

Leave of Absence

Friday, February 23, 1996

HOUSE OF REPRESENTATIVES

Friday, February 23, 1996

The House met at 1.30 p.m.

PRAYERS

[MR. SPEAKER *in the Chair*]

LEAVE OF ABSENCE

Mr. Speaker: Hon. Members, I have received notice from the Member for Arouca South (Mrs. Camille Robinson Regis) that she is in ill health and would like to be excused from today's sitting. This leave is granted.

UNITARY STATE OF TRINIDAD AND TOBAGO

[Second Day]

Order read for resuming adjourned debate on Question [January 26, 1996]:

BE IT RESOLVED that this honourable House reaffirm its commitment to the Unitary State of Trinidad and Tobago. [Mr. P. Manning]

Question again proposed.

Mr. Fitzgerald Hinds (*Laventille East/Morvant*): I thank you very kindly, Mr. Speaker. When we took the adjournment on the last occasion, I was saying that having listened carefully to the contribution of the Member for Couva South, one could be forgiven for thinking that we were still in the year 1956, that Trinidad was some colonial power and that Tobago was but a colony.

When in 1996, one sets a debate on Tobago in the context of self-determination, human rights and quotes the UN Charters on those matters, one is clearly overstating the case. We are in 1996; Trinidad is not a colonial power; Tobago is not a colony and, in my view, the language of self-determination and human rights is misplaced in the context of this debate. This is one of the problems we face in most debates in our country. I am of the view that we are very prone to exaggeration and hyperbole.

The concept of self-government is to some small extent an elusive one. In a world of such great interdependency, in an increasingly globalized economic environment, is any country truly independent? More specifically, self-government can quite naturally be fixed at some point along a continuum, it is a spectrum, it is to one degree lesser or greater so. At the worst extreme, self-government is non-existent, such like existed in Trinidad and Tobago prior to 1962.

Unitary State of Trinidad and Tobago
[MR. HINDS]

Friday, February 23, 1996

On the other hand, the most extreme form of self-government is independence, nationhood, statehood. It is a question of degree.

When we consider that the most extreme form of self-government, as I have indicated, is independence, nationhood or statehood and that Members on the other side, including the Member for Tobago East and Minister Extraordinaire with the responsibility for Tobago Affairs, the Member for Tobago West and Minister of Sport and Youth Affairs; and the Member for Couva South all say that statehood, independence is not what they want for Tobago, I have a few questions to ask: Prior to 1976, and even thereafter, was there not in place a Minister with responsibility for Tobago Affairs? Is there still not such a Minister? Are not persons who can speak properly for Tobago always appointed as Senators in another place? All of these are responses to concerns raised over a period of time by the previous administration and many others past. My question therefore is: What do the representatives for Tobago really want?

Mr. Speaker, the people of Tobago simply, like people anywhere else in the world, want jobs, food, comfort, convenience and general well-being. By and large, it is my humble view that it is us, politicians, who usually stir up and create rancour and strife.

The hon. Member for Tobago East is on record in this honourable House as saying and I quote:

“This hon. Member and Tobago does not want its own Parliament. All Tobago wanted was an administrative structure to the electoral council and the elected council responsible to the people.”

Mr. Robinson: I must object to a misrepresentation, Mr. Speaker. The Member is misrepresenting me.

1.40 p.m.

Mr. F. Hinds: Mr. Speaker, may I continue? This is indeed extraordinary behaviour.

Notwithstanding that sort of comment made in this House from the mouths of supposedly responsible citizens and responsible politicians, one hears statements like “Let Trinidad give us our money and let us go”. Yet the learned Sir Fred Phillips, an outstanding scholar and jurist, in his book entitled *West Indian Constitutions, Post Independence* published in 1985, makes reference to a certain document produced by the Democratic Action Congress which was then headed

by the very Member for Tobago East. That document demonstrated that the said Member, in fact, wanted a federal arrangement for Trinidad and Tobago. The document submitted that that type of arrangement could be accommodated quite comfortably without secession. The document also set out a model that was borne in mind.

The Hyatali Constitution Commission recorded very strong calls from some so-called politicians in Tobago as they urged on the question of secession. There are many persons living in Tobago and, indeed, in Trinidad, who believe, I suspect wrongly, that secession is the objective that was pursued by the Member for Tobago East. Today that Member has an opportunity, if he is so inclined, to make it quite clear to those citizens and to Trinidad and Tobago that his objective clearly is not secession and certainly not any federal arrangement.

So it appears that the language of secession has been used outside of this House to incense and to incite people when it becomes politically expedient so to do, for short-term political achievement. Let the nation know today where you stand; let the nation know that this is not what the representatives for Tobago truly want.

As is by now very well known, following a debate on a Motion put before this House as far back as 1977, a Joint Select Committee of both Houses was established to consider a resolution. The Committee reported in what came to be known as House Paper No. 6 of 1978. It made various recommendations, including the establishment of a Tobago Island Council. We are all aware, as well, of the existence of the so-called, Seemungal Draft. Since self-government can be had at any point along a spectrum, as I have described earlier, the Government of the day merely and simply felt that the Seemungal Draft had gone a bit too far. It felt that this Draft contained provisions which were deemed to be inconsistent with the concept and the existence of the unitary state of Trinidad and Tobago. Simply that, nothing more. In other words, the Seemungal Draft allowed for a certain level of autonomy which, in the view of those reading it, was inconsistent with what was permissible within the bounds of our Constitution.

If there exists a unitary state, then my money is your money. Funding is our problem. When I am all right, you are all right. But if you enjoy a certain level of autonomy, or some type of status as an entity in your own right, in some kind of federal arrangement, then funding becomes a serious matter. You should, as an entity on your own, raise your own finances. You cannot expect to be funded by

another state. These are some of the issues that gave rise to the decision to reject the Seemungal Draft. [*Desk Thumping*]. It went rather far on powers but it had precious little to say on the important question of funding.

So in answer to the Member for Couva South, when the question was put to this side as to why we rejected the Seemungal Draft, he has a solid and a sound answer to deal with. For these and other reasons it had to be rejected. There are those who still do not feel so, but I trust that since it was only a question of draft legislation, it is open to interpretation and construction, like any other legislation. So that the Seemungal Draft was not written in stone; it was not the gospel. It was merely Mr. Lionel Seemungal's, QC view of what the interpretation of House Paper No. 6 of 1978 was all about. Other persons obviously had other views. The Cabinet did not agree, so that there was no magic, no mysticism; it was simply a question of a view that the document took the powers a bit too far.

The Tobago House of Assembly legislation of 1980 sought to give expression to the very House Paper to which I referred. Tobago was consulted. When invited to participate in the discussions that led to the 1980 legislation, the records would demonstrate that both Representatives of Tobago were properly and overly invited. One, as a matter of good sense and courtesy, accepted the invitation and attended some of the sessions and she must be properly applauded for that. The other, the Member for Tobago East, simply refused to attend any of those discussions, not even on the basis of courtesy.

Miss Nicholson: On a point of order, Mr. Speaker. The point of order that I am raising is that the Member is making a dishonest statement. What he is saying never obtained.

Mr. Speaker: Members, please. I think that the Member has risen on a point of order which means that she could raise an issue on which I would give some decision. It is not right for Members of the Opposition to usurp my function.

Hon. Member: They always do that!

Mr. Speaker: I am simply saying and reminding Members that normally when the Speaker is on his legs—

Hon. Member: We must take a seat.

Mr. Speaker: Not only that, but you normally do not argue with him concerning the point of order that the Member is raising. Could I hear which is the relevant Standing Order that you are claiming is being infringed?

Miss Nicholson: I will withdraw, Sir. [*Laughter*].

Mr. F. Hinds: I thank you rather kindly, Mr. Speaker. I hope you have recorded injury time.

As I was saying, the Member for Tobago East simply refused to attend serious discussions on a matter that was held out to be so all important. He was perhaps angry. He could not sit at these very important meetings with his colleagues in Tobago. Tobago's well-being therefore, took second place to the Member's personal feelings, and he refused to participate. It is reported that he thought much of the Seemungal draft, and when he could not get that he accepted absolutely nothing else.

1.50 p.m.

In passing, I must say that is the kind of attitude which certainly does not augur well for the development of our country. Perhaps, it is the reason—when I listened from outside of this House as a young police constable in 1977 with only a fleeting interest in politics—for this kind of attitude which has caused us today, in 1996, to still be discussing this issue when it could have long been behind us to the satisfaction of all Trinidad and Tobago.

Mr. Speaker, it is common knowledge, and public records would show, that the 1980 legislation which established the Tobago House of Assembly was voted for unanimously. I repeat, it was voted for unanimously. It satisfied the hon. Member for Couva North, he voted for it. It satisfied the Member for Oropouche, he voted for it. It was voted for unanimously.

As I use the word "unanimous", I recall that in the contribution of the Member for Couva South, a Member who is nationally reputed to champion the constitutional rights of citizens—

Hon. Member: Internationally.

Mr. F. Hinds: I say nationally, Mr. Speaker.

Mr. Speaker, the Member for Couva South is nationally reputed to champion the constitutional rights of citizens who suffer up and down the country, and supposedly suffer, at the hands of a colossal state. Now, that very Member claims to be the champion of the public interest; a protector and guardian of the rights of the public as a whole and not the individual citizens. I am not sure which one, but this is the claim.

Unitary State of Trinidad and Tobago
[MR. HINDS]

Friday, February 23, 1996

I recall the Member for Couva South saying during his contribution in this House that the vote was not unanimous.

Mr. Speaker, it is not with pleasure that I must draw to the attention of hon. Members the provision of section 60(1) of our Constitution—a document that he revels in—which speaks about the quorum of the House of Representatives and makes it rather clear that 12 Members can properly form a quorum of this House. I remind the hon. Member that once this House was properly seated, with the Speaker, Deputy Speaker or another Member in the Chair, and a quorum was present, and once all the Members present voted in one way or another, that was unanimous.

So, for the hon. Member to stand in this House and suggest that 34 Members all voted in one direction on a piece of legislation and that was not unanimous because 36 or, perhaps even 37 Members were not present, is an attempt to mislead this House. At best it is an attempt to mislead this House, and at worst it is a total misunderstanding of a very basic section of our Constitution.

Mr. Speaker, even though the representatives for Tobago walked out of the House and did not support the legislation on that occasion, it was voted for rather unanimously, as I said.

Section 21(1) of that Act generated quite a lot of discourse, disagreement and a divergence of views, but it all had to do with interpretation. An Act of Parliament is an attempt by human beings—professionally trained human beings—to put thoughts and policies onto paper. Sometimes one may get it exactly right and sometimes not. In fact, this is the very reason there is so much argument in any court, it is purely a question of interpretation.

Some are of the view that the Act, in particular section 21(1), did not allow self-government as a concept to Tobago. It was felt that it merely gave the Assembly power to formulate and implement policies on matters referred to it by the minister with responsibility for Tobago affairs. Some thought that was not good enough. Others construed this provision to have given Tobago the freedom to formulate and implement policies, and that section 21(1), in particular, was good enough.

This legislation established an elective assembly. It gave the right for policies to be formulated and implemented. It, in fact, devolved power to the Assembly, and the Hyatali Constitution Commission did not feel it achieved that purpose.

I assure you, that the government of the day was always open to further debate and useful suggestions. In fact, I am advised that the attitude of the government of the day was to put something in place, to watch it work and to see when and where it necessitated improvement, in the spirit of goodwill. There was a clear intention to do so whenever it was deemed to be necessary. In fact, the efforts in October 1995, to arrive at some constitutional settlement on Tobago is evidence of that spirit of goodwill. No malice, no ill-will, but goodwill.

Section 75 of our Constitution makes it quite clear as well that there should be a Cabinet system of government for Trinidad and Tobago. As we are aware, all ministers are appointed by the President on the advice of the Prime Minister. A minister so appointed is responsible to Parliament for all that is within his purview in Trinidad and Tobago. The whole of Trinidad and Tobago. The President gives this responsibility in accordance with section 79 of our Constitution.

