Drugs and Crime as Problems without Passports in the Caribbean: How Secure is Security, and How Sovereign is Sovereignty?

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This Lecture is Dedicated to the Victims of Crime in the Caribbean, Whether the Crime was Committed by Individuals on the Wrong Side of the Law or People who Were the Law.
I. Introduction

Allow me, first, to express my appreciation to Erica Williams-Connell and Jean Muteba Rahier for the invitation to deliver this 13th Annual Eric Eustace Williams Memorial Lecture. Permit me, also, to thank them, Rosa Henriques, and others in the African and African Diaspora Studies (AADS) Program and the co-sponsors for all the arrangements. Thanks, too, to you in the audience for privileging the Lecture with your presence, and for continuing to support the Lecture series, AADS, and FIU.

I am thrilled to deliver the Lecture in a year of multiple milestones of significance in relation to Williams. For instance, having been born on September 25, 1911, this is his birth centennial, and there have been intellectual celebrations in Trinidad and Tobago, at his alma mater, Oxford University, the University of London, the University of Havana, and elsewhere. A three-part documentary—Inward Hunger: The Story of Eric Williams—premiered in Port-of-Spain last month; on September 14 to a small private audience, and then generally on Republic Day, September 24. Plus, on September 29, Port-of-Spain Mayor Louis Lee Sing announced plans for the erection of a statue of Williams in Woodford Square, which Williams had used for many years as his Open University, to teach the nation, and to verbally lambast his political opponents in true Trini style.

This year also marks almost 70 years since the publication of the scholarly masterpiece Capitalism and Slavery. With copious evidence it masterfully debunked many historiographical and political myths about British motives and practices in relation to slavery and its abolition. The book so offended British academic and political sensibilities that it took two decades for them to come to terms with having it published in Britain, despite the platitudinous embrace of academic freedom and free speech. Other than in English that book appears in Spanish, German, Portuguese, French, Polish, Chinese, Italian, and Japanese.

The year 2011 also marks 50 years since the publication of the seminal essay “Massa Day Done,” in March 1961, and a little over 40 years since Williams’ critical role in lowering Venezuela’s jingoistic decibel regarding Guyana, through mediation that led to the June 1970 Protocol of Port-of-Spain. Interestingly, last month—on September 30, to be exact—Port-of-Spain again provided the “diplomatic space” for talks between Guyana and Venezuela related to the dispute.

The meeting was prompted by Venezuela’s reaction to Guyana’s filing on September 6, 2011 with the Commission on the Limits of the Continental Shelf, under the United Nations Convention on the Law of the Sea, for an extended continental shelf of 150 nautical miles—a right that Guyana has. Some nationalists and would-be power holders in Venezuela argue that such a pursuit compromises Venezuela’s claim against Guyana.1 In some respect, this renewed chauvinism is understandable, although not endorsed. Elections in Venezuela are due in October 2012, and several politicians hope to displace President Hugo Rafael Chávez Frías. So, the political jockeying and posturing have begun, and opposition forces are vociferous on the matter.2 As a reminder to some in this audience and for the information of others, Venezuela claims five-eights of Guyana’s 83,000 square miles, the entire Essequibo region of Guyana, which it identifies on maps within Venezuela as Zona en reclamación.3

Moreover, this year marks 30 years since the March 29, 1981 death of Doctor Politics—regionalist and visionary par excellence—who was diminutive in physical stature but a towering giant as scholar and statesman. Yet, my purpose here is not to talk about Eric Williams, but about issues he would have cared deeply about and surely would have written on were he still alive: drugs and crime, which present clear and present dangers to Caribbean nations because they undermine the security and sovereignty of many countries, including his beloved Trinidad and Tobago.

Williams loved and fought for the Caribbean. And, we, living mortals of the Caribbean Civilization also cherish it, whether we are within the region or in the Diaspora. Our region has been living through some extraordinary developments related to drugs, crime, security, and sovereignty these last few years. Indeed, some of the developments are history-defining. I have had the opportunity to comment on some of these developments in media interviews and in a few short articles. The invitation to deliver this Lecture comes at a propitious time; it allows me to offer an extended analysis of some of these extraordinary developments, some of which are still playing out.

United Nations Secretary General Kofi Annan once observed: “Globalization offers the human race unprecedented
Drugs and crime are among the problems without passports to which Annan referred. They share some common features, one being transnationality; drugs and crime cross national and regional spaces, paying no regard to physical, political, or legal boundaries; they have no passports. Multidimensionality is a second feature; problems without passports have political, security, and other implications, and they span class, age, and other categories. They present myriad difficulties to all states they impact, but to states that are small and subordinate, such as those in the Caribbean, they often do more than precipitate anti-social activities; they undermine security and sovereignty.

Sadly, our region is a good candidate for empirical analysis of the dynamics of these problems without passport. In making a contribution to this analysis here, I will offer an appreciation of the current drugs and crime realities and explain their impact on security and sovereignty. As both security and sovereignty are highly contested concepts it is necessary to clarify their use here. After doing this I offer two contemporary case studies—the Dudus Affair in Jamaica and the State of Emergency in Trinidad and Tobago—as evidence that the nature and scope of these problems without passports are such that security and sovereignty are, indeed, undermined. Finally, I respond to the questions in the subtitle. Thus, turning to the first matter, what, then, can we say about drugs as a problem without passport?

II. The Drama of Drugs

Someone unfamiliar with the Caribbean could easily get the impression from some media headlines that the region’s drug challenge is one- or two-dimensional in nature; headlines such as that in the May 11, 2011 Caricom News Network: “Guyana: Drugs in Agri-Exports a Living Nightmare—Minister Persaud.” Or, the September 28, 2011 Barbados Nation: “More Ganja Seized.” Or the September 30, 2011 Military.com News: “Second Interdiction of Western Caribbean Drug Sub.” Or, the October 3, 2011 Palm Beach Post: “Two Caribbean Busts New $35 Million of Cocaine, Coast Guard Says.”

But keen regional observers know that the drug challenge goes beyond illicit production and trafficking; it also involves the consumption and abuse of illegal substances and the laundering of income from drug operations. Indeed, the October 2, 2011 Jamaica Gleaner reported on a nexus between drugs and prostitution in Jamaica in which prostitutes are resorting increasingly to the use of ecstasy as a coping mechanism for their enterprise. Moreover, drug production, consumption-abuse, trafficking, and money laundering give rise to other challenges, such as crime, corruption, and arms trafficking. Simply put: the drug phenomenon is multidimensional.

This is a point I have stressed for almost two decades now at every opportunity I get to address the subject. And it is why I originated the concept of “geonarcotics” in the early 1990s to examine the drug phenomenon holistically, and not just in relation to the Caribbean. The concept was first outlined in 1994 and later applied empirically in a study on the Caribbean that was published in 1997. It posits the dynamic interaction of four factors: drugs, geography, power, and politics; that the narcotics phenomenon is multidimensional, with four main problem areas (drug production, consumption-abuse, trafficking, and money laundering); that these problem areas give rise to actual and potential threats to the security of states; and that drug operations and the activities they spawn precipitate both conflict and cooperation among state and non-state actors. The geonarcotics approach does not view the “war on drugs” purely as a military matter.

Geography is a factor in this schema because certain physical, social, and political geography features of countries facilitate drug operations. Power involves the ability of individuals and groups to secure compliant action. This power is both state and non-state in origin, and in some cases non-state power holders command relatively more power than state power holders. Politics entails the ability of power brokers to determine who gets what, how, and when through the allocation of resources.

Since power in this milieu is not only state power, resource allocation is correspondingly not exclusively a function of state power-holders. Moreover, politics becomes perverted, and more perverted where it already was so. Indeed, the sagas in years past involving “Little Nut” in St. Kitts and Nevis, the “Guns for Antigua” in Antigua and Barbuda, then-Col. Desi Bouterse in Suriname, the Dole Chadee Gang in Trinidad and Tobago, and Saheed “Roger” Khan in Guyana, and the contemporary Christopher “Dudus” Coke saga in Jamaica—which is discussed later—highlight some of the political perversions and security and sovereignty implications involved.

The drugs that feature in the Caribbean are marijuana, cocaine, and heroin and their derivatives, such as crack, which comes from cocaine. In so far as production is concerned only marijuana is produced in the region. The consumption-abuse situation is different, though, since all the drugs are involved. It is infeasible to portray here the region’s contemporary production, consumption-abuse, transshipment, and money laundering scenario much less offer a regional geonarcotics assessment. The most consistent reporting on drug operations are presented in the International Narcotics Control Strategy Report (INCSR), produced annually by the United States Department of State for reporting to Congress in accordance with the United States Foreign Assistance Act. The 2011 INCSR named four
Caribbean countries among the world’s top 20 drug transit countries: The Bahamas, the Dominican Republic, Haiti, and Jamaica.

For understandable reasons, no Caribbean country is listed among the top precursor chemical source countries, but the following are deemed to be among the major money laundering countries: Antigua and Barbuda, Bahamas, Belize, British Virgin Islands, Cayman Islands, Dominican Republic, and Haiti. The INCSR acknowledges that a country’s presence on the United States lists is not necessarily an adverse reflection of its government’s counternarcotics efforts or level of cooperation with the United States. As a matter of fact, it concedes that one of the reasons major drug producing or transit countries are placed on the list is the combination of geographic, commercial, and economic factors that allow drugs to be produced or transshipped despite the relevant government’s conscientious counternarcotics measures.

As well, aspects of the region’s drug challenges are captured in the periodic World Drug Report, the most recent edition of which was published earlier this year. In 2010 the Inter American Drug Abuse Control Commission also released the findings of research on drug use among students ranging in ages between 14 and 17 in a dozen countries: The study was conducted during 2005 and 2007 in Antigua and Barbuda, Barbados, Dominica, Grenada, Guyana, Haiti, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Trinidad and Tobago and Suriname.

It included alcohol, cigarettes, and inhalants, and found that alcohol and marijuana are the main drugs used by students in most of the countries. Prevalence is relatively high among students although there is considerable variability among countries. Tobacco is also used throughout the region, but to a lesser extent than alcohol and marijuana. There is significant experimentation with cigarettes, but in relation to the use of cigarettes versus marijuana, the latter has overtaken the former in most countries by a factor of two to three times in some instances.

According to the study, the age of first use of substances in general was typically around 11 to 12 years of age. Haiti and Suriname were notable exceptions, with a slightly later age of first use. The reported found: “A very important finding relates students perception of how easy it is to access drugs. Perception of availability of marijuana was very high--four to five of every ten students indicated that they could access marijuana easily. Also noteworthy is that relatively high proportions of students felt that cocaine/crack cocaine was easily available—on average, 14% of students.”

Marijuana was the drug most likely and most often offered to students for consumption of purchase. Thankfully, the study found only negligible proportions of students reporting that they were offered cocaine, crack or ecstasy. The Organization of American States inaugural report on citizen security in the Americas also provides trend analyses of many aspects of the drug phenomenon, although the way the hemispheric analysis is undertaken prevents readers from discerning appreciably the dynamics of the various regions.

Overall, the following general observations can be made about the region’s contemporary geonarcotics landscape:

1. Irrespective of the reporting source, the evidence suggests that despite the valiant efforts employed and considerable resources deployed by Caribbean countries, the United States, European nations, entities of the Organization of American States (OAS), and other sources, the regional situation is not improving appreciably and consistently. Indeed, in some places it seems to be worsening, and in other places there have been both “gains” and “losses.”

