

Chapter 1

The Political Background

The Federated State of St Kitts and Nevis achieved its independence on 19 September 1983. The general election of 3 July 1995 is the fourth since independence, the other three having taken place in 1984, 1989, and 1993. It is notable that the general election of 3 July 1995 was called less than two years after the 1993 election, since that election appeared to have precipitated a period of instability and uncertainty in St Kitts and Nevis. It was with a view to ending this instability and uncertainty that the political parties agreed that a fresh election should be held not later than 15 November 1995.

Pre-Independence Status

During the progression of St Kitts and Nevis from colonial status towards statehood, the two islands have variously been connected, both together and singularly, to other island groupings. In 1816, both islands were joined with Anguilla and the British Virgin Islands to form one colony. St Kitts together with Anguilla formed one unit in the Leeward Islands Federation in 1871, and they were subsequently united into a single Presidency. In 1882, St Kitts and Nevis became a joint colony. St Kitts joined the Federation of the West Indies in 1958, remaining as a member until the dissolution of the Federation some four years later.

St Kitts, Nevis and Anguilla became a state in voluntary association with Britain on 27 February 1967. In 1969-70, at the invitation of the British Government, the Commonwealth sent an International Commission to assist in resolving the constitutional crisis arising from Anguilla's desire to secede from the three-island state. The *de facto* separation of Anguilla became official on 19 December 1980, leaving St Kitts and Nevis to proceed towards complete independence.

At a Constitutional Conference held in London in 1982, it was agreed that St Kitts and Nevis would become a federated state. St Kitts and Nevis subsequently achieved full independence in 1983, as the Federated State of St Kitts and Nevis.

The Autonomy of Nevis

The Saint Christopher and Nevis Constitution Order 1983 enacted by the British Parliament laid down the Constitution for independent St Kitts and Nevis. The Constitution contains entrenched provisions for the autonomy of Nevis within the Federation. It provides for a separate Nevis Island Assembly and Nevis Island administration headed by a Premier. The Legislature may make laws, called ordinances, for the peace, order and good government of Nevis with respect to specified matters. At the time of the general election of 3 July 1995 the Concerned Citizens Movement (CCM) was the political party in power in Nevis and the Nevis Reformation Party (NRP) was in Opposition. The Constitution also provides for Nevis to unilaterally secede from the Federation.

The Constitution does not provide for a separate St Kitts assembly or administration, nor are there provisions for its secession from the union. The federal government performs all of the local government functions in St Kitts. The federal government is also the local government for St Kitts and this has resulted in a perception among the political parties in Nevis that the interests of the people of Nevis are being neglected by the federal government which is more concerned with the administration of St Kitts than with the federal administration. These and other issues have caused some in both St Kitts and Nevis to think that the constitutional and other relations between the two islands may call for a review.

Post-Independence Political Developments

The People's Action Movement (PAM), led by Dr Kennedy Alfonse Simmonds, in coalition with the NRP took St Kitts and Nevis into independence in 1983, and formed the government of the

country at the time when the election of 3 July 1995 took place. The PAM had in fact been the governing party since 1980, and the NRP its traditional coalition partner since then.

The 1993 General Election

At the general election of 29 November 1993, four political parties contested the 11 seats in the National Assembly, of which eight constituencies are on St Kitts and three constituencies are on Nevis. No party won an outright majority. The then ruling party, PAM, and the St Kitts-Nevis Labour Party (SKNLP), each won four out of the eight seats in St Kitts. Of the three Nevis seats, the CCM won two while the NRP won one seat. In St Kitts, PAM won 41.7 per cent of the votes cast, while the opposition SKNLP won 54.4 per cent.

