

**STALEMATE AND CRISIS: THE 1993  
GENERAL ELECTIONS  
IN  
ST. KITTS AND NEVIS**

by

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# **STALEMATE AND CRISIS: THE 1993 GENERAL ELECTIONS IN ST. KITTS AND NEVIS.**

## **INTRODUCTION**

The November 1993 General Elections in St. Kitts and Nevis ended with the St. Kitts-Nevis Labor Party (SKNLP) and the People's Action Movement (PAM) each winning four seats in St. Kitts. In Nevis, the Concerned Citizens Movement (CCM) obtained two seats and the Nevis Reformation Party (NRP) obtained one seat. In St. Kitts there was uncertainty. In the eleven-member National of Assembly, there was no clear-cut majority.

The Governor General, Sir Clement Arrindell, acting on the advice of Dr. Kennedy Simmonds, the Peoples' Action Movement leader, asked the said Simmonds to form a Government of PAM's four members and the one Nevis Reformation Party member. This meant that the government had five seats and the combined opposition had six seats. This action of the Governor General and the Peoples Action Movement, precipitated a political and constitutional impasse in St. Kitts. People took to the streets protesting the manner in which the political impasse was resolved. Legal and constitutional scholars took to the airwaves venting their views as to the correctness, or lack, thereof, of the Governor General's action in light of what was perceived as a minority government.

The objective of this paper is to discuss the underlying systemic issues in the impasse and the subsequent crisis and offer some suggestions to avoid such a crisis in the future. The paper will be cover seven sections: (1) the genesis of the constitutional crisis; (2) the constitutional authority of the Governor General (3) the Vance Amory Factor; (4) the role of the Christian Council; (5) the marginalities of victory; (6) shifts and swings in victories, and (7) a conclusion about an alternative system that may avert future crises.

## I. GENESIS OF THE CRISIS.

In 1980 when PAM and NRP assumed power in St. Kitts and Nevis, the country was organized under the *West Indies Act of 1967*. The State, then including Anguilla (up to 1967), was dubbed a State in association with the United Kingdom. Some Anguillians, aided and abetted with elements of the Peoples Action Movement, seceded from St. Kitts on May 30, 1967

On June 10, 1967, some elements of the PAM and some elements of the Anguillian population attempted to overthrow the government of Robert Llewellyn Bradshaw. As Ronald Webster (1987:21), leader of the Anguilla rebellion notes:

*On June 10, 1967, I organized a small Anguilla invasion force which landed on St. Kitts. What we really wanted was to keep the battle away from Anguilla. We felt that by attacking St. Kitts we would give them less incentive to come here (Anguilla)....*

*I also hoped to bring back Premier Bradshaw and his deputy Southwell, as hostages. That was the main purpose of the raid... We adjusted our course for St. Kitts and landed at Half Way Tree. Atlin (Harrigan) and another chap manned the main boat while I let off the invading force.*

*They (the invading) forces) were supposed to link up with Dr. Herbert (who founded the PAM opposition in St. Kitts).*

The overthrow was thwarted because Premier Bradshaw's Government moved expeditiously. Nevertheless, there were several explosions and attacks on the Defense Force Headquarters, and Police Force Headquarters in Basseterre, the capital of St. Kitts. Several members of the PAM were arrested. After a number of legal battles, the cases against the PAM members were dismissed. The PAM elements and leadership denied they were involved. They categorized Bradshaw as a manic. It was Ronald Webster who gave the definitive word on the events when Anguilla eventually left the fold of St. Kitts and Nevis.

On February 18, 1980, the people of St. Kitts and Nevis went to the

polls to select a political team that would lead them into the 1980's . Three major parties contested the general elections that year for the eleven seats in the National Assembly. Labor and PAM each fielded eight candidates in St. Kitts; the Nevis Reformation Party fielded three candidates in Nevis. At the end of the day, Labor and PAM each won Four seats. The PAM, in conjunction with the Nevis Reformation Party which had won two seats in Nevis, formed a coalition government and wrestled power from the Labor Party. This was the first time that this scenario occurred in nearly thirty years in St. Kitts-Nevis .

It is instructive to note that this 1980, 4-4 , seat scenario was exactly the same scenario in the 1993 general elections. In 1980, the former Governor General, Sir Probyn Innis, gave both major parties of St. Kitts an opportunity to form a government. Labor could not come to any meaningful arrangement with the parties in Nevis. This was so because, as was noted, since 1975 the Manifesto of the NRP had one sentence: "*The NRP will strive to gain secession for Nevis from St. Kitts - a privilege enjoyed by the island prior to 1882.*" This idea was repeated in the 1980 Manifesto which had one main sentence: "*The Nevis Reformation Party will continue to seek secession for Nevis at all costs.*" (See Labor's *Green Paper*, 1982)

With this in mind, and with the intransigence of the NRP, Governor Innis left the options opened for the PAM and the NRP to form a coalition government. They formed such a government, even though the NRP was adamantly opposed to such a formation prior to the elections. It is to be noted that the Governor could have opted to ask the Labor Party leader, Attorney Lee L. Moore, to form the government. Innis did not. Many persons saw him as caving in to pressures from the business class and from the PAM interests.

The first major action of the new coalition government was to fire Governor General Innis and appoint a party supporter in the person of Attorney Clement Arrindell. Paradoxically, it is this same Clement Arrindell who may people argue may have tipped his hands too early in asking the the NRP/PAM to

form a minority government following the December 29 general elections.

The 1980 coalition government set about redirecting the power base and largesse from the masses of the people who supported Labor and a sugar-based economy to an elite group that represented the planter class or vestiges of the planter-class in spirit and show, though not always in substance.

The crisis that developed in St. Kitts and Nevis in the aftermath of the General Elections of November 29, 1993, has its roots in the PAM history, its Machiavellian approach to politics, in its *White Paper of 1982*<sup>1</sup> and in the *St. Christopher and Nevis Constitution of 1983*.<sup>2</sup>

First, the PAM's history is a checkered one in its attempt to wrestle power from Labor and shift party largesse and political dispensations to the business class and elite structure, away from the masses as represented by Labor and those advocates who support the principles of Labor. In the 1980 PAM Manifesto, PAM noted (1980:3) that: "*We will provide much needed relief from oppression, victimization, discrimination, excessive taxation, unemployment and spiraling cost of living.*" The evidence was not clear what the government meant by the rhetoric in the Manifesto. However, the coalition government set about to ensure that power was institutionalized in such a manner that Labor was not able to return to the trough of dispensation.

On July 26, 1982, the coalition issued a *White Paper* entitled *Constitutional Proposals For Saint Christopher and Nevis*. The nineteen page document, in conjunction with the relevant sections of the *St. Christopher, Nevis and Anguilla Constitutional Order of 1967*, were intended to form the new Constitution of an independent St. Kitts and Nevis. Anguilla, having been encouraged to secede from the State was given safe passage back into the arms of colonialism as a ward of Britain through the *Anguilla Consequential Provisions Order of 1981*.<sup>3</sup>

St. Kitts and Nevis was a State in free association with Britain. Britain was responsible for defense and external affairs. The *St. Christopher and Nevis Constitution Order of 1983* provided for the termination of the status with Britain. This termination option was put into effect on September 19, 1983, when the state gained its independence.

The *White Paper* was instructive in its attempt at trying to share power but, at the same time, shifting power away from St. Kitts to Nevis. Initially, the National Assembly, the Parliament of St. Kitts and Nevis, would have had ten members. Seven members were to be from St. Kitts and three from Nevis.

