

*Leave of Absence**Friday, April 26, 1996***HOUSE OF REPRESENTATIVES***Friday, April 26, 1996.*

The House met at 1.35 p.m.

PRAYERS[MR. SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Mr. Speaker: Hon. Members, I have received communication from the Member for La Brea (Mr. Hedwige Bereaux), indicating that he will be out of the country on business and he has asked to be excused from today's sitting.

PUBLIC ACCOUNTS COMMITTEES**(Appointment)**

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move the following Motion:

Be it resolved that this House appoint Mrs. Camille Robinson-Regis and Mr. Eric Williams to the Public Accounts (Enterprises) Committee in place of Mr. Kenneth Valley and Mr. Colm Imbert who have resigned from that committee.

And be it further resolved that this House appoint Mr. Eric Williams to the Public Accounts Committee in place of Mr. Colm Imbert who has also resigned from that committee.

Question proposed.

Question put and agreed to.

Resolved.

UNITARY STATE OF TRINIDAD AND TOBAGO

[THIRD DAY]

Order read for resuming adjourned debate on question [Friday, 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. Speaker: I will call the hon. Minister of Legal Affairs and Member for Siparia to continue. She has already spoken for 25 minutes and therefore, has 20 minutes left in which she could make further contributions.

The Minister of Legal Affairs (Hon. Kamla Persad-Bissessar): Mr. Speaker, when we adjourned on the last Private Member's Day in February, I was speaking about the reaction of some members of the Tobago House of Assembly to the supposed agreement entered into by the PNM Government and the Members of the Tobago House of Assembly late in 1995, just before the November 6 general election. Mr. Speaker, if I may just pause for a moment to remind Members of the Motion which we are debating which you have just read:

"Be it resolved that this honourable House reaffirm its commitment to the Unitary State of Trinidad and Tobago."

An amendment if you recall, Mr Speaker, has been proposed to that Motion by the hon. Attorney General and Member for Couva South, that is, after the word "Tobago" at the end of the Motion, to add:

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

Mr. Speaker, I am speaking in support of the amended Motion.

It is my respectful view that this is as good a time as any to restate the position of this UNC/NAR Government with respect to Tobago. This position is clearly one of national unity in our approach to Tobago [*Desk thumping*] and in our search for a mutually satisfying resolution to differences between the sister islands of this twin-island sovereign state.

Mr. Speaker, the attitude of those on the other side is very, very clear because when this Government affirms its commitment to the unitary state under a government of national unity the other side greets it with a big laugh—it is a joke for them when that commitment is made towards Tobago. That is symptomatic of the kind of attitude that the PNM has always had towards Tobago. When Members on the other side are seen or heard in public referring to the visit of the Hon. Prime Minister and the Cabinet and the Minister Extraordinaire as “in Tobago liming,” we see clearly where they are coming from and it is really symptomatic of their attitude towards Tobago. I say this because if it is that this Government of national unity takes Tobago as seriously as the Constitution has intended that we

take Tobago and consider it as an integral part of that sovereign state of Trinidad and Tobago, then clearly it has nothing to do with liming in Tobago.

The visit of the Cabinet, the visit of the Prime Minister, the actions of this Government have demonstrated very clearly, in my respectful view, our commitment to the Unitary State of Trinidad and Tobago. It has demonstrated our levelling, as it were, all parts of Trinidad and Tobago, onto one level playing field. So that Tobago is not seen as a liming spot. Mr. Speaker, that is the attitude they had, that Tobago is a liming spot; it is not an important and integral part of the sovereign state. It is a liming spot. That is the kind of attitude for those on the other side.

If we look at the history of the past 20 years of the PNM Government we would see the utter bad faith that the PNM has demonstrated in its dealings with Tobago. That is why when I had started my contribution on this Motion I had spoken about this Motion as demonstrating hypocrisy of the other side in bringing such a Motion before this House. Mr. Speaker, you will recall that the 1976 Republican Constitution enshrined in section 1, subsections (1) and (2) the concept of a sovereign democratic state comprising both islands, Trinidad and Tobago. From that wording there is no doubt whatsoever that what is intended is that the two states are side by side, in forming part of a unitary state because other dependencies are also mentioned in section 1 as being in another category which is lower than the category of the twin-island state of Trinidad and Tobago. So the Constitution makes it very clear that these two islands are equal in forming part of the unitary state.

Mr. Speaker, that was in the 1976 Republican Constitution making it very clear, but no government action was taken to properly implement the intense status for Tobago until in 1977 when it was introduced in the House and reads as follows. This was introduced by one of the Members of Parliament with responsibility for Tobago, the then Minister of Health, Mr. Kamaluddin Mohammed.

"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 in such measure as will not be contradictory to the constitutional reality of the independent unitary state of Trinidad and Tobago."

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The Motion continued with what were the necessary steps which included taking into account:

- "(i) the views of the majority of the people;
- (ii) the cultural, financial and economic realities and potential of Trinidad and Tobago;
- (iii) the impact of any change on other parts of Trinidad and Tobago."

In other words, the impact on the unitary democratic state that already existed, as Minister Extraordinaire had pointed out in the amendments which were moved to the Motion. That Motion has been accepted by both Houses. It was agreed that a Joint Select Committee of both Houses investigate the matter and report.

1.45 p.m.

The Report was laid as House Paper No. 6 of 1978 and it came out strongly in favour of internal self-government for Tobago. In recommending internal self-government, the report stated at page 8:

"The thrust and focus of any measure to accord Tobago internal self-government must be in the sphere of the greatest possible measure of participation by the people acting through their representative institutions in the policy and implementation processes."

Mr. Manning: Mr. Speaker, I thank the hon. Member for Siparia for giving way. I wonder if the Member would be kind enough in her contribution to outline for this honourable House, exactly what is understood by that, in terms of legislative action, and what action the Government intends to take if it is advocating that is the direction in which we go?

Hon. K. Persad-Bissessar: Mr. Speaker, with respect to the comment from the hon. Member for San Fernando East, what I would say is that he is anticipating legislation that is to come to the House. There is a committee that has been set up that will be looking at the legislative measures that this Government would put in place. The hon. Prime Minister, on his visit to Tobago, when he spoke to the people of Tobago in the Tobago House of Assembly (THA) made it very clear that legislative measures would be put in place and that this draft legislation would be put out for public comment and consultation before it became law. The hon. Member's answer would come at that point. [*Desk thumping*]

Hon. Member: Only the Tobago Members are desk thumping.

Miss Nicholson: We do not want anyone desk thumping for us.

Hon. K. Persad-Bissessar: With respect to the other matters, the Member will have parts of his question answered during the course of the contributions on this side, Mr. Speaker.

I was referring to a report about which he was speaking, on focusing measures to accord Tobago internal self-government and that there must be the greatest possible measure of participation by the people acting through their representative institutions in the policy and implementation processes.

Mr. Robinson: Policy and implementation processes.

Hon. K. Persad-Bissessar: The report of the select committee went on to say:

“This can be achieved for example by devolution of governmental functions.”

Mr. Robinson: Do you know what devolution is? It is not geology you know. *[Laughter]*

Hon. K. Persad-Bissessar: Mr. Speaker, for the first time that most important word “devolution”—

Mr. Manning: *[Inaudible]*

Mr. Robinson: You are bad enough at geology.

Hon. K. Persad-Bissessar:—which has a very specific meaning is introduced. Devolution means the political process of separating or loosening regions from the nation as a whole by peaceful means, by legislation. This is clearly very different from decentralization or delegation of powers. The recommendations in the 1978 select committee report were accepted by the Parliament, in other words, by the then PNM government. Shortly thereafter, Mr. Lionel Seemungal, Queen’s Counsel, was retained by the government to draft a bill giving effect to the report. When the draft bill came before the PNM Cabinet a few months later, it was rejected, in spite of the fact that it accorded with the recommendations of the joint select committee of both Houses that were made in 1978.

Thereafter, the PNM drafted an in-house substitute bill which was hurried through the Parliament and became Act No. 37 of 1980. It was entitled the

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Tobago House of Assembly Act. The 1980 Act, in my respectful view, Mr. Speaker, in no way accorded to the people of Tobago internal self-government consistent with the unitary state of Trinidad and Tobago as envisaged by section 1 of the Constitution. Further, it was passed by a simple majority without any public consultation in Trinidad or Tobago.

When one looks at that 1980 Act, the wording of section 21 of that THA Act 1980 seems to run completely contrary to the expressed statement referred to above of the 1978 select committee, since section 21(1) in describing the functions of the THA states:

“The Assembly shall formulate and implement policy on all matters referred to it by the Minister and the Minister of Finance shall consult the Assembly on matters of national importance such as the annual national budget, development projects, and the operation and use of the long-term funds as they relate to Tobago...”

The section goes on to add insult to injury in my respectful view, Mr. Speaker, by stating that the THA is responsible for implementing government policy in respect of a number of matters. This was what the PNM government of the day called “devolution”; that the THA is to formulate and implement policies as ordered by the Minister for Tobago, and the Minister of Finance is only obliged to consult with the THA on certain aspects of fiscal policy.

Apart from the many other problems and uncertainties which plagued the THA because of the wording of that 1980 Act, Mr. Speaker, is what the PNM government termed internal self-government for Tobago. One wonders how they could have believed that this Act complied with the recommendations of the 1978 select committee. As I said before, it is a case of merely paying lip service but not putting into action what that committee had recommended. Again, Mr. Speaker, one has to repeat that there is some level of hypocrisy on the part of the PNM in relation to Tobago. [*Desk thumping*]

The Tobago House of Assembly Act 1980 caused many problems in interpretation; in some cases, it might have been deliberate misinterpretation. One of the more obvious ones was the lack of status of civil servants, of persons employed by the THA. In 1988, the then NAR government under the leadership of the Minister Extraordinaire in his capacity as Prime Minister, tried to remedy at least that defect by way of the Tobago House of Assembly (Amdt.) (No. 2) Bill 1988 which repealed sections 42, 43 and 44 of the Parent Tobago House of

Assembly Act. During the debate on that amending bill, the Hon. Dr. Brinsley Samaroo, then Minister in the government, was at pains to stress that the Tobago House of Assembly Act was an attempt at devolution and not decentralization. To him, decentralization meant the sharing of responsibility downwards by central government to local government authorities. This, of course, was what I suggested earlier. When Dr. Samaroo spoke about devolution he had this to say in *Hansard* of April 8, 1988:

“When we speak about devolution, we speak about the transference of authority from one top to another top—the delegation of central government responsibilities most often through agency powers to another governmental agency which requires these functions for special reasons.”

In the case of Tobago, the speaker gave the physical separation from Trinidad as a special reason for devolution to Tobago.

Mr. Speaker, the next step one would want to describe is the wearying tale of the non-implementation of the spirit of section 10(1) of the Constitution which came in the report of the Hyatali Commission in 1990. It reported at paragraph 383 that:

“The Act fell short of giving full effect to the resolution referred to the Committee in relation to Tobago as expressed in House Paper No. 6 of 1978...”

In paragraph 384, the Hyatali Commission spelt out the problems with the 1980 Act, introduced with such haste by the PNM government. These were as follows:

- “(a) the interpretation and application of section 21 of the Act...
- (b) the fact that no one has been appointed Accounting Officer for the Assembly;
- (c) the claim by the Assembly of the right to retain unspent balances...;
- (d) the nature of the relationship between the Central Government and the Assembly as epitomized in the relationship between the Central Administration Services Tobago (CAST) and the Assembly;
- (e) the appointment of Secretaries of the Assembly and vesting in them the functions of Ministers without authority to do so under the Act;

- (f) the claim of the Tobago House of Assembly under section 21 of the Act to exercise in Tobago powers vested in Ministers of the Central Government and the conflicts arising therefrom.”

