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**From Throne Speech to Presidential Address: The parliamentary effect of conversion
from a monarchy to a republic in Trinidad and Tobago**

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Abstract

The shift from a Throne Speech to a Presidential Address at the commencement of a new session of Parliament has removed the confidence dimension of the Throne Speech and the scrutiny of the Government's intended legislative agenda.

The conventions surrounding the Throne Speech in the Westminster Parliament were never transferred to Trinidad and Tobago at its independence in 1962. However, the scrutiny that accompanies a Throne Speech debate is the only Westminster tradition that survived the transplantation of the model.

The Presidential Address used to be called the Throne Speech when Trinidad and Tobago was a monarchy between independence and becoming a republic in 1976.

The Governor General used to deliver the Throne Speech on behalf of Her Majesty Queen Elizabeth II, Queen of Trinidad and Tobago, at ceremonial openings of Parliament. That was followed by a debate and a vote.

When Trinidad and Tobago became a republic that tradition was adjusted by reference to "The Government" instead of "My Government".

By 1988, a speech was no longer prepared by the new Prime Minister and presidential greetings were brought to parliamentarians by the new President in a manner designed to separate the presidency from one side or the other.

By the opening of Parliament from 2007 and beyond, the Presidential Address morphed into a virtual state of the union address. This has been the consequence of the hybridization of the quasi-ceremonial presidency after the monarchy in a republican parliamentary system.

Introduction

We cannot ignore the fact that the DNA of Commonwealth Caribbean constitution-making lies in the realm of monarchical parliamentary democracies as can be seen from an examination of significant historical events prior to the independence era that started in 1962.

The historical antecedents of the Commonwealth Caribbean are such that the region emerged out of a British colonial past in which the Westminster model was the only model that was known and revered. The emergence of the Westminster-Whitehall model in the Commonwealth Caribbean today has been based on a history of allegiance to the British Crown. An excellent example of this can be seen when, at the end of the Conference on the Closer Association of the British West Indian Colonies, held in Montego Bay, Jamaica, in September 1947 convened by then Secretary of State for the Colonies, Arthur Creech-Jones, to discuss the topic of West Indian federation, the following resolution was unanimously passed:

"16. Mr. H.A. Cuke, O.B.E. of Barbados, then asked permission, as a representative of the oldest of the British Caribbean Colonies, to move the following resolution, which was

seconded by Mr. F.A. Pixley of Jamaica, as members of the Conference rising to their feet while recording their unanimous agreement:-

RESOLUTION 15

RESOLVED:

That this Conference humbly affirms its loyalty and allegiance to the Person and Throne of His Most Gracious Majesty King George the Sixth, and that the terms of this resolution be conveyed to the Secretary of State for the Colonies for transmission to His Majesty.”¹

It was this allegiance and loyalty to the British Crown that pervaded the constitutional discussions for a Federation of the West Indies in 1947 that has existed in the Commonwealth Caribbean for over seventy-five years that can explain the reverence for the British monarchy. In later years, the political thought of two prominent political leaders in Trinidad and Tobago and Jamaica made it apparent that not much had changed since 1947.

In an address to a public meeting on 19 July 1955, about 14 months before he became Chief Minister, in Port-of-Spain, Trinidad and Tobago, Dr. Eric Williams had this to say:

“The Colonial Office does not need to examine its second hand colonial constitutions. It has a constitution at hand which it can apply immediately to Trinidad and Tobago. That is the British Constitution.”²

He went further in the same meeting to reinforce this point, when he said:

“Ladies and Gentlemen, I suggest to you that the time has come when the British Constitution, suitably modified, can be applied to Trinidad and Tobago. After all, if the British Constitution is good enough for Great Britain, it should be good enough for Trinidad and Tobago.”³

These comments by Williams laid the constitutional foundation for the system of government that would be adopted by Trinidad and Tobago in 1962 at its independence. His manner of thinking can be contrasted with his colleague Premier in Jamaica, Norman Manley, who had this to say in the Jamaican House of Representatives in January 1962:

“Let us not make the mistake of describing as colonial, institutions which are part and parcel of the heritage of this country. If we have any confidence in our own individuality and our own personality we would absorb these things and incorporate them into our being and turn them to our own use as part of the heritage we are not ashamed of.”⁴

In many respects, both of these comments represent the virtual DNA of constitutional development in the Commonwealth Caribbean either as suitably imported or colonially-evolved systems and confirm the reverence for monarchy as part of the edifice of the parliamentary system that has been introduced into Commonwealth Caribbean constitutions.

The adoption of Westminster-Whitehall parliamentary constitutions in Commonwealth Caribbean countries starting with Jamaica and Trinidad and Tobago in 1962 brought with it the adoption of Westminster traits in the functioning of those parliamentary systems.

One such area was in the copying of the model of the Gracious Address from the Throne in the Westminster Parliament into a Throne Speech. In the case of Trinidad and Tobago, this process began at the opening of the first Parliament on 31 August, 1962.

The Throne Speech in Trinidad and Tobago

The conventions associated with the Throne Speech in the UK were not transmitted to Trinidad and Tobago at the time of its independence constitution coming into being on 31 August, 1962. At independence at the opening of the First Session of the First Independence Parliament, the Queen's Speech was delivered by Her Royal Highness the Princess Royal, Victoria Alexandra Alice Mary. There was no debate on the Queen's Speech.

