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Rules Roogadoo: Heated Debate Marks Constitutional Convention Meeting on Tuesday

A contentious session of the Sixth Constitutional Convention saw intense debate over the adoption of governing rules, with delegates clashing over procedural fairness, executive power, and transparency. The rules were narrowly approved in an 8-7 vote.

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The Tuesday meeting among members of the Sixth Constitutional Convention was a resumption of their first session, with the goal of the day the adoption of the rules under which the Convention would be governed. Like the previous session, the meeting was [marked with contentious debate](#), as the draft version of the rules presented for ratification was immediately challenged by several delegates.

Some say they had not seen the version of the rules being presented until it was emailed to them that morning, right around the 10 a.m. meeting start time. Others, including Delegate Imani Daniel, said that the rules did not allow for true democratic participation in the operations of the Convention.

Additionally, she questioned whether delegates from one island – St. Croix – were trying to usurp the process. “At what point do you start to collaborate? At what point do you actually respect our input,” she asked her colleagues from the big island.

According to her, members of the rules drafting committee had scheduled a meeting for a particular day, which was derailed when the chair – Delegate Usie Richards — did not show. A rescheduled meeting for the next day had to be abandoned because “actually, none of the St. Croix delegates showed,” Ms. Daniel complained.

“I’m curious about this stonewalling that is being seen from the St. Thomas St. John district...and not allowing us to collaborate on something that is so important. Is it that you’re threatened,” she asked. “Is it that you don’t think we have anything to offer?”

Ms. Daniel then moved to halt the pending motion to consider the rules “until we can have a collaborative cross territorial conversation about these rules that are going to guide all of us for the next two years.”

Delegate John Canegeta, however, said he felt comfortable with the rules as drafted. “This is a pretty good document. I don’t think there’s nothing offensive in here,” he remarked, saying that he was also comfortable with the process by which they were put together.

With additional time donated to her by Delegate Alecia Wells, Ms. Daniel returned to the issue at hand. Acknowledging – perhaps sarcastically – that it was a “strong document,” she nevertheless objected to the proposed mechanics of how the Constitutional Committee would operate. “It consolidates power to the chair at the advice and consent of the executive committee, that is taking away each of our democratic right to have a voice and a vote on what goes on.”

Ms. Daniel claimed that her requests to form a “good faith working group” had been met with silence from “the Crucian delegation,” but with 16 amendments in hand, she reiterated her request. “We could be here for days if we really want to go through Robert’s Rules of Order, separating these motions and amendments. I don’t want to do that,” Ms. Daniel told her fellow delegates. Maintaining her demand for equity in the process, she predicted that delegates would regret ceding their power “when we get into committee and...are lobbying for individual concerns.”

Ms. Daniel then chastised Mr. Richards for ignoring her motion to halt consideration of the rules, before yielding back to Ms. Wells, who used the few seconds she had left to agree with the postponement. “We need to do better,” she remarked.

Delegate Arturo Watlington began his comments after a testy exchange with the chair. Mr. Watlington was expressing indignation about the manner in which Mr. Richards was inviting additional comment, calling the process this far “really, really insulting.” He went on to express his agreement with the position taken by Ms. Daniel. “I don’t believe in giving anyone – president, vice president, secretary – ultimate power to bind, or in fact have the authority to obligate funds of this convention without other people’s involvement,” he declared. “This is not a dictatorship. This is not Trump’s presidency,” he continued. Mr. Watlington also took issue with the meeting schedule as outlined, and the number of subcommittees being established. Like others before him,

he also complained about not being given enough time to properly peruse the draft that had been circulated.

Delegate Lydia Hendricks also expressed similar reservations, referring to previous failed conventions. “The reason why it failed is because there was no collaboration,” she declared. “I don't think that the chair should have so much power,” she said, donating the rest of her speaking time to Delegate David Silverman.

