

4 Parties, elections and political maturation in the UK Overseas Territories

Much of the recent academic literature on the United Kingdom Overseas Territories (UKOTs) has focused on the macro-level relationship between the territories and London. Now and again the UK does take a hands-on role in the domestic affairs of the territories. But in theory, and largely in practice, the UKOTs have significant local political autonomy, and this chapter focuses on the internal politics. All of the territories proclaim their democratic credentials, and the vibrancy and effectiveness of their political cultures. The chapter analyses these claims. There is of course great diversity across the UKOTs, with differences in the size of population, geographical location, and economic profile, and these factors shape the way in which local politics is undertaken. The chapter considers *inter alia* the way in which the territories' constitutional systems have developed, the status and stability of political parties, the transparency and representativeness of elections, the extent to which executives are held to account, the role of "personalistic" politics, and the more general quality and effectiveness of political institutions in the territories. Ultimately, the chapter makes an assessment on whether the UK's direct oversight of the territories has helped them to develop stronger and more effective democratic systems than their independent neighbours.

Overseas territories, constitutional evolution, electoral franchise, party politics, parliamentary accountability

Introduction

Alongside the independent small states of the Caribbean, there are a number of non-sovereign territories that share many of the same characteristics as their near neighbours, such as size, political approach, and economic vulnerability. Five non-sovereign territories in the region are overseen by the United Kingdom (UK), and this chapter provides a consideration of parties, elections and democracy in the UK Overseas Territories (UKOTs), and whether the role of the UK as the metropolitan power makes any fundamental difference to how the territories conduct their political affairs and align to democratic norms when compared to their independent English-speaking neighbours. To help us do this we draw on the academic literature on democracy in small states and territories. There are a significant number of studies on whether and/or why small states and territories are more democratic than larger ones. Authors such as Anckar (2002) and more recently Corbett and Veenendaal (2018) have contributed much to this debate.

The intention of this chapter is not to engage with this debate *per se*, but rather to consider some of the characteristics of democracy and politics in small territories and states. So the chapter considers *inter alia* the way in which the territories' constitutional systems have developed, whether that was under the wing of another colony or part of a larger regional grouping, the status and stability of political parties, the transparency and representativeness of elections, the extent to which executives are held to account, the role of "personalistic" politics, and the more general quality and effectiveness of political institutions in the territories.

Ultimately, we make an assessment on whether the UK's direct oversight of the territories has helped them to develop stronger and more effective democratic systems than their independent neighbours.

Much of the recent academic literature on the UKOTs has focused on the macro-level relationship between the territories and London. This is of course key, and now and again the UK does take a hands-on role in the domestic affairs of the territories. Recent examples include tighter budgetary oversight of the territories; the decision to de-criminalise gay sex; and the imposition of direct rule on the Turks and Caicos Islands (TCI). Such interventions are made only if the UK believes key principles are at stake, in particular sound economic management, the safeguarding of fundamental human rights, and if good governance has been significantly compromised. The UK is able to intervene because it has ultimate constitutional responsibility for the overseas territories and can use the powers of the Crown to legislate without reference to the British or territory parliaments. But in theory, and largely in practice, the UKOTs have significant political autonomy, and this autonomy has generally increased in recent decades. The view from London is that as part of a modern relationship the territories deserve more power to oversee their own affairs, and of course the territories concur. It is the case that the UK maintains several red lines beyond which further autonomy should not be awarded (e.g. the control of the public service and the police, and in some instances management of the financial services sector), but in many other respects the territories are responsible for their own affairs. So even though the foundational and still current constitutional legislation refers to the territories as "colonies", their status is much more advanced than that. Sometimes there is an awkwardness in relations because some responsibilities do not fit comfortably either with the territories or the UK, and that is why much of the academic literature focuses on the interesting, intricate, and often dissonant bilateral relations. Nevertheless, every territory proclaims their democratic credentials, and the vibrancy and effectiveness of their political cultures.