2. Compared to a decade ago, there is increased drug production in Guyana, Barbados, St. Vincent and the Grenadines, and other places; amelioration of consumption in many places, but notable increases in Cuba, the Dominican Republic, parts of the Eastern Caribbean, and Puerto Rico; and active anti-money laundering efforts in many places and none in others despite legislation and the existence of the Caribbean Financial Action Task Force. As well, there have been major trafficking successes in the Bahamas, Jamaica, and other places, but increased trafficking in Guyana, the Dominican Republic, and in the Eastern and Southern Caribbean, partly as a balloon effect of the Mérida Initiative in Mexico and Central America. Indeed, a report earlier this month highlighted the trials and tribulations facing Belize in this respect.

3. Two G words—Guns and Gangs—have combined to present troubling new norms, creating climates of fear in both urban centers and rural communities. Further, they highlight the transnationality and the multidimensionality of the challenges and the necessity for commensurate countermeasures.

4. Journalistic sensationalism notwithstanding, and in spite of the gravity of the situation in contemporary Jamaica, Puerto Rico, Guyana, the Dominican Republic, and Trinidad and Tobago, I do not consider any Caribbean nation to be a narco-state. I view a narco-state as one where (a) the top rulers of a country either collude with drug lords or so fear them that they turn a blind eye to their pursuits, or (b) drug dealers exercise effective control over parts of the nation, thereby undermining the nation’s governability by the rulers who reputedly govern it. Afghanistan under Taliban rule is an illustration of the first situation. Examples of the second situation are Colombia for much
of the 1960s-1990s and contemporary Mexico especially in relation to Chihuahua, Sinaloa, Guerrero, Ciudad Juarez, Nuevo Leon, Monterrey, and a few other areas.

5. Throughout the region security deficits have led, among other things, to the rapid expansion of private security companies. In some places, private security is regulated; in others it is not. And, in some places the combined private security sizes and capabilities rival—and in a few cases, exceed—the security establishments if not the capabilities of the state.

6. Over the last decade the power by drug lords and other criminals in some place and the security deficits by some states have increased their vulnerability. Moreover, some, including Jamaica, the Bahamas, Suriname, Antigua and Barbuda, Guyana, and Trinidad and Tobago, have been pushed by drugs and crime to the edge of the governance precipice.

7. Thus, the alarm bells that were sounded almost two decades ago by the West Indian Commission still resonate powerfully today: “Nothing poses greater threats to civil society in CARICOM countries than the drug problem and nothing exemplifies the powerlessness of regional governments more. That is the magnitude of the damage that drug abuse and trafficking hold for our Community. It is a many-layered danger.” The Commission explained the reality, and I agree with the assessment: “At base is the human destruction in drug addiction; but, implicit also, is corruption of individuals and systems by the sheer enormity of the inducements of the illegal drug trade in relatively poor societies. On top of all this lie the implications for governance itself—at the hands of both external agencies engaged in international interdiction, and drug barons themselves—the “dons” of the modern Caribbean—who threaten governance from within.”

What, then, are some current realities of crime as a problem without passport?

III. The Crucible of Crime

At an international criminal justice meeting in Port-of-Spain about a decade ago, Trinidad and Tobago Attorney General Ramesh Maharaj made the following declaration on behalf of the Caribbean: “There is a direct nexus between illegal drugs and crimes of violence, sex crimes, domestic violence, maltreatment of children by parents and other evils.” He noted: “Our citizens suffer from drug addiction, drug-related violence, and drug-related corruption of law enforcement and public officials. Aside from the very visible decimation of our societies caused by drug addiction and drug-related violence, there is another insidious evil: money laundering.” Quite rightly, the Attorney General highlighted the essence of governance danger: “It changes democratic institutions, erodes the rule of law, and destroys civic order with impunity.”

Maharaj’s statement, which highlighted the link between drugs and crime, remains largely true today. Moreover, there is local-global connectivity reflected in the fact that the crime is not all ad hoc and local; some of it is transnational and organized, extending beyond the region, to North America, Europe, and elsewhere. The extra-Caribbean connectivity involves not only the Jamaican posses, which, as has been shown elsewhere, for a long time have not involved only Jamaicans.

In too many places violent crime defines the quotidian experiences of individual and corporate citizens, reaching almost pandemic proportions at times. Indeed, one study cited the murder rates in the Caribbean—at 30 per 100,000 population annually, using data for the 2000’s—as being higher than for any other region of the world. The study provided credible evidence of the wide-ranging economic, social, and other negative impact crime is having on Caribbean nations. Thankfully, the United Nations global crime report released earlier this year reveals that the region has moved from first to fourth place, after Southern Africa, Central America, and South America. However, still troubling is the high gun usage; the Caribbean ranks second after South America and ahead of Central America in the percentage of homicides by firearms.

The crime crucible is dramatized by the high—and in many cases, increasing—murder rates. Incidentally, I use the terms “murder” and “homicide” interchangeably; they both refer to the United Nations definition of intentional homicide: “unlawful death purposefully inflicted on one person by another.” My focus on murders is not to suggest that assault, rape, domestic violence, and other crimes are unimportant or have not increased in some places. As a matter of fact, there has been troubling growth in domestic violence in Guyana and Puerto Rico recently.

Murders command attention here because they constitute the “ultimate crime,” with human finality and powerful economic, social, “foreign image,” and other consequences. Moreover, murders provide indicators about anomie as well as—and perhaps more troubling—about dangerous civilizational changes occurring in the region. The latter relates not just to the crimes but also to the responses to them: police impunity in some places as well as capital punishment and a clamor for it in some places where it does not exist or is not implemented.

Troubling civilizational dynamics also are linked to the prison realities. Fyodor Dostoevsky, author of Crime and...
Punishment, House of the Dead, and other books, is credited with saying: “The degree of civilization in a society can be judged by entering its prisons.” If one accepts that proposition and applies it to the Caribbean, we can draw the conclusion that Caribbean Civilization is developing some dubious and degenerative dynamics. There are overpopulated and unhealthy prisons in most jurisdictions, which is harmful to both prisoners and prison wardens. Prisoners in Guyana, Puerto Rico, Barbados, Haiti, the Dominican Republic, Trinidad and Tobago, and Jamaica have rioted over their situations in recent years. Prison officers, too, have protested officially and unofficially.

Addressing conditions in Jamaica last year, one medical practitioner there opined: “Prisons, like the GP [General Penitentiary], obviously serve as deterrents, but the harsh conditions dehumanize inmates and harden them; many of whom have already been dehumanized and hardened by society. We need more alternatives to custodial sentencing for certain crimes. Some prisons are in dire need of upgrading. Twenty hours of lockdown, three to four persons to a tiny cell with no bunks is unacceptable; the bathroom and eating conditions are degrading. We must reform prisoners, not make them brutish.”

Trinidad and Tobago offers a good illustration of the challenge. The Port-of-Spain prison, built in 1812 for 250 prisoners, held an average of 542 prisoners last year. The Golden Grove prison in Arouca, built for 1,000 prisoners, had about 1,400 prisoners this past September. In what amounted to an indictment against both state and civilization, and resonates beyond the twin-island republic, then Trinidad and Tobago Opposition Senator Verna St. Rose-Greaves—now the Minister of Gender, Youth, and Child Development—remarked as follows during a March 2010 Parliamentary debate:

This place [the Port-of-Spain prison] is not fit for animals, let alone human beings. Men sleeping head-to-toe in a cell, packed in like sardines, some without mattresses and without proper bedding layered from ceilings in hammocks straight down to the floor on cardboard. The stench of human and cat urine soaked into a hundred-year old concrete floor. … In the evening, they must stuff their ears and their nostrils. They must put bread in a corner to deflect the cockroaches from crawling into their unguarded orifices… It is in the evening that men must press their backs against the wall, afraid to sleep. Their cries and protestations can be heard as they grow faint and change with time.

… By the clock, I see it is 2:47 pm. At this precise time, the prisoners would be now moving to empty their slop buckets left to bubble overnight. This stench, while it may be unbearable to you and to I, but so accustomed to them. You would probably see young men put their hands into a plastic salt beef bucket to scrub and dislodge fecal matter. You would see prisons officers with pain on their faces, because this has also become their life. Imagine, grown men and women held in cells without sanitary facilities, forced to defecate and urinate in the presence of their fellow prisoners without privacy, in bottles, plastic bags and on paper, to be poured into plastic buckets provided for the purpose. And we talk about human rights!

Table 1 and Figure 21(below) present data for 14 countries for the last five years. Although the numbers are high, they likely represent only part of the reality—the crimes reported by victims. The United Nations-World Bank study cited above makes the following pertinent observation regarding official data: “Reported rates are highly sensitive to the level of trust in the local police in general and the willingness to report domestic violence, in particular.” My assessment is that in some places low citizen confidence in the effectiveness of basic law enforcement leads them to under-report crimes. In many places citizens see few arrests that lead to arraignments and timely trials and convictions, with the kind of punishment that result in crime reduction. Thus, they perceive an absence of justice, and this undermines their confidence in the criminal justice system—not just in the police, but in the courts and other parts of the system.

Table 2 and Figure 2 (Below) focus on 2010 alone. The reported murders total 6,079. That figure is more than twice the population of the resort town of Negril in Jamaica, and more than the entire population of Couva in Trinidad. The murders for the five years, shown in Table 1 and Figure 1, amount to 28,673. This is more than half of the entire population of St. Kitts and Nevis, and it is some 12 times the size of the town of Oistins in Barbados. These are startling realities. Startling, too, is the per capita portrait, reflected in Table 2 and Figure 2. The United States Virgin Islands, Jamaica, Belize, and St. Kitts and Nevis lead, each had more than 40 murders per 100,000-population during 2010. They are followed by Trinidad and Tobago, Bahamas, and St. Lucia with between 30 and 39 murders per 100,000-population.

Bahamian National Security Minister, Tommy Turnquest, presented the startling situation to their Parliament about a week ago; October 19, 2011. Providing comparative data for January 1-October 1, 2011 with the same period in 2010, he reported as follows:
political subterfuge in the Dudus Affair so outraged Jamaicans that it precipitated powerful civil society outcries against all kinds of crime, contributing to the development of a “zero tolerance for crime” climate.

Thankfully, the decline has continued well into this year. In his message to the Special Constabulary Force Association award ceremony on October 5, 2011, Prime Minister Golding reported: “The year-to-date homicide rate is now 821 compared to 1,097 last year. This means a reduction of 276 homicides so far this year and when compared to 2009, some 388 fewer homicides than that year.”

Trinidad and Tobago also witnessed some decline. Reported murders declined from 509 in 2009 to 483 in 2010, and there was a nine percent decrease in serious crimes overall. The situation worsened this year, though, prompting the State of Emergency, which is discussed below. Still, it has not been just the high, and in some cases increasing, homicide numbers that has been generating concern in the Caribbean and in places with interest in the region. Also worrisome have been (a) the very high gun use in murders, and (b) the daring and dastardly nature of some of the criminal acts.

Within just the last two years, for example,

1. Who would have thought that St. Lucia would be the location of an attempted assassination of a member of the judiciary? The intended victim was Jamaican-born Magistrate, Ann Marie Smith, known to be tough on drug dealers. The incident occurred in the capital, Castries, in broad daylight on April 8, 2010 as Smith was heading to work with her four-year-old daughter. Two masked gunmen men emerged from hiding in the bushes near her house and opened fire. Luckily they were amateurs and neither Smith nor her daughter was injured. Regrettably, the gunmen were never found. Incidentally, Smith left St. Lucia and is now the Chief Magistrate in Belize, as of September 1, 2011.

