomo did say that he was going to vote "yes" for the Constitution and Mr. Speaker, what would have happened in 1998 and you know this is the example that the NDP is using and that is why the Opposition is using..., that is why I want their supporters to understand the whole system so that if in 1998 situation is reversed, the NDP I have no feel that they are going to win the next election, they have it, they feel it, they felt on the 19th October 2005 that they were going to win the 2005 elections, they did not, when they had the rally in Victoria Park those who did not turn back, turn back that night, but they claimed that their support is growing so that come 2010 they could have the majority in percentage terms, but short on a seat, the same thing that could happen to us will also happen to them. So it is not something designed for Ralph Gonsalves and his party, it is something designed to make sure that the political party that gets the majority of the voters, voting for it has the greater representation in Parliament. That is what PR is all about, so in 1998 there was gerrymandering of the seats with East Kingstown being carved out for the Leader of the Opposition and he won it by 17 votes, but we got 55% of the votes and lost the election by one seat, so they had the majority of the seats, we had the majority of the votes, they formed Government and could not last, they collapsed in two and a half years, had the PR been in place, the Unity Labour Party in 1998 would have formed the Government based on proportional representation and the percentage of votes that we got.

I want to explain that to the people out there especially those who are listening to the Opposition that what happened to us in 1998 if the message that your party is sending to you now tells you that you have the majority of support in the country then the same thing could happen to you in 2010. So vote for the PR, it might be safer for your party in 2010 and I again I want to repeat because I want to keep this in the middle of my message, a vote for the Constitution is now, let us vote "yes" for the Constitution and a vote for the ULP or the NDP is next year when the elections are called. I want us to repeat that.

Mr. Speaker, in the few minutes that I have left, I want to touch on the matter..., one of the things in the draft Constitution that gives me great pride to be part of is the matter of the death penalty. Mr. Speaker, clause 29 of the draft and I want to just touch a little bit on that because I believe Mr. Speaker, that a lot of the people in St. Vincent and the Grenadines, the vast majority would like to see the return of the death penalty. I do not think I am singular in that, I do not think this Parliament is the only one that feels that way, I believe that the majority of persons in this country want us..., you know some people say that when you hang somebody it is not a deterrent to crime. In Trinidad one of the Attorney Generals I think had lined about six or seven persons to be hanged [interjection] hang them and for years after that the murder rate in Trinidad fell, after they stop hanging people man start to kill man like fly in Trinidad again.

I believe that the death penalty Mr. Speaker is a deterrent to these murders that we are having [applause] and I support 100%. Mr. Speaker, you know there are some crimes that are committed in this country, murders especially and when I hear of "*Compay*" and the Privy Council that give us our Constitution in 1979 say that that crime was not the worse of the worse I wonder which Englishman is killed in the worse scenario than that. Mr. Speaker, there was a double amputee living in Vermont by the name of Mel Francis she was raped and killed at her house, you want to tell me that when we find those *fellars* guilty that they should be hang. We were having a retreat down at Richmond just after we took Government I think and the message came to us that

Ron Lewis an Accountant, nice decent young boy married to a family of mine was killed in Mt. Wynne and was buried in shallow bay sand, I believe that the post mortem revealed that there was sand in his lung that he was not quite dead when he was buried, you want to tell me these fellars who did that should not hang. Is that what the Privy Council is asking us? And we are putting it in our Constitution now and I want the people out there who the Opposition is asking to vote “no” against this to listen to these examples I am giving. You want to tell me that these people must go to the Privy Council and the Privy Council says that they have..., that is just another murder. There is the case of Lokeisha Nanton at Sion Hill, she was hung by her vest after she has been raped and murdered on a mango tree, you want to tell me that if somebody is found guilty of that murder they should not hang, I believe they should be hang. There was a beautiful young lady and I am using Vermont examples too you know, because...,

HONOURABLE MR. SPEAKER: Honourable Senator I think in the case of Lokeisha Nanton, I think that case is still before the court, still before the court right? [Interjection] so we have to be careful about...,

HONOURABLE JULIAN FRANCIS: I apologise for that Mr. Speaker, I do not know..., well the other examples might be before the court too?

HONOURABLE MR. SPEAKER: I am not sure, so we have to be careful how we...,

HONOURABLE SENATOR JULIAN FRANCIS: Mr. Sardine at Villa Mr. Speaker, I do not think that is before the court...,

HONOURABLE MR. SPEAKER: No one was ever found for that one.

HONOURABLE JULIAN FRANCIS: Because you see Mr. Speaker, we have to sometimes shock people into understanding the message that we are trying to send to them and that is the purpose of my message. I do not think that this nation should be laboured..., should have laboured so long six years jointly between the Opposition and the Government. We work together too hard and too long and spend too much money on this, not to send that right message in the right form to the people of our country, I do not think we should be tricking them and fooling them along party lines. And Mr. Speaker, forgive me...,

HONOURABLE MR. SPEAKER: 10 minutes.

HONOURABLE JULIAN FRANCIS: 10 minutes. There was a policeman Mr. Speaker, who was thrown over a bank and when they find that he was not dead they took a stone, three men and burst his head, make sure he dead, bam, bam, bam, killed him, Mr. Speaker, the death penalty should be given in cases like these. You know and this is where Mr. Speaker, I want to hold the Leader of the Opposition responsible for carry this message to his supporters, I really want to, because there was a recent matter in Vermont where three guys including a criminal from Barbados that was killed and of all these heinous crimes Mr. and Mrs. Davis up on top Evesham both of them are cripples today, but we go and hold candle light vigil for three fellars that were killed in Vermont, including a criminal from Barbados and we are not raising ante over these and we are not bringing in back the death penalty, we are going to waste this opportunity Mr. Speaker, to make sure that we correct this situation that has been taken out of our powers by the Privy Council. No Mr. Speaker, we shouldn't

be doing that I say that if there is one clause and one area and I just want to go through it because Mr. Speaker, I think if people are aware of these things they will vote “yes” for the Constitution [applause] they will vote “yes” and Mr. Speaker the way this works basically is that somebody is charge for murder, they are taken before the court, if the jury brings back a guilty verdict the Judge then hears evidence as to whether that murder is capital or noncapital. Capital murder death penalty in other words, you hang and the reason we are instilling this and entrenching this in the Constitution if it is not spelt out in the former that we have here, the same thing could happen again at the Privy Council. So we spelt it out that there is capital murder and noncapital murder provided that noncapital murder shall be confined to murder committed in sudden passion.

So any other kind of murder outside of that has to be given consideration as capital murder and it says, if a person is convicted of murder, whether capital or noncapital then after sentence, then you can have the privy but if it is capital punishment on capital murder, punishment is by hanging and Parliament may prescribe the infliction of other descriptions of punishment including the description of capital punishment other than by hanging. So there is still a leeway there for some refinement, but Mr. Speaker, I think that that is one area that I want to support on that.