Mr. Speaker, without any malice, and without any attempt to deceive, it is these provisions that caused concerns about a provision such as 21(1) of the House of Assembly legislation of 1980. A debate raged both inside and outside of this House as to whether giving the Assembly power to formulate and implement policies was contrary to the provisions of sections 75 and 79—honest and genuine debate; quite proper in a democracy. Yet, sections 75 and 79 of our Constitution exist and must be acknowledged and respected. So that whenever one attempts to devolve power to anybody, in particular the House of Assembly, one must bear in mind the existence and provisions as I have described.

2.00 p.m.

The one thing that I find common about the debate and this question of the devolution of power has been the question of the need to preserve the unitary state, that is Trinidad and Tobago. From the initiation of this debate to the present, what is quite clear is, that there is a serious concern expressed by the Members for Tobago East and West, and all other sensible persons that the unitary state of Trinidad and Tobago should be properly preserved. All are agreed on the need for a devolution of governmental functions. I venture a definition of what devolution means. Devolution merely is an arrangement which would provide for the exercise of governmental powers at a regional level while preserving to the central authority or our Parliament, our Cabinet full sovereignty and the ultimate power in all matters. That is what devolution of power is.

Miss Nicholson: Your interpretation.

Mr. F. Hinds: Other persons would want to attribute different definitions to suit their own purposes but I guarantee that no one can intellectually test that definition.

Miss Nicholson: I could.

Mr. F. Hinds: Whether it was the introduction of a minister with the responsibility for Tobago affairs; whether it was the appointment of persons to the Senate, who lived and had experience and knowledge of affairs in Tobago; whether it was an attempt to devolve power to the Tobago House of Assembly, absolutely nothing that has been done or proposed seems to have satisfied the Member for Tobago East, in particular. Absolutely nothing.

It is interesting to note, and perhaps, there is a good reason for it, why between those very revealing years of 1986—1991 the dissatisfactions about that legislation never came to the fore and insofar as I am aware, nothing was done to rectify any perceived problems with that legislation during that period when there was a clear constitutional majority; when the House was so imbalanced it was a question of 33/3, when the Government was overwhelmingly strong and the Opposition appeared underwhelmingly weak, but it turned out that there was another thought coming.

I say for the benefit of the public, if I may, that today we are faced unlike 1986 with the weakest Government and the strongest Opposition. [*Desk thumping*] We are not afraid. The previous administration took into account the fact that some citizens, especially in Tobago, were not entirely happy with the 1980 settlement and so, as I have indicated earlier, in the spirit of goodwill it embarked upon a further settlement position in October 1995.

The Tobago House of Assembly, its officers or at least, the vast majority of them, all agreed and accepted the settlement. Commentators, political analysts, ex-politicians almost unanimously felt that it was a solid agreement going further than the 1980 legislation. Some are of the view that it even went further than the Seemungal draft.

Miss Nicholson: No.

Mr. F. Hinds: Yes, that has been mooted and it is in public record and I can bring it to the Member's attention. Yet the Members for Tobago East and West continue in their usual way to be totally unmoved, unhappy and dissatisfied.

Again, I must ask: What do they really want and more poignantly, what do the people of Tobago really want?

Mr. Robinson: Will the hon. Member give way to a question? Will the Member state why they did not implement their so-called agreement?

Mr. F. Hinds: Mr. Speaker, this is an interesting debate. I enjoy a debate but I do not believe that it is helpful for me to venture a response.

One wonders what is the real reason for this degree of dissatisfaction. The proposed settlement of October 1995 provided *inter alia*, for the establishment of an executive council of the Assembly; it provided for the establishment of a House Assembly Fund under section 141(a) of our Constitution; it provided for the formulation of policy by the executive council. More importantly, the constitutional settlement that was proposed in October 1995 was coupled with a Constitution (Amdt.) Bill. The purpose of this Bill was to rectify an obvious problem. The 1980 legislation was an ordinary piece of legislation. By that I mean, that it could have been repealed or amended at the whim of any Government with a simple majority. The previous administration coupled the proposals of October 1995 with a constitutional amendment that was designed to entrench, constitutionally, the provisions of that settlement. In other words, insofar as the establishment of the executive council and the Fund are concerned, they could not have been repealed or removed except with a special majority, of course.

Miss Nicholson: So you are bringing it through the back door. That is the furthest you can do.

Mr. F. Hinds: It was designed to entrench the very Assembly itself. I do not know what is the real reason. I do not know what people see but I suspect and I am being rather honest and sincere about this, that all was done in the spirit of goodwill. There is no question of malice; nobody is trying to deprive Tobagonians of everything or anything and this is the kind of impression that I am learning, that some lovely members of our sister isle have come to. I do not know where they have been getting it from, but certainly there is no question of ill-will on the part of our team and our negotiators.

The entrenchment constitutionally of that legislation would have improved the situation no end. Yet, the Members remained totally unhappy and unsatisfied. One cannot help but conclude that so long as the Member for Tobago East is not directly involved; so long as he is not a key player, he will never be satisfied

Unitary State of Trinidad and Tobago
[MR. HINDS]

Friday, February 23, 1996

regardless of the merit of the proposals. [*Desk thumping*] and I would be dishonest if I did not say to the nation, I would be dishonest if I did not place on record my own view, that much that has obstructed the process of settling a relationship with Tobago has been as a result of personality politics. Horrible attitudes!

2.10 p.m.

I know as a fact that the young people in our nation are tired and fed up with this. We want to get on with the seriousness of managing our country. I appeal to the Member for Tobago East and the Member for Tobago West that when they have their opportunity, as they surely will, to make abundantly clear what their position is for the life and well-being of all the citizens of beautiful Trinidad and Tobago.

Even with this settlement, to some extent an apparent contradiction was discovered, depending on how it is looked at. In that settlement it appeared that some were of the view that there is some kind of contradiction between clause 16 (1) and clause 23 (1) of the draft. Again I say, it is all in an effort to put to paper a system of thought, a fallacy, and often times we get it right and often times we do not get it right. Again, in the spirit of goodwill when the question of a possible contradiction arose after the signing of that settlement between the Manning administration and the Tobago House of Assembly, discussions ensued and were intended to continue to resolve that apparent contradiction. Again, there was no malice and ill-will.

This effort never satisfied the representatives. I therefore ask—and the nation must be told—short of a federation and an out and out independence, what do they want for Tobago?

Mr. Speaker: The speaking time of the hon. Member has expired.

Motion made, That the hon. Member's speaking time be extended by 30 minutes. [*Mr. P. Manning*]

Question put and agreed to.

Mr. F. Hinds: I thank Mr. Speaker and hon. Members of this House for allowing me to continue.

I ask particularly, how do they propose to improve the Manning/Denoon draft as I call it? Both the Member for Tobago East and the Member for Tobago West must be aware of it because they were vociferously critical. In order to criticize, I

assume that they have familiarized themselves with its dictates. The people of Tobago and Trinidad would like to know how they would improve that proposal short of a federation and an out and out independence. I wait patiently to hear. How would they do that whilst preserving the unitary state of Trinidad and Tobago and at the same time observing the dictates of sections 75 and 79 of the Constitution? Although there are utterances from the Member for Couva South which suggest that since those two provisions are not subjected to any special majority for amendment, it may be that it might be considered. I do not know. I am waiting with bated breath to see and of course, to hear. The nation is waiting to see and hear as well.

We are now in 1996. This debate raged as long ago as 1977 when a motion was put before this House. I ask yet another question. Do they want policy formulated in Tobago and managed without the authority of the Cabinet of the Government of Trinidad and Tobago, as our Constitution in sections 75 and 79 dictate? That Tobago must be treated differently from other regions is no longer an issue. All are agreed that Tobago has to be treated differently because of its geography, separation by water and a number of other factors. Perhaps Tobago has been neglected. We in Trinidad perhaps treated Tobago badly. We may have been guilty of a lack of sensitivity and understanding, but not necessarily because of any malice or ill will. But, we are all guilty of this.

Only recently this Government sat around a Cabinet table and came to the decision that it would remove the Easter Monday holiday from the calendar in order to replace it with another holiday. The Member for Tobago East and the Member for Tobago West presumably were sitting right there, and I attribute no ill will or malice to them when they sold Tobago short and had to come back on the position and apologize to Tobago. Again, it is a question of a lack of understanding and sensitivity. We can be less blamed for that, than the Member for Tobago East and the Member for Tobago West because they claim to be from and to love Tobago more than anyone else.

I have just demonstrated a perfect example of what can go wrong, not necessarily because of malice. I attribute no malice to the goodly lady and gentleman. Clearly, it is a question of a lack of sensitivity and understanding. I pray that the people of Tobago find it in their hearts to be kind to them and forgive them for that *faux pas*. That is only one of a series of *faux pas* and I hope that I will have an opportunity to spell them all out, if not here, some other place. I assure you that with that weak Government it would not be long. That Tobago

Unitary State of Trinidad and Tobago
[MR. HINDS]

Friday, February 23, 1996

Easter Monday holiday was a deadly disaster. All that is in the past and we must now look to a bright and prosperous future. We are waiting to see how the new committee that has been put in place will resolve the issues; improve the Manning/Denoon draft and achieve the objectives of the representatives for Tobago, short of an out and out independence or a federal arrangement.

I assure our beautiful brothers and sisters of Tobago that they must not feel for one moment that there is any ill will from us to them. We love them. They are ours. We are theirs.

Mr. Maharaj: World class.

Mr. F. Hinds: Of course. They must continue to love us. We are all one people. I urge them not to let anyone, not the least politicians, divide, disunite and destroy us.

2.20 p.m.

Let us unite and construct. The language of discord must be stopped once and for all. We love Tobago. I wish to quote the reigning calypso monarch who, in a song a few nights ago, sang:

“We love Nelson, we love Shadow, we love Rose, we love Dwight
Yorke, we love his coach, Mr. Sylvester ...”

In fact, we love even the Members for Tobago East and West. We love all of you, and let love prevail.

The Cabinet of the last administration, recognizing the administrative deficiencies facing Tobagonians, and the consequent hardships, approved, over time, various measures to make the lives of citizens of Tobago even easier. For example, it has been said that the people of Tobago have to come to Trinidad to get everything. That, perhaps was the case. Clearly, it is no longer the case. I have a very close friend who, as far back as 1969, received his driver's permit in Tobago. Even non-governmental services, visa applications, the Agricultural Development Bank operations, the NIB: all of these are now available to the people in Tobago. There was some difficulty with the registration of births and deaths and land taxes, and the reason is simple. There is a central registry and the difficulty of taking records in Tobago and affixing them to the registry would have been paramount. It is for those reasons that those matters lingered for such a long time. However, the system is being computerized and I hope that within the

near future this Government, if it lasts sufficiently long, would rectify that and make the life of Tobagonians significantly better.

Another major problem facing Tobagonians has to do with the availability of specialist medical attention when necessary. For reasons of efficiency, it proved that it would have been too costly to have certain persons on spot waiting for the odd case. It appeared—and I am only expressing my reading of the situation—that it might have been more efficient and a better use of resources, when the odd case of a need for a specialist arose, to airlift the patient to Trinidad for treatment rather than to place one on spot all year when there will just be the odd case with which to deal. This is a situation which is experienced even here in Trinidad. There are heart specialists who come from abroad once per month to perform operations. It costs too much to house them here, so we arrange things so that they come once per month. This is a question of efficiency in the utilization of resources and again, a matter which I think that the present Government should look at to make the lives of Tobagonians significantly better. *[Interruption]* This is not at all malice or spite. I want to assure our brothers and sisters of Tobago of just that.

We have a proud record in Tobago. We embarked upon a rather robust programme of highway development—Scarborough City development; the first administrative centre was done in Tobago; the first purpose-built library was done in Tobago. There is a Hall of Justice complete with magistrate's court, an upgraded facility, in Tobago. There are purpose-built libraries as well at Charlotteville and Roxborough.

