

March 17, 2010 Statement of Adelbert M. "Bert" Bryan -Delegate 5th Constitutional Convention St. Croix Virgin Islands of the United States of America

"We hold these truths to be self evident; that all men are created equal; that they are endowed by their creator with inherent and inalienable rights;"

"Nothing is more certainly written in the book of fate, than that these people are to be free; nor is it less certain that the two races, equally free, cannot live in the same government. Nature, habit, opinion have drawn indelible lines of distinction between them. It is still in our power to direct the process of emancipation and deportation, peaceably, and in such degree, as that the evil will wear off insensibly, and their place be, on an equal basis, filled up by free white laborers. If, on the contrary, it is left to force itself, on human nature must shudder at the prospect held up."

The actual words of the man who has been called the Author of America, as quoted in the "Autobiography of Thomas Jefferson". The former quote being the Declaration of Independence before being edited by the Congress.

These words strike at the very foundation of the governmental purpose of the Fifth Constitutional Convention of the Virgin Islands of the United States of America.

In 1917, the United States of America purchased the discovery rights of the Danish West Indies from the Crown of Denmark. Then, as now, the preponderance of the islands population is African descendants. At the time of the transaction the international laws in effect between European nations, which included the United States, as enshrined in Article One, Section Eight of the Constitution were called the Laws of Nations. Under the heading of the Rights of Property, the Laws of Nations denies sovereignty to the native occupiers of land. It was and is, a code against nonwhites like our ancestors; who were at the time free people "human beings" since July 3, 1848, 1863, 1865 and thereafter the Thirteenth Amendment of the U.S. Constitution.

The United States Congress took control of the islands with the official title of the Unincorporated Territory of the Virgin Islands of the United States. A designation the Supreme Court defined as an appurtenance, a possession of, but not a part of the United States of America.

These are not fertile circumstances for the development of self-government. As the ninety-three year history of the Virgin Islands of the United States of America painfully indicates, autonomy is so closely regulated it defies definition.

"I believe this observation will be found generally true: - that no two people are so exactly alike in their situation or circumstances as to admit the exercise of the same Government with equal benefit: that a system must be suited to the habits and genius of the people it is to govern, and must grow out of them."

Spoken by Mr. Charles Pinckney, Delegate from South Carolina to the 1787 Convention on Monday, May 14th , in Philadelphia, Pennsylvania. Mr. Pinckney read from a prepared speech to his fellow delegates, offering his vision for the new nation. "Conquest or superiority", he said "among other powers is not or ought not ever to be the object of republican systems".

As was the case when Mr. Thomas Jefferson wrote of the inherent and inalienable rights, Mr. Pinckney would not have imagined an unincorporated Territory populated by African descendants. Yet, this is the crucible of the issue of self-government in the Virgin Islands of the United States of America.

The Constitution still embraces the laws of Nations that condemns sovereignty for people of color. A Constitution that is currently defended by an African-American President.

If not now, when will the time be right for the majority population of the Virgin Islands of the United States of America to design a government suited to their habits and genius? An appurtenance by its very nature is temporary. Ninety-three years should be more than sufficient time for the Congress to deem Virgin Islanders fit to craft an identity for their tiny society.

It is as legitimate a governmental purpose for an African descended population to choose its government, as it was for an African-American to win the Presidency. Both are lawful ambitions that wouldn't raise an eyebrow if not for race. Should the Virgin Islands apologize for aspiring to a government more suited to their genius?

The Fifth Constitutional Convention draft is not in contravention to the U.S. Constitution. While its style may be different, the spirit of liberty is identical. The intent is to accommodate Virgin Islanders within the framework of Federal laws.

Less than twenty percent of the Virgin Islands population is other than African-American descendants. Most of the minority population are whites. Not all whites are in opposition, but too many are, and they are influential and resourceful. Should their dissenting vote on the document be anything more than a minority protest? Is the African-American led nation still of the psyche of Thomas Jefferson? Do we today believe the two races equally free, cannot live in the same government? But we do agree with the Third President that it is in your power to direct the process.

In the spirit of enlightenment and fairplay, we urge this body to accept the Draft Constitution before you as the Fifth Constitutional Convention's best effort at compromise without capitulation. The people of the Virgin Islands have called for a more compatible government, better suited to their aspirations of growth and development.