It is within this context that the chapter takes one step back from the role of the UK as the metropole, and considers the strengths and weaknesses of the democratic systems within the five UK overseas territories located in the Caribbean (Anguilla, British Virgin Islands – BVI, Cayman Islands, Montserrat, and TCI). Although there are other UKOTs scattered across the globe (e.g. Falklands Islands, Pitcairn), those situated in the Caribbean are prioritised here because of the high concentration of independent English-speaking states in the region. This allows some interesting comparisons to be made between the two sets of countries. But first we consider the UKOTs. Although in popular consciousness the territories are perceived as

similar in terms of their small size and population, and their dependency on one or two key industries there is great diversity amongst them. There are differences in their constitutional development, the nature of party politics, the role of political leadership, and the influence of immigration on the electoral process, amongst others, and these shape the way in which local politics is conducted.

Formative years of constitutional development

The majority of the UKOTs in the Caribbean were taken by the British in the 17th century, through conquest and settlement, and for two centuries were integral parts of the British Empire. It was not until the late 1950s and early 1960s that significant change began, and this was related to growing local agitation, particularly in the larger colonies, for self-rule and possible independence. This effort was supported by the work of the United Nations that resulted in two important General Assembly resolutions 1514 (XV) and 1541 (XV) on decolonisation and self-determination. Initially, the West Indies Federation was established in 1958 to give the territories a greater degree of autonomy within a federal structure, with the ultimate objective of independence. The Federation included Anguilla (as part of St Kitts-Nevis-Anguilla), the Cayman Islands (as part of Jamaica's administrative structure), Montserrat, and the TCI (again associated with Jamaica). The BVI, unlike the other territories, did not become a member of the Federation because of its strong links with the US Virgin Islands and the USA more generally; rather it became a separate Crown Colony. However, the Federation was short-lived and by 1962 it had disbanded. This of course led to independence for the larger colonies, such as Jamaica and Trinidad and Tobago, but with implications for the smaller ones. The Cayman Islands became a direct dependency of the British Crown; so too Montserrat. The TCI was coupled to the Bahamas, and Anguilla remained linked to St Kitts and Nevis.

So how much constitutional autonomy and political power did the territories have at this point in the middle part of the 20th century? The constitutions of Montserrat and the BVI afforded overall greater executive and legislative autonomy than those of Anguilla, the Cayman Islands, and the TCI. To a large extent this was due to the fact that the former two territories had never been dependencies of other colonies. Montserrat and the BVI had been administered either as colonies in their own right, or as part of wider groupings such as the Leeward Islands Federation, or (for Montserrat) the West Indies Federation. In addition, the fact that Montserrat was part of the West Indies Federation meant that it benefited from relatively advanced constitutional provisions, certainly in comparison to the other four territories we are

considering. Indeed, this was true even for the BVI which was a separate colony like Montserrat, but did not join the Federation. In contrast Anguilla, the Cayman Islands, and the TCI had, for much of their history, been dependencies of other British colonies. To varying degrees this limited their constitutional and political development.

Political systems take shape

Hand-in-hand with the gradual constitutional evolution of the five territories the political systems and party formation began to take shape. Although, the general tenants were the same – first-past-the-post electoral systems and an initial dominance of two-party politics – differences between them were soon apparent. In Anguilla, party politics was shaped for a long time by its preference for continued affiliation with Britain, rather than remaining aligned with St Kitts and Nevis. In 1967, with Associated Statehood (in essence full internal self-government) being established for a number of the smaller British colonies, including St Kitts-Nevis-Anguilla, Anguilla was unhappy with its position in this three-island grouping and wanted to break away. Anguilla's ultimate wish to become a separate territory associated with Britain was secured eventually in 1980. During this period, "politics on the island [was] a contest between Ronald Webster, who led the secession, and his political rivals" (Cichon, 1989: 510). However, this did not mean a period of stable party politics; rather individual political rivalry was the driving force. As a consequence, there were concerns that the low level of political maturity was allowing anti-democratic elements to get a foothold in Anguilla. In the late 1960s, for example, the British government had suspicions that "gangster and mafia-type elements were at work in [the territory]", and in March 1969 British troops and police were sent to the island (Clarke, 1971: 22). Ultimately, the situation was not as bad as first feared, and *The Guardian* for one sarcastically referred to "the splendid sight of the British sledgehammer coming down unerringly on a colonial nut" (in Clarke, 1971: 23). Indeed, such criticisms resonated with the UK, and helped shape how London responded to similar, later challenges.

