

Federation, Integration & CSME

by **Anderson Reynolds**

“If the CCJ is a bold step back towards federation, then the CSME is a leap, for it represents a much more comprehensive, detailed and binding regional economic and social integration mechanism than what the Common Market had envisaged.”

Federation is Coming

The British West Indies Federation lasted only four years, 1958 to 1962, yet the very notion of a federation, much less its implementation, had inspired a people and lifted their hopes and aspirations to new heights. Up to the early 1900's, West Indians had been more or less content to being part of the British Empire, and who could blame them. By 1900 the British King, Edward VII, reigned over 410 million people and his dominion stretched across 11.4 million square miles, making the British Empire the largest the world had ever known. Clearly, if there were one empire to choose to belong to, it would have had to be the British Empire. In fact, not only were West Indians pleased to be under British rule, but culturally the striving was to become English ladies and gentlemen. After all, there was great value in modeling oneself after the British. To be English was to be cultured. Moreover, white plantation owners together with their surrogates in government ruled the land. Most of the civil service jobs and the choice positions at commercial houses were reserved for their offsprings. Exclusive social clubs for whites only cemented their control over the economic life of the territories. Therefore, the closer to being British (if not in color at least in manner-

ism) one became, the better were one's chances of sharing in the wealth of the homeland.

However, soon after the opening of the 20th century, events and circumstances started unfolding that would open cracks in this West Indian coziness with and allegiance to the British Empire. In 1902 the Americans bought the failed

for class distinctions, they came face to face with the American style of racism. The Canal was completed in 1914, and the West Indians who returned home arrived with a new concept of self. Dressed in flashy clothes and jewelry, they exuded self confidence and self importance. No doubt, these outward signs of the good life displayed by people



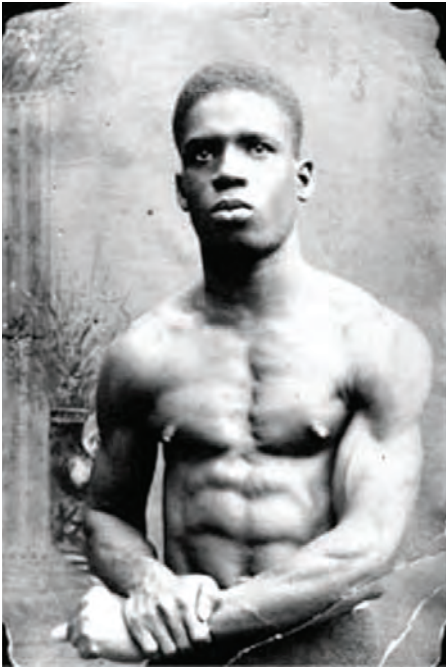
British West Indies Soldiers in World War I

Panama Canal enterprise from the French for US\$40 million, and by 1905 work had begun on the Canal in earnest. Roughly 50,000 West Indians emigrated to Panama to work on the Canal and as such they were to play an important role as agents of change in West Indian society. In Panama, not only did West Indian workers receive a baptism in labor-capital confrontations, an experience they would later put to good use in the Caribbean, but besides exposure to American notions of rugged individualism and disregard

who not too long before were no different than the rest of the population, must have fueled the imagination and expectations of those who had stayed behind of what could be had, not just in terms of luxuries but in terms of education and self actualization.

The Panama Canal workers influenced West Indian societies in other ways. Some used their Panama money to educate their children, thus giving rise to a new generation of professionals of working class parents. Others, having





