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CABINET

DEFENCE AND OVERSEAS POLICY COMMITTEE

BILL FOR THE SEPARATION OF ANGUILLA FROM THE ASSOCIATED STATE OF ST KITTS-NEVIS (AND FOR ITS SUBSEQUENT ADMINISTRATION AS A SEPARATE DEPENDENT TERRITORY)

Memorandum by the SECRETARY OF STATE FOR FOREIGN AND COMMONWEALTH AFFAIRS

- 1 Immediately after the Associated State of St Kitts-Nevis-Anguilla was formed in 1967, under the West Indies Act of that year, Anguilla rebelled against the St Kitts Government. Anguillan antipathy to St Kitts dates, however, from the last century. Largely because the island is 70 miles from St Kitts, the Government there have never satisfactorily been able to impose their authority. A history of the developments between 1967 and 1979 is at Annex A.
- 2 After 1969 (since when Anguilla has been administered, in effect, as a separate dependent territory of the United Kingdom), it became increasingly evident that formal separation of the island from the Associated State was the only practical course, if its

own constitutional development or that of St Kitts-Nevis was not to be inhibited. Until 1978 the major obstacle to separation was the opposition of the former Premier of St Kitts, Mr Bradshaw. Had Anguilla been separated without his agreement, he would undoubtedly have sought to isolate the island politically and economically and used his considerable influence to prevent it from benefiting from regional aid. After his death in May 1978, however, negotiations became possible with his successors, who accepted the principle of separation.

3 Separation can be achieved either by :-

- a) a motion in the St Kitts Legislature which would then enable HMG to proceed by Order in Council. or
- b) an Act of the UK Parliament separating Anguilla and providing for its separate administration as a dependency.

4 In constitutional talks in London in December 1979 between HMG and representatives of the then St Kitts Government, an agreement was reached under which the latter was committed to the introduction of the necessary separation motion in the St Kitts Legislature in 1980. The Anguilla Government was so informed by HMG. Before taking the necessary steps, however, the St Kitts Premier (Mr Lee Moore) called a general election, in February 1980, as a result of which his Labour Party was

removed from office and replaced by a coalition of the People's Action Movement (PAM) and the Nevis Reformation Party (NRP) led by the PAM's Leader, Dr Kennedy Simmonds.

5 Dr Simmonds had indicated before the election that he would honour Mr Moore's commitment on Anguillan separation. But he has now stated that while he is in no way opposed to the separation, he cannot put his own administration at risk by placing the issue before the St Kitts Legislature for action. His political survival depends on retaining the support of the two NRP members of his coalition. They remain publicly committed to the eventual secession of Nevis. Dr Simmonds intends to work - through the coalition - for such an improvement in relations between St Kitts and Nevis that the Nevisian electorate might begin to take a different view of secession; this is a welcome objective from HMG's point of view since we wish to avoid any further fragmentation of the Associated State beyond that necessary to deal with the special problem of Anguilla. Dr Simmonds is therefore unwilling to risk the almost certain collapse of his coalition by facing his Nevisian colleagues with a vote on Anguillan separation now or in the foreseeable future. Furthermore it is his judgement that the Labour Party members, despite their previous commitment to separation, could not be trusted not to oppose it now simply to embarrass the Government. We have no way of forcing the St Kitts Government to act on this matter. But Dr Simmonds

has assured the British Government Representative that he has no objection to our taking action unilaterally and he has told the Anguillan Government that he would welcome such a move. In the light of this the Anguillan Government is pressing very strongly that HMG should now take such unilateral action in order to fulfil its obligations to Anguilla.

6 Although until last month's St Kitts elections forestalled our efforts we had hoped to avoid taking up Parliamentary time with this issue, there is now no alternative to the introduction of a Bill. This will, however, be a non-controversial and very short piece of legislation which, in effect, will put on a de jure basis the separation of Anguilla which has existed de facto for many years. I am assured that the measure will have the support of the Opposition, since it represents the achievement of an objective we share with them.

7 There is, however, a degree of urgency. To fail to honour at this stage our commitment to Anguilla could have dangerous consequences. An election is due in Anguilla by the end of May. If Mr Gumbs (the present Chief Minister) is obliged in his campaign to go back on his promise to his people of formal separation this year there would be a very real threat of unrest. Mr Webster, the former Chief Minister, would have no compunction in resorting to violence again if he thought it would restore him to power. Any further delay in separating Anguilla would be his strongest card.