The BVI, due to its more long-established separate political identity, had an earlier beginning to party and electoral politics. Ministerial government was first introduced in 1967, and three parties including the British Virgin Islands United Party, led by H. Lavity Stouff, were established to contest the elections. But as with Anguilla the BVI struggled to create a stable party system. As Fergus argued, "political parties degenerated into ephemeral associations without any compelling group allegiance or loyalty to any core principles or set of policies (...) they tended to die with the election aided by the cynical bargaining over ministerial positions"

(Fergus, 1998: 43). BVI politics was overwhelmingly individualistic. Pickering suggested that because the planter class had long disappeared there was “infertile ground for the emergence of labour unions and political parties due to the absence of a natural adversary or a focus of employment beyond individual endeavour” (1992, quoted in Fergus, 1998: 44). By the mid-1980s there was a recognition that this approach to politics did not serve either the politicians or the public particularly well, and thus a more stable two-party system developed, with the BVI United Party and the Virgin Islands Party. By the end of the decade one observer called the BVI “a haven of political tranquillity” (Cichon, 1989: 509).

The situation in the more conservative Cayman Islands followed an initial similar trajectory to that of the BVI. In the late 1950s and early 1960s as greater autonomy was given to the territory, Caymanian politics took steps towards a “party-based political culture” (Freyer and Morriss, 2013: 1314). However, party discipline did not last long, and soon the entire party system collapsed. Bodden called this a “classic display of Caymanian individualism” (Bodden, 2007: 27). From that moment on the Cayman Islands had no officially recognised political parties, and decisions were made based on informal coalitions of individuals. Nevertheless, from the early 1970s onwards a new style of politics came to the fore – the “Voices of Opposition” (Bodden, 2007: 30). This then manifested itself as the “Unity Team”. The idea of a political “team” in contrast to a political party was a peculiar Cayman Islands phenomenon. Bodden explained it well:

Since great emphasis is placed on the Cayman Islands maintaining their voluntary colonialism status, voters find it easier to support a political team than an outright political party, which could – quite conceivably, some think – agitate for self-determination.

(Bodden, 2007: 33)

Under this system the teams “showed no differences in policy or ideology. All candidates traditionally pledged to work for continued economic success and for continued dependent status” (Cichon, 1989: 578). It was not until 2001 that formal party politics was re-established. As we highlighted above the position of Montserrat was more constitutionally and politically advanced. 1951 saw the first elections under universal adult suffrage and a legislative council with an elected majority. Trade unionism and representation of the working class were more prominent than in the other territories. The close association between trade unions and nascent political parties was also much more pronounced. William Henry Bramble became both leader of the Montserrat Trades and Labour Union and Montserrat Labour Party in the early 1950s,

and used this strong position to govern the territory from 1952 to 1970. This personalised politics continued when his son, Percival Austin Bramble, leading another party, the Progressive Democratic Party (PDP) took over from his father. The dominance of the Brambles did not hide the fact that some of the same party dynamics seen in the other territories were also present in Montserrat. Fergus (2004: 161) noted, “because of their loose and ephemeral nature, party alignments and loyalties were casual affairs, driven by expedience and opportunism”; this included the PDP and the People’s Liberation Movement led by John Osbourne, who was to become chief minister in 1978. Notwithstanding these dynamics Montserrat’s constitutional position was more advanced, and in the early 1980s the Osbourne government came out strongly for independence from Britain, so quite different to the view in the Cayman Islands, for example. However, in the late 1980s a serious banking scandal involving corruption and money-laundering was revealed. In a subsequent account Fergus called what happened, “looseness, bordering on irresponsibility” (Fergus, 2004: 164). The local political class had over-extended themselves and had been found wanting, with the outcome that Montserrat’s constitutional and political freedoms were circumscribed by the UK.

