

CARICOM Fifty-Fifty: Prospects for Ideological Shift from Personal to Popular Sovereignty¹

Cincuenta años de CARICOM: perspectivas de cambio ideológico de la soberanía personal a la soberanía popular en los próximos 50 años

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ABSTRACT:

A balance of CARICOM leadership performance through the first 50 years of the organization is presented, focusing on the participation or exclusion of common people in the evolution of the organization and its member states. It is shown that leaderships have been acting as single persons, mainly supported on their individual authority. This behaviour has led to the exclusion of people from the regional integration process since the construction of sovereignty has resulted in the personal sovereignty of political leaders. Limitations and restriction on people mobility within member states, among other issues, have also arisen as a result of this type of leadership in opposition to the declarations of good intentions in this direction. In accordance with the diagnostic, the need of a new agenda pretending to attain the popularisation of the sovereignty of CARICOM is stated as a component to be taken into account in a wide framework in the projection for the next 50 years of the organization. The required agenda should be constructed on the basis of a sovereignty bargain built around some essential features which allow the attainment of a popular sovereignty involving common people and considering simultaneously the regional and national sovereignties.

Key words: CARICOM, personal sovereignty, popular sovereignty, sovereignty bargain, Caribbean.

RESUMEN:

Se presenta un balance del liderazgo la dirección del CARICOM a lo largo de los primeros 50 años de la organización, haciendo énfasis en la participación o exclusión de la gente común en la evolución de la organización y sus estados miembros. Se muestra que los liderazgos han actuado como personas individuales, apoyados principalmente en la autoridad individual. Este comportamiento ha llevado a la exclusión de la gente en los proceso de integración regional ya que la construcción de soberanía ha devenido en la soberanía personal de los líderes políticos. Este tipo de liderazgo también ha dado lugar, entre otras cosas, al surgimiento de limitaciones y restricciones en la movilidad de la gente entre los estados miembros, contrario a las declaraciones de buenas intenciones en este sentido. De acuerdo con el diagnóstico, se establece la necesidad de instaurar una nueva agenda con miras a alcanzar la popularización de la soberanía del CARICOM, como un componente a ser tenido en cuenta como parte de un marco de referencia amplio en la proyección de los próximos 50 años de la organización. La agenda requerida debería construirse sobre la base de un acuerdo de soberanía construido alrededor de algunas condiciones esenciales que permitan el logro de una soberanía popular que involucre a la gente común y que considere simultáneamente las soberanías regionales y nacionales.

Palabras clave: CARICOM, soberanía personal, soberanía popular, acuerdo de soberanía, Caribe.

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INTRODUCTION:

It would appear that sovereignty in the Commonwealth Caribbean has reached a significant milestone. In just a few months, both Jamaica and Trinidad and Tobago will mark 50 years of independence. While the year 2012 gives rise to celebration, it also calls for sober reflection on the state of self-governance and sovereignty—even at a regional level. While the frailty of Caribbean sovereignty at the national level has been given a lot of attention [see (Meeks 2012; Boxill 2005; Munroe 2005). Munroe, Boxill, and most recently Meeks, the latter in relation to the implications of the 2010 Dudas Affair for Jamaican sovereignty], there still remains room for frank analysis of the transfer of that frailty to the regional level, where, an implementation deficit (a feature of stagnation) is evident. Indeed, the projection of a potential collapse of the Caribbean Community (CARICOM) within five years is a reflection of concern about the stagnation and sustainability of Caribbean regional governance (see for example Stoneman, Pollard, and Inniss 2012). The problematic relates to a paradoxical relationship between sovereignty and regionalism in the Caribbean experience – where historically both have emerged from the same shoots of West Indian Nationalism but have evolved to embrace divergent paths to the exercise of power and authority which are difficult to reintegrate. In my view, the inability to manage this paradox and reverse the stagnation arises from a failure of leadership founded on a misconception of sovereignty. That failure extends to the perpetuation of an archaic construction of sovereignty—conceptualised as a “personal sovereignty” of political leaders—which has been evident throughout most of the last 50 years of Caribbean regional leadership. That limited conceptualisation of sovereignty has also served to alienate and exclude people from the regional integration process—effectively denying them the right to claim a Caribbean regional citizenship.

