

The Road to Republicanism in the English-Speaking Caribbean

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Abstract: *Each of the original ceremonial presidencies in the English-speaking Caribbean adopted republicanism at very different stages of their constitutional development. Guyana had been independent for just four years before it became a republic in 1970. Trinidad and Tobago had been independent for over a decade when it became a republic, while Barbados had been independent for over half a century before it switched to republicanism. In contrast to these other republics, Dominica embarked upon independence as a republic. This article explores the growth of republicanism across the region, examining the very particular social, political, and historical context in which each of these countries became a republic, with a view to identifying the factors that drove each to adopt a republican system of government. Then, focussing on Jamaica as a case study of the challenges that lie ahead, it considers the likelihood of the remaining realms in the region becoming republics should they wish to do so.*

Keywords: ceremonial presidencies, constitutional reform, governor-generals, hybrid presidential-parliamentary presidencies, realms, republics.

The recent success of Barbados in transitioning to a republic in 2021, replacing the Queen with a president as its head of state, has been accompanied by a series of events both within and without the English-speaking Caribbean (ESC) that have given momentum to the republican cause. These include the killing of George Floyd in the United States of America (USA), catapulting the Black Lives Matter movement to the forefront of public discourse about racism; the toppling of historic monuments to colonialism, such as the Edward Colston statue in Bristol; the Windrush scandal in the United Kingdom (UK), which involved the unlawful detention and deportation of hundreds of British citizens who had emigrated lawfully to Britain from the Caribbean in the 1960s; and the fallout from Meghan Markle's treatment by the Royal Family amid allegations that the Royal Family was racist (Blake-Hannah 2023). The cumulative impact of these events was clearly reflected in the anti-monarchical sentiment that was evident throughout the disastrous royal tour of the Caribbean by the Duke and the Duchess of Cambridge in March 2022. The following month, the Earl and the Countess of Wessex's equally disastrous jubilee tour of the region encountered protests outside the Governor General's Office in

Saint Lucia, demanding reparations for slavery, and their planned visit to Grenada had to be abandoned (Das 2022).

These events have led many to predict that the remaining monarchies in the region would shortly become republics. For example, Sir Ronald Sanders, one of the most respected political commentators in the region, has declared that by 2030, “it is more than likely that the eight independent Commonwealth countries in the region which are still monarchical states, with Queen Elizabeth II as their Sovereign, will become republics” (Sanders 2022). Since this bold prediction, there has, of course, been the death of Queen Elizabeth II and the accession to the throne of her son, Charles III. This, it is claimed, has given even greater impetus to the republican movement in the region (Titterton 2022). For example, Cindy McCreery argues that as the importance of the monarchy dwindled across the Commonwealth, many constitutional monarchies, like New Zealand, “hung on because they held the Queen personally in high respect” (Gunia 2022). However, she predicts that, particularly for countries in the Caribbean with their very painful legacy of British slavery, the Queen’s death means that they are “more likely to be among the states that choose to become republics” (Gunia 2022).

Tempting as it may be to view the ESC as a beacon for those other realms within the Commonwealth that may be considering abandoning constitutional monarchy following the Queen’s death—Australia, Canada, New Zealand and the Pacific islands of Papua New Guinea, the Solomon Islands, and Tuvalu—the history of republicanism in the ESC suggests that the route to republicanism is far from straightforward. The purpose of this article is to interrogate this history with a view to identifying the challenges that lie ahead for the remaining realms in the ESC that wish to become republics. The article is in three parts. Firstly, I will begin by examining the three models of republicanism that have thus far been adopted in the region, ceremonial, executive, and hybrid presidential-parliamentary models; comparing and contrasting the status and functions of the region’s presidents with those of its governor-generals (who serve as the monarch’s representative in the surviving realms). Secondly, I will explore the origins of republicanism in Guyana, Trinidad and Tobago, Dominica, and Barbados, highlighting the very particular combination of social, political, and constitutional factors that enabled them to transition to republicanism. This will inform the discussion in the final part of the specific challenges facing the remaining eight constitutional monarchies in the region that are contemplating becoming ceremonial republics, focussing on Jamaica as a case study of the constitutional and political obstacles that they will need to overcome to secure this objective.

CARIBBEAN REPUBLICS AND REALMS

Republicanism, defined for present purposes as a system of government in which the head of state is a president rather than a hereditary monarch, may take a variety of forms. At one end of the spectrum lie those republics (such as Ireland) that cleave to the parliamentary model where the president, most commonly elected by the legislature, is largely a figurehead, signifying national unity and performing essentially ceremonial duties while executive authority is vested entirely in a government accountable to parliament, meaning that parliament can remove the government with a vote of no-confidence (ceremonial republics). At the other end of the spectrum are those republics (such as the USA) in which the president, who is elected independently of the legislature, is also the head of the executive branch of government (executive republics). Between these opposing ends of the spectrum are semi-presidential systems (such as France), which include both a popularly elected president and a government (comprising a prime minister and cabinet) accountable to parliament (semi-presidential republics).

So far as republicanism has made inroads in the ESC, it is the ceremonial variety that has thus far prevailed: Three out of the four republics in the region—Barbados, Dominica, and Trinidad and Tobago—may be classified as ceremonial republics, albeit with the qualification that the powers of the presidents of Dominica and Trinidad and Tobago are wider in certain respects than those of the president of Barbados. Moreover, the fourth republic in the region, Guyana, was originally a ceremonial republic, having replaced the Queen with a president as the head of state in 1970, four years after independence. However, as we shall see, it converted to an executive presidency in 1980 and then to a hybrid presidential-parliamentary model in 2000.

Ceremonial republicanism

In the region's ceremonial republics, the UK monarch has been replaced as the head of state with a president elected for a fixed term (usually five years, but four years in the case of Barbados). With the exception of Trinidad and Tobago, where there are no limits, presidents may serve for a maximum of two terms. However, executive authority remains vested in a prime minister and cabinet accountable to parliament in accordance with the so-called Westminster model. Hence, they may be distinguished from an executive presidency where the head of state and the head of government are the same.

