

**State Authority Structures and the Rule of Law in Post-Colonial Societies: A  
Comparison of Jamaica and Barbados**

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## **ABSTRACT**

This thesis examines the determinants of a strong rule of law in post-colonial societies by comparing Jamaica and Barbados, two countries with many similarities, but with divergent outcomes concerning the rule of law. The research takes a comparative historical approach, specifically investigating the origins of the divergence of the rule of law between Jamaica and Barbados during the transition to independence. The analysis suggests that the extent of communal divisions influenced the political culture of the masses during the transition to universal suffrage in the late colonial period. This proved to be the critical factor that determined whether political violence and patronage politics were institutionalized, which ultimately led to the deterioration in the capacity of the state to promote the rule of law. Differences along four key dimensions (the extent of a race-class correlation, the extent to which the Afro-Caribbean population viewed themselves as members of the national community, the orientation of the religion of the lower classes towards the established order, and the structural conditions that facilitated the cultural autonomy of the lower classes) developed between the two islands during the early colonial period that influenced the formation of communal divisions along class lines, which in turn influenced the political culture of the masses.

In Jamaica, the ethnic division between the lower and middle classes led the former to adopt a political culture that challenged the authority of the colonial state, which, combined with the inaction of colonial authorities, ultimately resulted in the establishment of a democratic political system based on violence, lawlessness and patronage that emerged during a critical period of instability on the island (the transition to both universal suffrage and independence). In Barbados, the absence of communal divisions resulted in the adoption of the dominant political culture by the masses. As such, there was broad-based acceptance of the legitimacy of legal state authority, with all major political parties appealing to the electorate on a rational basis, thereby hindering the escalation and institutionalization of political violence and clientelism. Moreover, the compatibility between the political culture and the state authority structure in Barbados provided the foundation for a strong rule of law during the post-colonial period.

## RÉSUMÉ

Cette thèse examine les déterminants de la légitimité de la loi dans les sociétés post-coloniales à travers la comparaison entre la Barbade et la Jamaïque, deux pays similaires à plusieurs niveaux, mais dont la légitimité de la loi s'exerce on ne peut plus différemment. Ce projet de recherche propose une comparaison historique, ayant pour angle une recherche des origines de cette divergence de la légitimité de la loi entre ces deux pays pendant leur transition vers l'indépendance. L'analyse propose que le degré des divisions ethniques à influencer la culture politique de la masse lors de la transition au suffrage universel vers la fin de la période coloniale. C'était le facteur critique qui a déterminé si la violence et le favoritisme politiques étaient institutionnalisés, ce qui a conduit à la détérioration de la capacité de l'état à promouvoir la légitimité de la loi. Des divergences entourant quatre éléments-clés (la présence d'une corrélation race-classe sociale, le niveau d'identification de la population Afro-Antillaise à la communauté nationale, l'orientation de la religion de la classe inférieure envers l'ordre établi, et les conditions qui ont facilité l'autonomie culturelle des classes inférieures) se sont développés entre les deux îles pendant le début de l'ère coloniale et ont influencé le développement des divisions ethniques entre les classes, entraînant une influence de la culture politique de la masse.

En Jamaïque, la division ethnique entre les classes moyennes et inférieures ont poussé ces dernières à adopter une culture politique qui défiait l'autorité de l'état colonial, qui, combiné avec l'inaction des autorités coloniales, a eu pour résultat l'établissement d'un système politique démocratique basé sur la violence, l'absence de lois et le patronage durant cette période critique d'instabilité sur l'île (la transition vers le suffrage universel et l'indépendance). À la Barbade, l'absence de divisions ethniques a entraîné l'adoption de la culture politique par la masse. Il y avait une large acceptation de la légitimité de l'autorité judiciaire de l'État, avec tous les principaux partis politiques faisant appel à l'électorat sur une base rationnelle, ce qui a empêché l'escalade et l'institutionnalisation de la violence politique et du favoritisme. Par ailleurs, la compatibilité entre la culture politique et la structure d'autorité de l'État à la Barbade a constitué le fondement d'une légitimité de la loi forte pendant la période post-coloniale.

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## **CHAPTER 1 – INTRODUCTION**

In 2009, the United States issued an extradition request to the Jamaican government for Christopher “Dudus” Coke, a Jamaican national. Coke is considered one of the world’s most dangerous criminals—the alleged leader of the infamous Shower Posse based in Tivoli Gardens in Western Kingston. The Shower Posse is an organized criminal group accused of trafficking marijuana, cocaine and arms in the Caribbean, North America and the United Kingdom (with a significant presence in the major cities of Toronto, New York and London) as well as being allegedly involved in over a thousand homicides in Jamaica since the 1980s. The Prime Minister of Jamaica, Bruce Golding, initially refused to extradite Coke, questioning the legality of the means used by the United States government to collect evidence against him. However, the Prime Minister’s response must be understood within the Jamaican political context.

The Prime Minister’s constituency of West Kingston (with large poor and unemployed populations) includes Tivoli Gardens (the headquarters of Coke and the Shower Posse), a community that suffers from a high level of violence. The Prime Minister’s party, the Jamaica Labour Party (JLP) has historically received strong levels of electoral support from the residents of Tivoli Gardens. Following a trend dating back to the early post-independence period, an informal arrangement developed where Coke and the Shower Posse supported the JLP (both in terms of mobilizing electoral support among the residents of Tivoli Gardens and purportedly in monetary contributions) in return for substantial control over the community. This control includes the absence of the rule of law (including law enforcement) in Tivoli Gardens, where the Shower Posse can conduct their drug and arms trafficking with relative ease. In the absence of the rule of law, the criminal organization also maintains order and resolves disputes as it sees fit



(obviously, due process is not always followed). Moreover, the Shower Posse is rumoured to distribute JLP government work contracts through local agents, in addition to providing social services such as education and welfare assistance to community residents financed from its illegal operations. Tivoli Gardens is known as a “garrison community”; that is, a type of state within a state at the neighbourhood level controlled by local strongmen. Given its social service provision (and the relative absence of any type of state presence), there is a fair amount of local support for Coke and the Shower Posse. Police presence in the community is minimal (patrols are virtually non-existent)—law enforcement personnel enter the well-armed gang-controlled community at great personal risk. Thus, in Jamaica democratically elected politicians support an arrangement that purposefully limits the reach of the state (especially the rule of law) in certain geographical areas.

The link between the JLP and Coke is further corroborated by identity of Coke’s (former) lawyer, Tom Tavares-Finson, who is a sitting JLP Senator and member of the Electoral Commission of Jamaica. On May 16<sup>th</sup> 2010, Senator Tavares-Finson defended Coke by claiming that he is “someone who is fair, eschews the use of violence and whose main enterprise is economic development in the inner city and the development of youth through economic activities.”<sup>1</sup> However, the following day, the Prime Minister of Jamaica succumbed to domestic and international pressure to extradite Christopher Coke, and the Government of Jamaica issued a warrant for his arrest. Senator Tavares-Finson then dropped Coke as a client to avoid “a conflict of interest”.<sup>2</sup>

The apprehension of Christopher Coke proved difficult. Once word was released of the arrest warrant, barricades were placed at all entry points into Tivoli Gardens, each monitored 24

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<sup>1</sup> *The Jamaica Observer*, May 16<sup>th</sup> 2010, “‘Dudus’ Goes Global”.

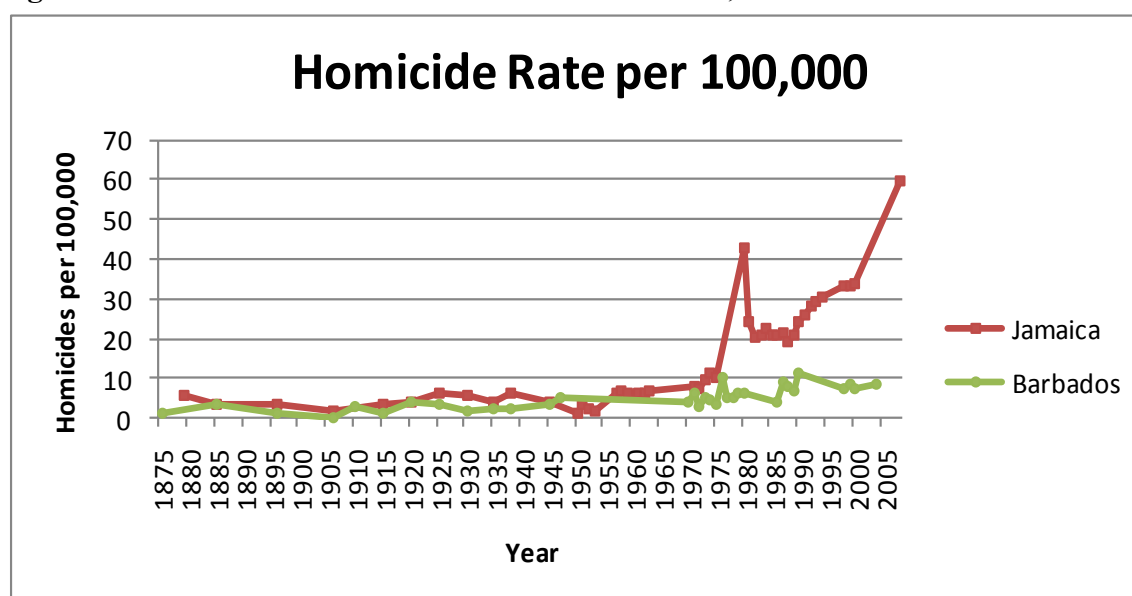
<sup>2</sup> *The Jamaica Observer*, May 19<sup>th</sup> 2010, “Arrest Warrant out for ‘Dudus’; Tavares-Finson Withdraws”.

hours a day by groups of well-armed men. On May 24<sup>th</sup> 2010, the government declared a state of emergency in Kingston and hundreds of heavily armed police officers and Jamaica Defence Force personnel stormed Tivoli Gardens. Over a period of weeks, the police and the defence force engaged in a military siege of the community. Western Kingston resembled a war zone, with multiple barricades and fires in the streets and intense gun battles between state authorities and local Coke supporters. Several police stations in Kingston came under gunfire and two were torched to the ground. By the time of Coke's apprehension nearly a month later (June 22<sup>nd</sup>) at a police checkpoint, 73 people (including two police officers and a soldier) were reported killed as a result of the violence linked to his arrest.