The Second Session commenced on 8 November 1963 and there was no Throne Speech following the passage of the Category 3 Hurricane Flora over the island of Tobago on 30 September, 1963. Instead, there was a special message at the opening of Parliament from the Governor General, Sir Solomon Hochoy, that was read by the Speaker on 8 November, 1963.

The content of the message was very instructive as regards the significance that was being attached to the Throne Speech. The message read, *inter alia*, as follows :

*“Mr. Speaker, hon. Members of the House of Representatives : Parliament meets today in the shadow of the terrible tragedy which has overtaken the Island-Ward of Tobago as a result of the worse (sic.) hurricane within recent memory. The necessity to come to grips with the problems created must transcend all other duties and obligations, and it is for this reason that my Government has found it necessary to dispense with the Traditional Speech from the Throne outlining Government's policy for the ensuing term...”*⁵

The message ended with the following sentence which was highly significant :

*“...I trust that hon. Members will understand and appreciate the necessity for today's informality, which is not intended to be a permanent feature of our Parliamentary practice.”*⁶

It was apparent that the Government were aware of their obligations under the conventions of parliamentary practice that had been assimilated as regards the opening of Parliament at a new session that they had chosen to adopt. There was, and are, no constitutional provisions requiring the delivery of a Throne Speech or Presidential Address at the opening of Parliament. This is purely based on the adoption of Westminster conventions which confirm the reverence for British traditions in the conduct of parliamentary business. As will be shown later, the application of these conventions has been erratic over the years and there was a change in the wording of the Presidential Address at the opening of Parliament after the change to republican status in 1976.

The one significant factor that was missing was the confidence dimension associated with the debate and the adoption of the Throne Speech in the pre-republican era (1962-1976) and its disappearance in the post-republican period after the First Session of the First Republican Parliament in 1976.

To understand the nature of the confidence conventions associated with the Gracious Address from the Throne in the United Kingdom that were not included in the independence constitution of Trinidad and Tobago, it is necessary to examine Westminster practice.

Westminster Practice on the Gracious Address from the Throne

The King's Speech sets out the Government's policies and programme for the ensuing parliamentary session. The House of Commons' vote(s) on the response to the Speech is (or are), in effect, a vote on whether this legislative programme enjoys the support of the House.

It has therefore long been a constitutional convention that votes on the King's Speech are a matter of confidence, and that if the Government were defeated there is an expectation that it would be obliged to resign or seek an early dissolution of Parliament and a General Election.

However, there is no legal requirement to this effect, and the Government has not lost a vote on the Gracious Speech since 1924, so there is a degree of uncertainty around the contemporary position.

The obligation on the Government to resign after a defeat on the King's Speech would be clearer if the Government stated explicitly before the vote that it was treating it as a matter of confidence; or if the motion on the King's Speech, rather than simply being defeated, were amended so that it explicitly expressed no-confidence.

This is what happened in January 1924.

“Order read for resuming Adjourned Debate on Amendment [17th January] to Question [15th January].

‘That an humble Address be presented to His Majesty, as followeth:—

Most Gracious Sovereign, We, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, beg leave to offer our humble thanks to Your Majesty for the Gracious Speech which Your Majesty has addressed to both Houses of Parliament.’— [Mr. Banks.]

Which Amendment was, at the end of the Question, to add the words :

‘But it is our duty respectfully to submit to your Majesty that Your Majesty's present advisers have not the confidence of this House:’— [Mr. Clynes.]

Question again proposed, ‘That those words be there added.’

Main Question, as amended, put accordingly.

The House divided: Ayes, 328; Noes, 251.”⁷

Prime Minister Stanley Baldwin resigned the following day, 22 January 1924 and made the following statement in the House of Commons :

“The PRIME MINISTER (Mr. Baldwin) : I beg to move, that this House do now adjourn until Tuesday, 12th February. As the result of the vote which took place in this House last night, the Government have tendered their resignation to the King, and His Majesty has been graciously pleased to accept it. [An HON. MEMBER "Thank God for that!"] Members of the Government will retain their Seals until the new appointments have been made, and it only remains for me to tell the House that the date was arrived at to suit the convenience of the incoming Minister. May I remind the House of two points, that the date chosen will leave ample time for business, owing to the lateness of Easter and the early date at which we assembled, and that particulars as to the method by which Parliament can be summoned in a time of Adjournment were given by me yesterday in answer to a Private Notice question.”⁸

The inability of the Government to get the endorsement of the House of Commons on the Gracious Address from the Throne led to the following resolution of the House of Commons being sent to His Majesty King George V :

“Resolved,

‘That an humble Address be presented to His Majesty, as followeth:—

Most Gracious Sovereign, We, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, beg leave to offer our humble thanks to Your Majesty for the Gracious Speech which Your Majesty has

addressed to both Houses of Parliament. But it is our duty respectfully to submit to your Majesty that Your Majesty's present advisers have not the confidence of this House. To be presented by Privy Councillors or members of His Majesty's Household.”⁹

It was on this basis that Prime Minister Baldwin tendered his resignation and that of his government on the following day.

According to the Hansard Society web site under the heading “What would happen if the Government lost a vote on the Address?” :

“The King’s Speech sets out the Government's policies and programme. The House of Commons' vote(s) on the response to the Speech is (or are), in effect, a vote on whether this programme enjoys the support of the House.