Talking about libraries, I think I might take this opportunity to advise the Members on the other side that as the representative for Laventille East/Morvant, my constituents, and indeed the constituents of the entire East West Corridor, are clamouring for that national library complex. They are saying that unlike other areas where there is land for development, Laventille East/Morvant, for example, does not have that kind of geographical attribute and as such the strength of Laventille has to come from the brains of the people of Laventille, and the library complex, part of the vision of a world-class PNM team, was fitting properly into that vision. They look forward to that library so that they can come off the hill to a modern world-class facility, improve their skills and their lot so that they can make a better contribution to Trinidad and Tobago. I implore you. This is about human development and the library complex is crucial to a programme of human development.

Unitary State of Trinidad and Tobago
[MR. HINDS]

Friday, February 23, 1996

Whether the call is for self-determination, devolution of power, home rule, statehood, self-government, more power to the people, that call from Tobago is rather different from that call from peoples around the world. For example, the Scots and the Welsh in relation to Britain; the Catalans, the Basques, the Andalusians in relation to Spain; the Corsicans in relation to France; the Bavarians of Germany; the Flanders or the Flemish of Belgium; their call for separation is based on a very basic human urge. It is based on the question of difference—a different identity, a different language, a different culture. Those conditions do not exist in Tobago. All that comes from Tobago is a call for a better, an easier, more efficient, more comfortable way of life, which certain politicians try to convert into deeper and more devious things. It is not based on that instinctive human urge based on difference. We are Tobago and Tobago is us. There is no difference.

So the call is to some extent political and constitutional and perhaps—not demeaning it—superficial. That explains why that call waivers from time to time; why it resounds at some times and goes silent at others, like during 1986—1991. It depends on who is in government and who is not; it depends on who is involved in the negotiations and who is not. There is much personality in this, but we must not stand in the way of a settlement for Tobago purely on the basis of personality politics. The nation rejects that.

In a few short months, the Government threatened labour, potential investors, the public service and the media. Now the media has to rebut something stated in this House only recently when the Member for Couva South boasted to the nation that that Government was able to get the media to agree—

Mr. Maharaj: That is true!

Mr. F. Hinds: That is true? It was properly denied by persons involved and it is a question now of whom I should believe. I know whom I will believe, Mr. Speaker.

All the proposals, arguments and suggestions made for improvements in Tobago have been, to my mind, properly met. Sadly, everything that we have done has been severely criticized. I ask again: What do the representatives for Tobago really want? How do they propose to improve the October 19, 1995 Manning/De Noon draft?

2.30 p.m.

Mr. Speaker, as I come to the end of my contribution in this rather important debate, I wish to congratulate the Baptists all over Trinidad and Tobago. They have been given recognition after many years of struggle. Some kind of cognizance has been given as was always taken to their struggles and the oppression that they suffered.

When one considers that the previous administration proposed a school; a significant amount of money; and found the site for a cathedral for the Baptists, while I congratulate them, I must say publicly that I wonder whether their long wait was not a question of seven years of famine for seven years of famine. *[Interruption]* I am saying to my Baptist brothers and sisters across Trinidad and Tobago, fear not, your wait will not be in vain. We are walking with you and we will continue to walk with you.

Given all that I have just said, and having listened closely to the Member for San Fernando East, in a rather useful contribution—and, of course, a not so useful contribution from the Member for Couva South, who added an amendment, which, to my mind, was otiose; it really added nothing to the proposal that was made—I wish to reaffirm my personal commitment to the Unitary State of Trinidad and Tobago and to support wholeheartedly the Motion, unamended, as put by the Member for San Fernando East, our proud leader of this Opposition.

I thank you.

The Minister Extraordinaire and The Minister of Tobago Affairs (Hon. A.N.R. Robinson): Mr. Speaker, it is a common adage that one must not look a gift horse in the mouth, therefore, I accept wholeheartedly the love that has been proffered by the Member for Laventille East/Morvant. I wish to reciprocate and to state that I love him as wholeheartedly as he loves me. *[Interruption]* At this moment love is not the issue, the issue happens to be the Motion before this House which reads as follows:

“Be It Resolved that this Honourable House reaffirm its commitment to the Unitary State of Trinidad and Tobago.”

We, on this side of the House, are mystified as to why this Motion, in these terms, has been brought at this time. The mystery has been somewhat cleared up during the course of the contributions by the Member for San Fernando East and

Unitary State of Trinidad and Tobago
[HON. A. N. R. ROBINSON]

Friday, February 23, 1996

the Member for Laventille East/Morvant. It seems to be an opportunity that they have chosen to vent the frustration they had since the general elections in 1995. *[Desk thumping]* One may ask, if they had these wonderful plans for Tobago and they had the power to execute those plans and they had the numbers in this Parliament, why did the Member for San Fernando East then—after a so-called agreement with the Tobago House of Assembly, promising to implement that agreement—advise the President to dissolve this Parliament and so disable himself? *[Laughter] [Desk thumping]* Why, Mr. Speaker, having the capacity to execute, the Member for San Fernando East promptly incapacitated himself? *[Desk thumping]* You see, he is a clever politician.

Mr. Manning: Very clever.

Hon. A.N.R. Robinson: Too clever by half. He thought he could fool the people of Tobago into supporting him in the general election, but they are tired of that tomfoolery so they were not fooled and instead of being on this side of the House the Member for San Fernando East is on that side of the House; a frustrated man at the head of a frustrated lot, venting their frustrations, seeking to anticipate the Government, even before the Government has spoken. Before the Government has acted on the Tobago issue, the Opposition is seeking to decide. They have determined what the Government will and will not do. They have brought this Motion—which is really an insult—to ask this Parliament to rededicate itself; “to reaffirm its commitment to the Unitary State of Trinidad and Tobago” is an insult.

When we came to this Parliament, Mr. Speaker, on the day of our inauguration, we all took an oath of office. Let me read the Oath taken by all Members of the House of Representatives and the Senate:

“.....having been elected a Member of Parliament do swear by that I will bear true faith and allegiance to Trinidad and Tobago, will uphold the Constitution and the law, and will conscientiously and impartially discharge the responsibilities to the people of Trinidad and Tobago upon which I am about to enter.”

We all took an oath that we would “bear true faith and allegiance to Trinidad and Tobago and will uphold the Constitution and the Law.” We are bound by the Constitution of Trinidad and Tobago. This is our social compact. This is the basis on which we are a nation. This is the basis on which we have come together as a Republican State. This is our foundation. The Constitution is clear in its provisions and in its intent.

This Constitution has very far-reaching philosophical foundations and philosophical underpinnings and implications. I want to refer to the preamble of the Constitution, (c), (d) and (e) in particular:

“Whereas the People of Trinidad and Tobago—

- (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;
- (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;”
- (e) desire that their Constitution should enshrine the above-mentioned principles and beliefs and make provision for ensuring the protection in Trinidad and Tobago of fundamental human rights and freedoms.”

Yet we are hearing from the Member for Laventille East/Morvant that fundamental human rights and freedoms no longer matter. He said, “this is 1996 and that is irrelevant.”

Mr. Hinds: Mr. Speaker, on a point of order.

2.40 p.m.

Mr. Speaker: Could you indicate the relevant Standing Order that is infringed?

Mr. Hinds: Standing Order No. 35, Mr. Speaker.

Mr. Speaker: What does it say?

Mr. Hinds: I shall quote it to you, Mr. Speaker. Standing Order No. 35 says:

"A Member shall not interrupt another Member except—

- (a) by rising to a point of order, whereupon the Member speaking shall resume his seat and the Member interrupting shall simply direct attention to the point..."

Mr. Speaker: The Member would appreciate that I could read that but I am asking you what is the particular section on which you are rising? Is it that?

Mr. Hinds: On a point of clarification, Mr. Speaker.

Mr. Speaker: No, that is not a point of order. Would the Member for Tobago East continue?

Mr. Manning: On a point of order. Mr. Speaker we need to have a matter clarified for the good order and operation of this Parliament.

Mr. Speaker: I am asking the Member for San Fernando East whether he is rising on a point of order.

Mr. Manning: I am rising so that you can clarify a position for the future guidance of Members of this House.

Mr. Speaker: Would the Member for Tobago East continue, please.

Hon. A.N.R. Robinson: Mr. Speaker, the Constitution is not a mere abstract document, it is not a mere legal document, our Constitution has a certain philosophical tradition; it is located in a philosophical tradition which recognizes and places the greatest importance on people and fundamental human rights. Therefore, one cannot say that this is 1996 and, therefore, human rights find no place in our presentation.

Moreover, the philosophical foundations of our Constitution identified in the writings of such philosophers as Locke—*[Interruption]*. I am not giving way *[Interruption]*—Mr. Speaker, in writings such as Locke, Montesquieu and John Stuart Mill. Our Constitution draws its inspiration from the great historical documents; Magna Carta 1215, the Bill of Rights, 1688, the American Declaration of Independence 1777 and more recently, the United Nations' documents on human, civil and political rights.

Further, the Constitution is so framed that it is capable of development, of evolution, it provides for its own alterations. In several sections of the Constitution alteration is provided for in several ways: by simple majority, by three-fifth's majority, by two-third's majority, by three-fourth's majority. Therefore, the emphasis is on the sovereign right of the people to self-determination and to develop their way of life and their political and constitutional structures in a way that meet the requirements of the particular society to which they belong, provided that they adhere to the fundamental principles of democracy: the rule of law, equality before the law, fundamental human rights and freedoms.

I have been waiting to hear some reference to these matters from the Member for San Fernando East, he occupied the floor for an hour and a quarter and never once had any reference to the sovereign right of the people in a democracy to fundamental human rights and freedoms. Section 1 of the Constitution expressly and clearly as the amendment to the resolution declares: "The Republic of Trinidad and Tobago shall be a sovereign democratic State." What we are being asked to do is to reaffirm allegiance to a unitary state *simpliciter*, not with a sovereign democratic state or even a unitary state that is a sovereign democratic state but unitary state *simpliciter*. That has very serious implications because it has been the experience of mankind that the worst excesses and abuses of power have been in unitary states.

Louis XIV said he was the state *L'état c'est moi*, I am the State; that is unitary, that centralization of power, that is the purest form of unitary state. Adolf Hitler's purest form of unitary state; Papa Duvalier/Papa Doc, pure form of unitary state. So when one is asking people to pledge their allegiance to unitary state [Interruption] And that is why we have not heard anything about the General Elections of 1995, the people do not matter, general elections does not matter; democracy does not matter, it does not enter into their calculations, so all we hear about is unitary state and what the people want and not what the aspirations of the people are, completely ignoring the constitutional representatives of the people. [Interruption] That is the Member for San Fernando East—laugh, you can laugh, I accept your laugh but do not touch me [Laughter]

Mr. Manning: Mr. Speaker, let me assure my good Friend from Tobago East, he need not fear anything from me, Sir.

Mr. Speaker: Is that a point of order or are you making a speech? What is it?

Hon. A.N.R. Robinson: The Member for San Fernando East ignored the constitutional representatives. Mr. Speaker, let me see whether I can clarify the nature of their attitude by giving an illustration.

The hon. Member for San Fernando East talked a lot about integration movements, he took us to the four corners of the earth, about integration movements everywhere. That was the trend in the world today, he said, but he never mentioned that these movements were movements of free people on the basis of equality democratically achieved; and there is one that he never mentioned—I wonder whether that was an avoidance slip or whether he had just forgotten about Caricom, the one that is nearest home.

Unitary State of Trinidad and Tobago
[HON. A. N. R. ROBINSON]

Friday, February 23, 1996

2.50 p.m

How was such an error committed? How did such a slip occur? No reference to Caricom. Reference to Latin America, to Europe, to Asia but no reference whatever to our neighbours around us. It is an extraordinary air.

Mr. Manning: And you are an extraordinary man.

Miss Nicholson: Very extraordinary.

Hon. A. N. R. Robinson: Well, in a different sense. So that you see, respect for the people—all the protestations of love and what they have done or have not done, there is one matter to which it boils down—whether they have respect for the people of Tobago. And if they have respect for the people, they would respect their constitutional representatives and would demonstrate it by their deeds.

