

Leave of Absence

Tuesday, March 26, 2013

SENATE

Tuesday, March 26, 2013

The Senate met at 1.30 p.m.

PRAYERS

[MR. PRESIDENT *in the Chair*]

LEAVE OF ABSENCE

Mr. President: Hon. Senators, I have granted leave of absence to Sen. The Hon. Anand Ramlogan SC from today's sitting and also to Sen. The Hon. Larry Howai, Sen. Lyndira Oudit, Sen. Penelope Beckles, Sen. Corinne Baptiste-Mc Knight and Sen. Prof. Harold Ramkissoon who are out of the country.

SENATORS' APPOINTMENTS

Mr. President: Hon. Senators, I have received the following correspondence from His Excellency the President, Anthony Thomas Aquinas Carmona SC.

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS AQUINAS
CARMONA, S.C., President and Commander-
in-Chief of the Republic of Trinidad and
Tobago.

/s/ Anthony Thomas Aquinas Carmona, S.C.
President

TO: ARCHBISHOP BARBARA BURKE

WHEREAS Sen. the Hon. Larry Howai is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(a) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, Archbishop BARBARA BURKE, to be temporarily a member of the Senate, with effect from 26th March, 2013 and continuing during the absence from Trinidad and Tobago of the said Minister the Honourable Larry Howai.

Given under my Hand and the Seal of the
President of the Republic of Trinidad and
Tobago at the Office of the President, St.
Ann's, this 25th day of March, 2013.”

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS AQUINAS
CARMONA, S.C., President and Commander-
in-Chief of the Republic of Trinidad and
Tobago.

/s/ Anthony Thomas Aquinas Carmona SC
President

TO: MR. DON SYLVESTER

WHEREAS the Honourable Senator Lyndira Oudit is incapable of performing her duties as a Senator by reason of her absence from Trinidad and Tobago:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, DON SYLVESTER, to be temporarily a member of the Senate, with immediate effect and continuing during the absence from Trinidad and Tobago of the said Senator Lyndira Oudit.

Given under my Hand and the Seal of the
President of the Republic of Trinidad and
Tobago at the Office of the President, St.
Ann's, this 21st day of March, 2013.”

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS AQUINAS
CARMONA, S.C., President and Commander-
in-Chief of the Republic of Trinidad and
Tobago.

/s/ Anthony Thomas Aquinas Carmona SC
President

TO: MRS. SHERRIE HAMIDAN LORNA ALI

WHEREAS Senator Penelope Beckles-Robinson is incapable of performing her duties as a Senator by reason of her absence from Trinidad and Tobago:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(b) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, SHERRIE HAMIDAN LORNA ALI, to be temporarily a member of the Senate, with effect from 26th March, 2013 and continuing during the absence from Trinidad and Tobago of the said Senator Penelope Beckles-Robinson.

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Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 25th day of March, 2013.”

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS AQUINAS CARMONA, S.C., President and Commander-in-Chief of the Republic of Trinidad and Tobago.

/s/ Anthony Thomas Aquinas Carmona S.C.
President

TO: RHONDA PARRIS-DE FREITAS

WHEREAS Senator Professor Harold Ramkissoon is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(c) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, RHONDA PARRIS-DE FREITAS, to be temporarily a member of the Senate, with effect from 26th March, 2013 and continuing during the absence from Trinidad and Tobago of the said Senator Professor Harold Ramkissoon.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 25th day of March, 2013.”

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS AQUINAS CARMONA, S.C., President and Commander-in-Chief of the Republic of Trinidad and Tobago.

/s/ Anthony Thomas Aquinas Carmona S.C.
President

Senators' Appointment

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TO: MR. HUGH RUSSELL IAN ROACH

WHEREAS Sen. Corinne Baptiste-Mc Knight is incapable of performing her duties as a Senator by reason of her absence from Trinidad and Tobago:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and Section 44(4)(c) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, HUGH RUSSELL IAN ROACH, to be temporarily a member of the Senate, with effect from 26th March, 2013 and continuing during the absence from Trinidad and Tobago of the said Senator Corinne Baptiste-Mc Knight.

Given under my Hand and the Seal of the
President of the Republic of Trinidad and
Tobago at the Office of the President, St.
Ann's, this 25th day of March, 2013."

OATH OF ALLEGIANCE

The following Senators took and subscribed the Oath of Allegiance as required by law: Archbishop Barbara Burke, Don Sylvester, Sherrie Hamidan Lorna Ali, Rhonda Parris-De Freitas and Hugh Russell Ian Roach.

SUSTAINABLE DEVELOPMENT GOALS

Mr. President: Hon. Senators, some of you may know that the Inter-Parliamentary Union has been meeting—and hence the reason for some of our Senators not being here—in Ecuador, and one of the matters which is under consideration is the matter of the proposed sustainable development goals which will come into force in 2015 after the exploration of the millennium development goals.

I would like to draw to your attention that on our website you may visit and you may go through a link to get to a survey which we are being encouraged by the IPU and by the United Nations to complete, in order to make known your positions in relation to a number of matters as they touch upon the goals that would like to be promoted as part of the sustainable development goals in 2015.

So, each Senator, I invite you, in your personal capacity, to go to that link on our website, at the Parliament's website that is, where you will be taken to the survey and you may personally make known what your ideas are on the question of the sustainable development goals.

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1.45 p.m.

**CONDOLENCES
(JOHN S. DONALDSON)**

Mr. President: Hon. Senators, it was with some degree of sadness we heard that former Senator John Stanley Donaldson, passed away on March 19, 2013. I now invite Senators wishing to pay tribute to former Sen. Donaldson to do so now.

The Minister of Works and Infrastructure (Sen. The Hon. Emmanuel George): [*Desk thumping*] Thank you very much, Mr. President. This is a tribute to the late John Donaldson and I have put a heading, “A Man, a Citizen, Born to Serve”.

Mr. President, the late former Senator and also former MP for Port of Spain North in the Lower House, John Donaldson, or John D, as he was popularly called, was destined to serve his country. He was the son of the third Minister of Education, John Shelford Donaldson, who succeeded the Hon. Roy Joseph who served in that Ministry, 1950—1956, and Dr. Patrick Solomon, who served from 1956—1958. He was also the godson of another distinguished educationist and another foundation member of the PNM, Mr. De Wilton Rogers.

John D attended Rosary Boys’ RC School, Tranquility Boys’ Intermediate Government School, Osmond High School and St. Mary’s College, where he obtained his Higher School Certificate. He taught for a very short time at St. Mary’s College.

Shortly after the general election in 1956, he proceeded to Canada to further his education at the University of British Columbia. Unfortunately for the ambitious John D., his father, the Minister of Education, died in a tragic accident on the Mc Bean stretch. Young John was unable to attend his father’s funeral.

Upon completion of his studies, he entered the public service through the relatively new Ministry of External Affairs. In the early 1970s, his service and performance as one of the pioneers in our foreign service were recognized by the then Prime Minister and Minister of External Affairs, Dr. Eric Williams. After a heads of mission conference in Trinidad, John Donaldson was appointed our first ambassador to Nigeria and several of the new African states.

Under the tutelage and guidance of the late President Ellis Clarke, our then ambassador to the United States of America and permanent representative to the United Nations and our first ambassador to Canada, Mr. W. Andrew Rogers, John D became one of our foremost diplomats and respected ambassadors throughout Africa and the Middle East as he successfully charted his diplomatic course.

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[SEN. THE HON. E. GEORGE]

It is instructive to note some aspects of his career in Trinidad and Tobago's Foreign Service. He served as Administrative Assistant, Ministry of External Affairs from 1963—1964; and as Third Secretary, Trinidad and Tobago Mission to the United Nations, 1964—1965. From 1965—1969, he was Second Secretary in the Trinidad and Tobago Embassy, Consular Affairs International Organization in Washington, DC. He was the Chargé d'Affaires in the Trinidad and Tobago Embassy in Brussels and our permanent mission to the European Economic Commission from 1972—1973. During the period 1973—1976, he was the ambassador to Liberia, Senegal, Ivory Coast and Guinea, as well as High Commissioner to Nigeria, Ghana and Sierra Leone, resident in Lagos.

He, unexpectedly, was called upon by the Prime Minister, Dr. Eric Williams, to serve his country in 1976 in another capacity and, as far as I have been informed, he, like so many of us, was taken by surprise. The born-to-serve John D accepted the challenge of being appointed a Senator and a Minister and was given what was then described as super ministries, namely foreign affairs and national security. It was, as some of us would say, a tall order for a young man.

The always affable John D., whose only uniform experience was that of a cadet at St. Mary's College in the 1950s, was now called upon to reorganize our national security services, six years after the Black Power revolution in 1970 and, contemporaneously with the introduction of the Republican Constitution in 1976.

John D., from the records and my own knowledge of him, performed and served his country in his new dispensation as a full-time politician with dignity, respect and national loyalty that earned him the respect and admiration, not only of his political colleagues across the political divide, but also the entire national security apparatus. Mr. President, John D., has served his country well. He was an exemplar who can be described as not only an eternal optimist, but a fierce loyalist, not only to his party, but also to his country and to his friends.

Mr. President, there is so much more that can be said of this distinguished citizen whose dedication to national duty was a fine example that should be emulated by our young people. I join the rest of Senators in extending my condolences, the condolences of the People's Partnership party and the Government of Trinidad and Tobago; to his wife, his children and relatives and may his soul rest in peace. [*Desk thumping*]

Sen. Fitzgerald Hinds: Thank you, Mr. President. John Stanley Donaldson Jr., as has been already stated, was born in Tobago on March 30, 1936. He moved to Trinidad with his family, including his four sisters, shortly thereafter. He started

his formal education at Rosary Boys, and then attended the Las Lomas RC School because of the fact and where his father was the headmaster at that institution at the time.

His father, as is well known, was himself an outstanding intellectual, educator and a founding member of the People's National Movement, successful politician as he, John Stanley Donaldson Jr. went on to largely replicate himself. His father was indeed the third independent Trinidad and Tobago Minister of Education.

Later, John Jr. and his family returned to Port of Spain where, as our friend, Minister George indicated, he attended the Tranquility Government School. From there, he went on to the then very famous, very popular, Osmond High School, before going in to CIC, a far more settled young man of whom one of the Holy Ghost Fathers at that institution, one Fr. Lodge, wrote, and I quote:

What struck me most about young Donaldson was the forthright manner in which he habitually spoke his mind. He was habitually candid, open and honest.

In addition to excelling in his academic pursuits, John was also an accomplished athlete and a member of the Trinidad and Tobago Cadet Force at CIC, among his other extracurricular pursuits. After a brief stint as a teacher at CIC, he went off to the University of British Columbia where he studied economics and law, and while enjoying his university life and pursuing his studies, he continued to participate in athletics as he had done in Trinidad and Tobago.

He returned to Trinidad and Tobago thereafter to serve a period of obligatory internship at the Ministry of Foreign Affairs. Shortly thereafter, he met and married his wife Marjorie, intimately known and called by her friends, referred to as Marge, herself at the time a diplomatic officer then working at the Jamaican High Commission.

John's career took off in earnest from then. He went to the UN, Washington, DC and then to London. From there, he went to Brussels as ambassador and then to Nigeria with accreditation to Algeria, Senegal, Ghana, Liberia, Ivory Coast, Guinea and others. This was history in the making since this was the first time that Trinidad and Tobago established diplomatic relations with the mother country of a large segment of Trinidad and Tobago as a nation and society.

At some point in his political career—and I have personal recall of this—it would probably have been a very popular weekly newspaper that would sarcastically refer to John Donaldson as Bokassa, indicating or implying that he had dictatorship tendencies, and, of course, no doubt having represented us in Africa.

Of course, John Donaldson was far from being a dictator. He was a democrat at heart. His friends, those who knew him well, referred to him as "Spinner". While John was serving in Nigeria, he was indeed recalled to Trinidad and Tobago by the then late,

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great Dr. Eric Williams, to take up posts in the Ministry of Foreign Affairs and in the Ministry of National Security, having been appointed as a Senator. After approximately five years, he contested the St. Ann's West seat for the PNM and won handsomely in 1981.

John was well known as a hard-working representative and, despite his very onerous and burdensome ministerial duties, is reported to have served his constituents with great diligence and concern for them as individuals, demonstrating a willingness to help whenever and wherever he could.

After the passing of Dr. Williams, John served again as Minister of National Security for roughly four years and then as Minister of Labour and Co-operatives, as that ministry then was. In 1986, he returned to the law school to acquire his legal education certificate in order to practise law in Trinidad and Tobago.

He was later appointed Inspector of Missions and was also seconded to the Organization of American States as commissioner on the Inter-American Human Rights Commission. His last assignment in the service of the people of Trinidad and Tobago was indeed as Inspector of Prisons.

At the party political level, John Donaldson served us in the PNM as Vice-Chairman of the party for a very long, a very sustained period and I can say without fear of contradiction, on behalf of all of us in the PNM who sat in General Council and other meetings that he chaired, that John Donaldson was indeed a joy, an experience, to listen to, to watch and to learn. His dry wit would remain for a long time unchallenged as he made serious points and contributions to the deliberations of the day.

I recall, in 1995, the then Prime Minister, Mr. Panday, for some reason or the other, invited all the heads of the defence force and the commissioner of police to the Parliament to witness some debate that was taking place at the time and, in a quiet conversation with John, he very wittingly said to me: "In some countries, a Prime Minister would never do that, because you never know, the soldiers and they may get to like it. I remained with that in my thoughts.

2.00 p.m.

In consequence of, as a result of his wonderful marriage union to Marjorie, together they raised three children, John, Joyce and Edmond, who are left along with thousands of others with whom he would have come into contact over his many years, to mourn with us at his passing and, of course, he has left, Marge, his wife, also to mourn. We wish them peace, we wish them safety, we wish them God's blessings and may he, John Stanley Donaldson Jr., also rest in perfect peace. [*Desk thumping*]

Sen. Subhas Ramkhelawan: I rise, as well, to pay tribute to the late Sen. John Stanley Donaldson. Mr. President, I believe that we are doing this thing far too often, having to rise to speak about so many who have left us and who have done yeoman service to this country. A servant of Trinidad and Tobago, a servant of the PNM, a servant of this Senate and, indeed, the elected Lower House, John Donaldson was. And his name was very popular because of his father through—some of us may not remember his service, but we would certainly remember the John S. Donaldson Technical Institute as it was then, which was in fact a marker speaking to the contribution to education of the Donaldson family.