It has therefore long been a constitutional convention that votes on the King's Speech are a matter of confidence, and that if the Government were defeated it would be obliged to resign or seek an early dissolution of Parliament and General Election.

However, there is no legal requirement to this effect, and the Government has not lost a vote on the Gracious Speech since 1924, so there is a degree of uncertainty around the contemporary position. (During the life of the Fixed-term Parliaments Act [FTPA], 2011-2022, further steps would have been needed in any case to trigger an early General Election.) However, a Government that was defeated on the King’s Speech would be in serious political difficulty.

The obligation on the Government to resign after a defeat on the King's Speech would be clearer if the Government stated explicitly before the vote that it was treating it as a matter of confidence; or if the motion on the King’s Speech, rather than simply being defeated, were amended so that it explicitly expressed no-confidence. This is what happened in January 1924.”¹⁰

The issue of the Gracious Address which was transplanted into the parliamentary procedure of the Parliament of Trinidad and Tobago at its independence in 1962. With a written constitution, such a convention would have had to be codified in order for it to have any effect. It was not.

As a consequence, the most potent part of the Gracious Address that became the Throne Speech in Trinidad and Tobago was left out of the independence constitution as another ground upon which a government would have to demit office besides a motion of no confidence or the appointment of another person as Prime Minister after a general election.

The preference was for the high ceremony of the occasion with the Governor General riding in state to the Parliament to deliver a speech that was written by the Prime Minister after he had inspected a guard of honour outside of the precincts of the Parliament.

Actual Practice on the Throne Speech

The Third Session of the Trinidad and Tobago Parliament commenced on 9 November 1964 and the Throne Speech was delivered by the Governor General, Sir Solomon Hochoy. There was a debate on the Throne Speech with the government’s majority in the House of Representatives carrying the day.

The Fourth Session commenced on 3 December, 1965. There was no Throne Speech as it was deferred to 1966 when Her Majesty Queen Elizabeth II was due to visit Trinidad and Tobago. The Fifth Session commenced on 8 February, 1966. Her Majesty Queen Elizabeth II delivered the Throne Speech. There was a debate on the Throne Speech and the government’s majority carried the day again.

The decision to have no Throne Speech in 1963 and 1965 did not place any requirement on the Government to have a debate, although in 1963 the Governor-General made a statement about Hurricane Flora that had hit Tobago on 30 September.

The Government deferred the 1965 debate to 1966 when Her Majesty Queen Elizabeth II was going to visit Trinidad and Tobago with Prince Phillip, the Duke of Edinburgh, and the opening of Parliament would have included the delivery of the Throne Speech by Her Majesty.

After the general elections held on 7 November, 1966, the First Session commenced on 25 November 1966 with the opening of Parliament and the Throne Speech was delivered by the Governor General, Sir Solomon Hochoy and followed by a debate. The same procedure was adopted for the Second Session which commenced on 10 November 1967, the Third Session that commenced on 15 November 1968 and the Fourth Session which commenced on 27 October 1969.

However, there was a change in the *modus operandi* of the government for the Fifth Session that commenced on 26 October 1970 as there was no Throne Speech. Earlier in 1970 the Government faced its most severe test when there were Black Power demonstrations and marches between February and April 1970 and a state of emergency was declared on 21 April, 1970 and several persons were detained under the emergency powers.

On 13 April, 1970, A.N.R. Robinson, Minister of External Affairs and Deputy Leader of the ruling party (the PNM) resigned from the Cabinet and the Prime Minister, Dr. Eric Williams, also reshuffled his Cabinet. The government came very close to falling owing to riots on the streets and an army mutiny.

The issue of Eric Williams' government and the social uprising in Trinidad in April 1970 were the subject of a request for foreign assistance from the British Government that was discussed at successive meetings of the British Cabinet in April 1970 based on a report to it by the then Chancellor of the Duchy of Lancaster, George Thompson, MP, as follows :

“3. The Chancellor of the Duchy of Lancaster said that there had been a series of disturbances in Trinidad instigated by the Black Power movement. The immediate occasion of these had been the trial of Trinidadian students in Canada on charges of arson; but there had been a long-standing background of economic discontent. On 21 April, the Prime Minister of Trinidad and Tobago, Dr. Eric Williams, had declared a state of emergency and had ordered the detention of 25 Black Power leaders; but 10 of these had so far evaded arrest. The situation was complicated by the fact that at much the same time some 50 members of the Trinidad and Tobago Regiment, who sympathized with the Black Power movement, had mutinied and had established themselves in the former United States base at Chaguaramas, where they were holding 200 members of the Regiment as hostages...”¹¹

The rest of 1970 was spent recovering from this crisis and there was no chance that a Throne Speech with all of its ceremony and glamour would have been delivered given the security risk involved as well as the resemblance of colonial vestiges in an environment where the consciousness of the population had been elevated in the direction of anti-colonial responses to anything that was considered foreign. Prime Minister Williams had to walk a road that would no longer embrace such vestiges of British symbolism in the system of government.