From Annex I, ( 1982: p. 3) number 3, "The island of Nevis will have its own administration to be styled the Nevis Island Administration, and its own legislature, consisting of the Governor and a legislative body styled the Nevis Island Assembly." The Nevis Island Assembly was given almost a blank check to do whatever the politicians of Nevis wanted to do. The Assembly has power to make laws; to collect and retain revenues, to command the Chief of Police in Nevis from Nevis and not from St. Kitts and to secede from the Federation of St. Kitts and Nevis, provided it gave the State Assembly six months notice. According to paragraphs 32: "The senior police officer in the island of Nevis will be subject to the general direction (as appropriate) of the Leader of the Nevis Island Administration." From paragraph 33, "If a Defense Force is stationed in the island of Nevis, the commander of the Force will likewise be subject (as appropriate) to the Leader's general direction." (*White Paper*, 1982: pp. 12-13).

After a great deal of hue and cry from many persons that Nevis was being given too many broad powers, some minor changes were made. But fundamentally, as is evidenced in the actions to date and as are noted in the *Report of the Saint Christopher and Nevis Constitutional Conference, (Miscellaneous No. 2, 1983), Command 8796*, many principles were enshrined in the Constitution that handicapped the people of St. Kitts at the expense of Nevis. In its attempt to

secure power at all costs, to ensure the the ends justify the means , in a Machiavellian manner, the PAM government did not provide any counterpart local government for St. Kitts, as it had done for Nevis. Hence, while there is a local government in Nevis, St. Kitts is merely part of the National Assembly by virtue of the location of the National Assembly in St. Kitts.

The Constitution Order of 1967 was essentially the 1983 Constitution with the critical provisions relating to Nevis and some internal changes designed to give power to the NRP/PAM coalition.

First, the House of Assembly was named the National Assembly and instead of seven members in St. Kitts and two members in Nevis, there were now 8 members in St. Kitts and three in Nevis. From day one, there was always the statistical probability that there would be a situation in St. Kitts where both parties will get 4 seats and that there would be a problem, if Nevis politicians refused to go along with the politicians in St. Kitts. Three Senators (nominated members) are added to the eleven elected members.

Some selected provisions for the autonomy of Nevis within the Federation of St. Kitts and Nevis were as follows (*Report*, January, 1983: para. 19, p. 7-8):

- (a) There would be a Nevis Island Legislature and Administration...There would be three nominated members and five elected members...*
- (b) The Administration would have exclusive administrative responsibilities within Nevis for certain matters such as airports and seaports; education; extraction and processing of minerals; fisheries; health and welfare.... "*
- (c) "The Premier of Nevis would have a general direction over public safety and public order where this did not conflict with directions given by the Prime Minister. "*

- (e) *"There would be a Deputy Governor-General for the island of Nevis."*
- (f) *"...As for revenue, that collected by both St. Kitts and Nevis would be shared between Central Government and the Nevis Administration on the basis of the percentage of the country's population found in St. Kitts and Nevis, respectively....The costs of Internal Common Services would be borne by reference to the cost in each island. The cost of External Common Services would be borne by reference to population."*
- (h) *The provisions for Nevis to secede from the federation would require the introduction and passage of a bill in the Nevis Assembly supported by two-thirds majority of the elected members. This would subsequently be approved by a referendum in Nevis by not less than two-thirds of the votes cast by persons registered on the Parliamentary electoral roll."*

It is particularly ironic, as Tony Thorndike noted in the *"The Politics of Inadequacy"*, 1977:1) that :

whereas the the British Constitution is a mass of respected norms, values and conventions resting on a bedrock of Anglo-Saxon "common law" which is appealed to as and when necessary, the British Government has, at times, gone to extraordinary lengths in the various parts of her far flung colonial empire to devise carefully constructed and intricate mechanisms of government...Always included would be carefully defined constitutional guarantees, a regard for legal niceties (which were nevertheless capable of different interpretation and hence political argument), and a passive bureaucracy steeped in the British colonial tradition and heavily imbued with notions of financial responsibility and political prudence."

Thorndike was too kind. He could have said that his national government had given countries like St. Kitts and Nevis legal conundrums, and

obfuscation designed to confuse the electorate, fool the politicians and, in the meantime, satisfy Britain's dormant colonial predisposition as an imperial overlord, constitution or no constitution, independence or no independence.

The Federation of St. Kitts and Nevis, devised by the leadership of PAM and agreed to by the British government, was and is, a farcical attempt of Britain getting rid of what was perceived as a financial millstone from the neck of the British.

The initial suggestion of the *White Paper* was that St. Kitts would have seven members and Nevis three. As we indicated in several position papers in 1980, that meant that based on the 1980 population of St. Kitts and Nevis, Nevis with a population of 9,300 had three seats and St. Kitts with a population of 35,104 had seven seats. On that basis, Nevis with its three representatives in the National Parliament would have one representative for every 3,100 persons. St. Kitts, on the other hand, would have one representative for 5,105 persons. Put another way, in St. Kitts one representative would represent 1,915 more persons than in Nevis. In another more dramatic manner, *a representative in St. Kitts is would only three-fifths of a representative in Nevis.*

We pointed out in 1982 that if there should be a 10-seat Assembly, there should be eight seats in St. Kitts and two in Nevis. That is, in a 44,404 population, one representative should represent 4,440 persons. The coalition did change the structure and increased the seats in St. Kitts to eight, but maintained three seats in Nevis. The National Assembly moved from ten seats to eleven seats. In this case the situation was that in Nevis one member represented 3,100 persons, and in St. Kitts, one member represented 4,388 persons, or a margin of 1,288 persons. *The new and present arrangement is that a St. Kitts representative is only seven-tenths of a Nevis representative.*

## II. CONSTITUTIONAL AUTHORITY OF THE GOVERNOR-GENERAL

The Governor-General's authority hails in its initial stages from the

from the old *St. Christopher, Nevis and Anguilla Constitution Order of 1967*. That Order was revised and updated through section 5 (4) of the *West Indies Act of 1967 (a)* thereby ushering in the *St. Christopher and Nevis Constitution Order of 1983*. (*Independence Magazine, 1983:16*)

Where Premier and Governor were in the old 1967 Constitution Order, Prime Minister and Governor General were inserted. Hence, it is specifically stated in the *Constitution Order of 1967*, Chapter IV, 50 (2 (p. 35):

*Whenever the Governor has occasion to appoint a Premier he shall appoint an elected member of the House of Assembly who appears to him, acting in his own deliberate judgment, likely to command the support of the majority of the elected members of the House."*

In the 1983 Constitution, Premier is replaced with Prime Minister, Governor is replaced with Governor General, and House of Assembly is replaced with National Assembly. Section 50 (2) of the old order is Section 52 (2) of the 1983 Independence Order.

On December 30, 1993, the Peoples Action Movement and the lone member of the Nevis Reformation Party formed a coalition of 5 seats versus Labor 4 seats and the Concerned Citizens Movement 2 seats. The question that arose was, was the Governor General correct in exercising his authority in appointing Dr. Kennedy Simmonds as Prime Minister under the constitutional provisions as set out in section 52 (2)?

The issue of salience is, is the Governor General correct in his interpretation of the relevant phrase, he "*shall appoint an elected member of the National Assembly who appears to him, acting in his own deliberate judgment, likely to command the support of the majority of the elected Representatives*" of the National Assembly?

The Governor General is an honorable man. The Governor General is a wise counselor. It must have occurred to him that a Government of 5 seats is not

a majority in a National Assembly of 11 seats. In the normal mathematical arrangement, a majority in an eleven member Parliament is 6 seats. In this case, 6 members were in opposition to the Government which was permitted to be coalesced with the NRP/PAM arrangement. What, therefore, caused the Governor Governor to agree to go along with a deliberate misinterpretation of the conventional notion of a majority?

Six perspectives are offered in answer to this question.

(1) The Governor General must have given little or no importance to the concept of majority.

(2) the Governor General must have thought, in his own deliberate judgment, that neither Dr. Denzil Douglas, Leader of the Labor Party, nor Vance Amory, leader of the Concerned Citizens Movement, was able to command the majority of the elected members of the National Assembly. He must have done this by gut-feeling, not statistics or precedence.