Let me illustrate the attitude from another document—I produced a document some time ago which was five years old. I now produce one which is 15 years old and this is described as the *Minutes of a Meeting held in the Conference Room at the Administration Building in Tobago on Tuesday, December 16—notice the choice of the date—December 16, 1980 at 9.35 a.m.* in connection with the Tobago House of Assembly. Among those present were the Hon. Patrick Manning, Minister in the Ministry of Finance—Chairman. Permit me to quote an extract from that *Report*.

“Mr. Manning stated that, whereas the Act,” that is the Tobago House of Assembly Act “states that if the Assembly requires the co-operation and assistance of a Ministry/Department of Government or statutory authority in order to discharge its functions it shall consult with such Ministry, Department or authority, he and his Cabinet colleagues had reached an agreement whereby the Assembly will, instead, contact him who will act on their behalf...”

Never mind the law. Never mind all the other departments and statutory boards and Government. Let them talk to me. That is the attitude. That was the source of the trouble and continues to be the source of the trouble—the aspirations for absolutism. He wants to be an absolute monarch. Authoritarian rule. Louis XIV said: “I am the state.” He goes one further and says “I am the father of the state”.

So this Motion is really not about Tobago. It is a reflection of the mentality of the mover of the Motion. It is a reflection of the psychology of the mover of the

Motion. Unitary state, centralization of power, so his Member for Laventille East/Morvant can say absolute power in the Cabinet. And in the Manning Cabinet, it is absolute power in Manning. No Cabinet has absolute power. The highest power in the land is this Parliament. The sovereignty of the land is expressed through the people's representatives in the land. The people are the sovereign, and their representatives express that sovereignty in Parliament. There is where sovereignty lies, not in the Cabinet. Section 74 of the Constitution states:

“(1) The executive authority of Trinidad and Tobago shall be vested in the President and, subject to this Constitution, may be exercised by him either directly or through officers subordinate to him.”

subsection 3 states:

“(3) Nothing in this section shall prevent Parliament from conferring functions on persons or authorities other than the President.”

Parliament is sovereign, and if Parliament confers functions and authorities on other persons other than the President, the Cabinet or whoever, the Parliament is supreme. I am sorry you are not taught that by the Member for San Fernando East. He tells you he is supreme, does he not? Cabinet is supreme.

He also stated that the Chairman, House of Assembly would be advised that in this interim period he should not consult with heads of divisions in Tobago. Do not consult with your heads of divisions in Tobago. Do you know what you should do? You should consult with permanent secretaries of the respective ministries in Trinidad, or with him.

Miss Nicholson: That was the breaking up. That man!

Hon. A.N.R. Robinson: You will excuse me Mr. Speaker, if I say, for lawful and constitutional Government, this is madness. It is bound to give rise to trouble. That is the source of the trouble and continues to be. When he was fired from his job by Prime Minister Chambers at the time, the trouble was contained. Two other Ministers were appointed, Donaldson and Mahabir. They sat as equals with the chairman and members of the Assembly concerning matters related to the functioning of the Assembly and they worked things out. But as soon as the hon. Member for San Fernando East got power once more in his hands, he wanted to show who is boss. Once more, he wanted to show his power and his importance, pride and authority so he decided now, that he is not talking to the constitutional representatives of Tobago, he is talking to members of the Assembly.

Unitary State of Trinidad and Tobago
[HON. A. N. R. ROBINSON]

Friday, February 23, 1996

Imagine using his analogy of the integration movement and we are having integration between Trinidad and Tobago and Venezuela, and the President of Venezuela says I am going to Trinidad and Tobago to talk to the County Councillors, ignoring the constitutional representatives of Trinidad and Tobago. What would the Member for San Fernando East have said? He would have been the first to be parading, he would have gone to the United Nations, to every forum in the world to protest against this impertinence from external sources.

Mr. Speaker, this Motion is really a vexatious, frivolous and a meaningless Motion, one which—well I could not say meaningless, it could lead to very serious consequences if we subscribe to the philosophy of the Member for San Fernando East. So it is very important that it be told to the nation that a unitary state is an animal that can be a very ferocious one, very destructive, and we need to have safeguards. We have got to emphasize the democratic aspect of Government, the people-centred nature of democracy, fundamental human rights and freedom. The right of respect to which the people are entitled in Tobago. Not because Tobago is small. They would never behave like this to Barbados even Grenada or any of the other islands. Tobago is small, no income. But at the same time he is talking about archipelagic state and the resources that are brought to the union by the synergies of the two islands being together and how much they both will lose by separation.

3.00 p.m.

Then he seeks to ascribe some kind of figures, the revenues derived from Tobago—I do not know how he arrived at those figures—but these are not matters that one needs to go into, one deals with the larger issues at this stage; the issue of what is the unitary state, what are the implications, what kind of state, what are the philosophical ideas that we have that motivate us in our entire approach to the question of governance; when we talk about decentralization, devolution, deconcentration. All of these are ideas that are being put into operation in the contemporary world in order to strengthen democracy, in order to strengthen the participation of a greater opportunity, participation by people in the conduct of their affairs. So that, the Member should not anticipate my advice and what this Government will do. He had his chance. He said he had an agreement. He did not even have the courtesy of circulating that agreement but came to this House and talked about an agreement. In fact, the Member for San Fernando East went so far as to call it an Act; again, suffering from the delusion that he still occupies the Head of the Government.

Miss Nicholson: He cannot forget that.

Hon. A.N.R. Robinson: Well, I am not going to say that he will never be again. [*Mr. Manning laughs*] Even that makes him happy. I have made a concession and I am sure he is grateful for it.

Mr. Speaker, the point I have been seeking to emphasize, as one has to do in this matter, is that people matter however poor they may be, however small they may be; whatever minority they may be, one treats them with equality. It is a very difficult idea to absorb, a very difficult attitude to put into practice—the treatment of minorities. The mindset that causes the kind of problem which makes it difficult to resolve what is, in essence, a simple matter and which comes up today not as a frontal matter, not through the front door, but through the back door. The matter will come up through the front door. The whole question of government in Trinidad and Tobago is receiving attention and, certainly, the matter of the relationship between Trinidad and Tobago is receiving attention and I am happy to say that I have a very special responsibility in this matter and I propose, after due processing, to bring proposals before the Parliament.

Mr. Valley: As of now, you have none.

Miss Nicholson: I hope you will respond positively.

Mr. Valley: What do you want?

Hon. A.N.R. Robinson: I am not in a position to say I have what I cannot bring.

Mr. Valley: But, you can say what you want.

Hon. A.N.R. Robinson: The time will come in due course, do not be over anxious.

Mr. Valley: You would bring them in year 5.

Hon. A.N.R. Robinson: In due course, proposals will be brought to this Parliament.

Mr. Valley: Along what lines?

Hon. A.N.R. Robinson: These proposals will take into account all the different factors and considerations involved and, I am sure, they will be proposals which this Parliament will be in a position to implement [*Desk Thumping*]. I expect that those who have been proclaiming so much love for the

sister isle, how much they have done and are willing to do, will wholeheartedly accept the proposals which will indeed be in keeping with those which have been agreed to by both Houses of Parliament, all parties, after consultation with all sections of the nation arrived at agreement. Those proposals will be in keeping with the report of the Joint Select Committee and I expect that the hon. Members opposite will welcome them and support them.

Mr. Speaker, in the meanwhile, I have the greatest pleasure in seconding the Motion as amended which reads:

Be It Resolved that this honourable House reaffirm its commitment to the Unitary State of Trinidad and Tobago subject to section 1 of the Constitution of the Republic of Trinidad and Tobago which clearly and expressly prescribes that the Republic of Trinidad and Tobago shall be a sovereign democratic state.

There is one aspect of the matter which I think I should mention at this stage in view of all the statements that had been made of all the achievements that have been made in the island of Tobago. I have with me statistics relating to relative expenditures for the years 1972—83 roughly covering the period of the oil boom.

The statistics show that under the Development Programme the percentage of money spent in Tobago of the total of that spent on the Development Programme was .6 per cent. The sum of \$94.1 million was spent in Tobago over that 11-year period. The figure for the Long-term Development Fund roughly 2.5 per cent; a population of over 4 per cent isolated from all the expenditures and private investments that have been taking place in Trinidad. These figures really illustrate the pattern, the attitude, the treatment and the policy of underdeveloping Tobago. In 1972, the total sum spent in the country was \$121.5 million under the Development Programme; on Tobago it was \$4.2 million. In 1973, it was \$104.4 million; total spent on Tobago, \$5.5 million. In 1976, it was \$777 million; the sum of \$13.2 million was spent on Tobago; percentage, 1.7 per cent. In 1977, the total expenditure was \$973.5 million, but for Tobago it was \$9.2 million, a percentage of .96 per cent. Not even one per cent. In 1979, it was \$1,739.6 million; in Tobago, \$3.5 million, a percentage of .2 per cent. That was the pattern of underdevelopment. At some other stage one would go into these figures.

3.10 p.m.

When you want to compare development expenditures, this is the pattern that appears concerning the treatment of Tobago which he loves so much. I do not

doubt he loves, as I said—I do not doubt it at all—but when it comes to these matters of state, one deals with principles, policies.

Do not ask me to support Idi Amin because he belongs to a particular race; do not ask me to support Papa Doc because he belongs to a particular race. [*Desk thumping*]. I marched for independence. It was independence, not for Tobago or any race, it was for the independence of Trinidad and Tobago. [*Desk thumping*]. I marched for federation. It was for federation of the West Indies and for a West Indian nation. [*Desk thumping*]. I stood in this Parliament and before gun-point when told to hand over the country I knew what to do for Trinidad and Tobago. [*Desk thumping*] So do not question my loyalty. My loyalty is to the people of Trinidad and Tobago. I can only characterize as the height of impertinence, the conduct of anyone that seeks to question my loyalty to Trinidad and Tobago. [*Desk thumping*]

So my political positions are taken on the basis of principle. Today happens to mark the 10th anniversary of the National Alliance of Reconstruction as a party. The 24th of last month marked the 40th year I have been in public life, and my record is there, and I have very great pleasure in standing in this Parliament today and saying the same principles that I espoused when I marched for independence in 1961, in 1962 and for federation. These are the principles that I espouse as I stand in this Parliament today. They are the principles that I shall espouse up to my dying day. Whether it be by natural causes or by gunfire, my principles will be the same.

I thank you , Mr. Speaker.

Mr. Colm Imbert (*Diego Martin East*): Mr. Speaker, let me congratulate the Member for Tobago East for his contribution. Let me also congratulate the Member for Laventille East/Morvant for his contribution. I am afraid I cannot congratulate the Member for Couva South, I am very sorry. Let me also congratulate, of course, the mover of the Motion, the Member for San Fernando East. [*Desk thumping*].

As I listened to the last contribution, I wondered, indeed, who the Member for Tobago East was speaking to. He said he was a man of principle and he will be a man of principle until his dying day, whether by natural causes or by gunfire. He recalled that he was shot in this Parliament but he left out the fact that he was shot by the client of the Member for Couva South, who, by some strange twist of fate, the client of the Member for Couva—[*Interruption*]

Unitary State of Trinidad and Tobago
[MR. IMBERT]

Friday, February 23, 1996

Mr. Speaker: Hon. Members, I do not believe that it is helpful for us to continue in that strain. Please let us hear the hon. Member for Diego Martin East. It is quite permissible for a Member to make comments while a Member has the floor for his neighbour to hear, but to continually carry on shouting across the floor even when Members on your own side are talking, does not help us maintain high standards. I appeal to you. If what the Members want is a free-for-all we could have it, but I do not think that this is what we really need.

Mr. C. Imbert: Thank you, Mr. Speaker. As I was saying, the same client of the Member for Couva South who somehow found his way into the VIP lounge at the Grand Stand under a UNC administration, passed through security guards sitting next to the Attorney General, the same person who shot the Member for Tobago East—very strange. So I think perhaps the Member for Tobago East was not talking to us, on this side at the end of his contribution. He may have been talking to other people.