Parallels can be seen in the TCI, which, as with the Cayman Islands, emerged from being overseen by another colony – albeit somewhat later in 1973. Indeed, it was only in 1976 that the TCI acquired its own Constitution, which provided for greater self-rule, ministerial government, and a more powerful role for the legislature. In turn the Constitution gave rise to a political party system. A group of businessmen and their supporters formed the Progressive National Party (PNP), while J. A. G. S. McCartney, a charismatic and radical political leader, established the People’s Democratic Movement (PDM). The transition for the TCI, when it eventually happened, from being overseen by neighbouring British colonies with little autonomy, to greater authority and power was rapid and therefore local politicians were forced to adjust and respond to the new reality, but most did this poorly. This resulted in two events, which set back the TCI’s political development by a generation, and put paid to discussions around independence that were happening at the time. First was the arrest and imprisonment in Miami of then Chief Minister Norman Saunders of the PNP on drug conspiracy charges in 1985. Second was the establishment of a Commission of Inquiry by the British government in 1986 into allegations of arson, corruption and related matters, which resulted in the UK suspending parts of the 1976 Constitution, implementing direct rule, and overseeing the writing of a new constitution in an attempt to strengthen the TCI’s political culture (Clegg, 2012).

The early shaping of the political systems in the overseas territories was certainly a difficult, and in one case (the TCI) an extremely traumatic process. There were a number of factors that

influenced strongly the path the territories took in trying to consolidate their own approaches to government and electoral politics. First, whether they were colonies in their own terms or part of a larger colonial unit was an important determinant of their level of constitutional maturity. Personalised and fragmented party politics was also a feature in a majority of the territories, whereby many parties came and went depending on politicians' whims and interests. Overall, it is perhaps not surprising that in the earlier years the territories struggled to embed various aspects of their constitutional systems; but what has happened more recently? The remainder of the chapter provides a health check on democracy in the modern era, and explains some of the underlying features shaping it today.

Elections and democracy today

A decade ago, three of the five territories (the BVI, the Cayman Islands, and Montserrat) negotiated new constitutions with the UK, which gave them further control over their own affairs. Before that time the constitutions had remained largely untouched for many years, and so there was a view on all sides that a review was long overdue. With the territories gaining more autonomy, the functioning of local politics is more important than ever. As for the other two territories: Anguilla retains its constitution from 1982 after the local government was unable to agree an updated version with the British, while the TCI is recovering from a second significant bout of political corruption. So, these are also worth considering as we look at the contemporary situation.

Electoral franchise

In many of the territories there is a notable difference between total population size and the numbers who are able to vote in elections. The restricted franchise is a result of the tight controls over "Belonger" status, which is enshrined in each constitution and associated ordinances, and it is an issue that should be considered when gauging the quality of democracy, political participation, and civic engagement. Formal nationality issues are the responsibility of the UK, but each territory has its own more informal legal arrangements – equivalent to local citizenship. Belonger status (this term is used in a generic way because territories use different terminology: Caymanian; Turks and Caicos Islander) is granted to those individuals who are identified by each constitution as having strong links with a territory, such as through birth or marriage. Being a Belonger is highly prized and the status strongly defended. This is because there are a range of benefits that Belongers have, which non-Belongers do not. They include commonly the right to live in a territory without immigration restrictions and the right to vote

and to stand as a candidate for election. Due to the small size of the territories there are challenges in relation to democratic accountability and transparency – as we have already seen – which could be improved if franchises were extended.

