



St. Kitts and Nevis: Constitutional reform or separation?

A Caribbean federation with a population of 45,000 – about the size of Chartres, France – might split in two.

BY *TERRY NISBETT*

The unity of the federation of St. Kitts and Nevis is under threat; its political future is shaky and uncertain at best. This crisis comes in the light of public statements by the Premier of Nevis, Vance Amory and the leader of the opposition in the Nevis Island Administration, Joseph Parry.

In the two-island Federation of St. Kitts and Nevis, the two political parties on the smaller island of Nevis have declared that they would prefer not to participate in future federal elections. Ironically, this declaration comes even while the two islands have been forming a committee to begin constitutional reform. This peculiar situation stems from the unique federal structure of St. Kitts and Nevis, as well as the special rights given to Nevis by the federal constitution.

On September 19, 1983, St. Kitts and Nevis achieved full independence from Great Britain. Prior to this, from 1967, the two Caribbean islands had operated under a semi-autonomous status called Associated Statehood with Britain. This associated state was comprised of three islands: St. Kitts, Nevis, and Anguilla – an island 75 kilometres north of St. Kitts. Shortly after, Anguilla unilaterally declared itself independent and Britain hastily instituted measures to return it to full colonial status.



Prime Minister Denzil Douglas (at right) and other ministers answer questions at a country-wide public meeting in St. Kitts and Nevis.

Ties and tensions

There are strong ties between the islands of St. Kitts and Nevis. With only three kilometers separating the islands, there is inter-island migration and the majority of the population of each has relatives on the other island. There is a brisk, traditional trade of vegetables, fruit, fish and livestock mainly going from Nevis to St. Kitts. Three ferries make daily trips between the islands taking citizens to work, school or college or shopping on either island. The fishermen share the waters and everyone co-exists peacefully.

Still, the political relationship between St. Kitts and Nevis has always been shaky and the independence constitution given by the UK legalizes that uncertainty.

The constitution provides for a provincial-style government for the island of Nevis with an assembly and a cabinet headed by a premier. This administration runs the affairs of Nevis in areas outlined by the constitution. The Nevis legislature makes its own laws necessary for the government of their island. Nevis runs its own schools, hospital and health care system, tourism structure, agricultural ministry and manages its own roads, airport and seaport. Some of the areas outside its responsibility are national security, foreign affairs and international trade.

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No local assembly on St. Kitts

Strangely, however, the other part of the federation, the island of St. Kitts, has no corresponding island legislature. Observers on both islands have called this a rather inequitable situation. Each province in Canada has a provincial government. Each state in the United States of America has a state legislature. Every German *Land* has a *Landtag*. Only in countries that are decentralizing - but have not adopted a federal system - does one see a constituent unit with no government of its own. (The lack of an assembly for England in the UK is the most striking example - See the article by Charlie Jeffery in this issue of *Federations*.) The dilemma for the prime minister of St. Kitts and Nevis is knowing when to be the

“premier” of St. Kitts and when to be the prime minister of the federation. This anomaly has been one of the major reasons for the call for constitutional reform in recent times. It is certainly partly to blame for the present delicate constitutional and political situation.

The constitution provides for a national assembly, which, since the nation is a federation, one would logically assume is a federal assembly. But whether by intent or default, this legislative body also functions as the St. Kitts island assembly. While the constitution provides for local elections in Nevis, the electorate in St. Kitts can only participate in general elections to elect members of the National Assembly. This imbalance may well explain the reluctance of

the Nevisian politicians to participate in future federal elections.

Elections and the future

General elections in the federation are usually contested in an insular way. No political party in Nevis contests seats in St. Kitts. In the past, the St. Kitts-Nevis Labour Party has contested federal seats in Nevis but has never been successful and no longer makes the effort. The other political party in St. Kitts, the People’s Action Movement, has never fielded candidates for general elections in Nevis. And because of the allocation of constituencies, eight to St. Kitts and three to Nevis, a national government can be formed without the inclusion of any elected representative from Nevis.

The stated reluctance of the politicians in Nevis to contest federal elections is their way of forcing a constitutional change. Yet even without their participation, a prime minister can be appointed, a cabinet selected and the governing of the country may not even be legally affected.

A constitutional change seems unavoidable to most people. The decisions on what form of federal government to adopt and on whether to create a local government for St. Kitts are likely to be hotly debated.