Since independence, Jamaica has become an increasingly violent country. It currently experiences an extremely high level of violence, including one of the highest murder rates in the world. Meanwhile, in the neighbouring Caribbean island of Barbados, crime rates are comparatively low and the homicide rate is almost seven times less than that of Jamaica (refer to Figure 1.1). Furthermore, several indices suggest that the rule of law is strong in Barbados and its corruption levels are relatively low—either on par or lower than many European countries (see Clague, Keefer, Knack, and Olson 1999; Transparency International 2010; World Bank 2008b). These differences have led the Government of Canada to list Barbados as a country where travelers should “exercise normal security precautions”, while Jamaica is listed as a country where travelers should “exercise [a] high degree of caution” due to “a relatively high level of violent crime and murder” (Government of Canada 2011).

As described below, Barbados and Jamaica share many historical, social, cultural, economic and political similarities—they are both former British plantation colonies, their populations have similar ethnic compositions, they have both been strong democracies for over

**Figure 1.1: Homicide Rates in Jamaica and Barbados, 1875-2008**



Sources: Blue Book of Jamaica (1879; 1885; 1896; 1906; 1915; 1920; 1925; 1930; 1935; 1938; 1945); Handbook of Jamaica (1955; 1960; 1965); Blue Book of Barbados (1875; 1885; 1896; 1906; 1910; 1915; 1920; 1925; 1930; 1935; 1938; 1945; 1947); UNODC (2011). Population data taken from the World Bank (2011) when not available from source.

fifty years and they are both members of the CARICOM single market, to name but a few. In two countries that are so similar, how was it that Jamaica came to experience such a high level of violence and Barbados did not? How did this difference in the rule of law develop between two small middle-income countries that have been strong democracies for years? What are the origins of the relationship between politics, organized criminal gangs and violence in Jamaica? More generally, what are the determinants of a strong rule of law in post-colonial societies? Those are the questions that this research project endeavours to answer.

### **State Capacity, the Rule of Law and Development**

Research has linked state capacity to economic and human development. Cross-national analyses show that levels of economic development (Evans and Rauch 1999; Knack and Keefer 1995; Mauro 1995), health and education (Brautigam and Woolcock 2002; Hanson 2008; Shen and Williamson 1997), and poverty (Henderson, Hulme, Jalilian, and Phillips 2007) are strongly

correlated with various measures of state capacity in developing countries. There is a growing consensus that the ability of the state to both perform its core functions (promoting the rule of law, the provision of public goods, taxation, market intervention and military defence) and perform them well (with an effective bureaucracy and minimal corruption) is extremely consequential regarding developmental outcomes. It is the ability to effectively carry out these core functions that distinguishes strong (high-capacity) states from weak (low-capacity) states.

The scholarly preoccupation with state capacity and strong states is not a new phenomenon. Hobbes ([1651] 1958: 106-107) laid the philosophical foundation of the state capacity literature when he argued that a strong state was essential for a peaceful, orderly and civilized society, while its absence would result in a social order where life would be “solitary, poor, nasty, brutish and short” in a war of “every man against every man.” This premise has stood the test of time and remains central, albeit often times implicit, in much of the contemporary scholarship on state capacity. Indeed, one need only look at present examples of so-called failed states, with Somalia, Sudan and Zimbabwe topping the list, to see that these virtually “stateless” societies resemble a Hobbesian state of nature much more so than the peaceful society of voluntary associations as predicted by anarchist theory.

Since Hobbes, many notable scholars from Adam Smith to Max Weber have written on the importance of state capacity; however, interest in the subject intensified in the latter half of the 20<sup>th</sup> century. In the 1960s, Samuel Huntington ([1968] 1996: 1) asserted that “[t]he most important political distinction among countries concerns not their form of government but their degree of government.” He brought to the fore the importance of the ability of the government to govern and to provide stability and order, especially in developing societies. More than a decade later, the connection between state capacity and economic development was explicitly

made by Chalmers Johnson (1982). He demonstrated how a strong state was vital to the economic development of Japan, which led to a number of works that argue that state-led development was the key to success for East Asian industrialization (Amsden 1989; Appelbaum and Henderson 1992; Wade 1990). Evans (1995) and Haggard (1990) examined the importance of state-led development across a broader segment of developing countries, which initiated an active research program investigating the positive influence of states, specifically high-capacity states, on industrial transformation and economic growth, which later led to scholarship on the relationship between states and social development. Given the link between state capacity and development, building effective states has now become an explicit goal of development (World Bank 1997). However, while the extant literature on the determinants of building state capacity in developing countries is growing, there is much research yet to be done on the factors which condition the development of strong states in developing countries (Fukuyama 2004).

Although the effective performance of all core functions of a state has important developmental consequences, many works disaggregate the concept of state capacity by narrowing the focus on the ability of the state to provide one particular core function: the rule of law. The rule of law is an essential component of state capacity, although it is often overlooked in contemporary studies that tend to conceptualize state capacity as the ability of the state to collect revenues, fight wars or to manage state bureaucracies in a rational and efficient manner. As O'Donnell (1993: 1356) argues, the state is more than simply the “state apparatus, the public sector, or the aggregation of public bureaucracies... The state is also, and no less primarily, a set of social relations that establishes a certain order, and ultimately backs it with a centralized coercive guarantee, over a given territory. Many of those relations are formalized in a legal system issued and backed by the state.” Accordingly, he contends that “[a] ‘big’ or ‘small’ state

apparatus may or may not effectively establish its legality over its territory... a strong state, irrespective of the size of its bureaucracies, is one that effectively establishes that legality” (O'Donnell 1993: 1358). As such, it is not the size of the state (i.e. the size of its revenues, military or even its police force) nor necessarily the way in which it is managed that determines its capacity (especially from a rule of law perspective). Rather, it is the ability of the state to maintain a specific order (as stipulated by law) governing social relations that determines its capacity. Accordingly, strong states are able to maintain widespread acceptance among its population of the state-backed legal order, while weak states cannot.

A strong rule of law has been linked to economic development. Hobbes ([1651] 1958: 115) argued for the importance of a strong state to enforce contracts, as “he that performs first has no assurance the other will perform after, because the bonds of words are too weak to bridle men’s ambition, avarice, anger, and other passions without the fear of some coercive power.” His view formed the foundation of new institutional economics, which is based on the assumption that a strong state is necessary to provide the rule of law in order to enforce contracts and property rights, which in turn facilitates economic development (Dam 2006; North 1990). In addition, de Soto (2000) contends that state enforcement of contract and private property not only has to be effective, but also efficient, in order to promote development. Moreover, a weak rule of law resulting in a heightened level of interpersonal violence and criminality has been shown to have a deleterious effect on development (Ayres 1998; McIlwaine 1999). The relationship between development and the rule of law is argued to be driven by the ability of the rule of law to limit local hierarchical, personalistic and patrimonial relations of power as a result of the universalism of the law, which facilitates development by increasing the general coordination capacity of society (Lange 2005; O'Donnell 1993). In Chapter 2, I demonstrate that

the causal mechanisms described above not only apply to the relationship between the rule of law and economic development, but also to the relationship between rule and law and social development.

We currently know little of the determinants of a strong rule of law in post-colonial developing countries. Nonetheless, over the past two decades, rule of law development assistance has become an increasingly central component of the provision of foreign aid. As Carothers (2006) notes, rule of law aid providers face a shortage of knowledge of how change actually occurs, and as such most aid has been channelled towards modifying and reshaping legal institutions to resemble those of Western countries. However, Haggard, MacIntyre and Tiede (2008: 221) raise concerns over this strategy and argue that “caution should be exercised in the introduction of an alien legal system...it is a grave error to think of law as a technology that can be readily transferred elsewhere.” Their concerns are seemingly valid given the poor record of rule of law promotion abroad. Despite all the effort and the billions of dollars spent by donor countries, relatively little change has been achieved with regard to strengthening the rule of law in developing countries. Carothers (2009: 59-60) sums up the difficulties in providing rule of law assistance in that:

achieving the rule of law involves far more than getting judges trained, putting modern police equipment in place, and reprinting and distributing legal texts. It is a transformative process that changes how power is both exercised and distributed in a society...[and] also involves basic changes in how citizens relate to state authority and also to one another.