Mr. Silverman returned the attention of members to Ms. Daniel's pending request. “There is a subsidiary motion to postpone, which, according to Robert's Rules, should have been decided before we continued the debate and discussion on the primary motion. That's quite important, and we're not adhering to our de facto parliamentary procedures,” he declared.

Supporting Ms. Daniel's contention that a proposed working committee meeting to reconcile between three competing drafts of the rules never came to fruition “because of lack of participation of those who are representing Mr. Abramson's draft,” Mr. Silverman made his case again for the consideration of the pending motion to be postponed until that working group can deliver a harmonized document.

He summarized his substantive objections to the rules as drafted, which – like other delegates – boiled down to the extent of the powers granted to the president of the executive committee. “At the end of the day, it will require the vote of 10 of us in order to adopt a draft constitution,” Mr. Silverman reminded delegates. “If we do not have consensus all along the way, how are we ever going to get to a majority of 10 at the end of the day?” Declaring that he felt “that something is being shoved down my throat,” Mr. Silverman demanded consideration of his objections while simultaneously declaring his willingness to compromise. His sole aim, he said, was “to try to get a set of rules so we can all put our hand on heart and say we can live by them.”

With his allotted time, Mr. Richards reminded delegates of how events leading up to Tuesday's meeting had unfolded. He noted that Ms. Daniel, as secretary of the executive committee, attended a meeting in which it was known and understood that the draft rules submitted by Mr. Abramson was the document “on the table for review and discussion, irrespective of the fact that there were other draft proposed rules.” Mr. Richard pointedly noted that this perspective “was also shared directly with the officer, in this instance the Secretary Imani Daniel.”

Voting on the rules revealed the sharp rift that had developed between factions. Perhaps anticipating this, Mr. Silverman attempted to require a majority + 1 affirmative vote to get the rules adopted. His suggested amendment was rejected by 8 votes to 7. By the same narrow margin, the rules were adopted with 8 delegates voting yes, and 7 against.

That sparked another round of debate, this time over the question of whether or not the rules presented for adoption were “special rules” under Robert's Rules of Order. Delegate Rudel Hodge Jr. argued that they were, and “because of that fact, we do need to get that two-thirds threshold” to have the draft rules recognized.

Delegate John Abramson took umbrage to that contention. “As a trained parliamentarian from since 1980, I feel assaulted by what allyuh keep throwing about,” he began. “I say right now, there's no special rules,” he continued, but not before advising those ignorant of Robert's rules to “shut your mouth.”

Mr. Abramson's impassioned defense of Robert's rules in his closing remarks had to be cautioned for language by Chairman Richards, and prompted a warning from Mr. Silverman that Mr. Abramson could not seek to be both a voting member and an authority on the rules.

Ms. Daniel quoted from a recently revised edition of Robert's Rules of Order, defining special rules – those adopted to “supplement or modify” an organization's “adopted parliamentary authority” as distinct from standing rules, “related to the details of administration of a society rather than the parliamentary procedure.” She used these definitions to argue that the rules under consideration at Tuesday's meetings were indeed special, and thus – as Mr. Hodge had indicated – require a 2/3 majority for passage. With her time at the floor, she again returned to the motion she had raised to suspend the proceedings, claiming that in declining to acknowledge it, the convention was “so in violation of Robert's Rules of Order at the whim of the chair.”

After three months with no actual discussion on a proposed draft Constitution of the Virgin Islands, hopes of a diplomatic, democratic discussion are fading, Ms. Daniel said. “We're already seeing that fall apart here.” Noting that taxpayer dollars are being spent on this “rules roogadoo,” Ms. Daniel argued that “it could have been completely avoided if you all had actually responded and collaborated.” She insisted that the minority would not “sit by quietly and just let this power grab happen, specifically on committee, specifically on contracting, specifically on fiscal management, and how legal counsel is obtained.”

Without expressing an opinion on the matter himself, Mr. Richards ordered a recess, after which delegates came back calmer, cooler, and ready to launch into a discussion on committee assignments and other matters.