It is very curious, some of the points that have been raised in this debate and not by the Member for Tobago East—I will deal with his contribution in a short while—but when we go back into the *Hansard* and see what the Member for Couva South said on January 26, he spoke about people being involved in the decision-making process, promotion of representative government, participatory democracy, promotion of liberty, equality, welfare and justice—all of this out of the mouth of the Member for Couva South. Then he made a very curious comment. He said devolution of powers does not mean just creating a post and giving a man a car. Perhaps on another occasion we will find out who is the person who has been assigned motor vehicle registration PBA 12. Perhaps that person has been given a post and a car, who knows—a Volvo 960, no less, with outriders, police, blue flashing lights, you name it. Anyhow, I do not begrudge anybody anything. I am looking at the *Hansard*. These are the exact words.

3.20 p.m.

"...the important thing is not the unitary state,...The concept of the state is not important."

Do you hear that? The concept of the state is not important.

"What is important is whether you are going to have the exercise of powers to give people their democratic rights. Mussolini—head of a unitary state; Hitler—head of a unitary state."

I find those words to be very strange coming from the Member for Couva North who is part of a Government that has made a concerted attack on democracy in Trinidad and Tobago since coming into power. As the contributions were being made I made a list. There was much talk about democracy by the Member for Tobago East, and I would try to deal with that in a short while.

Mr. Speaker, in speaking on this Motion, I am concerned that our unitary state is in danger. As far as I am concerned our democracy is in danger. What has this Government done? They talk about democracy. They even introduced an amendment to the Motion talking about a sovereign democratic state:

"subject to section 1 of the Constitution...which clearly and expressly prescribes that the Republic of Trinidad and Tobago shall be a sovereign and democratic state"

They introduced the concept of democracy into this debate about the unitary state.

In the contribution of the Member for Tobago East he went further and developed the point, but what has this Government done to adhere to democratic traditions? Is an attack on the constitutional freedoms of the press a democratic act? Is that a democratic act? Is it democratic to dismiss the Member for Siparia, who is not here at the moment, after just three months in office—notwithstanding statements made by the same hon. Member for Couva South that he had briefs to tie up that would take over one year, and he wanted no position? I remember—and I am developing the whole concept of democracy and democratic government—reading a newspaper article about three pages long when the new administration came into power about the 200-odd cases that the Member for Couva South had, and it would take a year to clear them up and that he did not want any position. He never aspired for position and so forth but within three months out goes the Member for Siparia and in comes the Member for Couva South.

Mr. Speaker, I understand that there may have been other reasons why the Member for Couva South assumed the position. It has a lot to do with democracy and certain matters that are in court; certain court cases that are on the Attorney General's agenda; certain matters that would have been raised under the privilege of the witness box that might not have been in the interest of the Member for Couva South. I understand those matters were due to come up this week so the

Unitary State of Trinidad and Tobago
[MR. IMBERT]

Friday, February 23, 1996

Member for Couva South moved rather rapidly to make sure that they did not come up.

Mr. Panday: Chills up and down your spine.

Mr. C. Imbert: Chills up and down the spine of many people. Look at the contribution of the Member for Couva South, Mr. Speaker. It is replete with references to Hitler. I know we have Hitler around us, but what is important is that Trinidad and Tobago remains a sovereign democratic state. Obviously, he was referring to the Member for Couva North. That is the Hitler that this country has come to know in the last three months. Adolf himself.

What has happened following the dismissal of the Member for Siparia—the atrocious treatment of elected women?

Miss Nicholson: Mr. Speaker, on a point of order. Under section 35(a) I am stating that the Member is being irrelevant. The Motion is—

Mr. Speaker: The point of order that the Member is raising is that the Member is contravening which Standing Order?

Miss Nicholson: Mr. Speaker, Standing Order 35(a) and (b). He is being irrelevant.

Mr. Speaker: I am afraid that is not a valid point of order. The Member may continue.

Mr. C. Imbert: Thank you, Mr. Speaker.

Mr. Speaker, I do not understand. The Members on the other side talk, and we allow them to talk. Mr. Speaker, you allow them to talk as is your right and wish, but when we start to talk they do not want us to talk. It is the whole concept of democracy. They want to muzzle the Opposition. They do not like what I am saying so they want to get up and interrupt me and stop, but that is okay. They would get 75 minutes of the very best.

Let us go on, Mr. Speaker. When one goes back to the contribution of the Member for Couva South—and here is the relevance, Member for Tobago West—these matters were introduced by the Member for Couva South in the debate and then introduced in an amendment to the Motion about Trinidad and Tobago being a sovereign and democratic state. I am talking about the concept of democracy. What is democracy?

I am talking about a threat to democracy by this Government. So, let us go on. Following the callous, cavalier, insensitive, brutal, heartless—

Mr. Mohammed: “Vaps”.

Mr. C. Imbert: It was not a “vaps”. There was the dismissal of the Attorney General and then we had the dismissal and intimidation of senior employees of state boards for no reason. That also was not a “vaps”. Again, that was planned. Even the Member for Tobago East—and I have to keep saying this—in his darkest days and in his worst moments never demonstrated this kind of anti-democratic behaviour. Following the dismissal and intimidation of senior employees of state boards—not political appointees; career people, but qualified persons—what next? cronyism, nepotism, patronage [*Interruption*] Mr. Speaker, I would have to ask you to control the Member for St. Joseph. He is making way too much noise.

Mr. Speaker, there is cronyism, nepotism and patronage in board appointments, persons who threw lavish, expensive parties, who claimed that they were financing the UNC now hold some of the highest positions in the land. That is what one called nepotism, cronyism and patronage. Signs of creeping dictatorship. I was reminded today, that if one went back to Europe in the 1930s this was the kind of thing that happened; little by little a creeping dictatorship; the Nazi party little by little eroding fundamental rights and freedoms.

3.30 p.m.

All of this attack on democracy, I wonder how the Member for Tobago East will feel if at some time in the future this Parliament passes legislation that is to his liking, giving the kind of representation to the elected representatives of Tobago in a democratic state and shortly thereafter the Member for Couva South destroys the democracy. Of what use will be the amendment to the legislation giving Tobago more responsibility and more freedom? What is the point of all this when the signs are there? What about the allocation of state property for use by UNC activists? What about the naked discrimination against PNM-represented areas in the allocation of resources? What about the murder of Clint Huggins?

Mr. Speaker: I would like to remind the hon. Member that Members are permitted a certain amount of latitude in making their presentations but, I do think that it is necessary for him to come back on track.

Mr. C. Imbert: Mr. Speaker let me go now to the contribution of the Member for Tobago East. The Member started his contribution by asking why the Motion. He said it is an insult, the frustrations of the PNM being vented in the Parliament; we are seeking to anticipate the Government. You will forgive me if I return to this topic. The Member for Tobago East said that we all took an oath through faith and allegiance to Trinidad and Tobago to uphold the Constitution and the law, and really these are the issues I would like to expand upon. The whole concept. The Member for Tobago East spoke about the philosophical underpinnings of the Constitution, the concept of the regard for law and so forth. This is why I brought in that matter a short while ago. One wonders about the regard for the law at the present time—very strange things that are happening nowadays.

The Member for Tobago East spoke about respect for moral and spiritual values, about people, about fundamental rights and freedoms, about equality and he accused the Member for Laventille East/Morvant of stating that fundamental rights were no longer relevant. I think the hon. Member for Tobago East misunderstood him. The Member was saying that he was of the opinion because of the things that are happening in Trinidad and Tobago, such as the murder of Clint Huggins, that fundamental rights are in jeopardy. He expressed his fears and his concerns for fundamental rights and I do not think there was any malice or malicious intent. I believe it was two gentlemen debating with each other.

The Member for Tobago East made a point that I did not understand. He said that the sovereignty in Trinidad and Tobago is not in the Cabinet, the authority is not in the Cabinet. The authority is in the Parliament. It is a point that I have heard the Member make on other occasions and I do not understand it. I will tell the Member for Tobago East why.

The dictionary definition of democracy is “ruled by the majority”. That is the most basic definition. But democracy is far more than that. Democracy as the Member has quite rightly said is respect for the fundamental rights and freedoms of persons, equality, justice and so forth. If the majority in the Parliament formed the Cabinet, and then have the authority, how does a Member of a minority party in the Parliament exercise authority in the Parliament, and perhaps, on another occasion, the Member for Tobago East can explain this to me. If Parliament is supreme but the *Ayes* have it, and it is ruled by the majority then how does a Member of a minority party have any supremacy or authority in this Parliament? I would really like to know. I am talking about the practical aspect of it. *[Interruption]* I cannot accept the point. The reality in Trinidad and Tobago is that

the Cabinet exercises Executive authority and the Parliament passes laws. That is the difference. The Parliament has other responsibilities but essentially, the Parliament makes laws.

Mr. Robinson: We are talking about sovereignty.

Mr. C. Imbert: I can understand that when the Member for Tobago East was a Member of the Opposition, a Member of a minority party in the Parliament, he felt a bit helpless. That things were happening and the Member for Tobago East was of the view that as an elected representative for Tobago that he had no input, that he had no authority, that he had no role, but under our present parliamentary arrangement, how is it going to work? I would like to know. There is this question of the elected representatives of the people in a unitary state exercising sovereignty; how is it going to work in our present parliamentary structure? I can understand also where there is an elected House of Assembly by Act of Parliament exercising authority in Tobago; I can understand that is the law where an elected representative in the Parliament representing Tobago might feel a bit impotent because, on the one hand, the House of Assembly has the power and authority. What power does the Member of Parliament for Tobago have? Perhaps, these are the things which the Member for Tobago East can look at and improve.

I will be very happy to hear from the Member for Tobago East how this parliamentary arrangement with our present laws as they are, can be improved to respect the Constitution and yet, give the Members of a minority party authority in terms of policy formulation and implementation. If the Member for Tobago East can come up with a solution to this dilemma that can work, I have no problem with that at all. But under our present parliamentary arrangement, I do not know how it is possible. Therefore, I see some dangers in what the Member for Tobago East is saying.

He spoke about the democracy being important, not the unitary state. What does that really mean? Let us forget all of these examples about dictators because we can find many here at the present time. We could sit or stand here for hours and trade examples of creeping dictatorship and so forth. We can trade numerous examples in the last three months about the anti-democratic behaviour of the present Government, but let us forget all of that for the time being. I am sure the Member for Tobago East will remember the anti-democratic intervention in this Parliament in 1990, who was involved and he will take certain precautions. I am sure the Member for Tobago East will take certain precautions to try and ensure

Unitary State of Trinidad and Tobago
[MR. IMBERT]

Friday, February 23, 1996

that he is not subject to that kind of threat again. *[Interruption]* I do not think he will make friends with them.

Let us go on to the concept of a unitary state and why it is important within the context of a sovereign and democratic state. Let us broaden the argument to encompass the proposal from the other side and the Motion by my Leader, the Member for San Fernando East.

3.40 p.m.

There is no doubt that this was the thrust of the argument coming from the Member for San Fernando East. At the present time in the world there are advantages to associations and groupings of states and groupings of political entities. It is regrettable that the Member for Tobago East sought to deal with the evils of dictatorial horror in a unitary state, rather than the concept of the unitary state which is what this motion is all about.

The whole question lies in the vulnerability in modern day times of small island states. The world has changed over the last 200 years. No longer can small island states afford to stand alone. This was the thrust of the argument of the Member for San Fernando East in terms of political and economic strength and negotiating power. The world has come to realize that at least for the time being because there have been agglomerations and unions over the last 2,000 years. They have come together and broken apart. At the present time the move in the world is towards unions of political entities.

Let us look at our particular situation. The whole concept of an archipelagic state is not something to be scoffed at. The definition of an archipelagic state is relevant. When one examines the territorial boundaries of an archipelagic state as compared with the territorial boundaries of a group of islands, an archipelagic state has a greater territorial area. Trinidad and Tobago is recognized in some quarters as an archipelagic state. That is one of the advantages of the unitary state of Trinidad and Tobago. The archipelagic state as a whole has a larger exclusive economic zone. The Member for Tobago East is aware of all this.