Mr. Speaker, the other is the matter of..., because all the Members, I am speaking last before the Prime Minister, all the other Members have touched on the popular areas but Mr. Speaker, of course, every year New Years Honours we have uproar in this country right, the newspaper editorials go to town, progressives go to town when persons are offered OBE’s, MBE’s, CMG’s, and KCMG’s, that I think how they are, there are CBE too, these are honours of an Empire that does not exist anymore, the British Empire [laughter] which is unfortunately for those who hopefuls, unfortunately for those hopefuls when this Constitution is passed in November, and mind you I say when this Constitution is passed in November, those hopefuls will no longer get orders of the Empire and Masters of the Empire and whatever knight, commander of St. Michael and St. George, so who were hoping for those and I am hoping that those who are hoping for it will stop hoping and vote us “yes” because we will have another form of honours to be bestowed by our elected President according to the Constitution of this country, so I think it is time that we thank and we love Queen Elizabeth very much Mr. Speaker, I think she is a very beautiful woman and she has served us well for all the years, but I think the time has come for us to have own President and if there are two matters that I want to put my platform argument on would be the matter of the return of the death penalty and the change from Her Majesty the Queen to our dear Most Excellency the President of St. Vincent and the Grenadines to whom according to Senator Saboto Scoffield that he will swear.

Mr. Speaker, the Leader of the Opposition which will then be Minority Leader I heard him belittling his position.

HONOURABLE MR. SPEAKER: You have 4 minutes.

HONOURABLE JULIAN FRANCIS: Yes, I will wrap up in 4 minutes. I just want to say this, gone would be the days Honourable Leader of the opposition when you have to come and ask the following questions, will the Prime Minister state how much monies has been spent so far on the Ottley Hall Inquiry and will the Prime Minister indicate the current status of the Inquiry. You would not need to have to ask that question when this

Constitution is passed, because you have the powers as Leader of the Accounts Committee and Chairman of the Accounts Committee to call whoever you wish when all the Accounts..., you can call Director General of Finance and Planning, so you do not need to come to Parliament to ask these questions.

Can the Honourable Prime Minister indicate whether any monies have to be returned to the European Union, these are things you do not have to come to Parliament so your work will be made easier and you will get a lot more information on which to whip the Prime Minister, because he will only answer the question you asked, but as Leader of the Opposition and Minority Leader, as Chairman of the Public Accounts Committee that you will have all the information that you want.

Mr. Speaker, just to let the public know and I want to say this that what we are doing here now, there will be a vote in Parliament because I did not hear the Opposition explaining that in this House there is a vote because you cannot change the Constitution without two votes, one in this Parliament where you have to get 67% of the elected Members, so Senator Leacock, Senator Scofield and myself and Senator Richard Williams and Senator Cummings cannot vote on this matter and then when that is passed we will then have the Referendum and I want to explain to the people out there, a Referendum is in fact an election. It is the first time you know that we are having a Referendum here, we never had a Referendum on Constitution before, I do not think any of the other islands ever had a Referendum on Constitution. So they must understand the big word means, is a big word for the election. You are going to have an election and we are going to ask you 67% all of you going to the polls, I am going to ask you to vote “yes” for this Constitution and let us lift this country to the levels that we want it to. I thank you very much Mr. Speaker [applause].

HONOURABLE MR. SPEAKER: Thank you very much; I will like to invoke 12(6) for five minutes. We have a suspension for five minutes.

HONOURABLE MR. SPEAKER: Honourable Prime Minister you have a period of winding up at this point.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, Honourable Members, I would like first of all to thank Honourable Members who have all made contributions in this debate. I want to thank the Honourable Members from the Opposition for making full contributions on this very historic reflection in this Honourable House on the most important issue of our generation. I want to thank the Members on the Government side, I am very proud of them, I have never heard them debate so well in such an informed manner with such enthusiasm, and love of country than I have ever heard as in this debate. I want to thank them very much.

Mr. Speaker, from the Opposition we had two particular views of the report which came out of the Select Committee which constitute the St. Vincent and the Grenadines Constitution Bill and the Schedule thereto, that is to say, the Draft Constitution, the Constitution which has had the first reading and where we are now having the second reading.

There was a view from the Leader of the Opposition, he said that this Constitution before us is an object compromise of the noble goals and objectives which he said he thought that we had set for this exercise and he

listed four of them, Republican Government that is to say a Government grounded in the people and the popular will, deepening democracy, strengthening individual rights and freedoms and reducing the powers of the Prime Minister.

Mr. Speaker, unless one is very jaundiced in ones analysis, it is clear that the Constitution has achieved all these noble goals or objectives and indeed a Constitution has achieved more as I will continue to show. On any objective reasonable reading of this Constitution it is not possible to conclude as the Honourable Leader of the Opposition did that is an object compromise. I was a little startled by the use of the word, “object” of course, there is nothing demeaning about a compromise in relation to a Constitution. Constitutions are by their very nature compromises. We know very well the founding fathers of the American Constitution had debates over a long period of time and document which was proclaimed in 1776 was a compromise between varying contending forces. But it is not because it is a compromise, it is not a peoples document and it is not democratic and freedom loving. Compromise simply means that it is intermediate somewhere between what a lot of people want and you get the best out of all the discussions and what is possible in the circumstances, so there is nothing wrong about a compromise.

What is clear from the product the outcome has not been compromising of any noble goals, but the document as all Constitutions compromises! This is the case of the independence Constitution of Trinidad and Tobago, the 1976 Constitution of Trinidad and Tobago, if one reads the Select Committee Reports in Jamaica in 1962 between Buster Manti and Manley and you will see again that the Jamaican Constitution was and is a compromise. But object, so startled I was, I turned to the dictionary, the Oxford Dictionary defines objects as miserable, wretched, degraded, self abasing, despicable, so any of these could refer to this document, except the Honourable Leader of the Opposition in a flight of rhetorical fancy picked out a word to suit some prejudices born of politics, not of any principle and that is the only way you can conclude this object and just in case you say, okay well that is the British Dictionary I looked at the Webster’s, it says, object means, sunk with low conditions, cast down in spirit, showing utter resignation, well that approximates the Leader of the Opposition’s presentation, he was done in spirit and he was sunk to a low condition and with resignation he said, the die is cast that is object rather than seeking for us to work out something further in the national interest.