In Trinidad and Tobago, the president is elected by a secret ballot of an electoral college (consisting of all members of the House of Representatives and the Senate). The candidate who is unopposed or who obtains the greatest

number of votes is elected president. In Dominica, the prime minister is required first to consult with the leader of the opposition. If they agree upon a candidate, the Speaker of the House of Assembly notifies the House and declares that person duly elected. If they do not agree, one or more candidates may be nominated by the prime minister, the leader of the opposition, or any three members of the House, and the House decides by secret ballot. In Barbados, the process is somewhat more complex. The prime minister and the leader of the opposition jointly nominate a consensus candidate, and that candidate is then elected without a vote unless any member of parliament lodges their objection. If an objection is lodged, the joint sitting is suspended, and the two Houses of Parliament, the Senate, and the House of Assembly meet separately, and each votes on accepting or rejecting the nominee. A two-thirds majority of valid votes in each House separately is then required to elect a candidate on all rounds of balloting. If no consensus candidate is nominated by the sixtieth day before the end of the incumbent's term, the election is opened to other candidates.

While in each of the ceremonial republics, a president may be removed from office before the expiry of their fixed term, this can occur only if, following investigation by an independent tribunal, it is found that they have wilfully violated any provision of the constitution; have behaved in such a way as to bring their office into hatred, ridicule or contempt; have behaved in a way that endangers the security of the state; or, because of physical or mental incapacity, are unable to perform the functions of their office. Even then, their removal must be supported by not less than two-thirds of the total membership of the legislature.

Thus, the region's ceremonial presidents enjoy a measure of security of tenure that is not granted to the region's governor-generals. The latter are appointed by the king on the advice of the prime minister of the country concerned and may be removed without cause by the king, again on the advice of the prime minister of the country concerned. The security of tenure enjoyed by the region's ceremonial presidents arguably means that they are better placed to resist pressure from their prime ministers when performing those constitutional functions where they are allowed to use their own discretion when deciding how to act, such as choosing the party leader who commands the support of a majority of the elected members of the legislature when appointing the prime minister, selecting a small number of senators, and in the case of Trinidad and Tobago and Dominica, appointing a wide variety of the high offices of State, such as Chief Justice, Auditor-General, Ombudsman, and members of the Service Commission, the Public Service Appeal Board, and the Integrity Commission, following consultation with the prime minister and leader of the opposition. However, in the main, ceremonial presidents are as constrained as governor-generals

when performing their most important constitutional functions (such as assenting to legislation, appointing ministers, and proroguing or dissolving parliament), being required on such occasions to act in accordance with the advice of their prime minister. This suggests that the transition from constitutional monarchy to republicanism, while having undoubted symbolic significance, has very little impact on the overall governance of these new republics.

Hybrid presidential-parliamentary republicanism

As noted above, Guyana was originally a ceremonial republic but converted to an executive presidency in 1980, following a referendum in 1978, widely believed to have been “rigged” by the government (James and Lutchman 1984, 61), which allowed future amendments to the constitution to be enacted without needing the prior approval of a majority of citizens in a referendum.

The reasons for the transformation from a ceremonial to an executive presidency are contested. According to the governing People’s National Congress (PNC), this was necessary in order to achieve their objective of transforming Guyana into a “Socialist Cooperative Republic.” However, according to their opponents, it was to concentrate even greater powers in the PNC’s leader, Forbes Burnham, and to release him from accountability to parliament.

In 2000, Guyana transformed once again from an executive to a hybrid presidential-parliamentary model of republicanism, upon the recommendation of the Guyana Constitutional Review Commission, which had been established as part of the Herdmanston Accord—an agreement intended to bridge the political impasse between the governing and opposition parties following the disputed outcome of the 1997 elections. Under the hybrid presidential-parliamentary model, there is one election for both the president and the National Assembly based on a party list system. Thus, the nominated presidential candidate of the party that wins the largest number of votes in the election is appointed as president. In turn, the president appoints an elected member of the National Assembly to be their prime minister. The prime minister serves as the president’s principal assistant and is the leader of government business in the National Assembly.

While supreme executive authority remains vested in the president, the president’s hold on office is much more precarious than is usual under the semi-presidential system (Ghany 2020, 6). This is because of an amendment to the constitution in 2000, which reinstated the president’s accountability to parliament. As a result of this amendment, the entire cabinet, including the president and prime minister, must resign if the government is defeated by

the vote of a majority of all the elected members of the National Assembly, as occurred in 2018. Nevertheless, Guyana's hybrid presidential-parliamentary system is very much an outlier in the region, and to date, no other country in the region has been tempted to adopt this model. For this reason, I propose, for the remainder of this article, to focus on ceremonial republicanism, which is the version most likely to be adopted by the other countries in the region that are currently contemplating abandoning constitutional monarchy in favour of republicanism.

THE HISTORY OF CEREMONIAL REPUBLICANISM IN THE ESC

Each of the ceremonial presidencies in the region adopted republicanism at very different stages of their constitutional development. Guyana had been independent for just four years before it became a ceremonial republic in 1970. Trinidad and Tobago, which was next in line, had been independent for over a decade—fourteen years—when it became a republic, while Barbados had been independent for over half a century—fifty-five years, to be precise—before it switched to republicanism. In contrast to these other republics, Dominica actually embarked upon independence as a republic in 1978.

The origins of republicanism in the ESC

Guyana

In contrast to many of their contemporaries elsewhere in the region, who could be characterised in Gordon Lewis's memorable phrase as "Royalist-Loyalist[s]" (Lewis 2004, 207) committed to "the benevolent despotism of the British monarchy" (Millette 2004, 204), the leaders of the two main political parties in what was then known as British Guiana—Cheddi Jagan, leader of the People's Progressive Party (PPP), and Forbes Burnham, leader of the PNC—were unapologetic republicans. Not only were they much more left leaning than most of their contemporaries, advocating "a just socialist society" (Jagan 1995), but their experience of colonial rule was quite different. Both Jagan and Burnham had been members of the governing PPP (Jagan had been Prime Minister and Burnham his Minister of Education) when the constitution was suspended in 1953 by the British government on the ground that the PPP was seeking to establish a communist regime. As a result of the suspension, Jagan and his fellow ministers were removed from office just six months after the PPP had won eighteen of the twenty-four seats in the new House of Assembly in an election that was the first to be held under universal suffrage. Thereafter, Jagan, his wife, and a number of other PPP members were imprisoned for alleged breaches of security regulations. In the light of their experience of colonial rule and their republican principles, it

is reasonable to ask why Guyana's political leaders chose, then, not to adopt a republican model for independent Guyana. After all, by this point, there were already several examples of former British colonies that had become republics while remaining members of the Commonwealth. In some cases (such as Cyprus [1960]), these countries had embarked upon independence as republics or became republics shortly after attaining independence, such as Ghana (1960), Tanginikya (now Tanzania) (1961), Nigeria (1963), and Kenya (1964). To answer this question, it is necessary to say something about the political backdrop to the Independence Conference that took place in London in November 1965.