(3) The Governor General must have been mindful of the fact that he was appointed by the PAM in 1980, following the dismissal of the former Governor, Sir Probyn Innis. He may have, therefore, overcompensated in favor of the PAM party and not in favor of the country.

(4) The Governor General may have been coerced, under duress, to make a decision, when he was confronted with the PAM members at Government House on December 2, 1993. He must have been given an ultimatum, to form a government or suffer the fate of job loss like his predecessor.

(5) The Governor General may have been fed up with the apparent dalliance and lethargy of Vance Amory, leader of the Concerned Citizens Movement, in not coming to a speedy decision to align himself with some group in St. Kitts to form a legitimate statistical majority, as is conventionally perceived.

(6) The Governor General may have gone along with the NRP/PAM Government because he may have felt that he was beholden to power who were behind PAM, namely the business community and some nouveau riche in St. Kitts.

(7) In the end, the Governor General may have gone along with the minority government because he may have felt that that, *in his own deliberate judgment, the leader of PAM was the one person that he thought was best able to command a majority of members to conduct business* in the National Assembly.

If it is assumed that the six of the possibilities can be dismissed, except the fact that the Governor General gave little importance to the the concept of majority, can the Governor General change his mind and right his "wrong" action? The 1967 original Constitution and the Independence Constitution all provide for such a move on the part of the Governor-General. In the old 1967 Constitutional Order, Section 50 (7, p. 36) states:

*"The Governor, acting in his own deliberate judgment, may remove the Premier from Office if, at any time between the holding of a general election of the elected members of the House of Assembly and the date on which the House first meets thereafter, the Governor, acting in his own deliberate judgment, considers that in consequence of change in membership of the House resulting from that election the Premier will not be able to command the support of the majority of the elected members of the House."*

The Independence Constitution maintains the same language, Section 52 (7):

**"...If, at any time between the holding of a general election of Representatives and the first meeting of the National Assembly thereafter, the Governor-General considers that in consequence of changes in the membership of the Assembly resulting from that election, the Prime Minister will not be able to command the support of the majority of the Representatives, the Governor-General may remove the Prime Minister from Office."**

If it appears that the Governor General may have erred in exercising his deliberate judgment, can he resolved this problematic situation? The Constitution states that the Governor-General *may; it did not say he must. Furthermore, he has nobody but his own deliberate judgment on which to make a decision.*

Fundamentally, however, Governor General, Sir Clement Arindell's action in permitting the coalition government of five members when there exists six members in a collective opposition, was tantamount to inducing instability in the body politics of the State of St. Kitts and Nevis. Rationalizations to the contrary, and legal legerdemain in support , are masking in rhetoric of convenience while not taking into consideration the fundamental orientation and thrust of what was taking place in the systemic underpinnings of the state.

The outcome of the Governor General's action was that the day after he permitted the minority government to be formed, the people took to the streets in protest. This protest developed because many persons, Labor supporters and others, felt that the Governor-General acted incorrectly. They felt that PAM was attempting to hijack the electoral process under a warped sense of constitutional interpretation. Furthermore, they felt that even though Vance Amory did not make the appropriate move to form the government with Labor, that the Governor General acted in haste to let NRP/PAM form a government.

To appreciate the substance of some of these comments, we need to understand the Vance's Amory's factor, the role of the Christian Council, and the marginality of victories in St. Kitts and the electoral shift of support between Labor and PAM in St. Kitts, the main arena of contention.

### **III. THE VANCE AMORY FACTOR**

Vance Amory, leader of the Concerned Citizens Movement, Premier of Nevis Island Assembly and member of the Federal Government, refused to join

with any party in St. Kitts to form a coalition government. On December 1, therefore, after the Governor-General swore in the NRP/PAM government at Government House, an unusual move, since new governments traditionally were sworn in at Government Headquarters, in pomp and circumstance, many persons took to the streets in civil disobedience.

The Labor Party leadership, its supporters and sympathizers, contended that the Governor General had not given them enough time to come to a workable solution to the impasse. The Governor General was of the view that he had given Amory, Dr. Douglas and others, ample time. He wanted to make a decision, and he wanted to move expeditiously.

In my discussion with Vance Amory (December 3), in his home in Nevis, he told me that he and his party campaigned on the issue that they will not be involved in the Federal government by way of a coalition with any parties in St. Kitts. He was guided by history when the NRP coalesced with the PAM. That marriage did not work out to the long-term benefit of the people of Nevis. His party's concern was with the local government of Nevis. I informed him that I thought it was important that he assume the opportunity to be Prime Minister of the State, because that is what he was being offered by the Labor Party, if he so desired. He insisted that he could not go back on his promises to the people of Nevis. I told him that I believe that he would be forgiven if he delivered promises to the people and explained the peculiar circumstances under which he found himself.

I reiterated the following points: (1) the need for him to assume the mantle of Prime Minister; (2) the economic stability in the country; (3) the need to make a quick decision, given that the outside world is watching, and the slow process of decision-making is not good for investors; (4) the fact that the Eastern Caribbean Central Bank is now putting up a new building in St. Kitts, and that a St. Kitts-Nevis unstable government could create instability for the rest of the OECS; (5) the fact that he, as Prime Minister, could orient the development process in

the State to Nevis, and get, for the first time, the many benefits that Nevis is due and benefits that are long overdue.

Amory seemed particularly pained in his thought about what to do. His advisor, Attorney Ted Hobson, was the master person behind the scene. Hobson seemed to be caught in a fantasy world wherein he believed that his party would not stand by and let a government be formed in St. Kitts with any coalition forces from Nevis. In my discussion with Amory, and paradoxically while we were still on his verandah, Ted Hobson was on Voice of Nevis (VON) radio spelling out what CCM would not do: namely, not join with any parties in St. Kitts. What Hobson did not say is, what will CCM do to assume power and use that economic and political power to assist the people of Nevis.

While Ted Hobson and Vance Amory remained inflexible, the Governor General opted to move on the path of least resistance. He opted to ask NRP in the person of Joseph Parry and PAM in the person of Dr. Kennedy Simmonds to form a government. As was noted earlier, whether Arrindell took this action freely, or was forced into taking the action, or misinterpreted the Constitution, is not known. The fact is, the Governor General's actions, the PAM's insistence that they form the government precipitated. The mass of people who supported Labor saw the new coalition government as a stumbling block to progress. They believed that the new government would continue to operate as it had operated in the past. Many Labor supporters and others saw PAM bent again on using tactics that left much to be desired, as far as benefits of the State were allocated to PAM's party supporters, and not to Labor supporters. The Governor General's action, under PAM's instigation, must be seen as precipitating the crisis in the State.

The minority government attempted to enter Government Headquarters which had been secured with barbed-wires and cordoned off under heavily armed Police and Defense Force. This highly undemocratic, and unusual scenario inflamed an already volatile situation.

A day after the government was formed on December 1, 1993, people took to the streets. The Governor General, in an apparent show of force, declared a state of emergency and a dawn to dusk curfew: 6 p.m. to 6 am.

A few points are worthy on note. Amory's role in the whole scenario comes off as weak. It appears that he was not acting decisively. In fact he had made a decision not to interfere in the local politics in St. Kitts. Ted Hobson had said as much on Voice of Nevis Radio at 1:40 p.m. on December 1, 1993. Ted said that "the CCM will not will not join with any party in St. Kitts; furthermore, he noted, "the CCM will not standby and let PAM and NRP form a government. CCM was prepared to form a Government of National Reconciliation for six months. Vance Amory was to be Prime Minister. There were supposed to be three members from Labor and three from PAM." Labor agreed to this idea. PAM adamantly refused.