2. St. Lucia also was the place where a murder was committed right in the constituency office of Prime Minister Stephenson King, and while he was in the office meeting constituents. This happened on September 17, 2010. During the incident the Prime Minister himself had to be hidden under a desk by his lone security detail, the other member of his detail having gone for lunch. In a statement on the incident later Prime Minister King lamented that “None of us is safe!” The murderer was never caught.
3. As well, who would have thought that pristine St. Lucia, the land that gave birth to two Nobel Laureates—Arthur Lewis for Economics and Derek Walcott for Literature—would be the scene of a retaliatory early morning home invasion that would result in the murder of an eight-year old child asleep in her bed? This occurred on October 11, 2010 in La Clery, also a part of the Prime Minister’s constituency.

4. In Barbados, an attempted robbery turned arson in a business place on September 3, 2010 in Bridgetown led to the death of six women. Two young men, aged 19 and 21, were later arrested and charged with arson, murder, and other offenses.30

5. Just this past August, authorities in the Dominican Republic arrested four people, including a prominent hotel owner, for the August 2, 2011 assassination of Jose Silvestre, publisher of the weekly newspaper Voice of Truth and host of a radio program; Silvestre had been reporting stories of alleged criminal links of the businessman and his associates.31

Sometimes music comes to mind in relation to aspects of crime and punishment in the region. For example, two lines in Peter Tosh’s “Equal Rights:” “Every one is talking about crime. Tell me, who are the criminals?” I think Tosh vis-à-vis the corruption, ineptitude, and desperation to solve crimes that too often lead some protectors against crime to become perpetrators of crime. Jamaica, Guyana, the Dominican Republic, and Puerto Rico are among places with corruption exposés in the last few years. The Jamaican Commissioner has drawn a line in the sand over corruption, and has strengthened the work of his Anti-Corruption Branch. Since its formation in 2008 the work of the Branch has led to the dismissal of some 200 corrupt police officers.

The Puerto Rican exposé is the region’s latest corruption saga. Its police department was investigated by the United States Department of Justice over a three year period beginning in July 2008. The report was released last month. The 133-page report is scathing, with evidence of “profound” and “long-standing” civil rights violations. It argues that rather than helping to solve the island’s crime wave the police were part of the problem, and it highlights “rampant” and “unnecessary or gratuitous use of force.”32

This was aggravated by the use of tactical units with heavily armed police officers who are poorly trained and steeped in a subculture of violence that relies on intimidation, fear, and the use of force. Moreover, the report found

<table>
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<th>Country</th>
<th>2010 Murder</th>
<th>Population</th>
<th>Murder Rate Per 100,000</th>
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<td>Antigua &amp; Barbuda</td>
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Sources: Murder figures taken from Table 1; 2010 population data taken from The World Fact Book 2011.
(a) endemic corruption, (b) routine discrimination against people of Dominican Republic descent, (c) consistent failure to report police sex assault and domestic violence, and (d) significant infractions in almost all policies and practices related to hiring, training, assignment, promotion, and accountability for misconduct. The report recommends over 100 measures as part of a sweeping overhaul of the force.

Recently, Guyana experienced one of the most egregious cases of desperation to solve crime where 14-year-old Twyon Thomas was tortured at the Leonora police station between October 27 and 31, 2009. The policemen suspected that he had been involved in the murder of a local politician, Raminauth Bisram, Deputy Chair of Region Three. The interrogation involved covering his head with a T-shirt, tying his hands with wire, and then dousing his genitals with mentholated spirits and setting him alight. This case, which involved the complicity of a medical doctor, outraged civil society sectors in Guyana and elsewhere. The two policemen involved, Sergeant Narine Lall and Constable Mohanram Dulai, were charged but the cases against them were dismissed after neither Thomas nor his mother appeared for the trial, allegedly having received payment from the attorneys representing the policemen. Still, the Guyana Police Force was sued successfully.

In a decision rendered this past June, Justice Roxanne George ordered a total payment of G$6.5 million (US$32,386), about half being for torture and degrading punishment. In her 36-page judgment she affirmed: “The torture and cruel and inhuman treatment meted out to Thomas has demonstrated and established an absolute and flagrant disregard for his constitutional rights.” The judge also declared unlawful the teenager’s detention and denial of a hospital visit, despite his injuries and the intervention of his mother and attorney. “How it was that the police hoped to keep such a horrendous occurrence under wraps was a mystery,” she wondered, adding that his fundamental rights were violated not only by acts and omissions by the policemen directly involved, but also by others in the police force, including police surgeon Dr. Mahendra K. Chand.

Justice George also noted: “By failing to provide him with any medical examination for over a day after he was burnt, the unprofessional medical attention he received, and by failing to permit him to go to hospital for further medical attention for another two days, they displayed a callous indifference, lack of care, and an absence of concern for Thomas as a detainee and as a child.” The Attorney General has appealed Justice George’s decision on behalf of the Guyana Police Force. As such, it is unclear when, if ever, Thomas will ever get some semblance of justice for the ordeal he endured.

It should be stressed, though, that the crime and violence in the Caribbean are not all drugs-driven; some derive from other sources.
from poverty and general social anomie. Further, among other things, the inability of authorities to solve crimes in larger numbers and more swiftly, provide functional equipment and training to law enforcement agencies, fill vacancies in police forces, the courts, and elsewhere, and secure more timely judicial proceedings serve to embolden criminals and undermine citizen confidence in “the government.”

As regards judicial proceedings, Jamaican Justice Minister Delroy Chuck offered some sobering statistics in his address at the October 8, 2011 Norman Manley Law School graduation: for many years thousands of cases have lingered in the court system for eight months or longer. For instance, in 2010 there were almost 460,000 cases before the courts, more than half of which were due to a massive backlog. The minister offered a troubling, but frank, appraisal: “There is corruption within the court and the justice system, where the police have been paid to say they cannot find a witness, or persons have been paid to have documents destroyed - amongst many other things.

In acknowledging a reality that is not limited to Jamaica, he noted, “Cases languish on the books for years with very little progress, clients become frustrated and cannot move on with their lives; sometimes they appease their grievances by taking justice into their own hands. Our judges are known for their integrity and fair play but so much more is required of them. They must assist in removing any taint of corruption, vulgarity or malpractice that may exist and they must help us to strengthen public trust and confidence in the justice system.”

Power abuse itself is costly to Jamaica. Since 2006, court judgments and out-of-court settlements have forced consecutive administrations to pay out some J$365 M (US$4.26 M) in 37 civil suits against government employees. Minister Chuck also revealed that the government still owed almost J$400 million in civil suit judgments. He said most of the outstanding money was for cases involving police abuse, although medical negligence and other infractions were involved. But he indicated that the J$400 million in arrears does not include the J$1.85 billion (US$21.57 M) owed the National Transport Co-operative Society for breach of contract, a case that goes back 15 years. The figure likely will top J$2 billion (US$23.32 M) with interest added. Between 2010 and October 2011, Jamaican authorities paid out J$178.2 M (US$2.08 M) of the J$365 M (US$4.3 M) ordered by the court or for out-of-court settlements. Cash-strapped Jamaica still has to find some millions of dollars to settle the remaining 10 of the 37 cases.

Beyond this, as the geonarcotics framework indicates, weapons are a key part of the picture. As noted earlier, the significant gun use in crime is very troubling. Although we are unable to pursue the matter of arms trafficking here, it must be noted that some of the weapons come through illicit trafficking from North and South America and from trafficking within the region. Some weapons also are obtained through corruption within some security services and from theft from public and private security armories.

There is considerable economic and political stress in most jurisdictions. In some places the crime has had a chilling effect on tourism. Jamaica is the notable exception. In his September 27, 2011 message for this year’s World Tourism Day, tourism minister Edmund Bartlett indicated: “despite the global economic crisis and the many other challenges we currently face, Jamaica’s visitor arrival figures continue to climb. Between January and August this year, we welcomed approximately 2.1 million visitors, representing a 5.7 percent increase in total visitors compared with the same period last year.” He also explained that “Up to the end of August, Jamaica earned US$1.48 billion in tourism revenue, which represents a 3.4 percent increase over the US$1.432 billion we earned for the same period in 2010.”

Crime also increases the cost of doing business and impacts economies in myriad ways. Further, it skews resource allocation. For instance, some Caribbean countries are obliged to spend more on national security than on health care and other critical social sectors. In his December 2010 budget speech the Prime Minister of St. Kitts and Nevis explained that the 2011 allocation to the Ministry of National Security, Immigration, and Labor represents a 7.2 percent increase over 2010. Moreover, it is the largest increase any ministry received. This is in the context of resource scarcity that led to cuts to most other areas.

Sometimes the political fallout manifests itself in the premature ending of careers when political leaders find it expedient to make symbolic or substantive changes in the face of persisting or worsening crime situations. Such was the case with St. Lucia Commissioner Ausbert Regis, who was “reassigned” to a newly-created position of Director of Special Initiatives in the Office of the Prime Minister in May 2010. Although Regis left office he refused the reassignment and sued for wrongful removal. The case is pending. Also, Commissioner Delano Braam of Suriname was dismissed in June 2011, and Police Superintendent José Figueroa Sancha of Puerto Rico resigned voluntarily the following month. Curiously, he left office shortly before the release of the scathing Justice Department report, noted earlier.

This past August St. Kitts and Nevis recruited a commissioner from abroad, as had been done earlier in Trinidad and Tobago last year. In September Prime Minister Denzil Douglas took direct control of the police and defense force. He explained: “It is intended that the Hon. Sam Condor, our Deputy Prime Minister, will continue to hold all
Murders increased by 44%, from 72 last year to 104 this year, while rapes increased by 38%; from 58 in 2010 to 80 this year.

Armed robberies increased by 10%: 704 cases this year, compared to 639 last year, and robberies increased by 16%; from 237 to 274.

Housebreakings rose by nine percent, stealing from vehicles by 58 percent, and theft of vehicles by seven percent.24

Still, while the portrait in the Bahamas and most other places reflects increases, there also have been decreases. For instance, there was a notable reduction in Antigua and Barbuda between 2009 and 2010, and Jamaica witnessed a 15 percent down-turn for the same period. Indeed, milestones were created in Jamaica in 2010, when for several months there were less than 80 murders in any single month since July 2002. For instance, murders for the month of September 2010 numbered 72, which was 42 percent lower than for the same period in 2009. Plus, there were reductions in reported rapes, carnal abuse, and robbery.

It is both noteworthy and a reason for hope that Jamaica's downward crime trend has persisted. In his May 2011 budget speech Prime Minister Bruce Golding was able to declare: “The number of murders committed over the past 12 months is the lowest since 2003. Crime statistics for this year show a significant reduction in most major crimes: Murder 44% reduction; Shootings 36% reduction; Break-ins 13% reduction. The number of persons arrested by the Police is up by 50%. Of significance, the number of fatal shootings by the Police is down by 37%.”25 Quite rightly, the Prime Minister attributed that outcome to the leadership of Commissioner Owen Ellington, better intelligence and investigations, and “a reinvigorated determination to put criminals where they belong—behind bars.”

Undoubtedly, though, and in a perverse way, the Dudus Affair also aided the crime reduction, and in several ways. First, the combined army-police engagement was a shock therapy that sent powerful "line in the sand" messages to criminals in Tivoli Gardens and other garrisons. Second, the messages were received beyond the garrisons, in the general society, causing criminals to rethink proposed criminality. Finally, in my estimation, the violence and the po-

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Sources: Figures for Puerto Rico are from http://www.tendenciaspr.com/Violencia/Violencia.html; others are from the OAS Department of Public Security, available at http://www.oas.org/dsp/Observatorio/database/countries.aspx?lang=en, except that the figures for 2010 for Antigua and Barbuda, Dominica, St. Kitts and Nevis, and Suriname are from the offices of the Commissioners of Police for the respective countries.
of his other portfolios in a restructured Ministry, restyled the Ministry of Home Land Security, Foreign Affairs, Labor and Social Security. The Department of Home Land Security will include Immigration, Passports, Prisons, Fire & Rescue Services, and National Emergency Management Agency (NEMA). They also will create two anti-crime entities: a Ministerial Task Force with Condor, the Attorney General, the Minister of Public Works, and the Prime Minister as Chairman; and a Special Anti-Crime Unit in the Office of the Prime Minister.