Thompson went further to brief the Cabinet about the request from Eric Williams as follows :

“At the outset Dr. Williams had asked us to transmit requests to the Head of the Federal Military Government of Nigeria, General Gowon, and to the President of Tanzania,

*Mr. Nyerere, for the dispatch of troops to assist him in restoring order. He had also sought British assistance in transporting these troops to Trinidad and had asked us to supply light weapons to replace those seized by the mutineers. Dr. Williams had subsequently decided not to pursue his approach to Nigeria and Tanzania; but urgent consideration had been given to our response if he pursued his request for arms.”*¹²

Williams was addressing the issue of the political stability of Trinidad and Tobago as well as his own political survival. The depth of the crisis is best captured by the response of the Defence Secretary, Denis Healy as follows :

*“...that one frigate, HMS Jupiter, had been despatched to Trinidad, with orders to remain 30 miles off-shore, and would be in position that night. A second frigate, HMS Sirius, would reach the island within the next two days and would also remain off-shore and out of sight. HMS Jupiter carried a helicopter and could provide a naval landing party of two platoons trained in riot control. The complement of HMS Sirius included a detachment of Royal Marines. The situation created by the mutiny in the Trinidad and Tobago Regiment was serious since out of a total strength of 700 men 50 were taking an active part in the mutiny and 200 had been neutralised by the mutineers. The mutiny had also left the loyal troops critically short of arms. The arms which Dr. Williams needed could be despatched by midnight that night if so requested : but now he seemed more likely to rely on supplies from the United States. He was also reported to have been promised reinforcements of 1,000 men from Venezuela. Guyana was considering supplying some weapons; but the response from Jamaica, to which Dr. Williams had also appealed, was not yet known.”*¹³

The situation was dire. Williams tried to keep the situation stable by advising the commencement of the Fifth Session of Parliament right on time on 26 October 1970 after the Fourth Session had commenced on 27 October, 1969.

That session did not last for very long as he advised a dissolution of Parliament early in 1971 (22 April) and a general election was held in on 24th May, 1971. The opposition played into Williams' hands by declaring that they would not participate in the general election and they embarked on a no-vote campaign to protest the continued use of voting machines. Williams and the PNM won all of the seats in the 36-member House of Representatives.

At the ceremonial opening of Parliament on 18 June, 1971, the Governor General, Sir Solomon Hochoy, announced in his Throne Speech the formation of a Constitution Commission which would consider republicanism for Trinidad and Tobago.

There was one more Throne Speech in the life of the 1971-1976 Parliament and that was delivered by the Acting Governor General, Sir Arthur Mc Shine on 21 November, 1972 (which would turn out to be the last time a Governor General would ever deliver a Throne Speech in the Parliament of Trinidad and Tobago). The Third Session that opened on 11 December, 1973 was without a ceremonial opening and a Throne Speech.

The Parliament remained in limbo between 20 November, 1973 and 11 December, 1973 as there was no commencement proclamation between the end of the Second Session on 20 November and the proclamation opening the Third Session. This was largely because the Prime Minister, Dr. Williams, had proposed his resignation as leader of his party (the PNM) in September, 1973 and then changed his mind and returned on 2 December, 1973 to continue leading his party at the reconvened convention of the PNM.

Apart from making an announcement at the Annual Convention of his ruling People's National Movement (PNM) on 28 September, 1973, he also wrote to Her Majesty Queen

Elizabeth II through her Private Secretary, Sir Martin Charteris, on 25 September, 1973 as follows :

“As Her Majesty is no doubt aware, the question has been formally posed in Trinidad and Tobago of the introduction of the Republican system of Government and with this the associated question of appeals to the Privy Council. These two areas form part of a fundamental reappraisal of our existing Constitution, which is now before an independent Commission that is expected to report shortly.

At the same time I am writing to advise Her Majesty that my term of office as Political Leader of the ruling Party comes to an end this weekend with our Annual Convention, and that I am not seeking reelection. This will therefore have implications for my position as Prime Minister.

Some years ago Her Majesty was graciously pleased to appoint me a Privy Councillor; and followed this up by conferring on me the Award of Companion of Honour.

In the circumstances indicated above, I am of the opinion that, as a private citizen, as well as to avoid any controversy in respect of the constitutional decisions that are involved, I should request Her Majesty, which I now do, to permit me to resign as privy Councillor and to return, with respect and with regret, the Award of Companion of Honour.”¹⁴

This letter was never made public at the time. However, by 1973, Williams was ready to leave office and wanted to return his British honours and awards, even though he changed his mind as reported by the Trinidad Express under the headline “*Williams Stays*”.¹⁵ It was obvious that the fortunes of the Throne Speech as an institution of parliamentary government had now become largely irrelevant to the governance process because of the challenges faced by the PNM in 1970 and the indecision of Eric Williams in 1973 about whether or not he should resign as leader of his party in the face of seeking to make constitutional changes to implement a republican parliamentary system to replace the monarchical parliamentary system.

The Throne Speech was now being viewed as a colonial anachronism that Williams could no longer identify with in the aftermath of his decision to return his Companion of Honour and his desire to resign as a member of Her Majesty’s Privy Council as well as the heightened consciousness in the society about Black Power and the need to put some distance between symbols that could be identified with vestiges of colonialism. There would never be another Throne Speech for the rest of the 1971-1976 Parliament that was dissolved on 18 June, 1976.

The Presidential Address

On 24 September, 1976, the First Parliament of the Republic was opened in circumstances similar to the occasion of a Throne Speech at prior ceremonial openings when there was a Governor General.