In support of that argument, I will share some preliminary observations about the regional

experience of sovereignty and citizenship in the Caribbean Community (CARICOM). First, I will explore the historical underpinnings of the sovereignty concept and relate this to the theoretical assumptions about its relationship to citizenship and regionalism. Secondly, I will outline the features of the personal sovereignty tradition evident in the CARICOM regional governance framework. Thirdly, I will demonstrate the embeddedness of the tradition by examining the ways in which it has limited rights of regional citizenship and stymied popular participation in regional decision-making. Finally, the paper concludes with brief proposals for an agenda towards the popularisation of sovereignty in support of the next 50 years of CARICOM leadership.

A. Sovereignty, Regionalism and Citizenship

To begin the discussion we must come to understand how sovereignty has evolved to become such an important institution in contemporary governance. In brief, we can summarise the evolution of the concept in three historical periods which have resulted in sovereignty being transformed from a theoretical descriptor for the exercise of power and authority to an international legal institution representing the “totality of rights and duties recognised by international law, as residing in the State” (Crawford 2006, 32). Those three periods are:

1. Initial Conceptualisation: The initial concept of sovereignty, coined by Jean Bodin, provided a framework for support of an ideal order in which absolute political authority would reside with the kings and princes of 16th Century Europe rather than the papal authority of the *Republica Cristiana* (in Boli 2001, 56). *The significant area of attention relates to its description of absolute and autonomous [freedom from external influence] exercise of authority and power.*

2. Popularisation: That initial notion of an absolute authority was thereafter, modified and

exploited over several centuries according changing political context and varying leadership aspirations. This is the phase of evolution which is most critical to my attempt to link sovereignty to citizenship. It was the philosophical debates between the 17th and 18th centuries which deepened the significance of sovereignty by establishing a distinct relationship between the king (as state representative) and the society – two spheres which had previously remained separate. Classic realist theories of state sovereignty, following Bodin's initial framework (including those of Hobbes) had placed no responsibility on rulers to be accountable to 'the people' or to seek their consent to govern. In opposition to that context of unlimited state power, other theorists, particularly Locke and Rousseau, revised the conception of sovereignty by acknowledging the need for a social contract between the state and the people, based on respect for the right of every individual to grant their consent to be governed and to be protected from unjust rule (in Camilleri and Falk 1992; Pierre 2000). Thus, the second stage of sovereignty's evolution – the popularisation of sovereignty – established a link between the will of the people and the legitimacy of state control. The significance of this lies in its representation of a shift from an absolute personal sovereignty of European monarchs to a popular sovereignty held by the people of the state and their representatives. It is that notion which became the hallmark of the French and American revolutions—the legacies of which, buttressed thereafter by European colonial influence, facilitated the almost worldwide adoption, between the 19th and 20th Centuries, of a dominant 'Western' model of representative government in a modern democratic state as well as an international legal order. That is the foundation upon which leaders claim to have built Caribbean independent states. *The important phrases here relate to the legitimacy of sovereignty.*

3. Internationalisation: The popular concept of sovereignty was embedded in international law

– in the third phase of evolution—by reflecting a responsibility of states to provide developmental support – that is, the exercise control of various variables in the interests of the people. *The important issue here is to exercise deliberate control to produce development effect for citizens of the state.*

The state-centric notion of sovereignty began to erode with increasing globalisation and regionalisation of activity from the 1960s period of decolonisation. Sovereignty was now increasingly being manipulated within regional arrangements in order to enhance state capacity to fulfil their international legal obligations. In order to understand this process we must unbundle sovereignty [as would be recommended by (Krasner 1999)] and conceptualise regionalism as a sovereignty bargain. I will make here just a short introduction to the sovereignty bargains framework I have used elsewhere to discuss the implementation deficit. (This framework is an expansion and refinement of the frameworks started by Byers 1991; Litfin 1997; Litfin 1998).