Before the conference could take place, the British government had insisted that there should be a general election and that the election should be held under a system of proportional representation. Jagan was opposed to both suggestions. As to the first, he believed that, having recently won the 1961 elections, he already had a mandate to seek independence. As to the second, he was opposed to proportional representation on the principled ground that it was not the electoral system of choice in the UK and had already been declared as unsuitable for British Guiana by the former colonial secretary, Iain MacLeod, at an earlier constitutional conference in 1960. No doubt, he was also concerned for self-interested reasons that the introduction of proportional representation would decrease his chances of winning any future elections.

Notwithstanding Jagan's protests, the elections were held in December 1964 against a background of widespread political unrest and civil disorder that led to the declaration of a state of emergency and the arrest and detention of thirty PPP legislators and activists, inflicting serious damage to the party and restricting its capacity to act (Quinn 2014). Though the PPP won the largest number of seats in the elections,¹ a coalition of the PNC, which won twenty-two seats, and the conservative United Front (UF), led by Peter D'Aguiar, which won seven seats, secured the majority of seats in the Legislative Assembly and proceeded to form a coalition government.

Angered by the continued detention of a number of his party's leading politicians and the decision to impose a system of proportional representation upon his country, which he described as "the most unprincipled decision in the long history of colonialism" (Wallace 1964, 527), Jagan took the fateful decision on behalf of the PPP to boycott the Independence Conference in 1965. He also declined to comment on the draft constitution that had been prepared by the attorney general and upon which the PNC and the UF broadly agreed (Collins 1966, 265). As a result, he was unable to influence the discussions that took place during the Independence Conference or the

1 The PPP won twenty-four seats.

compromise brokered between the PNC and the UF regarding independent Guyana's republican status. While Burnham was in favour of Guyana entering independence as a republic, his coalition partner, Peter D'Aguiar, insisted that Guyana should become a constitutional monarchy, similar to Canada. If Cheddi Jagan had not decided to boycott the conference, he would have been able to support Burnham's preference for becoming a republic immediately. However, in Jagan's absence, Burnham was keen to avoid a split with the UF on this issue lest it would result in the postponement of independence. Accordingly, a compromise was reached, and the constitution approved at the conference made provision for Guyana to become a republic by a simple majority vote of the National Assembly, following elections to be held at the end of the normal term of the existing National Assembly, provided that a motion to become a republic had been served three months prior to the elections (Article 73, Section 5).

According to Burnham, the purpose of this motion, which was duly served three months prior to the elections that took place in December 1968, was "to give the electors of Guyana an opportunity at the election, either directly or inferentially, to express their preference for a monarchical or republican system" (Lutchman 1970, 98). Accordingly, the subsequent victory of the PNC at the elections was seized upon by Burnham as a mandate from the voters to effect the change from a monarchical to a republican system. Notwithstanding the opposition of the UF who had urged the electorate not to vote for a "lawless republic" (Lutchman 1970, 98), the PNC succeeded in winning thirty of the fifty-three available seats in an election that was widely believed to have been rigged—following the removal of control of and responsibility for the electoral machinery from the independent Elections Commission and the introduction of postal and overseas voting, both of which were ripe for subversion (Americas Watch 1985). The PNC thus had more than enough seats for the simple majority vote required to transform Guyana into a republic.

The governor-general was duly replaced by a president who must be at least forty years old, have Guyanese citizenship, be qualified for membership of the National Assembly, and be elected by a simple majority of the National Assembly. However, the powers of the president were no different from those of the governor-general whom he replaced. This begs the question of why the PNC was determined to effect this change so soon after independence. According to Burnham, this was because there was "an undesirable incongruity [in] having the Queen of Britain [also] the Queen of Guyana" (Burnham 1969). The replacement of the Queen with a locally elected president signified "a further step in the direction of self-reliance" (Burnham 1969). As the minister of information further explained, the close historical association of the Queen with colonialism meant that

her replacement with a president was a necessary change for meaningful decolonisation in Guyana:

The British Crown is the symbolic head of Great Britain and it is from that country we have struggled so long for our independence. It may be that some very few among us still accord the British Crown a position of high idealism. But I cannot recall the British Crown successfully raising its voice in a public forum in protest against British colonialism imposed upon millions of us across the world who now struggle to make our way as independent peoples. The fact that the British Crown today does not control the political decision of the British Government hardly seems an argument in favour of our retaining allegiance to it, however symbolic that allegiance may be. (Carter 1969)

The removal of the Queen from the constitution was accompanied by the removal of portraits of members of the British Royal Family from the chamber of the National Assembly to a special place in the country's museum to remind the Guyanese "of a past to which we will never return" (Vide 1969).

Trinidad and Tobago

While Trinidad and Tobago's prime minister at the time of independence, Eric Williams, agreed to the Queen's position as the head of state being one of the more deeply entrenched provisions of Trinidad and Tobago's independence constitution, this was mainly as a concession to the opposition Democratic Labour Party (DLP) to secure their support for the new constitution. Williams was never as enthusiastic about constitutional monarchy as contemporaries such as Norman Manley (Lindsay 1975, 100–101) and Alexander Bustamante (Mawby 2012, 46) in Jamaica or Errol Barrow in Barbados. Instead, Williams tended to downplay his country's association with the royal family: in Trinidad and Tobago, the Queen's birthday was not celebrated, and "God Save the Queen" rarely played. Indeed, following the announcement that Nigeria would shortly become a republic, only a year after Trinidad and Tobago had gained independence, Williams boldly declared to the British High Commissioner that there would also be a majority for Trinidad and Tobago to become a republic were a referendum to be held and were the governing People's National Movement (PNM) to throw its weight behind the proposal (Murphy 2013, 95).