My research attempts to address this issue by investigating the conditions under which the rule of law may strengthen or weaken in developing countries.

## **What is the Rule of Law?**

The rule of law is an elusive concept, and it deserves some attention before moving on. The definition of the rule of law remains highly contested among political and legal philosophers, and a full discussion of it is beyond the scope of this chapter (see Costa, Zolo, and Santoro 2007; Tamanaha 2004). Following Weber ([1922] 1968: 217, 313-316), the rule of law will be defined here as the extent to which the population obeys the law (indicating widespread acceptance of the state-backed legal order), where the law is guaranteed by a coercive apparatus through either legal coercion by violence (over which the state has a monopoly) or legal coercion by psychological means (which is not monopolized by the state – e.g. religion). Beyond this basic definition, two general conceptions have developed surrounding the rule of law: the thin and thick definitions of the rule of law.

At its most basic, the thin definition of the rule of law, otherwise known as rule *by* law, is the ability of a state to effectively establish its legality over its territory through contract enforcement, the protection of property rights and the predictable and efficient administration of justice (Holmberg, Rothstein, and Nasiritousi 2009). From a state-centric perspective, rule by law includes both the enforcement of the law by the police and the provision of legal predictability or the “possibility to foresee, in principle, the legal consequences of both [one’s own] behaviour and that of other social [actors]” (Zolo 2007: 24). This implies that the public has reasonable access to the law and that the law is expected to be more or less equally and uniformly applied. Notably, autocracies can have strong rule by law (e.g. China, United Arab Emirates), as it is distinct from the type of regime, legal constraints on political power, the law-making process and the substance of law. Accordingly, rule by law can be considered a crucial component of state capacity, or what Mann (1984: 189) terms state infrastructural power—that is



“the capacity of the state to actually penetrate civil society, and to implement logistically political decisions throughout the realm.”

The thick definition of rule of law can be said to constitute both the elements of the thin definition described above in addition to legal constraints that limit political power. These legal constraints – which must be not only *de jure*, but also *de facto* – are generally only found in consolidated democracies where political and state power are formally limited by law. This second element of the rule of law corresponds to what Mann (1984: 188) labels state despotic power, defined as “the range of actions which the state elite is empowered to undertake without routine, institutionalized negotiation with civil society groups.” Although the legal constraint of political power is an important topic, I argue that analyses of state capacity should treat it as analytically distinct from the rule by law. That is, the two elements should be separated out, with the thin definition of the rule of law receiving primary consideration regarding state capacity, while legal constraints on political power can be considered more closely linked with the concept of democracy. The primary focus of my research is to examine the determinants of the capacity of the state to promote the thin definition of the rule of law – rule by law – in democratic environments (thereby controlling for *de jure* limits on political power).

## **Literature Review of State-Building**

Although there is still much we don’t know concerning the determinants of the rule of law, recent scholarship has identified some factors that influence state capacity. State-building is a broad term that refers to both the creation and consolidation of states (i.e. building state capacity). States will be defined here in the Weberian tradition as entities that have a monopoly over the legitimate use of physical force within a given territory (Weber [1919] 2004).<sup>3</sup> I will

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<sup>3</sup> Accordingly, government will be defined as the group of individuals who control the state.

begin with a review of the state-building literature of the first modern states in Europe, followed by an examination of the applicability of this literature to contemporary post-colonial states. I will then review the theories of state-building that focus specifically on post-colonial developing countries.

Following Ertman (2005), research on modern state building in Europe can be roughly categorized into three theoretical camps: war-centered theory, public choice theory and the cultural perspective. War-centered theory, arguably the most prominent, is associated with the works of Charles Tilly (1985; 1990) and Michael Mann (1986), among others. The main thrust of this theory is that “war makes states” (Tilly 1985: 170); that is, the historical imperative of war in Europe was the crucial factor in both the emergence and consolidation of modern states. War strengthened the bureaucratic capacity of the state, which was required in order to logistically organize a large army, while simultaneously extracting revenue (through tax collection) from the civilian population to finance it. The second camp, public choice theory, argues that individuals in control of the state (or that have control over it) are primarily motivated by their own self-interest rather than the interest of the state. Where these two interests do not coincide, predatory behaviour can develop that may result in the deterioration of the bureaucratic capacity of the state in the long-term (North 1990; Root 1994). Lastly, the third perspective emphasizes the importance of culture, such as the role of religion in the state-building process. Following Otto Hintze ([1931] 1975), Gorski (2003) applies Weber’s elective affinity between Protestantism and capitalism to the state. He argues that Calvinism augmented state capacity through a culture of self-restraint and communal surveillance that led to a disciplined bureaucracy.

Can state-building in Europe offer insight into the consolidating state capacity in developing countries? First, public choice theory does seem to be applicable in the post-colonial context. Geddes (1994) maintains that in Latin American democracies politicians heavily influence the prospects of state reform. She assumes that politicians are motivated by their prospects of re-election, and although building state capacity is in the interests of all politicians, they have to rationally weigh the electoral costs of foregoing patronage for the sake of state reform. Robert Bates also examines the operation of public choice theory, but in the African context. In his recent research, Bates (2008) argues that state predation, which results in the deterioration of state capacity, is rational for political leaders under three conditions: 1) decrease in tax revenue of the state; 2) rising level of political insecurity; and 3) higher levels of resources endowments.

Secondly, cultural theories of state-building have also been applied outside of the European context. One notable example is the “Asian values” debate where the Confucian ethos of hard work, frugality, discipline and communitarianism was credited with the establishment of strong states in East Asia (see Thompson 2001). More recently, Islam has been touted as a key factor in promoting the stability of the state in Senegal (Villalón 1995), as well as being used as an instrument to expand the infrastructural power of the state in Malaysia and Pakistan (Nasr 2001). Apart from religion, Rueschemeyer (2005) maintains that effective state bureaucracies require a supportive normative foundation; that is, the internalization of appropriate values and norms are a critical component of state-building.

With particular reference to the capacity of the state to promote the rule of law, there has been movement by a few legal scholars (and paradoxically not by social scientists) to recognize the importance of culture—a shared set of values, beliefs and norms. Recent research proposes

that culture is an essential factor in establishing the rule of law and may explain the general inability to promote it abroad (Brooks 2003). It challenges the assumption that values consistent with the rule of law will follow once modern formal legal structures are put in place. One study examines the cross-national correlation between the rule of law and national values, concluding that norms of individualism and egalitarianism seem to be associated with a strong rule of law (Licht, Goldschmidt, and Schwarts 2007). However, the particular circumstances under which the law is accepted as normatively legitimate in certain societies remains unknown.

Lastly, it is widely acknowledged that, by and large, the applicability of the “war makes states” thesis is rather limited outside of the European state-building context as war is not often associated with building state capacity in the contemporary world. Generally, many scholars cite the different international context in which contemporary wars take place, which entail a variety of factors such as the state’s access to external financing (Centeno 1997), the ethnic heterogeneity found in many post-colonial societies that can be a source of disunity during war (Taylor and Botea 2008) or the strong international norms of the contemporary era that prohibit the conquest and annexation of weak states by strong ones (Sorensen 2001). At its most general, however, the war-centered thesis does have some applicability in the contemporary context in that external threats promote state-building through greater societal discipline (although the level of external threat in the Caribbean is comparatively low). Nonetheless, the war-centered perspective has inspired research in “fiscal sociology,” which has been applied much more readily to the modern developing world.

The main thrust of the fiscal sociology argument is that states in contemporary developing countries have higher capacity when they are more dependent on domestic sources for tax revenue, specifically broad and direct taxation of the citizenry (Brautigam, Fjeldstad, and

Moore 2008; Moore 2004). The availability of non-renewable natural resources, specifically fuels, minerals and ores (e.g. oil, diamonds, and bauxite) is also argued to affect state capacity via the taxation structure. Known as the resource curse, the crux of the argument, insofar as it relates to state capacity, is that the sizeable amount of tax revenue generated by resources can paradoxically weaken, rather than strengthen, the state (Bulte, Damania, and Deacon 2005; Karl 1997; Shafer 1994; Snyder and Bhavnani 2005). The state is weakened as its fiscal structure has led to concentrating its efforts on increasing bureaucratic capacity in the area of resource taxation, to the detriment of building capacity in extracting taxes directly from the citizenry – a process considered crucial in negotiating the relationship between the state and society (Karl 1997). In addition, a heavy dependence on resource extraction can reduce a state's capacity to act autonomously, as it is argued that economic elites are generally much more united in such situations, and therefore may be more effective at resisting state restructuring of the economy (Shafer 1994). Furthermore, valuable natural resources create incentives to capture the state in order to control the resources and are therefore associated with civil wars and state breakdown (Collier and Hoeffler 1998; Snyder and Bhavnani 2005). Finally, long-term dependence on foreign aid has also been argued to have a deleterious effect on state strength, primarily through lowering the domestic tax effort combined with the foreign outsourcing of critical functions of the state (Brautigam 2000; Knack 2001).