St. Kitts and Nevis in Brief

Official Name	St. Christopher and Nevis, or St. Kitts and Nevis
Location	North-eastern Caribbean
Area	St. Kitts: 176 sq.km - Nevis: 93 sq.km
Population	45,000
Key dates	1624 - St. Kitts colonized by British 1628 - Nevis colonized by British 1967 - Associated Statehood, autonomous except for foreign relations and defence 1983 - Independence
Regional organizations	Member of Organization of Eastern Caribbean States (OECS) Member of CARICOM, a free trade grouping of fourteen Caribbean states
Economic sectors	light manufacturing, sugar, tourism, financial services

Constitutional change promised

The government is aware of the urgency of the situation and has formed a Parliamentary Select Committee on Constitutional Reform. Its members are government and opposition parliamentarians. They will hold a series of consultations on both islands with civil society groups, the private sector, the churches and members of all political parties. They will also hold town hall meetings with the general public. This is about the closest the country has come to doing anything about reforming the constitution, although groups and individuals in the country have expressed their dissatisfaction and certainly have pointed out its flaws.

Calls for constitutional reform were heard in 1993 after the general elections resulted in a tie in St. Kitts. Both parties won four seats each. The Nevis parties did not wish to form a coalition and the governor general asked the incumbent party of the People's Action Movement to form the government. Much tension ensued and the solution was early general elections and pressure for the constitution to be reformed. The elections in 1995 saw a landslide victory for the former opposition party, the St. Kitts-Nevis Labour Party. There was no need for a coalition. The crisis had passed and the constitution remained the same. Today there is a new crisis.

The united stance of the the two political parties in Nevis – the Concerned Citizens Movement and the Nevis Reformation Party - precipitated a joint meeting of the St. Kitts and Nevis National Assembly and the Nevis Island Assembly. It is a beginning, and both sides will have to listen to the people.

To compound the present issue, the Nevis government and opposition are also asking for greater autonomy for the island of Nevis. It is not clear yet whether this means increasing the responsibilities of the Nevis Island Administration or full and complete independence as a state separate and apart from St. Kitts. However, speaking at the joint parliamentary meeting, the Premier of Nevis, Vance Amory, hoped for a solution that "will prevent us from splitting up a country, but which will enable us to create entities which are mutually supported."

A call for secession

At other times however, Nevis Premier Amory talks of independence for Nevis. This is a distinct possibility and one facilitated by the constitution, which allows for the secession of Nevis in Section 113: "The Nevis Island Legislature may provide that the island of Nevis shall cease to be federated with the island

of St. Christopher and accordingly that this constitution shall no longer have effect in the island of Nevis." St. Kitts, however, cannot secede from Nevis.

Once before and as recently as 1996, the Nevis Administration evoked the famous Section 113 and passed the secession bill in 1997. The required referendum was held in 1998, but the governing party led by the present premier did not get the two-thirds majority of the votes to proceed.

Secession is a popular rallying cry for Nevisian politicians. The people of Nevis have always felt that even as St. Kitts prospered Nevis was neglected. Infrastructure in St. Kitts developed to include a deep-water port and an international airport. Nevis, on the other hand, lagged behind even in basic infrastructure such as roads and adequate water supply. Unfortunately for the St. Kitts-Nevis Labour Party, the people of Nevis cannot seem to forget that all of this occurred during that party's thirty-year term in office.

Ironically it may have been the taste of autonomy that has led to the recent attempt at secession. Increased autonomy has helped to improve the Nevisian economy and standard of living. Tourism and financial services are the major revenue earners. Yet the Nevis politicians seem to feel that crucial decisions affecting the federation are made without their input. The Nevis Island Administration seems confident that they have governed successfully and can take on the added responsibilities not yet entrusted to them and achieve the goal of Nevisians managing their own affairs.

Political Parties

Concerned Citizens Movement (CCM) Leader - Premier Vance Amory. It has retained its majority in the Nevis Island Assembly since June 1992. It holds four of the five seats in the assembly and with two seats is the opposition party in the national parliament.

Nevis Reformation Party (NRP) Leader - Joseph Parry. It currently holds one seat in the federal parliament and one seat in the Nevis Island Assembly. This party was the major proponent of secession but it did not support the secession referendum of 1998.

People's Action Movement (PAM) Leader - Lindsey Grant. It held power from 1980 to 1995 but currently holds no seat in parliament. It was formed in 1965 with middle-class support. It was the party that formed the first government at independence.

St. Kitts-Nevis Labour Party (SKNLP) Leader - Prime Minister Dr Denzil Douglas. It holds eight of the 11 seats in the national parliament. The oldest party in the federation, it grew out of a movement among sugar industry workers, but is now more broadly based.

If independence is what the premier is seeking, he is likely to succeed the next time he invokes Section 113. The two parties in Nevis are united in their resolve to refrain from participating in federal elections. This new solidarity is unusual and seems to predict a united front regarding independence for Nevis or "full autonomy", as they prefer to say.

The relevance or timeliness of the Parliamentary Select Committee on Constitutional Reform seems questionable in light of all this. What exactly will it achieve and which constitution will it reform? If swift action is not taken, St. Kitts may find itself with a federal constitution but no federation, and Nevis will be looking for its own constitution. ☺