

The Priest, the Newspaper & the Vanishing Baldeosingh

Written by BCPires

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For reasons best known to the paper alone and so far not communicated to him, Newsday has not run my erstwhile newspaper and still Humanist Association colleague Kevin Baldeosingh's column for the last two Fridays. This is the column he sent them for today, the third one not to appear. I suspect there is a connection to Kevin having done Trinidad & Tobago and the world a favour by uncovering the hypocrisy of our own plagiarizing priest/wannabe Integrity Commission Chair, the good Henry "Hey, I Completely Forgot About Copying That David Brooks Column" Charles. While we await developments on that story, here is Kevin's column.

God and Constitution

□ By Kevin Baldeosingh □

First, let me apologise to readers for the non-appearance of my column over the past two Fridays. I don't know if it was technical glitches, but some people might well believe God was punishing me for exposing a plagiarist priest. Of course, anyone who believes that also believes in a God who does not favour truth and transparency. Which brings me to the preamble of our Constitution. □

"Whereas the People of Trinidad and Tobago (a) have affirmed that the Nation of Trinidad and Tobago is founded upon principles that acknowledge the supremacy of God," it begins: which instantly exiles people like me, who acknowledge no such thing. Indeed, this phrase formed no part of the original Independence Constitution but was inserted, as Dr Eric Williams said in an address to Parliament on May 11, 1962, because of the urging by religious organisations that there "should be in some appropriate place a preamble in the Constitution which would include a suitable reference to Almighty God." □

Now mentioning God is one thing, but it escapes me how asserting that all the people of T&T believe in a Supreme Being can constitute a "suitable reference". After all, even in 1960, over 4,000 persons (or just 0.5 percent of the populace) said they followed no religion or did not state their religion in the national census. The 2000 census has just over one percent of the populace not stating a religion. That's at least 15,000 persons who are not acknowledged by the Constitution (although a 1993 survey by Patrick Johnstone puts the percentage of non-religious persons in T&T at nine percent, which is over 100,000 persons). So, if some religious fundamentalist claimed that atheists have no rights under the Constitution of Trinidad and Tobago, he would have an arguable case. These rights, remember, include equality before the law, privacy, and freedom of thought. And since all these are transgressed even for believing citizens, it would theoretically □ be easy for the State to oppress non-religious persons. □

Now, admittedly, this is unlikely to occur in any formal fashion. But the Constitution's preamble, which is reproduced in the Draft Constitution, goes to the heart of the question of what

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principles should inform such a foundational document. On the one hand, since the vast majority of citizens would not disagree that they acknowledge the “supremacy of God” (in word, if not always in deed), it can be argued that the Constitution rightly reflects the prevailing norms of the society, as insisted by the nine organisations which got this phrase inserted into the preamble 47 years ago. On the other hand, the protection of minorities is generally considered a crucial guarantee in modern constitutions, and the preamble contradicts, even if it does not actually undermine, the rights enshrined in Clause 4 (h) and (i) – freedom of conscience, and freedom of thought and expression. (The legal question, if it ever arose, would hinge on whether the rights take precedence over the preamble or vice-versa.)

America’s founding fathers faced this very issue when drawing up their constitution, with Thomas Jefferson being the most insistent that there should be “a wall of separation between Church and State.” In holding fast to this position, Jefferson and his colleagues were not necessarily reflecting common opinion. Indeed, his political opponents utilised accusations of atheism in order to demonise him, indicating that such an attack had a constituency. Nonetheless, the first amendment to the U.S. Constitution bans Congress from passing any law “respecting an establishment of religion”, or any which would “prohibit the free exercise” of religion. And, perhaps even more significantly, the U.S. Constitution states that “no religious Test shall ever be required as a qualification to any office or public Trust.” It must be noted, however, that in respect to this issue the founding fathers essentially failed: America has the highest proportion of believers of all developed nations, and atheists are considered by most Americans to be more unfit for public office than Muslims or homosexuals. But, in another sense, this proves Jefferson’s wisdom, for perhaps the constitutional guarantees have prevented religious conflicts that would have sundered the fledgling federation.

The inclusion of the supremacy of God phrase in our own Constitution creates a conflict for strictly ethical non-believers, for if such an individual is appointed to the Parliament they must swear to uphold the Constitution. Yet the oath itself acknowledges non-belief, since it allows the phrase “I affirm” rather than swearing on a holy book. Still, why should our Constitution create any conflict at all, especially when non-believers are likely to be more educated and ethical than born-again politicians?