The last Governor General, Sir Ellis Clarke, who had become the first President of the Republic by virtue of the transitional provisions of the new Constitution addressed the new Parliament in a manner similar to the Governor General in the pre-republican era. Instead of making reference to “My Government”, he made references to “the Government”. Additionally, he ceased using the title “Sir” despite not returning it or even seeking to return it. In later years, after he demitted office as President in 1987, he resumed usage of the title “Sir”. In 1972, he was awarded the GCMG upon becoming Governor General, however, in 1985, he was awarded the GCB by Her Majesty Queen Elizabeth II during her visit to

Trinidad and Tobago. He revived both titles after he demitted office in March 1987 when he returned to private life.

The First Republican Presidential Address

When Act No. 4 of 1976¹⁶ was proclaimed on 1 August, 1976, that made Trinidad and Tobago a republic, one of the institutions that had to adjust to these new circumstances was the new office of President of the Republic. That office had replaced Her Majesty Queen Elizabeth II and her Governor General who had been Her Majesty's Personal Representative up to 31 July, 1976.

One of the traditions that had to be reviewed was the transition from the Throne Speech that had traditionally been used at the ceremonial opening of Parliament, whenever such openings were held. In the local context, it was a device that mimicked the United Kingdom usage by having the Governor General read a speech written by the Prime Minister that laid out the policy initiatives of the Government for the ensuing session of Parliament.

However, upon making the transition from a monarchy to a republic on 1 August, 1976, the character of the address by the head of state at a ceremonial opening of Parliament was going to change.

After the general election on 13 September, 1976, the ceremonial opening of Parliament was held on 24 September, 1976, which was declared a public holiday to mark the opening of the First Parliament of the Republic. That public holiday was named "Republic Day".

Former Governor General, Sir Ellis Clarke, had become president of the republic by virtue of the transitional provisions in the new Constitution. He addressed the ceremonial opening of Parliament on the first Republic Day.

The format for that address was similar to that of a Throne Speech insofar as he indicated policy initiatives that the newly-elected government would pursue. What followed was a debate on the President's address which was held on Friday, 1 October and Friday, 8 October, 1976 in the House of Representatives. There was no doubt that the traditions associated with a Throne Speech had been maintained inclusive of the motion that offered "humble thanks" to His Excellency the President for the address to both Houses of Parliament.

The President made references to "the Government" instead of references to "my Government" that had obtained in all but one of the Throne Speeches that were delivered during the monarchical period.

In the last Throne Speech delivered by the Acting Governor General, Sir Arthur Mc Shine on 21 November, 1972, there was a vocabulary change from "my Government" to "the Government". President Ellis Clarke continued that reference to "the Government" that had last been used in the final Throne Speech ever delivered in the Parliament of Trinidad and Tobago by Her Majesty's Governor General in November 1972.

The speech in 1972 was written by Eric Williams as was the one in 1976 for the new President, Ellis Clarke. The desire to separate the Head of State from the perception of any partisanship in the post-Black Power environment of Trinidad and Tobago was reflected in these vocabulary changes and suited the republican environment that was coming in 1972 and arrived in 1976.

There were no more Presidential Addresses for the rest of the First Parliament of the Republic. Dr. Eric Williams died in office as Prime Minister on 29 March, 1981 and was replaced by George Chambers (the Minister of Agriculture, Lands and Fisheries as well as Minister of Industry and Commerce) who was appointed by President Ellis Clarke as Prime Minister. After the 1981 general election that was held on 9 November, 1981, there was no

ceremonial opening of Parliament when the Second Republican Parliament had its first sitting at the commencement of the First Session on 27 November, 1981 which meant that there was no Presidential Address. For the entirety of the Second Republican Parliament there was never any Presidential Address as there was no ceremonial opening of Parliament. Prime Minister George Chambers was not favourably disposed to high ceremony and dispensed with any ceremonial occasions for the Parliament.

Presidential Addresses after a change of Government

After the 1986 general election that was held on 15 December, 1986, there was a change of government. George Chambers and the PNM were replaced by A.N.R. Robinson and the National Alliance for Reconstruction (NAR). At the ceremonial opening of the Third Republican Parliament on 12 January, 1987, there was a Presidential Address by President Ellis Clarke and once again that address resembled the traditional mode of a Throne Speech with references to policy issues that the new Government would pursue.

However, the significant difference with this Presidential Address was that there was no debate on it as had happened in 1976. The last vestige of measuring the parliamentary support for the legislative and policy agenda of “the Government” had now been removed. This meant that the 1976 debate on the Presidential Address was the last time that Parliament would vote on the legislative and policy proposals of a Government and a new era of diminished parliamentary accountability for the Cabinet was established.

In March 1987, there was a change of president and Mr. Justice Noor Hassanali was elected President and assumed the office. He brought about a change to how Presidential Addresses would be delivered. He adopted the approach of bringing greetings to the parliamentarians and using the occasion to turn the address into a thematic one whereby he could speak in broad terms about societal issues.

The collective responsibility of the Cabinet to Parliament was undermined by this approach to the Presidential Address as there was now no means whereby Parliament could debate and vote on the agenda of “the Government” for the ensuing Session of Parliament.

The Throne Speech model was replaced by the decision of President Hassanali to deliver a different Presidential Address on his first occasion on 8 January, 1988 at the ceremonial opening of Parliament. This represented the another departure from the collective responsibility of the Cabinet to Parliament as there had been no debate on the presidential address by Ellis Clarke after 12 January 1987 and now there was no policy and legislative agenda to be outlined through the medium of a presidential address.