People's Action Movement/Nevis Reformation Party Coalition Government

As it had done since 1980, the NRP joined with PAM to form a coalition government following the 1993 election. The CCM did not align itself with either of the St Kitts-based parties. Consequently, the CCM with its two seats and the SKNLP with its four seats decided to function independently in the National Assembly. Against this background the Governor-General, Sir Clement Arrindell, exercising his authority under the Constitution to appoint as Prime Minister 'a Representative who appears to him likely to command the support of the majority of Representatives' in the National Assembly, called on the PAM leader, Dr Simmonds, to form a minority Government. The constitutionality of the Governor-General's decision withstood all challenges. The demand for fresh elections and a caretaker administration was not accepted as the Constitution did not provide for the same.

Heightened Political Tensions 1993-95

The inconclusive outcome of the 1993 general election and the resulting controversy surrounding the formation of a minority coalition government sparked serious difficulties in St Kitts and Nevis. In the wake of violent clashes between the police and demonstrators, the Governor-General declared a State of Emergency on 2 December 1993, and the Prime Minister called in a force of 21 from the Regional Security System of the Organisation of Eastern Caribbean States (OECS) to help restore order. The State of Emergency was lifted on 12 December 1993.

Escalation of Crime – A Political Issue

The escalation of crime in St Kitts and Nevis in recent years has not only become a matter of serious concern, but is also a controversial political issue. Sources including the international and local media have frequently alleged that organised criminal syndicates exert undue influence across the political spectrum.

Currently, investigations are continuing into a number of serious crimes. These include the murder in October 1994 of Vincent Morris – son of the then Deputy Prime Minister – and his female companion, Joan Walsh; the murder of Inspector Jude Matthew, Head of the Special Branch on 13 October 1994; and charges of firearm and drug offences against two other sons of the former Deputy Prime Minister. Street crimes, including crimes of a violent nature, have escalated and observers link the increasing use of guns to the illicit drug trade.

There has also been anxiety in the country about the disappearance in June 1994 of Dr William Herbert, Ambassador of St Kitts and Nevis to the UN, and five family members and friends on his boat. To date, there has been no trace of the boat or its occupants.

The Government has taken a number of steps to address the crime problem, including engaging the services of four senior British police officers and management experts to assist the St Kitts and Nevis Police Force. One of these officers would be responsible for organising the Criminal Investigation Department and training its personnel. Talks have also been held with officials of the US drug and military agencies on drug interdiction co-operation.

The Role of Civil Society

Against the backdrop of deep political polarisation in the community, leaders of civil society, including religious organisations and the Chamber of Industry and Commerce, have assumed new and far-reaching responsibilities and are playing a pivotal role as catalysts for the peaceful resolution of the country's problems. In spite of the deep divisions, all parties readily acknowledge that there is an urgent need to defuse heightening tensions in such a small society, and to return stability to St Kitts and Nevis. It is in this area that civil society is providing creative and innovative leadership often in a mediating capacity, aimed at bridge-building and opening and maintaining dialogue, in particular among the major political parties and players.

Forum for National Unity

A Forum for National Unity was convened by the St Kitts and Nevis Chamber of Industry and Commerce in November 1994, as a direct response to the instability and political tensions that had continued since the 1993 general election. The Forum, aimed at promoting political dialogue and reconciliation, was attended by all political parties. A joint declaration was agreed, which recognised the need to take action against drug-related criminal activity, strengthen the Police Force, review the system of appointments to Government Commissions, Boards and Corporations and introduce a code of ethics for political activity. (A copy of the joint declaration is at *Annex VIII*.)

With a view to promoting political stability, it was agreed to hold a general election by 15 November 1995, three years before it was constitutionally due. A fresh election was seen as a way of resolving the growing crisis in a small and vulnerable society.

Many of those interested in the Caribbean region consider the faults and fissures in the St Kitts and Nevis political system as both deep and long-standing. The special circumstances that prompted the decision to call the election within two years of the last one underscore the degree of serious polarisation in the family and the society and the sharp perceptual differences about the nature of existing constitutional arrangements.