If one considers the relationship between the total adult population and the electorate, marked differences are clearly apparent. In the BVI and the Cayman Islands slightly less than half of the adult population is able to vote; in the TCI the gap is even more significant. The territory has an adult population of close to 35,000, but only 6,238 voted in the last election (in 2016). In other words, only about 18 per cent of the adult population had a voice in the election. There were another 1,494 registered voters who did not vote, and several hundred more who were able to register but did not do so. Thus, at best only perhaps 25 per cent of the total adult population has the opportunity to vote. The territories have long defended the status-quo, fearful that extending the franchise to immigrants, even those who have been resident for many years, will change the nature, and undermine the coherence, of their societies. Several have seen their populations increase in recent years, in part caused by significant levels of legal and illegal immigration, for example from Haiti. However, this should not necessarily discount a (managed) extension of the franchise.

For several years the UK has called for such a change; the UK House of Commons Foreign Affairs Committee (FAC) has argued recently that “Belongerships and its equivalents are wrong”, and “we do not accept that there is any justification to deny legally-resident British Overseas Territory and UK citizens the right to vote and to hold elected office” (House of Commons Foreign Affairs Committee, 2019: 26). The call for change by the FAC was focused on these two particular groups, but reform could also be considered for other long-standing residents. However, recent UK governments (both Conservative and Labour) have not considered the issue to be important enough to impose the change on the territories. In addition, they have recognised the strong opposition within the territories, and that too has made them reluctant to intervene directly. For example, TCI Premier Sharlene Cartwright-Robinson was very critical of the FAC’s recommendation, stating that “we [cannot] accept the unbridled influx of British citizens to be added to our voting population” (Turks and Caicos Sun, 2019). It appears likely that the sizeable divergence between the general population and the electorate will continue to grow, and this means the number of disenfranchised voices will increase and the risks of the electorate and the political class atrophying will intensify, with significant consequences for the dynamism, transparency, representativeness, and credibility of the political systems.

Conduct of elections

The conduct of elections themselves is another key consideration, and there are two particular issues of concern that should be highlighted. The first is how parties' election campaigns are financed. Recent campaigns across the five territories have seen the amount of money spent on them increase significantly. Questions have therefore been raised about the sources of that campaign financing and the degree of transparency that currently exists in identifying which parties receive what and from whom. It appears there are worrying deficiencies in campaign finance laws. For example, in assessing Anguilla's general election in 2015 the Commonwealth Parliamentary Association (CPA) noted that:

The Mission received a number of reports that parties and candidates were receiving large donations from business entities. The Mission also received multiple allegations that some political parties were providing air and sea transportation to voters living abroad to enable them to vote.

(Commonwealth Parliamentary Association, 2015: 4)

The CPA report continued by arguing that there was a clear need to both "define the prohibition against treating in the Election Act more clearly and to investigate such allegations more thoroughly, with a view to bringing prosecutions if proof can be obtained" (Commonwealth Parliamentary Association, 2015: 4). Similarly, reporting on the 2017 election in the Cayman Islands, the CPA argued that:

[we have concerns] that the amount of funding from private Caymanians was too high and distorted the fairness of the campaign. Campaign expenses may not, by law, exceed 40,000 Cayman Dollars per candidate. Provisions for efficient scrutiny and oversight are, however, absent from the legislation.

(Commonwealth Parliamentary Association, 2017)

The CPA can advise, but is unable to do more than that, and of course none of the territories are members of the Commonwealth of Nations. For the UK government meanwhile, as with the Belonger issue, it does not feel there is a strong enough reason to intervene.

The one territory, which stands out as an example of better practice, is the TCI; but only because of a second significant corruption scandal in the mid- to late 2000s that required the UK to take full control once more and introduce a new and much more stringent constitutional and regulatory framework. Following a Foreign Affairs Committee report (2008) and a

Commission of Inquiry (2009) “systemic corruption” was identified in the PNP government led by Premier Michael Misick (TCI Commission of Inquiry, 2009: 11). One response of the UK was to strengthen campaign finance laws, including the introduction of the Political Activities Ordinance 2012 to promote transparency in political financing, which included the establishment of an Integrity Commission to which all donations and expenditure must be reported. Further, election spending is limited to US\$600,000, funds cannot be used to “treat” voters and enforcement action can be taken against those parties and/or individuals who break the rules.

