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Your Rights-based solutions provider

*We the people of  
Trinidad and Tobago*

**Know Your  
Constitutional  
Rights**

*upon principles that ac-  
knowledge the supremacy  
of God, faith in funda-  
mental human rights  
and freedoms...*

**SHANNON BARTHOLOMEW**



## Humankind's Three Basic Rights

Before identifying the Rights that are entrenched in our (Trinidad and Tobago) Constitution, it would be best to first outline these basic Rights and Freedoms of ours in their natural structured form, since they are listed differently in the Constitution.

From the onset it must be *clear* that governments don't and can't *grant* or *withdraw* these Rights to/from its citizens; but must *de facto* acknowledge, and so state within the confines of their constitutions—that these Rights are inalienable and inviolable, thus protected by law, and violations addressed through due process.

All human beings have been endowed by the Creator with certain basic Rights and Freedoms; which are as follows:

1. The Right to Serve the Creator or Religious Liberty
2. The Right to Life, and
3. The Right to Private Property

In addition to these basic or fundamental Rights there are a host of subordinate rights that derive their existence to support and maintain the integrity of our basic Rights. Thus there are two categories of Rights, the Fundamental and the Subordinate Categories of Rights.

### Personal Freedoms

Each human being is also designed with Personal Freedoms to facilitate the exercise, fulfillment and enjoyment of our basic Rights. These freedoms are as follows:

1. Freedom of Thought
2. Freedom of Belief
3. Freedom of Expression, and
4. Freedom of Movement

The first two of these Freedoms are naturally classified as, Private Domain Freedoms whilst the second two as, Public Domain Freedoms. Thus these Freedoms are rightfully termed Free Exercises.

### Freedom of Expression

Freedom of expression being one of the most critical of the Free Exercises must never be curtailed or denied by governments, though attempts are so often made to interfere with it, and its derivative - Freedom of the Press.

Freedom of expression naturally consist of three different dimensions due to the inevitable reality of differences of views, beliefs, values, practices, etc. All expressions therefore convey content that fall into either of the following three categories:

- New Content (content that is new in relation to other existing content)
- Similar Content (content that is similar in relation to existing content)
- Opposing Content (content that opposes existing content)

Criticism is therefore the obvious legitimate expression of disagreement with other existing content or views. This is critical to the process of advancement individually and eventually, nationally. Every effort should be made to understand these rights and freedoms of ours, especially as they are supported by our Constitution.

## Our Rights as Entrenched in the Constitution of Trinidad and Tobago

### Preamble

"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, faith in fundamental human rights and freedoms, the position of the family in a society of free men and free institutions, the dignity of the human person and *the equal and inalienable rights* with which *all members of the human family are endowed by their Creator*;
- (b) respect the principles of social justice and therefore believe that the operation of the economic system should result in the material resources of the community being so distributed as to subserve the common good, that there should be adequate means of livelihood for all, that labour should not be exploited or forced by economic necessity to operate in inhumane conditions but that there should be opportunity for advancement on the basis of recognition of merit, ability and integrity;
- (c) have asserted their belief in a democratic society in which all persons may, to the extent of their capacity, play some part in the institutions of the national life and thus develop and maintain due respect for lawfully constituted authority;
- (d) recognize that men and institutions remain free *only* when freedom is founded upon respect for moral and spiritual values and the rule of law;
- (e) desire that their Constitution *should enshrine the abovementioned principles and beliefs and make provision for insuring the protection in Trinidad and Tobago of fundamental rights and freedoms.*" (emphasis supplied)

### The Recognition and Protection of Fundamental Human Rights and Freedoms (Bill of Rights)

4. It is hereby recognized and declared that in Trinidad and Tobago there have existed and shall continue to exist, without discrimination by reason of race, origin, colour, religion or sex, the following fundamental human rights and freedoms, namely—
  - (a) The right of the individual to life, liberty, security of the person and enjoyment of property and the right not to be deprived thereof except by due process of law;
  - (b) The right of the individual to equality before the law and the protection of the law;
  - (c) The right of the individual to respect for his private and family life;
  - (d) The right of the individual to equality of treatment from any public authority in the exercise of any functions;
  - (e) The right to join political parties and to express political views;
  - (f) The right of a parent or guardian to provide a school of his own choice for the education of his child or ward;
  - (g) Freedom of movement;
  - (h) Freedom of conscience and religious belief and observance;
  - (i) Freedom thought and expression;
  - (j) Freedom of association and assembly; and
  - (k) Freedom of the press

**The Preamble and Bill of Rights of The Constitution of The Republic of Trinidad and Tobago (1st August 1976), pp. 10,11,15.**