On behalf of the Independent Benches, I want to extend condolences to his wife and family and wish that John may rest in peace. Thank you. [*Desk thumping*]

Mr. President: I wish to join with hon. Senators in celebrating the life of former Senator, Mr. John Stanley Donaldson who departed this realm on March 19, 2013 at the age of 76. From the tributes that have been paid by Senators, it is clear that Mr. Donaldson served his country and political party with commitment and distinction. His long and distinguished career as a politician and diplomat is characteristic of a man of great passion and dedication to his pursuits.

No doubt influenced by his father's involvement in the political arena, Mr. Donaldson Jr. had been very active in party politics since the 1960s and served both as a Senator and Member of Parliament. As was mentioned during his tenure in the Senate from 1976—1981, Mr. Donaldson was National Security Minister.

Indeed, with such a long and distinguished legacy of public service, Mr. Donaldson can be classed amongst the great champions of our nation, who during their period of service to the country, displayed unwavering commitment and sacrifice. I am certain his contribution will not be forgotten.

Therefore, on behalf of all Senators and staff of the Senate, I extend my sincere condolences to his wife, children and relatives and trust that they would find peace of mind and comfort during this period of loss. I will ask that the Clerk send an appropriate letter to Mr. Donaldson's family and include the transcripts of tributes paid today in the Senate.

I now invite all Senators to stand and observe one minute's silence to the memory of Mr. John S. Donaldson.

The Senate stood.

May his soul rest in peace.

PAPERS LAID

1. Annual Administrative report of the Point Fortin Borough Corporation for the period October 01, 2010 to September 30, 2011. [*The Minister of the Environment and Water Resources* [*Sen. The Hon. Ganga Singh*]]
2. Annual Administrative Report of the Tunapuna/Piarco Regional Corporation for the period October 01, 2008 to September 30, 2009. [*Sen. The Hon. G. Singh*]]
3. Annual Administrative Report of the Tunapuna/Piarco Regional Corporation for the period October 01, 2009 to September 30, 2010. [*Sen. The Hon. G. Singh*]]
4. Annual Administrative Report of the Tunapuna/Piarco Regional Corporation for the period October 01, 2010 to September 30, 2011. [*Sen. The Hon. G. Singh*]]
5. Ministerial Response to the Seventh Report of the Joint Select Committee of Parliament on Ministries, Statutory Authorities and State Enterprises (Group 2) on the National Drug Council. [*Sen. The Hon. G. Singh*]]
6. Companies (Amendment) Regulations, 2013. [*Sen. The Hon. G. Singh*]]

Mr. President: Before you—Leader of Government Business, hon. Senators may recall that at the time we sat relating to the Securities Bill, that certain undertakings were given in this Senate that we would report on where we had arrived at in relation to the undertakings given. I now invite the Leader of Government Business to tell us more about the undertakings and where we are at today.

STATEMENT BY MINISTER

**Securities Act, 2012
(Update of)**

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): [*Desk thumping*] Mr. President, at the close of the debate on the Securities Act, 2012 in this honourable Senate on December 19, 2012, the Government gave the undertaking that it will provide an update on the progress that has been made on the drafting of the Securities (General) By-laws and the amendments to the Act within three months of the proclamation of the Act.

Mr. President, three hon. Senators submitted their comments to the Act by the January 25, 2013 deadline. These comments were reviewed by the Trinidad and Tobago Securities and Exchange Commission and responses to these comments were compiled and submitted to the Ministry of Finance and the Economy on February 27, 2013.

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Mr. President, the draft Securities (General) By-Laws were published on the Trinidad and Tobago Securities Exchange Commission's website for comment on March 20, 2013. The Senators of this honourable Senate are invited to review and provide comments on these bye-laws which can be accessed electronically by visiting this website: www.ttsec.org.tt or in hard copy from the Trinidad and Tobago Securities and Exchange Commission's offices. The deadline for submission of these comments is April 26, 2013.

Mr. President, the evolution of the by-laws, together with the amendments for the Securities Bill, is progressing and, consistent with the undertaking given, I will keep this honourable Senate informed. [*Desk thumping*]

Mr. President: I wish to thank the Leader of Government Business for that fulfilment of the undertaking given in this Senate.

WRITTEN ANSWERS TO QUESTIONS

Sen. Al-Rawi: Mr. President, if I may, I notice that we have skipped over the issue of questions. Whilst there are no questions for oral answer on the Order Paper is, perhaps, the Leader of Government Business, through you, in a position to indicate the preparedness for the written answers to questions?

Mr. President: Leader of Government Business?

Sen. Singh: Yes, Mr. President, we are in possession of two answers, but we are reviewing them given the length of these answers to ensure that we give—that we do not in any way provide information that is not cross-checked.

Sen. Al-Rawi: Much obliged, Mr. President. If I may by way of further enquiry under that head of business, enquire of the six questions answered, which two—is it that any will be available today and is there a time frame by which the responses set out in the appendix to the Order Paper will be ready?

Sen. Singh: Certainly, Mr. President, on the next sitting of this honourable Senate, those two questions will be made available.

Sen. Al-Rawi: Any others?

Sen. Singh: Subsequently.

Sen. Al-Rawi: Much obliged, Mr. President.

GOVERNMENT'S COMMITMENT TO THE CONSTITUTION

[Third Day]

Order read for resuming adjourned debate on question [November 20, 2012]:
Be it resolved that the government re-affirm its commitment to these principles and the practice of democracy in Trinidad and Tobago. [*Sen. F. Hinds*]

Question again proposed.

Mr. President: Those who spoke on this Motion on Tuesday, November 20, 2012 were: Sen. Fitzgerald Hinds, mover of the Motion; Sen. The Hon. Christlyn Moore, Minister of Justice; Sen. Subhas Ramkhelawan; and on Tuesday, February 26, 2013, Sen. Shamfa Cudjoe; Sen. Helen Drayton; Sen. The Hon. Kevin Ramnarine, Minister of Energy and Energy Affairs and Sen. Penelope Beckles. Senators now wishing to join in the debate may do so now. [*Desk thumping*]

The Minister in the Ministry of National Diversity and Social Integration (Sen. The Hon. Embau Moheni): Mr. President, it gives me great pleasure to rise and make my contribution to the Motion at hand:

Whereas the Constitution of the Republic of Trinidad and Tobago in its preamble, its terms and spirit, recognizes and promotes the observance and practice of democratic principles;

Be it resolved that the government reaffirm its commitment to these principles and the practice of democracy in Trinidad and Tobago.

Mr. President, as can be seen from our Constitution, this country has affirmed, through the Constitution, a determination for the practice of democracy. The essence of good governance lies with, one, empowering the people so that their wishes could, as far as possible, be fulfilled and, in democracies such as ours, through the various levers of government.

But beyond this, it is important that we build and develop the leadership that could inculcate our society with the values and the principles that are necessary to give life and meaning to the Constitution. In other words, we need sometimes to go beyond the mere letter of the law, and ensure that we create the social and ethical environment that is necessary for a society to guarantee the rights, the privileges and the upliftment of its people.

2.15 p.m.

We as nation have been faced with serious challenges from independence to now and, to me, it is quite interesting that this Motion could have been brought at this point in time, calling on the Government to reaffirm its commitment to the

principles of democracy, for when we examine the state of our nation, some 50 years after independence, we see more than ever before the need for all of us to do so much more to bring democracy and the principles of democratic governance to the fore.

Oftentimes we have seen in the past three years that when this Government strives to address problems that have afflicted us for years, we are castigated as being the villains. Because we have seen—and as I go through my contribution, we would see that the question of democracy and the development of a truly democratic society is one that has been under threat for several years by previous regimes. Today the mantle falls with the People's Partnership Government to address this issue as we are striving and working diligently in our efforts to take this country to a better place.

There has been so much criticism about the Partnership, but the concept of a Partnership Government is one that takes us along that pathway of democracy that I spoke about. [*Desk thumping*] Because for the first time in the history of Trinidad and Tobago we have had five, and now four parties, being a part of that governance structure, giving and affording a greater opportunity for more or a broader representation in the activity and the process of governance.

At present you have NJAC, UNC, COP, TOP—

Sen. Hinds: “NJAC eh no party.”

Sen. The Hon. E. Moheini:—all participating with a united front in order to represent the broadest cross-section of the ideas and the wishes of our population. Democracy involves government of the people, for the people and by the people—of the people, for the people and by the people—and it demands, therefore, that respect for the population. One would expect that in a democratic society people would be free to exercise their political views, to associate with any political party that they so wish to do, and to vote in a manner that they believe would be in their best interest, and, when they so do, that we would be pleased to applaud and to recognize the fulfilment of their wishes.

When we look at our experiences as a people, we would see that there has been victimization, alienation, marginalization, simply because individuals, groups or sectors may choose to exercise their political views in a particular way. I could always remember in Tobago, from where I come, that in 1976 the people of Tobago voted, overwhelmingly, for ANR Robinson and Dr. Winston Murray, and when that was done, the PNM leadership in Trinidad, the PNM Government, shut down the Ministry of Tobago Affairs to spite the people of Tobago simply because they were exercising their rights, and that is the quality of democracy that we have had over the years.

Sen. Hinds: That matter was resolved in January. [*Laughter*]

Sen. The Hon. E. Moheni: It meant, therefore, that simple deliveries that the people of Tobago would have had access to prior to that decision, they now had to leave Tobago, travel to Trinidad in order to get those deliveries.

Hon. Senator: That is democracy PNM style.

Sen. The Hon. E. Moheni: Democracy PNM style. [*Desk thumping*] It is wrong. We cannot and we should not and we ought not seek to punish people because of the exercise of their rights. But we in the People's Partnership Government are striving to bring a new type of governance to Trinidad and Tobago, and, under my Ministry of National Diversify and Social Integration, we are seeking to use heritage as a means, as a vehicle, for bringing our nation closer together and for the development of those very principles of democracy.

For instance, we are addressing the demands and the needs for the protection of the rights of the indigenous people of Trinidad and Tobago, which has been outstanding as an issue for several decades. Recently, we handed over 25 acres of land to the indigenous people, the Santa Rosa Caribs, as they are called, in Arima, which would afford them the opportunity to recreate an Amerindian village that would give our students, our youths and visitors to our shores, the opportunity to go to Arima to visit that site and witness the operation of an Amerindian village.

We do not believe—notwithstanding the fact, that they are small in number and the kind of disrespect that they would have been given in the past, that that disrespect should end and that all our citizens need to be given the opportunity to exercise their rights. But we are using heritage, as I said, in order to portray what our people have contributed over the years, because what can speak more to the character, the potential, the talent and the creativity of a people than their history and the heritage that they have left us?

So that my Ministry has begun the restoration of Fort San Andres in Port of Spain, which was a gateway to the City of Port of Spain and our nation of Trinidad and Tobago. We have also begun the restoration of Nelson Island, which holds a rich history and heritage for so many of our people, including the East Indian, Chinese, Syrian and other immigrants who would have landed there, as well as the African slaves who erected some of the structures that still can be seen on Nelson Island.

We are also going to establish a sugar museum at Sevilla House in Caroni so that our people could go there and witness and research the history of sugar, which at one time was king not only in Trinidad and Tobago but in the Caribbean. We are also, at present, engaged in discussions with Angelo Bissessarsingh with regard to

the operational expansion of the virtual museum, which would take the museum, the history, the heritage of our people to the far corners of our nation. Only this week we had discussions with regard to the development of the Military Museum which holds valuable records and history of the military experiences of Trinidad and Tobago.

As we bring our people to this rich heritage, this rich history, and as we take the heritage to our people, so that we could recognize the contributions that would have been made whether it is by the First Peoples, the indigenous people of Trinidad and Tobago to the East Indians, the Africans, what have you, as we take this heritage to our people, it will instruct a greater appreciation of each and every one's contribution, each other's value towards that process of nation-building.

This Government is about people's participation, this Government is about empowering our people so that the widest cross-section of the population could have a voice, could have a say in the governance process here in this country. I would just want to take a look at the People's Partnership approach to governance, whereby, since we assumed office, we have been going to the population in different areas, in different regions, soliciting their ideas, getting their points of view—*[Interruption]*

Sen. Hinds: Like Tobago.

Sen. The Hon. E. Moheini:—trying to appreciate their experiences as we seek to broaden and deepen the base of governance in Trinidad and Tobago.

2.30 p.m.

Mr. President, even as I speak, we have the constitutional reform consultation which is ongoing at this point in time, so that our population, our people, could interface and bring their opinions in terms of their wishes, their feelings and their desires for the kinds of changes and reform we would all like to see in the new Constitution, which in itself is going to address areas of governance that will be so important to the process of people's participation.

Also underway is the local government reform consultation, which was launched by the hon. Prime Minister, Kamla Persad-Bissessar, on March 06 at the City Hall in San Fernando, which would seek to transform and modernize local government, in keeping with the pursuit and the objectives of the People's Partnership Government, to develop a type of governance that is best suited for our movements into the 21st Century.

Also under the Office of the Prime Minister were the public consultations on the establishment of a civil society board, which is now under the Ministry of National Diversity and Social Integration. There were also consultations for the development of a national heroes policy. If they are talking democracy, they are talking fair treatment, and we believe that we should be committed to recognizing and honouring those who have excelled and, more importantly, those who have given tremendous sacrificial service to the development of our nation. So that we are in the process of the development of a national heroes policy, and we have had consultations both in Tobago as well as in Trinidad, in order to draw up the criteria to determine who we are going to list as our heroes in Trinidad and Tobago.

We have also had a national consultation for the development of a micro and small enterprise policy, empowering micro and small enterprises for success. Five such consultations were held, and the process is ongoing.

Also in February 2011, there was a public consultation for used car dealers hosted by the Ministry of Works and Infrastructure along with the Ministry of Finance and the Economy. There was also a wildlife policy consultation which was held by the Ministry of the Environment and Water Resources in February 2013, and a stakeholder consultation to review national electronic transactions held by the Ministry of Public Administration in 2011.

Mr. President, this Government is committed to broadening the scope of participation, getting our people involved and developing and cultivating that sense of participation which, as it grows, can only be in the interest of the development of Trinidad and Tobago.

This Government recognizes that for democracy to work, for democracy to be secure and safe, it is necessary and important that we have a united, peaceful and dutiful society. This is why we stated in 2010 as our overarching approach to change and development, as quoted from our manifesto on page 5:

“Our Government will embrace the richness and beauty of our people’s great diversity to nurture a more humane and cohesive society. Unity in Diversity will inspire the harmony which is so vital to national progress.”