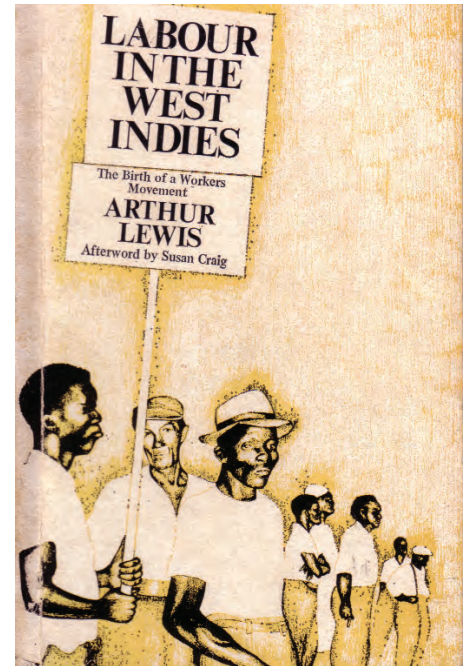
Winston Willington
A Trinidadian who volunteered
and served in World War I

been schooled in the labor confrontations of the Panama Canal, and who after their Panama money ran out found themselves on the unemployment roll, became the vanguard of the West Indian labor movements of the 1930' and 40's.

As the Panama Canal came to completion, World War I came along, and with a great sense of patriotism and duty West Indians welcomed the opportunity to fight in defense of the motherland and its empire. From Jamaica alone, 10,000 volunteers enlisted in the British military. In terms of a military power, West Indians would have been hard pressed to do better than Britain. For instance, at the outset of the war, Britain's 442 warships made its Royal Navy by far the most powerful in the world. So one could well imagine the shock these black British soldiers suffered when once in the field they realized that no matter their training, education, talent, zeal and patriotism they were deemed inferior to troops from other parts of the British hegemony, including Canada, Australia, and New Zealand, and good only for the most menial of tasks. It didn't help that the West Indians observed that both the Americans and the French were treating their black soldiers with greater respect than the British were treating them.

And if all these weren't enough for the West Indian soldiers to get the message that race mattered, and that as long as they remained black or nonwhite they would never acquire full membership into the British empire, the news that must have filtered down from the US to the West Indies, that more than 70 blacks were lynched in the year after the war ended, and that several black soldiers still in army uniforms were among the lynched, would have definitely brought home the point, particularly since the performance and bravery of the 200,000 African American soldiers who served in Europe was legendary. The American 369th Regiment of which many were African Americans were the first soldiers to break through the German lines to reach the Rhine, and during 191 days of fighting the regiment didn't have a man captured, nor did it lose an inch of ground. Out of respect for the fighting spirit of the African Americans, the Germans renamed them the hell fighters, and so impressed was the French Army that it honored the 369th regiment with the Croix de Guerre.

West Indian participation in World War I brought home other lessons. The War marked a period of industrial and political upheaval in Russia. In the October 1917 Russian Revolution, Tsar Nicholas II was forced to relinquish his reign. Lenin was ushered into power and thus began the transformation of Russia from a feudal-capitalist system to a communist state. Since Russia was fighting on the same side as Britain, the War brought West Indian soldiers in contact with Marxism and Russian nationalism. Ideas and sensibilities, which after the humiliation suffered at the hands of their British superiors, they had definitely become much more receptive and sympathetic to, and which no doubt made them question and reexamine their own situation back home and their relation with empire. Clearly, the seeds of West Indian Federation as a breaking away from Britain had been planted. Consider, for example, that it was World War I veterans like Uriah "Buzz" Butler and Cipriani who were at the forefront of Trinidad's labor movement, and consider also, Clennell Wickham, another veteran who after the War, in 1919, founded The



Barbados Herald, a radical and cultural activist weekly newspaper.

Another crack would soon appear in West Indians' cozy relationship with Britain. Italy's fascist dictator, Benito Mussolini, came to power in 1922 with grand designs of returning Italy to the glory days of the Roman Empire. In 1936 Italy invaded Abyssinia, better known as Ethiopia. Despite having an overwhelmingly military superiority, Italy used poison gas on their adversary, extinguishing all life over large areas of the country. Italy conquered Abyssinia. The title of emperor of Abyssinia was taken over by the Italian King, Emanuel III. Emperor Hail Selassie fled to England and did not return until six years later in 1941, when the Italian army was defeated in East Africa during World War II. The fact that Britain, the world's super power, had not come to the aid of Ethiopia, was a source of great disgust to West Indians, who saw this as nothing less than a betrayal of the black race.