At about 2:30, the Governor General came on VON and ZIZ radio of St. Kitts and announced that in his view, and under the Constitution, Section 52, (2), he was asking Kennedy Simmonds to form the new government.

The Governor General gave the impression that Amory was intransigent. But in fact, Vance had written to the Governor General indicating that he envisaged a crisis if a minority government was formed. The Governor General denied this. Amory subsequently made the letter public.

In the letter, dated December 2, 1993, Vance Amory noted in paragraph 4:2,

*"I do recall suggesting to you, Sir, given the impasse where two parties in St. Kitts captured four seats each at the polls, and with each party feeling it had the right (either constitutionally or morally) to form a government and, from my vantage point, of having very intense requests made to me to join some party and further recognizing the potentially contentious situation in St. Kitts, that an*

*Interim Government be set up comprising members of all successful parties for a period of six months after which fresh elections would be held so that the people could speak again.*

*This suggestion was not accepted as having no basis in the Constitution."*

The Governor General attempted to be a strict constitutionalist. But indeed he used his reserved powers to interpret, in his own best judgment, what he thought was best for the country.

#### **IV THE ROLE OF THE CHRISTIAN COUNCIL**

From the very beginning of the elections, the St. Kitts Christian Council was actively involved in monitoring the elections and trying to ensure that peace and good order prevailed in the State. After the State of Emergency was declared on December 2, 1993, the St. Kitts Christian Council and the St. Kitts Evangelical Association arranged a meeting between the Prime Minister Simmonds and Leader of the St. Kitts-Nevis Labor Party, Dr. Denzil Douglas. The meeting was held on Friday December 3, 1993 at the office of the Christian Council. In the St. Kitts Christian Council *Press Release of December 3, 1993*, the following points were discussed:

1. The need for a lasting solution to the political impasse in the aftermath of the General Elections.
  2. The need to return the country to a state of peace and normalcy
- In the context of the above issues, all parties agreed:
1. That both Leaders should speak out against the violence and let people know that it is wrong. They should also make statements on National Radio and Television to this effect.

2. That there was a need for the Country to return to normal. As soon as this is in place, the removal of the State of Emergency would be recommended.
3. **Fresh, early elections would be held within a period of six months in relation to the state of the country.**
4. Both leaders would prepare their statements overnight and present them to the Christian Council and Evangelical Association for scrutiny the next morning, Saturday, December 4, 1993.
5. The Religious Organizations would also make a broadcast following these statements.

At the end of the meeting, the Leader of the St. Kitts-Nevis Labor Party indicated that he would discuss the six-month period with his people and report back to the organizers of the meeting in three hours.

The meeting ended in very high spirits and on a note of optimism with prayer and handshakes between all the participants."

The state of the country, in the meantime, was one of chaos, calm, and confusion, depending on whose perspective you listened to, or on what medium you listened. There was rioting in Basseterre after the police threw tear gas at the people assembled at Government Headquarters. A police office officer threw tear gas at the crowd, in which Dr. Denzil Douglas was speaking. This may have been deliberately done, or done in panic. The fact is, it exacerbated an already tense situation.

Many persons went on a rampage in Basseterre. They selectively damaged Government Headquarters and those businesses which were supporters of the PAM party. Houses of some ordinary citizens who were strong PAM supporters, were also destroyed.

Dr. Simmonds took this occasion to ask for and receive military help from the regional security force based in Barbados. Prime Minister Sandiford, of Barbados, was told, we are reliably informed, that the whole of Basseterre, including Government Headquarters, was on under siege. Without verifying the veracity of the situation, Prime Minister Sandiford sent members of the Regional Security Forces to St. Kitts. Some went directly to St. Kitts and some were on standby in Antigua. The people had spoken. The government leaders and their advisers were in a mood of revenge. Talk was in the air about locking up the Labor Party leaders and their supporters. After a few days, the 21 day curfew and state of emergency were changed to reflect the quiet mood of the people. There was no looting. The people had made their point. What should PAM and others have noted over the events leading up to the election, over the last elections, and from the results of the elections of November 29, 1993?

## **V MARGINALITIES OF VICTORIES**

If the people in the PAM party were cognizant of the the dynamics of the political process, they would have observed, over the last several years, that there was a level of frustration with their style of leadership. They would also have noticed that the many young persons were becoming disillusioned with the Party and were making alternative choices. What they should have realized was that during the election campaign, the youngsters and other well-respected persons in St. Kitts were making a conscious effort to be associated with Labor, or were saying that "this time around Labor has to win. "

When we observed the electoral process on the days leading up to the elections, and when we evaluated the crowds at the various meetings around the island of St. Kitts, it looked like Labor would win, if the crowds translated into votes. The fact that Labor had a relatively younger group of candidates than PAM , a group that was putting forward a more dynamic philosophic approach to the principles of labor, meant that PAM was, for the first time, challenged. PAM was

in an organizational quandary. The elections campaign of both parties were well run, but Labor had the edge in terms of its electronic impact on the masses. Both parties used *reggae music and the rastafarian symbolism* as opening music, prior to members delivering their political spiel. Gossip, curses and other gutter-style politics were sometimes used. By and large, it was not as bad as it could have been. There were no injuries; no murders. The people in St. Kitts talk, but they rarely go beyond talk. In fact, that is precisely the point I made to Debbie Ramsome of the British Broadcasting Corporation (London) on December 2, 1993, in my live interview with her, from the BBC studios, via telephone.

At the end of the day, the results indicated that Labor had engineered a massive turn around in the political perspectives of the people. The narrowness of victories was a wake-up call to the PAM. In Table One we present the results. There we note the marginality of the victories. We suggest that the strategists in PAM should have been on the ball . They should have tried to decipher what would be the likely scenarios in the election. They should have done, as the Labor Party did, and get a reputable pollster to determine the mood of the people and get a view regarding where they think the party fortunes were going, and what, if any, were the likely ramifications stemming from different seat combinations. If a Party and its personnel are arrogant, there is always that possibility that the personnel may not pay any attention to polls. We are not sure to what extent the PAM may have ignored polls on the pretext that polls do not determine elections. Labor tried, even though they, too, could have been a little more organized in anticipating the likely seat scenarios.

**TABLE ONE**  
ELECTION RESULTS IN ST. KITTS-NEVIS, 1993

	VOTES CAST	LABOR	PAM	UPP	SPOILT
SK1	2425	1116	965	332	12
SK2	2885	1385	1417	73	10
SK3	1714	1106	606	0	2
SK4	1362	666	676	16	4
SK5	1407	555	778	73	1
SK6	1515	1320	191	0	4
SK7	1797	1119	647	26	5
SK8	2399	1138	1169	85	7
<b>TOTAL</b>	<b>15,504</b>	<b>8,405</b>	<b>6,449</b>	<b>605</b>	<b>45</b>
		<b>CCM</b>	<b>NRP</b>	<b>IND</b>	<b>SPOILT</b>
N	1554	857	692	1	4
N	896	680	216	0	0
N	1302	563	733	0	6
<b>TOTAL</b>	<b>3,752</b>	<b>2,100</b>	<b>1,641</b>	<b>1</b>	<b>10</b>

