



by Parnel R. Campbell

1. Whereas Friday 18th April 2019 was observed worldwide as Good Friday, we here in St. Vincent and the Grenadines must surely designate Friday 17th May 2019 as “Bad” Friday!

2. You may ask “why?” The answer is that the Parliament of this country created history on “Bad” Friday when, for the first time ever, Parliament sat for a day without arriving at a single decision on any substantive issue.

3. Let us be accurate as to that day’s scheduling.

4. The day had been specifically set aside for the debate on a Private Member’s motion presented on 23rd April 2019 by Leader of the Opposition Hon. Dr. Godwin Friday, on the subject of electoral reform.

5. The re-scheduling came about because originally the motion was to have been dealt with on 9th May 2019. By reason of that date having been the day on which Private Members’ business had precedence being the first day of the third meeting of the New Session of the House of Assembly, and the Obituaries and Congratulatory remarks being so numerous and long, and there being questions from the Opposition for the Government to answer, and the Rules of the House having provided that Private Members’ business has to be deferred at 5:00 p.m., the Prime Minister observed on 9th May 2019 that there would have been too little time for Dr. Friday’s motion to be dealt with on that day, and he proposed that 17th May from 9:00 a.m. to 1:00 p.m. should be set aside for that motion.

6. The debate on the motion had been allocated four hours’ duration, to have been roughly divided into two hours each between the Government and the Opposition.

7. Thus it was that Friday 17th May 2019 arrived. The Parliament commenced at about 9:18 a.m. The Prime Minister moved a motion seeking to amend Dr. Friday’s motion by varying it so as to create the opposite effect. All hell then broke loose. The Opposition complained that the Prime Minister’s motion to amend was not permissible because of its scope. Eventually, at 11:12 a.m., the Speaker ruled that the House be suspended for 10 minutes, presumably to allow tempers to cool off.

8. The House resumed at 11:25 a.m. More chaos followed. At 11:40 a.m. the Speaker suspended the House to permit consideration of a compromise proposal.

9. At 12:00 noon the House resumed. No compromise. More quarrelling across the aisle.

10. At 12:57 p.m. the Prime Minister proposed the luncheon suspension until 3:00 p.m. Carried; House suspended. Morning entirely wasted.

11. At 3:06 p.m. the House resumed. The bickering then resumed. At 3:25 p.m. the Prime Minister moved that the Honourable House be suspended until 10:00 a.m. on Thursday 30th May 2019. Carried.

12. Four hours wasted on purely procedural bickering.

13. At the heart of the time-wasting exercise was the question as to whether it is permissible for a Member of the House to seek to amend another Member’s motion so as to create the opposite result.

14. The Speaker ruled in favour of the Prime Minister’s amended motion.

15. I respectfully agree with the Speaker’s interpretation of the Standing Orders of the House of Assembly on that disputed point.

16. I am well acquainted with the Standing Orders SR&O No: 16 of 1989. I was the Attorney General (1987-1995) who was responsible for the preparation of the Standing Orders when they were last revised, and were approved by Parliament on 23rd March 1989.

17. The Speaker correctly ruled that he had to follow the Standing Orders, and that in doing so he was constrained to uphold the Government’s position – albeit with some reluctance in that he felt that the proposed amendment, being so radical, was not in keeping with the traditions of the House whereby Private Members’ motions were usually debated without radical amendment.

18. In my respectful opinion it did not matter, for the reasons outlined below.

19. Firstly, parliamentary democracy is based on simple arithmetic – the Government of the day in SVG must always be supported by the majority of the elected Members of the House. If and when a Government loses its majority, it falls.

20. True enough, a Government should not use its majority to oppress the Opposition. But does the act of amending an Opposition motion so as to reverse the thrust of that motion amount to “oppression”?

21. Of course not! A Government is in a state of continuous political combat against its corresponding Opposition. A Government is entitled to defend its turf against Opposition thrusts, as long as it plays by the rules. And the rules say that the Government can reverse an Opposition motion – which amounts to normal political combat.