1.55 p.m.

Mr. Speaker, for such a short Act there were certainly a great deal of problems. The commission’s report recommended that there would be a Minister for Tobago who should work for the good and interest of the unitary state of Trinidad and Tobago with the Tobago House of Assembly.

They proposed that the 1980 Act should be repealed and replaced with other legislation which grasp the concept correctly of self-government for Tobago within the framework of a democratic unitary state.

The more recent history of the People’s National Movement’s failure to take Tobago seriously in the period 1992—95 is better known. It will take less time to tell. Early in 1992, there were consultations between the PNM government and the THA. Two technical teams—one for the Government and one for the THA—appeared to be working on this. Early in 1992, they reached some form of agreement but it was not until the latter part of 1994 that the first draft of a bill was presented by the PNM government to the THA. The Tobago House of Assembly’s reaction to it is enshrined in an article in the *Daily Express* of October 17, 1994 when it was reported that:

“The Bill will impose on Tobago a political and constitutional subservience which will make the wardship that Tobago suffered for several decades seem like a period of constitutional enlightenment.”

Further on in that article, the THA’s team, led by Mr. Karl Hudson-Phillips, reported to the THA that the draft bill prepared by the PNM government was, “a sharp about turn from the assurances given by the Prime Minister for constitutional guarantees and the question of self-government and greater autonomy for Tobago.”

The report to the THA concluded by stating that the draft bill was, “a violation of the concept, philosophy and spirit of the constitutional amendment jointly recommended by the two technical teams in September 1992”

Further for the record, the THA team found the draft bill to be a considerable retrogression of even the 1980 Act. In spite of this, the Member for San Fernando

East dares to bring before this House a Motion to reaffirm commitment to the concept of a unitary state of Trinidad and Tobago.

Miss Nicholson: Shameless! Disgraceful!

Hon. K. Persad-Bissessar: Mr. Speaker, the word “hypocrisy” is too gentle to describe what took place between the PNM and Tobago in the circumstances.

In September and October 1995, there was yet another agreement between the PNM government and the THA. One only has to look at the headline in the *Daily Express* of October 3, 1995 which states: “Assembly accused of selling out Tobago” to know that yet another PNM sleight of hand, trick, had been played that time in order to get Tobago votes in the elections which took place in November, 1995.

Another article states that two members of the THA, including Mr. Hochoy Charles, Secretary for Health, walked out, and said, among other complaints, that the THA was supposed to have gone into negotiations with the PNM government with three lawyers on their side. While the government had Sir Ellis Clarke and Mr. Russell Martineau on its team, the THA had none. This agreement did not go anywhere because a general election was called on November 6, 1995 and the rest is history. The people of Tobago resoundingly rejected the overtures of the then PNM government.

Mr. Robinson: *Tout Baghai.*

Mr. Manning: *Toute Monde.*

Hon. K. Persad-Bissessar: Mr. Speaker, apart from recent discussions with the hon. Prime Minister on our visit to Tobago and the address and assurances he gave on April 10, 1996 to the THA—those have already been reported on—may I mention just a few matters on which this Government, since coming into office, has demonstrated and taken action with respect to Tobago.

In my ministry there have been small but, in my respectful view, immensely important administrative changes for the benefit of the people of Tobago. Firstly, on assuming public office we made an order under the Interpretation Act, section 52 (1) entitled “The delegation of functions for Liquor Licences Order 1996” by which the functions of the Registrar General who operates in Port of Spain only were delegated to himself or the Deputy Assistant Registrar General in Tobago. This was dated January 24, 1996.

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Whilst this may appear to be trivial detail, it is very clear that what this means is that people may now apply in Tobago and have signed in Tobago, their applications for licence instead of the delays that have occurred in the past by having the application sent to the office of the Registrar General in Trinidad. That was done very early in January of this year.

Another example from my own ministry: On March 20, 1996, we took steps to reflect Government's commitment to enhance the quality and range of services offered to the people of Tobago. We have put into place the mechanisms whereby Bills of Sale can now be registered in Tobago in the Registrar General's Department instead of the people of Tobago having to travel to Port of Spain to register them. In that way, the people of Tobago would avoid the delays and expense of having to come to Trinidad merely for the purpose of registering a Bill of Sale.

Mr. Speaker, there are many other areas that we are looking into on the question of marriage licences as well which have to come to Trinidad, so that we can have those functions performed in Tobago. I am sure that my Cabinet colleagues could regale us for some time every day with details of action they have each taken with respect to Tobago, in the context of the need for Tobago to function efficiently and effectively whilst being physically separated from its sister island.

It is that kind of action by the Government, based in this Parliament in Port of Spain, that is the real nitty gritty of commitment to the twin-island sovereign state of Trinidad and Tobago, unitary state as envisaged by the Republican Constitution.

It is not merely in the words but in the action that has been taken over the years; as demonstrated in non-action by the PNM government and as demonstrated by the commitment of this Government in action within the last couple months.

Mr. Speaker, may I be permitted to use the words of the hon. Prime Minister when he addressed the THA on April 10, 1996. In closing, he had this to say:

“Let us not forget that unity, co-operation and consultation are essential characteristics for the future development of our beautiful twin-island Republic.

The dawning of the twenty-first century should never meet these two islands in a relationship clouded by themes of discontent, distrust and alienation.

To the extent that the lack of constitutional guarantee of equal partnership to Tobago in the unitary state of Trinidad and Tobago has engendered those feelings, the partnership government of national unity is committed to institute appropriate legislative amendments to the Constitution.

To the extent that those sentiments have been fostered by insensitivity to the infrastructural and socio-economic development needs of Tobago, your Government is prepared, as resources permit, to attend to those needs.”

The hon. Prime Minister continued as follows:

“The time has far went for Trinidad and Tobago to cease walking one behind the other and start walking one beside the other. Not only should we begin to walk side by side but let us hold hands in doing so.”

Mr. Speaker, the hon. Prime Minister implored the people of Tobago by saying:

“Let us begin now because if not now, when? If this is not the forum to begin, where? If this Government cannot achieve that, which one will?”

This UNC/NAR Government is committed to the unitary state of Trinidad and Tobago as enshrined in section 1 of our Constitution.

Mr. Manning: People in Moruga want water.

Hon. K. Persad-Bissessar: Mr. Speaker, whether it be Moruga, Cedros, Chaguanas, Port of Spain, Scarborough or Speyside in Tobago, this Government is committed to the unitary, democratic, sovereign state of Trinidad and Tobago.

Thank you.

Dr. Keith Rowley (*Diego Martin West*): Mr. Speaker, I join this very interesting debate with the very fervent hope that this would be the penultimate debate on this matter. Much national energies have been expended on this particular matter of the relationship between Trinidad and Tobago and, as one would have gathered this afternoon from the very gentle person from Siparia who also expressed her position in very strong language, which seem to have occurred from the very beginning dating back to 1976.

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I say this because I am hopeful that there would be another debate and on that occasion that would be the final one when a document would be brought to this House and we would all stand common ground, agree on it and put this matter behind us once and for all and the finger pointing and emotive terms would conclude. I sincerely hope that would be in the very near future.

I want to make my position very clear. Speaking on behalf of the PNM, which I represent, I would give my fullest support to anything which we have agreed is in the best interest of improving the relationship between Trinidad and Tobago. Whenever that time comes, the support will be there.

2.05 p.m.

Today is a very interesting situation, because I have in my hand a copy of a Draft Bill, which I had the honour to make some contribution to in the last year and a half or two years, or thereabouts. Possibly more than that.

Speaking from the Opposition side, I think it is one of the few occasions when one can speak in a debate and refer to a Draft Bill which was prepared because, in our system it is not normal for the Opposition to have a document called a Bill to which one can refer as we talk about enacting legislation.

But on this occasion we do have a Draft Bill and I would like to refer to it, if only to point out to you, Mr. Speaker, where we are at this time with respect to positions taken on this matter. I have no doubt that other documents can be prepared and that other positions can be advanced, but we do have something and I would want, just for the record, Mr. Speaker, to look at some element of confusion which concerned me as I advance my position that I hope that sooner, rather than later, this matter would be cleared up, finalized, enacted, and we will put that behind us as a people and get on with other matters which are equally important.

Mr. Speaker, the Member for Siparia spoke about House Paper No. 6 of 1977, 19 years ago, or thereabouts.

Mr. Robinson: 1978.

Dr. K. Rowley: Okay, so it is 18 years then. Much of her contribution, Mr Speaker, would have made a lot of sense to me, if that contribution were made in 1986. Because one could quite logically have said, as she said, that there was a Draft Bill prepared by Mr. Seemungal; and I heard my colleague from Tobago West—

Miss Nicholson: It was rejected by the PNM.

Dr. K. Rowley: Let me talk, nuh.

Miss Nicholson: You called my name.

Dr. K. Rowley: I heard my colleague from Tobago West cheer when she said that a Draft Bill was prepared by Mr. Seemungal; and she also indicated that that was the position. And while I would not want to make any apologies for my earlier colleagues in the PNM, I heard accusations that they hurriedly, like thieves in the night, rushed to the Parliament with another Bill and replaced the Seemungal Draft.

Assuming that the Seemungal Draft was, in fact, the Bill which would have given satisfaction to the mover of the Motion, and which would have quite adequately addressed the sentiments of the call for internal self-government, I am saying, Mr. Speaker, that if the Minister for Legal Affairs had made that presentation in 1986, it would have been logical because I would have said: Yes, it may very well be that the PNM had a different point of view, and in a deceitful way had changed their position and had prevented the Seemungal Draft from being enacted, because the PNM had the powers of the state at that time and did not permit that thing to see the light of day. That could have been a logical argument.

But then, my colleague from Tobago East became the Prime Minister in 1986, and I am sure the Seemungal Draft was very well known to him. If it were that perfect solution, I simply ask, without malice to anyone—I am not seeking to become confrontational in any way, but simply to make a request for some clarification—why was that Draft not enacted into law to settle this whole matter during the period 1986—1991? [*Desk thumping*]. I only ask the question and, in my own mind, I could be wrong and I am subject to correction; and I hope when somebody on the other side responds, he will tell me.

I suspect, Mr. Speaker, that that Draft is not as complete a solution as it is made out to be. Because if it were, I would have assumed it would have been enacted when the Member for Tobago East had the authority so to do and an overwhelming majority, that he would have just picked it up, dusted it off and enacted it without reference to the PNM, or anybody for that matter. But that was not done, and that is a fact.

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So I have a problem with that position that the Seemungal Draft is, in fact, the solution. In fact, Mr. Speaker, many people have said a lot about what they do not agree with but the Seemungal Draft Bill is the only one on which I have heard comments from those in the PNM saying that “this is what we want”. Over the years, and we are talking about almost 20 years, many people from all stations in public administration, communicators and members of the general public have had much to say about what they do not agree with and what they do not want, but very few have committed themselves to saying, or reducing to writing, what they want; how they see it; and what should be enacted into law. That is why I am very eager to see what will come forward in documentary form as the position of the Government, of which the Member for Tobago East is a part, because I am very keen to see for the first time, in written form, what he wants for Tobago. I am keen to see that.

Mr. Speaker, I am a geologist, and a very fundamental part of geological theory is the principle of evolution; and evolution means change over time. But I want to say to my colleagues on the other side, many of whom are lawyers, just in the same way—

Mr. Robinson: If the hon. Member would give way. Just for his information, long before he entered this Parliament, which was not so long ago, I submitted a Bill to the government which was drawn up by me, stating what I thought should be the form of the instrument that would give effect to the Joint Select Committee Report to Parliament. [*Desk thumping*]

Dr. K. Rowley: Which administration?