Though the issue of Trinidad and Tobago becoming a republic was again raised at the PNM's annual convention in 1969, it did not generate a great deal of public interest, and nothing came of the proposal. However, by this point, a new kind of postcolonial nationalism was emerging in the region, inspired by the Black Power movement in the USA. There were

then calls for a decisive break with the “historically white and racist imperial past” (Quinn 2014), thereby focussing attention on the institution of the monarchy and portraying it as a symbol of colonial oppression (Murphy 2013). According to Philip Murphy, Williams, the author of *Capitalism and Slavery*—a coruscating critique of the economic benefits enjoyed by Britain as a result of sugar and slavery in the Caribbean—and one of the foremost champions of Caribbean nationalism, then found himself being portrayed as “nothing more than a black puppet of white economic interests” (Murphy 2013). In particular, Williams’s inaction on the issue of republicanism created a perception of “continuing allegiance to an absentee European monarch” (Murphy 2013) that further undermined his credentials as the champion of Caribbean nationalism.

Williams’s reputation was to take a further battering as a result of two events that were to prove pivotal in terms of Trinidad and Tobago’s progress to becoming a republic. The first was the so-called February (or Black Power) Revolution of 1970 (Samaroo 2014, 97–116), which lasted for three months, between February and April 1970. During this period, Trinidad and Tobago was overwhelmed by a series of mass public demonstrations and marches, involving thousands of protesters. The protests were finally quelled only following a declaration of a state of emergency on 21 April 1970. The second pivotal event was the 1971 elections, which were boycotted by all the main political parties, with the exception of the PNM. As a result, only 32% of those entitled to vote did so, enabling the PNM to secure all of the seats in the House of Representatives. Williams’s response to these events was the establishment, in June 1971, of a Constitution Commission (the so-called Wooding Commission, named after its chair, the chief justice, Sir Hugh Wooding) to review the country’s 1962 independence constitution and to make recommendations for its reform “with a view to encouraging the maximum participation of citizens in the political process” (Constitution Commission of Trinidad and Tobago 1974).

In dealing with the specific question of whether Trinidad and Tobago should become a republic, the Wooding Commission (Constitution Commission of Trinidad and Tobago 1974) noted that there had been almost unanimous agreement about this issue among those making submissions to the Commission. In the Commission’s view,

[This] is no more than an expression of the fact that independence must involve the creation of indigenous symbols of nationhood. Among young people in particular the British Sovereign has no symbolic meaning. The thrust since Independence has been towards the discovery of a new identity which involves leaving behind the colonial heritage of subjection, imitation and external dependence. The oath which the Governor-General now takes on assuming office brings the problem sharply into focus. He swears

to be faithful and bear true allegiance to HM the Queen. To most ears this is anachronistic. His oath quite obviously should be faithfully to serve the people of Trinidad and Tobago and to defend and uphold its Constitution. (Constitution Commission of Trinidad and Tobago 1974, paragraph 138)

Though Williams had no difficulty in accepting the Wooding Commission's recommendation that Trinidad and Tobago should become a republic, albeit he did not agree with the Wooding Commission's proposal that local government authorities should be included in the Electoral College that was responsible for electing the president, he vehemently opposed to implementing the Commission's other recommendations: in particular, the introduction of proportional representation and the abolition of the Senate. Therefore, he established a Joint Select Committee (JSC) of parliament to make fresh recommendations for constitutional reform. In the event, most of the provisions of the draft constitution that had been proposed by the Wooding Commission were replicated in the 1976 republican constitution that was eventually adopted, except for the abolition of the Senate, the introduction of proportional representation, and the inclusion of the local government authorities in the Electoral College.

Dominica

The conversion of Guyana and Trinidad and Tobago to republican status while remaining members of the Commonwealth meant that this became a viable option for the remaining colonies in the region that were still to negotiate the terms of their independence. However, there was little enthusiasm for republicanism among these remaining colonies. For example, the report of proceedings at the Independence Conference of Saint Vincent and the Grenadines in 1978 noted that there was no evidence of any popular desire to depart from the existing monarchical system, "which appeared to accord with the wishes of the majority" (Report of the St. Vincent Constitutional Conference 1978). Similarly, the report of proceedings at the Independence Conference for Saint Lucia in 1978 also noted that the consensus view, as reflected in the report of the Select Committee of the Saint Lucian Parliament, was that Saint Lucia should remain a constitutional monarchy (Report of the St. Lucia Constitutional Conference 1978). In Dominica, too, the government delegation at the Independence Conference in London in 1977, led by Colonel Patrick John of the Labour Party, claimed that it was the wish of the majority of people in Dominica that the Queen should remain the head of state (Report of the Dominica Constitutional Conference 1977).

The only dissenting voice was Eugenia Charles of the Freedom Party, who led the opposition delegation at the Independence Conference for Dominica.

Charles wanted Dominica to enter independence as a republic. However, Charles's republicanism was not motivated by anti-colonial sentiment: She wanted Dominica to have an executive-style president because she believed it was the best safeguard against the dominance of the executive that had characterised self-government in the ten years that Dominica had been an associated state. Also, she believed that having a purely ceremonial head of state was an expensive luxury that Dominica could ill afford. Therefore, she proposed that Dominica should have a president who would preside over the House of Assembly (the Assembly) with responsibility for defence, internal security, and foreign affairs (Report of the Dominica Constitutional Conference 1977). In addition, she proposed that the president would have "the right to delay for one month or to the next sitting of the Assembly any Bill which in his opinion affects special interests which have not had the opportunity of making their views known" (Report of the Dominica Constitutional Conference 1977). In turn, the Assembly would have the right, by a vote of 75% of its members, to veto any decision by the president (Report of the Dominica Constitutional Conference 1977).

Because it proved impossible to resolve this issue and a number of other differences between the government and opposition delegations, the chair of the 1977 Independence Conference, Evan Luard, concluded that the British government should proceed on the basis of the proposals put forward by the government delegation. However, he suggested leaving it open to the opposition to canvass their counter-proposals to the Dominica Assembly when the time came for it to consider the proposed constitution and to propose amendments to its terms if it so wished.