Overall, then, crime in the Caribbean presents a clear and present danger. More than this, though, it challenges the security and sovereignty of countries in the region. Therefore, it is essential next to ponder the nature and extent of the challenges.

**IV. Challenges to Security and Sovereignty**

In the context of the globalization and interdependence that define contemporary national and international existence, problems without passports undermine the governability of small states, if not their existence, by threatening security and sovereignty. As both terms are contested concepts some definitional clarification is warranted.

**Whose Security, What Sovereignty?**

Conceptually, I view security as protection and preservation of a people’s freedom from external military attack and coercion, from internal subversion, and from the erosion of cherished political, economic, and social values. The values include democratic choice and political stability in the political area, sustainable development and free enterprise in the economic domain, and social equality and respect for human rights in the social arena.

Security also is multidimensional, with military, political, and other dimensions. It also requires paying attention to both traditional issues, such as territorial disputes and geopolitical anxieties, and to non-traditional ones, such as drugs, crime, and hurricanes. I concur with Jorge Domínguez: “The most common sources of insecurity in the Caribbean affect the quotidian experiences of ordinary people.” Thus, security is concerned both with threats to the political and territorial integrity of the state, also called national defense, and with the well-being of individual and corporate citizens—known also as public security or citizen security.

Many Caribbean nations face traditional security challenges, such as border and territorial disputes and geopolitical gamesmanship. Generally, though, non-traditional challenges, such as drugs and crime, are more salient for most Caribbean countries than the traditional ones. This is not merely an academic judgment; it also is the judgment of political leaders and security practitioners across the Caribbean and in the United States, Canada, the Netherlands, Britain, and other places with interests in the region.

It was precisely this judgment that has led to several policy and program pursuits by Caribbean leaders. Among other things, they formed the CARICOM Task Force on Crime and Security in 2001, convened a first-ever special meeting of ministers of national security and law enforcement in 2005, and established the Implementation Agency for Crime and Security (IMPACS) in 2006.

Moreover, in 2006 Security was declared the Fourth Pillar of CARICOM, joining Trade and Economic Integration, Foreign Policy, and Functional Cooperation, and CARICOM held a special crime and security summit in Trinidad in April 2008 that led to adoption of a Strategy and Plan of Action on Crime and Security. The Dominican Republic hosted the Second Meeting of Ministers Responsible for Public Security in the Americas in November 2009; Trinidad and Tobago will host the Third Meeting next month, on November 17-18.

The subject of drugs and crime also has been prominent at all CARICOM summits for the last decade, and it has been the centerpiece of various bilateral and multilateral meetings and initiatives involving the United States and other extra-regional stakeholders. For instance, within two months in 2010 two visits were made to the region by top Cabinet officials: Secretary of Defense Robert Gates in April and Secretary of State Hilary Clinton in June. A year earlier, in May 2009, Attorney General Eric Holder visited. Drugs, crime, and arms trafficking were the raison d’être for all three visits.

Additionally, the Caribbean Basin Security Initiative (CBSI) was initiated by the United States in 2009 as a partnership with the region, aiming to: (a) reduce illicit trafficking through programs ranging from counternarcotics to reducing the flow of illegal arms/light weapons; (b) advance public safety and security through programs ranging from reducing crime and violence to improving border security; and (c) promote social justice through programs designed to promote justice sector reform, combat government corruption, and assist vulnerable populations at risk of recruitment into criminal organizations.

The latest CBSI partnership meeting occurred earlier this month—October 13-14—in Guyana. The CBSI Commission met for the second time, having met first in November 2010 in Jamaica. Commission meetings are designed to coordinate the various initiatives and programs undertaken by different technical working groups. At the Guyana meeting the United States announced the planned investment of $US77 million in 2012 for CBSI projects. Deputy
Assistant Secretary of State for Central America and the Caribbean, Julissa Reynoso, noted the forthcoming delivery of high-speed interdiction boats and relevant equipment to the Eastern Caribbean to complement earlier provisions to the Bahamas, the Dominican Republic, and Jamaica. Guyana and Suriname also were expected to receive patrol boats and related equipment in 2012.50

As would be expected, counter-narcotics agreements and programs extend beyond partnerships with the United States and other extra-regional stakeholders; intra-regional ones exit also. For example, this past September Jamaica’s National Security, Dwight Nelson, visited Cuba along with Jamaica’s Defense Force Chief of Staff Antony Anderson, Constabulary Force Commissioner Owen Ellington, and others. Nelson signed five agreements, dealing with Maritime Cooperation, Operational Police Cooperation, Counter Narcotics and Transnational Organized Crime, Mutual Legal Assistance in Criminal Matters, and the Execution of Criminal Sentences. Later that month Nelson and a similar team visited Honduras and signed similar agreements as well as discussed the maritime dispute between the two countries.51

As regards sovereignty, I agree with Louis Henkin that: “In simpler days, state sovereignty implied several key elements. Primarily, it meant political interdependence. It also meant territorial integrity and virtually exclusive control and jurisdiction within that territory.”52 In the context of things relevant to the Caribbean, several developments contributed to passage beyond “simpler days.” One was decolonization, which gave rise to the birth of several independent states into a “brave new world,” but with such small size and subordinate status in the international scheme of things that their sovereignty was compromised from “birth.”

The globalization phenomenon also has featured. Yet, even before the advent of decolonization and the spread of globalization discussions about sovereignty tended to focus on its international, formal-legal dimension: freedom from outside interference; that no authority is legally above a state except that which a state’s leaders voluntarily confer on international bodies.

Nonetheless, many scholars and statesmen accepted—especially following decolonization—that a key aspect of sovereignty relates to a nation’s internal dynamics. This aspect, called “positive sovereignty,” pertains to the holders of state power not only being free from external interference, but also having the ability to deliver “political goods” to citizens internally. Positive sovereignty pertains to governance, and it entails having the economic, public security, psychological, and other capabilities to articulate and enforce public policy.

I long have contended that drugs and crime undermine security and sovereignty in the Caribbean. Although the task here is not to do a regional geonarcotics assessment, it is essential to examine some of the evidence that supports the proposition that drugs and crime currently undermine security and sovereignty in the region. Two country-specific examples will suffice: the Dudus Affair in Jamaica, and the State of Emergency in Trinidad and Tobago.

**Jamaica’s Dudus Affair**

The Dudus Affair has both domestic and international dimensions. Central to it are Christopher “Dudus” Coke, criminal entrepreneur and leader of the Shower Posse,53 and Tivoli Gardens (TG), a geographic-criminal-political zone where Dudus was the Don. Brief words about Dudus and TG are, therefore, helpful.

The official name of the man called Dudus54 is Michael Christopher Coke. He has aliases other than Dudus, including Omar Clark, Paul Christopher Scott, Presi, President, General, and Shortman. He was born on March 13, 1969 in TG to Patricia “Miss Patsy” Halliburton55 and Lester Lloyd Coke, also known as Jim Brown. Lester Coke, who once led the Shower Posse, died in 1992 in a mysterious fire in a Jamaican prison where he was being held pending hearing for extradition to the United States for trial for murder and other crimes.

Just 5’ 4” in height, Dudus has several brothers: Omar Coke, Everton Jones, otherwise called “Corn Pipe,” and Andrew Coke, also known as “Liviti.” Two other brothers, Omar and Mark Anthony, had been killed earlier in gang shootouts, as had been a sister. A surviving sister, Sandra “Sandi” Coke, surrendered to police on June 4, 2010. Coke, who has four children, officially was an entrepreneur: director of a construction company called Incomparable Enterprises Limited, which received state construction contracts, and one called Presidential Click, which handled promotions. He assumed control of the Shower Posse at age 22 following the death of his father and elder brother. Coke was known for his modesty and for avoiding the media spotlight.56

In Jamaican political vernacular, TG is known as a garrison, defined by respected political scientist Rupert Lewis as: “… essentially a constituency in which the core of its political capacity among the grass-roots is based on the power of the area leader or don who controls the use of violence and scarce benefits and keeps the constituency aligned to the party with a huge plurality of the votes so the member of parliament is guaranteed a safe seat.”57 TG is one of Jamaica’s many inner city enclaves of urban poverty, shown in Map 1 (below).

A study by the Economic Commission for Latin America and the Caribbean (ECLAC), conducted at the request of
the Jamaican government, explains that the areas affected by the confrontation were in the parishes of Kingston and St. Andrew, in an area collectively called the Western Kingston Area. It comprises Denham Town, Central Downtown, TG, Fletchers Land, Hanna Town, and West Downtown, and it has a combined estimated population of 39,332, of which 41% is in TG.

The study found that the primary affected population was just about 2% of the country’s total population, but that a secondary population also was impacted. It defined the secondary population as the individuals in the employed labor force working in Kingston and St. Andrew. That secondary population accounted for 11% of the island’s population. Thus, when ECLAC tallied the primary and the secondary affected populations it found that about 349,674 individuals, representing about 13% of the island’s population, may have been directly affected by the events.58

It is useful to note some key milestones:
3. September 2009: although no formal contract was yet signed with the firm Manatt, Phelps, and Phillips (MPP), a retainer of US$49,892.62 was paid to them.
5. May-July 2010: a State of Emergency (SoE) was declared on June under Section 26 of the constitution for Kingston and St. Andrew on May 23. The SoE was extended on June 22 for a month, expanded to St. Catherine, and lifted on July 22.
6. June 2010: Coke finally was apprehended in St Catherine on June 22, 2010 in the company of the Rev. Al Miller, reputedly on the way to the United States embassy to surrender to United States authorities. The search for Coke was eventful. His TG defenders, along with dons and comrades from other garrisons, battled the security forces. According to ECLAC the result was: some 180 persons treated for moderate to severe injuries and another 72

Map 1: Map of Kingston Inner City
treated for minor injuries. Although the number 73 generally is cited as the death count, the ECLAC report noted that “the final number of deaths is still to be determined and could range from a low of 76 persons to a high of 90, including two members of the Jamaica Constabulary Force (JCF).” At a special extradition hearing at the Mobile Reserve in Kingston on June 24, Coke waived his right to an extradition trial and issued a statement through attorney Tom Tavares-Finson indicating his decision to forego the extradition trial; “I take this decision for I now believe it to be in the best interest of my family, the community of West Kingston and in particular the people of Tivoli and, above all, Jamaica. I leave Jamaica and my family, in particular Patsy [mother], with a heavy heart, but fully confident that in due course I will be vindicated and returned to them.” Coke, who was penitent over the lives lost and property damaged in TG, was flown to New York on June 24 and later arraigned in Manhattan.

7. October 2010: Commission of Inquiry (COI) formed to probe the extradition and allied matters. After some delay caused by political wrangling, the COI report was presented to the Governor-General in June 2011. A report into the nature and outcomes of the conduct of the security forces is being undertaken by the Office of the Public Defender, but is yet to be presented to Parliament.

8. August-September 2011: On August 31, Coke pleaded guilty, declaring: “I am pleading guilty because I am.” Sentencing was set for December 8, 2011. On September 7, 2011 he sent a seven-page, hand-written leniency letter to Judge Robert Patterson offering 13 reasons as the basis for a request for a sentence below the possible 23 years to which he could be sentenced. The May-June 2010 TG confrontation was history-defining in terms of the scope of the violence, the extent of the death and destruction of property, and the political fallout, which is discussed below. But it was not the first time security forces and TG residents had engaged in battle. Among the previous confrontations were those related to: the arrest of drug don Wayne “Sandokhan” Smith from West Central St. Andrew in 1988, and the arrest of Donald Phipps, better known as Zekes in downtown Kingston in September 1998. The arrest of Zekes resulted in three days of rioting and confrontation with the security forces, resulting in five deaths and several civilians and policemen shot and wounded.