Mr. President, that is the vision and the objective of the People’s Partnership Government.

Diversity comes under my Ministry, the Ministry of National Diversity and Social Integration. We are striving to inculcate and to bring our people on board with the recognition that diversity should be seen as a strength, not exploited, as it has been in the past, for cheap political mileage, because diversity is all about difference.

We are all different, whether because of our ethnic background, our cultural experiences or our religious affiliation. Some are said to be differently abled, but in my opinion we are all differently abled because we possess different skills, different talents. We have different educational backgrounds, we would have been socialized in different environments, whether it be the fishing villages of Charlotteville or Cedros or what have you, our experiences are different. We are differently abled. But our Ministry is striving to get the message to our population that, regardless of who we may be, we are all equal in the sight of God and we can all contribute to the progress and development of our nation. As such, we are all deserving of respect, consideration and the necessary support from the various systems that our country has to provide.

So while today we are being called upon to state our Government's recommitment to democracy, I think we should also reflect on the fact that this People's Partnership Government came at such a crucial point in time to save our nation from a growing dictatorship that was creeping up on our nation. [*Desk thumping*]

Hon. Senator: Tell them, tell them. [*Laughter*]

Sen. The Hon. E. Moheni: Let us see what was happening in the period leading up to 2010. You had the then Prime Minister seeking to establish sectors of centralized power that would give him dictatorial authority and power. We could go to the tertiary education sector and what was happening there. He was seeking to bring that entire sector under the control of one man who would report to him bringing—[*Interruption*]

Sen. Deyalsingh: Are you talking about all Ministries?

Sen. The Hon. E. Moheni:—a number of the tertiary educational institutions under one man. This is not a Ministry. You had the teachers' college at Corinth being brought under UTT and under the control of Ken Julien, all of these: ECIAF, the John S. Donaldson Technical Institute, the Centre for Maritime Studies. Then you had UTT at O'Meara; UTT at Point Lisas, Brechin Castle, Couva, UTT, the San Fernando Technical Institute, the Valsayn Teachers' College—

Hon. Member: “He serious?”

Sen. The Hon. E. Moheni:—all of these being brought under the heading of UTT under one man, Ken Julien, in order to centralize that authority in the hands of the Prime Minister. [*Crosstalk*]

Sen. Al-Rawi: That is not about democracy. [*Crosstalk*]

Sen. The Hon. E. Moheni: We go further to the energy sector—because it is not just education. You go to the energy sector and you would have seen this same development, where he was seeking to centralize power in the energy sector, but it was stopped by the People's Partnership Government. I would read from the *Trinidad Express* of August 29, 2010.

“Energy and Energy Affairs Minister Carolyn Seepersad-Bachan, says the Government has no intention of setting up a mega energy company by merging the four energy State enterprises.”—that the PNM had set out to do—

‘Such a proposal is not in our manifesto and I do not support such a change...’

She was responding to whether the Government would go ahead with the proposal by the former People's National Movement (PNM) government to bring State-owned Petrotrin, National Energy Corporation, Trinidad Lake Asphalt and the National Petroleum Company under one umbrella.”

This was the trend. You go into construction and you would have seen the same trend, when he brought the entire construction sector under Calder Hart with UDeCott and placed over \$60 billion in his hands for construction work; more than the budget of Trinidad and Tobago—\$60 billion.

Sen. Maharaj: Tell them again. They cannot deal with it. [*Laughter and crosstalk*]

Sen. The Hon. E. Moheni: That was the pattern; that was the process. We were heading towards a dictatorship. It is the same Prime Minister who was seeking to establish an executive President that would have merged the powers of the Prime Minister and the President. So while the People's Partnership Government is committed—

Hon. Senator: Trickery.

Sen. The Hon. E. Moheni:—to the maintenance, development and expansion of democracy in Trinidad and Tobago, we saved this country from a creeping dictatorship that was being foisted on the people of Trinidad and Tobago. [*Desk thumping and laughter*]

Sen. Hinds: “You beating de desk for dat, Vasant Bharath?” [*Laughter*] [*Crosstalk*]

Sen. The Hon. E. Moheni: If I could get back to my Ministry of National Diversity and Social Integration—what are we doing?

We are seeking to proceed with the development of the engagement between civil society and the Government because throughout this nation there are several non-governmental organizations with several dedicated persons who are seeking to serve this nation in so many ways.

2.45 p.m.

It was way back in February 1997, that the Government became a signatory to the Caricom Charter for Civil Society—way back in 1997. But presently, what did this Government meet? Little consultation, little opportunity for civil society to have their voices reach the right places in a structured, constructive and progressive manner.

This is why we have had consultation with civil society organizations, 14 of which would have come under the Office of the Prime Minister and two under the Ministry of National Diversity and Social Integration reaching out to civil society, getting their feedback, and we are in the process of facilitating elections where civil society representatives would have the opportunity to elect a civil society board which would interact and interface with the Government so that their ideas and their wishes could be considered to become part of Government policy for the development of our nation.

We have to recognize that these organizations spread across the geographical land mass of our nation, and what this Government is seeking to do is to give them the opportunity to go beyond service to policy. They have served and they continue to serve our nation, but now they are going to have the opportunity, through the civil society board, to have their ideas and their contributions considered for Government policy.

This civil society board would have representation from different sectors, including civil society organizations involved in education and technology, involved in health, involved in justice and security, involved in business, involved in labour, agriculture, the environment, faith-based organizations, social development and poverty alleviation, construction, culture and heritage, sport, youth, special consideration for Tobago affairs, affairs of the differently-abled, gender affairs, community-based organizations, credit unions and the First Peoples. This listing was drawn up in consultation with representations from civil society organizations throughout our nation.

So that we are engaged in a process that would bring these civil society organizations representing these different sectors together so that they could exchange ideas, share information and thereby strengthen their capacity to deliver as they have sought to deliver over the years. It is an exercise in capacity building for the non-government organizations.

It would bring more varied interest groups and give them the opportunity to be part of the process for the development of government policy and policy for the development of our nation. At the same time it will serve to empower our civil society organizations and motivate them to do even more than they have done in the past as they continue to serve and contribute to the progress of our nation.

So, Mr. President, democracy, as I said, is something that we all need to be committed to. That we need to continue to work to ensure that democracy, not only remains alive, that it becomes more people and national serving in its orientation [*Crosstalk*] because we have seen that this nation has been fragmented and divided by that failure to recognize that—[*Crosstalk*]

Sen. Cudjoe: Same thing for the TOP in Tobago.

Sen. The Hon. E. Moheni:—democracy must—[*Interruption*]

Sen. George : “When yuh in glass houses”—[*Crosstalk*]

Sen. The Hon. E. Moheni:—empower the people and that if we are to [*Crosstalk*] have government by the people, the greater the participation the better.

Sen. George: “Yuh living in a glass house.”

Hon. Senator: We live in a democratic country. [*Crosstalk*]

Sen. George: “Whey?”

Hon. Senator: We in Trinidad, not in Tobago.

Sen. The Hon. E. Moheni: This Government is in the [*Crosstalk*] process of seeking to develop the necessary [*Crosstalk*] patriotism that we need if democracy is going to work. [*Crosstalk*]

Sen. George: And if Manning exercise democracy—[*Crosstalk*]

Sen. The Hon. E. Moheni: I would just like to quote from the Oxford dictionary. Democracy is:

“government by the people;” It is—“a form of government in which the supreme power is vested in the people and exercised [*Crosstalk*] directly by them or by their elected agents under a free electoral system.”

It instructs us therefore, that those of us in Parliament are here to represent the wishes of the people. For democracy to be meaningful we have to go beyond what takes place on election day, when a government or an opposition is elected into

office. We need to take it to an exercise where our people could be more enlightened, where they could be more informed, and where they could have that greater opportunity to participate and to be part of the process.

So with these few words, Mr. President, I express my appreciation to be able to make a contribution to this burning question of democracy which this Government is committed to, and which this Government saved this nation from falling into a dictatorship in 2010. [*Desk thumping*]

Sen. Terrence Deyalsingh: Thank you very much, Mr. President, for acknowledging me and allowing me an opportunity to make an intervention into the Motion so put by Sen. Hinds. [*Crosstalk*]. If you would allow me to reread it, because these private days come so infrequently, sometimes members of the public—[*Interruption*]

Hon. Senator: Aww.

Sen. Singh: Every month. [*Crosstalk*]

Sen. T. Deyalsingh:—as is the norm, as is the norm, that [*Crosstalk*] sometimes the members of the public may forget what it is we are dealing with. [*Crosstalk*]

Sen. George: Aww.

Sen. T. Deyalsingh: So it says:

“WHEREAS the Constitution of the Republic of Trinidad and Tobago in its preamble, its terms and spirit, recognizes and promotes the observance and practice of democratic principles;

BE IT RESOLVED that the government reaffirm its commitment to these principles and the practice of democracy in Trinidad and Tobago.”

Before I go on, Mr. President, please allow me the opportunity to congratulate all temporary Senators, but more especially the two new Senators appointed for the first time by our new President. [*Desk thumping*] I congratulate Sen. Rhonda Parris-De Freitas and Sen. Ian Roach and look forward to them visiting us in a more frequent manner. I would also like to take the opportunity to thank Sen. The Hon. Jamal Mohammed for attending the funeral of Mr. John Donaldson on Saturday. I thank you for your presence; it was a very mature gesture, very statesman-like gesture.

Hon. Senator: It was his father's friend.

Sen. T. Deyalsingh: Mr. President, this debate which calls for the Government to reaffirm its commitment to democratic principles, resembles another private Motion which we debated in the other place—the other place being the Red House—which had to do with constitutional reform, and I think both Motions are closely related.

If you would remember, Mr. President, you presided over that particular Motion and the last speaker on that Motion was Sen. The Hon. Vasant Bharath, and there was an arrangement with the then Leader of Government Business, Sen. Subhas Panday, that the last speaker on that day would be myself.

However, events transpired where word came down from on high that the debate on constitutional reform should be guillotined. Say what you want about Sen. Subhas Panday he is a devastating debater, but he is a man of his word, and that day he had given us on the Opposition Bench his word—his word—that the debate would go on and that I would be able to make a contribution. However, Sen. Subhas Panday on that day did not want to go back on his word and truncated the debate, and I was not able to make my contribution on a debate on constitutional reform.

You may remember, Mr. President, during that debate several of us on the Opposition Bench did not initially speak, and I was hesitant to speak because I thought that a debate on constitutional reform should not be started in the Senate. It was my feeling then, it is my feeling now, that any debate on constitutional reform should be started in the House of Representatives—[*Interruption*]

Sen. Singh: “Sound like Panday.”

Sen. T. Deyalsingh:—where the people who are voted in, who are representing—people who put themselves on the line, that a debate of such magnitude should not have been started in the Senate.

Mr. President, I start off in this vein mainly because of a comment that was made last week when Minister of Legal Affairs, hon. Prakash Ramadhar, came to pilot two pieces of legislation. It was said and recorded in *Hansard*, unfortunately, and this is why I choose to open my debate today on the role of the Senate. I choose this deliberately because it was said—whether it was said en passant, said in jest, in seriousness, it matters not, the fact is, it was said. What was said was that the hon. Prakash Ramadhar, in coming to the Senate that day to pilot two pieces of legislation, got an upgrade to the Senate. I take umbrage to that comment whether it was said in jest or in seriousness because I do not hold that the Senate, although we call it the Upper House, is in any way a superior House to the House of Representatives. If we are to understand this seat of democracy called the Parliament, a bicameral Chamber, I think we need to understand the role that the Senate plays.

Mr. President, if one looks at the Constitution, sections—I believe it is—63, 64, 65, speak to the restrictions or lack of power of the Senate to debate certain pieces of legislation, especially money Bills. If you would permit me just a few minutes, Mr. President, I would give what I think is probably the genesis for those sections of the Constitution, realizing that our democracy is a child of, the progeny of, the Westminster system of government.

3.00 p.m.

Mr. President, our Senate is established via section 39 of the Constitution, and as said, we have certain restrictions under sections 63, 64 and 65. What is the genesis of those restrictions? In my view we need to go back to the year 1909, where we go back to the House of Commons, where the then Prime Minister of England, Mr. Herbert Asquith who was the leader of a liberal Government, via his Chancellor of the Exchequer, Mr. David Lloyd George, attempted to pass what we call the people's budget in those days in England.

And that people's budget, Mr. President, which went through the House of Commons, was meant for the first time to redress the imbalance between the landowners in England, who sat mainly in the House of Lords, who were appointees, just like us, and the masses. It was meant as a poverty elimination exercise. It was meant to raise money for the war effort—this was in the years just around World War I—to pay for dreadnought submarines in those days. It was meant to raise funds by taxation on land, and it was defeated in the House of Lords.

That gave rise to a constitutional crisis and England had to go back to elections, two elections in two years, to settle this, because the thing was, how could an appointed chamber stymie the wishes of an elected chamber? Out of that was a series of constitutional crises in England which gave rise to two Acts of Parliament, 1911 and 1945, which restricts the House of Lords, as we have these restrictions in the debate and passage of certain pieces of legislation.

That is why I always admire the 41 good souls in the Lower House who offer themselves for electoral and representative politics. We can hold no candle to them. We may be called the Upper House but they are the superior House. So I believe in the primacy of the House of Representatives, and the only people in my view in this honourable Senate who can speak to an upgrade will be people like Sen. The Hon. Vasant Bharath, who fought an election—St. Augustine—Sen. The Hon. Ganga Singh, Sen. Marlene Coudray who would have offered herself for electoral politics—*[Interruption]*

Sen. Al-Rawi: Fitzgerald Hinds.

Sen. T. Deyalsingh:—and on this side, Sen. Pernelope Beckles and Sen. Fitzgerald Hinds. They have been there. They have been there. They have subjected themselves to the vagaries of electoral politics.

Look at our MP in the Lower House, MP Alicia Hospedales. In one election she was campaigning and she was thrown with paint all over her and her car. None of us had to go through that. Speak with Sen. Vasant Barath's father, former Member of Parliament, John Bharath, and he will tell you the risk to life and limb he would have faced in fighting to win an electoral seat to be in the House of Representatives.

Sen. Al-Rawi: Bullets fired.

Sen. T. Deyalsingh: So I just want to put on record my sincere appreciation for those who fight elections. [*Desk thumping*]

Sen. Singh: Will you fight?

Sen. T. Deyalsingh: I will.

Sen. Singh: Very good. [*Desk thumping*]

Sen. Maharaj SC: "I like how that sound."