Scholars analyzing state-building in developing countries focus on additional factors that have been more marginal in the literature on state-building in Europe. One example is human geography. Herbst (2000) maintains that states with relatively low population densities, as found in most of sub-Saharan Africa, encounter many more difficulties in extending state authority to distant rural areas than states that are densely settled (e.g. Europe, Asia). Furthermore,

Katzenstein (1985) contends that in Europe, states with small populations by and large have greater capacity. He argues that small states are more dependent upon world markets, and that this vulnerability produces pressure for political compromise, usually in the form of corporatist arrangements between labour, economic elites and state actors. Brautigam and Woolcock (2001) test this proposition more broadly among developing countries and conclude that while states with small populations have greater state capacity, the effect of population size disappears once statistical controls are introduced.

Colonialism has also been argued to affect state capacity. Focusing on European colonial settlers, Acemoglu, Johnson and Robinson (2001) contend that the proportion of the population that is of European descent is related to the strength of post-colonial state institutions. That is, former colonies where a high proportion of the population were of European origin at independence (e.g. Canada, Australia, New Zealand [above 90%] and the United States [above 75%]) are predicted to have a higher state capacity and a stronger rule of law than countries such as the Bahamas [with roughly 12%], which in turn is predicted to have a higher state capacity than countries that were below the 5% threshold, such as Barbados and Jamaica.

Other scholars of colonialism and state-building focus on the actual structures of colonial states. Mahoney (2010) contends that the pre-colonial level of political institutional complexity combined with the state institutions of the colonizer to influence the development of post-colonial state capacity. Lange (2009) argues that the extent of direct and indirect rule significantly influenced contemporary state capacity in former British colonies. Directly ruled colonies involved the establishment of bureaucratic state legal-administrative institutions that were used throughout the entire territory, while indirectly ruled colonies consisted of legal-bureaucratic colonial administration in the capital with the rest of the territory under more

decentralized rule, where local indigenous leaders were empowered by the colonial administration to rule as loyal despots (see Mamdani 1996). Lange posits that as a result, directly ruled British colonies were more bureaucratic and inclusive than their indirectly ruled counterparts, and as states structures are for the most part slow to change, this accounts for differences in present-day state capacity in former British colonies. Kohli (2004: 17) also argues that “core institutional characteristics acquired during colonial rule have...proved difficult to alter.” He reaches the same conclusion as Lange that the type of colonial rule shaped the strength of the colonial state, while generalizing this conclusion among a broader range of colonial legacies (i.e. British, Portuguese and Japanese). Migdal (1988) also examines the effects of colonialism on state capacity, but more indirectly through its effect on society. He argues that weak states are a consequence of strong post-colonial societies – that is, of societies with fragmented social control, which in turn was caused by both colonialism and the expansion of the world economy.

Scholars have also pointed to ethnic diversity as an influential factor shaping state-building efforts in developing countries. A number of scholars of state-building in developing countries focus on the negative effect of ethnic heterogeneity, and several works find that ethnic and linguistic heterogeneity, also known as ethno-linguistic fractionalization, is negatively related to state capacity (Smith 1986), with most empirical research specifically focussing on the provision of public goods (Alesina, Baqir, and Easterly 1999; Easterly and Levine 1997; Miguel and Gugerty 2005) in addition to the rule of law and tax compliance (La Porta, Lopez-de-Silanes, Shleifer, and Vishny 1999). Initial research on the causal mechanisms linking ethnic diversity and state capacity point to the ineffectiveness of social sanctions for violations of reciprocity norms of non-co-ethnics (Habyarimana, Humphreys, Posner, and Weinstein 2007).

Lastly, the issue of democracy, and also the relationship between democracy and political patronage, merits discussion. Both theoretical and empirical arguments have been made that democracy has a positive effect on state capacity (Hall 1994; Lake and Baum 2001). However, there is an emerging literature that suggests that high-capacity states are more a determinant of democracy than the converse (Diamond 2008; Moore 1998). Differentiating among democratic regimes, Geddes (1994) suggests that the incentives for political patronage, which is thought to undermine state capacity, decrease in more competitive democracies. This is echoed by O'Dwyer (2006), who argues that pressures for political patronage occur where party systems lack meaningful party competition that facilitates holding governing parties accountable. On the other hand, Doner, Ritchie and Slater (2005) challenge the assumption that patronage weakens state capacity by contending that under certain conditions (i.e. broad coalitional commitments, scarce resource endowments and severe security threats) patronage can actually strengthen bureaucratic effectiveness.

In summary, a variety of factors have been suggested to effect state capacity in post-colonial developing countries: public choice theory (the political incentive structure); cultural theories (religion and norms); fiscal sociology (the extent of domestic and broad tax sources, resource revenues, and foreign aid); human geographic factors (ethnic diversity, population density and potentially population size); level of pre-colonial political organization, the state institutions of the colonizing country, type of colonialism (direct vs. indirect rule) and integration into the world economy; and lastly democracy and democratic competitiveness. Notwithstanding this vast amount of research, our understanding of the determinants of the capacity of post-colonial states, and specifically the capacity to promote the rule of law, is far



from complete. These limitations of the extant literature are clearly exposed by comparing the state's ability to promote the rule of law in the two cases described below.

## **Research Design**

As outlined above, although state capacity and, more specifically, the rule of law have important developmental effects (see Chapter 2 for a detailed exposition of this relationship), our knowledge of the determinants of state capacity is limited, while much less is known about establishing a strong rule of law in developing countries. My research attempts to address this lacuna by investigating the divergence in the capacity of the state to promote the rule of law in two countries. I will compare two countries, Barbados and Jamaica, whose difference in the provision of the rule of law cannot be readily explained by extant theories of state-building. The comparison of these two countries makes for an ideal natural experiment as both were in quite similar situations at the time of colonial independence. Given their similarities, one would predict that today both countries would have similar levels of adherence to the rule of law, which is far from the case. The Barbadian state is substantially more capable not only in promoting the rule of law and controlling corruption, but also in the areas of taxation, market intervention and bureaucratic effectiveness. This is widely thought to be the primary reason why Barbados's per capita income is now over three times higher than Jamaica's. In sum, the main objective of my research is to uncover the factors that led to a divergence in state effectiveness in promoting the rule of law during the late colonial/post-independence period between Barbados and Jamaica, and then to examine the implications of these findings in building state capacity and strengthening the rule of law in other developing countries.

### *The Cases: Jamaica and Barbados*

The comparison of Jamaica and Barbados makes for an ideal natural experiment. As Table 1.1 highlights, there is presently a striking difference in the extent of the rule of law (and, consequently, in economic development) in both countries.

**Table 1.1: Present Values of the Rule of Law and Economic Development**

<b>Year</b>	<b>Rule of Law<sup>1</sup></b> (2007)	<b>Corruption<sup>1</sup></b> (2007)	<b>Homicide Rate<sup>2</sup></b> (2008)/(2004)	<b>CIM<sup>3</sup></b> (2007)	<b>GDP/capita<sup>4</sup></b> (2008)
Jamaica	31.9	39.1	59.5	0.91	\$9,111.05
Barbados	87.6	89.9	8.7	0.94	\$24,525.89

Sources:

1. World Bank (2008b)

2. UNODC (2011). Rates per 100,000 total population.

3. International Monetary Fund (2009)

4. Heston, Summers and Aten (2011)

The first two indicators in the table are the percentile ranks of Jamaica and Barbados relative to all countries. It is evident that the Barbadian state does much better than the Jamaican state with regards to promoting the rule of law and controlling corruption. This difference is echoed by Jamaica's murder rate per 100,000, as it is nearly seven times higher than that of Barbados. Moreover, in 2008 Jamaica's homicide rate was the second highest reported rate in the world—that year it was over eleven times higher than the reported rate in the United States (UNODC 2011). The fourth measure, Contract Intensive Money (CIM), is the ratio of non-currency money to the money supply; that is, the amount of money entrusted to other parties (e.g. financial institutions). It is considered an indicator of one component of the rule of law, namely the enforcement of contracts and protection of private property, as citizens that have confidence in the state's ability to enforce contracts will more likely to allow other parties to hold their money (Clague, Keefer, Knack, and Olson 1999). Both Jamaica and Barbados have high scores (above 0.90), suggesting that the differences in the rule of law are not a result of violations of property rights or deficiencies in contract enforcement. Lastly, we see quite a substantial

difference in income between the two countries – an expected difference given the well-established link between the rule of law and economic development. Thus, the above data imply that there are stark differences in the rule of law between contemporary Barbados and Jamaica, and that these differences are driven primarily by violent crime and corruption. However, this difference was not always so striking. If one examines available data around the period of independence (1962 for Jamaica; 1966 for Barbados), the picture is much different (refer to Table 1.2).