By changing the tenor and content of the Presidential Address to Parliament a new constitutional frontier was now reached in the governance of Trinidad and Tobago. The President had denied the Prime Minister the opportunity of providing Parliament with the legislative and policy agenda of the government for its scrutiny and debate. This was an expression of presidential power in the new hybrid quasi-ceremonial presidency of Trinidad and Tobago whereby the President could assert his own independence from the Prime Minister on a subject like this as there is, and was, never any constitutional requirement that delineated the what the President must do on the occasion of a ceremonial opening of Parliament where the President is expected to deliver an address.

This was a continuation of a trend that started with the accession of the NAR government to power in 1987 when there was no debate on the address given by President Ellis Clarke. The removal of any accountability by (i) the removal of the debate on the address, and (ii) the removal of the legislative and policy agenda from the content of the Presidential Address converted the occasion of the Presidential Address at the opening of

Parliament into a virtual State of the Union Address that would normally be given by a President of the United States to a joint sitting of both Houses of Congress.

That transition from a Throne Speech to a State of the Union Address in President Hassanali's address started in the following way :

*“Mr. President of the Senate, Mr. Speaker, Honourable Members of Parliament, I bring you greetings from my wife and myself, with our prayer that God's peace be with us all. As a constituent part of Parliament, I feel privileged and I am glad for the opportunity to participate on the occasion of the commencement of the Second Session...”*¹⁷

There was no revelation of any aspect of the Government's agenda for the ensuing year and there was never any turning back in successive years and also with successive Presidents.

Presidents ANR Robinson, George Maxwell Richards and Anthony Carmona

This new format of presidential addresses was adopted by successive presidents, namely ANR Robinson, George Maxwell Richards and Anthony Carmona. In many respects, parliamentarians were criticised for the ills facing the society because there was the belief that the solutions to those problems lay with parliamentarians.

President Robinson was the only parliamentarian and former Prime Minister to become President of the Republic. He succeeded President Hassanali in March 1997. In President Robinson's first address to Parliament on the occasion of the commencement of the Third Session of the Fifth Republican Parliament on 24 November, 1997, he began his address as follows :

*“Mr. President, Mr. Speaker and Members of Parliament, I feel signally honoured to be with you again in this hallowed Chamber where I spent so many arduous and sometimes exciting years. Of course, I see you now from a new perspective. From this perspective and against this background, I am able to have a deeper understanding of your roles and greater sympathy for you, as you seek to discharge the enormous and exacting responsibilities that rest upon your shoulders. Far removed from acrimonious exchanges and momentary bitterness and anger, I can the more readily discern the purposes that you serve and appreciate the wisdom enshrined in our Constitution which was framed after much study and examination of foreign constitutions, and much consultation with our community leaders...”*¹⁸

This would be the last time that President Robinson would give an address to Parliament for the rest of the Fifth Parliament as the government of Prime Minister Basdeo Panday did not hold any more ceremonial openings of Parliament for the Fifth Parliament. The relationship between Prime Minister Panday and President Robinson had deteriorated significantly during the remainder of the Fifth Parliament which may have contributed to the absence of any invitation to the President to address both Houses of Parliament.

This deterioration spilled over into the Sixth Parliament when Prime Minister Panday was re-appointed Prime Minister on 21 December, 2000 after the general election that was held on 11 December, 2000. The Presidential Address by President Robinson was the shortest ever delivered and is reproduced here as follows :

“Mr. President of the Senate, Mr. Speaker of the House of Representatives, hon. Members of the Senate and of the House of Representatives, at this time, in this place and at

this historic moment, at the start of the century and at the start of the new millennium, it is meet and right, it is fitting and proper that this should be a spiritual occasion, as a people, as a nation under God, that we should lift our hearts and our spirits in thanksgiving and adoration. Mr. President and Mr. Speaker, I thank you for your kind invitation to me to speak at this gathering; this ceremonial opening of Parliament. I shall be brief because I am of the view that this should be a spiritual occasion at this historic time in the life of the nation, in the life of our Parliament, in the lives of our people. I do not propose to add to the words of blessing, to the invocation of blessing and the adoration given by our spiritual leaders. I accept their words of spiritual guidance and their words of wisdom. It is in this atmosphere I ask that we lift our hearts and our spirits to the God whose supremacy this nation acknowledges and we seek his guidance by prayer, all of us. As we leave this historic opening ceremony and go our diverse ways, let us remember that the supreme God is available to us for our guidance in all our actions and all our thoughts. I thank you, Mr. President. I thank you, Mr. Speaker.”¹⁹

That would turn out to be President Robinson's last Presidential Address as the Sixth parliament was dissolved on 28 August, 2001. The Seventh Parliament had an 18-18 tie after a general election on 10 December, 2001 and it assembled on 5 April, 2002 with former Leader of the Opposition, Patrick Manning, having been appointed Prime Minister by President Robinson and former Prime Minister, Basdeo Panday, having been appointed Leader of the Opposition, which he refused to accept. The House of Representatives was unable to elect a Speaker and Parliament was eventually dissolved on 28 August, 2002.

There was never any Presidential Address in the Seventh Parliament. The term of office of President Robinson was extended by one year under the provisions of section 33 of the Constitution because there was no Speaker elected in the Seventh Parliament who could preside over the Electoral College to elect a President.