Yet, if by then West Indians were not totally convinced that this empire business wasn't working for them, the events of the late 1930's would have definitely done the trick. The Great Depression, which left no part of the world untouched, ravaged the region. Workers were subjected to unlivable wages and deplorable working and living conditions. The result was spontaneous labor uprisings with often deadly consequences.



Region-wide, between 1935 and 1939, no fewer than forty-six labor protestors lost their lives in clashes with authorities. British warships docked at bay for the sole purpose of quelling labor uprisings became a salient feature of the regional landscape.

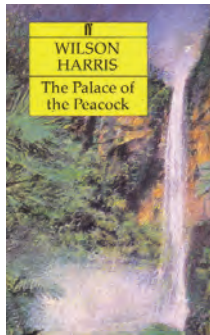
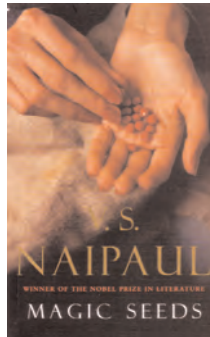
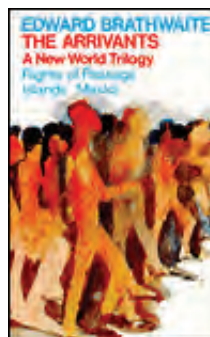
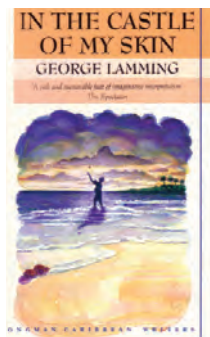
The West Indies was in a state of agitation and unrest. Labor Unions followed by political parties sprang up overnight. In this state of social, political and economic crisis, West Indian Federation became an increasingly attractive proposition.

Crisis forces change and paradigm shifts. West Indian society found itself at a crossroad. The people had arrived at a point where they could no longer deny that they were not British and that they could never be British. If they were not British, they had to be West Indian. But what did it mean to be a West Indian? Clearly, in this period West Indians began an earnest quest of self discovery and self definition. They began the cultivation of a West Indian identity as distinct from their African or Asian roots and their colonial heritage. All this internal examination and discovery found ultimate expression in the notion of a West Indian Federation, such that for once West Indians were willing and able to put aside race, class and island barriers and buy into the concept of regional unity. For once the idealism of regional identity transcended all else.

In his poem, A Far Cry from Africa, Derek Walcott gave voice to the West Indian dilemma of being caught between two loyalties—that of empire and one's original heritage, be it African or Asian. He said:

*Where shall I turn, divided to the vein?
I who have cursed
The drunken officer of British rule, how
choose
Between this Africa and the English
tongue I love?
Betray them both, or give them back what
they give?*

In hindsight, how has West Indians answered Walcott? It appears that West Indians have not so much as rejected Europe or Africa or Asia, as they have embraced a West Indian identity that may



reflect both inheritances yet represents something new and different. And apparently this excruciating process of finding themselves, of discovering who they are, of consciously becoming West Indian, began in the crucible period of the 1930's through to the early 1960's.

As an indication of the influence of this turbulent period and the spirit of federation on the West Indian psyche, or more specifically the West Indian creative spirit, consider this. Of the ten

authors whom a 1995 survey of West Indian literature, edited by Bruce King, classified as significant West Indian authors, seven were either born in the early 1930's or came of age in the labor and political upheavals of the late 1930's. These authors include Wilson Harris, Samuel Selvon, George Lamming, Derek Walcott, Edward Kamau Brathwaite, V.S. Naipaul, and Earl Lovelace. Two of these significant authors—Derek Walcott and V.S. Naipaul—have since won the Nobel Prize for literature, and a few like Wilson Harris are knocking on the door. It would appear that the creativity of the generation fed by the events of the 1930's and the idealism of West Indian Federation have remained unmatched.