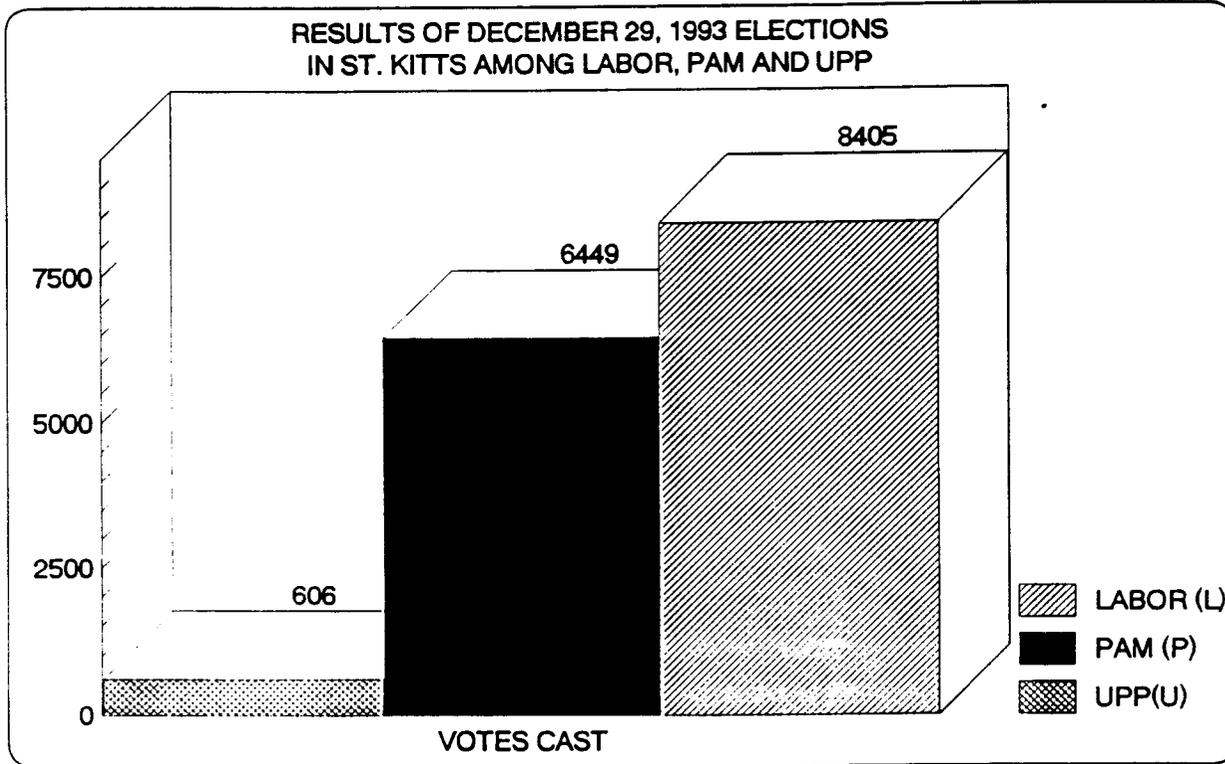
Source: Elections Office, St. Kitts and Nevis. (SK = St. Kitts; N = Nevis).

The total votes in the eleven districts were 29,987. In St. Kitts, there were 23,270 and in Nevis 6,715. Total votes cast in the state was 19,256 or a voter participation rate of 64.21%. In St. Kitts 15,504 persons voted for a voter participation rate of 66.62%. In Nevis, 3,752 voters voted for a voter participation rate of 55.87%.

In terms of popular votes, we note from **Figure One** that Labor

obtained 8,405 while PAM obtained 6,409. Labor's victory margin was 1,906 votes. The UPP of former PAM Deputy Prime Minister, Michael Powell, was a distant third with 606 votes. This was a contest between Labor and PAM.

**FIGURE ONE**



The pie chart, **Figure Two**, shows Labor with 54.2%; PAM 41.9%; UPP 3.9%.

**FIGURE TWO**

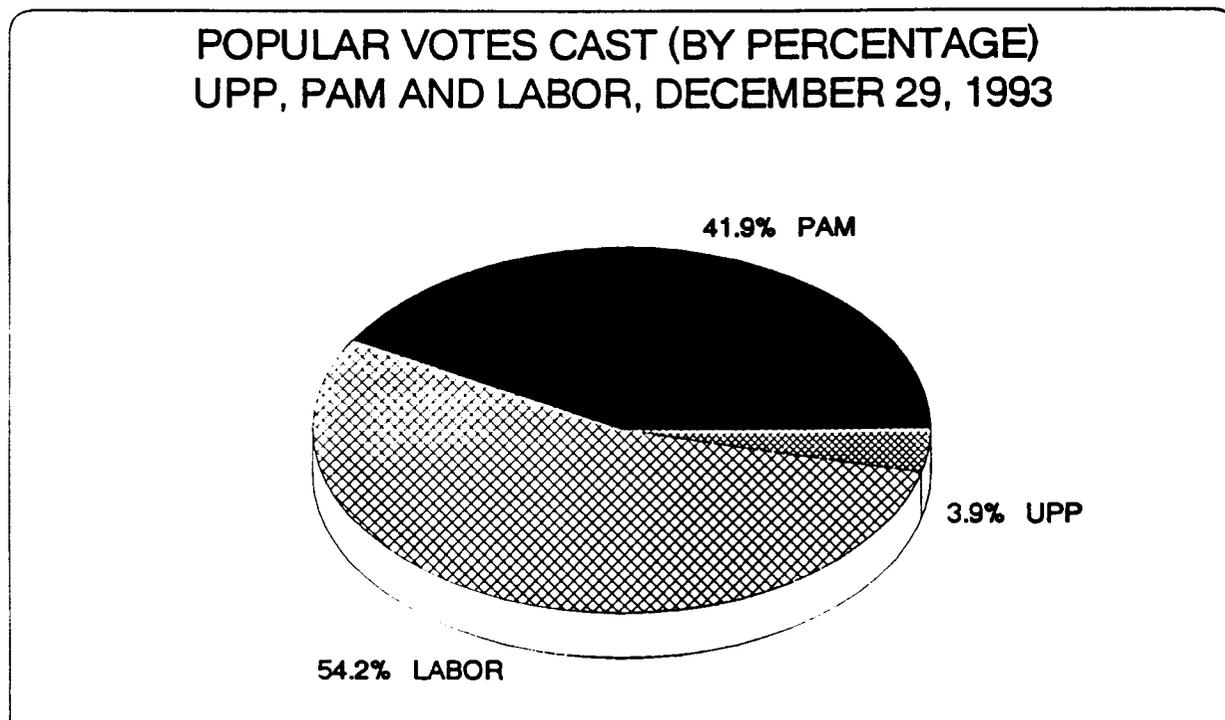
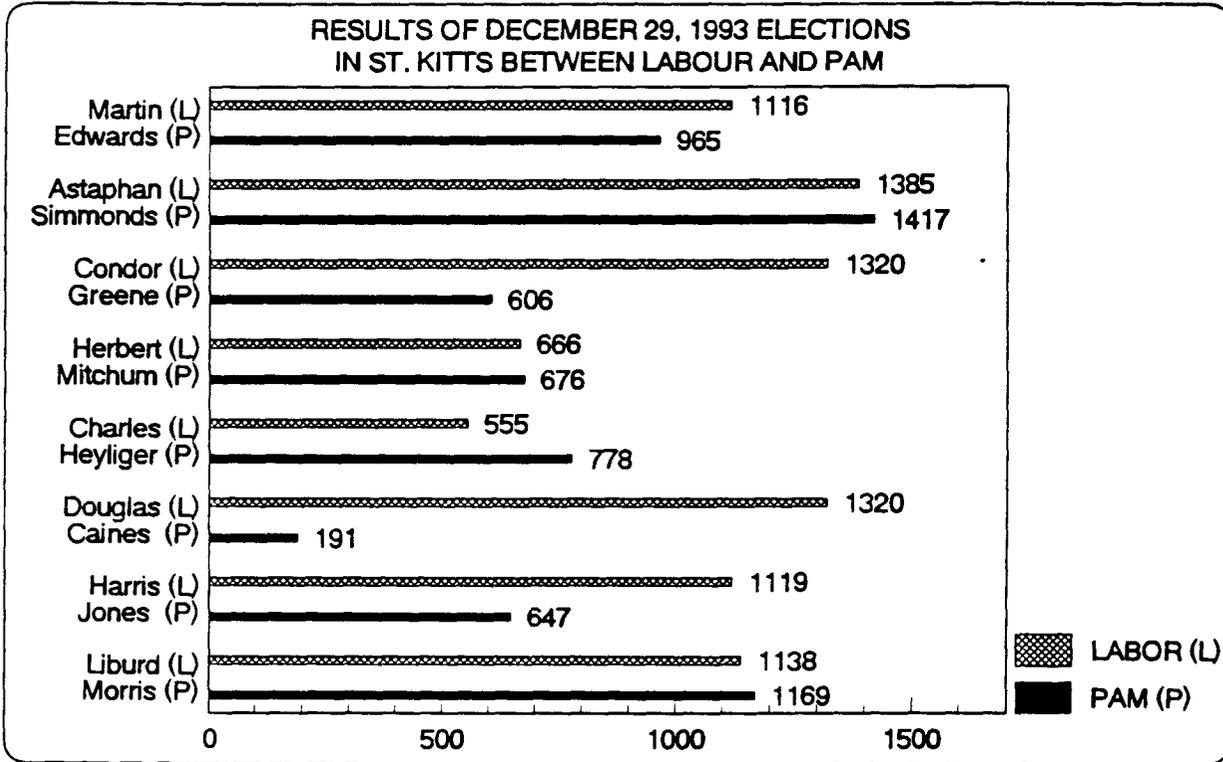
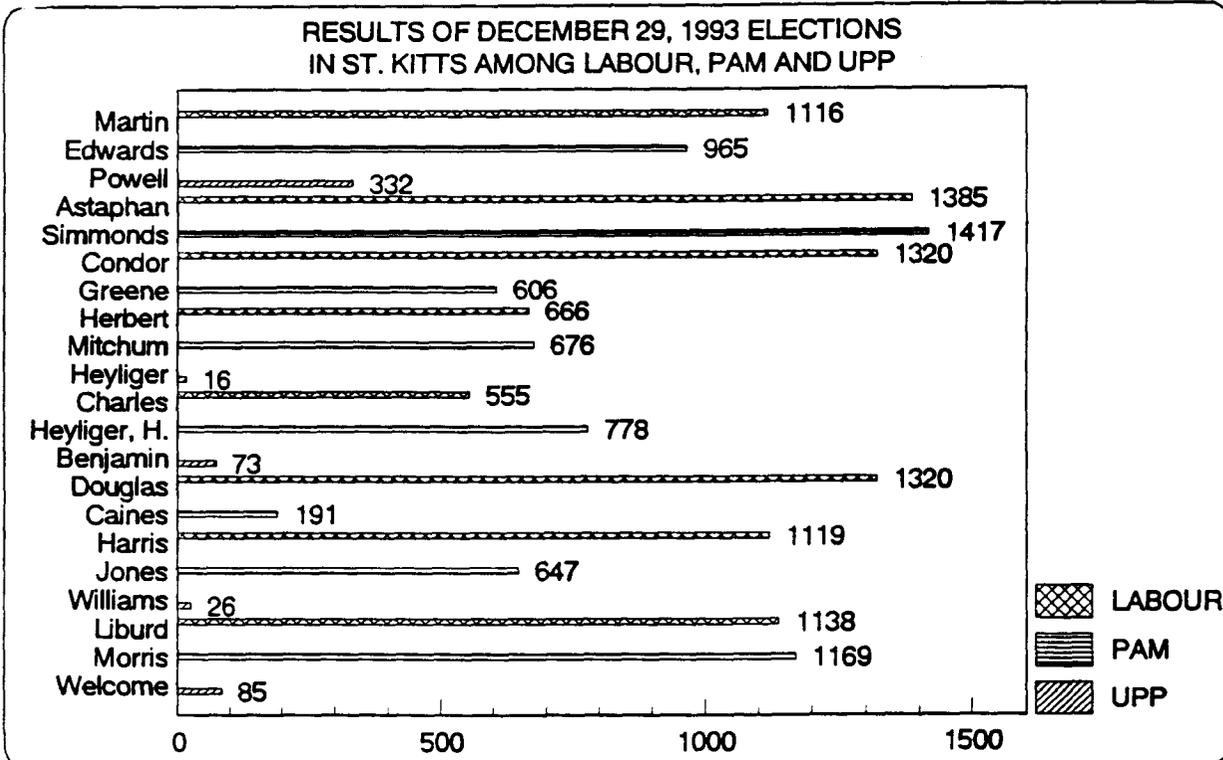