Miss Nicholson: PNM.

Dr. K. Rowley: Mr. Speaker, I must admit that I am unaware of the existence of such a Draft Bill. I am unaware, and I want to put that on record. I have been in the Parliament for nine years; and I was always under the impression that I have not seen a document which outlines the position of the Member for Tobago East on the subject of internal self-government. I have heard a lot of prose as to what it should be; but I have not seen a Draft Bill or specific positions as to what the working relationship should be. In fact, I hope you kept a copy.

Mr. Robinson: You never asked me for any.

Dr. K. Rowley: I am asking you now. I hope you kept a copy and that you would be so good to make a copy available to me.

2.15 p.m.

Mr. Robinson: I am afraid you are too late.

Dr. K. Rowley: One would have to come to the Parliament before it can be enacted into law. I know of no such document and that is why I said it is the first time we have a document of specifics.

Mr. Speaker, the Member for Siparia also made reference to the shortcomings of Act 37 of 1980 which brought into being the Tobago House of Assembly and spoke about it in disparaging terms.

In the scheme of evolution, when one looks at the fact that the Tobago County Council was replaced in 1980 by the Tobago House of Assembly, an upgraded institution which has been serving Tobago for almost 15 years and, in fact, for the entire period of its life it was governed in majority by the party which produced the Member for Tobago East in the present Parliament, and also that the Government of the day during that five-year period was the Government of which the Member for Tobago East was the Prime Minister, I would say that the Tobago House of Assembly of 1980 which has been in existence for that period of over 15 years and would have served Tobago well in that period, notwithstanding the fact that there were shortcomings, that that was a progressive step along the way toward evolving to that perfect state which might, according to my Friend from Tobago West, be the Seemungal Bill. It is quite unreasonable to take the position that the creation of the Tobago House of Assembly in 1980 was something deceitful and conniving when, in fact, it has served for 15 years, five of those under the prime ministership of the chief spokesperson for that internal self-government, and that is no less a person than the Member of Parliament for Tobago East, today.

I want to spend a few moments pointing out how one cannot be clear as to what is happening when I listened to the Member for Siparia who gave the impression that the Motion was frivolous and, in fact, that the 1976 Constitution has made it quite clear what we are and what we are to be. That might be so and that was written in 1976 but many persons who were alive then are no longer alive and many persons who were children are now adults, and many positions that were taken in 1976 are no longer valid today. One only has to look at my Friend from St. Joseph, who yesterday I heard praising to the high heavens the Member for Couva North, and who described him as a visionary who is leading this Government to take this country to higher heights, and I wondered if it was

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the same person who was speaking on the night of the bye-election in Caroni in 1995 who described the Member for Couva North in a completely opposite way. With time positions can change.

Mr. Assam: Would the Member give way? I spoke on a bye-election in Caroni in 1995? That is totally misleading. I never spoke on any bye-election. I was at the TTT station as one of the members of the panel doing a commentary on the elections.

Dr. K. Rowley: Mr. Speaker, I would give way every time. Let me put the Member at ease. I am not going to tell the hon. Member what he said on the television programme that night. I did not say he spoke on a platform in the bye-election; I said on the night of the bye-election he had certain things to say. That in no way meant that he spoke on a public platform.

When one speaks at the television station it is the spoken word, the same way as if it were a public platform. I saw him on television describing the Member for Couva North in the most disparaging terms but yesterday I heard clearly that he has changed his position.

Mr. Assam: I would like the Member for Diego Martin West to produce the tapes where he is alleging that I spoke disparagingly on that night about the Member for Couva North. Again, Mr. Speaker, the Member is misleading the House and he is impugning my character for which I believe he should apologize and withdraw the statement.

Dr. K. Rowley: Mr. Speaker, I hope I will get injury time for his interjection. I had no doubt that his performance yesterday was to erase and ingratiate himself to the Member for Couva North. I would not waste my time to try and produce any document because all of us here saw the programme that night.

In fact, if the Member wants me to bring further information—I heard him speak in glowing terms yesterday about the Member for Tobago East. Mr. Speaker, when the Member came back from London, the Member for Tobago East was the Prime Minister and he was out there speaking about the NAR government and the leadership of the government. If he wants me to bring statements about his position on the Member for Tobago East and his government I could bring that too. Enough said on that, Mr. Speaker.

Mr. Assam: Again, the Member is misleading the House. On my return from London, I was interviewed by Judy Diptee of the *Express* newspaper and I still

have a copy of that entire statement in the *Sunday Express*. I never even talked when I returned to Trinidad from London.

Mr. Robinson: May I ask the Member for Diego Martin West, never mind about these things, he will soon be speaking in glowing terms about me.

Dr. K. Rowley: Have I not always spoken in glowing terms about you?

Miss Nicholson: You were the first person who got me angry.

Dr. K. Rowley: Mr. Speaker, since my colleague from Tobago West wants to join this aspect of the debate, I wonder if I should tell her what she had to say, but I would not trouble her.

Miss Nicholson: You would not be speaking the truth.

Dr. K. Rowley: Now, she has accused me of not speaking the truth therefore, I have to say what she said. The Member was the person in 1992 who said that her colleague from Tobago East was not the person she knew and was not well and might need medical attention.

Miss Nicholson: Mr. Speaker, on a point of order. I never made that statement. He read something in the press.

Dr. K. Rowley: Wait, wait. Mr. Speaker, my colleague from Tobago West has just said, for the first time, that the statement which was reported in the newspaper was not said by her and I believe her. Therefore, I withdraw that statement.

Mr. Robinson: May I inform the hon. Member for Diego Martin West that whether said or not, on several occasions since, her colleague has had medical treatment.

Dr. K. Rowley: Mr. Speaker, to no avail. There is no offence then, because whoever misrepresented her, in fact, was accurate.

All of this was simply to make the point that positions of 1976 in the Republican Constitution might not be valid if people change their positions later on, and it is possible for people to change their positions. That is all I was demonstrating.

As people express themselves, verbally and otherwise, especially verbally, that is how you understand how they think, and, therefore, when people say

things you must now try to understand how those statements relate to the position that they will take given certain developments.

2.25 p.m.

I have with me a copy of a headline from the *Newsday* dated November 13, 1994, which says: "Tobago threatens to breakaway." My colleague from Siparia made reference to headlines from newspapers and presented them as positions which, by their screaming headlines, determined the ethos of the day. Mr. Speaker, permit me to read what was published here:

"Tobago will press for independence from Trinidad if it is not given internal self-government."

Mr. Speaker, put that in the context that there exists a Seemungal Draft Bill which, I am told, satisfied the aspirations of those who vehemently advocated a change or an improvement in the relationship between Trinidad and Tobago. That draft bill has been available for over 20 years and it was not enacted into law by a government in which the speaker of that comment, which I just read, was a part. All I am asking is: Why is it that we do not enact that Seemungal Draft Bill and prevent ourselves from having to make these kinds of statements which raise questions from people who hear these statements? This is not a very light-hearted matter, this is the Member of Parliament for Tobago West saying, "Tobago will press for independence from Trinidad if it is not given internal self-government."

I made the point earlier on that I had never seen a document which spelt out, in structure and fashion, what internal self-government meant. I am therefore looking forward to that document so as to avoid any course of action as threatened by that Member. Of course, Mr. Speaker, later on in the article I felt a little more comfortable because the reporter said that the Member was not in favour of separation but only wanted the government to:

"Give we we money and let us run Tobago affairs."

That is the closest I have seen as a position taken by the Member for Tobago West on this matter. "Give we we money and let us run Tobago." Mr. Speaker, clearly, it cannot just be like that. That is not a structure to change the relationship between Trinidad and Tobago. I would like to see something a little more well-structured and more understandable than that.

With respect to the evolution of things, the Tobago House of Assembly is there and is functioning. I cannot remember the year, but I remember when the

Member for Tobago East was Chairman of the Tobago House of Assembly and presented a very eloquent discourse on the importance of according the chairmanship of the Tobago House of Assembly the kind of respect that office should have. He spoke in the context of the relationship with the Chairman of the Assembly and the Assembly as an institution *vis a vis* the Central Government. In fact, the PNM government of the day agreed with him on that matter, and insofar as the emoluments of the Chairman of the Tobago House of Assembly were concerned, the salary was pitched at the level of a Minister; insofar as the government's dealing with Tobago was concerned, the Assembly was identified as an institution to be treated with a certain amount of respect.

The Tobagonians who ran that Assembly never made anybody forget that, because they quite zealously guarded that institution's position in the scheme of public administration. That is why I was a little surprised when I saw a description from a Member of this Government in relation to the Assembly, objecting to appointments being made on boards without reference to the Assembly. This is what a Minister of this Government had to say in relation to how power is positioned in this country. He said:

“It is not the Cabinet plus the Tobago House of Assembly.”

Mr. Speaker, if I, or any PNM Minister had said that in relation to a query from the Assembly about how it was treated by the central government, I am sure that those on the other side, especially my Friends from Tobago East and West, would have taken me, or any PNM Minister who had dared to take that position to the cleaners, with respect to recognizing the role and presence of the Assembly in public administration in this country.

The Member went on to clarify his position and he said that Tobago's interest was being served by the presence of the Minister Extraordinaire who is responsible for Tobago Affairs. He went on to state that this:

“...affords Tobago a better opportunity to be represented on boards because the Minister Extraordinaire ensures that the people of Tobago are well represented in these appointments.”

Clearly, Mr. Speaker, this is a Minister who is talking about something that he does not know anything about. He is probably just generating words on the spur of the moment and I call that, “policy on the hoof.” Clearly, no Minister of Government can expect the support of any Member of this Parliament to say that

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a Minister appointed, in any Cabinet, suffices the need, and therefore, the Tobago House of Assembly is irrelevant in this matter. That cannot be, Mr. Speaker!

I raise these matters to point out that there is a certain element of confusion, even within the Government, of which the two Tobago Members of Parliament are Cabinet Ministers with respect to the relationship between central government and the Tobago House of Assembly. It is not something which is the creation of the PNM which was some Machiavellian plot to create discord between Trinidad and Tobago and to oppress Tobago; this is what the Minister of Finance had to say.

That same Minister of Finance spoke on a platform in Tobago for the first time in 1992, on my urging in Mount Grace. The PNM was so clear in its position on what the Tobago House of Assembly meant that that Minister would dare not have said this on a PNM platform. Because if he were speaking with his PNM hat, he would have known how to have treated with the THA in public utterances.

Mr. Speaker, let us look at the question of CAST which is the central government unit in Tobago. I was surprised last week when I read in the *Trinidad Guardian* dated April 14, 1996 under headline:

“PM wants reshuffle.”

A headline which caused great consternation to my Friend from St. Joseph causing him to behave in a most unseemly manner. In that article I took note of a paragraph which read:

“In response to a question about the role of the Central Administrative Services (CAST) in the link between Central Government and the THA, Panday said that CAST’s activities justify the need for a Ministry of Tobago Affairs so that this Ministry could coordinate the functions of CAST and the THA.”

This is what the Prime Minister said. Now this Prime Minister was the Minister of Foreign Affairs, I think.

2.35 p.m.

When the Member for Tobago East, currently holding the position of Minister Extraordinaire, was Prime Minister and Minister of Finance and the Economy, presented the national budget—Mr. Speaker, I thought of bringing a copy of the budget speech here this morning but I am sure he would not query it.