Indeed, art is a search for balance; the period following the turbulent 1930's and leading to and spanning the Federation represented one of the greatest outpouring of West Indian creativity. In his book, The West Indian Novel and its Background, Kenneth Ramchand indicates that about fifty-five novels were published between 1949 and 1959 by twenty different authors. The poets were also active. In this period, Derek Walcott published his first three volumes of poetry; and others, including Edward Kamau Brathwaite, Martin Carter, Frank Collymore and E.M. Roach also added their voices. According to Caribbean Literature lecturer, Sandra Pouchet Paquet, there was also a similar upswing in drama, painting and sculpture, and a number of institutions providing support for the arts were founded, including the University College of the West Indies (renamed the University of the West Indies), the little Carib Dance Company in Trinidad, the Jamaican School of Arts and Crafts, and the National Dance Theatre Company of Jamaica. Likewise, literary magazines like Guyana's *Kyk-over-al* and Barbados's *Bim* were in full swing, facilitating the exchange of ideas among West Indian artists and intellectuals.

The 1950's St. Lucia Arts Guild provided a good illustration of what was happening region-wide. Among its more notable members were novelist Garth St. Omer, playwright Roderick Walcott, painter Dustan St. Omer, and poet, playwright and Nobel Laureate Derek



Walcott. The period which the Arts Guild spans could certainly be a candidate for the golden era of St. Lucian art and literature, for up till today these above mentioned exponents of the Arts Guild have remained unmatched in St. Lucia in their respective fields of artistic endeavor.

Away with Federation, Welcome Integration

The West Indian Federation came to an end in 1962, and dashed the hopes and aspirations of a civilization. Professionals and intellectuals who had remained home specifically to contribute to the development of the region packed up and left. Those in England and America who were in the process of making plans to return home to play their part in civilization building stayed put. Literary magazines like Guyana's *Kyk-over-al*, whose founding had been inspired by the mere notion of a West Indian Federation, went out of press. Novelists, poets, dramatists, painters, all took turns lashing out at the politicians for their selfishness and short-sightedness.

And, not unlike the ethnic tensions and chaos that accompanied the breakup of the Soviet Empire, following the demise of the federation, West Indian civilization began cracking up, returning to its pre-federation rivalry and conflicts. In 1962, a bloody civil war along political and racial lines (Blacks versus Indians), flared up in Guyana, claiming hundreds of lives. The larger West Indian territories (larger, if not in size at least in pop-

ulation), including Jamaica, Trinidad, Barbados and Guyana, gained their independence from Britain, thus setting up a dichotomy in the region that fueled national chauvinism, where the independent countries thought of themselves as superior to their tinier neighbors. And according to Caribbean and women literature lecturer, Rhonda Cobham, after the collapse of the federation the "fragile regional alliance between the professional middle class and the working class against the common colonial enemy was swept away by a new wave of elitism."

Interestingly, however, ever since the breakup of the Federation, short of giving up their national sovereignty, the former members of the Federation have been taking steps back towards the very federation that had been so dramatically dispensed with. And ironically, Trinidad, one of the islands that was at the heart of

the disintegration of the federation, was the first to propose the formation of a West Indian community.

This Trinidad initiative bore fruit when in 1968 members of the defunct federation established the Commonwealth Caribbean Regional Secretariat and CARIFTA, the Caribbean Free Trade Association. With CARIFTA, the export of any member state would enjoy duty-free, unrestricted access to the markets of other member states provided that the good was on the eligible list of free trade commodities, and that at least 50 percent of the export price of the good could be attributed to inputs originating from member states.

CARIFTA was then followed in 1969 by the Caribbean Development Bank (CDB), which, among other things, was created to oversee economic development in the region, procure funds for regional development, help finance development projects in member states; provide them with technical support, help to strengthen their financial institutions, encourage and assist in the development of their capital markets, and also help promote public and private investments in their development projects.