**Table 1.2: Independence Period Values of the Rule of Law and Economic Development**

<b>Year</b>	<b>Court Cases<sup>1</sup></b> (1960s)	<b>Police<sup>2</sup></b> (1973)	<b>Homicide Rate<sup>2</sup></b> (1962/1947)	<b>Assault<sup>2</sup></b> (1970)	<b>Rape<sup>2</sup></b> (1970)	<b>CIM<sup>3</sup></b> (1966)	<b>GDP/capita<sup>4</sup></b> (1962)
Jamaica	76	2.5	6.1	5.1	0.2	0.87	\$5,881.09
Barbados	40	3.7	5.2	5.4	0.6	0.86	\$8,655.03

Sources:

1. Lange (2009). Rates per 1,000 population.

2. UNOCD (2011). Rates per 1,000 population, except for homicide (per 100,000 population).

3. International Monetary Fund (2009)

4. Heston, Summers and Aten (2011)

Most rule of law indicators (including the World Bank percentile ranks in Table 1.1) do not go back to the 1960s or 1970s; as such, other available indicators of the rule of law are presented in Table 1.2. The first measure shows that in Jamaica there were almost double as many court hearings per 1,000 people as in Barbados at the time of independence, suggesting that the legal system in Jamaica was at least as developed as the system in Barbados. While there was some difference in the number of police officers per 1,000 people, homicide and other violent crime rates (assault and rape) were similar. Referring back to the homicide rates presented in Figure 1.1, the historical data suggest that Jamaica and Barbados experienced comparable rates throughout the colonial period, and only began to diverge after independence. That is, the homicide rate in both islands began a slight divergence in the 1960s and early 1970s. A more substantial divergence occurred in the late 1970s, which culminated in a homicide rate of

43 per 100,000 in 1980 in Jamaica, when the number of homicides associated with political violence soared surrounding the general election of that year. Homicide rates in Jamaica then plateaued during the 1980s at rates substantially higher than previous decades, and began to further escalate throughout the 1990s and 2000s. During the same period, the homicide rate in Barbados remained relatively constant, resulting in a vast difference in the current rates between the two countries. Finally, as with the contemporary values of Contract Intensive Money, the two countries appear to have been nearly identical regarding the protection of private property and the enforcement of contracts around the time of independence, and both countries had similar per capita GDPs.

Overall, regarding the rule of law, both Jamaica and Barbados were in quite similar situations at independence, but there are stark differences between the two today. The next section will examine the applicability to Jamaica and Barbados of the aforementioned factors argued to affect the capacity of the state to promote the rule of law, in order to determine whether these factors can provide some insight into the post-colonial differences that developed with respect to the rule of law between the two countries.

### *The State Capacity Literature Applied to Jamaica and Barbados*

Jamaica and Barbados are both former British colonies with a history of slavery. They both achieved independence during the 1960s, and are in fact the only two former colonies that were colonized by the British for more than 300 years. By the time of the onset of British colonization (1625 for Barbados and 1655 for Jamaica), Barbados was uninhabited, while Jamaica was virtually uninhabited with only a few Spanish settlers and a handful of indigenous inhabitants remaining (see Chapter 3). Both countries were for the most part monocrop sugar plantation colonies, and as such both were highly integrated into the world economy and highly

vulnerable to global commodity price fluctuations. Both Jamaica and Barbados were directly ruled colonies with similar bureaucratic structures – all formal legal disputes were settled through the legal system based on rational-bureaucratic principles established by the colonial administration.

Regarding human geography, the ethnic (i.e. racial) diversity of both countries is similar. The indigenous populations of both islands disappeared many centuries ago, leaving them populated entirely by colonial settlers. In 1960, the vast majority of the population in both colonies were of African descent (89% in Barbados compared to 77% in Jamaica), with those of “mixed” descent (primarily Afro-Europeans) comprising 6% of the population in Barbados and 17% in Jamaica, while those of European ancestry comprised 4.3% and 0.8% of the populations in Barbados and Jamaica respectively (Central Statistics Office 1960; Department of Statistics 1960). Thus, although the population of both countries was predominantly Afro-Caribbean, and comprised the same three communities, there were some moderate differences regarding the proportion of the population of European and Afro-European descent.

While the Jamaican population is several times larger than that of Barbados—in 1961, the population of Barbados was 231,000 compared to the 1,652,000 residing in Jamaica (World Bank 2008a)—this difference deserves further discussion, as it has been argued that violent crime is less prevalent in Barbados than in Jamaica as a result of its small population size. King (1997: 35) contends that in Barbados friendship and kinship ties connect a relatively high proportion of population, where one is usually only a few degrees of separation away from other residents, which may “create informal social controls on behaviour that keep crime rates low.” However, a comparison of the homicide rates of small Anglo-Caribbean islands (with available data) does not lend support to this hypothesis (refer to Table 1.3). Table 1.3 shows that the

**Table 1.3: Homicide Rates in Small Anglo-Caribbean Countries and Dependencies**

Country	Homicide Rate <sup>1</sup>	Population <sup>2</sup>	Year
Anguilla	27.6	15,094	2007
Bahamas	13.7	321,453	2004
Barbados	8.7	252,596	2004
Belize	34.3	282,600	2008
Saint Kitts and Nevis	35.2	46,985	2008
Saint Lucia	16	162,434	2007

Sources:

1. UNODC (2011). Rates per 100,000 population.

2. World Bank (2011). Population data for the year 2004. Anguilla population data taken from (Central Intelligence Agency 2011).

population size of Barbados does not explain its low homicide rate for the region. The three islands much smaller populations than Barbados (Anguilla, Saint Kitts and Nevis, and Saint Lucia) all have homicide rates that are substantially higher. Lastly, Barbados and Jamaica are noticeably different concerning their population densities, which in 1961 measured 538 and 153 people per square kilometre respectively (World Bank 2008a). However, as most violent crime in Jamaica takes place in the densely populated capital of Kingston, this statistic does not support the mechanism described above where state capacity is argued to be weaker in distant rural areas with low population densities.

Jamaica and Barbados are both democracies following the Westminster parliamentary system, and their history of democracy dates back to the late colonial era. In addition, both have a well-institutionalized two-party system, where both parties are contenders and power alternation takes place on a regular basis. Given that the constitutional and electoral constraints are similar across both countries, both the degree of ties to social actors and the political incentive structure (in the manner outlined by public choice theory) of the state is roughly comparable between the two countries.

Regarding their fiscal structure, both Jamaica at 24.9% and Barbados at 24.2% had similar tax revenue as a share of GDP shortly after independence (in 1975) (World Bank 2002). With respect to development assistance, the countries had similar levels of aid as a percentage of GNI in 1966, with Barbados receiving slightly more at 1.3% of GNI compared to Jamaica's 0.91% (World Bank 2009). However, there is a marked difference in the two countries with regard to indicators of resource revenue. At the time of independence in Jamaica, almost half (49.2%) of its merchandise exports were ores and metals (as a result of its bauxite/alumina deposits) compared to a meagre 0.72% in Barbados (World Bank 2009). However, this proportion represents the apogee of the country's bauxite industry and by 1972 that proportion had already declined to 25%. Furthermore, although Jamaica's resource revenues were much higher than those of Barbados, it is moderate relative to the resource-rich petro-states (e.g. Nigeria, Iran, Venezuela, Algeria) where fuel exports were in excess of 90% of merchandise exports.

Lastly, near the time of independence both Jamaica and Barbados were predominantly Christian, with the majority of the population in both countries reported as Protestant (Government of Jamaica 1943; West Indian Census 1946). Concerning cultural differences, there have been some references to a "culture of violence" in Jamaica, where violence is argued to have become the norm for dispute settlement (Harriott 2000; Lemard and Hemenway 2006). However, there is scant historical evidence that suggests that a culture of violence existed in Jamaica prior to independence (or at least prior to the 1940s). Some claim that the half dozen slave rebellions in Jamaica during the late 17<sup>th</sup> and 18<sup>th</sup> centuries suggest that Jamaica has always had a culture of violence, while the relative lack of slave rebellions in Barbados is evidence of a culture of compliance. However, Barbados did experience localised insurrections in 1649 and

1701, followed by a slave rebellion in 1816 and a post-emancipation workers rebellion in 1876 (Beckles 2001; Beckles 2004b). Moreover, as Sheller (2000) contends, the difference in the number of rebellions was not a function of a more violent or a more acquiescent culture, but rather it was a result of the military odds stacked against blacks in Barbados. Furthermore, as outlined above, the crime statistics between the two colonies were quite similar until the post-colonial period. Therefore, the two islands can be considered to have had broadly similar “West Indian” cultures at independence, sharing many of the same cultural influences, including language, religion and enthusiasm for cricket. In the chapters to follow, it will emerge that there were important nuanced differences that developed surrounding religion and norms in the two colonies, specifically the anti-authority mentality that developed among the masses in Jamaica as a result of a higher degree of cultural autonomy. Nonetheless, compared to other countries, Jamaica and Barbados were quite similar in these regards.