In one of his 1988 budget speeches, during that year he categorically stated that it was his Government's intention—and I am talking about the Member for Tobago East—to disband and do away with CAST—I am just paraphrasing what he said in the text; “this nefarious agency which was left there by the PNM to interfere in Tobago's business and to undermine the assembly.” So, if in 1988 the Member for Tobago East had that position with respect to CAST—I looked very carefully over the years and noticed that that promise to disband CAST was never carried out—that tells me it may very well be that at the end of the day, he too, came to a position that the presence of the Central Administrative Services Tobago was not, in fact, any PNM policy to undermine the Assembly but, in fact, there was a very real role in Tobago for a central government agency. Here, today is a Prime Minister who would have sat there in 1988 and would have heard what was said about CAST, but he, today is telling us that he sees a very real need for a Ministry of Tobago Affairs.

Mr. Speaker, that brought me back to a public meeting I attended in Mason Hall in 1977. However, it was the local government elections, 1977—and the main speaker was my Friend for Tobago East. I recall that there was a general election in 1976 and during that campaign the removal of the Ministry of Tobago Affairs was not an issue. In the local government elections of 1977—which incidentally, the PNM won, because it is a point of view that had the PNM lost the elections in Tobago in 1976 and never saw the light of day then—that was not correct. The PNM lost the general elections in 1976 and in 1977 there was a local government elections. I was in Mason Hall at a public meeting during that local government elections campaign and the Member for Tobago East had this to say, in seeking to explain why the Ministry of Tobago Affairs was, in fact, detrimental to Tobago's progress. He said there was no ministry for Caroni; there was no ministry for Point Fortin but there was a Ministry for Tobago Affairs and that was the mechanism which Dr. Williams was using to keep Tobago under his knee. He presented an argument and it was against the need for a Ministry for Tobago Affairs.

I was very surprised when the appointments were made in this administration to see that the Member for Tobago East accepted a portfolio for Tobago Affairs and now I am hearing the Prime Minister himself say that there is, in fact, a need for a Ministry for Tobago Affairs. You see, the Prime Minister, being the actor that he is, went one step further and pulled a stroke on Tobagonians while he was visiting; he told them that he wants them to make full use of all the resources

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being made to Tobago through the Ministry for Tobago Affairs, and I asked: What resources?

I remember when I perused the documents of the Appropriation Bill—if my memory serves me right—the resources of the Ministry for Tobago Affairs in the Ministry of the Minister Extraordinaire is \$1.2 million. If one looks at the allocation of that \$1.2 million, I do not think that one cent of that is earmarked for any expenditure in Tobago; it is to service the Ministry of the Minister Extraordinaire insofar as there is a Minister in that Ministry, a Permanent Secretary, I presume, some other public servants and probably goods and services. I want to ask the Prime Minister: What got into his head to pull that stunt on Tobagonians last week, telling them to make full use of the resources that he has made available to them through the Ministry for Tobago Affairs in the Ministry Extraordinaire?

Mr. Speaker, when one looks at all this one would see that there are a variety of positions now and there have always been a variety of positions in the last 17 or 18 years. I think the time has come for us once and for all, to seek to get some agreement on this whole question of the relationship between Trinidad and Tobago. It is a debilitating argument which can go on and on and sap our energies and have the potential to create tremendous discord among our people. We need to see this as a family problem and sit down and work it out. That is what we tried to do in 1992, very early in the term of that administration, of which I was a part, under the Member for San Fernando East, I think it was in February, two months after we came into Government we went to Tobago. During that visit, in recognition of the fact that there was this feeling in Tobago that the Tobago House of Assembly was a tenuous institution and did not spring from the Constitution where there would be guarantees of its existence, the Member for San Fernando East, who was then Prime Minister, offered Tobagonians that his Government would take steps to put the Tobago House of Assembly on our statute books and have it entrenched in the Constitution. That was my knowledge of it. We drafted the document to give effect to that.

Mr. Speaker, I heard the comments from my Friend from Siparia and I do not think she is very familiar with the workings of this, she was not party to the details and I would forgive her for the position that she has taken. I was there and I was a part of it. When that offer was made the Members of the Tobago House of Assembly—and I would point out to you, Mr. Speaker, that the PNM had won the Assembly elections so the other 15 were non-PNM members—they were all happy

that this direction would be followed; guarantees in the Constitution and that the Central Government and the Tobago House of Assembly would together seek to identify common ground, the objective being to establish in law, situations which would lead to an improved relationship between Trinidad and Tobago stemming from improved administrative arrangements.

Mr. Speaker, how did we proceed? We proceeded by having two technical teams, one from the Tobago House of Assembly and the other from the Central Government. It was made abundantly clear to the Tobago House of Assembly that they were free to court whomsoever they wished to assist them or guide them in formulating and advancing their positions. The Central Government had its own team, and on that team we were privileged to have the services of the eminent lawyer, Sir Ellis Clarke who was, as you know, very instrumental in drafting our own Republican Constitution and our Independence Constitution.

We had the former Attorney General, who is himself a Tobagonian, Mr. Russell Martineau, and we had a number of other persons who were either members of cabinet or members of the public service and that was the government's technical team.

2.45 p.m.

The Assembly had its own team made up of Members of the Assembly and the Member for Tobago West was a part of that team and, in fact, there were lawyers sought by the THA, one of whom was a former Attorney General, Mr. Karl Hudson-Phillips, there was Mr. Reginald Dumas who was head of the public service and people of that calibre assisting the Assembly with its position. I attended the meeting of these two technical teams where the Member for Tobago West was a participant.

Miss Nicholson: Mr. Speaker, I would like to bring some clarity to a matter here.

When that situation emerged, I was invited to a meeting, I went to the meeting, but after that first meeting, nobody ever invited me to any other meeting. Therefore, I was not a part of any team and I will deal with him comprehensively a little later, Sir. *[Laughter and desk thumping]*

Dr. K. Rowley: Mr. Speaker, I cannot speak for the Member for Tobago West, all I am saying is that the process was accepted by both sides, the Assembly—and I am not seeking to cast any aspersions on her, I am simply

trying to outline the process—and the Central Government, and there were two teams which were in fact established and did meet. All I was saying is that I saw the Member for Tobago West there with the THA's team. I cannot say why she never came back, whether she was invited or not. I cannot speak on that at all. Maybe today she might enlighten us but that will not be dealing with me, Mr. Speaker—

Miss Nicholson: I will not waste time with that.

Dr. K. Rowley: —because I am not dealing with that, I am dealing with the process. That process eventually resulted in the two technical teams coming to some kind of global position, and the Central Government was then asked to prepare the document to reflect those positions which were arrived at.

We do not bring to Parliament the minutes of meetings and the pros and cons that come to Parliament, as you would know, is the finished work, the polished diamond in the form of a draft bill which is going to be enacted into law. The work of the technical team would now form the basis for the political teams to meet and negotiate positions. Over time, I remember the document went to the Assembly and it was there for a while and we waited for a response and eventually we had a response from them in 1994—a process which had been underway since 1992. I was present then, and there was the Central Government's team again. We also had the services of Mr. Russell Martineau, Attorney General Keith Sobion and others, and the Assembly, I think the full membership was there in the beginning.

I heard the Member for Siparia quoting some source. I think it was Mr. Hochoy Charles she was quoting, saying that he walked out of the meeting because the Assembly had no lawyer.

Mr. Speaker, if the Tobago House of Assembly comes to a meeting without legal support whom do you want to hold responsible for that? It certainly cannot be the Central Government and it cannot be the PNM, but I will tell you, the same gentleman she quoted took part in a portion of those discussions and as these things go, Mr. Speaker, there was a lot of “toing” and “froing”, and your position and my position, because it was a negotiation. On that day, the Assembly had on its team a legal officer who is an employee of the Assembly, hired and paid for by the Assembly and, insofar as the Member for Siparia raised this matter, I can tell you that what I observed on that day was the unusual happening where the Chairman of the Assembly was not receiving legal advice from the Assembly's

officer. The legal advice was being given to the said Hochoy Charles and when he got annoyed at the proceedings and walked out, the employee of the Assembly walked out with him leaving the Chairman and the rest of the Assembly there.

Mr. Speaker, I am not responsible for the Assembly or its staff, I am simply telling you what I observed. Therefore, it is quite wrong for the Member for Siparia to come here and say that the Assembly was there with no lawyer and it was the PNM's fault.

However, at the end of the day, a document was prepared because the Central Government and the THA had an agreement, notwithstanding the fact that two members out of fifteen had walked out, and of course, the third member. I will tell you also that that legal officer who walked out of that meeting from which came this draft bill, is today a Senator in the Parliament and I understand has been assigned to work on the preparation of a document which I presume is the document which will eventually come to us.

I was very surprised to hear on television last week, the same person who, in her capacity as an employee of the Assembly, had walked out with Assemblyman Charles, say on the Julian Rogers morning programme that the draft bill which the PNM prepared, for which there was agreement between the Assembly and the Central Government, is a good basis to seek to advance the cause of internal self-government.

Mr. Speaker: Hon. Members, the speaking time of the Member for Diego Martin West has expired.

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

Question put and agreed to.

Dr. K. Rowley: I thank you, Mr. Speaker, and I wish to thank the Members for their courtesy.

As I was saying, only last week, the Member of the other place was saying that the document on which we worked and prepared was in fact, a good basis. I presume she probably meant it can be refined to satisfy the needs of the situation. One has to view that comment in the context of the position taken by the Member for Tobago East when he spoke about the document, because his position was that the document should be confined to the dustbin.

Mr. Robinson: But it was.

Dr. K. Rowley: Well then he has assisted me, Mr. Speaker. He has just said that it was confined to the dustbin, so I presume that the hon. Senator who is working on this team to draft something will have to go to the dustbin to pick it up, dust it off and use it as a basis for forward movement.

Mr. Speaker, I tell you this only to point out that much has been said in an emotive and rhetorical way, but at the end of the day when it is time to dot the "i's" and cross the "t's" one would find that much of it was more light than heat. *[Interruption]* Mr. Speaker, I am corrected, I am told that there was more heat than light.

2.55 p.m.

At the end of the day, regardless of who would bring the final document it would have to fall within a certain framework. Insofar as there is this document in which considerable effort has been put and agreement has been had between the Assembly and the previous administration, I would like to see what the next phase would be.

Miss Nicholson: The next phase would be for you to support what is brought before the House.

Dr. K. Rowley: Mr. Speaker, let me point out to you what the document which this side has before us, contains and what it sought to do.

One of the most important things which the PNM sought to do in that draft bill, was to create in Tobago an Executive Council. The document spells out the structure of that council which would function as a collective body. That Executive Council would have the same sort of arrangement as the Parliament, with a presiding officer. Let me tell you why, Mr. Speaker. Look at what happens today and what has been happening for the last 15 years, since its inception, in the Tobago House of Assembly. The Chairman of the Assembly, an elected Member, a politician, chairs the proceedings of the Assembly. He sits in the chair and on very many occasions he, himself, is the subject of attack for his political performance and he has to adjudicate on his own behaviour, because the Assembly is not so structured as to have a presiding officer, as you are here, presiding over the rest of the parliamentarians.

As part of an improvement to the situation, the new arrangement meant to create a structure where the Assembly would have a presiding officer and there would be an Executive Council. Elected Members to the Assembly would not all be in the Cabinet, as not all persons elected to government are in the Cabinet, but

there would be an Executive Council which would, from a functional standpoint, function very much like a Cabinet.

We heard the reference by the Member for Siparia earlier, about the comments of the Hyatali Commission Report which made reference to the need for that kind of structure to give Tobago that kind of administrative arrangement. We were keeping faith with that. It might have been late in the day but the fact of the matter is we were right on course.

Therefore, as we confine the document to the dustbin or we say it is not a good document, we have to understand this aspect of it has its origin, not in any PNM back room but out of the Hyatali Commission.

