# Statements of Dr. Gerard Emanuel, Ms. Verdel Petersen and Dr. Malik Sekou on the adoption of the Revised Organic Act as the Constitution of the Virgin Islands

**Mr. Gerard Emanuel**

“Adopting the Revised Organic Act and its amendments as the first draft of a local constitution for the USVI is a wise decision for two dispositive reasons:

1. We have failed to approve every constitutional draft since 1977.
2. Based on the increasing diversity of our population, almost anything placed in a constitution will be opposed by some segment of the voters. A simple solution is the following: After Congress approves the ROA and its amendments as a template, permit voters to vote “Yes” for the articles they want adopted and “No” for the ones they do not want. If this becomes the case, we would approve a document, that includes only the articles that receive the most yes votes.
3. The above is the normal procedure for approving amendments, but it can work for voting on the entire document.

# Ms. Verdel Petersen

According to Public Law 94-584, Congress has the authority to approve, modify or amend any constitutional draft that has been adopted by a constitutional convention. Since the Virgin Islands of the United States (USVI) has unofficially adopted the Revised Organic Act of 1954(Amended) for almost seven decades, it’s a clear indication that the majority of USVI electorate would not object to it becoming our constitution. This is the will of the People.

They expressed their wish in a referendum conducted on November 3, 2020.

Furthermore, history has shown that the last three USVI Constitutional Conventions violated Public Law 94-584 and created drafts that lack the consent of the People. These drafts didn’t reflect the diversity of our culture and the result was a waste of time, energy and money.

Most likely the mistakes of the past will be repeated. Our political parties do not promote the importance of the People’s right to have a constitution that could be amended by them to reflect their current situation. Therefore, I urge Congress to act on behalf of the People of the USVI and allow us to ratify the Revised Organic Act of 1954(Amended).

# Dr. Malik Sekou

I support your bill HR 3026 to adopt the Revised Organic Act of 1954 (Amended). As I have suggested to the Senate President Novelle Francis and other stakeholders, the current commemoration of the 175th Anniversary of our ancestors’ emancipation would

be *meaningful* if we take the positive step forward to successfully ratify a new

constitution. At the Centennial of the Emancipation of our enslaved ancestors in the Danish West Indies, in 1948 Governor William Hastie called for a referendum on six issues related to the first Organic Act of 1936.

The early Organic Act established the basis of our Territorial government. Although most of the Territory’s voters did not at first support amending this Organic Act, in July 1953 another referendum showed that they now wanted changes in the existing political system. Of the six questions posed to the Virgin Islands voters in 1948, the only issue that they supported, and it is relevant today is they supported our People acquiring a resident commissioner or delegate to Congress. Did we mark time, or did we step forward?

In 1952 before the 1953 referendum, a broad-based delegation from the USVI went to Congress to lobby for many of the progressive provisions of the current Revised Organic Act of 1954. This delegation was led by Governor Morris de Castro. As indicated above, the July 1953 referendum demonstrated a change of view and now Virgin Islands voters supported the unification of the Territory’s Treasury, a unicameral legislature, and elected governor, As is well known, in a piecemeal fashion our political leaders have steadily sought to amend the Revised Organic Act of 1954 through lobbying Congress, and today, this highly modified

Organic Act is a far cry from the initial Organic Act passed in 1954. Our political system has evolved to allow greater self-government and self-governance.

The existing framework can be used as the foundation of a new constitution. Even more, on November 3, 2020, our People voted overwhelmingly in support of adopting the Revised Organic of 1954 (amended) in a General election that had sufficient participation rates of the voters in the referendum—7,275 (Yes) to 2,840 (No).

It is now appropriate that your Office ensure that we make a positive step forward. Congress ought to provide funding to allow public awareness campaigns to ensure that all residents and even the diaspora become informed of this issue after HR 3026 is successfully passed by Congress. We make history when we make wise decisions.