FIGURE Two-1



S. B. JONES-HENDRICKSON'S GRAPHS

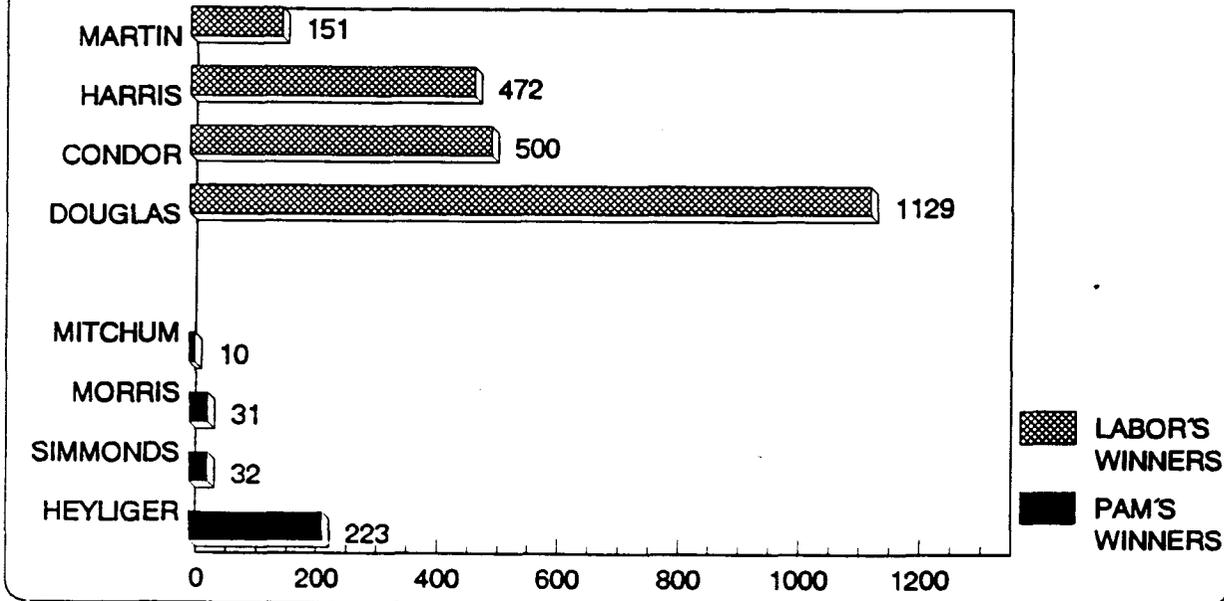
FIGURE Two-2



S. B. JONES-HENDRICKSON'S GRAPHS

FIGURE THREE

MARGIN OF VICTORY FOR LABOR AND PAM CANDIDATES: DECEMBER 29, 1993 ELECTIONS



It is instructive to consider the margin of victories of the winning candidates. We note from **Figure Three** that the four *Labor candidates, Martin, Harris, Condor and Douglas won by a combined 2,252 votes, or an average of 563 votes per candidate.* On the other hand, *the PAM winning candidates of Mitchum, Morris, Simmonds and Heyliger won by a combined total of 296 votes, or an average of 74.* The issue is not popularity in votes. The issue is who "first passes the post" wins. However, in the context of the 1993 elections, astute politicians would have noticed that stalwarts like Morris, Heyliger and Simmonds all won by reduced margins. Furthermore, all of the candidates who challenged Mitchum, Simmonds and Heyliger were first time candidates in the political arena.