Another aspect of it was the creation of a minority leader situation. This country operates party politics—and I see no need to advocate change—and those who win take charge of the administration and those who do not get the majority of seats are not in charge but they are part of the administration. We sought to put in the Tobago arrangement, very much like the Parliament, a minority leader situation, and that was one of the features.

The document goes on to talk about how they are to be appointed, the swearing in, publication of names, limit for swearing in, who qualifies to be a member and so forth. These are basic legal matters.

One problem that this draft bill sought to address was a problem with the term “secretary”. Since 1983 or 1984 persons elected to the Tobago House of Assembly as councillors—assemblymen and women are councillors—on the say-so of the Assembly itself, designated themselves secretaries, and when the Member for Tobago East became Prime Minister, the Cabinet gave some semblance of official sanction to this function called “secretary”.

We have no problem with that arrangement because we, on this side, say if that is the kind of arrangement which serves Tobago’s needs best, then we would support it. Insofar as it has been in force for all these years, and we have seen that it has been accepted in Tobago as the structure by which Tobago’s administration should be carried out, we would support it. But it does not have any legal complexion.

Therefore, as we sought to create the Executive Council, we sought to put into law, the function of secretary. So that for the first time, if this draft bill was

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enacted, the secretaries would have had legal status. I do not see why any person who is reasonable would want to argue with that. We said, "it is working, it is there, let us give it the proper legal status."

Then, we went on to talk about remuneration for the secretaries. As part of the cleaning up of the administration, there was a provision as to how secretaries and the chairman should be remunerated. Also, we introduced into the legislation to make it clear that such officers, as would then be part of the public schedule, would fall under the Salaries Review Commission. There were people making claims to the Cabinet for an increase in the salaries of secretaries because they were underpaid. We said, "okay, since we are going to put this in place, one of the things we would also do is to put the secretaries under the Salaries Review Commission and let the commission determine the remuneration."

We spoke about the 10-year exemption from jury service; if vacancies arise how they should be paid; dissolution of the Assembly and so forth. We also said that the Assembly is a public body for purposes of the Prevention of Corruption Act. All of these matters are purely administrative.

[MR. DEPUTY SPEAKER *in the Chair*]

Mr. Deputy Speaker, I think where emotions ran high was on the question of the formulation and implementation of policy. Much was said about that. Bearing malice to no one and having no ulterior motives, I really could not see what the real problem was. In the bill that we had drafted, which we proposed to have brought to Parliament it states:

"Within the framework of national policy and subject to Part II, sections 2, 3, and 4 of the Constitution, the Assembly shall in relation to Tobago, be responsible for the formulation and implementation of policy with respect to the following:"

And we outlined virtually every aspect of public administration and identified those which were foreign affairs and national security which were not covered by that.

3.05 p.m.

Even insofar as foreign affairs and national security were not covered by that clause, provision was made to ensure that the Tobago House of Assembly had an input into national administration of foreign affairs and public policy. It was all

spelt out there. A lot was said about this question of “within the framework of national policy”.

Mr. Deputy Speaker, one could strike that clause off and I think, insofar as one reads the document, one would have to read into it the existence of such a clause, because when the Minister for Legal Affairs spoke about the Constitution and about Trinidad and Tobago being a sovereign, democratic state, and identified the oneness of the situation, it necessarily followed that there has to be a national policy on public administration; and the national policy of Trinidad and Tobago may not be the same as a policy of another government elsewhere.

If one does not read into the clause that whatever policy the Tobago House of Assembly would pursue, having the right so to pursue it, that that policy will have to be within some framework of national policy, then one immediately would begin to see that if you say, yes that is so, that one sees a oneness. If you say, no, no, the THA is free to carry out policy as it sees fit, then it is possible that that policy could have nothing to do with a policy on a similar subject taking place in Trinidad.

Let me give you an example, Mr. Deputy Speaker, to try to clarify what I am saying, because I figure it might sound a little confusing; and to demonstrate the spirit of that clause. It is not a clause meant to deny the Assembly the right to be in charge of Tobago’s affairs. Take, for example, a case like public health. Because of the way diseases—and I choose this example, Mr. Deputy Speaker, particularly because you are an eminent medical doctor assisting in the most valuable of ways; I understand that your skills are in great demand on the other side. *[Interruption]* Mr. Deputy Speaker, I chose the example of public health to try to bring home the point I am trying to make. I start by saying that the clause about “within the framework of national policy” ought not to be read with any cynicism; and it does not represent anything sinister.

In the realm of public health, because diseases are communicable in a variety of ways, not the least of which is by the movement of persons from place to place, in this country there is a national policy which says that children should be vaccinated before they go to school. I think that is correct? *[Interruption]* There is a system in place where we have to vaccinate all babes-in-arms and toddlers against certain specific diseases because of the nature of those diseases; and that is national policy. It costs money. It requires a certain administrative arrangement.

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Suppose, for argument's sake, somebody is in charge of health in Tobago, say, the Secretary of Health for Tobago—and I am not casting aspersions on the present Secretary for Health; I use it only in the context of my example—takes the position that look, we have not had an outbreak of diphtheria, or whatever, in Tobago, therefore this expenditure we are putting out on vaccinations can be better spent this month, or this year, on doing something else. Therefore we will forego the expenditure on vaccinations.

Mr. Deputy Speaker, that might suit the Secretary for Health in the management of the budget, but it would not suit the rest of Trinidad and Tobago, because I am sure you and the Member for Caroni Central would appreciate that such a position would be intolerable. The nation's health requires that that national policy on vaccination be done both in Trinidad and in Tobago if the integrity of public health in the country is to be maintained. That little example is only to show that the Assembly could determine how many vehicles it should have, how many posts there should be, but the actual policy of doing it, is national policy. How they do it, how they prioritize it, and so forth, is all up to the Assembly.

Take the Truancy Act, for example, where again, as a people we have determined that certain youngsters must be in school up to a certain age because it is part of our requirement to prepare civilized people. That is national policy. Could we have a Secretary for Education in Tobago saying, “well our children are well taught at home and, therefore, we think they could be allowed to leave school at age 9?”. That is not national policy. But in terms of how the education programme is administered in Tobago: how many schools are built; where they are built; how many classrooms in each, and so on, all of that is entirely under the ambit of the Assembly. So I raise this only to point out that there are good reasons why the national policy within which the THA will operate is a requirement for good order in Trinidad and Tobago.

Mr. Deputy Speaker, I heard earlier about devolution. It was raised in the context as something “for the first time”. I do not agree that it is “for the first time”. If what we are being told by the Government is that there would be some devolution of authority to Tobago, I would simply say that the Government is probably signalling that there would be further devolution. Because authority which is now being wielded by the THA was not being wielded by the Tobago County Council; and even as the Minister of Finance says that it is not the Cabinet and the THA—and I think he is wrong—the existing Assembly is carrying

out certain functions in Tobago which, in fact, seen in the evolutionary process of public administration in Trinidad and Tobago, represents some phase of evolution. If the Government is signalling further devolution, then that is so, and we anxiously await the document that will spell out that level of devolution.

Mr. Deputy Speaker, the document that we prepared also spoke about funding arrangements and goes into detail as to how the THA will receive its source of funds from the Central Government. But it simply cannot be, as the Member for Tobago West said, “Gi’ we money, and we run Tobago”. Because insofar as there is oneness between Trinidad and Tobago—and we expect that oneness will continue—there has to be some measure of accountability.

Miss Nicholson: Of course! We are not saying no.

Dr. K. Rowley: And insofar as you devolve authority, you have to put in the framework: clauses to manage and govern the funds that will be transferred to Tobago, or that would be raised in Tobago. That is what the document did, and it did so on the guidance and advice of the technical people, who are the ones who will administer it. Based on the experiences we have had over the years, because—you see, now is as good a time as any to be doing this—one thing which we now have that we did not have in 1980 is 15 years of experience of a working Tobago House of Assembly. So as we fashioned this document which some have, very cavalierly, spoken about “throwing in the dustbin,” we took into account the very real experiences of the past decade and a half and, the document is detailed in seeking to address problems where problems are known to exist, or where we anticipate that they might arise.

3.15 p.m.

[MR. SPEAKER *in the Chair*]

Mr. Speaker, I would go further and say today, that it does not matter how much you put on paper, and how detailed you are in putting it, at the end of the day it is people who make documents work. If at the end of the day there is no goodwill to make whatever we arrived at work in the interest of a better relationship between Trinidad and Tobago, we will still have problems. If we have prepared the most perfect document and I am not saying that this document is, but if it is that this document happens to be covering all the bases, and there is no goodwill with respect to treating with the document objectively to see whether, in fact, it addresses the problems as they exist, then we will still have problems with that relationship.

I think that the draft bill which was arrived at—there are two bills, one which was simply to entrench the Tobago House of Assembly in the Constitution. I do not see how anybody could have a problem with that, because that is a clearly established requirement for the people of Tobago and we said we would do that. That was a one-page bill, a simple matter. The other is the one that takes into account the requirement to have an institution which gives Tobago the maximum measure of autonomy within the unitary state of Trinidad and Tobago. We will support that and we hope that the Government will bring to this Parliament in the very near future or at the earliest opportunity convenient to the Government, a document which we will peruse and which we hope and expect will meet all the aspirations of the people of Tobago on this very contentious matter.

We have no cocoa in the sun, we have no axe to grind, we take a lot of battering about the PNM's intention toward Tobago. Mr. Speaker, I believe I have demonstrated to you this afternoon the position that has been changing has not been the PNM's position. The PNM has gone along step by step and we still have further to go. We have a document and I want to see how much the new document to come from the Government's side will differ on fundamental issues from the document which has been so disparagingly spoken of by those on the other side—some of them having not even read the document. I am not so presumptuous as to call on the Government to enact a bill which was drafted by the previous administration but, I would simply call on them to examine—

Mr. Maharaj: We have done that before.

Dr. K. Rowley: I will simply call on the Government to forget the acrimony, forget the emotive statements, forget the old talk; let us focus on the objective. If there is one bill which I would like to see come to this Parliament and be debated in the most cordial manner, and passed in the smoothest possible way, it is the Bill to treat with improved relationships between Trinidad and Tobago and which is going to put the Tobago House of Assembly squarely in our Constitution. If we do that then this unnecessary aggravation which has taken up so much space in the political arena in the last 20 years, could be put to rest once and for all, and regardless of where we stand on the political divide, if we are able to accomplish that, then all of us would be better off and we would have time to spend on more productive matters.

I thank you, Mr. Speaker.

The Minister of Sport and Youth Affairs (Hon. Pamela Nicholson): Mr. Speaker, I rise here this afternoon to make my contribution not necessarily on the basic Motion laid in the House by the Member for San Fernando East, but the amended Motion which says:

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.

I would like to make a few observations. Firstly, in my analysis of the discourse by the Member for Diego Martin West, when one listened carefully to what the Member was saying one saw very clearly that the Member for Diego Martin West and the party to which he belongs, at this time they are using the House as a back door to present their draft bill and to sell what is in that document to the population of Trinidad and Tobago.

I wish to state that we, as a people, are not afraid of that. While we are not going to entertain that, whatever they do in Tobago, we are not worried about that approach. They are preempting also the document that will be brought in this House by the Government of the UNC/NAR coalition. However, I wish to state that I hope that the Member for Diego Martin West, a native of Tobago, would stand up to his statements here this afternoon when the document arrives in the House later this year.

Mr. Manning: You are late.