Subsequently, however, following a visit to Dominica by a senior official from the Foreign and Commonwealth Office, both the government and opposition indicated that they had modified their views on whether Dominica should become a republic. For its part, the government was then prepared to accept a republican system with an essentially ceremonial president, but who would be given certain responsibilities; for example, the appointment of chairmen of various commissions, such as the Public Services Commission (Dominica Termination of Association 1978).² Eugenia Charles had also withdrawn her demand for an executive-style president, having recognised that "divided executive responsibility might be unworkable" (Dominica Termination of Association 1978). Instead, she was content for the president's powers to be restricted to non-executive matters. As a result of these modifications, there was then no substantial divergence of view between the government and opposition about the question of

2 Miscellaneous No. 20 (1978): Dominica Termination of Association, July 1978, Cmnd. 7279. London, HMSO, 1978, 5.

whether Dominica should have a president or about the powers and duties of the president.

Nevertheless, there remained a significant difference of opinion about the method for electing the president. The government proposed that the president should be chosen by agreement between the prime minister and the leader of the opposition, subject to formal endorsement by the Assembly. If agreement could not be reached between the prime minister and the leader of the opposition, the matter would be decided by a vote of the Assembly. However, the opposition were concerned that this would lead, in effect, to the appointment of a president who would be a government sympathiser and could result in potential bias regarding the appointment of chairmen of independent bodies, such as the Public Service Commission and Electoral Commission. Instead, they wanted the president to be elected by popular ballot in direct elections unrelated to elections to the Assembly. They believed that only in this way would the independence of the president be assured. In the alternative, the opposition argued that the election of the president should at least be by secret ballot.

While the government could not be persuaded to accept a directly elected president on the basis that this could lead to misconceptions about the president's powers, it was prepared to concede to the election of the president by a secret ballot of the Assembly in default of agreement between the prime minister and the leader of the opposition, thus satisfying the minimum requirements demanded by Eugenia Charles. However, even this concession was not sufficient to persuade her to commit her party to the draft constitution (Dominica Termination of Association 1978). Thus, Dominica proceeded to independence as a republic but without the official approval of the opposition.

Barbados

In 1979, just over a decade after independence, the Cox Commission on constitutional reform considered the question of whether Barbados should join Guyana, Trinidad and Tobago, and Dominica in becoming a republic (Constitution Commission of Barbados 1979). The Commission's detailed consideration of this issue offers a fascinating insight into attitudes towards the monarchy in Barbados in the immediate post-independence era. As the Commission's report acknowledged, support for the monarchy had waned considerably since independence. This waning of support was due to a diverse range of factors but, principally, due to the perception that Britain was a racist society. This perception had much to do with racial tensions in the UK, following Enoch Powell's infamous "Rivers of Blood" speech and the rise of the National Front, a far-right, white-supremacist party that

reached the height of its electoral support in the mid-1970s when it was the fourth-largest party in terms of its vote share. The issue of race was also at the core of a new local culture, influenced not only by the Black Power movement that had spread from the USA to the Caribbean but also by the growth of Rastafarianism, which was oriented towards Africa, thereby further loosening ties with Britain.

Notwithstanding the waning of support for the monarchy, the Commission was satisfied that there remained a number of cogent arguments for maintaining the status quo. As the Commission observed, there had been an unbroken tradition of monarchy in Barbados going back 350 years. Unlike many other ESC countries, monarchy in Barbados derived from its settlement in the seventeenth century and not from “conquest, annexation or bargaining of any kind” (Constitution Commission of Barbados 1979, paragraph 29). The Commission also took account of the views of a number of “thoughtful” Barbadians who felt that the country had not yet reached the stage of social and political maturity that would allow it “to substitute a series of satisfactory Presidents for a Monarch” (Constitution Commission of Barbados 1979, paragraph 32). As a hereditary monarch, rather than a political appointee, the Queen was regarded as being “manifestly and indisputably above, outside of and in fact beyond the reach of local political differences” (Constitution Commission of Barbados 1979, paragraph 32). Retaining the Queen as the head of state was something that Barbados had in common with the wider ESC (Guyana, Trinidad and Tobago, and Dominica apart). This was worth preserving as “insurance for the future” (Constitution Commission of Barbados 1979, paragraph 37). Indeed, it might even prove to be the best basis for any necessary political integration that might arise out of the efforts to secure economic cooperation through the Caribbean Community. Quite apart from these considerations, for many of those who gave evidence to the Commission, the retention of a monarchical system was the surest way of preserving democracy. To abandon the current political framework, it was believed, could invite further change that might be much more radical and might even lead to secession from the Commonwealth. Taking all the above factors into consideration and bearing in mind the measure of support for the monarchical system, the Commission concluded by recommending the preservation of the status quo. It further recommended that if in the future any party proposed to replace the Queen with a president, it should submit that proposal to the electorate in a referendum to be held at the same time as a general election.

Two decades later, in 1998, the Forde Commission (named after its chairman, Sir Henry Forde), which had been appointed in accordance with a manifesto promise by the Barbados Labour Party (BLP) to hold a referendum on the issue of whether Barbados should retain the monarchical

system, came down resoundingly in favour of the country becoming a republic (Constitution Commission of Barbados 1998). Though the arguments for and against retaining a monarchical system were essentially the same as those that had been canvassed by the Cox Commission, the zeitgeist had significantly changed over the intervening period. In the Forde Commission's view, the overwhelming preference was then for a presidential system. Citing the example of the forthcoming referendum in Australia, the Forde Commission believed that there was then, globally, a clear movement for change away from the monarchical system of government. In the Caribbean too, a JSC of the Jamaican Parliament on Constitutional and Electoral Reform had recently recommended that Jamaica should become a republic. In addition, the success of the six governor-generals who had served in Barbados since independence, five of whom had been natives of Barbados, had led the public to question whether it was any longer necessary for the head of state of Barbados to be someone other than a Barbadian citizen. Accordingly, the Forde Commission concluded by recommending that the head of state should be a president who should be a citizen of Barbados by birth or by descent, not less than forty years of age, and who should have been resident in Barbados for at least five years prior to their election.

