

Honoured for supporting culture



Indar Maharaj, president of the Sant Nagar Hindu Temple, presents Leila Sinanan, mother of Works and Transport Minister Rohan Sinanan, and his father, Basdeo Sinanan (deceased), with a plaque for outstanding and meritorious contribution to the Sanatan Dharma Maha Sabha (SDMS) and supporting Indian culture when the North East Regional Council celebrated the 172 years of Indian Arrival in T&T at Ojoe Road, Sangre Grande, last Thursday. PHOTO: RALPH BANWARIE

Welcome Indian Arrival Day

EVOLUTION

We sailed the Kala Pani
In ships so small and frail
We braved the monsoon's tyranny
Most times we had to bail
But came we on to West Indies
From famine and from jail
Because the British sahibs say the
coolies mutiny

We came to work the sugar cane
Which lay in abandonment
We worked those fields with so
much pain
From sun up to day's end
Still our cultures we maintain
Our traditions and religion
Of East and Western India, and the

Gangetic Plain

Our food and music, capra and
dance
How widely they have grown
Local culture to enhance
To all the world we have shown
Our peacefulness and tolerance
So great is our contribution
To our Trinidad and Tobago is-
lands

From early days to present time
We've laid a solid foundation
We saved each paisa, every dime
To improve our education
On many pedestals we have
climbed

Hold elevated positions
In religion, government and ad-
ministration

So East Indians stand proud
Be never ashamed of your roots
Hold high your heads in every
crowd
Let the world see the fruits
Of your labour and shout aloud
Of your achievements, your pur-
suits
Since the journey on the Fatel
Rozack
And your ultimate rewards

Eva David-Swain
Coalmine, Sangre Grande

Public accepting cock and bull stories

Here we go again, more or less
accepting the first issue of the var-
ious cock and bull stories coming
our way about the two PNM pol-
iticians squandering taxpayers' money.

No one really cares about these
two incidents; it is like every ad-
verse thing that happens here
where breaking the rules and
regulations are concerned.

These incidents will be swept
under the carpet in a well planned
delaying tactical manner as is usual
in order to avoid blame of those
in the corridors of power or hold-
ing positions of authority. It has
become so much the trend here.
Then many here wonder why we
are at a standstill where justice is
concerned. The people need to
wake up to what is happening to

them and the nation. They need to
put their foot down and demand
the right answers, as it would
now appear that no organisation
or influential citizen has the guts,
respect or ability to prevent what
is going on here with regards to the
proper governance of this nation.

G A Marques
Via email

The glorious month of Ramadan

Every year Muslims throughout
the world eagerly await the glori-
ous month of Ramadan. For the
last two months, they have been
supplicating to their Creator to
bless them during the preceding
months of Rajab and Shabaan and
to allow them to reach Ramadan!

Ahlan Wa Sahlan Ya Ramadan!
Welcome, Welcome O month of
Ramadan!

The sighting of the crescent
moon heralds the start of a month
that is revered by Muslims world-

wide. It is considered by many to
be their favourite time of the year,
being one of the great blessings of
Almighty God which He has be-
stowed upon mankind.

During the last ten days of
Ramadan, Muslims seek and ob-
serve the Night of Power (Lailatul
-Qadr). Tradition holds that the
Night of Power is when the An-
gel Gabriel first appeared to the
Prophet Muhammad, and the
first revelation of the Q'uran was
sent down. The first verses of the

Q'uran to be revealed were the
words: "Read! In the name of your
Lord..." That revelation sparked
the beginning of his period as a
Messenger of Allah.

We are told in the Q'uran:
"O you who believe! Fasting is
prescribed for you, as it was pre-
scribed for those before you, that
you may be among those who are
conscious of Allah."

Vasant Bharath
Via email

COMMENTARY

INTEGRITY AND DUE PROCESS

The public spectacle over the re-
cent appointments by the Ju-
dicial and Legal Service Commission
of three new judges to the Supreme
Court has produced an important
exercise of national self examination
of the Judiciary, perhaps our most
pivotal democratic institution.

We should be heartened by the
level and intensity of the debate on
this issue. Our sense of ownership
and consent in respect of our in-
digenous institutions is crucial to
our reassurance, after 50 years of
independence, that we are steady,
even as we are beset by the inevita-
ble growing pains of a still youthful
nation state.

Given this opportunity, the in-
stitution itself and all who are le-
gitimately joined in the debate are
required to rise to the challenge with
maturity to ensure that, whilst there
must be forthright debate and crit-
icism where due, that constructive
tone and quality of content form the
bedrock of all such criticism, lest we

awaken tomorrow to find that we
have thrown out the baby, the bath
water and the tub.

There is every good reason why
the nation must demand that this
incident should provide us with a
learning experience. How we deal
with this will help us build as a na-
tion. There are issues of transpar-
ency and openness and a commit-
ment to holding the JLSC to strict
standards of excellence from which
no one must shirk, least of all the
JLSC. The Law Association is to
be commended for having moved
quickly to establish a committee to
examine and to make recommen-
dations. We should all embrace this
initiative and contribute urgently in
the national consultation.

I consider it important neverthe-
less to make one simple point. As
egregious as the errors may be that
have been committed by the JLSC,
there is no basis on which those
errors approach even slightly the
constitutional threshold for removal



REGINALD T A ARMOUR, SC

from office of a Chief Justice and/
or of members of the Judicial and
Legal Service Commission. In the
case of both the Chief Justice and
the members of the JLSC, the Con-
stitution is very clear on the solemn
process by which the incumbents in
those constitutional offices can be
lawfully removed. This removal pro-
cedure is prescribed in explicit terms
in the case of both the members of

the JLSC and the Chief Justice who
is ex officio its chairman.

I have had the honour of being
appointed counsel to advise two
constitutional tribunals, one estab-
lished to investigate and to advise on
the removal of a Chief Justice of T&T
and more recently, the other estab-
lished in respect of a judge of the
Eastern Caribbean Supreme Court.

The threshold of the case to be
made out is stated clearly: The
incumbent may be removed from
office only for inability to perform
the functions of his office (wheth-
er arising from infirmity of mind
or body or any other cause) or for
misbehaviour, and shall not be so
removed except in accordance with
the provisions of the Constitution.
In order for that to be accomplished
a tribunal must be established, com-
prising eminent people, including
former judicial officers, and the ev-
idence of culpability or not on the
charge brought must be carefully
investigated and sifted. The person

under investigation must be given
a fair opportunity to rebut and test
that evidence after which the tribu-
nal may recommend a certain course
of action to the Head of State.

Simply stated, without burden-
ing this commentary with the reams
of judicial authority on the subject
from throughout the common law
Commonwealth, the apparent errors
of process committed by the JLSC
in relation to Mrs Ayers-Caesar do
not begin to approach this consti-
tutional threshold.

Some members of the Law Asso-
ciation have specially convened an
extraordinary meeting of the Law
Association to call on the Chief Jus-
tice and the members of the JLSC
to resign. This is nothing short of
an impeachment procedure. In the
exercise of their undoubted right to
attend and vote, I would expect that
the attorneys present will address
and debate the law as the paramount
consideration which informs the
result they will commit to history.