**Table 1.4: Summary of the Determinants of State-Building near the time of Independence**

<b>Determinants of State-Building</b>	<b>Jamaica</b>	<b>Barbados</b>	<b>Difference</b>
State Ties to Social Actors; Political Incentive Structure	Parliamentary Democracy	Parliamentary Democracy	Minimal
Religion	Protestant	Protestant	Minimal
Norms	"West Indian"	"West Indian"	Minimal
Tax Revenue	24.9% of GDP	24.2% of GDP	Minimal
Resource Revenue	49.2% of Exports	0.72% of Exports	Moderate
Aid Revenue	0.9% of GNI	1.3% of GNI	Minimal
Ethnic Diversity	Larger Afro-European Minority	Smaller Afro-European Minority	Moderate
European Population	0.8%	4.3%	Minimal
Population Density	153/km <sup>2</sup>	538/km <sup>2</sup>	Moderate
Population Size	1,652,000	231,000	Minimal/Moderate
Former Colonizer	Britain	Britain	Minimal
Level of Precolonial Political Organization	Essentially None	None	Minimal
Type of Colonial Rule; Bureaucratic Structure	Direct Rule	Direct Rule	Minimal
Integration in the World Economy	High	High	Minimal
Democracy	Yes	Yes	Minimal
Democratic Competitiveness	Strong	Strong	Minimal



Refer to Table 1.4 for a summary of the factors from the state-building literature that are thought to affect state capacity and the respective scores of these factors for Jamaica and Barbados near the time of independence. Although the two countries were hardly identical, they had many key similarities, and none of the factors stand out as a potential explanation for their different levels of the rule of law. An obvious explanation for their different trajectories is therefore lacking.

### *Research Methodology*

In exploring the causes of different levels of the rule of law in Barbados and Jamaica, this project uses comparative historical methods. It involves an in-depth comparative analysis of the two cases during both the early and late (roughly 1937 to 1966) colonial periods. I conduct extensive historiographic research to outline the sequences of events that ultimately influenced the state's capacity to promote the rule of law in the post-colonial period for each case, known as the within-case analysis. These cases are analyzed using a method that Mahoney (2000b: 415) labels "causal narrative"; that is, a methodology that uses "cross-case comparisons of within-case chronologies as a basis for making causal comparisons." More specifically, the research employs a particular type of causal narrative, what Lange (forthcoming: 19-20) calls a "difference-oriented comparison", which "requires a causal narrative to highlight causal processes within different cases and compares the processes...[across] cases with similar lineages but divergent outcomes." Accordingly, the comparison of Jamaica and Barbados is well-suited for this type of analysis, as the two cases are remarkably similar yet experienced vastly different outcomes on the dependent variable (the rule of law).

The research methodology takes an inductive approach by design. The research does not follow a particular theoretical framework, nor does it set out to test competing theoretical claims.

Rather, its primary function is to outline the causal processes that affected the rule of law in the two cases. In that sense, the strength of the research design rests in its ability to identify new potential causal variables and mechanisms (i.e. to provide ideographic insight), while it is somewhat limited in its ability to generalize beyond the two cases (i.e. in providing nomothetic insight) (see Lange forthcoming). Notwithstanding this limitation, this research methodology is ideal for situations where the literature cannot explain the divergent outcomes between the cases, and consequently it is the most appropriate method to employ for the present analysis.

The research involved a detailed review of the secondary literature, including specialized historical literature available at the University of the West Indies libraries (the Cave Hill campus in Barbados and the Mona campus in Jamaica). The research also entailed archival research of primary sources. I examined colonial documents, correspondence, government documents, union archives, newspapers and other historical documents at the University of the West Indies (Barbadian and Jamaican campuses), the Barbados Department of Archives, the Barbados Museum and Historical Society, the National Library of Jamaica and the Jamaica Archives Office. Moreover, I established contacts with local scholars at these institutions and discussed my research with them as it progressed.

### **Argument Summary and Chapter Organization**

Contemporary scholarship on violence in Jamaica suggests that the weak rule of law and high level of interpersonal violence is a result of political violence, clientelism and the garrison communities (such as Tivoli Gardens described above) that developed as a result. Although there is a large body of research that examines political violence and clientelism in post-independence Jamaica, little is known surrounding their origins. This research examines the development of political violence and patronage politics in Jamaica (which led to the

deterioration of the rule of law) and their absence in Barbados. I argue that it was the extent of ethnic divisions along class lines that influenced the political culture of the masses and thereby the character of state-society relations, which determined whether political violence and clientelism were institutionalized during the transition to universal suffrage in the late colonial period. In Jamaica, social, cultural and religious differences between the classes (which involved the separation of the masses from many of the dominant institutions on the island) resulted in a communal divide between the middle and lower classes. This division led to the development of a distinct political culture among the lower classes, one that challenged the legitimacy of legal state authority.<sup>4</sup> These class differences in political culture provided the structural conditions that led the institutionalization of political violence and patronage politics during the late colonial period. Conversely, in Barbados, there were few social, cultural and religious differences between the classes, which entailed a higher level of inclusion of the masses in the dominant social institutions. Consequently, communal divisions between the classes did not develop, with the majority of the population subscribing to the same political culture that accepted the legitimacy of state authority. Furthermore, the compatibility between the dominant political culture in Barbados and its political system provided the basis for a strong rule of law during the post-independence period. My overall findings therefore identify ethnic diversity, political culture and state legitimacy as factors that help explain the divergent trajectories of the rule of law in Jamaica and Barbados.

The dissertation is organized as follows. Chapter 2 provides a more detailed analysis of relationship between the dependent variable of this study (the rule of law) and development. I

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<sup>4</sup> Following Marx, class is defined by the relationship to the means of production. Consequently, with respect to Jamaica and Barbados, the upper class comprises the owners and managers of the means of production, the middle class consists of the educated professionals, while the lower classes comprise the working classes (labourers and peasantry) and the unemployed.

conduct cross-national statistical analyses that suggest that the rule of law is not only associated with economic development, but also social development. I then use Barbados and Jamaica as case studies to argue that the capacity of the state to promote the rule of law and limit interpersonal violence has a direct effect on social development that goes beyond mere contract enforcement. The comparative historical analysis begins with Chapter 3 with the historical case study of Jamaica. The chapter outlines the sequence of events that led to the institutionalization of political violence and patronage politics in the late colonial period. It brings to the fore two crucial factors that developed during the early colonial period, namely the race-class correlation and class-based differences in religious membership, which influenced the development of a communal class divide and thus the attitude of the masses towards state authority. The historical case study of Barbados is provided in Chapter 4, which traces the development of the conditions under which the island did not experience an escalation in political violence or the development of clientelistic politics as in Jamaica. This case highlights the importance of two additional factors that influenced the acceptance of the legitimacy of state authority by the lower classes: the extent to which the Afro-Caribbean population viewed themselves as members of the national community and the structural conditions that facilitated the cultural autonomy of the lower classes. Chapter 5 explicitly compares the causal processes in both cases and analyzes the four aforementioned factors that ultimately led to divergent outcomes regarding political violence, patronage and the state's capacity to promote the rule of law. The concluding chapter, Chapter 6, examines the implications of the findings and explores broader applications of the research.

## CHAPTER 2 – THE RULE OF LAW AND DEVELOPMENT

This chapter provides a detailed examination of the association between the rule of law and development.<sup>5</sup> It reviews recent scholarship on the effect of the rule of law on economic development by highlighting cross-national trends and causal mechanisms identified in the literature. It also reviews the emerging empirical research on the relationship between state capacity (including the rule of law) and social development. While a few studies find cross-national associations between the rule of law and social development, these associations lack proper statistical controls and the causal mechanisms through which the rule of law affects social development have not been specified. This chapter contributes to the extant literature by examining the cross-national relationship between the rule of law and one of the fundamental components of social development—health. I propose two causal mechanisms through which the rule of law influences health: 1) through contract enforcement and the protection of property rights; and 2) by strengthening civil society. The cross-national statistical analyses suggest a strong, negative and robust effect of the rule of law on health, lending some support to the two proposed causal mechanisms. Next, as the main focus of this research project is on the capacity of the state to promote the rule of law and limit violence (as opposed to enforcing contracts and protecting private property), I conduct a direct test of the second proposed causal mechanism. That is, I investigate whether a strong rule of law promotes health by limiting violence thereby strengthening civil society. This is done through a comparative case analysis of Barbados and Jamaica, two cases that have the same level of contract enforcement, but different levels of violence (see Chapter 1). The comparison supports the proposition that a strong rule of law has a

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<sup>5</sup> Portions of this chapter have been reproduced with permission from Dawson (2010).

beneficial effect on health by strengthening civil society, limiting injuries as a result of violence, conserving public health resources and facilitating access to healthcare. This chapter shows the general importance of the rule of law to social development in addition to highlighting the important effects of the rule of law on development beyond the mechanisms of contract enforcement and the protection of private property.

## **Background**

It has become widely acknowledged that states with a weak rule of law are associated with poor developmental performance. Research suggests that states that are able to effectively promote the rule of law are a boon for economic growth. Cross-national analyses show that levels of national income are strongly correlated with various measures of the rule of law in developing countries (Clague, Keefer, Knack, and Olson 1999; Kaufmann, Kraay, and Zoido-Lobaton 1999; Knack and Keefer 1995; Mauro 1995). These statistical relationships have been supported by theoretical research involving many proposed causal mechanisms, which include: the importance of contract enforcement and property rights for economic growth (Dam 2006; North 1990); the efficient and timely enforcement of these legal protections (de Soto 2000); and the deleterious effects of corruption on investment and growth (Mauro 1995).