Sen. T. Deyalsingh: No, nice try. [*Laughter*] So I want to put on record that this Senate—and this is why, whenever the topic of constitutional reform comes up, the role of the Senate is always one that brings rich debate. The validity of a Senate, the need for a Senate, do we need a Senate, or as Lloyd Best said, "Do we need a big maco Senate", or do we need 100 people in the House of Representatives?

But, coming out of comments last week that Minister Prakash Tewarie got an upgrade by coming to the Senate does not sit—[*Interruption*]

Hon. Senator: Ramadhar, Ramadhar.

Sen. T. Deyalsingh: Prakash Ramadhar—that Prakash Ramadhar got an upgrade in coming to the Senate—

Hon. Senator: He was talking about where the man was sitting.

Sen. Singh: He was sitting on one of the back benches.

Sen. T. Deyalsingh:—does not sit well with me and I would like to reaffirm my commitment that the House of Representatives is, in fact, the superior Chamber to the Senate.

Mr. President, I want to thank Sen. Embau Moheni for his, what I would call an amazing contribution, and I will get to it earlier.

Sen. Hinds: The best—[*Inaudible*]

Sen. T. Deyalsingh: But coming out of our history from the House of Commons, House of Lords, Mr. President, allow me a few minutes to speak to the issue now of parliamentary privilege, which is indeed crucial to a democracy—[*Interruption*]

Sen. Al-Rawi: Yes.

Sen. T. Deyalsingh:—and especially Parliament privilege as it should exist in a House of Representatives, because that is what it was first developed for. It was meant to give parliamentarians certain privileges and immunities in the exercise of their function as a representative of the people, so that they could come to a Parliament—

Sen. Al-Rawi: Unfettered.

Sen. T. Deyalsingh:—have freedom of speech, unfettered, and not face civil prosecution based on what they say in an elected Chamber. That is what basically parliamentary privilege is about. That is the genesis of it.

But what has happened with parliamentary privilege in 2013, in both Chambers of Parliament, needs a lot of reflection and needs a lot of thought. You would recall, Mr. President, that Mr. Franklyn Khan had to resort to writing to you to express his discomfort in the way his name was called in the Parliament by a member of the Government. You will remember Reginald Armour, Ian Benjamin, Eleanor Araujo, had to do the same—[*Interruption*]

Sen. Al-Rawi: To set the records straight.

Sen. T. Deyalsingh:—members of the legal profession [*Desk thumping*] who felt that parliamentary privilege was abused in this Senate—

Sen. Al-Rawi: Bitterly.

Sen. T. Deyalsingh:—and felt it necessary to put on record their discomfort with what was said, and to somehow have their reputations restored. This is what we are asking the Government to do, to reaffirm its commitment to democratic principles and not abuse the power of parliamentary privilege. [*Desk thumping*] And more recently—[*Interruption*]

Sen. Hinds: PP style.

Sen. T. Deyalsingh:—you had two non-politicians again, Mr. Vernon De Lima and Mr. George Bell, who feel similarly aggrieved—[*Interruption*]

Sen. Al-Rawi: Allegation of treason. High treason.

Sen. T. Deyalsingh:—and they made allegations of treason against those two people. Is this what we voted for in 2010?

Sen. Hinds: COP members got Julien—[*Inaudible*]

Sen. T. Deyalsingh: Is this what 400-odd thousand people voted for, to have allegations made against citizens, that they are engaging in treason?

Sen. Al-Rawi: You just heard Ken Julien's name popping out here.

Sen. Singh: Is that your defence?

Sen. T. Deyalsingh: Absolutely amazing. But, Mr. President, Sen. Moheni spoke about they were a signatory to the Caribbean Association of Civil Society. Well I want to tell Sen. Moheni, they were also—through you, Mr. President—a signatory to the Fyzabad Accord, and they need to revisit the Fyzabad Accord, because the Fyzabad Accord was meant to bring together the MSJ, which has since left; the TOP, which has since been decimated; the NJAC—

Sen. Hinds: “TOP-less”.

Sen. T. Deyalsingh:—which is the most undemocratic organization on this earth. [*Laughter and desk thumping*] They have never had an election for 40 years, and the NJAC is as useless as a shirt-jac which we no longer use. Which is passé. [*Laughter*] NJAC is like a shirt-jac, of what value? [*Desk thumping*] The COP—and I remember when we were talking about constitutional reform, the mover of that Motion said, or alluded to the fact that political parties were eating their young. Now you have the COP with—what you call it—internecine warfare, where they are eating each other.

Sen. Al-Rawi: Anil Roberts, threatening to sue his chairman.

Sen. Hinds: Threatening Prakash.

Sen. T. Deyalsingh: Is this what the Fyzabad Accord, which is what this Government is based on, and now is this the sorry pass that we have now come to? That is why I have said before, this Government may have legal legitimacy—[*Interruption*]

Sen. Hinds: No.

Sen. T. Deyalsingh:—but they do not have moral legitimacy.

Sen. Hinds: Take that. Take that. I will take that. [*Desk thumping*]

Sen. T. Deyalsingh: They may have legal legitimacy via the Constitution—
[*Interruption*]

Sen. Hinds: Yes.

Sen. T. Deyalsingh:—but they do not have the moral legitimacy, because they are no longer a Government of parties, they are now parties to a Government, which is a big difference. They are parties to a Government.

Sen. Hinds: And they are drinking and eating food. That is what it is, sharing the spoils of office.

Sen. T. Deyalsingh: Mr. President, when we talk about democracy, this Parliament is the seat of democracy—[*Crosstalk*]
—but let us see how this Parliament, both Chambers, as I said before, the Lower House and the Upper House, have been abused in the name of democracy, and Sen. Moheni may want to address this again at some other time. Enough has been said about section 34—
[*Interruption*]

Sen. Hinds: Not enough.

Sen. T. Deyalsingh:—but this country and this Parliament went through—
[*Interruption*]

Sen. Al-Rawi: For now.

Sen. T. Deyalsingh:—went through burning hoops under section 34. We were promised in the debate that certain elements would be operationalized, we will have amendments to the Judicature Act to have more Masters; we will build more judicial centres—[*Crosstalk*]
—more courts; the criminal procedure rules—
[*Interruption*]

Hon. Senator: All before.

Sen. T. Deyalsingh:—all before proclamation, but one clause, Mr. President, clause 34, was early proclaimed.

Sen. Al-Rawi: Surreptitiously.

Sen. T. Deyalsingh: The Parliament then went through hoops again to unproclaim; then the rest of the Act which should have been proclaimed by January 01 was not proclaimed.

But I want to compare that, Mr. President, to the Children Bill and the Children's Authority, because last week Sen. Marlene Coudray, Sen. The Hon. Marlene Coudray, made a very revealing statement, when she said certain elements of the Children Act and the Children's Authority could not be operationalized due to lack of funds.

Sen. Hinds: What!

Sen. Coudray: I never said that.

Sen. T. Deyalsingh: Would you like—I would give way.

Sen. Coudray: Mr. President, please, I never made that statement.

Sen. T. Deyalsingh: Well, please correct me.

Sen. Coudray: I said there were certain pieces of legislation and certain training programmes that had to be undertaken before the Act could be proclaimed, never because of lack of funds.

Sen. Singh: Pay attention.

Sen. T. Deyalsingh: Thank you. So, certain training programmes before the Act was put in place. I am glad she corrected me. The question is—[*Interruption*]

Sen. Singh: Apologize to this lady, “nah”.

Sen. T. Deyalsingh:—if that could not be done because of lack of training, why was section 34 proclaimed for lack of Masters? [*Desk thumping*] That is what we are talking about. [*Interruption*] No rules, no training of judicial officers—[*Interruption*]

Sen. Al-Rawi: And no explanation.

Sen. T. Deyalsingh:—but you would proclaim section 34.

Sen. Hinds: That is right.

Sen. Al-Rawi: And no explanation.

Sen. T. Deyalsingh: No training to deal with children so we are not going to proclaim that.

Sen. Hinds: Deceptive.

Sen. T. Deyalsingh: That is what we mean by reaffirming your commitment to democracy. But Parliament has become a puppet for a Government with 29 seats and a large Executive, and this is where now the impunity for the ideals of democracy can be seen.

Let us look at the flippancy with which this Government introduces [*Crosstalk*] into the national domain serious issues, and I talk now about trial without jury. Trial without jury, Mr. President, has its pros and its cons. We are not here to debate that. What I am saying, an issue as important as trial without jury—[*Interruption*]

Sen. Al-Rawi: No consultation.

Sen. T. Deyalsingh:—with no consultation of anybody was just thrust into the public domain. Let us take another issue, two issues now for last year, 2012; the then hon. Minister of Justice said that he would free 50 prisoners for Independence.

Sen. Al-Rawi: A gift for Independence.

Sen. T. Deyalsingh: A gift for Independence. How many people have been freed to date? But this is a Government that toys with people's emotions. [*Crosstalk*] You toy with them.

Sen. Hinds: Ish and Steve.

Sen. T. Deyalsingh: Whether you are a prisoner or not you deserve a certain level of respect—[*Interruption*]

Sen. Hinds: Ish and Steve.

Sen. T. Deyalsingh:—but you toy with prisoners' emotions and months later we then hear the current Minister of Justice saying that—[*Interruption*]

Sen. Al-Rawi: Mercy committee.

Sen. Hinds: It was a treat.

Sen. T. Deyalsingh:—we have to do something else—[*Interruption*]

Sen. Hinds: Yes, she was told to say that.

Sen. T. Deyalsingh:—but that is the way we toy with people's emotions in Trinidad now.

3.15 p.m.

Another issue which has to deal with our democracy, another promise made to us, is the Caribbean Court of Justice, "It would be a present for our 50th anniversary celebrations." Do you remember that, Mr. President? It was said, we will get the Caribbean Court of Justice for our 50th anniversary celebrations. [*Desk thumping*]

Sen. Hinds: Yes!

Sen. T. Deyalsingh: We said it could not be done. [*Interruption*]

Sen. Al-Rawi: We spoke to our colleagues. We do not know what we are saying.

Sen. T. Deyalsingh: We were laughed at. We do not know what we are saying. We say, "We could do it halfway." Those were the words of the Attorney General, "It could be done halfway." Here we are now, no Caribbean Court of Justice. [*Interruption*]

Sen. Al-Rawi: And no explanation.

Sen. Hinds: Instead we are getting "soldier/police".

Sen. T. Deyalsingh: Why? That was a solemn promise; two solemn promises made to individuals—50 individuals and the country. And that Caribbean Court of Justice was pegged as a crime reduction tool, but we will talk about that later.

Sen. Hinds: State of Emergency and "soldier/police".

Sen. T. Deyalsingh: But that is what we are getting out of a new Government in 2013.

Sen. Al-Rawi: And you have the bold assurances of Sen. Moheni.

Sen. Hinds: "Wha bout" the ferry up the islands?"

Sen. Singh: And the gas pipeline.

Sen. T. Deyalsingh: Mr. President, I now turn to another aspect of Senator Christlyn Moore's contribution. Sen. Christlyn Moore in her contribution spoke about Dr. Eric Williams burning a copy of the *Guardian* in Woodford Square, I believe. And she is right.

Sen. Singh: What did he say? What did he say? He said it is the "jamette" of St. Vincent Street.

Sen. T. Deyalsingh: I said she is right. I said she is right.

Sen. Hinds: That was before the Prime Minister's speech last night.

Sen. T. Deyalsingh: Mr. President, West Indian Prime Ministers, I am sorry to say, have had a less than satisfactory relationship with the press over the years from north to south.

Sen. Singh: Who else?

Sen. T. Deyalsingh: I am sure that every Prime Minister, from Dr. Eric Williams—

Sen. Singh: Name them.

Sen. T. Deyalsingh:—Mr. George Chambers, Mr. Basdeo Panday, all Prime Ministers with the notable exception of the hon. Kamla Persad-Bissessar, have had a less than satisfactory relationship with the press. I am sure if all of them had the opportunity in their memoirs they might probably regret—

Hon. Senator: Some aspects.

Sen. T. Deyalsingh:—yeah, some aspects of that relationship.

Sen. Singh: You need “ah” teleprompter.

Sen. T. Deyalsingh: However, Mr. President, what is noteworthy about each of those Prime Ministers is that they never sought to put into the public domain or to entrench via legislation or to use legislation in a way which undermines freedom of the press.

Sen. Al-Rawi: Correct.

Sen. T. Deyalsingh: None!

Sen. Al-Rawi: Except.

Sen. T. Deyalsingh: None; not Dr. Williams, not Mr. Chambers, not Mr. Panday, not Mr. Robinson, not Mr. Manning. As I have said, they may all have had instances that they may regret now in the way they dealt with the media, but none of them, whether they were PNM, UNC or NAR, not one of them is seeking to control the media in a manner that this Government is trying to do. [*Desk thumping*]

Sen. Singh: “What you talking about?”

Sen. T. Deyalsingh: None of them have been as defamatory and threatening to members of the media as spokespersons of this Government.

Sen. Singh: Mr. President, is the hon. Senator saying that Members of this Government are being defamatory of members of the media?

Sen. Hinds: From the Parliament, yes.

Sen. Singh: No, no, no, no.

Sen. T. Deyalsingh: Mr. President, may I continue? [*Crosstalk*]

Mr. President: Senator, you cannot make statements relative to the Government or Members of it, part of this Senate, which talk to the question of their—impugn their conduct as it were, which would be a breach of the Standing Orders, but providing you do not transgress that, you are free to continue.

Sen. T. Deyalsingh: Mr. President, may I remind Members of the Government that it is a fact, undisputable fact, that there is litigation relating to the claims that I am making, and I would leave that for now.

Sen. Al-Rawi: And in defamation too.

Sen. T. Deyalsingh: But if I read from the *Guardian*, Friday, October 05, 2012, the International Press Institute:

Government Ministers must end campaign against reporters. [*Desk thumping*]
And it goes on to say, and this article originates in Vienna.

Sen. Singh: So?

Sen. T. Deyalsingh: “A public campaign led in part by high-ranking government officials to discredit two prominent Trinidadian investigative journalists must end. The International Press Institute said yesterday.” It must end.

Sen. Singh: Is in relation to what article? You mean the Anil Roberts, article, the one that they open to the court?

Sen. Hinds: Google. [*Crosstalk*]

Sen. T. Deyalsingh: So this Government's track record in threatening members of the media is well known. But let us look at how this Government is undermining our democracy when it comes to the dealings with the press, again.