So there is that view and there is the view of Senator Leacock. He concluded with a question, are there in this Constitution significant improvements to the existing one? The answer is yes, I am quoting him. Well if this Constitution has significant improvements and there is nothing in it which is deleterious to the public good, for the common wheel it is logical that one would support a document which has shown significant improvements over the current Constitution. So there are two prospective. We had five speeches as I have indicated I have found the Honourable Leader of the Opposition’s speech profoundly disappointing and it is the voice of someone completely blind to the national interest. I am not so sure that he is not also blind to his own party’s interest but it is for him to make that determination.

The Member for the Northern Grenadines, he failed to answer satisfactorily at all, one vital question. If as is conceded that this Constitution is much better than the existing one, why not vote for it? And that is an answer which will hang around their necks like the veritable albatross throughout this entire campaign. The Honourable Member for the Southern Grenadines unfortunately his speech was cut short before its full

flowering by his inability to answer certain probing queries and even more by certain promptings by his colleagues seated next to him which, perhaps unnerved him. And then Senator Cummings's speech that speech speaks for itself, it was delivered, it was of no moment and happily it is now forgotten and let that rest in peace [laughter].

Senator Leacock delivered a memorable speech and it is for him Mr. Speaker that I want to address some preliminary comments. He began his speech with the following words, "I have no compulsion to a "yes" vote or a "no" vote but I am a party man, I understand the arguments of my party". He does not have a compulsion to vote "yes" or to vote "no" he is a party man, he understands the argument of his party, he did not say, he supports the arguments of his party, he said, he understands them and he ended his speech as I said a short while ago with the formulation, "where do we go, are there a significant improvements in this Constitution compared to the existing one" the answer is yes, unquote.

Now, he further went on to say, I repeat, I am a party man and the old Constitution says that Senators are not allowed to vote on it. Now in-between the beginning and the end of his speech, his address was one of avoidance, punctuated Mr. Speaker by consideration of some issues which were not holly relevant and rising occasionally to some quality reflections but not directly connected to Constitution making. It was the performance of a man wrestling with his conscience, sometimes searching for it, struggling to find or give voice or expression to it. In parts his speech was courageous but the flicker of light Mr. Speaker, from these musings of his manhood was camouflaged indeed masked by the heat and darkness of partisan political bombast.

He we telling the nation, Senator Leacock was, in the most circuitous way to vote "yes" but an account of his tribal political wedlock to party he was unable to say so unequivocally. To be sure Mr. Speaker, the speech locked the force and wrenching seismic quality of an undoubted historic profile encouraged to borrow the formulation from the title of a book by President Kennedy, then Senator John Kennedy. Nevertheless, it must be said that Senator Leacock with his lovely talented wife and most beautiful and gifted daughter of immense promise listening to him, he struggled with his inner soul, his essence and his being. I must say it was painful for me to see someone younger than I am but of my generation so pained and anguish on a public policy issue.

The Honourable Senator Leacock genuine love for country is undoubted, but it is being shackled by the chains imposes by his party, I am sorry, by his leader who appears unfortunately to have a close mind on this subject. So I invite Senator Leacock to break free of the political bondage imposed by his leader. What does it profit a man to gain the whole world but to lose his own soul [laughter]. He has commenced Honourable Members Mr. Speaker, his quest for redemption publicly in these hallowed chambers. I think it is our duty to help him. I realise that much perceived hurt, real and imagined, allegedly suffered by him and his family at the hands of his political opponents acting out roles in the rough and tumble of competitive politics condition the psychological conjoin or turmoil into which he had been plunged on this matter.

I want to assure him that each of us who is involve in politics is afflicted to a greater or lesser degree by this encumbrance and small societies of scarce resources, a bonfire of vanities and a debilitating dog eat dog colonial inheritance. This historic moment Mr. Speaker, of Constitution making affords each of us the opportunity to rise above the miasma, the incubus the evil spirit of unending contentiousness on make belief and

marginal issues of no moment to our lives, living and production. I was very touched Mr. Speaker, about his reference to his dear mother, his 86 year old mother who loves him more than life itself and it is right and proper that she be fierce in her maternal defence of him. I am absolutely certain that Senator Leacock's invocation of the name of his mother who is the matriarch of the Leacock clan was in a great measure a reminder to him that she taught him always to do the right thing. The right thing to be done now is for him to put his nation to which she has given yeoman service including military service above the restraints of the veritable prison into which his leader and to a lesser extent his party has placed him.

Now before the end of this campaign and the voting in the Referendum and this Constitution, we shall learn whether Senator Leacock's speech yesterday was the commencement of a personal catharsis or cleansing for the nation's benefit or merely an episode or a hiccup, a colic a kind of spasmodic pain on the way to be known in history as one who grasped for destiny but let it slip by. Mr. Speaker, this is for all of us a defining moment, each of us has to approach this matter with our nation's interest paramount and those from the New Democratic Party who are listening to me, think not of Ralph Gonsalves, think not of the ULP, think not of the NDP, think that you the people have helped to fashioned this homegrown Constitution which together we will wish to deliver as a gift to our children for better governance, for better St. Vincent and the Grenadines in this 21st century and beyond that is our duty, that is our obligation. I hope that we are able to meet that duty and that obligation meritoriously.

I called Senator Leacock this morning to asked of him whether he was going to be here, because he spoke things yesterday personal to me, I want him to reflect on what I have to say, no one in your party ought to think less of you if you begin from within the struggle for the soul of what is good, our better instincts and in that way for us to have less confusion and contentiousness as we go forward to our date with destiny in the election on the Referendum.

Mr. Speaker, the history of Constitutional development in our country forms part of the backdrop to the very product which we have. We are all compromisers, when I finish my speech on the occasion when we had the first reading of this Bill, I quoted Shake Keen in his poem written in 1973 for Walter Rodney on the publication of how Europe underdeveloped Africa. The poem "Private Prayer" and it speaks to this very issue of us being compromisers. To understand how the whole thing run I have to ask my parents and even my daughter and son. To understand the form of compromise I am, I must in my own voice asked how the whole thing run, to ask why I do not dream in the same language I live in I must rise up among syllables of my parents in the land which I am and form my whole daughter, a whole son out of the compromise which I am to understand history, I have to come home. This Constitution we are bringing home, we are bringing it home to our people, and our people are bringing it to themselves in the interest of their own humanisation.

The issues raised by the Opposition during the entire debate are with great respect without any persuasiveness. They have put themselves in a position that the stance which they take has no credible intellectual basis, it has no grounding in policy, it is fashioned entirely by a perception of petty politics and the interest of the party or in this case the interest of the leader. I want to review some of the issues which they have raised. The condition of the preamble, Mr. Speaker, it is amazing that we have allowed ourselves in this country to spend such an inordinately long time on discussing the preamble. The preamble of a Constitution is not justiciable, it forms

the context, what follows is the text and the context is what uplifts. It seeks to provide expression to what we are and we hop to become and one of the remarkable things about the 1979 Constitution is that it deliver to us a preamble which is beautiful, majestic and reflective of ourselves and the core values of our civilisation. It begins by stating that we affirm that our nation is founded on the belief in the Supremacy of God and the freedom and dignity of man and it ends with a declaration about the desire to see that these inalienable rights, freedoms, ideals and principles be reflected in the Constitution and between the opening lines of the preamble and the end of the preamble is the body of the essence of the values of ourselves of who we are.