8 In these circumstances I invite your agreement to my proposal that legislation to facilitate Anguillan separation should be introduced in Parliament in the current session. I hope that approval can be given out of committee by 2 April but if any of my colleagues wish to discuss the matter there would be an opportunity to do so that day. (population about 6,500 of St Kitts about 35,000 and Nevis about 12,000). The Anguilla Act of 1977 made these temporary arrangements permanent after it had become clear that the Anguillians wished to preserve a direct relationship with Britain. A new constitution was drafted for Anguilla in 1976, overriding but not annulling the constitution of the Associated State, the formal integrity of which was thus preserved.

2 The former Premier of St Kitts, Mr Bradshaw, could never bring himself to accept the reality of Anguilla's separate status and wanted to bring St Kitts-Nevis-Anguilla to independence as a unitary state, a proposal which was unacceptable to Anguilla. His colleagues felt this strongly but would not challenge his views. The Anguillians, on the other hand, made it clear that they would

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proposed to incorporate Anguilla into an independent state. Mr Bradshaw would have been no more able to impose his authority on Anguilla than he had been in 1967.

ANNEX A

ANGUILLA SINCE 1967

1 Repeated attempts by the British Government after 1967 to reconcile the differences between St Kitts and Anguilla failed. In 1969 a British Commissioner was installed (with the State Government's agreement) to administer Anguilla (population about 6,500 cf St Kitts about 35,000 and Nevis about 12,000). The Anguilla Act of 1971 made these temporary arrangements permanent after it had become clear that the Anguillans wished to preserve a direct relationship with Britain. A new constitution was drafted for Anguilla in 1976, overriding but not annulling the constitution of the Associated State, the formal integrity of which was thus preserved.

2 The former Premier of St Kitts, Mr Bradshaw, could never bring himself to accept the reality of Anguilla's separate status and wanted to bring St Kitts-Nevis-Anguilla to independence as a unitary state, a proposal which was unacceptable to Anguilla. His colleagues felt less strongly but would not challenge his views. The Anguillans, on the other hand, made it clear that they would resist by force any attempt to incorporate Anguilla into an independent state and Mr Bradshaw would have been no more able to impose his authority on Anguilla than he had been in 1967.

3 The British Government discussed with Mr Bradshaw constitutional devices for separating Anguilla in a way in which he might find acceptable, but no conclusions had been reached when he died in May 1978. His successors, however, agreed to the principle of Anguilla's formal separation from the Associated State. This has always been in any case a practical necessity before St Kitts-Nevis could proceed from Associated Statehood to independence. The Anguillans, moreover, will never accept rule from St Kitts either as an Associated or an independent State.

4 Prior to February 1977 the leading political figure in Anguilla had been Mr Webster who led the 1967 revolt and subsequently held unofficial referenda which resulted in an overwhelming vote in favour of secession from St Kitts. From 1971 to 1976 Mr Webster led the Elected Council and was thus Chief Adviser to HM Commissioner. Under the 1976 constitution he became Chief Minister until his removal from office by HM Commissioner in February 1977 after a vote of no confidence in the Legislature. His subsequent campaign to regain power, by exploiting the continued desire of Anguillans for complete separation from St Kitts and by playing on their fear that the British Government might force Anguilla to independence as part of an independent St Kitts-Nevis-Anguilla, led to a series of violent incidents in 1977 including an attack on HM Commissioner's residence.

5 Under Mr Webster's successor as Chief Minister, Mr Gumbs, Anguillan Ministers remained generally patient over the issue of

formal separation. They accepted assurances in 1979 from successive British Governments that HMG would "resolve outstanding constitutional issues" affecting Anguilla by the end of 1979. Mr Gumbs had interpreted this as meaning that a decision would be made by then on a definite date and method of separation. Rumours of Anguillan involvement in an alleged plot against the then Premier of St Kitts, Mr Moore, in October 1979 led Mr Gumbs, however, to demand formal separation by 31 December 1979 of Anguilla from St Kitts-Nevis if the latter did not immediately go to independence.

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