22. The Opposition should not adopt a self-righteous posture. When the Opposition was in office we, too, played hard-ball on occasion. I will cite two examples.

23. Firstly, we steadfastly refused to permit the ordinary sittings of Parliament to be carried live on radio and television; live coverage of the House was confined to the Budget sittings. We did that so as to deny the then ULP Opposition the opportunity to “pamperset” on radio and television.

24. Secondly, we rendered the Public Accounts Committee impotent by effectively preventing it from holding meetings, by using the simple expedient of having the Government members of that Committee boycott meetings of the Committee when meetings were summoned by the then Leader of the Opposition/Chairman Hon. Vincent Beache, thereby depriving the Public Accounts Committee of the quorum it needed in order to meet. After a succession of aborted attempts to hold meetings, Mr. Beache got the message and ceased his endeavours to call meetings. Nothing unlawful or unconstitutional, but certainly hard-ball politics.

25. I should point out, parenthetically, that in the proposed New Constitution which the Opposition caused the people to reject in the Referendum of November 2009, provisions were designed in Section 85 to give real power and authority to the Public Accounts Committee. For one thing, that Committee would have had a majority of its members selected from the Opposition so that the Government could not frustrate its attempts to meet. For another, the Committee would have been given the powers to summon public officers before it, and to “send for relevant public financial documents in order to ensure the proper discharge of its responsibilities...”

26. Back to “Bad” Friday. The Opposition kept citing what transpired in 2018 when they had tabled a No-Confidence motion and the Government had countered by moving an amendment to provide for a motion of confidence, thereby leading to an Opposition boycott of the debate. They keep alleging that their rights were thereby infringed.

27. Let us be serious. What on earth could prevent a Member of the House whose party has tabled a “No-Confidence” Motion, from making the same points when he/she debates an amending “Confidence” motion tabled by the Government?

28. For when an Opposition tables a No-Confidence Motion, it is not alleging that the Opposition has no confidence in the Government. That is taken for granted. That is why its Members are called “Opposition”: by definition the Opposition have never had any confidence in the Government. They do not have to table a motion to demonstrate their lack of confidence in the Government.

29. No. A No-Confidence Motion alleges that the Parliament has lost confidence in the Government. In other words, a No-Confidence Motion is alleging that the Government is no longer supported by the majority of the elected Members in the House. Quite a different concept.

30. That difference in perspective is what has to be grasped and properly understood.

31. A No-Confidence motion normally ends with these or similar words:

“Be It Resolved That This House [of Assembly] has lost confidence in the Government”.

32. In other words, a No-Confidence motion is saying that some elected Member or Members of the House, who formerly supported the Government, is/are no longer supporting the Government.

He/she/they is/are about to “cross the floor”, and therefore the Government has lost its majority and should be removed from office by the Head of State.

33. If a Government knows full well that it still has majority support, and that the Opposition is bluffing and is just "trying a thing", that Government is entitled to invite the House to demonstrate arithmetically that the House still supports the Government. Hence, the Government would be fighting well within the rules if it amends a No-Confidence motion and transforms it into a motion of confidence.

34. What matters is the result of the voting in the House at the conclusion of the debate: an exercise in simple arithmetic.

35. So that if an Opposition knows full well, as in SVG in 2018, that no elected Member has moved or has shown any serious intention of moving from the Government benches in the House, then the Opposition would know that its No-Confidence motion would be defeated when the votes of the Members of the House are counted.

36. Therefore in those circumstances an Opposition motion of No-Confidence by the House in the Government is not designed or intended to bring down the Government, because the Government would still have its majority.

37. What, then, would be the purpose of tabling a No-Confidence motion against a Government whose majority is still intact?

38. The answer is: for political and strategic reasons.

39. You know you are not going to cause the Government to fall. But you have some issues you want to bring to the attention of the nation – and you want to make sure that your criticisms are recorded in the Hansard – the Parliamentary reports.