Hon. P. Nicholson: It will be here before the election, so we will deal with you another time. I am alarmed and provoked at the audacity, the nerve, what we in Tobago will call the blatant disrespect displayed by the Member for San Fernando East. I am struggling here this afternoon because it has left me a little speechless. When you recognize that the Member for San Fernando East tried to hoodwink the people of Tobago through the draft bill that the Member for Diego Martin West was just quoting—that document—look at it here, September 30, 1995, an Act to make provision for the Tobago House of Assembly, the Executive Council of the Assembly and the Tobago Fund. It was in the hands of the Member for San Fernando East. He promised—the Assembly that they were trying to use—that the document would be brought to the national Parliament and after it was passed then there would be an election.

3.25 p.m.

Mr. Manning: I thank the hon. Member for Tobago West for giving way.

Mr. Speaker, I merely rise to make it abundantly clear that no such commitment was given to anyone. The commitment that we gave to the Tobago House of Assembly was that we would bring the document to the Parliament at the earliest opportunity and we anticipated that that would have happened before the end of 1995.

Hon. P. Nicholson: Mr. Speaker, the Member has just strengthened the position that I just made, he promised that it would have been dealt with before the elections. The Member for San Fernando East made a statement saying that he knew about his election position since August, 1995, so therefore he was clearly trying to use the people of Tobago. If he was sincere, Mr. Speaker, he would have brought the document to the House, gotten approval—and then, let us line up on the byways and highways and on the streets of Tobago. The people would have known whether he was sincere and would probably have said: “Well, okay, PNM sounding good, we will vote for them.” But again, Mr. Speaker, the people of Tobago responded in the way that they should have necessarily responded and rejected the PNM once more. The people of Tobago elected the two representatives who should really represent them and we are sitting here in this Parliament.

Mr. Speaker, I am convinced that this Motion is purely and simply mischief. The mover of the Motion is the same person, who in 1980—and I am going back, because if one is talking about re-affirming one’s commitment to the unitary state, from the outset I should have seen the position in that individual—was sent to Tobago by Prime Minister Eric Williams, to assist in the implementation of the Tobago House of Assembly, Minister Extraordinaire was Chairman at the time. Mr. Speaker, the Member for San Fernando East was not a facilitator, he, as an individual almost destroyed the unitary state of Trinidad and Tobago. He said that the Tobago House of Assembly was unimportant and anything that was to be done in Tobago had to be done through him. When I saw the Motion, Mr. Speaker, I was a bit upset and decided I would not say anything, but as time went by I decided that I would have to get up and remind this devious being about his behaviour.

One of the hardest times we had in Tobago was the dismantlement of the Tobago House of Assembly by the People’s National Movement in 1976. Then Minister Extraordinaire, the leader of our party, the NAR, moved a Motion in

1977, which was put before a Joint Select Committee, for Tobago to receive internal self-government. After that situation, the Joint Select Committee decided, in House Paper No. 6 of 1978 what should happen. It was out of that we got the Tobago House of Assembly Act. I could talk here all evening about this because I was with my leader. We, Tobagonians, recognized what was going on in Tobago. Tobago was treated with total neglect for over a century and then one could say for over 30 years by the People's National Movement.

The fundamental error that is being made—and it seems as if the Member for Diego Martin West is coming around a little—is that it recognized that this country is Trinidad and Tobago. I will try to strengthen and reinforce what the Member for Siparia said here this afternoon by reading from the Constitution of Trinidad and Tobago. On page 11, section 1(1):

“The Republic of Trinidad and Tobago shall be a sovereign democratic State.”

There is nothing in this Constitution that talks about a unitary state. It is a sovereign democratic state and that is what we are saying we want in this country.

Section 1 (2) of the Constitution states:

“Trinidad and Tobago shall comprise the Island of Trinidad, the Island of Tobago and any territories that immediately before the 31st day of August 1962 were dependencies of Trinidad and Tobago, including the seabed and subsoil situated beneath the territorial sea and the continental shelf of Trinidad and Tobago...”

At the time when the debate went on, our leader, Minister Extraordinaire was way out front and above what was taking place in Trinidad and Tobago and they could not understand. We are always under that kind of pressure, Mr. Speaker. I could remember when we were dealing with the Free Zone Act, the same position, licks for Minister Extraordinaire and his government and when the PNM came back into power—the same PNM who said we were selling away the national patrimony, that we did not care about this or that—they came into this House and said how good the free zone concept was.

This Constitution is saying that the country is made up of Trinidad and Tobago; half Tobago, half Trinidad. I was pleased the other morning when I looked at a programme on TV6 where Mr. Lloyd Best and Mr. Frank Barsotti discussed the whole issue. The basic point that was made was that the people of Trinidad and Tobago must understand that this country is Trinidad and Tobago; it

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is not Tobago and Laventille, or Tobago and San Fernando, or Tobago and Diego Martin, it is Trinidad and Tobago, so it is half and half chief! Sorry, Mr. Speaker. *[Laughter]* It is half and half.

In this situation when one looks at the Constitution, because of the area of the territorial sea and the continental shelf, the importance that Tobago brings to this country called Trinidad and Tobago, is very important. But the representative for Diego Martin East could not understand that. He talked about 10 years ago in the United Nations and what it means and he quoted those countries like Nigeria, Biafra and said how they fought each other. He quoted to show that they could not give Tobago what is its just due.

We are not saying that we want to break away, Mr. Speaker. We are saying that Tobago wants devolution of powers. Tobago wants internal self-government. The people of Tobago are saying this because of their experiences over a century and the neglect of the island. That is the reason I was alarmed to see the Member for San Fernando East move this Motion. He was the greatest obstructionist in the early *[Desk thumping]* implementation stage. He was an obstructioner who could have broken up Trinidad and Tobago. It was because of the strength of the Tobagonians, and because we were not talking anything about secession that there is a Trinidad and Tobago today. *[Desk thumping]* If our leader were talking secession we would not have had a Trinidad and Tobago today with the behavioural pattern of the Member for San Fernando East.

Mr. Robinson: Royal chief obstructionist!

Hon. P. Nicholson: Mr. Speaker, after Dr. Eric Williams died we had the Chambers government and I must congratulate him. One of the first things that Prime Minister Chambers did was to meet with the Tobago House of Assembly and, another important point, the parliamentary representatives of the people of Tobago. He met with the Tobago House of Assembly and the parliamentary representatives. It must be recognized that the people of Tobago voted for two parliamentarians in Parliament, we have a Tobago House of Assembly and there must be a link between the Tobago House of Assembly and the parliamentary representatives. Mr. Speaker, the Chambers government recognized that.

3.35 p.m.

He met us and emerging out of that, the first thing the Member had was a case for the removal of the chief obstructionist from Tobago as Minister for Tobago Affairs, that is, the Member for San Fernando East. A committee was set up

headed by Mr. Mahabir and Mr. Donaldson—usually referred to as the Mahabir Committee. It is from there that one began to see some improvement, after the struggles on the streets, after the struggles in the House.

Mr. Speaker, I can speak because when we were before the Joint Select Committee I led a team from Tobago in this House. I criticized the committee the first day I came in here. When I was asked to speak I said, that one of the most alarming things is that we are dealing with a matter for Tobago and this is the same thing we are quarrelling about, the Tobagonian must leave Tobago and come to Trinidad. What I heard booming out from that seat, Mr. Speaker, was contempt! Mr. Speaker, I nearly went to jail.

So we are taking this matter very seriously and I want to remind the Member for San Fernando East. I want to find out whether this is a devious approach from him; whether he is sincere; whether he has turned around. I would like him to tell the population that because his behaviour was obstructive.

Secondly, when we were in government from 1986—1991, we wanted to make the changes in Tobago but the strongest opposition that the then Prime Minister of Trinidad and Tobago ever had in his life, I am sure, was under the People's National Movement throughout that period. On the streets the Tobagonians could not drive in a taxi in Trinidad; they could not even go to watch a football match. I remember when, as the Minister of Housing, I went to the Signal Hill Senior Comprehensive School—the school had won a match—and the people from Tobago were stoned—[*Interruption*] I am not sitting down. You sit down! Mr. Speaker, the Member for San Fernando East had his chance already, when his time comes again he will speak.

Hon. Members: Arrogant!

Hon. P. Nicholson: I am not arrogant; I am a little emotional. All right.

Mr. Manning refused to rise again.

Mr. Williams: Mr. Speaker, I merely want to ask on a point of information—elucidation, I beg your pardon. Is the Member suggesting that Members of Parliament in Trinidad should have a similar relationship with the regional and municipal corporations in Trinidad, as is being suggested with the Members of Parliament and the Tobago House of Assembly?

Hon. P. Nicholson: It cannot be the same thing. The separation by water, representative for Port of Spain South, is the fundamental factor; that water

separates two different islands and the two different islands make up the nation. So Tobago's governmental changes must be at a higher level than the regional corporations which are all on one land mass. You do not have a situation where whatever one wants to do is only in Tobago, one just cannot get into a bus or a taxi. If the children want to come to the national school sports they have to go to the seaport or the airport. They have to take a boat or a plane to come to Trinidad. They collect them or one organizes for them to be collected and then you hear where the games are played. In Trinidad, it is a different situation; you get into your bus, whichever area it is, and you drive to the playground or the National Stadium; so it is a completely different scenario and far more expensive for Tobagonians.

It is important, Sir, that as a new Member of this House he should read the document and get himself acquainted and that the Member understands what the struggle is all about. If he does not, he would not be able to administer—if the Member were in Government—Tobago's position correctly. *[Interruption]*

Dr. Rowley: Mr. Speaker, I am following the Member but I just want to follow the logic of it. Take the case, for example, in Indonesia, the Philippines where there are 7000 islands, how would that description of the reason for that relationship between Members of Parliament and local bodies, or the Bahamas for that matter, function?

Hon. P. Nicholson: Mr. Speaker, I have used the Constitution and I am sure that I have just mentioned what the Constitution states and this articulates very distinctly what is the position. Also, if the Member gets the speech made by the Member for Tobago East, in 1976/1977 it would articulate the position to him very distinctly.

Mr. Speaker, I am going back to the period 1986—1991. What happened in that period. Because of the neglect of over a century and because of the pride of the people; it was very clear that certain fundamental improvements had to be made in Tobago. After a century and a quarter, perhaps the first time that Tobago would get some of these changes was under the NAR government. The two fundamental changes that we decided to go for to improve Tobago were a deep water harbour and an international airport. And that man, the Member for San Fernando East, and his team, marched up and down the streets of Trinidad—because they could not come to Tobago—saying that the NAR government was spending all Trinidad's money in Tobago.

3.45 p.m.

Mr. Speaker, that is something like \$300 or \$400 million out of billions. They said that was what the Tobago Prime Minister was doing. They misled the people; sold them all kinds of devious messages saying that it was because of that they could not get other things. Today, this man has a Motion before this House: “Be It Resolved that this honourable House reaffirm its commitment to the unitary state of Trinidad and Tobago”. Is he committed to what he says is the unitary state of Trinidad and Tobago?

Mr. Speaker, imagine, the next cry was that there should not be a Tobagonian as Prime Minister. That is a fundamental weakness because if there is a unitary state and one wants a commitment to the unitary state, the Prime Minister should come from anywhere. Whether it is a coalition government or a one party government, whatever it is; if the people in the party—because this is a party system—believe that the best person at the time to run the government was from Tobago, Toco, Caroni or wherever, that was the Prime Minister. That man, the representative for San Fernando East, led an attack on the streets of Trinidad.

Mr. Sudama: Hon. Member.

Hon. P. Nicholson: No, not honourable.

Mr. Robinson: For this purpose, “honourable”.

Hon. P. Nicholson: Yes. When one is battling for Tobago one must become emotional to bring out the cries of the people. This is one time I do not agree with the Member for Diego Martin West.