Beyond economic growth, there is an expanding literature linking state capacity (i.e. the capacity of the state to promote the rule of law, tax its citizens and to provide public goods) with various measures of social development. One such measure that has received much scholarly attention is societal levels of health as measured by child mortality rates – a measure indicative of broad-based development that cannot be monopolized by the wealthy. Cross-national statistics also show an association between levels of state capacity and child and infant mortality (Campos and Nugent 1999; Holmberg, Rothstein, and Nasiritousi 2009; Kaufmann, Kraay, and

Zoido-Lobaton 1999; Lazarova 2006; Shen and Williamson 1997; Shen and Williamson 2001). However, this relationship is less robust than that of the rule of law and economic development, as some cross-national studies find no relationship between state capacity and mortality rates (Bradshaw, Noonan, Gash, and Buchmann Serchen 1993; Frey and Field 2000) or only contingent effects (Lena and London 1993; Moon and Dixon 1985).

These mixed results may be explained in part by the measures used to represent state capacity. Most studies have relied on an indicator of state capacity taken from fiscal sociology – tax revenue (or state expenditures) as a proportion of GDP. Although the causal mechanism linking this measure of state capacity and child mortality is well-defined, empirical tests of its effect have produced mixed results. More recently, indicators of governance (primarily involving the rule of law) have been found to have a statistically significant and robust effect on child and infant mortality; however, the causal mechanisms linking these measures to child mortality have not been specified.

This chapter will attend to these issues by identifying the causal mechanisms through which the rule of law may influence child mortality that are distinct from the mechanisms identified by those employing fiscal sociology measures of state capacity. I propose two potential causal mechanisms through which the rule of law may affect child mortality: by improving market efficiency and supporting civil society. As an initial test of these propositions, I conduct a cross-national time series analysis of 93 developing countries to examine whether the rule of law has a beneficial effect on child mortality, independent of the size of the state and other political and economic controls. The evidence presented supports this hypothesis and suggests a strong, negative and robust effect of the rule of law on child mortality, while also

suggesting that state size does not have a statistically significant effect on child mortality when controlling for the rule of law and other politico-economic variables.

### **State Capacity and Child/Infant Mortality in Developing Countries: A Literature Review**

Some of the first studies to investigate the relationship between state capacity and infant mortality examined the effect of state capacity on physical quality of life. The physical quality of life index (PQLI) is a measure of well-being of a country that consists of an average of three indicators: the literacy rate, the infant mortality rate, and life expectancy at age one (Morris 1979).

Moon and Dixon (1985) examined the effect of state strength (measured as central government expenditures/GNP) on both the PQLI and infant mortality rate. They found a negative (unfavourable) effect of state strength on the PQLI. However, there is a statistically significant conditional effect of state strength and regime ideology – leftist regimes with strong states result in favourable PQLI outcomes, while strong rightist regimes are associated in unfavourable PQLI outcomes. This conditional effect was also replicated when infant mortality was examined independently as a separate dependent variable. London and Williams (1990) extended this analysis by examining the same model as Moon and Dixon while also controlling for international economic processes (investment dependence, trade dependence and world-system position). The results including the additional controls were consistent with Moon and Dixon. In the same vein, Bradshaw and Tshandu (1990) also tested the effect of state strength on the PQLI; however, they found that state strength measured by both central government revenue/GDP and by direct taxation/central government revenue have a positive, direct effect on the PQLI in Sub-Saharan Africa. However, when both measures of state strength were included in the same model, the latter lost statistical significance. Bradshaw and Huang (1991) conducted



a cross-national analysis of broader range of developing countries and determined that state capacity (as measured by direct taxation/central government revenue) has a positive effect on both absolute and relative PQLI. In sum, cross-national tests of the effect of state capacity on PQLI have produced mixed results, even if we only consider studies that use the same measure of state capacity. However, the infant mortality rate comprises only one third of the PQLI. Aside from Moon and Dixon, the other studies did not examine infant mortality as a dependent variable separate from the PQLI. Consequently, the effect of state capacity on infant and child mortality may be more consistent than the former's effects on the PQLI.

Lena and London (1993) replicate London and Williams (1990) analysis but examine both infant and child mortality as dependent variables. The results remained consistent with London and Williams showing that the effect of state capacity is conditional in that strong rightist regimes are associated with higher infant and child mortality rates, while strong leftist regimes are for the most part associated with lower infant mortality rates. In their cross-national analysis of third world indebtedness on child welfare, Bradshaw et al. (1993) show no association between state strength (as measured by both central government revenue/GDP and by direct taxation/central government revenue) and child mortality. Frey and Field (2000) also find little evidence of a relationship between state capacity (as measured by central government revenue/GDP) and infant mortality rates in less developed countries. Conversely, Shen and Williamson (1997) find that state strength (as measured by total government revenue/GNP) is robustly and negatively related to child mortality rates, a finding that they replicated using infant mortality rates (Shen and Williamson 2001). Therefore, like the PQLI, the results of cross-national studies of the effect of state capacity (using fiscal sociology indicators) on child and

infant mortality remain mixed. However, a few studies have examined the effect of state capacity using alternate indicators.

Kaufmann, Kraay and Zoido-Lobaton (1999), the architects of the Worldwide Governance Indicators published by the World Bank, conducted initial tests of the relationship between infant mortality and state capacity, namely all six of their governance indicators (see Kaufmann, Kraay, and Mastruzzi 2009). They found strong, negative correlations between each governance indicator (including the “Rule of Law”) and infant mortality. Holmberg, Rothstein and Nasiritousi (2009) also examined correlations between state capacity -- using two of the World Bank governance indicators (namely “Rule of Law” and “Government Effectiveness”) -- and both infant and child mortality, finding a negative association. However, these correlations lacked statistical controls. Lazarova (2006) was able to replicate the negative relationship between the state capacity (as measured by an average of four of the World Bank governance indicators: “Rule of Law,” “Government Effectiveness,” “Regulatory Quality” and “Control of Corruption”) and infant mortality in regressions that controlled for economic development and income inequality. Lastly, Campos and Nugent (1999) conducted a cross-national investigation on the effects of state capacity (as measured by the “Rule of Law” and “Bureaucratic Quality” indicators taken from the International Country Risk Guide [ICRG]) and concluded that both have a negative effect on infant mortality, but they also did not include statistical controls in their models.

### *Causal Mechanisms Identified in the Literature*

The studies that use fiscal sociology measures of state capacity follow the lead of Moon and Dixon (1985) when specifying the causal mechanism through which state capacity affects infant and child mortality. The mechanism can be summarized as follows: The market creates

income inequalities where those less well off suffer from poorer health, including higher child mortality rates. The state acts as a redistributor of wealth where public funds are channelled to reduce mortality among vulnerable groups. The capacity to reduce mortality is therefore contingent upon the availability of resources at the disposal of the state -- the greater the amount of resources available to the state, the greater the extent of redistribution that is possible. Although various forms of redistribution may influence mortality rates in disadvantaged groups, this is primarily done through the provision of public health services (Frey and Field 2000). Thus, a strong state (as defined by a relatively high level of tax revenue/GDP) is seen as a necessary condition for low infant and child mortality rates in developing countries.

Paradoxically, although the relationship between state capacity and child and infant mortality is much more consistent using alternate (i.e. non-fiscal sociology) measures of state capacity discussed above, these studies have not proposed any causal mechanisms explaining the statistical association. Indeed, neither Kauffman, Kraay and Zoido-Lobaton (1999), Holmberg, Rothstein and Nasiritousi (2009) nor Lazarova (2006) propose any causal mechanisms, although Lazarova acknowledges that more work needs to be done surrounding our understanding of the causal mechanisms by which governance impacts the infant mortality rate. Boettke and Subrick (2003: 109) claim that “[t]here is little theoretical reason to expect the rule of law to directly impact human capabilities [i.e. health and education].” Moreover, Campos and Nugent (1999: 446) write: “we do not put forward a formal theoretical model from which the findings can be checked against a concrete set of hypotheses. Indeed, to the best of our knowledge, such a model does not yet exist.”

### *Measures of State Capacity*

In order to examine the mechanisms through which state capacity affects mortality, one must first identify the appropriate measure of state capacity. For fiscal sociologists, state strength is generally measured by its size; that is, by central government revenue as a proportion of GDP. Implicitly, the capacity of the state to extract resources from society is considered to be highly correlated with overall state capacity – the capacity of the state to perform all its other core functions. However, some (Bradshaw, Noonan, Gash, and Buchmann Serchen 1993; Bradshaw and Tshandu 1990) separate state capacity into state size (as measured by central government revenue/GDP) and state strength, which they define as the extent of state intervention into the national economy. Likewise, although Moon and Dixon (1985) used state size as an indicator of state strength, Moon (1991: 118) later acknowledges that “a state may be strong without being large.” He goes on to define state size as central government expenditures as a proportion of GDP, but distinguishes this from state strength, which he defines as organizational ability, widespread legitimacy and by the ability, if necessary, to mobilize resources not directly within budgetary control of the state (Moon 1991: 118).