The Dudus Affair has had some notable outcomes. Prime Minister Golding survived a no-confidence motion on June 1, 2010 by a 30-28 vote. On June 6, 2011 the COI tendered its report, which was startling in its no-culpability-by-anyone conclusion and offered only four recommendations, the most notable being to separate the roles of Attorney General and Minister of Justice. There was substantial civil society disenchantment with the inquiry and its outcome. Notable, too, the COI proceedings amounted to a political soap opera that allowed Jamaicans and other people around the world to witness some unflattering aspects of Jamaican politics and society, as it was televised and also was streamed on the Internet.

In terms of political fallout Golding reshuffled his Cabinet on June 29, 2011, firing Attorney General and Minister of Justice Dorothy Lightbourne. He also separated the Ministry of Justice from the Attorney General’s Chambers, as urged by the COI. Speaker Delroy Chuck was named the new Minister of Justice, and a few weeks later attorney Ransford Braham was appointed Attorney General.

During the political drama it was revealed that former PNP national security minister, Peter Phillips, had signed secret extradition Memoranda of Understanding with the United States but had not shared that fact with then Prime Minister P.J. Patterson or the Cabinet. However, the initial plan by the ruling JLP to bring a censure motion against Phillips was abandoned.

The ECLAC study captured some of the economic and social costs of the confrontation:

- The total cost of the fall-out from the civil unrest was determined by, among other factors, the severity and duration of losses to affected sectors and activities, the cost of physical assets damaged and the extent of contingency spending occasioned by its impact. Influenced by these factors, the total effect of the unrest on the economy of Jamaica was estimated at J$22,515.8 million, equivalent to US$258.8 million. The total impact represented some 2.1% of 2009 GDP and 50.0% of tourism GDP.

- The sectoral composition of the impact indicate that the productive sectors suffered the bulk of the impact (93%), with tourism suffering most of the losses due largely to loss of business and the outlay on marketing and advertising to encourage visitors to return. The distribution sector suffered 3.5% of impact nevertheless; the social fall-out in the sector would have been considerable, as a number of independent vendors were badly affected. The infrastructure sector suffered 4.8% of the total impact, with the bulk of the fall-out in transportation, reflecting in part the disruption of operators on the route from Kingston to a number of areas.

- Productivity losses represented 0.9% of the total and stemmed from morbidity and loss of life, social distancing resulting in lost labor productivity. Costs to the health sector were also contained (US$ 1 million), while the fall-out in communication services amounted to US$2.6 million. The initial estimate for the cost of security op-
erations was US$2.7 million, made up of US$1.5 million for the Jamaica Constabulary Force and over US$1 million for the Jamaica Defense Force and US$0.16 million for Office of the Public Defender.64

The political fallout also manifested itself in the September 25, 2011 announcement by Golding that he will not seek re-election as JLP leader at the party's annual general conference in November 2011. Understandably, there was speculation within and outside Jamaica about a possible direct link between Coke’s plea agreement and Golding’s departure; that perhaps Coke had given United States authorities information that so compromised Golding that his continued leadership became untenable; that perhaps “singing” by Dudus led to “croaking” by Golding, even though Coke’s attorneys insisted there was no “singing.”65

In a national broadcast on October 2, 2011, Golding contextualized his announcement in relation to (a) the then-recent death of his mother, (b) JLP governance requirements, and (c) the impending general elections. He also explained:

Questions about the role I played in the Coke/Manatt matter have remained a source of concern in the minds of many people. It was never about Coke’s guilt or innocence. It was about a breach of our Constitution and had it been a person other than Coke it perhaps would never have become the cause célèbre that it turned out to be. We have since amended the Interception of Communications Act to permit in the future, the action that was taken in Coke’s case but which, at that time, was in violation of our Constitution. However, the entire episode has affected me deeply and the perceptions that are held by some people have not been dispelled, notwithstanding the exhaustive deliberations of a Commission of Enquiry. I cannot allow the challenges we face and the issues that we as a people must confront to be smothered or overpowered by this saga and the emotions that they ignite. It would not be fair to my country; it would not be fair to my party.

Unexpectedly, Golding raised another sobering reality: “There are other considerations that led to my decision. It is time for my generation to make way for younger people whose time has come, who are more in sync with 21st century realities, whose vision can have a longer scope and who can bring new energy to the enormous tasks that confront us.”66 Some in the JLP “old guard” initially rebuked Golding for what might be called his next-gen approach, but the party leadership quickly rallied around Andrew Holness, the 39-year-old Education Minister, who was first elected to Parliament in 1997 to represent the West Central St. Andrew constituency. On October 23rd he became Jamaica’s youngest-ever Prime Minister, which is another history-defining aspect of the fallout from the Dudus Affair. The Holness appointment also complicates things for the opposition PNP, whose leader, Portia Simpson, is 65 years old.

The next general elections are due constitutionally by October 2012. Clearly, Golding practiced expediency politics: he made a personal sacrifice in hopes that the leadership change will avert political disaster for his party at the polls. His survival of the no-confidence vote by a razor-thin majority in June 2010, mentioned earlier, mirrored a broad loss of confidence in his leadership within Jamaica. Additionally, TG was his constituency (since 2005). But citizens there consider him a traitor for ordering Coke’s arrest and extradition. Thus, representing that constituency no longer was tenable.

Golding’s political difficulties were aggravated by the economic pain Jamaicans have been experiencing, although the economic difficulties derive largely from PNP pursuits when it ruled and from contemporary international economic realities beyond Golding’s control. Indeed, the October 1, 2011 Economist lauded Golding, saying, “Sometimes almost despite himself, he has been Jamaica’s most successful leader in decades.” It credited him with restructuring Jamaica’s debt, reaching an agreement with the International Monetary Fund (IMF) as part of that effort, and with buttressing Jamaica’s economy amid the global financial crisis. It noted also that Jamaica is the only Anglophone Caribbean nation with tourism growth, and that Golding’s ratings in the polls have actually improved, from 25 percent in June 2010 to 32 percent a year later.67

Elsewhere I have posited that the Dudus Affair was a manifestation of the compromising of Jamaica’s internal sovereignty,68 a position I maintain. As we saw above, sovereignty has both internal and international dimensions; the Dudus Affair spotlighted the former while revealing the latter. Paradoxically, while the constituents of TG and other garrisons have been instrumental to electing key political elites, for several decades formal state power holders were not free to exercise sovereign power over garrison territory the way they do over places such as Montego Bay or Ocho Rios, unless the garrison dons allowed this. Keep in mind that TG is not Jamaica’s only garrison.

Thus, under normal circumstances, the security services are persona non grata in garrison areas. The posses provided their own law enforcement. So, in terms of law enforcement and public policy related to crime, justice, and national security, which are essential to governance and positive sovereignty, there was only a limited exercise of sover-
eighty by the Jamaican state over the entire national territorial and political space.

Rupert Lewis observed that “The Tivoli garrison was a mini-state within the Jamaican state system with its own system of punishment and rewards.”69 And, there is some credence to John Rapley’s proposition: “Not all cases in which private actors have assumed state-like functions, however, involve chaos or failure. The gang-controlled communities in Jamaica, for instance, are often among the safest in the country.”70 Complicating things were the disrespect, acts of impunity, and corruption by a number of individuals within some security and criminal justice agencies.

Yet, the sovereignty impact of the Dudus Affair involves more than the political vicissitudes discussed above; important, too, is a crucial political economy aspect. What is true for many societies is patent in Jamaica: economic inequalities are structural, and poor communities often cope with relative economic and social deprivation by being complicit with or turning a blind eye to actions by criminal gangs or individuals that provide economic and social goods not offered by the state power holders.

Surely, not that all residents in garrison communities are criminals. But, in the context of survival realities, they recognize the locus of the political and economic power and their loyalties shift from the power holders of the official state to those within “their state.” This is especially when their power brokers are able to secure contracts from the formal state to help meet their economic and social needs, as has been the case in Tivoli Gardens and other garri-
sons.71 Indeed, TG residents affectionately called Coke their president. And, some garrison residents are willing to die for their dons. To this point, during the TG confrontation the world saw on television signs that screamed: “After God, Dudus,” and “Jesus died for us and we will die for Dudus.”

In sum, then, the official state in Jamaica did not have—and still does not have—a monopoly of force within Jamaica’s sovereign land territory of 10,991 km². (I say land territory because Jamaica’s sovereign territory includes archipelagic waters of 22,000 km², a territorial sea of 17,995 km², and a contiguous zone of 21,055 km².)72 Moreover, the confrontation in 2010 not only repudiated the Jamaican state’s legal authority it also challenged it directly—and with the use of force. Remember, too, that “comrades” from other garrisons went to TG to provide reinforcement and show solidarity. This suggests that they also repudiated the official state and were prepared to confront it forcefully. Thus, it is more than reasonable to view the Dudus Affair as dramatic evidence of a situation that existed for decades: the compromising of Jamaica’s security and sovereignty.

**Trinidad and Tobago’s State of Emergency**

A State of Emergency (SoE) is a suspension by a nation’s rulers of the normal rights of citizens and a modification of the customary functioning of the state, especially in terms of security and judicial procedures and practices. It can suspend or restrict freedoms of: movement, through instituting curfews; of assembly, by curtailing or prohibiting street rallies and marches; of speech, by banning certain media or the kind of material they issue; and of due process, by removing probable cause as the basis for arrest, modifying the presumption of innocence in judicial proceedings, and modifying customary arrest, trial, and appeal procedures. Moreover, with an Emergency the security forces usually get enhanced powers, and sometimes parliamentary business also is suspended or limited.

In some cases, especially in authoritarian governmental arrangements, the SoE is accompanied by the introduction of martial law. Especially in democracies, the declaration is done under provisions of the country’s supreme law, generally the constitution. A SoE is an extreme governance measure and is reserved for situations where the political elites perceive a threat to the conduct of normal political business because of civil unrest, armed conflict—whether civil war or war with another state—natural disaster, and sometimes even when circumstances have no overt or planned political designs.73 So, in one way or another, States of Emergency generally have security aspects, whether in terms of traditional national defense or non-traditional internal public or citizen security in the senses discussed in Section IV above.

Two observations are in order before discussing the current SoE. First, it is not the twin-island republic’s first; there were earlier ones in 1970 because of the army mutiny, and in 1990 in the aftermath of the Jamaat al Muslimeen coup attempt. One also was declared in 1995 when a parliamentary crisis developed over Speaker Occah Seapaul’s refusal to vacate her office having been involved in some litigation, a situation the ruling party deemed injurious to good governance.74

Second, there have been States of Emergency elsewhere in the region,75 including in Dominica in 1980 over an attempted coup. Haiti has had many, and Guyana also has experienced several. One was declared in 1953 by the colonial government which perceived a national security threat by the electoral victory of the Marxist People’s Progressive Party, led by Cheddie Jagan. The British also suspended the constitution for four years and sent troops from London to occupy then British Guiana.

