

CONSTITUTIONAL REFORM PROGRAMME

In 1977 the subject of Constitutional Reform was assigned to the Ministry of Justice and a Constitutional Reform Division was accordingly established within the Ministry. The objectives of that Division were to -

- (i) carry out widespread and objective educational programmes on the Constitution and Constitutional matters;
- (ii) accord the opportunity for the most widespread, democratic, systematic national expression of views on the content of the Constitution by the highly monitored organisation of discussions and meetings on the constitution at the community and other levels;
- (iii) collect as scientifically and systematically as possible the data and views on the constitution from the largest numbers and cross section of persons;
- (iv) develop a draft document incorporating and based on the majority views expressed by the people; and
- (v) carry out these tasks in the shortest possible time and in as non-partisan and objective a way as possible.

Members are however aware that in the light of Government's financial constraints a decision was taken to wind up the Constitutional Reform Programme in June 1978, and to devise other methods to deal with the subject of Constitutional Reform.

Members may wish to note that the actual expenditure for maintaining the Constitutional Reform Programme from its inception in January, 1977 to its termination in June 1978 was approximately \$369,600.

The most tangible achievement of the Division can be seen in the materials developed in the Research Section. Set out below is a list of written papers prepared in this Section:

1. Electoral Systems April 1977
2. Paper on Constitutional Implications of Reconciliation paper April 1977
3. Basic Facts (original) April/May/June 77'
 - What is a Constitution?
 - What it should contain?
 - What is the significance of a Constitution?
 - How constitutions have developed.
4. Paper on Field Services June 77'
5. Introduction to Constitutions June/July 77'
6. History of Constitutional Development June/July 77'
7. What is a Republic July/August 77'
8. How does the Constitution affect our Daily Lives (original) July/August 77'
9. Draft resolution and note re removal from Parliamentary privilege of verbatim record of Jamaica Independence Constitution drafting proceedings July/August 77'
10. Structure of Government (original and extended)
11. Draft unfinished paper on Local Government August/September 77'

12. Powers of the Governor-General and the Prime Minister - October 77'
13. Types of Constitutions (original and extended) October/November 77'
14. Notes on Drafting Process for 1962 Constitution October 77'
15. On commemoration of the Right to Vote - historical paper - November 77'
16. Series of Questions/Alternatives on Structure of Government for Questionnaire - November/December 77'
17. Structure of Government (popular and summary) January 78'
18. What is a Republic (simplified) January 78'
19. Implications of Republicanism and Executive Presidency for Constitutional Reform January/February 78'
20. Types of Constitution (simplified) February/March 78'
21. Draft of brief/material for use at Public Forums March 78'
22. Structure of Government (simplified) March/June
23. Selected Constitutional provisions - text of comparative materials on Constitutions of a number of States March/June.
24. Towards a democratic constitution - history of Constitutional development around a number of themes April/June 78'

Other written materials produced with Research Section input -

1. Basic Facts (simplified) September 77' and March/April 78'
2. How does the Constitution affect our daily lives October/November 77'
3. C for Constitution - Book 1 August/September/October 77'
4. Paper on Role of Maroons in any process of Reform December 77' January 78'
5. C for Constitution - Book 2 December 77' January 78'
6. Newspaper article published in Gleaner 26/3/78 - real powers of Governor General and Prime Minister re appointments.
7. Question and Answers for radio and Television Programme July 77' and March 78'
8. Question and Answers for organisations.
9. Questions for School's Challenge Quiz May 78'.

Added to these are -

1. The booklet on organisation of the Field Services
The research for this which was done in the Research Section was to have been produced with illustrations.
2. Guide to Discussion Leaders.
3. Constitution Review "How and Why".

4. Appointment forms for Community Correspondents.
5. Posters and Banners on Constitutional Reform.
6. Forms for the Data Collection.

Among the other achievements of the Division from its inception to its termination were the following:

- (a) preparation of a plan for Constitutional review to involve all Jamaicans over 14 years, which with minor alterations was generally accepted.
- (b) Organisation of initial meeting with interest groups i.e. Churches, Trade Unions, Private Sector, Farmers, Youths and Professionals.
- (c) Identification, training and deployment of staff both at Head Office and on the field.
- (d) Identification and Establishment of offices in 14 locations in the island.
- (e) Preparation for the national launching of the Programme as well as 10 parish launchings.
- (f) Identification and training the voluntary cadres in the form of Regional Advisory Committees, Community Correspondents and voluntary task force workers.
- (g) Identification of the communities mentioned above.
- (h) Establishment of voluntary Committees for assistance in the Programme in that of the In House Task Force and Media Advisory Committee.
- (i) Establishment and maintenance of contact with Community Councils where they existed.
- (j) Establishment and maintenance of links with co-operating agencies such as JAMAL, SDC, Ministry of National Mobilization, API and Parish Councils.
- (k) Development of a data collection system and the monitoring of the system to be used when the discussions were in progress.
- (l) Establishment of links with schools, trade unions and other institutions.
- (m) Development through API links with libraries islandwide.
- (n) Addressing forums, meetings etc. either set up by the Division or at the invitation of groups and persons.
- (o) Appearances on all the television and radio programmes mentioned above.
- (p) With the assistance of the Minister of State for Information and Culture in the Prime Minister's Office, the mounting of the exhibition to commemorate Adult Suffrage.
- (q) With the assistance of API the mounting of an exhibition at Denbigh and the S.D.C. Conference.
- (r) Distribution of thousands of copies of the Jamaica (Constitution) (Order in Council) 1962 as amended.

A general sample survey of adult population was done in January/February 1978 to test -

- (1) public awareness
- (2) reaction to a review which involves popular participation
- (3) how much was known about the Constitution

“(1) what

(4) what was known about a Republic.

Extracts from the report on the survey show the following:

REGION I - TRELAWNY AND ST. ANN

- 67% of the population agreed with Reform
- 81% showed clear support for people involvement
- 23% had shown contact with programme over period July 77' to December 77'
- 69% wanted the Monarchy to be replaced
- 61% show clear support for Republican status
- 82% showed no real level of understanding of the aims and objectives of the Constitutional Reform Programme
- 15% showed vague understanding of the Constitutional Reform Programme
- 3% good level of understanding of the Constitutional Reform Programme.

REGION II - ST MARY, PORTLAND AND ST. THOMAS

- 73% of the population agreed with Reform
- 78% showed clear support for people involvement
- 22% had shown contact with programme over period July 77' to December 77'
- 61% wanted the Monarchy to be replaced
- 57% showed clear support for Republican status
- 76% showed no real level of understanding of the aims and objectives of the Constitutional Reform Programme
- 5% showed vague understanding of the Constitutional Reform Programme
- 9% showed good level of understanding of the Constitutional Reform Programme.

REGION III - KINGSTON AND ST. ANDREW

- 58% of the population agreed with Reform
- 90% showed clear support for people involvement
- 4% had shown contact with programme over period July 77' to December 77'
- 50% wanted the Monarchy to be replaced
- 36% showed clear support for Republican status
- 85% showed no real level of understanding of the aims and objectives of the Constitutional Reform Programme
- 11% showed vague understanding of the Constitutional Reform Programme

1/37 showed good

3% showed good level of understanding of the Constitutional Reform Programme.

REGION IV - ST CATHERINE AND CLARENDON

83% of the population agreed with Reform

80% showed clear support for people involvement

58% had shown contact with programme over period July 77' to December 77'

73% wanted the Monarchy to be replaced

70% showed clear support for Republican status

73% showed no real level of understanding of the aims and objectives of the Constitutional Reform Programme

17% showed vague understanding of the Constitutional Reform Programme

9% showed good level of understanding of the Constitutional Reform Programme

REGION V - MANCHESTER AND ST. ELIZABETH

74% of the population agreed with Reform

84% showed clear support for people involvement

11% had shown contact with programme over period July 77' to December 77'

44% wanted the Monarchy to be replaced

35% showed clear support for Republican status

81% showed no real level of understanding of the aims and objectives of the Constitutional Reform Programme

13% showed vague understanding of the Constitutional Reform Programme

5% showed good level of understanding of the Constitutional Reform Programme.

REGION VI - WESTMORELAND, HANOVER, ST. JAMES

60% of the population agreed with Reform

80% showed clear support for people involvement

32% had shown contact with programme over period July 77' to December 77'

56% wanted the Monarchy to be replaced.

54% showed clear support for Republican status

77% showed no real level of understanding of the aims and objectives of the Constitutional Reform Programme

17% showed vague understanding of the Constitutional Reform Programme

5% showed good level of understanding of the Constitutional Reform Programme.

Due to the curtailment of the programme it was not possible to develop a draft document as was proposed at paragraph 1 (iv) above.

The result of the work done by the Constitutional Reform Division and the materials produced have been handed over to the Constitutional Law Division of the Attorney General's Department. The materials will be utilized in such ways as may be formulated and through such media and educational agencies that now exist to maintain public interest in the Constitution and to continue to develop public knowledge of this fundamental legal document.

Ministry of Justice
20th March, 1979