Mr. Speaker, this preamble penned by the late great Robert Milton Cato is not something we should disturb lightly. We have put in the word inalienable but inalienable has no inherent magic to it when you understand that the text itself speaks to the issue of, the non transferability of rights, because that is what inalienable means, not transferable one person to another. Your freedom of speech, your freedom of conscience, and your right to life they are all inalienable. Well there was a demand from the community to put in inalienable to improve the quality of the preamble and that has been done. I see no reason, any basis whatsoever for that to be raised as an objection.

Acquisition of property, the issue as to whether the State is taking advantage of people in the acquisition of property, Mr. Speaker, there are two fundamental issues at stake, one the basis of the assessment and the time within which compensation is to be paid and on both issues, the Constitution which we have before us now is vastly superior to the property rights section in those two respects of the existing Constitution. Under the current Constitution, it speaks towards adequate compensation in the new Constitution which we are proposing it speaks to the question of what is fair and reasonable in all the circumstances and please bear in mind that when the formulation adequate compensation is to be read, it is to be read in relationship to what is in the Land Acquisition Act, Chapter 241 of the Laws of St. Vincent and the Grenadines, section 19 and anyone who reads it will see that the issue of valuation what is to be paid is very complex and cannot properly be captured under one phase called, "current market value or open market value". Indeed, there are circumstances in which current market value would be disadvantageous to the citizen and if one take some time to read through section 19, but someone has gotten this idea that a conceptual level and think that superficially it provides an answer, but it does not and any reading of section 19 will show this to be the case. But what we have done here in this Constitution is to amend, the effect of it will be to amend one part of section 19 which says, you must put the valuation one year before the second publication of the notice in the Gazette for acquisition. There is no time frame in the current Constitution, no reference to any time frame. It explicitly says so, it addresses only the issue of what is fair and reasonable, which the Honourable Leader of the Opposition concedes is a better formulation than what exist currently. Now if it is better than what exist currently and if what you advocate is mistaken, how could you say you are voting against it on that account?

The second issue about the time within which compensation is to be paid under the current Constitution it says that you should be paid in a reasonable time, we are now specifying that you must be paid within 12 months. I want the people of this country to know that up to the year 2005 we paid the people who had their lands acquired some 10 years before for the St. Vincent and the Grenadines Community College Project. Similarly, for people whose lands were acquired on the Central Leeward Highway for some 10 years. Now those persons

would have to be paid within one year, so something which strengthens the property provisions, how can the Opposition say they oppose it?

Thirdly, the question of the mixed system of elections, as everyone has pointed out in this Honourable House both sides are agreed that we should have the First-past-the-post Constituency Based System of elections and the Proportional Representation System. The basic reason for this, it is more representative and thus more democratic, but the Honourable Leader of the Opposition says that he does not agree with the number of seats and the manner of the allocation of the Proportional Representation vote. He offers no reasons as to why he thinks the number of seats which we have are adequate, are sufficient in all the circumstances and the way to judge adequacy or sufficiency is to use the tool of comparison and I want to assert as a fact that absolutely and proportionately St. Vincent and the Grenadines has the smallest number of Parliamentarians anywhere in the Organisation of Eastern Caribbean States that is a fact and internally when one makes the comparison, one would see that from 1951 the first time of universal adult suffrage when there were eight seats to 1974 there was a movement in that 23 year period from 8 seats to 13 seats in the first 23 years of universal adult suffrage, then from 1974 to 1986 the intervening 12 years you had a movement from 13 to 15 and from 1986 that is to say, for the last 23 years where we have had an increase in population but more than that shifts of populations in ways where it is necessary and desirable to have constituency enlargement that there has been no increases. So what is unreasonable in having two more seats on the constituencies and in relation to the proportional Representation for the Senators simply to lift the numbers from 6 to 10 among other things to provide additional persons in the House to work meaningfully in Select Committee, to deepen and strengthen Parliamentary Democracy and exercise greater controls on the Executive and very importantly Mr. Speaker, to make the Proportional Representation System easily intelligible by telling people it is the first 10% plus one get one seat, 20% plus one you get two seats and so on, so that there is no basis really for the Leader of the Opposition to question this.

He says that he disagrees with the manner of the allocation of the Proportional Representation vote and in this he has been supported by Senator Cummings who unfortunately he is not here, but who argued yesterday on the basis that he is a student of Mathematics and made the amazing proposition that we have put forward is not proportional, because what is proportional is only that which could be rounded off to a higher number. Well now that is a bizarre Arithmetical or Mathematical proposition. I do not know wherever that any..., I do not know any self respecting Mathematician will advocate that as a proposition as the absurdity of it was demonstrated by the Honourable Minister of Health who said in response to Senator Cummings, he said well if you reach 45 once you have gotten there and the other one has 55 what must happen and he says, and he stuttering, the Honourable Minister of Health says, what you do the one who gets 55 gets five and the one who gets 45 gets four and you split the tenth one in half, give half to the one with 55 and half to the one with 45. I mean it should the absurdity of the proposition.

Let me explain Honourable Members in giving a precise example how Senator Cummings idea of rounding off to the higher number makes no sense at all. We have an election, one party gets 51% of the vote, the other party gets 49% the party which gets 51% of the vote wins eight seats in the constituency elections, the one which gets 49% wins nine seats, according to Senator Cummings the party which has gone pass the 45% should be topped up and given an equal number of seats like the one that got 51% on the Proportional Representation System, in

other words five, five so you add five to the one which got 49% on the basis of the rounding up five and nine is fourteen and eight and five equal thirteen, but the party which got 51% of the vote is the one who is going to end with thirteen seats. In other words he wants to un-proportional representation by a slight of hand in the guise of Mathematics which results in a completely ridiculous solution. If you check it very carefully the only way properly and Mathematically you can sort this out is once you reach 50% the party which gets 50% gets five of the ten Proportional Representation seats and once it gets an addition one vote it gets an additional one seat, it is the only way that the system would be truly proportional.

The Honourable Leader of the Opposition says one vote means the party which gets 51% gets two seats, no, the party which gets 51% gets only one seat extra because by getting 50% they would have gotten five in any event. There is a difference of two but that does not mean that it gets an additional two. It is only an additional one because it has gotten already 50% and the plus one and that is the way in which Proportional Representation System without a series of complicated preferences that is how it works and I urge, a reconsideration on the part of the Opposition in this respect.