In 1973 West Indian leaders transformed the concept of CARIFTA into a more comprehensive Caribbean integration movement by institutionalizing the notion of a Caribbean Community and by establishing a Common Market regime as replacement for CARIFTA. Hence CARICOM, Caribbean Community and Common Market, was born. Among its stated objectives, the Caribbean Community component of CARICOM



would seek to promote greater understanding among Caribbean people and encourage their social, cultural and technological development. The Community would also pursue the advancement of regional economic integration, regional coordination of foreign policy, and regional cooperation on agreed upon activities, processes and provision of services.

With regard to the free trade arrangement among member states, the Common Market component of CARICOM was very similar to the CARIFTA agreement. However, as an economic integration instrument, the Common Market was much broader in scope. For example, besides addressing issues directly related to the removal of trade barriers, under the Common Market members agreed to a number of initiatives, including the adoption of common external tariffs; regional rationalization of agricultural production and marketing; regional coordination of external trade policy, domestic and international eco-

nomics policy, and national development planning; regional harmonization of monetary and fiscal policy, and legal and industrial policies and practices; and cooperation in the development and exploitation of natural resources, and the promotion and development of the tourism industry.

Once on the move, Caribbean integration did not stop at the doorsteps of what was typically considered the British West Indies, namely Anguilla, Antigua, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, Montserrat, St. Kitts and Nevis, St. Lucia, St. Vincent, and Trinidad and Tobago. In fact to broaden the net as much as possible, CARICOM designed different levels of membership. One could become a member of the Caribbean Community but not a member of the Common Market, or one could be an associate member, or one could come on board as just an observer. Thus in 1983 the Bahamas became the 13th member state of the Caribbean Community but not a member of the Common Market. In

similar fashion, Suriname joined the Caribbean Community in 1995 to become its 14th member state. In 1991 the British Virgin Islands and the Turks and Caicos joined as associated members. So too did Anguilla in 1999, Cayman islands in 2002 and Bermuda in 2003. Several Latin American countries have come on board as observers, and in 2003 Haiti became a full-fledged member of CARICOM, making it the first French speaking country to have done so.

In recent years concerned that globalization would spiral the West Indian civilization into irrelevance, CARICOM governments have taken even bolder steps back towards federation. On the table is the treaty establishing the Caribbean Court of Justice (CCJ), which eleven CARICOM states have ratified, and eight, including Antigua and Barbuda, Barbados, Belize, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, and Suriname, have enacted national legislation giving effect to the agreement.

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With the CCJ, the last vestiges of colonial rule would finally disappear. On second thought, not quite, for the British monarch remains the head of state of many CARICOM countries. Thumps up to Barbados who is now seeking to break away from this tradition and become a republic (though still likely to retain membership of the Commonwealth of which the Queen is the head). Notwithstanding, a CARICOM court of last resort has been in the making since 1970 when Jamaica had proposed a Caribbean Court of Appeal at the Sixth Heads of Government Conference. This brings up yet another irony of the integration movement, for Jamaica was the territory that featured most prominently in the final breakup of the Federation. The CCJ, however, promises to go much further than Jamaica's proposal. In fact, as envisioned, the CCJ will go where few national courts of last resort have gone. For besides replacing the Judicial Committee of the Privy Council in Britain as the court of last resort for its member states, the Caribbean Court of Justice will be charged with the interpretation and application of the Treaty establishing the Caribbean Community, including the proposed CARICOM Single Market and Economy. In legal jargon, the CCJ would execute both an appellate and original jurisdiction, in the process acting both as the highest court in the region and as an international court. Here is how Duke Pollard, legal scholar and one of the principal legal consultants to the CCJ, explains it.