40. Those are valid and legitimate aspirations for any Opposition to harbour. After all, an Opposition is seeking to replace the Government by defeating the Government at general elections. An Opposition endeavours to undermine public trust in the Government. It seeks a platform for the ventilation of its criticisms of the Government. Those are proper political objectives for any Opposition to entertain in a parliamentary democracy such as ours.

41. So the Opposition tables a motion of No-Confidence in the Government, and the Members of the Opposition prepare the speeches they intend to deliver in the House during their debate on their No-Confidence motion. They have listed all the points they intend to make when they rise to speak in support of their No-Confidence motion. They are armed and prepared for verbal warfare in the House.

42. When they go to the House, thus armed and prepared to verbally lambast the Government, the Opposition Members are confronted with an amendment to their motion which ends with these or similar words:

"Be It Resolved That This House has full confidence in the Government".

43. What should the Opposition do? How should the Opposition react? Does the new situation mean that the Opposition have to tear up their prepared notes and speeches? Does it mean that the Opposition are no longer allowed to lambast the Government in the way they had been prepared to do? Does it mean that their rights have been violated? Does it mean that they have been muzzled and now have to hold their peace?

44. The answers to all of these rhetorical questions are: "No! No! No! No! No!"

45. The truth is that nothing in a Government's motion of Confidence can prevent an Opposition Member from delivering in the House the exact speech which he/she had prepared to deliver in support of his/her party's No-Confidence motion. Nothing!

46. All that an Opposition Member has to do is to inform the Speaker and the House that he/she does not support the Government's amending motion for "the following reasons", and then deliver the very speech which he/she had prepared to attack the Government!

47. What I am saying is this: it does not matter how a No-Confidence motion is amended! You have gone to the House to attack the Government – then go right ahead and deliver your prepared attack.

After all, when you brought the No-Confidence motion you knew the Government had the majority to defeat your motion. You could not have expected the Government to support your No-Confidence motion and vote against itself. What you were seeking was PUBLICITY! You wanted a platform to highlight certain issues.

48. And never mind that the Government amended your motion, you got your platform; you got your opportunity; you got your opportunity for publicity.

49. So what was that folly of boycotting the sitting and saying that you are refusing to debate the Government's "Confidence" motion because, as you said, the Government trampled upon your rights? What trample? What rights?

50. And so you went home and left unsaid all the points you had come to the House prepared to speak about, all because you failed to embrace a glorious opportunity to lambast the Government as you said you were planning to do.

51. It was the same muddled thinking and utter lack of discernment which caused the wastage of four solid hours on "Bad" Friday.

52. The Opposition said they had come prepared to support their motion on Electoral Reform. Their motion said, in effect, that the electoral laws and procedures are in need of reform. The Government countered with their own amendment which in effect said that the current electoral system is sound.

53. OK. What was there to prevent the Opposition from making the very points which they must have come prepared to make in support of their proposals? Nothing! All the Opposition had to say in presenting their arguments was that they disagreed with the Government's position for "the following reasons", and then deliver the very speeches which they had come prepared to deliver.

54. Instead of getting on with their prepared presentations, the Members of the Opposition managed to waste valuable time by their constant griping over procedure even after the Speaker had ruled in favour of the Government – as the Speaker was bound by the Standing Orders to do, in my respectful opinion.

55. The Members of the Opposition knew full well that at the end of the debate, if one had taken place, the Government with its majority would have prevailed. But had they debated the amended motion the Opposition would have been able to sensitize the electorate on the alleged deficiencies of the Representation of the People Act and the need for corrective measures. Instead, they squandered the opportunity to make their points, and they now have to wait for another year before their business takes precedence again.

56. They have handed the Government on a silver platter a remarkable strategic political advantage: the Opposition have demonstrated that all the Government has to do in future when the Opposition tables a motion critical of the Government, is to amend it radically, in which case the Opposition would refused to debate their points and the Government would carry on with relief.

57. What a state of affairs!