Mr. President, I refer you to the Wednesday night buyout of the three television stations which occurred in September of 2012. People reacted with total revulsion, total revulsion, as to what transpired on TV that night. The Government has at their disposal CNMG, Channel 4, I believe it is. It is yours, do what you want with it. But what happened on that night was what one writer said, it was a wake, a death knell for democracy in Trinidad and Tobago—[*Desk thumping*]

Hon. Senator: Well put.

Sen. T. Deyalsingh: A death knell for democracy, that Wednesday night buyout. [*Crosstalk*]

Sen. Al-Rawi: Tell them man, tell them.

Sen. Hinds: What about the Minister of Communications, what is he doing?

Sen. T. Deyalsingh: What was discussed on that buyout, Mr. President, where Dr. Rowley parked his car, spying on Dr. Rowley during a flood. That was discussed. They were griping about investigative journalists, [*Desk thumping*] where they live and warning you—[*Interruption*]

Sen. Al-Rawi: “And how they are living.”

Sen. T. Deyalsingh: “I know where you live.” [*Desk thumping*] If that was not a threat against journalists I do not know what is. But that is what that Wednesday night buyout did.

Sen. Hinds: Vicious.

Sen. Al-Rawi: Riveting democracy.

Sen. T. Deyalsingh: Mr. President, as I said before, many Caribbean Governments and Prime Ministers have had an uneasy relationship with the press. However—[*Interruption*]

Sen. Singh: What standards for the press? It has nothing to do with that.

Sen. T. Deyalsingh:—I always say that no Government like this one has sought statutory access to the media and to engage in Orwellian bullying to get their way with the media—Orwellian bullying. [*Desk thumping*] I would explain what I mean by Orwellian bullying, Mr. President. [*Crosstalk*]

I refer to an article in the *Newsday*, page 14: “Time to revisit broadcast law” in which the Telecommunications Act—forget the writer, the Telecommunications Act—[*Crosstalk*]

Sen. Singh: Who is the author of the article?

Sen. T. Deyalsingh: Andre Badoo. Any comments? Any comments? Any comments, “eh”? [*Laughter*] You did not think Andre Badoo could write like this, “eh”. [*Crosstalk*]

Mr. President, the Telecommunications Act, 2001 talks about the:

“The concessionaire shall, on a free-of-charge basis up to a limit of fourteen hours per calendar week...”—et cetera.

Talks about:

“...the Government may require to be transmitted as a matter of public interest...”

It talks about:

“...the Government may reasonably declare any matter or event to be of public interest and require the concessionaire to broadcast...”

What this Act allows, Mr. President, is an access to the electronic media to be used in times of stress and strife so that any Government of the day could commandeer the airwaves like in a flood, a hurricane, a coup, an epidemic of polio, to communicate with the public via the media. It was not meant, and even the dictatorial tendencies that Sen. Moheni spoke about of the last administration, not even the last administration sought to use this piece of legislation.

Hon. Senator: Never.

Sen. T. Deyalsingh: Not even the last administration sought statutory access to the media in the way this Government wants to now.

I am disheartened today, Mr. President, through you, to speak to the media, to see that they have given way by agreeing to some sort of prorated access. That is the thin edge of the what—the thin edge of the wedge? This is the door that is now ajar, right, so let us please understand what this Act was meant to do.

Sen. Al-Rawi: Because next is the Data Protection Act.

Sen. T. Deyalsingh: I will give you one example of how this Act could work. If you remember during the 1990 attempted coup, the only access that Trinidadians and Tobagonians had to the voice of the then Government was Mr. Clive Pantin and I believe it was Mr. Dennis McComie, who had to literally commandeer the transmission tower to speak to us. These are the kinds of situations where a Government of the day could commandeer the airwaves, because under this Act, and under a very broad interpretation, any matter could be deemed a matter of public interest by any Government of the day. The Government may reasonably declare any matter of event to be a public interest—
[*Interruption and crosstalk*]

Sen. Hinds: Look at his face. Look at him. He carries the mark. Watch him.

Sen. T. Deyalsingh: This is what this Telecommunications Act gives, but it was not meant to be a propaganda machine for the Government. You have CNMG. Use CNMG to your heart's content. [*Interruption*]

Sen. Mohammed: It is not.

Sen. T. Deyalsingh: Use it.

Sen. Mohammed: Make your point, Senator.

Sen. T. Deyalsingh: If you did not have cable that night of the buyout, well “suck salt”. “Suck salt”. [*Crosstalk*]

Mr. President, it is time we in this country and countries around the world—because what I am about to say is not limited to Trinidad and Tobago. We understand the role of a press, a free press. A free press and a democracy is a noisy affair in all countries. As a matter of fact, the more noise you have in a society, it speaks to a higher level of democracy, because people are able to speak. So democracy is a noisy thing. [*Crosstalk*] But many Prime Ministers and many Governments try to suppress that noise. I would urge all of us to stop seeing these media as—what?—as these rogue elements. [*Interruption*]

Sen. Singh: So they are all like the Pope, above reproach.

Sen. T. Deyalsingh: As a matter of fact, I will demand and I will fight for the right of the media to print something uncomplimentary about me, because that means we have a free media. I prefer to have a system of governance where the media might engage in excesses versus one where there is censorship.

Sen. Singh: So the case of Manning going against the radio station—

Sen. T. Deyalsingh: And that is what we need to strive towards. That is why I said all Prime Ministers would probably regret in their memoirs doing certain things when it comes to the media. But no Government except yours has seen it fit to establish a reign over the media as a matter of policy.

Sen. Hinds: They buy out the top journalists and they made them—[*Inaudible*]

Sen. T. Deyalsingh: So that is what we are now faced with here. You have an unpopular Government now, like all Governments in the past—[*Interruption*]

Sen. Al-Rawi: “This one worse, though.”

Sen. Deyalsingh:—who have been subject to the writings of the media, resorting to calling the media names. Freedom of the press is enshrined in the Constitution. Let them do their work. Democracy is a noisy thing. If you do not like the noise, well put on ear muffs.

Sen. Al-Rawi: Get out.

Sen. T. Deyalsingh: Democracy is a messy thing. I prefer to live in a noisy, messy democratic society where my freedoms are enshrined, than in one where the Government could commandeer the airwaves at its whims and fancies.

Sen. Hinds: Or to be like Prakash in the COP, he “cyah” talk.

Sen. T. Deyalsingh: I prefer that system and I will fight for that system.

Sen. Singh: You are creating a straw man.

Sen. T. Deyalsingh: I prefer that system any day.

3.30 p.m.

I urge the Government to re-look at their access to the electronic media under this broadcasting code. I urge you.

Sen. Singh: Do you know what year that legislation was?

Sen. T. Deyalsingh: 2001.

Mr. President, I now move to respond, in part, to Sen. Embau Moheni and in part to Sen. Kevin Ramnarine. I had no intention of going this route today, but Sen. Embau Moheni, in his amazing contribution, spoke about the concentration of power in a Minister; boards reporting to a Minister. He spoke about the energy sector, and Sen. Ramnarine, in his contribution the last time, did also, in fact, speak about the energy sector and he made some very strong links between the energy sector and democracy.

He spoke about his daily interactions with the international business energy fraternity; he spoke about project risk loading; he spoke about the sale of Repsol's LNG assets; he spoke about Shell's 39-year legacy in Trinidad and Tobago. He said that the company's confidence in countries has a lot to do with the quality of democracy. He hinted that the profits from the energy sector in some way funds our democracy and he did say that democracy is not for all societies. He also went on to make a link between economic development and the quality of democracy, and he quoted the example of the United States of America, all this in context of what he, in the energy sector, was doing.

Sen. Moheni today, again, brought up the issue of the energy sector and other sectors: the education sector; the tertiary education sector; the construction sector. He spoke about the construction sector. He spoke about the energy sector projects running into billions of dollars US. Mr. President, based on the latitude that Sen. Ramnarine was given to talk about his exploits in the Ministry of Energy and Energy Affairs, making the link between energy, economic development, profitability in the energy sector and democracy, I just want to bring to the hon. Senator's attention a project being undertaken by the board of Petrotrin in his name, as Sen. Moheni would have said—boards, the Ministers—that has resulted in a net loss today of over US \$2.5 billion.

Sen. Al-Rawi: The AG suing them?

Sen. T. Deyalsingh: Because, Mr. President, for all the lofty claims made by the Minister of Energy and Energy Affairs, daily interactions with the business fraternity, project risk loading and so on, there is one project under his watch which is costing us, to date, US \$1.61 billion of which the catalytic converter, together with the alkyl acid upgrade, have a combined 80 per cent contribution to that US \$1 billion.

Sen. Singh: “When that start?”

Sen. T. Deyalsingh: Mr. President, this project was determined ready to go by this administration in April of 2011, with a projected contract time of four months. In June 2011, after the anticipated contract period, we were given a promise of start-up of September 2011. Mr. President, I only raise this issue because of Sen. Moheni’s contribution today.

In June 2011, after having a promise, we received confirmation of a significant impact on the bottom line of US \$1.50 as we upgrade the capacity from 26,000 barrels to 35,000 barrels, and in February 2012, we were promised it would be completed in one month. In October 2012, in response to my budget contribution, both the Minister of Energy and Energy Affairs and the Minister of Finance and the Economy, gave a tentative completion date of November/December 2012.

Mr. President, the Minister of Energy and Energy Affairs’ assertions in his contribution on this same Motion, speaks about the impact of energy and what his Ministry does on our democracy. We are now, Mr. President, close to two years after the original shutdown, deemed to be okay by this Government in April of 2011—two years. It should have taken four months.

What is the state of play? In the name of democracy, if we talk about transparency and accountability, what is the reason? What is the reason? This is why I say we really have to revisit the Fyzabad Accord, we really do, because that Fyzabad Accord was founded on the euphoria of a population in 2010—legitimately so—but that euphoria evaporated soon after. I am asking the Minister of Energy and Energy Affairs, or somebody at Petrotrin, why the silence on this project? What is the delay? Why continue—

Sen. Ramnarine: Mr. President, Standing Order 34(b).

Hon. Senator: Yes, give way.

Sen. Ramnarine: Thank you very much, Mr. President. Mr. President, with regard to this particular project, the cat cracker is one of five projects that form the gasoline optimization programme which started as far back as 2006. Once the cat cracker

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is completed, the GOP would have come to an end. I would admit, of course, we have had serious challenges in getting the cat cracker completed—the upgrade completed. It did start in April 2011 and we are now on some two years since April 2011. There have been many challenges with that project. One of the main challenges, of course, is that the contractors that were originally brought in had to be dismissed by Petrotrin, and I explained that in an answer to a question to this Parliament some months ago. The cat cracker right now, as it stands, is mechanically complete and is awaiting the supply of steam to start up its operations.

Thank you very much, Mr. President. [*Desk thumping*]

Sen. T. Deyalsingh: Thank you, Mr. President, and please notice I did give way to the Minister of Energy and Energy Affairs. But let us look—he has given a particular reason, but that reason now given does not sit with the reasons given by spokespersons over the past two years. [*Desk thumping*] Reason number one: the welding could not be completed because of rain.

Sen. Hinds: Yes!

Sen. T. Deyalsingh: I have news for you. Trinidad and Tobago has a dry season and a rainy season—

Sen. Singh: Everybody knows that.

Sen. T. Deyalsingh:—and it has been so for donkeys of years. Even if you had your one dry season in 2011, you had a dry season in 2012 and one in 2013.

Mr. President: The speaking time of the hon. Sen. Deyalsingh has expired.

Motion made: That the hon. Senator's speaking time be extended by 15 minutes.
[*Sen. The Hon. G. Singh*]

Question put and agreed to.

Mr. President: [*Desk thumping*] Sen. Deyalsingh, before you—I noted, of course, that you indicated that the question relating to the cat cracker and other matters, you sought the intervention of the Minister and you brought that into the question of democracy, requiring transparency, and so I thought that the Minister answered to that question. On the other hand, we seem to be going back to the point and belabouring it. I have a little difficulty continuing to understand where democracy—and if you could, perhaps, link the two things. Thank you.

Sen. T. Deyalsingh: Mr. “Pri”—I almost said “Mr. Prime Minister”. [*Laughter*]
Mr. President, I am ascribing office to you which you do not have.

Sen. Al-Rawi: Yet.

Sen. T. Deyalsingh: Mr. President, the link is simply this. The hon. Minister, in his contribution, spoke at length about the quality of democracy attached to economic development, attached to his operations at the Ministry of Energy and Energy Affairs. [*Desk thumping*] I have his contribution on cue on my iPad. He made the link, not I—

Sen. Al-Rawi: And you are entitled to respond.

Sen. T. Deyalsingh:—and I am now entitled to respond to his response when I gave way. So I hope I am on solid ground but I will try to make the link. [*Desk thumping*]

Responding to his claim that the project was stopped for various reasons, I am simply putting on record that the hon. Minister should be aware that reason number one was rains, reason number two was accidents, reason number three was the firing of Chicago Bridge and Iron, which you alluded to, and reason number four was industrial action. Which of the reasons? That is all I am asking, because, Mr. President, the link between this and democracy now, goes back to an outmoded model of development.

You remember in the old days when we used to make sugar, Mr. President, we will take the sugar, refine it here, send it to England, make Cadbury chocolate and then buy back the chocolate here. We, in the PNM, took this country away from that model of economic development, where we were making our own value-added products here. Because this cat cracker is down for two years, we are now importing chocolate from England and eating it here, [*Desk thumping*] when the cat cracker could have been up, and supporting the hon. Minister's contention about democracy, we would not be buying fuel feedstock from abroad and simply processing it here.

That model of economic development, I think, was expounded on and ditched by Sir Arthur Lewis.

Sen. Al-Rawi: In the face of lawsuits against other persons.

Sen. T. Deyalsingh: So the question is, the hon. Minister needs to make more than the statement he made today because, again, we have turned this country around in the name of democracy. We are now importing chocolate to eat here when we should be making it here because the same boards that Sen. Moheni spoke about, that same board is incompetent and inefficient and has totally mucked up this project [*Desk thumping*] which they said in April 2011 was a go.

Sen. Al-Rawi: And you are sending pre-action protocols.

Sen. T. Deyalsingh: So they have blamed everybody except themselves.

Sen. Al-Rawi: And sued as well.

Sen. T. Deyalsingh: They have blamed everybody except themselves.