There is the whole question of the 200 mile limit in terms of the definition of the territorial waters of a sovereign state. The sea boundaries are further away from the land mass in an archipelagic state. The marine resources, fisheries, under

sea minerals, oil and gas are greater when there is a union of islands in an archipelagic state. That is one of the great advantages of the unitary state of Trinidad and Tobago from a geographical perspective.

As a matter of fact, in the negotiations for boundaries between Trinidad and Tobago and other countries such as Grenada, Barbados and Venezuela, we have benefitted greatly from our definition as an archipelagic state. There are other advantages. The countries of Europe have recognized that each country has its own strengths and weaknesses. If one can exploit the strengths of the various countries while correcting the weaknesses, the result would be a stronger hold. In the union of Trinidad and Tobago, each has its strength and weakness. Each island is different and has different potential to make the whole better.

When one examines the revenue earning potential of Tobago, one sees that because of its natural fauna and flora, beaches and marine environment, it is ideally suited to tourism development, moreso in the traditional tourism market than Trinidad. If properly developed, Tobago has the potential to generate significant revenues from tourism. If one looks at other islands in the Caribbean, it is quite possible that at some point in time in the future, Tobago could generate tourism revenues which could exceed its requirements. That is the potential of Tobago. It is possible, if Tobago's tourism plant is upgraded along the lines that the PNM administration was moving.

The previous PNM administration took tourism very seriously. We created the Tourism Industrial Development Company and sourced one of the experts from the International Finance Corporation. We started to develop a concept of Trinidad and Tobago tourism; sourced consultants from overseas and negotiated a loan from the Inter American Development Bank for the tourism sector which was heavily weighted in favour of Tobago. If one goes into the records one would see those are the facts. The first phase of the IADB loan was heavily weighted in favour of developing a tourism plant for Tobago because we recognized this. The previous PNM administration with a long-term vision, not short-term, recognized that once its plant was upgraded, Tobago had the potential in the future to generate sufficient revenues which might even generate a surplus, and thereby contribute to the unitary state as a whole.

What does this Government do? Terrorize the head of TIDCO. That is how it deals with tourism, the unitary state and the investment climate which is necessary

to build our country. It comes into power and terrorizes a non-political appointee who is on secondment from the World Bank. That is how they deal with democracy, investments and a sovereign state. That is why I believe that the unitary state is in danger. I heard the Member for Tobago East talk about an airport for Tobago. Nobody is begrudging an airport for Tobago. An airport of that calibre is necessary if tourism is to be developed. It was put in by the Member for Tobago East.

Mr. Manning: He laid the corner stone. We put it in.

Mr. C. Imbert: It does not matter. The fact is that in the past persons have recognized the importance of Tobago and developed its infrastructure. One of the governments that can claim the most credit for putting emphasis on Tobago is the previous PNM administration.

3.50 p.m.

As I said, the IDB loan is heavily weighted in favour of developing tourism infrastructure and the necessary physical infrastructure in Tobago. The whole question of water supply; all of this was done by the previous PNM administration. They laid the groundwork for development of Tobago. One only has to look at the facts. Look at the number of hotel rooms in Tobago in December, 1991 and the number of hotel rooms in November, 1995, and one will see which administration was responsible for developing tourism in Tobago.

Let us go now to Trinidad. It has its strengths—manufacturing, heavy industry, energy, eco-tourism, which is tourism of a different kind and which takes longer to develop. But I dare say that the influx of visitors to Tobago is already having a beneficial effect on Trinidad, for as more and more tourists go to Tobago, they come to Trinidad, maybe on a day trip, see our natural rain forest and return for tourism of a different kind. It is all symbiotic.

Why would someone come here and beat up about the motives of this side in presenting this Motion? We on this side wish to reaffirm our commitment to the unitary state of Trinidad and Tobago and we have given the reasons. We believe that the whole is greater than the sum of the parts and we are seeing all kinds of signals. All sorts of things are happening which lead us to believe that Members on that side are not committed to the unitary state of Trinidad and Tobago. We are not just talking about Trinidad joined to Tobago. We are talking about the whole concept of the unitary state.

Look at what has happened with the Soviet Union. With the breakup of the Soviet Union, there was the disintegration of whole countries in Eastern Europe like Czechoslovakia, now Croatia and Bosnia. *[Interruption]*

Mr. Speaker, I will have to ask you to control the Member for St. Joseph. He is mumbling and muttering under his breath. He does not know what he is talking about. For the benefit of the Member for St. Joseph, there is no longer a country called Czechoslovakia. Let him show me where it is.

Let us go back. There is the disintegration of countries in Eastern Europe. There is ethnic conflict and war; there is the Russian Republic taking up arms against the Chechenians; all of this going on with the disintegration of the Soviet Union, and I concede that under this UNC administration, this is where this country is heading. That is what I see in the future. *[Interruption]* They ask me why. I read a whole long list: attack on freedom of the press, dismissal of career employees on state boards, removal of Easter Monday, attempts to suppress calypsonians, allocation of state property to UNC activists, discrimination. That is where I see this country heading. I do not see a unitary state in the future under that administration. What I see is a break-up of the unitary state of Trinidad and Tobago, and not necessarily a break-up of Trinidad from Tobago, but serious trouble in Trinidad and in Tobago. There is no government that has done more to destroy people's sense of security, comfort, safety and hope in the democratic tradition than this UNC administration. And they did it in three months.

When I hear the Member for Couva South talk about internal self-government for Tobago, it reminds me of that character Janus. Does the Member for Couva South know who Janus was? He was a person with two faces. Every time the Member for Couva South gets up, I see Janus speaking—pious platitudes, nice sounding words and then, shaft. That is the Member for Couva South. That is why I am worried about the unitary state.

I was a Member of the opposition PNM party during the period 1987—1991 and I was not afraid, notwithstanding the number of things which took place. I knew that there was a line that the Member for Tobago East would not cross. I knew that then, under that Member, we would have a unitary state. I am not too sure now.

During the Carnival period, many people came up to me and expressed fear for where this country is going under that UNC administration and fears for their personal safety. Many of them, perhaps, supported the other side and are now

Unitary State of Trinidad and Tobago
[MR. IMBERT]

Friday, February 23, 1996

holding their head and bawling what have they done. *[Laughter]* They can laugh all they want, the record of anti-democratic behaviour and destruction of the unitary state of Trinidad and Tobago is accumulating daily.

Mr. Speaker: The hon. Member's speaking time has expired.

Motion made, That the hon. Member's speaking time be extended by 30 minutes. *[Mr. K. Valley]*

Question put and agreed to.

4.00 p.m.

Mr. C. Imbert: Let me thank you, Mr. Speaker, and all Members on both sides of the House, including the Member for Tobago West—who does not really mean what she says—for allowing me an extension of my speaking time. *[Interruption]* The Member often says things that she does not mean. *[Laughter]*

There has been no real effort on the part of the Members on the other side to deal with the issues in this debate. What are the issues? They skirted around points but they did not come to the issue! The Member for San Fernando East indicated that a considerable advance forward had been made by the PNM administration. What are the most fundamental issues in Tobago? The most fundamental issues are—and it was touched upon by the Member for Tobago East—the roles and responsibilities of all the various partners in the political process.

One has to examine the responsibilities of a minister under the Constitution versus the requirements of a secretary in the Tobago House of Assembly. A minister under the Constitution has a responsibility for certain matters given to him by the President. A secretary in the Tobago House of Assembly has certain requirements, and one has to look at the whole question of conflict, overlap, symbiosis and so forth. Those are the issues. Carrying that argument further, one has to look at the responsibilities of the duly elected Government of the unitary State of Trinidad and Tobago versus the requirements of the duly elected representatives in Parliament of Trinidad and Tobago and the duly elected representatives of the Tobago House of Assembly; national responsibility versus local or internal responsibility.

It is a real dilemma. How can one have a sovereign democratic state where the definition “democracy” is ruled by the majority? That is the dictionary's definition, Mr. Speaker. How can one have a sovereign democratic state where

people go to an election and vote—cast their ballots and elect persons to a parliament? When you have a majority you form the Government and you have a responsibility to run the country. Simply put, Mr. Speaker, that is our democracy as it is. How can one have that system; a system where the duly elected representatives of Tobago wish to get involved in the running of Tobago's affairs? If a solution can be found I would be very happy. This is why we ask the question: Is it a federal arrangement that is being suggested? One of the difficulties we have on this side is that Members on the other side are not getting to the point. There are so many different models all over the world. There are federations, unions of republics, state-hoods, empires and so forth. I would like to know—and I hope that one of the duly elected representatives for Tobago will tell us in this Parliament—what is the model; whether it is one of the existing models or a new model. I have no difficulty with it being a new model. *[Interruption]* Not a new model car, Sir, a new model for a union of political entities.

In any union of political entities there are responsibilities that are assigned to the different partners in the union. If one looks at Australia, for example, there is a federal system. There are states; there is a federal parliament and there is state parliament. The federal parliament is elected by proportional representation and members of that parliament represent 200 persons and so forth. They have responsibilities for national security, foreign affairs and so on. When one comes to the state parliaments, such as in South/West and the North/West territories and so forth, there is a system, virtually, of internal self-government outside of the areas of national security, foreign affairs, some aspects of education so that the Australian mode is a model. There is the model in St. Kitts/Nevis and in the United States. Two hundred years ago the United States was not a unitary state. There was a war in the southern and northern states and out of that was formed the United States of America with a national government, a national president with tremendous powers, and states with powers within, and that exists up to this day. Of course, it has been amended over time.

There were trade blocs that were formed around the world, Mr. Speaker. There is the European union coming closer and closer together. There are members of the European Parliament where people run for office—not in their own countries—but for seats in the European Parliament. It is becoming more and more a unitary situation. I would like one of the Members on the other side to tell us on this side exactly what model they propose for the determination of the people of Tobago of their own affairs within the concept of a sovereign

Unitary State of Trinidad and Tobago
[MR. IMBERT]

Friday, February 23, 1996

democratic unitary state, after which we could have a proper debate. I do not think we should be just casting stones at each other. I think this Parliament is for serious matters. The reason this Motion is here is because we want to know exactly what the other side believes is the correct approach for the unitary state of Trinidad and Tobago and the right of all its citizens to fundamental rights and freedoms that the Member for Tobago East spoke about.

When we prepared our draft agreement we addressed the issues. We looked at the role and responsibilities of ministers versus persons in Tobago. We looked at the whole question of the collection of moneys in Tobago; the creation of a Tobago Fund, allowing all moneys collected in Tobago to be used there. We examined the financial regulations, giving Tobago more flexibility in cash management. We proposed the upgrading of the status of secretaries in Tobago to improve their remunerations and actual status, legalising what has for years been, in fact, in the opinion of many, illegal arrangements in Tobago, where there were secretaries operating but not recognized under the Constitution or the law.

4.10 p.m.

Do the Members on the other side object to giving the Tobago House of Assembly constitutional guarantee? Do they object to putting the whole question of the Tobago House of Assembly in the Constitution, so that it cannot be removed by the whim and fancy of some other Government; for example, a Government that might not need the services of the Member for Tobago West and the Member for Tobago East? A Government that might somehow get 19 seats—I am talking about a Government on that side; this is very serious. The Member for Tobago East often deals with these matters in private. What will happen if one day the two Members for Tobago are no longer required in the coalition on the other side?

The argument is put forward that the Member for Couva North is simply biding his time, and it is highly unlikely that the Member for Tobago East will get the internal self-government, or whatever it is, because that is what the Member for Couva South said that we were going to get. It is highly unlikely that this elusive internal self-government will ever come while the Members of the UNC control the minority of seats in this Parliament—very unlikely—then the Member for Tobago East will have no more use for the Members of the UNC and will go his way. I have no problem with that either.