Besides that, they led the Member for Diego Martin East into making all kinds of infamous statements against his own people; that we were building a duck pond in Tobago.

Hon. Member: Diego Martin West.

Hon. P. Nicholson: The Member for Diego Martin West; sorry, Member for Diego Martin East, you know you are my honourable Friend.

He said that we were wasting money and building a duck pond in Tobago. It was only three weeks ago when I was in Tobago, taxi drivers were running me down and telling me how—

Dr. Rowley: Things are looking up.

Hon. P. Nicholson: They were running down “Sister Pam” to congratulate us.

Dr. Rowley: Things are tight in Tobago.

Hon. P. Nicholson: All of them said how proud they felt because that week or the week before three cruise liners were sitting in the duck pond of the Member for Tobago West.

Mr. Robinson: All at the same time.

Dr. Rowley: I thank my hon. Friend for giving way. Mr. Speaker, the Member for Diego West alerted you to the creation of the duck pond by the removal of the rock in the middle of the harbour.

The point I was making was that the \$49 million dollar budget could not have built the deep water harbour, and we were in fact building a duck pond, and when the rock was removed—the same rock that they claimed was not there which is now piled up by the esplanade—the project ended up costing \$110 million. I was simply drawing attention to the fact that the contract was awarded and there was a rock in the middle of the harbour in which no deep water harbour could have been built unless that rock was removed.

Hon. P. Nicholson: Mr. Speaker, that statement was not made. He was on the street with his hon. Friend, the Member for San Fernando East. He was being used because he cannot contest any seat in Tobago. He was playing for his position in Trinidad and he made a strong statement that what we were building was a duck pond in Tobago. Taxi drivers and all the people who are making use of it today feel very proud.

Mr. Speaker: Members are becoming very emotional now. I think that the hon. Member should be permitted to be heard in silence.

Hon. P. Nicholson: Mr. Speaker, thanks for your protection. You know, when they are getting the facts of life, they cannot take it!

Today, there is a deep water harbour in Tobago which is important for the development of tourism if they think of using the cruise liner system; also, if Tobago has to be developed as a free zone. A deep water harbour is very critical for any sort of industrial development that would take place.

The point I stress is that these were fundamentals that were needed for any form of economic development in Tobago. When those things were done in Tobago, employment was created. The highest level of unemployment in this

country even today, is in Tobago. This was the analyses of the PNM who said they cared, and he wants this honourable House, today, to reaffirm their commitment. I want to hear whether the party has reaffirmed its commitment to the unitary state of Trinidad and Tobago. I want to know whether they have changed from their devious behaviour.

The struggles of 1981—1986. I could remember even when we came to the House. It was 1988 when some changes were made in the Act to deal with the whole problem of the staff of the Tobago House of Assembly because they did not know who they were, who they were employed with and so forth. There were heavy debates led by the Member for San Fernando East. That was to correct the structural situation so that the staff would know that they were functioning with the members of the Tobago House of Assembly. That was one of the major problems. Even though Williams dismantled the Ministry for Tobago Affairs, many of the people said they were not going to Trinidad to work. We improved on that, then we said we would deal with the constitutionality of the Tobago House of Assembly. They cried out and said that what was needed was a whole review of the Constitution of Trinidad and Tobago.

Minister Extraordinaire as Prime Minister, being somebody who listens and who understands that when you are a Prime Minister you are representing all the people of the country—the government at the time or the Cabinet or whatever one wants to call it—set up the Hyatali Commission; and that is how that commission emerged. By the time we were going to deal with the report, another government had come into office and we had to accept that.

Mr. Manning: In my reply I would deal with the Member on that.

Hon. P. Nicholson: Mr. Speaker, preparatory work was done and a committee was set up to deal with the recommendations and prepare a document to be submitted to the House.

Mr. Speaker, other people turned tail and went to the Member; he cannot deal with me on that.

That was one of the problems. However, we went out of government and in 1991 there was a new government under the PNM led by the Member for San Fernando East, who is very committed to Tobago. The first action that this committed representative for San Fernando East took was that there was a fund with TT \$130 million put aside from the European Community for a major development in Tobago—

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Some emphasis has to be placed on Tobago, too because of the neglect, the backwardness, the unemployment; it has to be opened up. In order for Tobago to be able to be a part and raise funds to maintain itself, it must be opened up and given the infrastructure that is needed to do so. One of the most beautiful parts of Tobago that should be opened up is a major highway from L'Anse Fourmi to Charlotteville, Speyside.

Mr. Manning: Mr. Speaker, does the Member have any land there? She should answer the question.

Hon. P. Nicholson: Mr. Speaker, this is not a private business debate. I wish I had owned all of that.

Mr. Manning: Mr. Speaker, how much does the Member own?

3.55 p.m.

Hon. P. Nicholson: I am sure if they investigate they would not see Pamela Nicholson owning one inch of land on that highway; and that is private. I am not going to get into that. This is a public debate.

Mr. Manning: I see. All right.

Hon. P. Nicholson: And you must live at that level. You must function at the level at which you are supposed to function.

Mr. Speaker, the highway was a very important one, because the north-eastern corner of Tobago is the most beautiful part of Tobago; and it was important to open up that area for tourism development, and even agricultural development. For example, Charlotteville. Three-quarters of the people of Charlotteville pay water rates and do not get water. So one of the plans that was to be linked with it was to take water from the Bloody Bay River, which was some 10 miles away, into Charlotteville and also to assist Speyside. Those people are paying water rates. Not a drop of water; and they do not have any water system; no river of substance in the Speyside/Charlotteville villages to supply the people with water.

Mr. Speaker, that was a part of the development also; and the first action taken by the caring representative from San Fernando East, who is committed to the unitary state of Trinidad and Tobago, was to take away every penny of the money and not do anything for Tobago and spent every cent in Trinidad. I am not saying that money must not be spent in Trinidad, but remember Trinidad is highly industrialized from the gas/oil situation. There is the manufacturing industry and a host of other developments in Trinidad. Whereas, tourism is at a minuscule

level in Tobago. That is the only thing, outside of the Government, in Tobago to deal with employment.

Mr. Speaker, if the Member were so concerned or committed to what he calls the unitary state of Trinidad and Tobago, one of the first things he would have been happy to do was to develop that road and open up Tobago to show the people of Tobago that he cared and saw the importance of the development of Tobago within the confines of the unitary state of Trinidad and Tobago that he talks about.

Mr. Speaker, another weakness with him. There is a situation where, in the whole developmental struggle, from the county council to the Tobago House of Assembly, which was led by the Member for Tobago East and the people of Tobago where they are at today is not because of the PNM. Even the level at which they are, is not because of the People's National Movement. It is because of the people of Tobago and their struggles and their continual rejection of the People's National Movement. That is why they are where they are at today.

There is another area that is very important. While the NAR was in office, Mr. Speaker, for example, every board that had any bearing on Tobago had Tobago representatives on it. There was a situation, under that same government—

Mr. Manning: Now!

Hon. P. Nicholson: Today, every board that has any Tobago connection, representatives of the people of Tobago are there; and people who can articulate Tobago's case and report back in Tobago what is taking place and what they should be doing. Every board. I could name a few, Mr. Speaker. TIDCO—we have two members on that board; ICN, National Lotteries, T&TEC, TSTT, WASA, YTEPP, SHARE, and a host of others; and a number of others are now before the Prime Minister. Very, very critical—and he is talking about commitment. Mr. Speaker, commitment to whom?

Mr. Assam: Or commitment to what?

Hon. P. Nicholson: Mr. Speaker, while his government was in power Tobago was not represented in the Senate. The country is Trinidad and Tobago.

Mr. Assam: And how many do they have now?

Hon. P. Nicholson: There are two parliamentary representatives that are elected by the people to the national Parliament. There is the Tobago House of

Assembly and, under this caring and committed Member for San Fernando East, no representative for Tobago and Tobago's business.

Mr. Manning: Where was Callender from?

Hon. P. Nicholson: Mr. Speaker, the point I am making--

Mr. Manning: Mr. Speaker, I stand on a point of order please.

Mr. Speaker: Which point of order?

Mr. Manning: Mr. Speaker, what section is it, 16? [*Laughter*]

Mr. Speaker: No, well surely, there is no infringement of that Standing Order.

Mr. Manning: Mr. Speaker, Mr. Speaker —

Mr. Speaker: No, will you take your seat please.

I want to say to the Member for San Fernando East that, whether or not you may want to engage in dispute with the Member who was on her feet, whatever your position is, you owe a certain respect to the Chair; and I am simply asking you that which I ask of everybody: what is the point of order?

Mr. Manning: Okay, Mr. Speaker.

Mr. Speaker: . That is not the attitude. Please.

Hon. P. Nicholson: That is the second time he has done that.

Mr. Assam: Twenty-five years in the House and he does not know the Standing Orders; and he was a Prime Minister. That is a shame. He is an embarrassment to you all.

Hon. P. Nicholson: You see, this is the disrespect with which they always treat the people and try to use the people afterwards. Total disrespect.

Mr. Speaker, I will articulate the point I was making a little deeper so that the representatives of the House and the population will understand more clearly. From 1980, Mr. Speaker, well, 1976 firstly, Tobago elected two representatives who were not PNM. We had a problem. In 1977 we had a problem because of the fear that was instilled by Prime Minister Williams, and hundreds of people remained at home and did not vote. They won the County Council election. In 1980 they were rejected at the Tobago House of Assembly elections. The Chairman of the first Tobago House of Assembly was the Minister

Extraordinaire. In the 1981 election, which was the first time I came into the national Parliament, they were rejected two-nil. That was the time you got flogged? I am not sure, 1981 or 1986?

Dr. Rowley: You cannot flog me.

Hon. P. Nicholson: Sorry, I withdraw that word.

Dr. Rowley: If I were so inclined, I would flog you.

Hon. P. Nicholson: Yes, Mr. Speaker, I would not take him on here this afternoon. Mr. Speaker, in 1984 again, the people rejected them 11—1; then there were two parliamentarians, again the PNM was rejected. The point that I am making is that in the Tobago House of Assembly there has been 11-1 for quite some time. One PNM, eleven NAR. So what the population was really showing is that we reject the People's National Movement; and what we are saying is that there cannot be a country called Trinidad and Tobago without representation of the people, and of the thinking of the people of Tobago in the Senate of Trinidad; or else it is not Trinidad and Tobago.

That is one of the fundamental problems that we have. When the Member talked about commitment, I only hope he understood what he was talking about.

4.05 p.m.

Under the NAR government during 1986—1991 there were two senators representing the thinking of the people of Tobago. When I talk about representing the people that is what I am talking about. Under the PNM government there was none. Since the new Government in 1995 there are four representatives today because they are feeling the impact of the pressure in that two represent the Government of Trinidad and Tobago, one from the People's National Movement and one Independent. For the first time Tobago is represented—I think during the NAR government there were four—I cannot remember, but I am talking about the kinds of representation and what obtained under the PNM government. The fundamental point in my argument is that in the Senate—and if we have to make a constitutional change, it should be made—Tobago should be represented as of right by the grouping that controls Tobago to bring Tobago's word to the Parliament.

The Member for Diego Martin West was articulating a point that as you evolve and develop—I only hope he understands that in evolving, in growth and in development and since there is the Tobago House of Assembly, that is a

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fundamental change that has to be made. When the Member talked about the principle of evolution that is something that should be addressed.

When the Member for San Fernando East talked about committing and recommitting himself, I want to know if he has changed and removed himself from that kind of insincere, devious behavioural pattern that he has, and if he recognizes now that in running a government the business of the people must be seen from a fairly independent perspective. The interest of the people must be recognized. If there is a situation as I argued a while ago, in Tobago, the Senate must be addressed.