In the past, I have used the analogy of a cocktail to explain how sovereignty bargains provide for the manipulation or reconfiguration of sovereignty towards better development outcomes. One could compare the negotiation of a sovereignty bargain to the mixing of a cocktail comprising various ingredients. Different combinations of the ingredients produce varying levels of consistency, concentration, acidity or sweetness, without compromising the overall integrity of the cocktail. The challenge lies, therefore, in creating a cocktail which satisfies the tastes of the people.

To apply it to the regional integration framework – the challenge is to mix a cocktail of various attributes—autonomy authority, legitimacy, and control should be properly blended in order to meet the development aspirations of the people. The resulting regional integration cocktail should suggest to the people that sovereignty has been enhanced, in spite of whether

larger or smaller measures of each attribute have been retained in the mixture. *The ideal bargain [if we abide by the legacy of popularisation and legalisation of sovereignty] would be to limit the amount of state autonomy [freedom from external influence] in decision-making in order to maximise control [producing a development effect] and legitimate authority [meeting the will of the people through their participation in and influence on the decision-making process].*

Theoretically therefore, sovereignty is intended to enhance citizenship, whether at national or regional level. However, the extent to which the operationalisation of that popular sovereignty is achieved depends, in my view on the interpretations of meaning applied by political elites – in this case, the political leaders of an regional integration movement. The CARICOM to date has not held true to the popular sovereignty concept.

B. The 50-Year Tradition of Personalised Sovereignty

Contrary to the ideal outcome of a sovereignty bargain which I have just outlined, CARICOM governance has reflected, over the last 50 years, a negative outcome whereby the meaning of sovereignty has been completely misconstrued by leaders and a purist (absolutist) conception has taken root. Since 1962, generations of Caribbean leaders have been dedicated to the protection and safeguarding of a particularly divisive notion of absolute sovereignty against the intrusion of non-governmental authority. Their limited construction of the concept reveals a misunderstanding of the multi-dimensional nature of sovereignty as an amalgamation of various attributes of legitimacy, autonomy and control. The leader-centric regime to date has emphasised the authority and control of Heads of Government at the expense of legitimacy, as demonstrated by the exclusion of others from the decision-making process.

Heads of Government have been so prominent in the evolution of the Community as to

suggest that the post-independence political culture has equated national sovereignty with a personal sovereignty (the latter concept was first proposed by Lewis 1991). I argue that this inflexible notion of personal sovereignty has intensified over time and has stymied opportunities for establishment of effective structures for popular participation and partnership.

The main features of the CARICOM Sovereignty Bargain, which reflect this personal sovereignty tradition, are:

1. Maximisation of Autonomy through formal authority: Authority is naturally emphasised as a symbol of the achievement of national independence in constituent members. However, within the Caribbean political culture, authority is invested within individual Heads of Government who are personally responsible for political and socio-economic affairs, including the safeguarding of the purist conception of sovereignty [e.g. the limited legal framework, based on a dualist system has maximised national autonomy in CARICOM; the lack of supranationality has achieved the same effect].

2. Misinterpretation of the Control attribute: Control is perhaps the most important attribute to CARICOM governments because it is conceptualised as a symbol of the authority and autonomy of Heads of Government. In the CARICOM tradition of sovereignty formal authority has been confused with effective control. In theory, control is conceptualised as an ability to produce a developmental effect. In CARICOM, control has been conceptualised as an authoritarian system of supervision by leaders which does not extend beyond control of deliberations and decision-making to embrace effective executive action. In other words, rather than an ability to produce a development effect it is conceptualised as an individual capacity to control the regional decision-making process [e.g.: At the regional level it is translated into various mechanisms which reinforce the authority of Heads above other actors – the prominence of the CARICOM Heads of Government (CHOG); contingent

subordination of other Councils; maintenance of the unanimity rule of decision-making]. However, *actual* control outside the deliberative fora, is not achieved. The capacity for effective control over state and regional affairs remains weak or non-existent. This is in effect the implementation deficit which has been widely studied.