In the exercise of its appellate jurisdiction, the CCJ will consider and determine appeals in both civil and criminal matters from common law courts within the jurisdictions of Member states of the Community and which are parties to the Agreement Establishing the CCJ. In the discharge of its appellate jurisdiction, the CCJ will be the highest municipal court in the Region. In the exercise of its original jurisdiction, the CCJ will be discharging the functions of an international tribunal applying rules of international law in respect of the interpretation and application of the Treaty. In this regard, the CCJ would be performing functions like the European Court of Justice, the European Court of First Instance, the Andean Court

SEEDS

A spiderous mind,
An Artless, spineless creation,
Entangled in a web
Of mathematical proportions,
Damned a maternal romance,
A promiscuous, poetic, prance.

Nunly habits uprooted
mathematical worship,
The privilege of the
convent of the mind.
Prayers with Macbeth
and Julius Caesar,
On Stormy Midsummer nights,
Diminished, determined damnation.

Confessions in the
heights of 'Wuthering' towers,
Blessed the death
of dreaded literary powers.

Under skies of
soaring skylarks,
With branches blowing
in lovely, literary winds,
And rains pouring
incredibly incessant blessings,
The artless, spineless, creation
Bore literary seeds,
Honouring a minstrel
of ethereal deeds.

—Sharon Trezelle

of Justice and the International Court of Justice. In short, the proposed CCJ is intended to be a hybrid institution - a municipal court of last resort and an international court with compulsory and exclusive jurisdiction in respect of the interpretation and application of the Treaty.

Also on the table is the CARICOM Single Market and Economy (CSME) as replacement for the Common Market. However, if the CCJ is a bold step back towards federation, then the CSME is a leap, for it represents a much more comprehensive, detailed and binding regional economic and social integration mechanism than what the Common Market had envisaged. In fact, the CSME is such a pervasive undertaking that according to some legal experts its success would be

predicated on a well functioning CCJ that as indicated above would be charged with the explication and application of its treaty. However, the CSME's sharpest break with the Common Market, and what probably has most captured the imaginations of CARICOM nationals, is that besides prohibiting restrictions on movement of goods among member states, it prohibits restrictions on the right of establishment and provision of services; restrictions on the movement of capital; and restrictions on the movement of certain categories of labor, including university graduates, media workers, athletes, artists and musicians.

Therefore, with the CSME, there would be free movement of goods (as under the Common Market), and free movement of all the factors of production including enterprises, entrepreneurs, labor and capital. So as the name suggests, the CSME would indeed be a single economic space. Businesses, enterprises, or entrepreneurs in any member state could freely offer their services and establish themselves in another member state under the same conditions and privileges enjoyed by nationals of that state. Additionally, they would have access to land, buildings, and other property, and there would be no entry restrictions on their technical, managerial, and supervisory staff, and on their spouses and immediate dependent family members.

University graduates, media workers, athletes, artists and musicians would freely take up employment in other CARICOM states without the need to show passports, or secure work permits, and with the transference of their social security benefits.

CARICOM nationals would be free to acquire equity or portfolio instruments such as stocks in the enterprises of any member state; free to secure loans and other financial instruments from banks and other financial institutions anywhere in the region; free to make mortgage payments and interest on loans to any financial institution; and free to repatriate proceeds from sale of assets or dividends, and other income on their investments.





Welcome to the Organisation of Eastern Caribbean States

The Eastern Caribbean Has Led the Way

The Caribbean integration movement is not without its subplots. When the federation ended, the larger territories, namely Jamaica, Guyana, Barbados, and Trinidad and Tobago, sought and gained their independence, while the Eastern Caribbean, as if in search of comfort, banded together in 1966 to form the West Indies Associated States Council of Ministers (WISA), which was followed two years later by the establishment of the Eastern Caribbean Common Market (ECCM). Then in 1981 the Eastern Caribbean opted for a more comprehensive integration concept when they enacted into treaty the Organization of Eastern Caribbean States (OECS), of which WISA became the central secretariat, and the ECCM the Economic Affairs Secretariat. Later, in 1997, the Economic Affairs Secretariat ceased to exist as a separate entity to become a division of the OECS secretariat.