There also were declarations between 1962 and 1964 because of political unrest and racially-motivated strikes, and in 1998 because of political disturbances in the aftermath of the 1997 elections.76 Jamaica also has endured several
declarations. Apart from those associated with the TG and other garrison confrontations, noted earlier, the most extraordinary one was in 1976, in the throes of electoral politics, which witnessed both ideological polarization and political violence. St. Kitts and Nevis also had a SoE in 1993 due to disturbances following the November 1993 elections.77

This current SoE highlights the dangerous and debilitating nexus between drugs and crime, and it spotlights threats to security and sovereignty; mostly non-traditional, public security, and positive sovereignty, although there are implications for formal-legal sovereignty. The declaration was guided by the nation’s supreme law. As one source explained:

The Trinidad and Tobago Constitution vests constitutional and legal jurisdiction in the Office of his Excellency the President and Commander-in-Chief of the Republic of Trinidad and Tobago in accordance with section 8 (1) (a) and (b) of the Constitution of the Republic of Trinidad and Tobago to declare the issuance and/or invocation of a ‘Proclamation’ a State of Public Emergency of several grounds such as ‘an Act of War’ under S. 8 (2) (a) a natural disaster for example, ‘an earthquake’ under S. 8 (2) (b) and in the case of the Proclamation dated 21 August 2011 and issued by His Excellency Professor George Maxwell Richards, President and Commander-in-Chief of the Republic of Trinidad and Tobago ‘a situation of such a threatening nature and extensive scale that is likely to endanger the public safety or deprive the community or any substantial portion of the community of supplies or services essential to life’ under S. 8 (2) (c).78

We saw in Section III above that Trinidad and Tobago had a five percent reduction in reported murders and a decline in overall reported crimes from 2009 to 2010. What, then, precipitated the declaration of the SoE?

In keeping with Section 9(1) of the constitution, President George Maxwell Richards provided the answer to this question in his August 23, 2011 letter to Speaker Wade Mark. The constitution prescribes that a statement of reasons be sent to the Speaker within three days of a declaration, and that a date for parliamentary debate be set, for no later than 15 days after the declaration. In turn, the Speaker sent the statement to the 41 Members of Parliament the day after receiving it.

The President declared that the nation had been witnessing “the tragedy of multiple murders and an upsurge in gang-related violence.” For instance, there were 11 murders during one 72-hour period in August—19-21. He cited credible national security intelligence about the escalation in violent crime linked to then-recent counter-narcotics activities, one case being a seizure valued in excess of $20 million, on August 16, 2011. Consequently, “There is the real risk of reprisal and retaliation by gangs that will compromise and endanger public safety, law and order.”

He averred: “The present unprecedented escalation in murders and other serious acts of violence and lawlessness warrants the adoption of more decisive and stronger action to ensure the safety of the public. … The majority of these murders are occurring in specified geographical areas across Trinidad and Tobago, often committed by members of criminal gangs or persons involved in the drug and arms trade.” He continued: “As a consequence of these events and facts, I am satisfied that the nature and extent of these events endangers public safety to an extent that warrants the declaration of a state of emergency.”79

The President, who also is Commander-in-Chief, proclaimed the SoE on August 21, initially for 15 days. The proclamation, shown in Box 1, was accompanied by issuance of the Emergency Powers Regulations, 2011. On the basis of the Regulations, the following day Acting Commissioner of Police Stephen Williams issued the Emergency Powers (Curfew) Order, 2011.80 Although the SoE was declared nationwide, the curfew—from 9:00 pm to 5:00 am—was limited to “hot spots” in six local government areas shown in Map 2 (below): Port-of-Spain, San Fernando, Arima, Chaguanas, Diego Martin, and San Juan/Laventille.

The combined resources of the Trinidad and Tobago Police Service (TTPS) and the Trinidad and Tobago Defense Force (TTDF) are being employed, with the TTPS being in the lead. As with any SoE, the security forces have enhanced powers. For instance, search and seizure powers do not require a search warrant. Besides, TTDF members have powers to stop and search for firearms, enter and search any premises, arrest and detain individuals, and stop and search any person, vehicle, or vessel. Police can arrest and detain individuals for up to 24 hours after which a magistrate or Assistant Superintendent of Police (or higher) can add an extra seven days.

On September 4, the SoE was extended to December 5, but the curfew was modified: from 11 pm to 4 am. On September 13, authorities added 11 new hot spots. As shown in Map 2, the areas are: Toco, Carli Bay, Cedros, Moruga, Dow Village, McBean in Couva, Chase Village in Carapichaima, Claxton Bay, Maloney, Windy Hill in Arouca, and La Horquetta. The curfew also was extended along 362 kilometers of coastline within a radius of three nautical miles.

The SoE featured on the parliamentary agenda over several days. It first was debated on September 2, 2011 when National Security Minister, Brigadier (Ret.) John Sandy, introduced a motion called “Basis for the Declaration of the State of Emergency:” “BE IT RESOLVED that the House take note of the Statement by the President under Section 9
(1) of the Constitution setting out the specific grounds on which the decision to declare the existence of a State of Public Emergency was based.\textsuperscript{81} That motion was approved the same day.

Sandy elaborated on aspects of the president’s statement of reasons, and asserted that if the Government had not instituted the SoE the loss of lives and similar consequences which could have occurred “would have made the events of 1990 look like a garden party.” He mentioned receiving intelligence on Sunday August 21—the day the SoE was declared—that prompted recommending that the Prime Minister convene a meeting of the National Security Council. An emergency meeting of the Cabinet also was called before the President’s concurrence on the SoE was sought.\textsuperscript{82}

The debate continued the following day, focusing on a motion to extend the emergency for three months. That motion was approved on September 4. During that debate Minister Kamla Persad-Bissessar asserted: “Well before Sunday August 21st, 2011, this country was in a state of emergency. The criminals had declared open war on the citizenry. The majority of the population was living in self imposed curfew, hiding in their own private jails while the criminals who placed them there, roamed free.”\textsuperscript{83}

The Prime Minister justified the SoE thus:

Renowned politician and Father of the Indian Constitution, Dr. R. Ambedker, reminds us that: ‘Law and Order are the medicine of the body politic and when the body politic gets sick, medicine must be administered.’ The paramount obligation of the Government is to protect its citizens and guarantee liberty.

Aristotle, one of the founding fathers of democracy once said “the basis of a democratic state is liberty”. A constitutional democracy is essentially a pact between the citizen and the State. When the State breaches this pact because it is unable to fulfill its obligations to guarantee basic fundamental rights and freedoms, such as life, liberty and security, then the rule of law is fractured.

The Constitution is a sacred document however, its sanctity is derived from the respect people have for it. However, with the violent and heartless criminal element responsible for rivers of blood that flowed through our streets in the past 10 years we lost our faith in the State’s ability to guarantee our rights. The state of emergency is a restoring of the State’s ability to guarantee those rights and freedoms to its citizenry. This is a means
to an end - the means is the state of emergency and the end is restoration of our rights and freedoms.  

The Prime Minister provided a comparative crime portrait, noting:
- Between 1995 and 2001 there were 789 murders, or 112 per year.
- Between 2002 and 2009 there were 2,853 murders, or 357 per year.
- Between 2002 and 2009 murders increased by 218% on average per year compared to between 1995 and 2001.
- Between 2003 and 2009 there were 126,978 serious crimes, of which 3,082 were murders.

Persad-Bissessar used a local adage in her sobering assessment of the nation’s crime crucible: “Old wisdom says that, if a frog is placed in boiling water, it will jump out, but if it is placed in cold water that is slowly heated, it will not perceive the danger and will be cooked to death. We were like the proverbial frog being slowly cooked to death by the escalating crime.” She added: “Some of us have become so immune to the heat that we are unable to recognize that if we let this state of affairs continue it will eventually render Trinidad and Tobago a ‘Failed State’, where crime and violence becomes the norm, and a lawless society takes over, driving law-abiding people out.”
As noted earlier, the potential for infringement of civil and political rights always is a matter of concern in States of Emergency; Trinidad and Tobago is no exception. Asserting that “The criticism that people have no rights during this State of Emergency is not correct,” the Prime Minister explained: “apart from the tribunal established by the Chief Justice for detainees, their normal rights to access the High Court remains. Persons arrested and charged for criminal offenses still enjoy their Constitutional rights.” Moreover, she explained that the rights to legal representation, prompt court appearance, and habeas corpus remained intact.

Both the Prime Minister and Minister Sandy refuted allegations of racial profiling during the SoE. Sandy noted that the majority of murder victims and prisoners were people of African descent. “It is people who look like me who are being murdered all the time, people who look like my mother who are weeping and crying for their sons and daughters,” he said. Appealing to his “brothers and sisters,” he cited one case where one victim in San Juan had left 15 children as survivors.

He presented some startling data to show the severe impact on Afro-Trinidadians. When his figures are viewed in proportional terms, one finds the following:

- of the people arrested for murder in 2006, 57.6% were Afro-Trinidadians, and of the people imprisoned that year, 57.2% were Afro-Trinidadians.
- of the people arrested for murder in 2007, 78.8% were Afro-Trinidadians, and of the people imprisoned that year, 53.7% were Afro-Trinidadians.
- of the people arrested for murder in 2008, 78.1% were Afro-Trinidadians, and of the people imprisoned that year, 53.5% were Afro-Trinidadians.
- of the people arrested for murder in 2009, 75.7% were Afro-Trinidadians, and of the people imprisoned that year, 57.1% were Afro-Trinidadians.
- of the people arrested for murder in 2010, 67.7% were Afro-Trinidadians, and of the people imprisoned that year, 53.9% were Afro-Trinidadians.

Beyond the charges of racial profiling, there have been credible allegations of impropriety by members of the security forces. Sandy acknowledged as much on October 18, 2011 at a training program involving the Police Complaints Authority (PCA) and the Joint Partnership Project on Criminal Justice. Police impropriety predates the SoE, though. For instance, this year’s Amnesty International’s submission to the United Nations cited excessive use of force by TTPS members and several cases of alleged unlawful killings and ill-treatment. During 2008 some 40 people reportedly were killed by the police; in 2009 the figure was 39. Many of the killings spawned violent community protests.

The report also noted that the PCA’s work was hindered by the absence of a director for almost three years, until December 2010; in February 2011 a backlog of 1,000 complaints was identified. It also mentioned the confession in July 2008 by Acting Commissioner of Police James Philbert that “the Police Service owed the nation an apology for the poor quality of policing experienced by some sectors of society over the years.”

Unless indefinite martial law is imposed, no government can afford a SoE of too long a duration or to have a SoE-as-an-end-itself strategy. Trinidad and Tobago is no different. December 5 has been set as the end-game, although it can be extended. As well, during the September 4 parliamentary debate the Prime Minister recounted supplementary criminal justice, social, and other measures and programs intended to mitigate against some of the underlining and ancillary issues involved in their problems without passports. Some of the measures are underway; others are to be developed.

The Prime Minister declared: “the State of Emergency is not our last card.” Additional efforts will include continuing to target gang leaders and criminals who peddle drugs and guns, retrieve guns and ammunition, target “businesses” that support criminal activity or provide “cover” to them. She promised proactive initiatives along with community policing activities at the end of the SoE. She also cited existing social support measures at aid single mothers, children, and senior citizens, and noted the then-impending Morvant-Laventille Initiative as another component of the community support package to be offered as an alternative to the criminality within communities.

As might be expected, there have been bumps along the implementation road in relation to some measures, the anti-gang area being one such. Reportedly there are implementation difficulties with aspects of the Anti-Gang Act 2011. They apparently include the fact that the new law creates offenses for which there is no local guidance through judgments in how to interpret its provisions, and absence of clarity regarding what qualifies as proof of the existence of a gang. In one case in September, 21 individuals arrested under the new law had to be released after the Director of Public Prosecutions (DPP) acknowledged insufficient evidence to prosecute.