3. A minimisation of Legitimacy and Popular Sovereignty: The people's objectives and development aspirations have been ignored in favour of making the system a personal project of Heads of Government who, once elected, are not held accountable for implementation of regional decisions. Legitimacy is interpreted in a very narrow sense in CARICOM. It is viewed solely in respect of the role of the electoral process in establishing the authority and autonomy of national governments. Beyond the ballot, Legitimacy of regional decision-making and citizen participation is not given high priority. In fact, neither are regional issues a part of national political manifestos nor are citizen rights and aspirations given priority in regional decision-making fora. The limited engagement of the political opposition, business, labour and civil society in the CARICOM system has led to concerns about the legitimacy and relevance of CARICOM decision-making.

Now, I would like to share some examples of the way in which the tradition of safeguarding a personal sovereignty has served to deny Caribbean people access to a regional identity and opportunities to claim the rights accorded to them under the Revised the Treaty of Chaguaramas, and other decisions of the Community.

C. Keeping (Ordinary) people out of the people-focused CARICOM agendas

The personal sovereignty tradition has been so embedded in CARICOM that it has served to undermine the people-focused agendas initiated by leaders themselves. The 1989/1990 period reflects a watershed in the efforts towards popularizing sovereignty in CARICOM governance.

The decisions at Grande Anse in 1989 initiated a process towards the establishment of a Single Market and Economy intended to meet the development aspirations of the people. That was followed by a 1990 *Kingston Declaration on Democracy and Popular Participation* which recognised the rights of the Caribbean citizen within the CARICOM Single Market and Economy (CSME). Heads declared:

“We are determined to strengthen the processes by providing every opportunity for the **full involvement of all our citizens** in the governance of their affairs, in particular the deepening of our integration effort toward the achievement of a truly authentic Caribbean personality. We reiterate our commitment to establishing an Assembly of Caribbean Community Parliamentarians with representatives from both government and opposition members of our Parliaments. This Assembly will be deliberative and consultative and will, we confidently expect, be a powerful influence on the integration movement and on furthering democratic processes in the Region.” (CARICOM Conference of Heads of Government 1990).

How has the personal sovereignty tradition influenced these CSME and popular participation agendas? I intend to look at four areas of keeping ordinary people out of the intended “people-focused” agendas:

1. The CSME Free Movement Agenda:

The Revised Treaty of Chaguaramas speaks a commitment to achieve the free movement of people within the Single Market established in 2006 (see Articles 45 and 46). On paper it represents great potential for consolidating a regional citizenship through building bonds among peoples across state boundaries. However, its operationalisation has, in fact, advanced a limited and elitist conception of citizenship in two main ways. First, it has limited the scope of citizenship by essentially ascribing full free movement only to a limited set of approved

skilled groups interested in exploiting rights of establishment. The ordinary man interested in exploring the region – as a means of cultural and personal integration – does not have full and free movement within the CSME zone. One must provide evidence to national authorities of the purpose of visit and in some instances will not be given the full 30 days leave of stay. The second challenge is that the implementation of free movement where it does exist is uneven and there remains uncertainty about standards of treatment at ports of entry [notwithstanding, the fact that we now await the outcome of the case of Shanique Myrie which is now before the Caribbean Court of Justice (CCJ)].