In procedural terms, replacing the Queen as the head of state under the Barbados Constitution required a two-thirds majority in both Houses of Parliament. Having won the 1999 elections with a large majority (twenty-six of the twenty-eight available seats), the BLP would have encountered no difficulty in securing the necessary two-thirds majority in the House of Assembly and would, in all likelihood, have been able to secure a similar majority in the Senate since the switch to republican status enjoyed bipartisan support. However, the government decided that, in accordance with its manifesto promise, which reflected the recommendation of the Cox Commission, such a fundamental constitutional reform needed to be put to a vote of the people in a referendum. Accordingly, a referendum bill was introduced in parliament in 2000, but was not finally enacted until 2005, with the passage of the bill having been delayed by the dissolution of parliament prior to the 2003 elections. Though the Referendum Act of 2005 did not itself fix a date for the referendum to be held, the government announced that it would coincide with the date of the next general election in 2008. As the then Deputy Prime Minister, Mia Mottley, explained: "We accept that there has been a concern that the Government alone should not make that decision in this day and age and we are, therefore, committed to expressing our views to the public and having them pass judgment on it" (Mottley 2007).

However, shortly before the scheduled date for the elections, the government decided to shelve its plans for holding a referendum following the advice of the Election and Boundaries Commission. The Commission advised that holding a referendum at the same time as a general election would “compromise” the electoral process because the Commission lacked the physical and human resources necessary to conduct such a joint exercise. Though Mia Mottley reaffirmed her government’s commitment to holding a referendum, the BLP’s loss in the 2008 elections meant that her government was unable to deliver on this promise.

The new prime minister, Sir Freundel Stuart, leader of the DLP, which won successive elections in 2008 and 2013, was equally committed to Barbados becoming a republic. However, he was not equally committed to conducting a referendum on the issue. Instead, he announced in 2015 that he would be introducing legislation to provide for Barbados to become a republic in time for the fiftieth anniversary of independence. In the event, the legislation was not passed in time for the fiftieth anniversary, and with the DLP having lost the 2018 elections, the baton was passed once again to the BLP (now under the leadership of Mia Mottley), which won all thirty of the available seats in the House of Assembly.

While a decade or so earlier Mia Mottley, as Deputy Prime Minister, had declared that Barbados would not become a republic without the people having the opportunity to vote on the issue in a referendum, she had since changed her mind. Upon her return to government as the new prime minister, she announced in the Throne Speech in September 2020 that Barbados would become a republic in time for the fifty-fifth anniversary of its independence. This time, there was no mention of a referendum. Instead, in late May 2021, the government announced that it was establishing a Republican Status Transition Advisory Committee to help and manage the transition to a republic with a timeline of four months to submit its report. Thereafter, the Constitution (Amendment) Bill, providing for the replacement of the Queen with a ceremonial president as the head of state, was passed by the necessary two-thirds majority in the House of Assembly in September 2021 and in the Senate in October 2021. Thus, Barbados became a republic in time for the fifty-fifth anniversary of its independence.

Though the transformation to a republic enjoyed bipartisan support in Barbados, a number of commentators took issue with the process by which this was achieved. Two distinguished Caribbean scholars, Ronnie Yearwood and Cynthia Barrow-Giles, for example, observed:

Absent from the renewed approach to republicanism in Barbados is the need to ensure that the process is plebiscite-driven and backed by popular support via a referendum. Instead, Barbadians are confronted with a

Committee, cobbled together to give the impression of representativeness of its membership without the critical expertise required on such complex political and legal issues. (Yearwood and Barrow-Giles 2021, 518–9)

While the prime minister could argue that having campaigned for republicanism in the 2018 elections in which she won a landslide victory, she was entitled to assume that she had been given a mandate to remove the Queen as the head of state without a referendum (Wintour 2020), this is a somewhat disingenuous argument. The more likely explanation for the failure to hold a referendum is the lesson of the numerous unsuccessful attempts by governments in the region to bring about constitutional change by means of a referendum. These include referendums in The Bahamas in 2002 and 2016 to prohibit discrimination on the grounds of gender; the referendum held in Saint Vincent and the Grenadines in 2009 in which voters rejected, *inter alia*, a proposal that the country should become a republic; and, more recently, the failed referendums held in Grenada in 2016 and 2018 that included a proposal to replace the Judicial Committee of the Privy Council (JCPC) with the Caribbean Court of Justice (CCJ). As Barrow-Giles has noted, the prime minister preferred to avoid the risk of a “no” vote or low voter turnout that holding a referendum may have entailed (Barrow-Giles 2021). Thus, Barbados became the fourth country in the region to become a republic without the imprimatur of a mandate from the people delivered via a referendum.

Lessons from the history of republicanism in the ESC

Leaving Dominica to one side, the history of republicanism in the region demonstrates that anti-colonial sentiment, while necessary, is not sufficient on its own to create a republic. In addition to a conducive political climate, two ingredients are essential: a government with a sufficiently large legislative majority and a constitution that permits the removal of the Queen as the head of state without the necessity of first holding a referendum. Even then, the abandonment of constitutional monarchy can take decades.

In the case of Guyana, we have seen that the leaders of its two main political parties, Forbes Burnham and Cheddi Jagan, had more reason than their contemporaries elsewhere in the ESC for wishing to sever all remaining ties with Britain. Indeed, Guyana, like Dominica, might well have embarked upon independence as a republic had it not been for Cheddi Jagan’s decision to boycott the 1965 Independence Conference. However, the chief reason that Guyana became the first republic in the region, and was able to do so soon after independence, was the inclusion in its independence constitution of a special provision that allowed it to do so by a simple majority vote in the

National Assembly and the outright majority achieved by Forbes Burnham's PNC in the 1968 elections.

In the case of Trinidad and Tobago, the issue of whether the country should become a republic might have lain dormant for a number of years after independence had it not been for the February Revolution of 1970. This meant that it suddenly became politically expedient for the prime minister, Eric Williams, to champion republicanism in order to be seen on the side of those younger, more radical nationalists calling for significant change. In achieving this objective, Williams was assisted by two factors. The first was the decision of the opposition to boycott the 1971 elections, the effect of which was that the PNM won all thirty-six of the available seats in the House of Representatives, allowing Williams to achieve easily the three-quarters majority in the House of Representatives required to make the necessary amendment to the constitution to replace the Queen with a ceremonial president. The second was the decision of the opposition senators to abstain on the vote for Trinidad and Tobago to become a republic that ensured that the PNM was guaranteed to achieve the two-thirds majority needed in the Senate to make the necessary amendment to the constitution.