Then they say they support the Integrity Commission, Human Rights Commission and Ombudsman, but these can be addressed by ordinary legislation. There are many things which can be addressed by ordinary legislation, but these matters are so fundamental that it is important that we entrenched them inside of our Constitution so that no Government can come in the future by just a 50% plus one majority in the House can abolish the Integrity Commission, abolish the Human Rights Commission and abolish the Ombudsman which is all that you require if you have 50% plus one, if you just leave it in ordinary legislation. So it is strange. So far as I am going these issues, the preamble I have explained that the acquisition of property I have laid bare the illogic of the Honourable Leader of the Opposition position in any case the situation is better under the current law..., the new Constitution, I have just explain the position about the new mixed system of elections, now these Commissions, the Integrity Commission, the Human Rights Commission and Ombudsman you support them but you are opposing the Constitution which entrenches them, and then he downplays Mr. Speaker, the enhance authority and powers of the Minority Leader and he mentions nothing at all about the power of the Public Accounts Committee.

Mr. Speaker, I want to say to the people of this country that one of the more dramatic innovations in the Constitution is the power accorded to the Public Accounts Committee where the Leader of the Opposition is now constitutionally enshrined as the Chairman not only by way of convention, and more than that there is now an inbuilt majority for the Opposition. More than that the powers of the Public Accounts Committee are enlarged in this Constitution where the Chairman and the Public Accounts Committee which has an oversight over Government's finances how Government spends the money that they can summon documents and they can summon individuals from the Central Government and from the Public Enterprises including state companies to appear before the Public Accounts Committee so that people from VINLEC can be brought before it, people from National Properties, the International Airport Development Company, from Central Water and Sewerage Authority because the complaint is that there is a lot of these Statutory Bodies and Public Enterprises which have become a power unto themselves and the need to be brought under some kind of supervisory control. Well there are some in the Executive Parliament has now given one directly, not just to the line Ministers, but

through the responsibility of the Public Accounts Committee chaired by the Leader of the Opposition in which the Opposition has a majority.

Now this is a most remarkable power which is given to the Opposition and the Honourable Leader of the Opposition downplays this. Indeed in the current Constitution, there are five major powers assigned now to the Leader of the Opposition which he did not have hitherto, five bundles of powers and I had outlined them in my opening address and I do not need to go through them but just simply to tell the nation that there is this enhanced bundle of powers. Similarly, he has downplayed the reduction of the Prime Minister's powers. There are twelve examples in which the Prime Minister's power has been reduced. Now one of the more important ones is the fact that the Prime Minister can no longer call the election when he wants to. It can only be called after the expiration of four years and nine months in the term of the Government, the five year term, so there can be any snap election anymore, similarly, where now the Prime Minister in the words of Sir James Mitchell makes and unmakes Governors General, he certainly cannot make the President, because of the number of persons have to be involve in the appointment of the President, the election of the President, but far more important than that he cannot remove the President and the President having been appointed even though he had influence in helping the President to be elected the President could only be removed by a two-thirds majority of the House of the National Assembly but only after a tribunal headed by a Judge says that there is a case to be answered and the Constitution specifies the grounds on which the President can be removed misconduct being one of them. Now this is a remarkable democratic change and focuses a lot of authority in the hands of the President and the President is no longer beholden to the Prime Minister or indeed to the majority party in Parliament because his office is so insulated from political pressure.

Mr. Speaker, the Prime Minister's powers in relation to the appointment of the Chairman of the Public Service Commission, Police Service Commission and now the Teacher Service Commission, before under the current Constitution the Prime Minister gets the Chairman of the Public Service Commission or any of the Service Commissions whom he wants. The Prime Minister advises the Governor General, under the new Constitution, the President has only to consult with the Prime Minister and he consults also with the Leader of the Opposition and I am in no better position than the Leader of the Opposition in that regard and there are twelve instances of the increase in powers, sorry in the diminution of the powers of the Prime Minister, I do not need to go over these, I dealt with them before I give an example just of two.

Then Mr. Speaker, there was an after thought presentation by the Opposition of a non Executive President. I want to speak to this because they will to throw smoke in peoples eyes on this matter and if you have a radio station where you say these things 24 hours a day, there are some unsuspecting people who may believe you. The first time in 6^{1/2} years that the Opposition raises the issue of an elected President was on August 4th and it was raised by the Honourable Member for the Northern Grenadines in Select Committee August 4th 2009. We had several debates in this Honourable House, they had representation on the Constitutional Review Commission, never ever was the proposition advanced about a directly elected President. So when the Honourable Member for the Northern Grenadines said it, the first question I asked him, I said, are you speaking about an Executive President or a non Executive President, he said, a non Executive President. I asked that simple question because there is an intellectual argument to be made that you can have an Executive President as you have in Guyana, as you have in the United States of America. It is only that I would not support it.

For instance, Sir James Mitchell had argued with me many years ago privately and said that he favours an Executive President and I told him that I did not agree that the Prime Minister already had too much powers, we should reduce some of these powers an Executive President with conjoin Head of State and Head of Government and make the man or woman just too hugely powerful in our context where there are not many countervailing mechanisms and checks and balances in the society at large. So at this Select Committee this is all that the Honourable Member for the Northern Grenadines said. First of all, he wants a directly elected President, and then he said, certain functions such as the appointment of Permanent Secretaries and Heads of Departments the President will be given a role in selecting those positions. Now the Prime Minister has a role in selecting those positions, the Prime Minister has a veto power over the person to be appointed as Commissioner or Deputy Commissioner of Police, Cabinet Secretary, Permanent Secretary, Director General of Finance and Planning, the Prime Minister cannot say to the Public Service Commission whom he wants, but he can say to the Public Service Commission whom he does not want.

Now, consider this, you transfer that power as is being suggested by the Member for the Northern Grenadines and also the Leader of the Opposition in his speech on the floor of the House, consider this, you have one person who is elected President from the NDP and you have the Prime Minister from the ULP, I turn up to office one Monday morning and there is a Cabinet Secretary who is a sworn enemy of mine, no but any Permanent Secretary or my Permanent Secretary or any Permanent Secretary or a Commissioner of Police, now what that is leading towards is a paralysis in Government confusion and people will ask if you are serious. When it was raised the three experts, independent experts Professor Ghany, Dr. Alexis and Mr. Parnell Campbell QC they all said to him that this is unworkable and so novel was this proposition, novel in the sense not means that it is novel and fantastic, but novel and bizarre that he was asked to have it submit in writing. It was never submitted in writing, so a serious Opposition wants to advance at the late hour of August 4th 2009 after 6½ years of discussion this idea without putting it in writing. Now clearly this is not intended to be other than a hit and run approach to Constitution making. No serious people can entertain that kind of activity.