Members of this Parliament are free to make whatever choices they think best. If the Member for Tobago East, in the future, gets what he wants for Tobago and says to the Member for Couva North, bye-bye, that is his right. Because the Member for Couva South is a cunning man and knows that possibility exists, it is going to be a long time before the Member for Tobago East gets what he wants—At least that is my view. I could be wrong—*[Interruption]*

Mr. Speaker, we need clarification on the whole concept of secession. We need to get a clear, unambiguous, unequivocal statement on whether secession is being contemplated or not. Again, that is not a matter on which I am going to express an opinion. One just needs to know where people are coming from—I noticed they have gotten very quiet on that side. Perhaps the Members do not like the matters I am raising. *[Interruption]* I am talking about the unitary state of Trinidad and Tobago, and about the record of the UNC administration since they came into power, and also about their anti-democratic tendencies; I am talking about the machinations of the Member for Couva South.

Mr. Speaker, it amazes me how the Members on that side can sit so quietly together; each one is watching the other's back, each one is wondering what the next one is up to; Couva North is wondering what Couva South is up to; Tobago East is wondering what Couva North and Couva South are up to—The Member for Siparia does not have to worry anymore, she found out. *[Laughter]* That is why I have difficulty with many of the statements made by the Member for Couva South. For example, he says "I do not know how the hon. Leader of the Opposition can be so politically blind when he looks on this side and sees a Government which represents the people of Trinidad and Tobago. This is a Government of national unity", and they thump their desks. Two weeks later 50 per cent of the women in the Parliament were fired and the Government talks about national unity.

I went through the contribution of the Member for Couva South and the Government accused me of being irrelevant; 75 minutes and all I am seeing here, over and over, are references to Adolf Hitler, Idi Amin and Papa Doc—and I heard a new one today from the Member for Tobago East, Louis XIV—I am the State. When I go through the contribution of the Member for Couva South, I am sorry, I cannot accept what he is saying. He raised this question about a sovereign democratic state; he introduces this amendment, he is the one who said that the concept of the state is not important, and talked about altering the Constitution without a special majority and so forth.

Unitary State of Trinidad and Tobago
[MR. IMBERT]

Friday, February 23, 1996

When I read what is in this *Hansard* contribution and I look at the actions of the Members on the other side, I really have serious difficulty. What are the guarantees under this sovereign democratic unitary state which the Member for Couva South is proposing? What guarantees will the people of Trinidad and Tobago have that their fundamental rights and freedoms will be respected? I have to keep returning to it, Mr. Speaker, because there is nothing innocent in the proposals of the Members on the other side. Nothing at all. One has to look very carefully at every single bill that they lay in this House, every action that they take, everything that they say.

4.20 p.m.

I do not believe that the Members on that side subscribe—and I am not referring now to the Member for Tobago East, nor the Member for Tobago West, I am referring to the other 17—to the same system of values, the same principles, conventions, norms and traditions that normal, decent, law-abiding people do. That is why I am worried, Mr. Speaker. I do not believe it at all.

One saw the press having to rebuke the Member for Couva South for certain statements that he made. The Member got up in this House and said that this UNC Government did not have to go and ask the press anything, they could have just implemented a press complaints authority on their own. That is what he said, and he talks about chills and shivers when he makes statements like that: "We do not have to take on anybody, we are in charge, we could do it." That is when we started to worry about the democratic traditions; when we start to worry about the sovereign state and the unitary state.

I really wonder, are there two Trinidads? Let us forget Tobago for the time being. Is there a Trinidad represented by the Members on this side and a Trinidad controlled by the Members on that side? Are there two Trinidads? I am asking the question, because when one talks about a unitary state one is talking about everybody. They talk about a Government of national unity—how can one have a Government of national unity where nearly 50 per cent of the Parliament is not involved in that Government? How is that? How can one have a Government of national unity where 50 per cent of the electorate who voted is not represented in that Government of national unity? That is a fascist approach and that is why I talk about creeping dictatorship and what took place.

Hon. Member: A lie.

Mr. C. Imbert: Yes, it is an untruth, this whole concept of national unity. It is a deliberate attempt, a trickery, subterfuge, underhand. That is what it is. We on this side represent 50 per cent of the people of Trinidad and Tobago. Check the votes. Fifty per cent of the population voted for us on this side, so how could they be a Government of national unity? How? And when one begins to see the signs of the disintegration of the unitary state and one sees these strange amendments creeping in—the Member for San Fernando East moved a straightforward Motion, that we subscribe to the unitary state of Trinidad and Tobago. It is either they subscribe to it, or they do not. In comes this surreptitious amendment from the Member for Couva South.

Hon. Member: What does it mean?

Mr. C. Imbert: What does it mean indeed? Subject to section 1(1) of the Constitution which clearly and expressly prescribes that “The Republic of Trinidad and Tobago shall be a sovereign democratic State.” What does it mean? Is the Member for Couva South re-defining democracy? Does he mean that he intends to turn Trinidad and Tobago into a state where anything goes once he is in charge? I am very suspicious of that hon. Member over there, anything he does concerns me, it makes one wonder why he sticks that amendment inside there.

One wonders when one looks at his *Hansard* contribution where he says that the concept of the state is not important. That is a direct quote and I will repeat it. “The concept of the state is not important.” So says the hon. Member for Couva South. I do not believe that the 17 UNC Members on that side are committed to democracy, or the unitary state of Trinidad and Tobago. Some of them are being led like sheep, some do not know what is going on, others are afraid. The hon. Member for Couva South is running the show. Who knows what is going on over there.

I can see the disintegration of the unitary state of Trinidad and Tobago, I can see the marginalization of whole areas in Trinidad and Tobago. We are already seeing it. One is seeing the removal and stoppage of important projects in the capital city. What does that do to the unitary state? The removal of the national library, what does that do to the concept of the unitary state? The removal of projects in Arima, Diego Martin, the stoppage of a housing project in Morvant as indicated by the hon. Member for Point Fortin. The suspension of the promenade in San Fernando—gone, disappeared! All of this I see as signs of a creeping dictatorship and the intent of the Members on the other side to destroy what we

Unitary State of Trinidad and Tobago
[MR. IMBERT]

Friday, February 23, 1996

understand as the unitary state of Trinidad and Tobago—[*Desk thumping*] and to reduce this country to rule by fear, rule by intimidation, fascism and dictatorship. All of this is going on. That attack on freedom of the press was no “vaps”, that was not a mistake, it was a deliberate planned attack on the press by the Member for Couva South. Do you know why? To intimidate and cower the press, to frighten them. That is what it was. When one wants to create a dictatorship, the first thing one does is to go after the press. Take their wicket first, the next thing is to go after Members of the Opposition, that is what one does.

Mr. Speaker: I want to remind the hon. Member that he has but two minutes left.

Mr. C. Imbert: As I said, Mr. Speaker, when one wants to create a dictatorship—intimidate and attack the press, intimidate and attack Members of the Opposition and then deal with the rest of the country afterwards. My belief is that is the intent of Members on the other side, especially the Member for Couva South.

No one is safe in this country anymore, and I know there is a matter to which you do not want me to refer but it concerns many persons—the whole concept of democracy—if persons cannot walk the streets without being murdered, burnt, chopped, stabbed. It is funny a certain matter occurred soon after the hon. Member for Couva South was made Attorney General and it has many persons worried about the state of our democracy. As soon as the new Attorney General was sworn in, somebody dead, that is a fact. One cannot deny facts, Mr. Speaker, and, therefore, I am waiting and watching. They are following the textbooks so we know what is going to happen next.

I want to state categorically that I am committed to the unitary state of Trinidad and Tobago, to democracy, and to the enjoyment of fundamental rights and freedoms. As a Member of Parliament, as long as I am able, I will do whatever I can to resist the anti-democratic, autocratic, dictatorial and fascist tendencies of the Member for Couva South and those on the other side. [*Desk thumping*]

4.30 p.m.: *Sitting suspended.*

5.03 p.m.: *Sitting resumed.*

The Minister of Legal Affairs (Hon. Kamla Persad-Bissessar): Mr. Speaker, when one looks at this Motion coming as it does from the Leader of the

Opposition of a party which has distinguished itself over the years with consistent neglect and deliberate shortchanging of the island of Tobago, one can only say it is an affront to the intelligence of the people of Trinidad and Tobago. [*Desk thumping*].

Hon. Member: Unbecoming language.

Hon. K. Persad-Bissessar: Mr. Speaker, if the hon. Member for Diego Martin East could stand in this Parliament and say that this side has not got to the issue, then let us really get to the issue because we listened to 75 minutes of, what we can only call, skirting and spinning around the issue that is before this House in terms of this Motion.

Mr. Valley: Tell us what the amendment means.

Hon. K. Persad-Bissessar: I speak in support of the amended Motion which really, if we are to get to the issue, we need to go back a bit to look at the legislative framework for the unitary state of Trinidad and Tobago.

Mr. Valley: Tell them that.

Hon. K. Persad-Bissessar: The first attempt at the creation of the unitary state of Trinidad and Tobago came in the late 1880s. It was at a time when both the islands were colonies. They were administered both by and for the plantocracy. The Trinidad and Tobago Act of 1887 potentially united the two-island colonies into one colony by empowering the Queen to make an Order in Council effecting this. This was not carried into effect until January 01, 1889 when the Order in Council was actually made.

What is clear in this Order is the fact that Trinidad and Tobago united as two separate but equal colonies. The wording in paragraph 1 of the Order makes this clear when it says, and with your leave may I quote, Mr. Speaker:

“From and after the first day of January 1889, the Colony of Trinidad and its dependencies and the Colony of Tobago shall be united into and constitute one Colony, which shall be called the Colony of Trinidad and Tobago ...”

It is very clear because the Order refers to Trinidad and its dependencies whilst also referring to Tobago as a separate but equal island colony. Unfortunately, that Order in Council constituting Tobago a ward of Trinidad which came into operation over 10 years later, showed all too clearly what was to

Unitary State of Trinidad and Tobago
[HON. K. PERSAD-BISSESSAR]

Friday, February 23, 1996

be Tobago's fate in terms of the colony of Trinidad and Tobago. Paragraph 2 of that Order provided that:

“... the revenue, expenditure, and debt of Tobago shall be merged in and form part of the revenue, expenditure and debt of the united Colony and the debt due from Tobago to Trinidad shall be cancelled.”

It is instructive to look at the legislative framework if we are to understand where we are today in terms of section 1 of the Constitution which provides for the sovereign and democratic state of Trinidad and Tobago.

Later on in 1962, the Act of 1887 was repealed. However, section 10 (3) of the later Act specifically stated that:

“... this repeal shall not be taken to dissolve the union of Tobago with Trinidad or to affect the status, as a separate colony, of any other colony.”

Thus, the unequal union of two supposedly equal colonies was continued. At around the same time, with the granting of independence the unitary state of Trinidad and Tobago was created.

Subsequently, the creation of a constitutional republic in 1976 made it clear in the Trinidad and Tobago Republic Act of 1976 that the same united sovereign state was to exist. By section 1 of that Act, all law, whether it be by a rule of law or an Act of Parliament, which is in force or comes into force thereafter shall, unless and until provision to the contrary is made by Parliament, have the same operation in relation to Trinidad and Tobago as it would have had apart from this section if Trinidad and Tobago had not become a republic.

The Republican Constitution of 1976 affirmed that the citizens of Trinidad and Tobago were entitled, as my colleague from Tobago East said, to fundamental human rights and freedoms and the principle of parliamentary democracy. Chapter 1 of the 1976 Constitution enshrines the former and Chap. 4 enshrines the latter. However, what existed on paper and what the people of Tobago actually experienced as their status and share of the national resources were very different things from the moment of independence under the care of the PNM in government.

Mr. Speaker, by 1977, the hon. Member for Tobago East and Minister of Tobago Affairs attempted to highlight the situation of Tobago by means of the following motion in this honourable House on January 14, 1977; less than one year after the Republican Constitution was enacted.

5.10 p.m.

The Motion was to the effect that:

"Be it Resolved:

That this honourable House is of the opinion that all proper and necessary steps should be taken to accord to the people of Tobago internal self-government in 1977."