In brief, the OECS was charged with improving and promoting cooperation and integration among member states and with presenting a united front when interfacing with the international community.

Along with the formation of the WISA in 1967, the Eastern Caribbean also established The Eastern Caribbean (EC) Supreme Court to function as a superior court of record for its member states. The EC Supreme Court has two branches—the Court of Appeal and the High Court of Justice. There is a High Court (also referred to as Trial Court) and a High Court Judge in each member state. In contrast, The Court of Appeal is itinerant; it travels to member states, to hear appeals of resident High Courts and Magistrate's Courts in both the Civil and Criminal Matters.

Two years after the formation of the OECS, Eastern Caribbean countries and territories dug deeper into the integration movement when they established the

Eastern Caribbean Central Bank (ECCB) to serve as the monetary authority for the subregion. The islands served include Antigua and Barbuda, Commonwealth of Dominica, Grenada, Montserrat, St Kitts and Nevis, St Lucia, and St Vincent and the Grenadines.

The ECCB issues the Eastern Caribbean currency, it establishes a common pool of foreign exchange reserves, and it sets monetary policy for the subregion. More generally, the ECCB sees its mission as maintaining the stability of the EC dollar and the integrity of the banking system to facilitate the balanced growth and development of its member states.

By most accounts, the ECCB is the best orchestrated and functioning integration instrument that the Caribbean has undertaken. It appears to be one of the few integration efforts that is working exactly as designed. Therefore, it was no surprise that when, with the opening of the new millennium, the OECS countries of St. Lucia, Dominica, St. Vincent, Grenada, and St. Kitts were contemplating the integration of their telecommunication sectors, it was the ECCB model of one central authority that they originally turned to. Thus the Eastern Caribbean Telecommunication Authority (ECTEL) was established to be to the telecommunication sectors of these countries what the ECCB was to the OECS's monetary sector. According to this its original intent, ECTEL would have been charged with the formulation, coordination, and implementation of telecommunication policy, and the regulation of the telecommunication sectors of its member states. However, along the way, the governments of some ECTEL member states saw this structure as too great a loss of sovereignty, thus the five islands departed from the central or single authority model of the ECCB, and instead opted for a dichotomous structure, where ECTEL would be responsible for helping to formulate and coordinate telecommunication policy, while each country's telecommunication minister along with his

National Telecommunication Regulatory Commission (NTRC) would be responsible for the execution of telecommunication policy in his country and the direct regulation of his country's telecommunication sector. This change in the original intent, impaired the smooth coordination and implementation of policy, and introduced duplication of function and undue political interference, thus undermining the integrity of the regulatory regime. Nonetheless, the liberalization that followed the establishment of the regulatory regime (ECTEL and the NTRCs), have greatly benefitted the subregion. The flow of royalty, spectrum, and license fees into national coffers has markedly increased. The speed of adoption of new technology has increased significantly. And competition in the cellular market has not only brought down prices and changed the way people relate and how businesses operate, but has set off a mini revolution in that citizens have acquired a new sense of the empowerment that comes along with having choices.

In 2003 the Eastern Caribbean took yet another step in its integration process when members signed the agreement that allowed their citizens to travel freely within the subregion without the need to show passports.

Considering all this—OECS, ECCB, ECTEL, free movement of OECS nationals, the Eastern Caribbean Supreme Court—it may be misleading and unfair to regard Eastern Caribbean integration as a subplot to the Caribbean-wide integration movement. Rather, it may be closer to the truth to suggest that it is the Eastern Caribbean that is at the vanguard of the Caribbean integration movement.



This was the first part of a three part article on Caribbean integration. The second part—CSME, Culture & Economics—will be printed in the next issue (July 2005) of the magazine. The author acknowledges the websites of CARICOM, OECS, and the ECCB as sources of information for this article.