There is also another situation that I would like to raise with the Member for Diego Martin West, when he spoke about the meetings that were held with the two teams. I want to state here categorically that I was not invited as a member of any team to discuss Tobago's business in those sessions. If I were, I would have been invited every time they had a meeting. Secondly, it is very critical, when discussing Tobago's business, not to leave out the parliamentary representatives of Tobago. The same people who have voted the people into the Tobago House of Assembly are the people who have sent us here to represent them. If one is talking about evolving and development, one must recognize that there must be a link between us. Who will bring Tobago's message to the Parliament? Whether you are in Opposition or not, somebody must bring Tobago's message to the Parliament and from a party perspective if one is in control of Tobago, obviously one's representatives will carry the information of the people here. If you are meeting them you must meet everybody as the Chambers' government did. That is the demonstration that I use.

The Member said as you evolve. At first one might not have recognized that but when one evolves, and there are meetings to discuss that sort of development, the sort of change that one wants to make in the Act, one cannot have meetings with the Tobago House of Assembly representatives and ignore the parliamentary representatives. It is very important that is done, whether all belong to one side or the other.

Dr. Rowley: Thank you for giving way. I want to understand clearly what the Member was saying. Mr. Speaker, am I to understand that the Member is saying even though the system that we had put in place was that the Tobago House of Assembly would have put one team forward, the Central Government would have put one team forward—and I did say in my presentation I saw the Member there once, as part of the Tobago House of Assembly team—the problem that arose

was as a result of the Tobago House of Assembly not inviting the two Members of Parliament to participate in those discussions?

Hon. P. Nicholson: Mr. Speaker, we are not to be invited by the Tobago House of Assembly. We are to be invited, since it is a governmental issue, by the Government of Trinidad and Tobago. You are coming to Tobago to discuss Tobago's business. It is the government that should invite the parliamentary representatives of Tobago, not the Tobago House of Assembly for your discussions. The structure will emerge when you meet and then you will decide how you go and so forth.

Again, I am pointing to the Chambers' government. It functioned effectively and efficiently. When the NAR Government came into being the same thing happened. Everything that we did in Trinidad we made sure that there was a representative of the Tobago House of Assembly involved. Either the Tobago House of Assembly or if it was that they needed technical assistance, they sent technical representatives. It is not the Assembly that we have to be dependent on to invite us. If the Assembly is having something then the Assembly invites the parliamentary representatives. When you are dealing with changes in the Tobago House of Assembly Act and it is the Government of Trinidad and Tobago that is in control of that, then the Government of Trinidad and Tobago invites the parliamentary representatives. It cannot be any other way.

Mr. Speaker: Hon. Members, the speaking time of the hon. Member has expired.

Motion made, That the speaking time of the hon. Member be extended by 30 minutes. [Hon. K. Persad-Bissessar]

Question put and agreed.

Hon. P. Nicholson: Thank you, Mr. Speaker, and thanks to Members of the House.

I reject the Motion as raised by the Member for San Fernando East and I subscribe to the Motion as amended.

I want to be clear on what the former government is really saying. In the Bill they have brought through the back door here today, they recognized that nobody knows about that Bill. They never went to the people. When they were finished with the draft bill they could have brought it to the House as a white paper and

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sent it out to the public for comments; or they could have gone to Tobago and met the people from different areas. That was not done.

4.15 p.m.

The Member for Diego Martin West raised a point attacking a Senator in the House. He stated that—I think it was at the last meeting in Tobago—he observed that Sen. Moore-Miggins was advising Assemblyman Charles and not the Chairman of the Tobago House of Assembly. If one reads Sen. Deborah Moore-Miggins' October 27, 1995 *Tobago News*, one would see, very distinctly and clearly, why that happened. Mr. Speaker, that happened because the Tobago House of Assembly never used its legal advisor—a very young and strong lawyer—in their team. However, at the last minute when they recognized that they did not have their lawyers with them, they then called Sen. Deborah Moore-Miggins to give them advice. Mr. Speaker, she could not advise them when she did not know what was going on, as she was not a part of what was taking place.

As a result, Mr. Speaker, I reject, this afternoon, the Member for Diego Martin West attacking the character of Sen. Deborah Moore-Miggins.

Dr. Rowley: I thank the hon. Member for giving way.

Mr. Speaker, I just want to clear the records. I did not attack the character of any person in or out of this Chamber, I simply reported what I observed in response to a comment made by the Minister of Legal Affairs, who said that the Tobago House of Assembly came to the proceedings without legal advice.

Hon. P. Nicholson: All right, Mr. Speaker, I was just explaining the case of the Senator.

This Bill that has been brought through the back door, is one with a number of flaws. I am not saying that there might not be some good in it—there must be some good parts about it—but they used this to lure people into a certain direction, which I would not go into this afternoon. What struck me—and I should have raised this when I was dealing with the Senator's issue—was that on page 3 of the draft bill, there is the appointment of Chief Secretary and Minority Leader. What the People's National Movement, the then government said in this document in clause 5 is:

“5(1) The President shall, within three days after a primary election, appoint as Chief Secretary the Assemblyman who, in his opinion, commands the support of the majority of the Assemblymen.

(2) The President shall, within three days after a primary election, appoint as Minority Leader the Assemblyman who, in his opinion, commands the support of the largest number of Assemblymen who do not support the Chief Secretary.”

Earlier on, in clause 4(b), four councillors are to be appointed under clause 6, but in the structure today there are only three councillors, so the PNM, in Opposition, only has one representative in the House of Assembly. What has been articulated, it seems, is that that is insufficient and not proper for the interest of the people. They are therefore saying here that if you are in Opposition, they are giving you a councillor to strengthen your position in the Assembly and to make it more reasonable. I am sure that is the thinking. This is something, again, that strengthens the argument about having senatorial representation from Tobago in the Senate, because almost the whole of Tobago voted against the PNM in the Tobago House of Assembly election. The Tobago House of Assembly has 12 seats and the PNM has only one. In this Bill they are saying that they will give one more so that will give the Opposition two seats. Mr. Speaker, they are trying to strengthen the Opposition’s position in the House of Assembly because they feel it is improper for one person to function in the House.

If it is party “A” or “B” with the majority, all we are saying is that one needs a clause in the Constitution stating that any grouping that represents the majority of the people in Tobago must have two Senators in the Senate. Mr. Speaker, that is the case I am making here today.

Dr. Rowley: I thank the hon. Member for giving way. I just want to assist her in clarifying that point. It is not so much that the PNM is saying that was an agreement between both parties, but with one person in the Chamber, it was determined that regardless of how serious the matter was, such a person wanting to raise a matter—if the majority so wanted to behave—could not even raise a motion because he would not have a seconder. This move was conceived to ensure that there is a mover and a seconder when a motion is raised.

Hon. P. Nicholson: That is to make the system workable. *[Interruption]* Yes, of course it is to strengthen it and to make the system workable. That is the same point I am making, that one cannot have Trinidad and Tobago, and have Tobago without any Senators. We are saying that it should not be on anybody’s thinking that you bring the Senators, it should emerge out of the majority thinking of the people of Tobago. The Tobago House of Assembly election is the major one for Tobago and if out of that, the majority goes to party “A”, that party must be

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allowed to bring two Senators to the Senate, if it is party “B” it should be the same. *[Interruption]* The present situation in our Constitution is that Tobago does not have any representation. I do not think I have to go back to that, I think I have articulated it very clearly.

I am very concerned about this Motion brought by the Member for San Fernando East, when they argue that House Paper No. 6, 1978 is unimportant at this time. I do not agree with that. I feel that everything must be against the background of House Paper No. 6, 1978 because it is against that background that the whole issue emerged. The best document we have had so far—I am not saying that other improved documents cannot come to the House and so forth—is the Seemungal Draft. I quote:

“...like the Merchant of Venice where you were willing to give a pound of flesh, but not one drop of blood.”

I am saying that Mr. Seemungal was the author of the best piece of legislation for the governance of Tobago. He continues:

“...legislative safeguards to ensure its permanence...”

Mr Seemungal knew that the Constitution was changed before and could be changed again. He was making the argument that the PNM was behaving as if one could not have made constitutional changes to improve the Tobago scenario. He was saying that was nonsense because the Constitution was changed before and it could have been changed again to do that. Mr. Seemungal was the representative that the PNM government chose to deal with the draft.

I want to know if the Member for San Fernando East has changed his thinking. I am very concerned. I believe that this is a very important time in the history of the people of Trinidad and Tobago.

4.25 p.m.

I am very, very disappointed that the Member for San Fernando East did not live up to his words and has to use a back door approach to sell his documents to the people. I am very, very disappointed that they are trying to anticipate and own the document that would be coming to this House soon. I hope that they would live up to their changed expectations as articulated here by the Member for San Fernando East when he said:

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

I hope when the document reaches here we would feel the presence of his reaffirmed faith in the Unitary State of Trinidad and Tobago.

The Member for Diego Martin West articulated that there would be an unemotional afternoon discussing Tobago's business and resolving the problems when the document comes here. I also want to remind the Member for Diego Martin West that when one is talking about 15, 16 and 20 years, struggles like these—although I would have liked it to be resolved very, very quickly; I wanted it to be resolved in 1977; I wanted it to be resolved in 1980—but when one reads the historical struggles of a people, many times it takes a long time. I feel that we have reached the stage in Trinidad and Tobago when Trinidad, or when the country, or when any government, must recognize the problems of Tobago. Any government must recognize the neglect of Tobago and that much more can be done where Tobago can make a great contribution, not only to the economy of Tobago but to the economy of Trinidad and Tobago, if certain basics are given; and that the governmental structure for Tobago is a very, very important piece in the whole developmental structure of Trinidad and Tobago.

Mr. Speaker, I am not a supporter of this unitary state argument that the PNM had put together because when one looks at the Constitution—I read it, over and over—one sees that the Republic of Trinidad and Tobago shall be a sovereign democratic state and when one talks about democracy one is talking about representation of all the people.

That is what Tobago is talking about when we say we must be in the Senate at a certain level; when we say that the Government must recognize the parliamentary representatives of the people of Tobago because if it does not, what is the use of the parliamentary representatives? Probably we would have to look at that again—as Lloyd Best had argued in his document—whether we like it or not, this is Lloyd Best speaking, he said that part of the solution was to make the Tobago House of Assembly an essential part of the national Parliament through a Minister of Tobago Affairs who would be resident in Tobago and also a Member of the Cabinet, who has to go before the Tobago House of Assembly and account for what he was doing. Members of Parliament for Tobago should also sit in the Tobago House of Assembly but without a vote. The Chairman of the Tobago House of Assembly should be like a Speaker, a faceless individual.

We all agree with that.

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The point I am making is, it might be useful to look at the statements that he is making here, whether we like them or not, because one has to look at a broad spectrum when one is dealing with it. I am saying that we must have representation; one cannot say that the parliamentary representatives represent the people of Tobago. If we did not form the Government it means that the parliamentary representatives of Tobago would not have a say in bringing Tobago's voice here. There must be a link in whatever is taking place.

Therefore, from the whole analysis of democracy with its representation, participation of the people in the government of the country, I wish to support the Motion as is amended;

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

Amendment to be inserted immediately after the word, "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."

I hope that the Member for San Fernando East has reaffirmed his faith in democracy.

Thank you very much.

Mr. Speaker: Hon. Members, the sitting is suspended for half an hour.

ADJOURNMENT

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move that this House be adjourned to Friday, May 03, 1996 at 1.30 p.m. The House is expected to debate Bills Second Reading No. 1, an Act to prohibit the training and so forth. Thereafter, Government Business, Motions Nos. 1, 2 and 3.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 4.33 p.m.