On October 16 Assistant Superintendent of Police (ASP) Joanne Archie reportedly confirmed that some arrests had been halted since September pending the receipt of advice from the DPP. But, said the report, “ASP Archie said
there are some pieces of crime legislation which the police need to get the DPP’s advice on, but the Anti-Gang Act was not one of these.” Deputy Commissioner of Police Jack Ewatski himself has acknowledged the evidence challenge. Indeed, Cedric “Burkie” Burke and his driver, Keon “Baine” Bain, once considered “Big Fish” by the authorities, were among individuals released for insufficient evidence.93

The current SoE is extraordinary, and for several reasons. First, although there have been such cases, generally SoE declarations are not prompted by violent crime that is not politically motivated or connected.94 Second, this SoE constitutes a defining moment for Kamla Persad-Bissessar’s 18-month-old coalition government, which inherited numerous challenges, crime and violence being among the most serious. (I consider corruption and economic mismanagement as the other critical challenges.)

The coalition government raised expectations about its ability to deliver “the public goods,” of which security—and positive sovereignty—occupies a place of prominence. Third, although Persad-Bissessar down-plays this, she inherited from Patrick Manning the role of CARICOM Lead on security. As noted above, security has occupied a place of prominence within the formal CARICOM architecture having been declared the Fourth Pillar in 2006. Thus, Prime Minister Persad-Bissessar is under the spotlight in that role. Other Caribbean leaders surely are observing her conduct on the national front, looking for models to emulate—or repudiate—in their own jurisdictions.

It was therefore natural that security occupied a place of prominence in the 2012 budget presented to Parliament earlier this month (October 10, 2011) by Finance Minister Winston Dookeran: “Indeed, it is the Government’s duty to protect our citizens and our country. … Mr. Speaker, as we look ahead, the policy platform will focus on three priorities. … Job creation: with projects for poverty reduction and a range of measures to close the equity gap; Investment: which will include creation of entrepreneurial opportunities and an innovation-driven economy to stimulate growth and competitiveness through public/private investment; and Security: which will involve the continued implementation of strategies for crime reduction, effective containment, and a climate of law and order. It also will involve food security with clear production targets and infrastructural support.”95

Noteworthy, too, is that the prominence is reflected tangibly in the line-up of the top six expenditure areas; national security is ahead of agriculture, housing, and health: Education and Training: $8,717.8 million; Infrastructure (including Works, Public Utilities, and Transport): $6,995.4 million; Health: $4,724.9 million; National Security: $5,170.5 million; Agriculture: $1,954.3 million and; Housing: $1,970.0 million.96

Two R words—Results and Risks—likely would be uppermost on the minds of the political directorate of any nation with a SoE. It is too early to offer a full result assessment of that in Trinidad and Tobago. Clearly, though, it has had broad national support, judging from the results of polls conducted by the Trinidad Express and the North American Caribbean Teachers Association, and endorsement by corporate, civic, and other leaders.97

The results between the start of the SoE on August 21 and October 23 include the following:

- Gang-related arrests: 449
- Drug offenses: 912
- Breach of curfew: 405
- Traffic offenses: 1,102
- Firearms seized: 145
- Homicide investigations: 67
- Ammunition seized: 12,522 rounds and 31 magazines
- Outstanding warrants resolved: 1,338
- Total individuals arrested: 5,073.98

Moreover, the authorities view the following tangibles and intangibles as part of the results package: the functioning of the National Security Operational Centre and of the Maritime Security Plan; over 50% reduction in the homicide rate during the SoE period; the dismantling of gangs and the gathering of intelligence related to gang operations; discovery of a billion-dollar illegal bunkering of diesel racket; seizure and destruction of approximately one billion dollars worth of illegal drugs; restoration of sense of safety and security by citizens and renewal of the “social contract” between citizens and the state, reflected in the more than 800 hotline phone calls received; and independent poll results indicating more than 80% support for the SoE.99

As to risks, among the most serious could be sub-par achievement of strategic and tactical goals for (a) arresting criminals, (b) disrupting gangs, (c) seizing drug, guns, and other weapons, and (d) removing the climate of fear. The authorities also risk reduced business activities, with consequent revenue shortfalls.100 As well, if the SoE goes beyond December a siege mentality by citizens likely will develop. Not only this, the criminals will adapt to the new security dispensation, and the equivalent of the law of diminishing returns in security terms will begin to manifest
Moreover, the longer the SoE the greater the likelihood of a negative impact on external relations, whether for tourism and business. In this respect, the government risks stirring both commercial and social wrath if the SoE goes into the Christmas season and then spills over into carnival preparation. Beyond these risk areas, regardless of the duration of the SoE, unless Trinidad’s leaders address meaningfully some of the conditions that conduce to drugs and crime—criminal gangs, pockets of poverty, and social anomie—they might find it necessary to declare more Emergencies in the future.

This applies to other Caribbean nations; others facing tough challenges may consider the expediency or necessity for States of Emergency. Indeed, leaders in Antigua and Barbuda, Grenada, and Guyana publicly endorsed Trinidad’s move, those in St. Lucia acknowledged having considered declaring one earlier this year, and the opposition People’s Action Movement in St. Kitts and Nevis called for one there.

It remains now only for us to ponder the questions in the subtitle: How secure is security, and how sovereign is sovereignty?

V. The Subtitle, the Questions

Two of the world’s stark realities are the following: security is not absolute, and sovereignty is not sacrosanct. Beyond the vicissitudes of economic and security interdependence, there is the powerful factor of information technology. As was argued elsewhere, not only are sovereign boundaries no longer impregnable, they are subject to “attack”—and often are “attacked”—by both “enemies” and “friends.” All kinds of data move across, over, and through borders as if the borders did not exist. Over-the-horizon radar reaches deep into sovereign airspace of countries with wide geographical expanses and satellites with high-resolution cameras peer down at military and commercial installations within national boundaries.

Accordingly, as Jarat Chopra and Thomas Weiss asserted almost two decades ago, “Whether the power structure of sovereign states ever accurately reflected textbook characteristics, sovereignty is no longer sovereign; the world has outgrown it. The exclusivity and inviolability of state sovereignty are increasingly mocked by global interdependence.” In my estimation, the combined effects of global interdependence and impact of the problems without passports on Caribbean (and other) states have enabled the mockery of their sovereignty to be taken to new “highs”—or, perhaps, “lows”—depending on one’s vantage point.

As was noted earlier, the sovereignty of Caribbean states was compromised from “birth.” The gravity of the present-day drugs and crime threat accentuates their security vulnerability and further exposes the tenuousness of their sovereignty. Much as it might be anathema to some leaders, the harsh reality is that security is severely compromised and sovereignty is under siege. The intensity of the threats varies among countries. Hence, the nature and extent of the compromise and the siege varies across the region.

In general, the current drugs and crime threat hurts the security and sovereignty of Caribbean states by:

1. Contributing to increased and, in some cases, pandemic crime and violence that (a) challenges states’ monopoly on the use of force, (b) creates climates of fear, (c) stresses and stretches military, police, and criminal justice capabilities, and (d) aids the development of unwholesome values.

2. Enabling criminal entrepreneurs to (a) violate formal-legal sovereignty by penetrating territory without consent and with impunity, and (b) undermine normal internal governance by necessitating introduction of extreme governance measures such as States of Emergency, joint army-police counter-narcotics and counter-crime operations outside of Emergencies, and restrictions on civil and political rights.

3. Facilitating ad hoc and institutionalized corruption, within national security agencies and other governmental entities, in the corporate, agricultural, and commercial sectors, and within the general society.

4. Causing and aiding (a) the illegal traffic in weapons across and within states, and (b) the theft of weapons from army, police, and private security armories, both of which consequently contribute to the increased use of weapons in the prosecution of murders, burglaries, and other crimes.

5. Necessitating “rational” but skewed allocation of scarce national and international resources to national security at the expense of critical social programs that themselves are needed to mitigate the susceptibility to the lure of drug money.

6. Affecting negatively economic activity by (a) deterring foreign direct investment thereby undermining employment and state revenue generation, and (b) depressing state revenue generation caused by reduced tourism and fines imposed on government and private sector entities by foreign governments because of (i) drug trafficking, (ii) money laundering, or (iii) the confiscation of property because of trafficking.

Thus, overall, to the question, “how secure is security?” I would offer the inartful but practical answer: “not very!”
And to the question, “how sovereign is sovereignty?” I also offer an inartful but practical response: “it never really was, and now the sovereignty ship is churning in Category Four hurricane seas its hull is being exposed dangerously, jeopardizing buoyancy.”

Yet, all is not lost! Aided by partners beyond the region who have geonarcotics, geoeconomic, and geopolitical interests in the region, the leaders and citizens of the Caribbean are waging “wars” on various front, even though the assets to effectively “wage war” or to ‘win” it are woefully inadequate.

The situation is such that Shridath Ramphal’s decades-old but still perceptive observation comes to mind: “Sometimes it seems as if small states were like small boats pushed out into a turbulent sea, free in one sense to traverse it; but, without oars or provisions, without compass or sails, free also to perish. Or perhaps, to be rescued and taken aboard a larger vessel.”\textsuperscript{104} Much as some Caribbean nationals (and leaders) might wish to be “rescued” by the United States, Britain, France, or Canada, those hoped-for rescuers have their own economic and security interdependence challenges to contend with; and they, too, are affected by problems without passports.

For me, regionalism is the only credible “larger vessel,” even though it is not a perfect vessel. Therefore, it is both depressing and disconcerting to see such dithering on regionalism, especially by leaders of nations that once championed regional integration. This includes the current leader of the land that Eric Williams once led. Although Prime Minister Persad-Bissessar apologized for the unfortunate ATM machine gaffe and for “no free help” remarks related to disaster-struck sister Caribbean nations, she seems unconcerned about the contradiction of hosting the Caribbean Court of Justice (CCJ) while not wishing to join it. This is all the more so when British judicial and political officials have rebuked Caribbean nations for clinging to the Privy Council.\textsuperscript{105}

Also, witness Jamaica’s intransigence on the matter. Prime Minister Golding not only expressed healthy skepticism about leaving the Privy Council, he also considered creating a Jamaican court of final appeal rather than embrace the CCJ.\textsuperscript{106} One could only hope that Andrew Holness, the history-making new Prime Minister, would chart a new course of regional engagement. It is especially sad, too, that these two nations, to which other states look for leadership, would maintain this diffidence on the eve of their 50\textsuperscript{th} anniversary of independence, to be celebrated in ten months: August 6 in Jamaica, and August 31 in Trinidad and Tobago.

This past July St. Vincent and the Grenadines Prime Minister, Ralph Gonsalves, voiced what many other leaders believe: “… It was perhaps inevitable that the change in government in Trinidad and Tobago in May 2010 would have resulted in a greater emphasis on domestic, rather than on regional, matters.” Like others in the region and in the Diaspora, he hoped that “the Government of Trinidad and Tobago, which is populated by committed regionalists, would again be at the fore in pushing the regional agenda on all fronts.”\textsuperscript{107} I, too, share this hope.

On the matter of regionalism—and related to sovereignty—permit me to share with you an avowal that resonates with me; it was offered by Shridath Ramphal earlier this year in delivering a memorial lecture in Grenada: “In the 21st century, despite all we know in our minds of the brutality of the global environment and the need for collective action to survive it, the isolationist claims of ‘local control’ still smother the demands of unity of purpose and action. We are still so many plantation enclaves obsessed with outdoing each other.” He continued: “We have each been touched with the glow of ‘local control’; each moved by the siren song of ‘sovereignty’; have each allowed the stigma of otherness, even foreignness, to degrade our West Indian kinship. …”\textsuperscript{108}

\section*{VI. Conclusion}
As we conclude this centennial activity in memory of Eric Eustace Williams, eminent statesman, scholar, regionalist, let me invoke the name of another, late regionalist. The person was no scholar or statesman, but he certainly was eminent, and a purveyor of hope and pride, as Williams was. The man to whom I refer is Bob Marley, who departed earth the same year as Eric Williams; Williams in March 1981; Marley in May of that year.