The Honourable Leader of the Opposition in his comments in this Honourable House which came as we have noticed as an afterthought said that well you will a caucus, people will go to the caucus, you have about five or so candidates and you have an election, I did not know what the purpose of the caucus was and then you can share some of the powers that the Prime Minister has with the President, they did not say, the Ambassadors must be appointed by the President, so the Ambassadors to Venezuela would be appointed by the President from the NDP when they want to unsigned ALBA? I mean it is a recipe for disaster and confusion in Government. So that is not a frankly, speaking, it is a school boyish infantile proposal. It is as though one evening late in the NDP Headquarters they were rummaging through the Constitutional dust bin looking for something to stall and they found some leftovers which are really undeserving of a serious people. You know there is really..., it has no intellectual credibility.

Mr. Speaker, then I simply wants to speak on the President who is going to be appointed his own powers. Mr. Speaker, when you have the [interjection] you want me to shut up eh? Mr. Speaker, the powers of the President under the current Constitution are extensive and the value of the President is that the President would be as a non Executive, then

HONOURABLE MR. SPEAKER: How much time Honourable Prime Minister? Your time has been challenged.

DR. THE HONOURABLE RALPH GONSALVES: Yes Mr. Speaker.

HONOURABLE MR. SPEAKER: So I just want you to bear that in mind as you debate.

DR. THE HONOURABLE RALPH GONSALVES: Yes Mr. Speaker, I am obliged. Mr. Speaker, I will move on from the issue of the President simply to affirm about the extensive powers which are there for the President. Then we got no support.

HONOURABLE MR. SPEAKER: Senator Leacock

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker, I am just asking for the Prime Minister's understanding because I know he is coming close to the end of his speech and I chose not to interrupt him for the advantage of the nature of the debate, but to the extent that earlier in his presentation that there were some personal remarks and I want to know whether as Leader of Government business or through your generosity I am going to allow at least a minute or two just to address that substantive issue and not the matter of the Constitution per se, because I think they have been sufficiently personal that I ought to be allowed a comment on the matter, not to be rambunctious, but simply for clarification.

HONOURABLE MR. SPEAKER: I think that there were certain issues that were used, certain personal matters that you mentioned in your address which I think the Prime Minister was responding to and I think that sort of leveled off...

HONOURABLE ST. CLAIR LEACOCK: No, Mr. Speaker, it goes beyond that, the Prime Minister in fact..., may I be allowed.

HONOURABLE MR. SPEAKER: Just a minute if you want to challenge the Prime Minister I may ask that he discontinue the speech. I am saying that I will not..., I am not going to allow any extra time to any Member.

HONOURABLE ST. CLAIR LEACOCK: Mr. Speaker, the Prime Minister in his presentation even alluded to a telephone conversation this morning. Now I am a member of a political party and it is important to me as a public figure that I address those matters so that [interjection] it is important to me for my own integrity as a politician and I am not going to be in any debate, I simply want in behalf of the privilege of a minute or two to deal with that issue with the Prime Minister's consent, that is all I am asking for, because I think it is important enough that I speak to that issue, Mr. Prime Minister or Mr. Speaker.

DR. THE HONOURABLE RALPH GONSALVES: May I continue, I can talk to my..., I think he and I can go on WE FM and talk about it together. Mr. Speaker, the Opposition did not offer any support to either the Parliamentary Commission which is an important institution or Civil Society's participation in the National Assembly. Now...,

HONOURABLE MR. SPEAKER: I just need to get something clarify the Honourable Prime Minister in terms of how much longer are you going to be.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, I am in yours hands Mr. Speaker.

HONOURABLE MR. SPEAKER: You see we need to ..., less there is any controversy, because you know that...,

DR. THE HONOURABLE RALPH GONSALVES: No, I appreciate Mr. Speaker.

HONOURABLE MR. SPEAKER: That certain time for you to wind up.

DR. THE HONOURABLE RALPH GONSALVES: No, I appreciate Mr. Speaker.

HONOURABLE MR. SPEAKER: I can understand the relevance that you know with which you are...,

DR. THE HONOURABLE RALPH GONSALVES: Well Mr. Speaker I will summarise now what I have to say.

HONOURABLE MR. SPEAKER: Please do that.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, a no vote means a continuation of loyalty and obedience to the Queen her Heirs and Successors. A no vote means a continuation of the Privy Council as our nation's final Appellate Court in preference to our own CCJ. A no vote means a vote against the enlargement of our fundamental rights and freedoms. A no vote means a vote against the effective restoration of the death penalty. A no vote means a vote against the establishment of the independent Electoral and Boundaries Commission and an independent Chief Electoral Officer to run General Elections and demark constituency boundaries which the Opposition asked for at the end of the last General Elections. A no vote means a vote against constitutionally entrenched Human Rights Commission, Integrity Commission, the Ombudsman, the Parliamentary Commission and Local Government including measures for special autonomy for the Grenadines. A no vote means a vote against a more representative of democracy as reflected in the first-past-the-post constituency basis system and that of Proportional Representation. A no vote means a vote against the enlargement of workers rights of property owning rights and the freedom of expression. A no vote is a vote against a homegrown Presidency which office is accorded unprecedented security tenure and powers. A no vote is a vote against according Ministers of Religion the right to contest General Elections. A no vote is a vote against strengthening the oversight responsibility of the Public Accounts Committee. A no vote is a vote against Vincentians with dual or multiple citizenship running for office and I want the people in the Diaspora to hear that. The no vote is a vote against civil society's participation in the National Assembly. A no vote is a vote against the imposition of formal reportage obligations and Parliamentary Representatives. A no vote is against the constitutional facilitation of the deepening of regional integration. A no vote is a vote against the aspiration to secure up to 30% of the electoral candidates as women. A no vote is a vote against the constitutional provisions in quest of building national consensus. A no vote is a vote against the huge

enlargement of powers of the Minority Leader. A no vote is a vote against the huge reduction of the powers of the Prime Minister. A no vote means the vote against the immense democratisation of the Service Commissions. A no vote means voting against the establishment of the Teaching Services Commission. The no vote means that it is a vote for the saddling of an unwanted Public Service Attorney General upon a new Government or a new Prime Minister. A no vote is vote against the constitutional entrenchment and protection of the Magistracy. A no vote means a vote against the widening access to the constitutional court in respect of the enforceability of the constitutional provisions by complainants. The no vote means that you would be voting for the Attorney General being the Director of Public Prosecutor at one and the same time. A no vote means voting against the youth charter. The no vote means voting for same sex marriages.

Mr. Speaker, the issue frankly is one of political masquerading by the Opposition and when the Leader of the Opposition flippantly says, we voting no, come again as though it is somebody from Little Tokyo who run a shop is calling in on the radio station and driving the intellectual currency inside of the Opposition. I mean it is pathetic.