So, Mr. President, I do thank Sen. Ganga Singh for allowing me an extra 50 minutes. In winding up, I will say that the Government should really reaffirm its commitment to the principles of democratic principles. You need to go back to the electorate with FITUN; you need to go back to the electorate with the MSJ. That was the basis on which you gained power, a link with parties like the MSJ.

You need to reestablish your support of the unions. Do you remember, in the name of democracy, how the Prime Minister walked with the unions on that first labour day, but the second labour day, no such hugging, linking of arms? You need to reaffirm your commitment to the Fyzabad Accord. You need to go back to Tobago and deal with TOP.

Mr. President, as I close, I urge this Government to re-look at its relationship with the media. Please stop calling them names. I am a defender of a free press with all its excesses—and there are excesses—and there is a lesson to be learnt Mr.—I almost said “Mr. Prime Minister” again. There is a lesson to be learnt, Mr. President, out of the recent example of the United Kingdom, where we saw an unholy alliance between the media and politicians and the ability of the media to influence elections, and I speak specifically about the Murdoch empire and *Daily News Corp* and the revelations that came out of the phone hacking scandal.

3.45 p.m.

I would advise any media—[*Interruption*]

Sen. Singh: Two editors were jailed.

Sen. T. Deyalsingh: I would advise all media practitioners to always have a healthy scepticism and keep a healthy distance from politicians and vice versa.

Sen. Coudray: Including you!

Sen. T. Deyalsingh: Including me? [*Laughter*] Sure, I agree with you. I said “all”—because when that relationship becomes clouded, the impact on democracy can be severe, as we saw coming out of that *Daily News Corp* exposé, where you have Prime Ministers, both sitting Prime Ministers and incoming Prime Ministers, on cozy texting relationships with editors of newspapers, signing their off texts “lol” and the poor Prime Minister did not know what “lol” meant—[*Crosstalk*] So I want to urge—“eh?”

Hon. Senator: Lots of love! [*Laughter*]

Sen. T. Deyalsingh: Yes, he did not know.

Hon. Senator: Laugh out loud!

Sen. T. Deyalsingh: He did not know. He thought it was “lots of love”, it meant “laughed out loud”!

But the point I want to make, Mr. President, is that I stand, and we stand here, in support of a free media as guaranteed in the Constitution with all its failings because the opposite is not nice to think about. This is a call that goes out to all politicians, myself included—[*Interruption*]

Sen. Coudray: Yes, Sir.

Sen. T. Deyalsingh:—myself included—that media practitioners are simply doing their jobs when they report. They reported on the past administration. That was their job!

Sen. Singh: What about when they lie?

Sen. T. Deyalsingh: That was their job. If they lie, honourable, you have access to the courts, you have the Media Complaints Authority, do it! But to resort to name calling and to resort to threats against—and talking about “I know where you live”, which is a threat on your personal safety, I draw the line.

Sen. Hinds: “And if lying was ah problem, he wouldn’ be in dat Government.”

Sen. T. Deyalsingh: I draw the line on that!

Sen. Hinds: “He couldn’ stay there!”

Sen. T. Deyalsingh: I draw the line on a campaign of e-harassment which happened. I draw the line on a campaign of e-harassment. That cannot be good for our democracy; [*Desk thumping*] cannot be good for democracy.

As I said and I close again, Mr. President, I make the point finally, democracy is noisy, get used to it, but do not vilify those who have a different opinion or who criticize you, whether is the PNM or not. There are writers who criticize the PNM every day; that is their right! That is their right and I will defend that right! I will defend the right of any writer to be uncomplimentary to the PNM.

So, Mr. President, as I close, this is just a wake-up call to all of us who should know better. We live in what we call “ah eat ah food syndrome” where we eat the food—[*Interruption*]

Sen. Al-Rawi: Not “we”, they!

Sen. T. Deyalsingh:—whoever eats the food supplied by whomever, we doze around in the midday sun, we feel sated, contented, but my advice is to all of us who are “eating ah food” and who are turning “ah blind eye” [*Desk thumping*] to what is going on in this country, my advice to you is to take an Andrews, burp, get up and “do yuh work”. Mr. President, I thank you. [*Desk thumping*]

Sen. Elton Prescott SC: Thank you very much, Mr. President. Thank you very much, Mr. Al-Rawi. Thank you very much for this opportunity to enter the debate on the private Motion of Sen. Fitzgerald Hinds which reads:

“WHEREAS the Constitution of the Republic of Trinidad and Tobago in its preamble, its terms and spirit, recognises and promotes the observance and practice of democratic principles;

BE IT RESOLVED that the Government re-affirm its commitment to these principles and the practice of democracy in Trinidad and Tobago.”

Now, Mr. President, if you would permit me, I am in celebratory mood today, and this debate provides a very pertinent opportunity to be celebratory, because none of us, I think, can deny that over the past 50 or so years, we have managed, through successive Governments, to sail within the boundaries of democratic principles. None of our Governments has managed to step outside of it and not be brought back into line. They have all been guilty, to some greater or lesser extent, of making attempts to place their own successes on greater foundation. But, invariably, the society, and in particular its institutions, have been alert to any efforts to go outside of the line, and so we have reason to celebrate when we speak of Trinidad and Tobago as a country which observes democratic principles.

Perhaps I could make the distinction. I do not want to be speaking about electoral politics at all, but more about how our people have observed democratic principles. So perhaps you would permit me to, since the resolution is framed in the language of the preamble to the Constitution, read from it those parts of it which are pertinent.

Mr. President, it may appear to some people that the preamble represents the laws of the country when, in fact, that is not so. Laws tend to be reactionary and they are created to meet situations that have developed from the practice by members of the society of behaviours, cultures, even their own religion. The mores of the society determine, however, what the preamble should say and the preamble acknowledges those mores. So it reads as follows:

“Whereas the People of Trinidad and Tobago—

- (a) have affirmed that the Nation of Trinidad and Tobago is founded upon principles that acknowledge the supremacy of God, faith in fundamental human rights and freedoms, the position of the family in a society of free men and free institutions, the dignity of the human person and the equal and inalienable rights with which all members of the human family are endowed by their Creator;
- (b) respect the principles of social justice and therefore believe that the operation of the economic system should result in the material resources of the community being so distributed as to subserve the common good, that there should be adequate means of livelihood for all, that labour should not be exploited or forced by economic necessity to operate in inhumane conditions but that there should be opportunity for advancement on the basis of recognition of merit, ability and integrity;
- (c) have asserted their belief in a democratic society in which all persons may, to the extent of their capacity, play some part in the institutions of the national life and thus develop and maintain due respect for lawfully constituted authority;”

And I will just read one more:

- “(d) recognise that men and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law;”

So these are the principles which guide us. You would not find the words “democratic principles”, as are used in the resolution, set out in the preamble. But it cannot be gainsaid that what is meant by the preamble is, that we are founded upon those very principles and we practise and we support and we defend them, and the greater the effort we put behind doing those things, the greater the chance that we will forever be a democratic society and not the other kind.

However, there are some things that I think we could focus on for the purpose of determining how we should resolve what is before us. One of them is that in our exercise of the—well, sorry; in observing the extent to which people by their—within the extent of their personal capacity can contribute to the society and to the democracy, I reflected on things that have happened since this resolution has been placed before us. People have been protesting in this society as a means of demonstrating that they feel that they are being denied some right, some right which the preamble acknowledges.

So, for example, we have had over the past few months, since 2012, I think it was November, there was an occasion when a soldier died in circumstances that remained uncertain for quite some time, and almost immediately in the San Juan area where he had lived, people had come out onto the streets protesting in an attempt by them, it appears, from how the newspaper had reported it, to ensure that justice was done.

It might have seemed ridiculous at the time because one could not have assumed that the police would have immediately gone out there and arrested anyone and taken them to court and got a resolution within any reasonable period of time. Certainly one had to make inquiries, have an investigation, have autopsies, et cetera; as it turned out in this case where there were several autopsies, and I suspect that half the population still does not know on which they should rely.

The point was, however, that such protests brought attention to people's frustrations. There were frustrations in some cases that may not have even been related to what had transpired. What we know is that it got attention and that is what has been happening in this society that people, to the extent of their capacity, are playing some part in the application of democratic principles to themselves. So that when you see a re-route movement protest, it takes a different form, but it gets attention. The powers that be know better than to walk away from it.

It is in those regards that I say we ought to be celebrating our democracy because we know that there are people who are offended by protestors. They inconvenience quite a large number of people. On any given day, if you were to lodge a protest—launch a protest, rather, at any major junction in this society, hundreds, thousands of people are going to be inconvenienced, but it is a way of expressing one's frustrations at how the politics are working, and at the same time, taking advantage of the fact that this is a democratic society, and we are entitled to pronounce and to protect and to defend our freedoms, and to demand that we are given an opportunity to live within the society as free people.

So that you may recall in February there was a very tragic accident in the Sea Lots area, one which has been gaining the attention of the police, but immediately, the community came out and there was long and repeated blockage of a major traffic artery. As it turned out, a Minister of Government, having attended upon the area, promised that a walkover would be built at the point, and that people's frustrations, hopefully, would go away. Now, we know—we know—that that promise cannot materialize within the time it takes for people's grief to subside.

Sen. Hinds: "He lie."

Sen. E. Prescott SC: There are many of us who think that a walkover, or even police assistance to cross the street at that point, really is an abuse of other people's rights to travel on the road. The balancing act must be very difficult for Governments, but it is all done in support of people's freedoms and in support of people's inalienable rights to enjoy their property and to pursue their lawful desires.

If, therefore, a Government Minister promises a walkover at Sea Lots, he is probably thinking that this is a perfect opportunity to demonstrate electoral prowess, political prowess, but the society needs to be alert to the fact that what is demanded of all of us is an observation and a protection of people's rights to live, to earn their livelihood and to advance within the society.

May I just move to another area of concern, Mr. President, to what is called the equality of opportunity? The preamble acknowledges that there should be equality of opportunity and every citizen seems to understand that there must be such opportunity made and provided to it, but today there are many of us who think that we are not experiencing that equality.

We feel deprived. People feel that they are victims of skewed distribution of resources, of justice, of privilege and of security in the society. My reason for mentioning this is that one needs to be very careful and our society needs to be alert to ensuring that they understand what opportunities are available to each of us as individuals.

4.00 p.m.

The best example of equality of opportunity that I could think of, coming here, is the work of the wrecker on the streets, in that it does not appear that it makes any distinction between those who drive luxurious cars and those who do not. If, therefore, I am right and the wreckers do not discriminate, then we all have equality of opportunity. It might appear to be a frivolity to mention such a thing, but taken in a wider context, we need governments to assure us, by their pronouncements and by their deeds, that there is an equal distribution of resources among us. And I do not mean that we must each get the same piece of the pie, but we must each be given an opportunity within the extent of our capacities to enjoy some of the basic freedoms, to enjoy some of the resources that the society has, and there are many.

So that, in leaving that point, I wish to make it clear that if, at all, the Government was inclined to reaffirm its commitment to the principles and practice of democracy coming out of this resolution, then one of the things it ought to tell us is that it stands behind this equality of opportunity and that all of us would benefit in pretty much the same way, according to our capacities.

There are three areas that I should like to focus on next, Mr. President, which can only enhance the practice of democracy in this country. One of them is political campaign financing. I am very much in support of those who call for political campaign financing to be given the support of laws. It will demonstrate our commitment to democracy. It would provide a guide to all of us, as to who are the movers and shakers behind political parties and, therefore, we will know who is in the loop when a political party comes into office. We will know who are the major contributors and we will know who are the bottom feeders as well. That is a way of putting into the minds of our people that Government does not—sorry, let me use an analogy.

There are people who think that political parties come into government with their own supply of money and it is that that they use to dole out to people and, presumably when the next election rolls around, call in the chips, but we ought to know that it is not so. What moneys are being used within the society are moneys generated from within the society, by the use of exploitation of our resources, et cetera and that, therefore, the beneficiaries of government largesse must be known to all of us and we must know why and how they have come to be in those positions.

If it is through political campaign financing, then let us know. And, therefore, we will be able to determine when we see contracts being awarded or people being appointed to positions of high office, we will know precisely what has led to this. Today, when appointments are made, there are too many of us who are uncertain as to how it should be done and much too many who are skeptical about the criteria that are applied in making those choices.

In the same vein, I would be supportive of the democracy being placed on a firmer foundation by instituting a provision in legislation for fixed dates for elections or for the recall of parliamentarians. Those promises are sometimes made on the campaign trail and then we hear no more of it. But a Constitution and a people would benefit greatly if these matters were made more certain. And so, in support of this resolution, I myself would say that there ought to be introduced into our society legislation regarding political campaign financing and recall of parliamentarians, as well as determining fixed dates for general elections to office.

In the next area that I wish to speak about, Mr. President, there is a great deal of it occurring and one could be satisfied that that too is a support for democratic principles. And speaking about the consultations that occur between and among political parties, the governing party and those who hold different views, as it turned out quite recently, after the Tobago House of Assembly election, there was an announcement, and I saw it manifested subsequently, that there would be a resumption of meetings between the Chief Secretary of the Tobago House of Assembly and the Prime Minister of this country. I only know of one meeting so far, but then one cannot be too rushed in these circumstances. I am sure and I am certain, given his track record, the Chief Secretary will let us know when he thinks his patience has run out for the next meeting. [*Laughter*]

What these meetings can do, the value of such meetings and such consultation, is that it puts the public's mind at rest, that there are people out there who can take non-partisan positions, or who can put aside their partisan positions and look at the wider good. Sometimes that is all that we need as citizens, to know that all is not happening in the court of one political party; that there is a greater concern for us as citizens, so that non-partisan behaviour, when legislation comes to the Parliament, as has been exemplified here throughout the past three years, that kind of consultation and meeting of the minds, to allow for legislation that is in the wider interest of all of the people, those are laudatory behaviours.

I would wish to place on record that over these past three years both celebrated political parties have been working outwardly to promote legislation that will serve the general good and we ought to take that into account and be celebratory of it. There will be strategic manoeuvring. That cannot be avoided. In fact it is necessary to the survival of parties. But one would look forward to the outcome being that the society is getting greater value from its legislators than all the prize going to the winner.

I have one more area that I wish to address, if you will permit me, Mr. President. There used to be a tripartite conversation in labour matters in this country. I recall the last of it being in the 1990s, but if that is not correct I would accept any kind of correction. We need to bring government, labour and business back to a set of formal meetings. The trade unions have been experiencing ebbs and flows over the past 10/15 years, in that governments appear to be distancing themselves from trade unions more and more in reality. I am not speaking about people appearing on platforms—[*Interruption*]

Sen. Lambert: “PNM, PNM. Ah could tell yuh.”