Marley once said: “The greatness of a man is not in how much wealth he acquires, but in his integrity and his ability to affect those around him positively.” Whether or not he knew it, Bob was talking about Dr. Politics. A great and complex man, he affected people and nations around him positively while alive, and he has been doing so 30 years after his death. Were he here to see his beloved nation and region contend with these problems without passports he certainly would have influenced how we deal with them.

In 1969 a message from Williams was one of 73 world-side and just three from the region—the others being from the leaders of the Dominican Republic and Guyana—invited for the historic Apollo 11 lunar landing; it is still on the moon. Williams wrote two sentences: “The Government and the people of Trinidad and Tobago acclaim this historic triumph of science and the human will. It is our earnest hope for mankind that while we gain the moon, we shall not lose the world.” Thinking of the second sentence, it is my hope that as the leaders, peoples, and partner nations of the contemporary Caribbean contend with our problems without passports, we do not save our states and lose our Civili-
ENDNOTES


10) The point also is made in Global Study on Homicide 2011, 15 that: “homicides also represent a reasonable proxy for violent crime in general, and due to the ‘invisible’ nature of much violent crime in terms of the failure to record it, homicide can be considered the tip of the violence ‘iceberg.’ Thus, homicide data can also provide valuable insights into the nature and extent of this wider concern.”

11) Nick Miroff, “Mexico’s Drug War Comes to Belize,” Globalpost, October 11, 2011, available at http://www.globalpost.com/print/5676960. Announced in October 2007 and signed into law in June 2008, the Mérida Initiative is a partnership involving the United States, Mexico, Central America, Haiti, and the Dominican Republic to combat transnational crime and drug trafficking. It funds several programs to investigate and prevent corruption within law enforcement agencies; facilitate the sharing of intelligence within and between regional governments; and provide equipment and training, among other things.

12) An instance of journalistical sensationalism, in relation to Trinidad and Tobago, is Dorn Townsend, “Trouble in Paradise: Welcome to the World’s Newest Narcostate,” Foreign Policy, March 22, 2010. To his credit, Townsend has done other credible work in the region. I also am aware of the Wikileaks reports related to Guyana during the tenure of US Ambassador to Guyana Ronald Bullen between 2003 and 2006 and subsequently, and the seriousness of corruption and the Roger Khan situation. Yet, I do not find Guyana’s contemporary situation as meeting the narco-state test.


17) My initial plan was to have a third—and regional—case study to supplement the two country-specific ones. That third case was to be private security. However, time constraints precluded completing that case.


19) The point also is made in Global Study on Homicide 2011, 15 that: “homicides also represent a reasonable proxy for violent crime in general, and due to the ‘invisible’ nature of much violent crime in terms of the failure to record it, homicide can be considered the tip of the violence ‘iceberg.’ Thus, homicide data can also provide valuable insights into the nature and extent of this wider concern.”


the Minister of State in the Ministry of National Security, Dr. St. Aubyn Bartlett.


41) See “Address to the Nation on the Crime Situation in Saint Lucia and Government’s Response by Prime Minister the Honorable Stephenson King,” May 30, 2010, available at http://www.olviustica.gov.lc/primeminister/statements/2010/a d_d r e s_s_t o _ t h e _ n a t i o n _ o n _ t h e _ c r i m e _ s i t u a t i o n _ i n _ s a i n t _ l u c i a _ a n d _ g r o w _ e v e r _ n m e n t _ s _ r e s p o n s e _ b y _ s t a t e m e n t _ s _ p r i m e _ m i n i s t e r _ t h e _ h o n o r a r i b s _ s t e p h e n s o n _ k i n g _-%E2%80%93_30_may_2010.html; and M.G. George, “Minister wants Court to act Quickly in Regis Case,” The Voice, June 18, 2011, available at http://www.thevoiceslu.com/local_news/2011/june/18_06_11/Minister.htm.


44) A key difference between the cases of Trinidad and Tobago and St. Kitts and Nevis is that the Commissioner in the former, Dwayne Gibbs, is Canadian while that of the latter, Kelvin G. Walwyn, is a St. Kitts native who was recruited while serving as a law enforcement practitioner in the United States. Incidentally, Trinidad and Tobago is not the first independent Caribbean nation to “import” police leadership. Antigua and Barbuda, St. Lucia, and Jamaica are among places that have done it. In recent years Jamaica has had a Deputy Commissioner from Britain. The current Assistant Commissioner for Serious and Organized Crime, Leslie Green, also is a former Scotland Yard officer.

50) “Caribbean to Receive Millions next year to Fight Crime,” See “Cuba and Jamaica Partner in Fighting Organized Crime,”
51) For contemporary traditional security issues, see Kenneth Hall and Jorge I. Domínguez, “Introduction,” in Michael C. Desch, Jorge I.
46) Ben Bowing also provides a useful discussion in Policing the Caribbean: Transnational Security Cooperation in Practice (Oxford: Oxford University Press, 2010), 29-68.


53) There are differing explanations about the origin of the name “Shower.” One is that it derived from the reputation of the gang for spraying—showering—opponents with bullets. Another is that it came from the promises of politicians associated with it to “shower” supporters with gifts.

Dudus as a nickname—DUD-us—reputedly stuck to Coke because growing up he wore dashikis (African-style shirts) that were a favorite of one of his idols, Jamaican World War II hero Dudley (Dud) Thompson. SeeBrad Hamilton and Cathy Burke, “The Brutal Rise of Drug Lord Christopher Coke and the Fight to Bring Him to Justice,” New York Post, June 27, 2010, available at http://www.nypost.com/p/news/international/drug_lord_bratual_rise_LbN1aR3kSTcQJinNZUL2Hi1fxxz1z0V7L. Thompson, a Rhodes Scholar, distinguished attorney, and Pan Africanist, served Jamaica as a diplomat as well as minister of national security and of foreign affairs. He is now 94 and resides in Florida. Earlier this month, it was announced that he will receive the African Union’s first Citizen of Africa Award, with an accompanying passport. See “Dudley Thompson is Africa’s First Citizen,” Jamaica Observer, October 2, 211, available at http://www.jamaicaobserver.com/news/Dudley-Thompson-is-Africa-s-first-citizen--9826298.

Miss Patsy died on August 22, 2011 within a month of her 65th birthday, and was buried on September 14, 2011. Among the many prominent citizens who attended the funeral and eulogized her were former JLP leader and Prime Minister Edward Seaga, Tivoli Gardens MP for 43 years, Kingston Mayor Desmond McKenzie, and ILP Senator and one-time Dudus lawyer, Tom Tavares-Finson. One of her grandchildren, Christopher Coke, Jr., also read a letter from his father, then on trial in New York. See Denise Dennis, “Seaga, McKenzie among Mourners Praising Dudus’ Mom,” Jamaica Observer, September 15, 2011, available at http://m.jamaicaobserver.com/mobile/news/Seaga--McKenzie-among-mourners-praising--Dudus-s-mom 9712300. Interestingly, Miss Patsy was buried the same day Enid Golding, the mother of Prime Minister Golding, died.


ECLAC, v.

ECLAC, 52.


44) Ibid.

45) Ibid.

46) Available at http://www.guardian.co.tt/node/22317.


48) Ibid.

49) Ibid.

50) Ibid.

51) Ibid.

52) Ibid.

53) Ibid.

54) Ibid.

55) Ibid.


57) See “Speaking Notes of the Hon. Kamla Persad-Bissessar.”
93) See Daniel Khan, “Legal Issues with Prosecuting Gangs,” Trini-
trinidadexpress.com/commentaries/Legal_issues_with_prosecuting_gangs-130755573.html; Gail
Alexander, “Arrests Under Anti-Gang Act Halted,” Trinidad
rdian.co.tt/news/2011/10/17/arrests-under-anti-gang-ac-
thalted; and Yvonne Baboolal, “Evidence Against Gangs hard to

94) Although the Tivoli Gardens violence was not politically-
motivated per se it had deep political ramifications. Dudus was not
just a criminal entrepreneur but also a power broker. His garrison
was politically partisan and was critical to JLP power pursuits.
Garrison political partisanship and clientelism have been staples of
Jamaican politics for decades. Elsewhere in the Americas, SoE
declarations were precipitated by violent crime in the Brazilian
state of Minas Gerais in January of this year.

95) Government of the Republic of Trinidad and Tobago, Budget
Statement 2012: From Steady Foundation to Economic transfor-
mation, Safety, Jobs, Investment. Presented to Parliament by
Winston Dookeran, Minister of Finance, October 10, 2011, 4, 5-6,
11.

96) Government of the Republic of Trinidad and Tobago, Budget
Statement 2012, 48. I assume the figures are in TTS. In mid-
October 2011 the exchange rate with the US$ was TTS 6.3=US$ 1.

97) See Keino Swumber, “Seethal Supports State of Emergency,”
trinidadexpress.com/news/seethal-supports-state-of-emergency-128224103.html; Raph-
el John-Lall, “Big Businesses Support State of Emergency,”
guardian.co.tt/node/22196; and “Poll: Strong Support for

98) Email from National Security Minister John Sandy to author on
October 23, 2011 with “Summary for August 21 to October 23,
2011.”

99) Email from National Security Minister John Sandy to author on
October 23, 2011 with “Critical Success Factors: the Results.”

100) See “$1M Lost due to State of Emergency,” Trinidad Guardian,
tt/news/2011/09/30/1m-lost-due-state-emergency.

101) See my “The Implications of Information Technology on Sover-
eyright,” United Nations Institute for Disarmament Research

102) See their “Sovereignty is no Longer Sacrosanct: Codifying Hu-
manitarian Intervention,” Ethics and International Affairs, Vol. 6,
1992, 104.

103) This argument holds true even for—and, perhaps, especially to—
Haiti, the “first born” of the region. It also applies to Cuba, albeit
less so, as Cuba has demonstrated considerable sovereign resil-
ience over the last five decades. Omission of Cuba and Haiti from
this discussion is not to suggest their immunity from drugs and
crime. They are discussed in Drugs and Security in the Caribbean,
INCSR, Global Study on Homicide, and elsewhere. Also, on Cuba
see Eduardo Sáenz Rovner, The Cuban Connection: Drug Traff-
ficking, Smuggling, and Gambling in Cuba from the 1920s to the
Revolution (Chapel Hill: University of North Carolina Press,
2009). See the review by this writer, forthcoming in New West
Indian Guide, Vol. 85, Nos. 3&4, 2011; and Elyssa Pachico,
“Cuba Releases 2010 ‘Drug War’ Statistics,” In Sight, February
item/570-cuba-releases-2010-drug-war-statistics.

104) Ramphal, “Opening Address” at the first meeting of the Common-
wealth experts on small state security. See Commonwealth Study
Group, Vulnerability: Small States in a Global Society (London:
Commonwealth Secretariat, 1985), 119.

105) For instance, see “Privy Council’s Complaint,” BBC Carib-
caribbean/news/story/2009/09/090922_privyccjphillips.shtml. This
past September—and in Port-of-Spain—Shridath Ramphal again
voiced frustration on the matter. See “Madam PM, Do the Right
trinidadexpress.com/commentaries/Madam_PM__do_the_right_thing_by_CCJ-131028933.html.

106) See “CARICOM Chairman Scoffs at Jamaica’s Position on CCJ,”
jamaicaobserver.com/news/Caricom-chairman-scoffs-at-
Jamaica-s-position-on-CCJ_8323240.

107) “‘Big Four’ Must Provide focused Leadership—Prime Minister
prs267_11.jsp.

108) Shridath Ramphal, “Is the West Indies West Indian?” Tenth Sir
Archibald Nedd Memorial Lecture, delivered January 28, 2011, St.
George’s Grenada.

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