2. The Consultation agenda:

The operationalisation of consultation in CARICOM has demonstrated the limited influence of Caribbean citizens on regional decision-making. The first approach has been to allow members of what used to be referred to as a Joint Consultative Committee (JCC) to interact directly with Heads of Government at the annual summit. This has since been suspended. My critique is that this preserved the notion of Head of Government control by placing it at this level. Secondly, it limited the interaction to an annual exchange. Thirdly, it included a narrow group of representatives from the Caribbean Congress of Labour (CCL), the Caribbean Association of Industry and Commerce (CAIC) and more recently the Caribbean Policy Development Centre (CPDC). *Where were the ordinary man and woman? Why divorced from umbrella groups? How were their views heard?*

The establishment of the West Indian Commission (WIC) in 1989 is perhaps on the most prominent attempts to solicit the view of the ordinary man on the functioning and evolution of the regional framework. The years of study and popular consultation advanced by the WIC was a positive attempt to provide opportunities for the ordinary man to participate.

Notwithstanding the limitations of reach, the commission approach to consultation has been fairly well applied since 1989, including the establishment of a Commission on Health, 2007 and most recently on Youth Development (2007-2010). These commissions have provided opportunities for useful interactions amongst Caribbean people, raised their awareness of and participation in integration and produced recommendations which reflect their voices and perspectives on regional governance reform. However, the implementation of these recommendations remains elusive –reflecting a disregard for the people. The disregard has even extended to the reception of the recommendations, as illustrated by the case of the CARICOM Commission on Youth Development (CCYD).

Ironically, while the Youth Commission's report documented the voicelessness felt by youth in communities and made recommendations to Heads to rectify this. When a Special Summit was convened to discuss the report in January 2010, Heads failed to seize the opportunity for inclusive governance. The first Special Summit of Heads on Youth was convened in Suriname to provide a forum for exchange between youth and Heads of Government as they received the report of the Commission. Only three of the 19 Heads of Government attended. Few apologies were tendered. At no other Special Summit –a mechanism developed and employed by the Heads themselves for matters they consider to be of paramount importance- has the turn out been so poor. The message it sent was that youth and their concerns are not a priority and certainly youth are not partners in the development process. It led the young people to stage a protest at the start of the Opening Ceremony because of what one youth commentator described as a “callous disregard” inherent in the absence of their leaders (Collins 2010).

The recommendations for reform from the West Indian Commission –contextualized within a “unity among peoples” paradigm– were also largely rejected or poorly operationalised

—including the proposals for an Assembly of Caribbean Community Parliamentarians and a Charter of Civil Society— both of which represent my final two examples of the embeddedness of personal sovereignty (West Indian Commission 1992).

3. The Representation agenda: The Assembly of Caribbean Community Parliamentarians was established in 1994 as a forum for re-integration of popular sovereignty into the governance framework. Article 4 of the Agreement set out the objectives of involving the people and their representatives, including those in opposition, in discussions of regional affairs and in encouraging Member State adoption of coordinated foreign policies and common economic, social, cultural scientific and legal policies (CARICOM Conference of Heads of Government 1992) [though limited by Article 5 which forbids the discussion of any matter falling “exclusively within the domestic jurisdiction” of a Member State or Associate Member State (see Pollard 1997, 224)]. However, its role has now been obscured in the system—as no sittings have occurred since 2000. Prior to that, Caribbean people were detached from their representatives and excluded from their deliberations at its three sittings (1996, 1999, 2000). At its inaugural meeting held in Barbados in May 1996, Guyana proposed a motion on the admission of NGO representatives as observers to the Assembly (Assembly of Caribbean Community Parliamentarians (ACCP) 1996). Having realised the implications of such amendment of the Agreement, for personal sovereignty, including the strong positions held by some government Parliamentarians about the dilution of the Assembly with non-elected representatives, the Assembly rejected the proposal and missed an opportunity for greater involvement civil society. A similar exclusion was initially applied to Opposition parliamentarians. In spite of calls for the strengthening of the ACCP in the most recent round of proposals for governance reform—initiated by the *2003 Rose Hall Declaration*— it appears that the role

of people-representatives in decision-making has been deliberately abandoned—the institution being described by heads themselves in 2010 as “not a priority” for the current agenda.