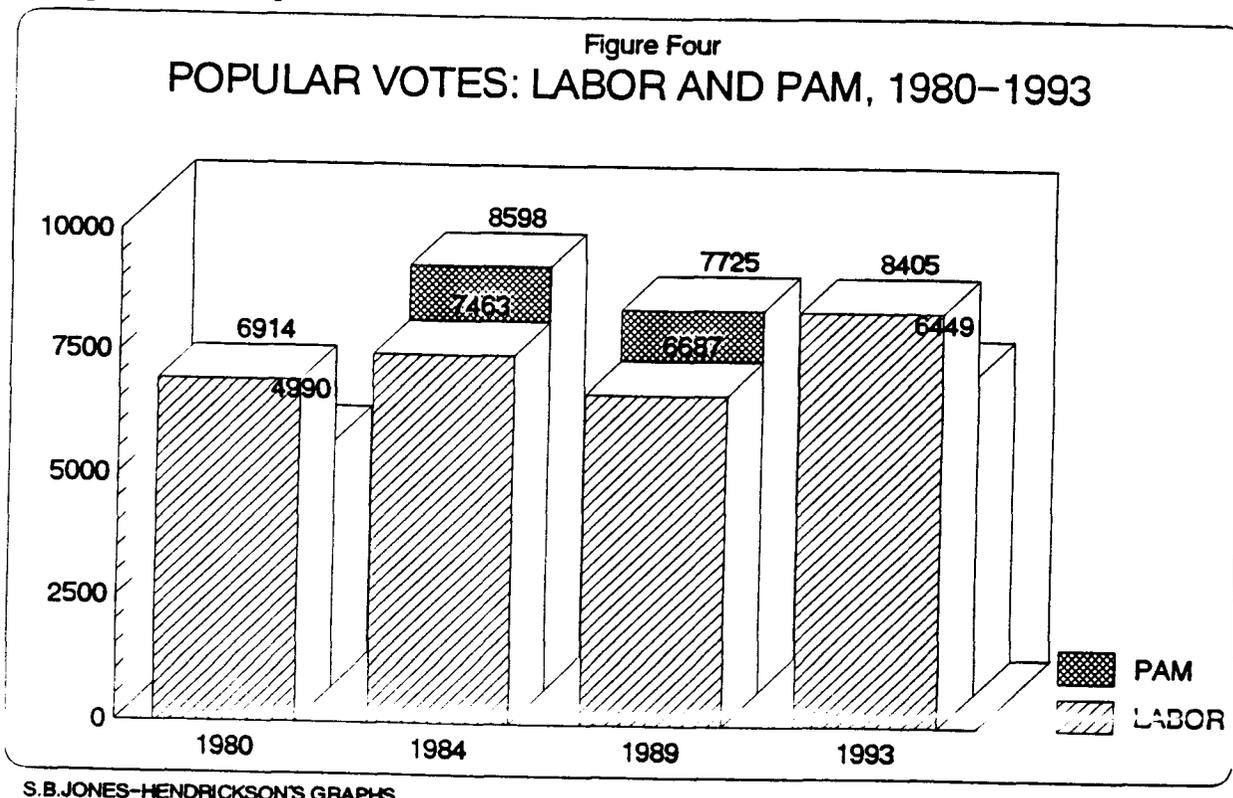
The showing of first time candidates Astaphan, Herbert, Charles and Harris is commendable, given the PAM candidates against whom the Labor candidates ran. In the case of Dr. Simmonds, the Prime Minister, he was barely able to hang on to his seat by a margin of victory of 32. If after 14 years in Office, a Prime Minister can only beat a first time candidate by 32 votes, the Prime Minister, if he is an astute politician, should awake to the realization that a wind of change was blowing. PAM failed to recognize the wind of change. And if even

they did recognize the change, they were afraid to be part of the change that was sweeping St. Kitts.

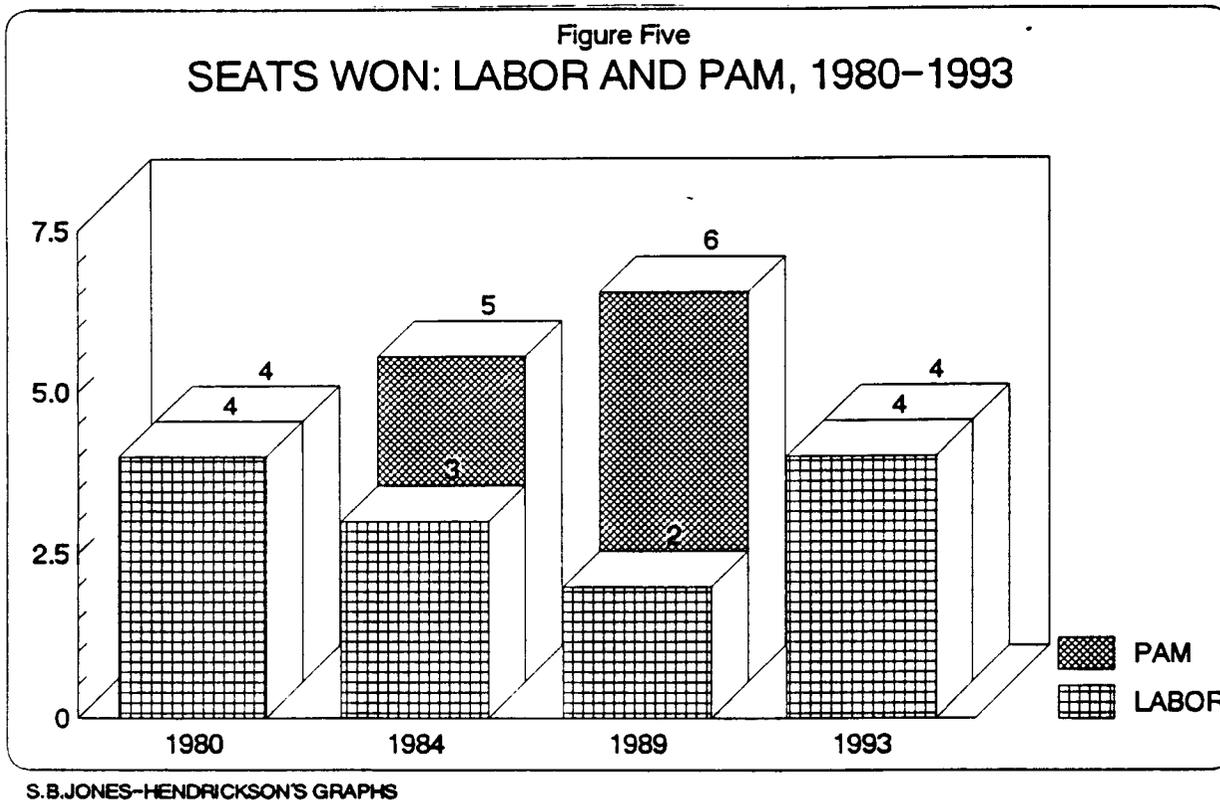
As one astute observer noted to me, it seems as if the PAM had too much at stake after 14 years in Office. They had grown so fat on the largesse of the land that they had gotten too comfortable. PAM may have so much at stake, or so much to hide, or so much that they were afraid would be revealed, if they were thrown out of Office, that they tried to hang on to political power for dear life.

## VI SHIFTS AND SWINGS

In 1980 when the NRP/PAM combined to form the first coalition government in St. Kitts, Labor won 4 seats and PAM won four seats. That year, also, Labor 6,914 votes and PAM won 4,990 votes or a Labor margin of 1,924. PAM combined with three NRP candidates and formed a government. In the course of things they fired the Governor, and sought to give to Nevis an unusual share of the political and economic pie. As we note from **Figure Four**, the shifts went completely to PAM in 1984, as a result of the largesse of the 1983 Independence expenditures.