A second issue of concern is electoral boundary size. In territories with relatively small populations it is important that there should be approximate equivalency in the size of constituencies, so the vote of one elector is as equal as possible to the vote of another. Otherwise MPs could be elected with far fewer votes than others, thus skewing the overall outcome of the election. Unfortunately, unequal constituency size is an issue in many of the territories. For instance, in Anguilla, the largest constituency had 2,355 registered voters in the 2015 election (Valley South), and the smallest (Sandy Hill) had only 964. The Cayman Islands and the TCI have also significant disparities, although in part this is caused by their multi-island status. Nevertheless, as the CPA argued in its report on the 2016 general election in the TCI: “The differences in numbers of voters per elected representative undermine the principle of equality of the suffrage and the equal weight of the vote” (Commonwealth Parliamentary Association, 2016).

The continuing small size of several of the constituencies in the TCI is a concern, and it takes us back to the issue of campaign funding, which was highlighted by the 2009 Commission of Inquiry. As the Counsel to the Commission observed, “the remarkable aspect of such funding was the sheer volume of money washing through the system, with an electorate of just under 7,000 spread across 15 constituencies” (TCI Commission of Inquiry, 2009: 66). Indeed, in the South Caicos North constituency, with only 318 voters, campaign funds amounted to over US\$1,200 for each voter. As we mentioned above, campaign finance rules have been tightened in the TCI; also, five all-island districts were created after the most recent corruption scandals in an attempt to counterbalance some of the distorting effects of individual constituencies. Nevertheless, the fact that some constituencies remain very small; island-wide districts are in the minority; and sizeable campaign funds are still available. This means that clear risks remain for the probity and equitable functioning of the electoral process. The example of the TCI is perhaps the most extreme but it is clear that across the territories the combination of small and

variable constituency size, together with generally unregulated campaign funding, is a potentially toxic mix.

Stability of the party-political system

As we mentioned earlier in the chapter the nature of party politics in the formative years was generally quite fragmented and unstable, with an often-charismatic figure at the helm. What is the situation today? In some respects, there is more stability and continuity. In Anguilla, for example, there are two main parties (Anguilla United Front and Anguilla United Movement) that have been fighting and winning elections since 2000; while in the TCI, the PNP and PDM still dominate (although the influence of the charismatic former Premier Michael Misick should be noted here). In the BVI, meanwhile, there is also relative stability. In the general election held in February 2019, the long-standing Virgin Islands Party (VIP) won a decisive victory against the National Democratic Party (established in 1999), although for the first time ever four parties with at least one incumbent Member of Parliament stood in the election. This was largely because the previous head of the VIP, Julian Fraser, was ousted as leader in the run-up to the election and set-up a new party, Progressives United (PU) (BVI Beacon, 2018). This represented a more recent case of the fluidity of party politics and the pique of a leader, but the impact was much less than it might have been in the past. The PU won only eight per cent of the vote and one seat. Therefore, in several of the territories it can be argued that the political party system has solidified, with parties more durable and less prone to centrifugal forces. The situation in Montserrat, and particularly the Cayman Islands, however, is more complicated.