Code of Conduct

A Code of Conduct for the election was signed on 16 June 1995 at a ceremony held by the St Kitts and Nevis Council of Churches. The Code of Conduct was prepared jointly by the St Kitts Christian Council, the Nevis Christian Council, the St Kitts Evangelical Association, the Nevis Evangelical Association and the Chamber of Industry and Commerce. The representatives of all political parties attended. Each was given five minutes to speak, following the signing. All the political parties signed except the United People's Party (UPP) which later claimed to us that it did not sign because it was not recognised by PAM to be a political party. (A copy of the Code of Conduct is at *Annex IX*.)

The 1995 Election

Given the inconclusive outcome of the 1993 election, the four major parties – PAM and SKNLP on St Kitts and the CCM and NRP on Nevis – all declared that their efforts were towards winning all the seats which their parties contested in the National Assembly. So high were the expectations of supporters of the political parties raised by their leaders that any idea of defeat was unacceptable to them and this attitude and approach was fraught with potential for serious discord following the election.

Background to the Political Parties

Five political parties – three based in St Kitts and two in Nevis – registered for the 1995 general election to the National Assembly. The St Kitts-based parties were as follows:

- The **People's Action Movement (PAM)** was established on 19 January 1965 by Dr William Valentine Herbert. Dr Kennedy Alfonse Simmonds is a founding member and the current President of the PAM – which brought St Kitts and Nevis to independence in 1983 – and has served as Prime Minister since then. Since its establishment in 1965 and until 1980 when it came to power, PAM was the principal opposition party in St Kitts and Nevis. Dr Simmonds was first elected to the National Assembly in a 1979 by-election.

PAM launched its 1995 election campaign with an agenda for St Kitts and Nevis that pledged to continue to give high priority to the expansion of the country's social and economic infrastructure; provide additional opportunities for the people of St Kitts and Nevis; facilitate and promote trade, industry and commerce; and boost the country's competitiveness as a tourist attraction.

- The **St Kitts-Nevis Labour Party (SKNLP)** was established on 25 January 1932 as the St Kitts Workers' League Limited, which was formed as a company under the Companies Act of the Leeward Islands. In 1966 the Workers' League was formally re-named the St Kitts-Nevis-Anguilla Labour Party. Following the attainment of statehood by the islands in 1967, the President of the party, Robert Llewellyn Bradshaw, became head of the Associated State of St Kitts-Nevis-Anguilla. Dr Denzil Douglas became party leader in 1989.

The SKNLP put forward what it termed 'a blueprint for positive change in St Kitts and Nevis', which encompasses areas including law and order, entrepreneurship, tourism, agriculture, manufacturing, etc. The SKNLP also pledged, if elected, to convene a constitutional reform conference to discuss substantive constitutional reform.

- The **United People's Party (UPP)** led by Michael O Powell, a former Minister in the PAM Government, was established on 23 July 1993.

The UPP promised, if elected, to designate tourism as a priority industry. Other areas that would be given focus included labour, trade and industry, police and national security, and agriculture.

The two political parties based in Nevis contesting the election were as follows:

- The **Concerned Citizens Movement (CCM)** was co-founded in 1987 by its current leader Vance W Amory, who is also Premier of Nevis. Mr Amory was elected to the Federal Assembly in 1989 and again in 1993. The CCM was established to 'provide good government for the people of Nevis', and the development of Nevis remains its priority. It took a firm position of non-alignment in the 1993 election. The CCM's broad objectives include advocacy of constitutional reform for greater autonomy for Nevis; effecting changes in the revenue sharing regulations; securing payment of the Social Services Levy into the Nevis Treasury; effecting changes in the Public Service Commission and obtaining independent representation by Nevis at regional and international forums.
- The **Nevis Reformation Party (NRP)** was formed in 1970 as the opposition party in the Nevis Assembly. Following the 1993 Federal Assembly elections, at which it won one of the three Nevis seats, it joined the PAM to form a minority government of five in a Federal Assembly of 11 members. Its leader is Joseph Walcott Parry. In its manifesto the NRP proposed, among other things, a reform of the Constitution to establish separate island administrations with equal powers for both St Kitts and Nevis and a working arrangement between the two administrations.