When the Eighth Parliament assembled on 17 October, 2002 after the 7 October general election, President Robinson was unwell and was unable to perform the functions of his office and the Presidential Address was delivered by the Acting President Senator Dr. Linda Baboolal (the President of the Senate) who had to be sworn into office at President's House and then rode in state to Parliament in the presidential entourage to address both Houses of Parliament.

She commenced her address as follows :

“Mr. Speaker; Mr. Vice-President of the Senate, Members of Parliament, religious leaders, distinguished guests, I thank God for bringing us here today after peaceful elections and ask Him for guidance in the deliberations of this Parliament so that we may do our duty to God and to country. I extend congratulations to all elected and appointed Members of Parliament and wish you well in your endeavour. As we celebrate 40 years of Independence, we as a nation face several challenges, many of which are similar to those experienced in other parts of the world and others peculiar to our own circumstances. Our maturity as a nation will be tested by how we deal with these situations in an ever-changing global environment. What is obvious, however, is that there is no one group of persons or any one individual who can find the solutions. All citizens of Trinidad and Tobago working together must join in the effort to achieve this end. The task starts here with you, the leaders of the nation. The Parliament, which is meeting after a long recess, must address the people's business since this is the central purpose of your presence here. The road may be long and tedious, but that must not diminish the effort of every single Member of this Parliament to achieve the passing of legislation necessary for the well-being of every sector of our society.

The House of Representatives must set the pace. A Senate can only be effective if the House of Representatives accomplishes the task. Let us keep the debate at a high standard..."²⁰

The extent of the awkwardness of the occasion is embedded in the greetings by the Acting President in which she referred to the "Vice President of the Senate" as she was the substantive President of the Senate who had the office of Acting President of the Republic thrust upon her after being re-elected President of the Senate and immediately after taking her oath as a parliamentarian had to go to President's House to take the presidential oath.

Once again, there was no recitation of the legislative and policy agenda of the government, but rather a philosophical statement by the Acting President in keeping with the evolution of Presidential Addresses from President Hassanali to President Robinson to her.

It was after the election of President George Maxwell Richards in March 2003 that the character of the Presidential Address would carve a new space for the office of the President to offer a critique of government policy and societal problems that would take the form of a virtual State of the Union Address.

In his first Presidential Address at the opening of Parliament on 29 September, 2003, President Richards said the following :

*"...Our communities cannot thrive without law and order. These are words that must be uppermost in the minds of all of us who are witnessing deterioration leading to anarchy in many of our institutions. There is no question but that the decline has reached alarming proportions. But where do the solutions lie? Is it in the passing of new laws in the Parliament? I think not. There are already many laws that are not enforced. I believe, rather, that law enforcement agencies must see to it that every infraction, no matter how small, is dealt with, with the full force of the law. Am I advocating a police state? Not by any means. I am saying, however, that we have come to that point in our affairs where it has become necessary to apply discipline rigorously in defence of our nation. Lawlessness in any form must not be tolerated, and we the Members of the Parliament must do whatever lies in our power to encourage the upholding of the laws of the land..."*²¹

This foray into the policy arena was a first for the presidency and this represented a new approach away from collective Cabinet responsibility towards the creation of a new role for the quasi-ceremonial president which was to become an independent monitor of policy performance by using the podium of the Parliament as a bully pulpit akin to that of an American President delivering a State of the Union Address.

He was invited again to address Parliament on 10 September, 2004 and 26 September, 2005 for ceremonial openings of Parliament. There was no ceremonial opening of Parliament on 29 September, 2006 and, therefore, no Presidential Address and Parliament was dissolved on 28 September, 2007.

After the dissolution and the opening of the new Parliament, President Richards was invited to address the ceremonial opening of Parliament on 17 December, 2007. In continuing his trend of using the genre of the US state of the union address, President Richards said, *inter alia*, the following :

*"...In recalling these words, I am mindful that our gross domestic product over the last five years averaged some 9.2 per cent per annum, but at the same time the poverty level stands at 17 per cent; this is far too high. We must, therefore, strive for sustainable ways of lifting the poor out of their condition..."*²²

However, there was no ceremonial opening of Parliament for the Second Session of the Ninth Parliament that commenced on 9 January, 2009 and so there was no Presidential Address.

However, the Third Session commenced on 13 January, 2010 with a ceremonial opening. President Richards delivered his Presidential Address and continued in the same vein as he had done before. He started his address in the following way :

“...As we begin this new year, I have asked myself : ‘How are we doing in Trinidad and Tobago at the start of the second decade of the 21st century ?..” ²³

President Richards subsequently dissolved Parliament on the advice of Prime Minister Manning on 8 April, 2010 and a general election was held on 24 May, 2010 which he lost. The new People’s Partnership coalition government came into office and the new Prime Minister, Kamla Persad-Bissessar, and her Cabinet agreed to have a ceremonial opening of Parliament to which President Richards was invited to attend and to deliver an address to parliamentarians on 18 June, 2010.

Once again, President Richards adopted the State of the Union approach in his address. He said, *inter alia*, the following :

“...I have sought, ladies and gentlemen, over the past several minutes, simply to highlight a few areas in which government, in its broad sense, by deliberations brought to the Parliament by the people’s representatives, might engage the national community in decisions that have as their objective greater success in our nation’s future. But the Government must be careful to leave room for people to define what success means to them and room for them to achieve that success...” ²⁴

President Richards was invited to address ceremonial openings of Parliament on 27 June, 2011 and 11 July, 2012. He ended his term of office in March 2013 and he was succeeded by President Anthony Carmona.