4. The Partnership Agenda: My final example of the safeguarding of personal sovereignty relates to the treatment of the CARICOM Charter of Civil Society adopted in 1997. The principles outlined in the twenty-seven articles of the Charter covered a wide range of issues including good governance, human rights and respect for cultural and religious diversity (CARICOM Conference of Heads of Government 1997). The Charter intimated a framework for social partnership which would complement other consultative processes and began with the phrase: “We, the People of the Caribbean Community, acting through the assembled representatives of our Governments” which suggested the acceptance of the principles of participation and accountability in governance, as conceptualised in the 1990 Kingston Declaration and elaborated in the 1992 report of the WIC –“Time for Action”. The new social partnership was expected “enhance public confidence in governance, thereby reinforcing the loyalty of the people”, and to secure governmental commitment to “respect and strengthen the fundamental elements of a civil society” (CARICOM Conference of Heads of Government 1997). The Charter called for the institutionalisation of interaction between the CHOG and other Community Organs with the social partners who were identified as those government, employers’, workers’ and other non-governmental associations recognised by Member States more frequent direct consultations between the Joint Consultative Committee and the CHOG on an annual basis and to the convening of a broader regional consultative forum of 150 representatives in 2002 called ‘Forward Together’. However, the Charter’s potential role in regional governance has been limited first, by the inadequacy of the provisions for its implementation—achieved by not making it legally binding; and secondly, by limiting the conception

of people –to approved groups selected by the state-. There is very little information about what has happened to this partnership agenda –notwithstanding the launch of a CARICOM Civil Society Project in 2010.

CONCLUSION

In conclusion, my observations have shown the following:

1. CARICOM has initiated a new fourth phase in sovereignty's evolution –The Personalisation of Sovereignty.
2. The focus of regional governance over the last 50 years has been on consolidating a tradition of personal sovereignty.
3. The tradition has stifled the potential elements for advancing a regional citizenship, by denying or limiting participation rights.

The result of this has been:

- Disregard of People (Exclusion from participation; and even disrespect as in the case of a vulnerable group like youth);
- Disempowerment of People (lack of knowledge; lack of opportunity to participate; lack of knowledge and connection to one another through free movement).

It appears therefore, that one of the priorities for the next 50 years of independence must be to advance an agenda on the re-popularisation of sovereignty at both national and regional levels. The sustainability of CARICOM and the reversal of the current stage of stagnation hinges upon the ability of leaders and citizens to define, apply and sustain a conception of citizenship which promotes a popular sovereignty. Although some have argued for a resolution of the national sovereignty problem prior to the regional one (Meeks 2012), I argue for a concurrent analysis and strategy for two reasons. First, to divorce national sovereignty from regional sovereignty would be an injustice to the historical emergence of the concept in the Caribbean – where regional was national under West Indian Nationalism.

Secondly, and perhaps more fundamentally, it is in fact regional CARICOM Summits, Conferences and Caucuses that have served to reinforce restrictive conceptions of sovereignty. In other words, personalised sovereignty, which I will admit also exists at the national level, finds expression at a collective level among 15 – 19 Heads of Government, thereby lending a perverted notion of legitimacy to the personal sovereignty tradition.

Of course, I have assumed that people still want to participate, in a context where greater levels of frustration with CARICOM are being expressed by citizens, especially youth. However, I believe there is potential for analysis of the skeletons of the structures for popular participation which already exist, in order to give the Charter, the Assembly and other participatory mechanisms new flesh – to invigorate popular interest and commitment to the movement. Short-term initiation of a shift from personal to popular sovereignty is of paramount importance in leading CARICOM into the next half-century of independence.

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