In the Cayman Islands the People's Progressive Movement (PPM) established in 2002 and the Cayman Democratic Party (CDP) established in 2001, remain the most important political parties. But in the 2017 general election Independents became a significant force in the territory, winning nine of the 19 seats. Some of the Independents then joined a "national unity" government with the PPM and CDP, led by Alden McLaughlin of the PPM. The weakening of the two-party system was due to the public's dissatisfaction with both parties – in regard to their lack of unity and action on key issues, and the PPM's slow response in 2015 to corruption allegations against officials in the Cayman Islands Football Association, which were linked to the wider scandals affecting the Fédération Internationale de Football Association (FIFA) at that time. Since the 2017 election, both the PPM and the CDP have criticised the opposition (constituting the remaining Independents) for their lack of organisation and effectiveness. For example, in May 2019, McLaughlin highlighted some of the divisions that were visible in the

opposition, arguing that they illustrated why parties were so important with their shared platform of ideas. He argued that:

if [the Independents] cannot maintain any coherence in opposition, what chance is there that they could form an effective government? Disunity, disorganisation and dark deeds fuelled by personal, political ambition are not what this country needs to take us forward.

(Cayman Compass, 2019)

In Montserrat the electoral map has also been more unstable in recent years, with new parties being established (e.g. People's Democratic Movement in 2014) that gain and then lose support, and the rise of Independents.

It is too soon to say with certainty if Independents will alter profoundly the nature of electoral politics in the two territories, but we would suggest they will not. Party politics is well established, and there is little evidence to indicate that Independents can offer a coherent and effective policy programme. So, even in the Cayman Islands and Montserrat which are presently experiencing some convulsions in party politics, the longer-term trend towards party consolidation seen in the other territories can be seen here too. Therefore, we would argue that compared to the formative years of constitutional and political development all five territories have now greater stability within their party-political systems.

Parliamentary accountability

The final issue to be considered in this section is in relation to parliamentary accountability. As we have already suggested, the territories are small places, with small populations. We have also highlighted the quirks of the electoral system and the role of dominant leaders in shaping the political agenda. So what part do parliaments play in holding the executive to account? Overall, it is rather limited. The number of parliamentary members range from nine in Montserrat to 19 in Cayman Islands. This means that when, as is usual, a government majority is in place and most of the MPs of the governing party are part of the government, the opposition struggles to hold the executive to account. Other issues include parliamentary systems that are all unicameral, rather than bicameral, and that parliaments do not sit that often (e.g. the Cayman Islands Legislative Assembly sat for 22 days in the 2018/19 session). As the UK National Audit Office (2007: 31) stated the consequences of small size are “small legislatures with a lack of separation of duties and membership between the executive and the elected assembly”. Without an effective legislative system, problems do occur, and this was

seen most dramatically in the TCI. The 2009 Commission of Inquiry observed that there was “no parliamentary oversight of any significance; and the power of the PNP [was] largely unchecked” (TCI Commission of Inquiry, 2009: 70). Some improvements have been made, and a significant change was implemented in all of the constitutions agreed a decade ago – in that the Cabinet was made formally accountable to the House of Assembly. Despite this reform, in practice it remains a significant challenge to have effective parliamentary accountability in such small territories.

Regional Caribbean context

The preceding sections have critiqued aspects of democracy and elections in the UKOTs, but to what extent are these issues particular to them within the English-speaking Caribbean? The short answer is that they are not. Similar concerns exist in the independent states, and we reflect on them here. The independent states have a long history of democracy, both before and after independence was achieved. The process of constitutional and party-political development had many parallels with the overseas territories in the 1950s and 1960s, although of course after St Kitts and Nevis gained its independence in 1983, no further decolonisation took place. As with the overseas territories, one can argue that the independent states are democratic. According to Freedom House, and its Freedom in the World 2019 report (Freedom House, 2019), all of the independent states in the English-speaking Caribbean can be considered “free”, and if the overseas territories were to be included, they too would be placed in that category. However, as Corbett and Veenendaal (2018: 4) argue Freedom House considers primarily “formal institutions and rules”, and so there is a need to “look *within* these cases at the ways political authority is actually exercised”. The chapter has done this for the territories, and we can do the same in relation to the independent states. The work of Girvan is a good starting point.