Sen. E. Prescott SC:—when it suits their purpose. I know there are trade unionists who will interpret what I am saying—*[Interruption and crosstalk]* I know that there are trade unionist practitioners who will interpret what I am saying to suit themselves—*[Laughter and desk thumping]*—but what I am urging is a return to tripartism.

Sen. Al-Rawi: The lone voice.

Sen. E. Prescott SC: There can be no doubt in anybody's mind that if labour is participating—*[Interruption]*—thank you very much, Mr. President. There can be no doubt in anybody's mind that if labour is participating, seen to participate in the business of government and I use “government” with a small “g”, if labour is seen to be comfortable in those relationships, then much of our productivity will be maintained, our high standards of productivity will be maintained. *[Interruption]*

Sen. Al-Rawi: High?

Sen. E. Prescott SC: Yes, I think maybe I was a little exaggerating. I used an exaggeration when I said high standards of productivity. Much of our productivity would be maintained and the high standards that we aim for might become achievable.

Sen. Al-Rawi: Smooth.

Sen. E. Prescott SC: Much of it will result in less anxieties within the society. What happened recently at Petrotrin and at Trinidad Cement Limited cannot be celebrated by any of us. It brought no joy, either to the protagonists or to the Government and it certainly did not bring joy to the citizenry in general and maybe, maybe, a return to tripartism will reduce those anxieties among the citizenry.

So that I make that bold plea and I am saying, if it pleases you, Mr. President, that too is a significant component of the democracy that we should encourage. It fits well within the preamble. You may recall that I had read, at the outset, a reference to labour being within the preamble. It says:

“...there should be adequate means of livelihood for all, that labour should not be exploited or forced by economic necessity to operate in inhumane conditions but that there should be opportunity for advancement on the basis of recognition of merit, ability and integrity;”—

and that—“...all persons may, to the extent of their capacity, play some part in the institutions of the national life and thus develop and maintain due respect for lawfully constituted authority;”

So you see, we have juxtaposed those two concepts. We say if you want to see people exercising and having respect for lawfully constituted authority, allow them to play some part in the institutions of national life, allow them to believe that the democracy works for them, if only to the extent of their capacity. Each of us has some kind of capacity. Each of us can make some kind of contribution and our independent, individual feelings of dignity will return to us threefold, multifold if we were to observe the precepts, the principles, set out in the preamble to the Constitution.

Mr. President, in supporting the Motion, I am not concerned whether the Government speaks publicly to a reaffirmation of its commitment to these principles because I am satisfied that this Government does appreciate that there are principles of democracy which should guide all of us. I am satisfied that this Government knows what its limitations are and what our expectations are. My only hope is that in their strife for it, we all benefit to the same degree. Thank you very much. [*Desk thumping*]

Sen. Al-Rawi: Well said.

Sen. Dr. Lennox Bernard: Thank you, Mr. President. I think, just as my colleague said, that this is an opportune time, midterm in the life of the Legislature, for legislators in this seat of democracy to reflect on our democratic principles. The words of the calypsonian, Funny, come to mind when, in speaking 25 years ago, he asked: "25 years have gone, how you feel?" and it forced me to reflect on "50 years have gone, how you feel?"

4.15 p.m.

I looked for some of the principles of democracy across the literature and I came up with thirteen principles outlined by an institution called Street Law Incorporated in its web page "Democracy for All." What they did was to examine democracy across various nations and they sought to encapsulate those principles that governed most of them. These principles are—and Senators I will say them slowly and then maybe just touch on one or two of them briefly, in keeping with an attempt to reflect on them.

Citizen participation is the first one. I heard my colleague, Sen. Prescott, as well as Sen. Moheni speak about participation in our session today. Equality is the second one. Political tolerance is the third; accountability, the fourth; transparency, the fifth; regular free and fair elections, the sixth; economic freedom, the seventh; control of the abuse of power, the eighth; Bill of Rights, the ninth; accepting the results of elections, the tenth; human rights, the eleventh; multi-party system, the twelfth and rule of law, the thirteenth.

Now, I am not sure they did it with any pecking order or arranged on order of merit. Citizen participation that Sen. Moheni referred to is considered to be the most basic signpost or the fulcrum of our democracy. In fact, when we look at the word “participate”—I remember the African proverb many years ago, a Ghanaian proverb actually: man is no palm nut self-contained.

The translation done by people like Wole Soyinka suggested—because the palm nut was considered to be the fruit that can give us anything or everything for sustenance, but mankind is not like the palm nut self-contained or man is no palm nut self-contained. When translated, for a long time the philosophy that govern many people in West Africa and other parts of Africa, Central Africa too, was the fact that I am because I participate. So your joys were my joys, your anxieties mine, your sorrows mine.

In fact, in some parts of Central Africa while the lady lay writhing with labour pains, the husband would be alongside her writhing in pains and it could not be explained anatomically, because in essence he was going through a sort of spiritual relationship with his partner.

Then we got into the René Descartes era of *Cogito ergo sum*—I think, therefore I am. And there we are in the world today where brain power is the order of the day and where with brain power and knowledge power has come individuation. This is a cycle and this is where we are in our world and even though as fortunate people in this part of the world we have been favoured for cooperation in things like “gayap, lend hand, panchayat, sou sou”, the culture of the barrack yard, friendly societies, all of these are dissipating or have gone and we need to replace them with something else.

Eric Williams, our father of the nation, had in his wisdom institutionalized two very important—and I am suggesting that this Government can look at them again. One was the Best Village which was the folk fair that brought people together and, in that, not only did they provide the entire society with an array of folk traditions and folk artifacts and the works, but that they, in fact, provided that sense of cooperation.

Susan Craig in her very interesting work—Susan Craig our Tobagonian colleague—suggested that, would it that Eric Williams had allowed it to continue without it becoming politicized. That is why I warn Sen. Moheni in his new quest to launch his civil society board, to guard against any grave attempt to politicize what can be a natural development among our peoples. It is sad when these things happen.

Another great thing that Eric Williams did, and I suppose he must have read people like Habermas and others, because he was that kind of avid reader, was the “meet the people” tour, where you went into villages—and I think Sen. Tewarie had done some of that not too long ago where he was trying to work on what was happening on the ground.

What Habermas says in that regard is that people have a lifeworld, their cultural experiences. A guy named Bordeaux says it differently, you have what is called a habitat, your mental habit. The system has to ever so often interrogate those areas to find out what people are thinking, feeling and want. Habermas warns us that if you do not keep interrogating that lifeworld, there will come a time when the lifeworld will go on its own and you will not be able to visit it. Is that not so clear to us now where there are parts in our dear country that we cannot visit, we cannot even send our T&TEC workers in unless they have some armed sort of assistance?

Some of the various people who sell their merchandize are unwilling to even go in, simply because we have failed over time to interrogate how people feel and how people live, and therein has been the breakdown of some of our engagement in that participatory aspect. So I feel any Government that is sensible and sensitive to people must engage in what Habermas again—and he has an excellent website that we can all go to—refers to as communicative action. Communicative action is not about telling people what you want of them. Communicative action is a dialogue between peoples whereby you raise their level of consciousness as you probe and find out what they are about.

I keep remembering Sen. Al-Rawi’s beseeching Senators on the other side to provide an explanation, and I smile to myself even wondering if Sen. Al-Rawi is fully aware that there is a whole range of literature on what constitutes an explanation. An explanation is a statement, yes, an explanation has historical and social antecedents, and as I tell my colleague, Sen. Prescott, an explanation may be bounded by law.

So when we sometimes seek an explanation, we do not glibly want to hear something that just relates to a statement and that sometimes, Mr. President, when we may appear to be irrelevant could be times when we are applying the historical or social antecedents to an explanation.

Sen. Al-Rawi: Well said.

Sen. Dr. L. Bernard: I want to move quickly then on to the question of equality, and I am happy Sen. Prescott related this to us. Politicians, technocrats confuse equality of opportunity with equity. And there are people like Christopher

Jencks—and allow me to quote Jencks' definition of what equity is. Christopher Jencks says that equity is not the same as equal opportunity. Equity focuses on outcomes and results and is rooted in difference and fittedness of each individual.

Baroness Warnock, she is still alive, a very old lady took it in the 80s and said the same thing, and she compared it to a race, calling a race *currere*, the word curriculum comes from it, she said yes, in a race course you can have lanes, you can hear a starting pistol, you can know when you reach the end, and you can all say that everybody has had an opportunity to run that race, but the equity part to it is, have they all come with the same shoes? Have they all had a breakfast? Can they really all hear the starting pistol?

And that is what people like Sen. Karim, Sen. Tewarie and others have to consider when they say to us, GATE is there for everybody. Yes, GATE is there for everybody, but can everybody truly access GATE? Can they truly access these things? [*Desk thumping*] And this is where we have to examine constantly Sen. Prescott's point, how we deal with equal as fitting, equal as different. And Sen. Al-Rawi said it again when he said—and I do not know if he realized how profound was some of those things he said—we are a nation of minorities. And if we are a nation of minorities why then are we not pursuing our gender policy Bill that seeks to provide some of the minorities that equal as fitting, that equal as different?

So that in essence we have to move and it is something that we have failed over time. We have just completed that study and what we found, Mr. President, was, that policies over time have failed to take the people into account as they were different, and as such with all the goodwill in the minds of Eric Williams coming all the way down, because we did not take the people on from early, make them participate as Sen. Moheni was saying, that in essence we did it for them but not with them.

The next one that I would touch briefly on is the whole question of political tolerance. We are proud that we are doing relatively well with that. We are not scoring well on the accountability and transparency listing over time. In 2010 we ranked 73 out of 178 countries, with a score of 3.6 out of 10; in 2011 we ranked 91 out of 183 countries with a score of 3.2 out of 10. That is why I plead with this honourable Senate on the basis of democracy that we get our procurement legislation in place. [*Desk thumping*]

Regular free and fair elections, again, Sen. Prescott raised the issue of campaign legislation that is so necessary that we can then put some order to what is indeed a problem of great concern.

4.30 p.m.

And a little word about the environment, there is a little Dutch island, St. Croix, it is on its own now, but they have an interesting law. One, they do not allow us to deface all the walls with these paper posters at election. In fact, most of them must come in a sort of acrylic or plastic-type thing that can be removed, and the law is that if after the third week after election these things have not been removed from the environment, then the party to which these things refer, they are charged. And I think, with elections coming our way soon, local government and then followed by our other general election, that we should do something and get some legislation in place to stem the tide of the way it destroys the environment or makes it ugly with all these various buntings and so on that are not taken down.

Mr. President: Sen. Bernard?

Sen. Dr. Bernard: Yes.

Mr. President: It is now 4.30. I propose to take the tea break at this time. Leader of Government Business.

ADJOURNMENT

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Mr. President, I beg to move that the Senate do now adjourn, as is the convention on Private Members' Day, to April 02, 2013 at 1.30 p.m., on which we will deal with the Bill to amend the Defence Act, Chap. 14:01 and the Police Complaints Authority Act, Chap. 15:05.

Greetings

**(Spiritual Shouter Baptist Liberation Day,
Easter and Phagwa)**

Mr. President: Before I proceed to put the question on the issue of the adjournment, of course, we have a number of special days coming up, so I would invite Senators, who might want to talk to the issue, to bring greetings.

The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh): Thank you, Mr. President. There is a confluence of events this weekend: Phagwa, the Hindu Festival of Spring and of Colours, the Spiritual Baptist Liberation Day and also the Christian Easter holidays where there is the resurrection of the Christ.

Greetings

[SEN. THE HON. G. SINGH]

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But we are in a unique situation in our multi-religious society over this weekend and it is made all the more extraordinary with the presence of the Head of the Council of Elders of the Spiritual Shouter Baptist faith here this afternoon as a Senator. So, Sen. Archbishop Barbara Burke will bring greetings on behalf of the Government. [*Desk thumping*]

Sen. Archbishop Barbara Burke: Thank you, Mr. President. I want to start by sending best wishes to my brothers and sisters of the Council of Elders, Spiritual Shouter Baptist faith of Trinidad and Tobago.

Today we want to thank God for bringing us safe out of bondage. You see, we were banned, in 1917, just for praising God. It took us 34 years before one Archbishop Elton George Griffith pleaded with the Albert Gomes Government to set us free and after that 34 years when the ban was lifted, our ancestors still had problems. They could not marry their own people; “they could not even self hold ah seat in the Parliament. Nothing they could have done” until one holy and blessed day, the hon. Basdeo Panday, the UNC Government, your humblest servant here, “give me a seat in Opposition becor the PNM Government was looking at festivals and holiday.”

So I sat on that side “dere” in 1995—I came in as an Opposition Senator—and while I was sitting “dere”, asking for a national holiday, the PNM Government denied us. They said, no we could not get it. But that same year the election was called and the PNM Government demitted office and the UNC Government was the Government in charge and the very first thing that the hon. Basdeo Panday did was to grant the Spiritual Shouter Baptists a national holiday.

So I feel so happy and so proud because it took 44 years before the—so it looks and it seems that we were alienated even though we were born in this country; “we grow up in this country, but yet we did not had a holiday” and we were not free. So it took the UNC Government to have compassion on a group of people “dat” praising God in this illustrious country. [*Desk thumping*]

Our ancestors had trials and tribulations. They were sent to prison “jess” for praising God. They were fined “jess” for praising God. I have never seen or heard “no other religion in this country went through” so much persecution, but, today I want to speak of our achievement.

In granting the holiday, the hon. Basdeo Panday “give us land”. He obliged us “ah opportunity” for lands. When we received the lands, we also had the privilege to obtain a “kindergarden”; “den” we demitted office. The PNM came. We opened the “kindergarden”; we could not run it “becor de road dere” was so difficult and I

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want to say, “the PNM Government refuse to buil’ ah walkway” to accommodate the little children, but as fate will have it—they say weeping may endure for a night, but joy will come one day in the morning—that the PPP Government came into office and while they were into office, we have a lovely overpass which will be opened on Saturday, March 30. [*Desk thumping*] So I am telling you about our achievements: a holiday, land, “kindergarden” and we are members of the IRO today. So we sit in the interreligious office. [*Desk thumping*]

And just to let you know, we have a primary school and it was opened on March 30 last year, and in September, we took an intake of “chirren”. [*Desk thumping*] I will let you know a little more. We have put up five students to write the SEA. By the help of Almighty God, we are trusting and hoping that we will get our children’s five passes. We want to thank God also for that.