In Barbados, the appetite for republicanism, though it certainly existed, was not nearly as pronounced as in Guyana or Trinidad and Tobago in the period immediately following independence. As we have seen, this had much to do with the country's experience of colonial rule. Being a settled, rather than a conquered, colony, it was one of only two countries in the region to have always had its own directly elected Legislative Assembly (the other being The Bahamas) and to have avoided the humiliation of Crown Colony rule. Thus, it had far less motivation than either Guyana or Trinidad and Tobago to sever completely its ties with Britain. Indeed, it was often referred to dismissively by other countries in the region as "Little England." However, by the time of the Forde Commission, some two decades after independence, there had been a significant change in attitudes, which the Forde Commission attributed in part to a wider global consensus regarding the need to move away from the constitutional monarchy. Even so, it was a further quarter of a century before Barbados finally achieved republican status. One of the principal reasons for the delay was the BLP's original commitment, in 2000, to hold a referendum on the issue before proceeding to republican status, even though this was not a constitutional requirement. It was only when the BLP finally abandoned this commitment, upon its return to power in 2018, that it succeeded in its promise to transform Barbados into a republic. Even then, it still needed special legislative majorities of two-thirds of the members of both Houses of Parliament in order to amend the constitution. Fortunately for the BLP, it was in a very privileged position. Having won all thirty of the available seats in the House of Representatives

in the 2018 elections, it was assured of the requisite majority in that House, and because republicanism enjoyed bipartisan support, it was also assured of a two-thirds majority in the Senate.

As Guyana, Trinidad and Tobago, and Barbados demonstrate, a government intent on becoming a republic can do so only if it can overcome the constitutional as well as the political obstacles that lie in its path. In all three cases, this meant needing only the requisite majority in their legislatures. As we will see in the next section, the remaining realms in the region do not enjoy this advantage. Even if the political climate is conducive to the republican cause, and even if they are able to muster the necessary legislative majority for amending the constitution, each government will also need to secure the support of its citizens in a referendum, a feat that has not been achieved in any country in the region since Forbes Burnham won the “rigged” referendum in Guyana in 1979 (James and Lutchman 1984, 61).

THE FUTURE OF REPUBLICANISM IN THE ESC: JAMAICA, A CASE STUDY

Optimism about the prospects for republicanism in the region has been significantly boosted by the recent comments of the political leaders in the remaining realms. Gaston Browne, the prime minister of Antigua and Barbuda, for example, has promised that his country would be cutting ties with the monarchy and becoming a republic (Das 2022) and that he would be holding a referendum within three years on whether his country should become a republic (Associated Press 2022). In The Bahamas, when asked whether his country would become a republic, the prime minister, Philip Davis, declared that his administration would support discussions about The Bahamas’s future with the monarch, adding that “the way forward was for Bahamians to decide” (Russell 2022). In Belize, the prime minister has announced that at the end of the governor-general’s non-renewable term of office, in 2028, he will consider whether the governor-general should be replaced with a president (Humes 2021). In Saint Kitts and Nevis, too, the deputy prime minister, Shawn Richards, has talked about the time having arrived for his country “to review its monarchical system and to begin the dialogue to advance to a new status” (Das 2022).

However, it is Jamaica that has taken the first concrete step to becoming a republic by creating a new ministry—the Ministry of Legal and Constitutional Affairs—and establishing a Constitutional Reform Committee, tasked with conducting a comprehensive review of the constitution. Whether this means that Jamaica will be the first of the remaining realms to become a republic, or even whether it will become a republic by 2030, is, however, a moot question. The challenges that it faces in achieving this objective,

which I will now turn to explore, provide an illuminating case study and should give pause for thought to the other realms in the region aspiring to become republics.

As Ashley Rouen Brown has observed, “Throughout Jamaica’s post-independence history, the republican cause has a been [sic] a popular one” (Brown 2022). This popularity can be traced directly back to Michael Manley, the charismatic leader of the People’s National Party (PNP), and its election victory in 1972, the first time that the PNP had won an election since independence in 1962. One of Manley’s first actions on becoming prime minister was to establish a constitutional reform commission with the aim of making Jamaica a republic by 1981. However, his defeat in the ensuing elections meant that he was unable to achieve this ambition, and the cause of republicanism was de-prioritised by the incoming Jamaica Labour Party (JLP). The cause of republicanism was revived upon Manley’s return to power, following the 1989 elections, with the appointment in 1991 of a JSC of the Jamaican Parliament on Constitutional and Electoral Reform. In its 1995 report, the JSC recommended that Jamaica should become a republic, but its recommendations were not enacted in time for the general elections of 1997 or 2002, both of which were again won by the PNP, then led by P. J. Patterson. In 2003, Prime Minister Patterson announced that he wanted Jamaica to become a republic in time for the next elections in 2007. However, this would require the support of a special legislative majority of two-thirds of both Houses of the Jamaican Parliament to effect the necessary reform to the constitution. Having won only thirty-four of the sixty available seats in the House of Representatives, the PNP could not proceed with its plans without the support of the JLP. While the latter agreed that Jamaica should become a republic, they wanted to have an executive president elected directly by the people, contrary to the PNP’s preference for a ceremonial president. Though Prime Minister Patterson declared that he was willing to accept the JLP’s position in order to “fulfil the national desire” (BBC News 2003), he was unable to make any further progress towards becoming a republic, having stepped down from office in 2006 and his successor as leader of the PNP, Portia Simpson-Miller, having lost the 2007 elections.