The hon. Member made it clear that he was not seeking secession or separation for Tobago from the state of Trinidad and Tobago, rather he wanted some of the responsibility for the conduct of Tobago's affairs to be in the hands of Tobagonians, the people who lived on the island. If I may quote what he said, Mr. Speaker, on page 1151:

"What the motion seeks is a more just, a more realistic and consequently a more lasting basis of unity between the people of the two islands of Trinidad and Tobago. A unity which is not based on justice, on human rights and on realism is no real unity, and will not last."

After four sittings, on February 4 the Motion was accepted with an amendment from the Government of the day by adding the words, "that steps should be taken towards internal self-government". The amendment was as follows:

"In such measure as will not be contradictory to the constitutional reality of the independent unitary state of Trinidad and Tobago, such proper and necessary steps to take account: —

- (a) the views of the majority of the people of Trinidad and Tobago;
- (b) the cultural, financial and economic realities and potential of Trinidad and of Tobago; and
- (c) the impact of any such change on other parts of Trinidad and Tobago."

Much stress seems to be laid on the word, "unitary", in the Motion that is before the House by the hon. Leader of the Opposition. Perhaps it will be instructive to look at what this word means in other states to see whether internal self-government in one of the units of a unitary state is necessarily a contradiction,

or whether what the Member for Tobago East was suggesting in his Motion in 1977 was utterly consistent with a democratic unitary state made up of separate and equal units to which a measure of local self-government was accorded, and it was also consistent with central power at the national level.

Unitary is defined as often relating to, or constituting, a system of government in which power is held by a central authority and may be delegated to, but is not derived from constituent divisions. This is to be contrasted with the federal state where all the states have equal power.

If one looks at the unitary states in the Caribbean during this post-independence period, it is instructive to note how consistently the definition above has been adhered to. In December of 1962, a meeting was held at Whitehall to discuss the possibility of a unitary state comprising Grenada, Trinidad and Tobago. There were teams from each nation and at the end of the conference it was decided that teams should work in both countries on several issues. The assumption was that Grenada's legislature should be abolished; that Grenada would have representation in a central Parliament and that there should be a Minister of Grenada Affairs just as there was a Minister for Tobago Affairs. One of the working groups was a commission on local government whose purpose was to, and I quote:

"Make recommendations for the structure, functions and powers of local government bodies in a unitary state of Trinidad, Tobago and Grenada with emphasis on the maximum possible degree of self-government in Tobago and Grenada, consistent with the economy and efficient financial control."

Now even this extraordinary scheme to include Grenada in a unitary state with Trinidad and Tobago met the fate of oblivion. It is very clear that in 1962 the concept of self-government by units of a unitary state was well accepted and regarded as very important. Later when Grenada became independent in 1973, it is clear from the wording of the Grenadian Constitution that Grenada is the nation state and the islands, Carriacou and the others, are dependencies, dependent on Grenada.

The preamble to the 1973 Grenada Constitution mentions only Grenada, so that Carriacou and the others are subsumed in that latter. Section 107 of the Constitution sets up a council for these two islands which is described as being

Unitary State of Trinidad and Tobago
[HON. K. PERSAD-BISSESSAR]

Friday, February 23, 1996

the principal organ of local government. Therefore, it is very clear in the 1973 Grenada Constitution that it is a nation state rather than a unitary one.

Later in 1981 when Antigua and Barbuda gained their independence, their preamble to their Constitution stated: "Whereas the people of Antigua and Barbuda proclaim they are a sovereign nation founded upon principles that acknowledge the supremacy of God..." This again was a unitary state with two islands, both islands being expressly mentioned within the Constitution. Even so, by section 123(1), there is created a council for Barbuda, even though set up as a unitary state, which is the principal organ for local government of that island and whose membership and functions are provided by Parliament.

Whenever in this country there are debates about Tobago in the context of a unitary state of Trinidad and Tobago, the word, secession, comes up and is always heard, especially from those on the other side who would impute improper motives to us on this side. However when one looks at the constitution of St. Kitts and Nevis, dated as recently as 1983, one can see how inaccurate is the use of the word, for it is only a federal structure, one of the federated states may decide to withdraw. It is only then that the word comes into effect, within a federal structure, where one federated state will withdraw. It is not appropriate in our setting. By section 113 of the Constitution, the Nevis island legislature may provide that Nevis shall no longer be federated with St. Kitts.

There have never been similar provisions in our Constitution in the unitary state of Trinidad and Tobago. Therefore, it is quite inaccurate to raise them in the context of any debate dealing with the unitary state of Trinidad and Tobago.

The Tobago House of Assembly Act was passed in 1980, and its purpose was broadly under section 21, which was to formulate and implement policy referred to it by the Minister, to be consulted by the Minister of Finance on matters of national importance and to implement policy, as well as to carry out basically local government functions.

So Tobago, in a sense, seemed to have some form of internal self-government. This Act was passed by the party whose political leader has proposed this Motion today. However, there was a very dangerous section in that Act, with the greatest of respect to the hon. Member, which was section 59 which said:

"Functions relating to the public administration of Tobago and not by this Act made the responsibility of the Assembly remain to be exercised by the

Government and shall be so exercised through a department the most senior post in which shall be in rank and status not less than that of Permanent Secretary and the holder of that post shall be responsible to the Minister."

When one looks at sections 21 and 59 of that THA Act, a statute that was piloted by the former government—as I said, the Leader who has now brought this motion to this House—one can see within section 59 the seed that would flourish to undermine any attempt at autonomy for Tobago. There were two specific reasons for this. One was the fact that the 1980 Act was defective, in that although while it attempted to provide that employees of the THA were public servants, the Act was ineffective for this purpose because no amendment had been made to section 3(1) of the Constitution which provided that public service means service in the Government of Trinidad and Tobago and does not include the THA.

The other reason why this Act was ineffective to give to Tobago any real autonomy was section 59. The central government established a department with officers who were appointed by the PNM Government. In April of 1988, the NAR Government introduced a Bill to amend the 1980 Act to remedy its defect insofar as the status of the employees of the THA was concerned. In introducing the Bill Dr. Brinsley Samaroo, then Minister of Decentralization, referred to the PNM Government's undermining of the role of the THA and its placing of its supporters in the central administrative office that was set up under section 59. He said this, if I may quote from *Hansard*, on April 8, 1988 at page 857:

"When from the very first election of the Tobago House of Assembly, it had become quite clear that the people of Tobago chose a party other than the then ruling party, every effort was made to frustrate the new people's representatives in the Assembly."

5.20 p.m.

"For Example, functions for which the Assembly was legally entitled under sections 21 and 22 of Act No. 37 of 1980 were withheld by the central government and put into the hands of his own agency in Tobago,..."

That body which was set up was known as the Central Administrative Services in Tobago.

Unitary State of Trinidad and Tobago
[HON. K. PERSAD-BISSESSAR]

Friday, February 23, 1996

This is why I said that it was an affront to the intelligence of the people of Trinidad and Tobago, when one looks at that consistent neglect and deliberate short-changing of the people of Tobago. There are numerous other examples one can look at that highlight that short-changing. The fact that the reports were required to be annual and presented to the Minister for laying in Parliament speaks of the treatment meted out to the people of Tobago by the PNM regime that claims to believe in a unitary state in which Tobago is an equal partner. The deeds, as the hon. Member for Tobago East said, speak for themselves.

In the introduction of the report for the year ending December 31, 1986, the then Chairman of the Tobago House of Assembly, Mr. Jefferson Davidson said that the situation had not improved over the end of 1985. The report states:

"In fact, the situation deteriorated considerably and the chronic shortages of both staff and funds continued during 1986.

The haphazard and unpredictable manner in which funds were released by Central Government to the Tobago House of Assembly made the planning and execution of projects most difficult. Out of a parliamentary allocation of \$133,297,536 for Recurrent Services, only \$113,020,130 were released as at 31st December, while from an allocation of \$6,300,000 Development Programme, \$3,776,138 were released. The results of the situation were, late completion of projects, lack of co-ordination within divisions, duplication of efforts and a significant decline in the level of goods and services."

Mr. Speaker, this and other annual reports, are really indictments against the PNM governments with respect to the fashion in which the sister isle—this island that they are saying is part of the unitary state—was being treated. A treatment which one would say in a sense is a denial of democratic rights for the people of Tobago.

The report for the year ended December 31, 1990 was laid in Parliament in September 1990 and reflected a period of four years of government by the NAR. The Chairman, Mr. Lennox Denoon in the 1990 report, stated that:

"...several landmarks were established by the Tobago House of Assembly. These included the following:-

- (a) The construction and opening of the first new school building in Tobago for the decade;

- (b) The completion of refurbishing of the Tobago Hospital with the updating of the Accident and Emergency Centre, the Laboratory and Mortuary. The completed works were commissioned by the honourable Dr. Emmanuel Hosein, then Minister of Health."

Other projects referred to were:

- (c) The completion of Phase I of Crown Point Airport Runway Extension.
- (d) The completion and commissioning of the Fire Station at Crown Point...
- (e) ...the establishment and commissioning of the Police Post at Store Bay."

And the opening of craft markets and a community centre at Delaford.

Mr. Speaker, what a contrast this is at the end of four years of the NAR government, to the report in 1986 which reflected the six years of life of the Tobago House of Assembly between 1980 to 1986 under the PNM government. I think these annual reports show, despite the motion by the Leader of the Opposition of being committed to a unitary state of Trinidad and Tobago, the neglect that was meted out by the PNM.

In 1991 there were just two paragraphs devoted to Tobago in the PNM's manifesto. It is almost impossible to find any concrete policy or proposal in those two paragraphs and the people of Tobago clearly showed what they felt about the PNM administration in the election of 1995.

Two paragraphs in the 1991 PNM's manifesto illustrated this point. It states:

"We see the Central Government and the House of Assembly working together, complementing each other in a productive and harmonious relationship."

This is followed by

"Our commitment to Tobago is for peace, progress and good government for the greater good of all Tobagonians and Trinidad and Tobago as a whole."

Mr. Speaker, the Member for Diego Martin East, spoke about the Member for Couva South speaking platitudes; well these are more than just platitudes. They

Unitary State of Trinidad and Tobago
[HON. K. PERSAD-BISSESSAR]

Friday, February 23, 1996

are downright deceptive. *[Interruption]* I will not say that they are deceptive, but the deeds speak louder than all these words that were found in those documents.

There is nothing in that 1991 manifesto which indicates that almost all of the energy put into Tobago by the PNM would be in the form of elitist teams; one led by the former Prime Minister and one led by Mr. Denoon, Chairman of the Tobago House of Assembly who met since 1993 to produce a bill which would have altered the Constitution to enshrine the status of the Tobago House of Assembly in it; and would have amended the Tobago House of Assembly Act of 1980 in respect of the Assembly's membership and functions. That is what the hon. Member for Laventille East/Morvant spoke about—the Manning/Denoon draft.

Mr. Panday: No, no, it is Manning looking for Selwyn.

Hon. K. Persad-Bissessar: One notes that around October 6, 1995 when the general elections were declared, there were several flurried meetings between the former Prime Minister, Cabinet members, the technical team, Mr. Denoon and some members of the THA, but there was absolutely no public consultation here in Trinidad. If Tobago is really part of the unitary state there would have been consultation in Trinidad and in Tobago with respect to constitutional changes to the Tobago House of Assembly.

Even more important there was no consultation among the members of the public in Tobago itself. If there had been openness, consultation and seeking of views, the proposed legislation would have been accepted by a delighted Tobago House of Assembly.

Mr. Speaker, the Tobago House of Assembly responded to the former Prime Minister's plans in an article entitled "Split in THA over the Draft Bill" on the front page of the *Trinidad Guardian* of September 8, 1995. Mr. Gerald MacFarlane, leader of the Assembly's business was quoted as saying of the proposed legislation that:

"We found it substantially flawed in concept, in form, and we feel that the Prime Minister and his government clearly do not understand what we are trying to achieve here in Tobago."

Motion made and question proposed, That the House do now adjourn to Friday, March 8, 1996 at 1.30 p.m. *[Hon. K. Persad-Bissessar]*

Question put and agreed to.

Unitary State of Trinidad and Tobago

Friday, February 23, 1996

House adjourned accordingly.

Adjourned at 5.30 p.m.