But this honourable House, we are celebrating Spiritual Shouter Baptist Liberation; but to my brothers and sisters on the other side, who will be celebrating Easter, it is a time when Jesus the Christ went to the cross. He had no sins of his own, but he died to save us all. He died that we might go to heaven saved by his precious blood. He died to give us life, life in abundance. So my brothers and sisters, who will be celebrating birth, death and the resurrection of Jesus Christ, I wish them a happy Easter, a blessed and holy Easter.

Jesus the Christ, when he rose from the grave, we sing Alleluia! But he give us life, “eh”, and my God will bless this nation. I want him to bless this nation richly and, to this honourable Senate, “let us unite together” to move this country from the scourge of crime. This is the “onliest” request I beg as we are walking down this road.

You see, crime, when you look at it, where our family—we all are family by Christ—our neighbours, everybody, “we are all God people”. They are being murdered in the home. They are being murdered on the street. Sometime you walk and you watch the people lying on the road and this is my humble plea: sisters and brothers, do not let us wait until it is one of our relatives.

I remember I sat in this Parliament when Sister Nafeesa was robbed of her car. So it had hit home. “And let us doh wait that one of our bredders” murdered or our sister into our home. We must sit down together, put our minds together to solve crime in this beautiful country.”

Stop! Let us only try, “I doh want dis Bill pass; it musn pass; ah block it; ah makin a lot ah query.” If a Bill—I remember, in 1995, if a Bill needed to be rectified, I remember Ramesh use to sit in here and Martin, the hon. Martin Daly,

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and they used to sit down and get the Bill “as long as the Bill going to do good for the country.” Let us work together. This is all I “beggin” as we go into this celebration. “Doh wait!”

Mr. President, this is my plea. This is my humble wish. Also, I have and I want to let you, this illustrious Senate, know that we are in the process of obtaining lands to accommodate a secondary school and I want to say, let us not always—you see, I “doh know why we were blocked and is only the UNC Government that could have had compassion on us.”

I listened to the hon.—dear Lennox Bernard, Dr. Lennox Bernard speak. He was speaking about equality and everybody knock “dere” desk. I believe that PNM should not knock “dere” desk because we did not have equality in a land of ours. [*Desk thumping*] “Doh” knock the desk. I felt here hurt watching you all knock the—because I “were” the person that “were” placed into the Parliament and I sat there and I watched you all on this side refusing to embrace us. But, you all did not; God embraced us; the UNC embraced us and, Mr. President, I want to say thank you and God bless our nation.

Sen. Shamfa Cudjoe: Thank you, Mr. President. I, too, want to join in extending greetings to the national community as we celebrate these three holy days.

First I want to bring greetings from the Opposition Bench to the Hindu community in celebrating the Phagwa celebration. This holy day is also called holi and it has been around as early as 1845. It is a festival of colours and it is celebrated in song, music and dances. I got the chance this weekend to see some of the celebration in Bon Accord, Tobago, so I want to say happy and holy Phagwa to the Hindu community. [*Desk thumping*]

Next, Mr. President, I want to extend best wishes on this blessed occasion of Easter as we commemorate the suffering and the sacrifice of our Lord and Saviour, Jesus Christ, and as we celebrate the resurrection of our king.

Many of us would have undergone a period of fasting and reflection and repentance during the Lenten season. I note specifically here in the Parliament, the chicken would be used up last or the caterers would have to take back the chicken at the end of the day because some of us would have given up chicken and meat during the Lenten season, so this Sunday presents the opportunity for us to break that fast and take part in the Holy Feast or what we call the Love Feast.

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4.45 p.m.

At this time of year, it is typical for many Trinidadians to travel to Tobago to celebrate Easter. We are celebrating the 88th year of our goat race and crab race celebrations. Unfortunately, we in the Parliament would not be able to partake because we have to be here on Tuesday—

Sen. Al-Rawi: Every year! [*Laughter*]

Sen. S. Cudjoe:—for the defence Bill. Every year the Government promise us next year, next year, next year, we will get Easter Tuesday off, but in Tobago it is pretty much a holiday for us. A lot of people do not go to work or do not go to school, and then you hear people calling in on the radio saying that it should be a holiday in Tobago. But for everybody who is travelling to Tobago and those in Tobago for the Easter celebration, I want to wish us all a happy, holy and safe Easter.

Finally, Mr. President, I wish to bring greetings to the Baptist community on the 17th celebration [*Desk thumping*] of the Spiritual Shouter Baptist holiday and on the 62nd anniversary marking the repeal of the Shouters Prohibition Ordinance, giving members of this great Baptist faith the opportunity and the freedom to practise their faith as any other religion in Trinidad and Tobago. [*Crosstalk*]

Now, Mr. President, I think the fact that the Spiritual Baptist religion stands strong, alive and well today and, might I add, stronger than ever after 34 years of being prohibited, I think it is a testimony of the strength and the reliance of not just the African people, but all people of Trinidad and Tobago. [*Desk thumping*]

Mr. President, in addition to the vibrant, expressive, dynamic and powerful nature of this religion, I am particularly pleased with this practice of elevating women in the Baptist religion. [*Desk thumping*] In each church you will have a mother, and that person would care for all the members of the church there, like the leader of the church. Very rare—in most churches, I know in Tobago, the leaders of the churches are women and we call them “mother”, and she is not just mother to the church, but she is also mother to the entire community.

She is known by many to be like a bush doctor or a bush lawyer, and you go to her for counsel and for advice. I think that we must recognize and commend the role that Baptist women [*Desk thumping*] and leaders play in our community, because they have a special and unique knowledge about nature, about healing, herbal healing and about life. Sometimes you go to the doctor with a problem, and the doctor would direct you back to somebody else in your village who could help. I know specifically women who have problems with a womb that shifts or with—

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Hon. Member: “Narra”!

Sen. S. Cudjoe:—yes. As the Caribbean Beat said a couple months ago, they brought us an issue on the “narra”. [*Crosstalk*] And as we say in Tobago—I do not know if you say it here too—“like if yuh bouchet drop”. Some people would say there is no such thing as a “bouchet” but we say “bouchet” or “a narra”, but these leaders have mastered the art of cupping and doing all these healing therapies. So I think that these achievements of this religion and of these great people, leaders and elders must be recognized.

I want to call on the Government, the House of Assembly and even groups like the United Nations and so on, to establish some kind of programme or project where we record, safeguard and try to preserve this traditional knowledge for the younger generations, because most of the young people are not interested, and these are things that we need to know, these are things that we need to remember.

So I want to call on—even though the Ministry of Trade, Industry and Investment in investing in this traditional knowledge project. I also want to take this opportunity to call on all the Baptist leaders and members of the faith to unite and find a way to maximize [*Desk thumping*] and make good use of all these lands and resources that are being offered and everything that you are obtaining right now.

I know in Tobago we have had an issue where the People’s National Movement Tobago House of Assembly, had given three acres of land to the Baptist faith and also some land to the Hindu faith in Tobago, and there had been some bickering and fighting, because the leaders could not get together or could not unite on what to use this thing for or how to use the money.

So, I want to call on all leaders, especially in the Baptist faith, to come together, you know, and come up with some kind of plan as to what is right; how you are going to use this land, because the land would just sit there, and we will say, “We have three acres of land or how many ever acres of land and it is not used.”

Finally, I want to call on all citizens of Trinidad and Tobago to be more tolerant of all religions. We must admit today that there is still some antagonism toward the Baptist faith, toward the Rastafarian faith and all kinds of other different faiths. Even some people find difficulty in wearing “locks” to work. I have sat here in the Parliament and hear people make fun of Sen. Hinds with his “locks”—

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Sen. Al-Rawi: Or in the House of Representatives.

Sen. S. Cudjoe: I have sat here. I have sat here—[*Crosstalk*—to be more particular, to be more specific, the Attorney General sometimes, but it might be their personal joke.

Hon. Senator: Or, no!

Sen. S. Cudjoe: I know, Mr. President, in some workplaces “locks” are not allowed. [*Crosstalk*] I can speak from personal experience working in a bank where the supervisor had a problem with me wearing my hair the way it was. But, anyway, I call on all to be more tolerant of all races and all religions, and I want all religions—if each of us, each person in Trinidad and Tobago would practise the true ideals of his or her religion [*Desk thumping*] because if you look at Phagwa it is about holiness, it is about celebration; Divali, it is about good over evil. We all, within our own religion, we speak pretty much about the same thing: good over evil; light over darkness; truth over lies—and if we all stay true to the ideals of all religion, then this Trinidad and Tobago would certainly be a better place.

So, with that said, Mr. President, I want to wish all the different religious groups a happy, holy and safe weekend and celebration season. [*Desk thumping*]

Sen. Al-Rawi: Well said!

Sen. S. Cudjoe: Thank you. [*Desk thumping*]

Sen. Subhas Ramkhelawan: Thank you, Mr. President, for giving me special permission just to say a few words. “Where every creed and race find an equal place”. This is what rings in my mind when I think about Easter, and I think about Spiritual Shouter Baptist Liberation Day and I think about Phagwa, but that is not my role today. I am just heartened and happy to have on our benches, Sen. Rhonda Ann Parris-De Freitas and Sen. H. R. Ian Roach [*Desk thumping*] who have joined us, and we certainly welcome them wholeheartedly to our Independent Benches.

Shouter Baptist Day is a special day for me, because it happens to coincide with my birthday. [*Laughter*] So thank you very much for giving me a public holiday.

Sen. Singh: For your birthday! For your birthday! [*Laughter*]

Sen. S. Ramkhelawan: I also want to appeal to Government, to the Leader of Government Business with regard to this matter of Private Members’ Day. We have a situation where in the midst of a presentation and a contribution, a speaker is stopped halfway through his contribution, and has to wait an entire month to continue that contribution.

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Out of courtesy and out of respect, I want to appeal to the Leader of Government Business to allow the contribution to please be completed, because I do not think that this is what we are about. Beyond even where every creed and race find an equal place, there is the matter of respect and proper courtesies to be extended.

It is not as though a debate continues the next day or the next week, and I am sure the Leader of Government Business is a most courteous and rather highly respectful person, and there are no rules that could go or should go beyond the bounds of courtesy. Without further ado, Mr. President, as I said, it is not my role today to bring greetings, but I want to invite on behalf of the Independent Bench, Sen. Ian Roach, to do that job for us, and I call on him, through you, to so do.

Sen. Hugh Roach: Thank you. [*Desk thumping*] Thank you very much, Mr. President. On behalf of the Independent Senators, I would like to extend warm wishes to the Baptist community, to the Hindu community and to the Christian community at this holy time. I think it is a good time for us to reflect, as a people of Trinidad and Tobago, upon the abundance of good that we have, notwithstanding the amount of criticisms we have heard and the amount of injustices that we have been complaining of for some time.

I have listened today to the debate taking place with great interest. I think significant points and focus could be taken from what the various speakers have extended in this Senate but, more importantly, I feel very humble to be here today, not only in taking this opportunity to extend greetings to the entire country at celebrations of the various holy time, be it Baptist, Hindu or Christian as it is, but I feel privileged to be here representing in my capacity, I will say, you know, the disabled people; the distantly disabled people.

I am unfortunately, at this point in time, a disabled person myself, and for too long they are a certain segment of our society that has remained voiceless and invisible, and I think it gives me a double opportunity, as a citizen of Trinidad and Tobago—I love my country very much, I love my countrymen—that it is an opportunity for me to bring some visibility that there are people outside there who are differently disabled who have meaningful contributions to make in institutions as important as Parliament, and have not been, probably for different reasons, given an opportunity to be able to partake in these opportunities, because they are not able to access certain basic amenities and facilities. Even for me to come here it has been quite a challenge, and for me to attend from the inauguration of the President, it was also quite a challenge.

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So I think this is a good time for us to reflect, as we think about our brethren and our sisters, that we must also be mindful of those who are challenged differently from those of us who are accustomed to taking things for granted. I have taken this for granted for many years being a person who was able to participate in anything at will, but now in order to participate in any meaningful thing in our community, I have to do what you call a *connaissance*, a *reconnaissance* before—some sort of *connaissance*—to make sure whether or not I could access the building as simple as that—probably to go to a restaurant, to go to the grocery or to go wherever, is a significant challenge. So, I think it is very humbling for me representing those voiceless persons who are part of us at this critical time, at this crucial time or this special time of holiness and reflection that we be mindful of it.

I think Parliament is an institution from which a great contribution can be made to bring about momentous transformation for the too many voiceless invisibles in our society, such as the differently abled, as I said before. I think we could be much more mindful as we set about the agenda of creating legislation to improve various aspects of the quality of life of our citizenry and ensuring that these people are now not only catered for but they are given a voice in determining what is good for them.

So, therefore, I would like to just take this opportunity on behalf of the Senators again to just say, have a happy, safe, reflective and holy week or holidays, as it is, and that when this Senate returns on Tuesday, people would be more reflective and open and full with empathy to deal with not only those who are here but those who are among us and are not seen. I thank you very much. [*Desk thumping*]

Mr. President: As we enter into this Holy Week, it gives me great pleasure to join with Senators to bring greetings on this trilogy of events: the Spiritual Shouter Baptist Liberation Day, Easter and Phagwa. I think there is a common thread that runs through all of these great celebrations and that, to me, is that they all signal a new day; they all signal new life and, therefore, we throw off the shackles of the past in all different types of ways, whether it is physical or spiritual, and we welcome new life at this point in time.

So to all our members of the Shouter Baptist community, to all our Christian brothers and sisters and the members of the Hindu faiths, I take this opportunity to wish all of you a renewal in your hearts of peace, joy and love at this holy time. Thank you. [*Desk thumping*]

Leader of Government Business, I think you mentioned the date. Was it April 02?

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Sen. Singh: Yes, April 02 at 1.30 p.m. And I just want to indicate, Mr. President, to the Leader of the Business of the Independent Benches that it is established that 4.30 is the cut off time for Private Members' Day, and that is an agreement that we have, so no disrespect is meant.

We felt that there is requirement of certainty in the conduct of the business of the Senate. So if there is any other arrangement to extend time then we can change that, but we cannot change that whilst we are on our feet, and we indicated to Senators—certainly, the Leader of the Opposition—that this is the time we were going to end and that was an agreement. [*Crosstalk*]

Mr. President: I understand, perhaps, the question of making your own rules. Perhaps, as the Leader of Government Business says, we need to make it in advance of the sitting of the Senate.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 5.00 p.m.