In an article published in 2015, Girvan considered some “basic” concerns about Westminster-based democracy. They included corruption, the “insidious and largely invisible influence of money”, unchecked executive power, and emasculation of the legislature (Girvan, 2015: 101). So, for example, in St Kitts and Nevis, opposition parties and others have criticised a lack of campaign finance legislation, and a monitoring mission from the Organisation of American States (OAS) noted that “the lack of transparency and the absence of rules or restrictions on campaign donations make it difficult to know the amounts, groups, or individuals involved in financing campaigns” (Organisation of American States, 2015: 25). This, as O’Brien argued, “exposes local politicians to allegations of corruption and of accepting donations from illegal sources” (O’Brien, 2014: 99). Further, politics in many English-speaking Caribbean states has

been, or still is, dominated by key figures such as Ralph Gonsalves in St Vincent and the Grenadines and Roosevelt Skerrit in Dominica. Their position is reinforced by “the comparatively small size of the region’s parliaments and the absence of a cap on the number of ministers, [which] means that they are dominated to an extraordinary degree by the [executive]” (O’Brien, 2014: 190). However, often when such dominant figures do depart the political scene, particularly in the Eastern Caribbean, the party follows. Other issues, highlighted previously in this chapter, also apply to the independent states. The disparity in constituency size is common across the region. In Antigua and Barbuda, there have been only minor changes to the electoral boundaries since 1984, and as a consequence there is now a significant difference in constituency size. Similarly, in Grenada, with a population of just over 100,000 people, the largest of its 15 constituencies has around 6,000 more registered voters than the smallest. Further, large differences between the total adult population and those able to vote are seen in several states, including Antigua and Barbuda.

So, there appears to be clear parallels between the overseas territories and the independent states in terms of the way in which political authority is exercised and often compromised. So, what, if any, difference does the UK’s direct presence make in the affairs of the overseas territories? In some respects, we could argue not very much at all. As we have seen the UK, despite having the power to do so, is reluctant to intervene too heavily and too often in the democratic process of the territories. So, issues such as party financing and the extent of the electoral franchise are left largely to the territories themselves. Thus, the overseas territories and the independent states have a similar degree of latitude to address (or not) such issues. However, much of the academic literature suggests that being overseen by a metropolitan power has significant advantages. Further, in an opinion poll taken in mid-2011, 60 per cent of respondents agreed that Jamaica would have been better off had it remained a British colony (Girvan, 2015: 101). What is the basis of this view? Much of it has to do with an economic dividend, but there is a political one too. As we have seen the UK has intervened in Montserrat and the TCI (twice) to resolve significant issues of corruption. The independent states do not have recourse to such an outside agent. In addition, and perhaps more importantly, the overseas territories know that the UK has the power to intervene, and that may well act as a restraining force on the territories, and provide reassurance to their citizens that the UK is the ultimate guarantor of democracy and good governance, and can check the over-weening power of local leaders. So, it is perhaps in this area that the UK’s presence is felt most strongly, and sets the overseas territories apart from their independent English-speaking neighbours.

Conclusion

The UKOTs are undoubtedly stable and prosperous political entities. They have maintained democratic systems for several decades and with the notable exception of the TCI they have avoided significant political crises and direct rule from the UK. They have their own political cultures and (largely) run their own affairs. It is also clear that many of the issues relating to democracy and elections are shared with their independent neighbours, and these include a restricted franchise, a lack of campaign finance controls, personalised politics and limited levels of parliamentary accountability. Since their first constitutions, the overseas territories have become more politically mature, and the UK has given them that space to develop. As Clegg and Gold (2011: 122) argued, “[t]he UK is aware of the importance of maintaining good relations with democratically elected governments ...”, and therefore the UK does not intervene unless it feels absolutely required to do so. Thus, the challenges of democratic reform in both the overseas territories and the independent English-speaking Caribbean states are quite similar – they themselves have to enact change. They need to ensure their political systems are strong enough to withstand the significant internal and external pressures that are being placed upon them. We would argue that more needs to be done to better build and sustain a representative, vibrant, accountable, and transparent system of governance in the territories, and indeed in their independent neighbours.

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