Mr. Speaker, we will be repatriating our Constitution. It is time for us to leave colonial premises [applause]. I do not want colonialism to threaten me as an unwanted tenant and tell me that I must leave when they want me to leave. I do not want to linger any longer on colonial premises. There is a smoke screen about the time for the Referenda, Mr. Speaker, we are one year before General Elections, when these are over and we are finished with this and we have Christmas and we have our New Year, people start another year by the time they reach elections this is not in the business. The only way that this remains in the business of the elections is if certain persons behave quite foolishly in this campaign and people decide to hold it against them for the next elections, but I cannot guarantee against people behaving foolishly.

And one final issue Mr. Speaker, it is said that we shouldn't reduce the requirements from two-thirds to 60% in a Referendum in the future to change the Constitution. I want to say Mr. Speaker, when you look at CARICOM countries, there are only four out of 11 independent Commonwealth Caribbean Countries where you have a two-thirds requirement for a Referendum, only four Grenada, Antigua and Barbuda, St. Kitts and Nevis and St. Vincent and the Grenadines and the reason why is because when Eric Matthew Gairy went for independence in Grenada in 1974 he went there against the backdrop of a lot of confusion in Grenada and the colonial office did not want to give him independence, without he having a two-thirds majority to change the Constitution, they were fearful of him and then they made the insistence in Antigua and Barbuda for St. Kitts Nevis and St. Vincent and the Grenadines, but listen this, Barbados has no Referendum requirements to change their Constitution. Belize has no Referendum requirements to change their Constitution. Trinidad and Tobago does not have any and where you have Referendum requirements in the Bahamas, Guyana, Jamaica and St. Lucia all you need is 50% plus one, which is the position of most civilised democracies in the world. So the important thing about the 60% is down from the 66.7% Mr. Speaker is that you do not block desirable change, you do not allow a recalcitrant minority to block change which is desirable, but at the same time, we have not put the figures so low that you can do anything you want.

Mr. Speaker, we have made the case. I believe that everyone in this country is satisfied that the Opposition is simply playing politics. We urged that they come to the table of national unity on this matter. We can fight

about all sorts of other things, but let us not confusion and bickering over this. I am going to the people with this message; we are going to the people on this side with the message of change of a constitution which is better by far. This one is better than the existing Constitution and we haven't taken away anybody's rights in the existing Constitution we have strengthened and fortified them, improve the democracy, deepen representative Government, greater participation by people, strengthen the Magistracy, reduce the powers of the Prime Minister, strengthen the powers of the Leader of the Opposition, have an independent electoral system. Mr. Speaker, there is no Constitution in any Parliamentary System anywhere in the world which is more democratic, freer, more representative, than this one [applause] none, nowhere in the world where you have a Parliamentary Model.

HONOURABLE MR. SPEAKER: Thank you Honourable Prime Minister.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, I want to move that this Honourable House resolves itself into a Committee of the Whole House to address in each chapter certain changes, certain editorial changes which have been circulated Mr. Speaker. There are eight of them, they are already put in the green book version and when we move into the Committee of the Whole House Mr. Speaker and for the benefit of those who would not hear what I say in the Committee of the Whole House, the Motion is a very simple one and shall move it.

WHEREAS certain editorial changes have become necessary to the Schedule to the St. Vincent and the Grenadines Constitution Bill 2009, now before this Honourable House;

BE IT RESOLVED that this Honourable House approve these editorial changes which are attached hereto and which have already been circulated to each Honourable Members.

I beg to move this is Motion Mr. Speaker.

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

HONOURABLE MR. SPEAKER: Motion has been moved and seconded, we shall now move on to the Committee..., and for Members information under 25(k) this matter could be done. Members would have known that we went to a Committee of the Whole House, but now we can also as a result of the rule of 25(k) go also again into another Committee of the Whole House to debate or to discuss these issues and so that is under that rule we are moving into the Committee of the Whole House.

House went into Committee.

House resumed and motion passed

Committee stage with few amendments

DR. THE HONOURABLE RALPH GONSALVES: These are the amendments to the Schedule to the Bill and they are all in the green volume..., the final revision, but they are listed on a document which is circulated already from 1 – 8 so Mr. Speaker, if we may therefore take each in turn clause 4 sub-clause (1), clause 30 sub-

clause (1) proviso line 2, clause 51 sub-clause (1) paragraph (1), clause 59 sub-clause (1) deletes line “5 and 6” and put “those”, clause 69 sub-clause (4) we delete the first item “for and power of State”, clause 74; 4(a), (5)(a), 6(a), line 7 in each case change “Assembly to Assembly and shall not need to be approve on a Referendum”, clause 70 sub-clause (2)(b) there is a spelling error there of CARICOM that is corrected. Clause 270 sub-clause (2) “Director of Audit” change to “Auditor General” and in the first 3 that I have mentioned, they are very straightforward Mr. Speaker, one was to insert the definition for “foreign power of State” the other one is to simply change something in the proviso of line 2 under clause 30 sub-clause (1) and clause 51 sub-clause (1) paragraph (i) is really to change the “full stop” to a “semicolon”, and they are all listed Mr. Speaker.

I would wish to do two things Mr. Speaker; I would wish to move that all of these typographical errors be adopted.

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

Question put and agreed to.
Amendments to the Schedule of the Bill
Was adopted as were outlined by the
Honourable Prime Minister

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, there is just one other Motion Mr. Speaker, and for it to be done in a composition way, accordingly to given these changes to approve each of the chapters of the Constitution in the Schedule seriatim and the second limb of that Mr. Speaker, would be to readopt consequentially the report which has come out from Select Committee and then when I come back on the floor of the House to have it formally adopted. Mr. Speaker, I move that..., since we have done the corrections that we simply..., I move that all chapters of the Schedule to the Bill be adopted seriatim and we do that by voice vote.

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

HONOURABLE MR. SPEAKER: Did I get a second to your Motion?

DR. THE HONOURABLE RALPH GONSALVES: Yes, I think Sir Louis you did second?

HONOURABLE SIR LOUIS STRAKER: Yes, I did second the Motion.

Question put and agreed to.
All Chapter of the Schedule to the Bill
Be adopted seriatim.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Chairman, accordingly, given the changes which we have now adopted I just simply will like us formally to readopt the report from the Select Committee. I formally therefore beg to move that the report of the Select Committee be formally adopted by the Committee of this Whole House.

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

**Question put and agreed to.
House went into Committee.
House resumed.**

DR. THE HONOURABLE RALPH GONSALVES: That has been put?

HONOURABLE MR. SPEAKER: Yes, just been put.

DR. THE HONOURABLE RALPH GONSALVES: And that is it?