President Carmona continued in the same vein as President Richards. He opened Parliament on 2 August, 2013 and said, *inter alia*, the following :

“...In this regard, I wish to raise the issue of the constitutional provision that no person under the age of 25 can qualify to be a Senator in the Upper House. It is not about the size of the cranium of a 25-year old. This is a dinosaur piece of legislation lacking in vision. In every generation there comes along an exceptional human being under the age of 25 and there should be a constitutional provision for such an occurrence...” ²⁵

After this address, the Government did not invite him to address Parliament when the next session commenced on 4 August, 2014. Parliament was dissolved on 17 June, 2015 and the Government of Prime Minister Kamla Persad-Bissessar was defeated in the general election on 7 September, 2015.

The new Government of Prime Minister Dr. Keith Rowley opened Parliament on 23 September, 2015. President Carmona continued in the same vein as before by lecturing the government on what he thought their priorities should be and he was never invited back to open Parliament with an address for the rest of his term of office which ended in March 2018.

Presidents Paula-Mae Weekes and Christine Kangaloo

President Carmona was succeeded by President Paula-Mae Weekes in March 2018, the first female President of Trinidad and Tobago. However, when the first available session (Fourth Session) opened after her accession to office took place on 29 September, 2018, she was not invited to open Parliament with an address. The same applied when Parliament commenced its Fifth Session on 2 October, 2019.

On 24 January, 2020, the Fifth Session of Parliament continued with a relocation back to the original seat of the Parliament at The Red House in Port-of-Spain after several years at another location to permit extensive renovation and repair works to be conducted at The Red House. President Weekes issued a proclamation on 10 January, 2020 that stated that the Fifth Session of Parliament would “continue” at The Red House, Port-of-Spain on 24 January, 2020.

President Weekes was invited to address the Parliament on that occasion which marked the return of Parliament to The Red House. Her address attempted to link citizens whom she said were “hurting”, on the one hand, and the insensitivity of parliamentarians who appeared not to be listening to those cries for help. The tradition continued.

Parliament was dissolved on 3 July, 2020 and the general election was held on 10 August, 2020. At the opening of the new Parliament on 28 August, 2020, President Weekes addressed Parliament and went a bit further in the tradition that had been started by President Hassanali in 1988. This time she questioned the *bona fides* of all parliamentarians when she made the following statement :

“...Members of the Twelfth Parliament, I need to ask you a personal question. Can we trust you ? I am asking for a friend. Or more precisely, firstly, for the roughly 658,000 citizens who on August 10th did their civic duty, hoping that you prove ready, willing and able to ensure their security, prosperity and future, as well as for the rest of the population. Hon. Members, can we trust you to discharge your functions in accordance with your Oath ?...”²⁶

She was not invited to address the opening of Parliament in 2021, however, she was invited to address the opening of the Third Session on 12 September, 2022. There was no difference in her tone, demeanour or content as the traditions of President Hassanali and his successors were continued.

She was not nominated to continue in office for another term and in March 2023, the President of the Senate, Christine Kangaloo, was elected President. In her first address to the opening of the Fourth Session of Parliament on 11 September, 2023, she also continued where President Weekes left off by separating herself from the Cabinet and making policy pronouncements.

Conclusion

While the presidency has been able to carve out for itself a niche to find a platform to chastise parliamentarians and to give a virtual state of the union address which mirrors a hybrid between the Throne Speech of the UK Parliament and the State of the Union Address given by US Presidents every year, there has been no transition from the dominance of every government over the Parliament by virtue of its ability to determine when the President will or will not be invited to address Parliament.

The office of President has no political accountability for the discharge of its powers other than the process of impeachment set out in sections 35 and 36 of the constitution. The decision by President Hassanali to distance himself from the Cabinet by not reading a speech

written for him by the Prime Minister in January 1988 marked a significant change in the parliamentary conventions that had emerged in Trinidad and Tobago after its independence in 1962 and after it became a republic in 1976.

President Ellis Clarke was the last Governor General of Trinidad and Tobago and the first President of the Republic. He never delivered a Throne Speech and the only two presidential addresses that he gave on 24 September, 1976 and 12 January, 1987 followed the mould of the traditional Throne Speech with the replacement of the words “My Government” with the words “The Government”.

The maintenance of Cabinet accountability to Parliament was kept in these two addresses. However, there was a debate on the presidential address in 1976, however the government in 1987 did not arrange for a debate which diminished the accountability dimension of the purpose of the address.

By 8 January, 1988, President Hassanali completed the removal of any accountability function for the Cabinet by replacing the legislative and policy agenda of the Government with his own personal remarks. From that point onwards, the system of government was substantially altered by inserting the personal reflections of the President whenever the Cabinet decided that the President should be invited to address Parliament.

Both sides, the Cabinet and the presidency have jointly altered the accountability of the Cabinet to Parliament and created a hybrid system of a virtual state of the union address in place of the throne-speech model. That hybrid model has devolved onto the presidency the role of critiquer-in-chief which is very different to the former role of the Governor General and is indeed a by-product of the evolution of a hybrid Head of State who has expanded powers of discretion under the republican Constitution that were never enjoyed by the Governor General before 1976.

END NOTES

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