One month after the PNP’s return to government, following its landslide victory in the 2011 elections, the returning prime minister, Portia Simpson-Miller, reaffirmed the PNP’s intention to break the links with the Queen and for Jamaica to become a republic, declaring, “I think time come” (Associated Press 2012). At roughly the same time, Patrick Robinson, the distinguished Jamaican jurist and a member of the International Court of Justice, wrote an article in which he argued that quite apart from the principled objection to having a hereditary monarch as the head of state, Jamaica is “a post-

oppression society, and its people should not be asked to have as its head of state a person who symbolises the oppression inflicted on their enslaved and other ancestors” (Robinson 2012, 450). He added: “The situation in which a foreigner and the symbol of oppression of our ancestors is the sovereign head of state of Jamaica would be deliriously risible, were it not so tragic” (Robinson 2012, 451). Coming from Jamaica’s most distinguished jurist, these are very compelling arguments, and the PNP, unquestionably, had the support of the two-thirds of members of the House of Representatives necessary to secure the passage of legislation providing for Jamaica to become a republic. However, no such legislation was forthcoming, and the PNP went on to lose both the 2016 and the 2020 elections to the JLP.

Against this background, the announcement by the minister for legal and constitutional affairs that Jamaica had started the process to ensure that it would become a republic by 2025 needs to be treated with a considerable degree of caution. Like the PNP under Portia Simpson-Miller, the JLP currently has the necessary majority comfortably to secure the passage of legislation to replace the UK monarch as the head of state through the House of Representatives, having won forty-nine of the sixty-three available seats in the 2020 elections. Were this all that was needed, then the JLP could be confident of Jamaica becoming a republic. However, under the terms of its constitution, the JLP will, in addition, need the support of at least one opposition senator to achieve a two-thirds majority in the Senate, as well as securing a majority vote in a referendum to amend the constitution to provide for Jamaica to become a republic.

At first glance, neither of these might seem an insuperable obstacle. The opposition PNP has been quite vocal in its support for Jamaica to become a republic, but it has linked its support with a proposal that Jamaica should, at the same time, replace the JCPC with the CCJ as Jamaica’s final court of appeal. At the time of writing, the JLP would appear to be resisting linking the transition to republicanism with the replacement of the JCPC by the CCJ, and therefore, it remains to be seen whether this will ultimately cause the PNP to withdraw its support for Jamaica to become a republic in any forthcoming referendum. Furthermore, while a poll commissioned by *The Observer*, a Jamaican newspaper, in 2020 showed that 55% of Jamaicans would support removing the Queen as the head of state, with just 30% supporting the status quo (Brown 2022), it does not necessarily follow that this will translate into victory in a referendum. As noted above, the post-independence history of the ESC is littered with examples of unsuccessful attempts by governments to persuade voters in a referendum to support constitutional reform—Saint Vincent and the Grenadines in 2009, referendums in The Bahamas in 2002 and 2016, Grenada in 2016 and 2018, and Antigua and Barbuda in 2018. Though there are a variety of explanations for why the government in each

of these cases failed to win support for their proposals for constitutional reform, one common denominator was the absence of bipartisanship. In almost every case, the political consensus evident at the start of the process had evaporated by the time of the referendum, as opposition parties sought to exploit the referendum for political advantage by transforming it into a vote on the performance of the government rather than the merits of the constitutional reforms that were being proposed (Aranha 2016, 25).

Of course, it is arguable that unlike the reforms that failed to garner the support of voters in the failed referendums in The Bahamas, Grenada, and Antigua and Barbuda, replacing the UK monarch as the head of state is the one issue upon which all political parties agree, and which would be popular with the electorate. Certainly, the opposition PNP currently supports Jamaica becoming a republic. However, the question is whether it will continue to do so by the time of the referendum, which is scheduled to coincide with the next general election in 2025. This may depend on what other reforms, if any, are included in the package recommended by the Constitutional Reform Committee that voters are going to be asked to vote on in the referendum. In Barbados, the government was very careful to separate out the issue of becoming a republic from other proposed reforms to the constitution by proceeding in two stages. Only after it had succeeded in passing the necessary legislation to become a republic did it proceed to the second stage of exploring more wide-ranging reforms to the constitution. It may be that this strategy was influenced by the experience of the government of Saint Vincent and the Grenadines that asked its citizens to vote on a voluminous package of constitutional reforms in the unsuccessful 2009 referendum. Not only did the opposition New Democratic Party withdraw its support for these reforms shortly before the referendum, but, as Prime Minister Ralph Gonsalves ruefully noted afterwards, there had been too many issues for the voters to consider. In retrospect, he reflected, it would have been better for the government to focus on a few reforms, rather than an extensive root and branch overhaul (O'Brien 2022).

The obstacles confronting Jamaica's path to becoming a republic are not peculiar to Jamaica. Each of the remaining realms in the region, with the exception of Belize, needs, in addition to the special majority of its respective legislature, the approval of a majority of its citizens in a referendum in order to become a republic. Indeed, in the case of Antigua and Barbuda, Grenada, and Saint Vincent and the Grenadines, approval by a two-thirds majority of voters in the referendum is necessary. This means that even if the momentum for replacing the Queen as the head of state currently appears irresistible, this momentum could dissipate in the course of the long, costly, and, possibly, divisive campaign that must precede the holding of a referendum. Notwithstanding the confident predictions of commentators

and politicians alike, the adoption of republicanism by the remaining realms cannot be taken for granted.

CONCLUSION

While almost every politician in the ESC would support the proposition that having a British monarch as their head of state is incompatible with their independent status, the history of republicanism in the region and its experience with referendums mean that the transformation of its remaining realms into republics is far from inevitable. Dominica is a special case because it embarked upon independence as a republic, but elsewhere, the transition to a republic occurred only where the government could bring this about of its own volition because it commanded a sufficient legislative majority to effect the necessary constitutional amendment.

Notwithstanding the current enthusiasm for republicanism among the remaining realms, with the exception of Belize, the question of whether they will become republics is not exclusively within the control of their governments. Even if they can secure the requisite legislative majorities, they also need the support of a majority of voters in a referendum, which in some cases is as high as a two-thirds majority. If previous efforts in the region to effect constitutional reform by means of a referendum are any indication, the signs are not hopeful. However, it may just be that the appeal of republicanism is now so overwhelming that it can transcend party politics, especially following the death of Queen Elizabeth II, and that despite their past indifference to proposals for constitutional reform, voters will support their country becoming a republic in sufficient numbers in a referendum, if called upon to do so.

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