From a seat allocation, "the first past the post", as we see in **Figure Five**, Labor and PAM each got four seats in 1980. The shift was one to PAM in 1984, and one more to PAM in 1989. From a total of 6 seats in 1989 for PAM and a total of 2 in 1989 for Labor, PAM lost two seats and Labor gained two seats in 1993.



The numbers are more revealing in another perspective. In 1989 14,412 votes were cast for Labor and PAM. Labor received 6,687 or 46.40% and PAM received 7,725 or 53.60%. PAM's margin of victory in popular votes was 7.2%. Conversely, Labor's lost was minus 7.2%. In 1993, 14,854 voters voted for Labor and PAM. Labor received 8,405 or 56.58% whereas PAM received 6,449 or 43.42%. This was a margin of popularity of 13.16% or minus 13.16% lost for

PAM. In essence *between 1989 and 1993, PAM suffered a 20.36% shift in popularity*. This is the bane of much of what was at the root of the political impasse after the 1993 General Elections in St. Kitts and Nevis.

In the final analysis, *popularity is not the essence of the elections*. It is first past the post. What can be done in the future?

## VII. CONCLUSIONS

The General Elections in the nation of St. Kitts and Nevis on November 29, 1993 and the subsequent events which occasioned the formation of a minority government, rioting in the streets of Basseterre, the imposition of a dusk to dawn curfew and a state of emergency, are all central in the position we now put forward by way of a conclusion to this paper on the political impasse and stalemate in St. Kitts and Nevis.

Governor General Sir Clement Arrindell, no doubt, may still believe that his actions to permit a minority of 5 persons to form a government in a National Assembly of 11 is acceptable, if there are no legal challenges. Arrindell seemed to be wedded to a constancy of convenience when he should have been opened to a paradigmatic shift in the body politic of the state. A constitution is a living document. It is not moribund. It is open to interpretation and it is open to challenges. However, in any and every political process, a decision-maker has to bear in mind the fundamentals and principles that will move a state forward and avoid those precepts and concepts that will retard and serve to handicap the peoples' welfare.

A person in decision-making, like a Governor General or a Prime Minister, must also be mindful of the fact that sometimes political rhetoric has to be garbed in practical expediency. If the State is to be above self and party interests, then the State and the people are really to be paramount in the final decision-making process. Those who cannot put the State truly above themselves, in a selfless manner, ought not to be in politics. In St. Kitts, the November 1993

elections raised questions of freedom, poverty, class interests as espoused by PAM, socioeconomic interests as marshaled by the Labor Party, and sectional interests as played out in the interstices of the Nevis/ St. Kitts dichotomy. It is instructive to note, that not a single Head of Government sent any early recognition or sent congratulations to the NRP/PAM . That was unusual.

A *CARICOM COMMUNITY Press Release* of December 20, 1993 (105/1993), noted, paragraph two:

*"The Bureau reaffirmed the fundamental importance which the Caribbean Community places on democracy and good governance. Accordingly, the Bureau expresses its strong hope that every effort will be made by all concerned in St. Kitts and Nevis to ensure full respect for the wishes of the people, through a generally acceptable solution, which fully respects democratic norms and the Constitution of St. Kitts and Nevis.*

*Heads of Government and the Caribbean Community stand ready to lend all possible assistance and support to those concerned which they might consider helpful to the resolution of this situation. "*

Absent of the double talk in this *CARICOM Press Release*, the document said essentially what Labor and its supporters and friends were saying. If Simmonds and the PAM felt that they had a right to form a government, they should go back to the Polls and get a clear majority. This is what was done in St. Lucia on two occasions, some years ago. However, since it is easier for a camel to go through the eye of a needle than for a politician to give up power, Simmonds opted for the path of more resistance and obstinacy. He refused to listen to talk of a new election, and he broke a promise of new elections on the grounds that Dr. Douglas had announced the St. Kitts Christian Council agreement before he, Simmonds, had announced it. Here was a situation where ideas of simplicity were being carried on the shoulders of grandeur for personal aggrandizement, and not

for the enhancement of the peoples' welfare.

Caribbean politicians have to rethink the first past the post syndrome that is endemic to the political process in our region. In a paper entitled "*Politics, Politicians and the Welfare of the People* (1994:4) we note that "anachronism of the 'first past the post' is a scintillating abuse of power (particularly when) who first past the post are marginal cases." In a sense what this means is that a person can win by 1, 10, 31 or 32 votes and that person can assume a mantle of authority which may not be in conformance with reality. Furthermore, the rival or the loser in the race, with his marginal defeat, will be unable to represent his supporters, and more importantly, will be unable to obtain benefits for his supporters. To the extent that all of the people pay taxes, to that extent, the people, all of the people, should have access to the benefits of the State, the benefits of the public purse.

"First past the post" puts power in the hands of the winners and puts the vanquished out to pasture. We need to reconsider this system in light of the fact that *politicians are merely the servants of the people*. It is the people who must give *the imprimatur* to politicians. It is important that the process be such that proportional representation be seem as a more democratic and more effective way of allowing all of the people to be part of the process of political and economic transformation of their states. It cannot be that because one voted for the losing party that that person should be put out to pasture for five years, or five times five, as the case may be. The current "first past the post" puts a level of dictatorship in the hands of the Prime Minister, all wrapped in the veil of constitutionalism. The Constitution is used as a sheaf not for beneficence, but for intransigence and arrogance. In small States, such as St. Kitts and Nevis, where manpower is critical, all persons are important in the system. Persons who are put out to pasture, who are marginalized, may never get the opportunity to make a contribution to their country, if they vote for the "wrong party." The problem is, what is termed wrong may only be one vote, ten votes or thirty-one votes differentials.

We call for a new system of proportional representation because it

permits all persons to be actors in a system that is geared for the good of all. If the greater good is to be enhanced, if the cultural, political, economic and societal patrimony of our people are to be improved, then it cannot be that one political party will have a monopoly on the resonance of cultural attributes that will push the country or the state forward. Today it will take all of us, in our respective ways, to contribute to the enhancement of our countries. After the political jostings, the work will begin. In carrying out the work of state, compromise and different postures and perspectives must be permitted. It therefore means that Heads of State, be they Governor Generals, Prime Ministers, or others, have to work in a concerted fashion to marshal the available intellectual, economic and political forces in the State to move the countries along the cyberspace of knowledge. We can no longer be mired in tribal wars of class, disrespect, parochialism or insularity. Those features are anachronistic. In this regard the actions of Governor General Arrindell, the arrogance of Dr. Kennedy Simmonds, and the inflexibility of Vance Amory following the November 29, 1993 elections in St. Kitts and Nevis, must be seen as features that caused the stalemate and impasse. Labor and its party supporters may have taken the situation too far in showing their disgust, as in the case of the rioting. But as we look around the world we see Bosnia-Herzegovina, we see South Africa, we see Northern Ireland, we see Rwanda. What we see are episodic interventions of hatred and disease made manifest in our living rooms, in technicolor. It is difficult to be removed from the endemic violence.

In the final analysis, all parties, Labor, PAM, UPP and their respective supporters, have to put the country above their petty tribalism and move forward in a concerted manifest level of goodwill of building the country. Anything short of this concerted effort will cause more confusion and less cohesion. The time is now to start. Fresh elections in St. Kitts and Nevis must be a *sine qua non* to move forward.

### FOOTNOTES

1. See "*White Paper: Constitutional Proposals For St. Christopher and Nevis*, July 26, 1982. See also Jones-Hendrickson, "Comments on the St. Kitts-Nevis White Paper, August 1982; typescript).
2. *Saint Christopher, Nevis and Anguilla Constitution Order, 1967, Statutory Instruments, 1967, No. 228, Associated States.*
3. See the *St. Christopher Nevis Independence Magazine* (1983:16)

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