HONOURABLE MR. SPEAKER: Yes, we do not need a question.

DR. THE HONOURABLE RALPH GONSALVES: I beg to move Mr. Chairman that the Committee rise, the House resumed and the Presiding Member report to this Honourable House.

**Question put and agreed to.
House went into Committee.
House resumed and passed Committee
Stage with few amendments**

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, consequent on that I beg to move formally that the report of the St. Vincent and the Grenadines Constitution Bill 2009 with the Schedule thereto as amended by the Select Committee of the Whole House and now readopted by the Committee of the Whole House that it be formally adopted and I so move.

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

Question put and agreed to.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, the real historic moment has now arisen where under section 38 of the Constitution of St. Vincent and the Grenadines that a Bill to alter any of the provisions of this Constitution or of the Supreme Court Order shall not be regarded as being passed by the House unless on its final reading the Bill is supported by the votes of not less than two-thirds of all the Representatives and it goes on similarly with other provisions. So only the Representatives will be able to vote at this time, the Senators cannot vote and naturally because we need the certification we will have to vote one by one.

Mr. Speaker, Honourable Members, I beg to move [interjection] no, you can stay, you can stay [laughter] [interjection] a historic one. Mr. Speaker, Honourable Members, in the Fourth Session of the Eighth Parliament

of St. Vincent and the Grenadines 57 Elizabeth II. I beg to move that a Bill for an Act to provide a new Constitution for St. Vincent and the Grenadines, Bill known as the St. Vincent and the Grenadines Constitution Bill 2009 and the Schedule thereto that this Bill be read a third time by title and passed.

HONOURABLE SIR LOUIS STRAKER: Mr. Speaker, I Louis Hilton Straker, Deputy Prime Minister, Minister of Foreign Affairs, International Trade and Commerce, Representative of Central Leeward do hereby second the Motion [applause].

**Question put and agreed to.
Bill read a third time by title and passed.**

NICOLE HERBERT, Madam Clerk;

VOTING OF MEMBERS OF THE HONOURABLE HOUSE

Honourable Members, how do you vote?

Honourable Prime Minister and Member for North Central Windward Aye

Honourable Deputy Prime Minister and Minister of Foreign Affairs,
Commerce and Trade and Member for Central Leeward Aye

Honourable Minister of National Mobilisation and Social Development
and Gender Affairs, Non-Governmental organisations, Relations,
Local Government, Persons with Disabilities, youth and Sports and
Member for West St. George Aye

Honourable Minister of Education Member for Marriacqua Aye

Honourable Minister of Rural Transformation, Information, Postal
Services and Ecclesiastical Affairs and Member for South Central
Windward Aye

Honourable Minister of Urban Development, Culture, Labour
and Electoral Matters and Member for West Kingstown Aye

Honourable Minister of Health and the Environment and Member
for South Leeward Aye

Honourable Minister of Transport and Works and Member for
East St. George Aye

Honourable Minister of Agriculture, Forestry and Fisheries and
Member for North Windward Aye

Honourable Minister of Telecommunications, Science, Technology and Industry and Member for North Leeward	Aye
Honourable Minister of Tourism and Member for South Windward	Aye
Honourable Minister of State in the Prime Minister's Office and Member for Central Kingstown	Aye
Honourable Leader of the Opposition and Member for East Kingstown	No
Honourable Member for the Northern Grenadines	No

That brings us to the end of the voting. Honourable Members it is my honour to report that the vote has carried 12 Aye's and 2 No's and one Member absent [applause].

HONOURABLE MR. SPEAKER: Honourable Members it is my duty to report that Bill having met the requirement as outlined in section 38, the Bill is now passed.

ST. VINCENT AND THE GRENADINES CONSTITUTION ACT 2009

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, I am overcome by immense emotion, we all are. I want at this juncture to thank yet again the Members of the CRC/CRSC headed by Mr. Parnell Campbell QC, all the persons who have been involved in the consultation in every single capacity, all the officers, clerks, the police officers, the workers of one kind or another, employees in offices associated thereto, Members of this Honourable House, the office of the Clerk, the office of the Speaker, our two principal draftspersons, Dr. Francis Alexis QC, Professor Hamid Ghany, all those who have assisted us, given assistance, the OAS, UNDP, various International Organisation, Regional Groups and most of all, the people of St. Vincent and the Grenadines who have participated fully in this matter for us to have come to this juncture. I want to thank everyone. I want also to thank the Members of Her Majesty's Loyal Opposition for their role in this exercise. We hope as we go forward there is still scope for working together.

Mr. Speaker, there will come before this Honourable House the next meeting, the Referendum Bill and I would move the adjournment at the appropriate time shortly and we will like to bring the Referendum Bill on Wednesday, September 16th 2009. The idea Mr. Speaker is to have a Bill which will lay out the parameters under which day the Referendum will be held, the selection will be held on the Constitution and the question which will be asked. Mr. Speaker, I should point out that section 38 of the existing Constitution having now being fulfilled, there is a simple question, it is "yes" or "no" whether you support the Bill with the Constitution as scheduled. So now that the exercise is complete, persons will see that it was not possible to it any other way by section by section because this is how the process was followed in accordance with the existing Constitution. So that is the first date.

And Mr. Speaker, it gives me great pleasure to announce that the date for the Referendum, the election on which the people of St. Vincent and the Grenadines would vote on this Bill would be Wednesday 25th November 2009 [applause]. Mr. Speaker, we have given a long notice period. Normally in the General Elections, you have a period of three, four weeks most as you see we are in fact nearly three months and after the Referendum Bill is passed there will be ten weeks, so there is a long time for further discussion on this matter for us to secure a “yes” vote.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, I beg to move that this Honourable House do stand adjourned.

HONOURABLE MR. SPEAKER: No, no, no, what about the other two items on the Order Paper we are not dealing with those? Just a minute Prime Minister.

DR. THE HONOURABLE RALPH GONSALVES: Sure.

HONOURABLE MR. SPEAKER: The Rehabilitation, we are not..., oh that is not coming?

DR. THE HONOURABLE RALPH GONSALVES: Everything will go for the next time. Everything will go for the 16th.

HONOURABLE MR. SPEAKER: Honourable Members the question is that a Bill for an Act to make provision for the Incorporation of a Church call Hope Evangelism Outreach Ministry of Calder Ridge in the State of St. Vincent and the Grenadines be read a second time.

Question put and agreed to.

Bill read a second time.

DR. THE HONOURABLE RALPH GONSALVES: Mr. Speaker, I beg to move that this Honourable House do stand adjourned until Wednesday 16th September at 10:00 a.m.

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

Question put and agreed to.

House adjourned at 7:00 p.m.

Until September 16th 2009 at 10:00 a.m.