Similarly, as alluded to in the previous chapter, O'Donnell (1993: 1356) provides more conceptual clarity to the idea of state strength, arguing that the state is more than simply the “state apparatus, the public sector, or the aggregation of public bureaucracies... The state is also, and no less primarily, a set of social relations that establishes a certain order, and ultimately backs it with a centralized coercive guarantee, over a given territory. Many of those relations are formalized in a legal system issued and backed by the state.” These social relations, especially those formalized in the legal system, create an order where most “social relationships are engaged on the basis of stable (if not necessarily approved) norms and expectations” (O'Donnell

1993: 1356). In other words, regularly adhering to a set norms and behavioural expectations produces order and stability, even if these norms and expectations are not sanctioned by the majority. Therefore, O'Donnell (1993: 1358) concludes that “[a] ‘big’ or ‘small’ state apparatus may or may not effectively establish its legality over its territory... a strong state, irrespective of the size of its bureaucracies, is one that effectively establishes that legality.”

O'Donnell's strong state that is able to effectively establish its legality over its territory is akin to what some scholars term the rule of law, specifically the “thin” definition of the rule of law (see Chapter 1). In this chapter, references to the rule of law will refer to the thin definition of the rule of law; that is, the capacity of the state to promote rule by law.

Accordingly, the capacity of the state to perform two of its core functions (revenue extraction and maintaining law and order) may be unrelated. As such, state size (tax revenue/expenditures as a share of GDP) and the rule of law cannot necessarily be considered alternate indicators of the general capacity of the state to perform all of its core functions. Rather, each measure reflects the capacity of the state to perform a particular function, where being highly capable at one function may not translate into being highly capable at another. I posit that the capacity of the state to perform the two core functions of taxation and promoting the rule of law should be measured independently, as they follow different causal mechanisms regarding developmental outcomes – specifically their effect on child mortality. I've already reviewed the mechanisms through which the fiscal sociology component – state size – is thought to influence mortality. I will now examine the ways in which the rule of law may influence mortality outcomes.

### *Rule of Law Mechanisms*

While the size of the state is thought to influence child mortality via the public provision of health services (i.e. via the state), the rule of law primarily influences child mortality through its impact on markets and civil society. As Lange (2005: 58) argues, the rule of law “provides the stability and protection needed for the organization of complex coordination structures such as markets... and associations.” That is, a weak rule of law would act as an impediment to these coordination structures, which would ultimately be detrimental to a variety of developmental outcomes, including child mortality.

First, the rule of law supports the efficient functioning of markets. This view forms the foundation of new institutional economics, which is based on the assumption that a strong rule of law is necessary in order to underwrite transaction costs of market exchange, by enforcing contracts and property rights (North 1990). This, in turn, allows the markets to function efficiently, which ultimately facilitates economic development (Dam 2006). Therefore, the rule of law may have an indirect impact on child mortality through promoting economic growth, as economic growth provides the necessary resources to pursue health, which in turn raises the overall level of health of society and decreases child mortality.

Beyond promoting economic growth, a strong rule of law generally lowers market transaction costs, resulting in a greater availability and/or less expensive goods and services than what would have been the case if the state could not effectively enforce contracts and property rights. Regarding child mortality in developing countries, where the public provision of health services is often inadequate, a weak rule of law may further restrict access to private healthcare alternatives. Private health clinics, hospitals, doctors, nurses and other healthcare services would only be affordable to an even smaller (wealthy) segment of the population due to the premium

likely to be paid as a result of higher transaction costs. In addition, if the costs of acquiring vaccines, antibiotics and other pharmaceuticals on the market increase, this may put these vital treatments out of reach for more families with children, thereby increasing the incidences of such health problems as diarrhoea, measles and acute respiratory infections – all major causes of child mortality (UNICEF 2008b). Moreover, a weak rule of law may increase the cost of food, potentially resulting in decreased availability and less nutritive food options for low-income families. In such cases, pregnant mothers and children are at increased risk of malnutrition, another leading cause of child mortality in developing countries (UNICEF 2008b).

Second, as Mendez, O'Donnell and Pinheiro (1999) point out, a strong rule of law is a correlate of a strong civil society. Civil society can be defined as the public space beyond the household and the state where people organize to pursue common objectives (Hadenius and Uggla 1996). These pursuits require the establishment of trust and norms of reciprocity within social networks -- what some call “social capital” (Ostrom 1990; Woolcock 1998). As Woolcock (1998: 182) argues, social capital is undermined where “uniform laws are weak, unjust, flaunted, or indiscriminately enforced”; that is, where the rule of law is weak – an argument that is supported empirically by Rothstein and Stolle (2008). In these circumstances, individuals are less likely to trust and therefore cooperate with others to pursue collective interests, including livelihood strategies, which in due course could negatively affect child mortality.

For instance, Bates (2010: 94) argues that in developing countries with a strong rule of law, local communities have often organized to “impose taxes upon themselves in terms of money and labour” to provide public goods and services. For example, the *Harambee* community organizations found in Kenya raise funds and undertake local development projects,

some of which contribute to improving community health (Esman and Uphoff 1984: 60). Other civil society organizations that may be hindered by a weak rule of law include churches and trade unions, many of which provide various forms of assistance (e.g. monetary payments, food, clothing, shelter, healthcare for children) to impoverished families with children, often making up for the absence of a developed welfare state. Civil society organizations may also affect child mortality by influencing the effectiveness with which the state provides public services. For instance, local organizations can further contribute to improving child mortality by “schedul[ing] visits with doctors at a clinic or follow[ing] up on patients to see what medicines are taken, so that outside [public] services become more accessible or effective” (Esman and Uphoff 1984: 79).

In summary, state capacity may affect child mortality in developing countries in two distinct ways. First, through the size of state, as a larger government revenue base can extend the provision of public health services and other forms of redistribution to disadvantaged groups. However, past empirical analyses have not produced unequivocal support for this causal mechanism. Secondly, I argue that state capacity influences child mortality through the rule of law, independent of the size of the state. I propose two mechanisms through which this may occur (through improving market efficiency and supporting civil society). Although initial cross-national analyses using various measures of the rule of law (i.e. the non-fiscal sociology measures mentioned above) appear to support this proposition, conclusions are tentative as these analyses do not control for the size of the state and also lack crucial statistical controls of other political and economic factors that have been shown to influence child mortality (see below). Consequently, I examine the cross-national statistical relationship between the rule of law and child mortality while controlling for these factors.



## Data and Methods

To determine whether the rule of law influences the child mortality rate, I employ cross-national time series analyses. I merge various data sources to construct a cross-sectional time series dataset of developing countries.<sup>6</sup> As a result of the availability of the child mortality data and various independent variables, the dataset has four time series cross-sections corresponding to the years 1985, 1990, 1995 and 2000. As the dependent variable – the child mortality rate – measures the number of child deaths before the age of five, the independent variables are lagged by five years in order to capture their complete potential effects. Thus, the corresponding dependent variable years for the above independent variable cross-sections are 1990, 1995, 2000 and 2005 respectively.<sup>7</sup>

### *Dependent Variable*

When examining societal levels of health, child and infant mortality rates are better suited for cross-national time series analysis as compared to indicators of life expectancy. Whereas the latter, by definition, takes a lifetime to manifest, changes in child and infant mortality can be observed in a relatively short period of time. Consequently, the infant mortality rate is considered an important indicator of quality of life as it is included in the Physical Quality of Life index developed by Morris (1979). Likewise, child mortality is also considered an indicator of general social development (Shen and Williamson 1997).

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<sup>6</sup> Developing countries are defined as countries classified as either low or middle income by the World Bank (2005). Developed countries are excluded from the analysis as they tend to have little variation regarding the rule of law and child mortality rates. Eastern Europe and the former Soviet republics are also excluded, as their communist legacies have mostly left their child mortality rates close to those of the developed countries. In addition, all countries in the study had an estimated population greater than 500,000 inhabitants in 2003.

<sup>7</sup> Following Brashaw et. al (1993), I also lagged the independent variables by ten years in order to measure their longer-term effects. In these models the independent variable cross-sections consisted of the years 1980, 1985, 1990 and 1995. As the results of these analyses are substantively identical to the results using a five year lag, I only present the latter.

Furthermore, child mortality (the number of child deaths per 1,000 births before the age of five) is considered a better indicator of children's overall health and well-being than the infant mortality rate (the number of deaths per 1,000 births before the age of one), as the latter does not capture the various health complications that can occur between the ages of one and five. In addition, UNICEF argues that the child mortality rate:

...reflects the nutritional health and health knowledge of mothers; the level of immunization and ORT (Oral Rehydration Therapy) use; the availability of maternal and health services (including pre-natal care); income and food availability in the family; the availability of clean water and safe sanitation; and the overall safety of the child's environment (as cited in Bradshaw, Noonan, Gash, and Buchmann Serchen 1993: 639).

Accordingly, the child mortality rate (UNICEF 2008a) is used as the dependent variable to measure the state of children's overall health and, more generally, societal levels of health within a given country.

### *Independent Variables*

As discussed, the rule of law is a contested concept and therefore finding an appropriate measure of it is not a straightforward exercise. As Soifer (2008) reminds us, it is of the utmost importance to select a measure that accurately reflects one's conceptualization of state capacity (in this case, the rule of law) in order to properly test causal mechanisms. A widely used measure is the World Bank's Worldwide Governance Indicator of the "Rule of Law," but a major limitation of this indicator is that it is only available from the year 1996, which significantly limits its use in historical analyses, and hence precludes it from being adopted here. Moreover, this measure, along with the ICRG's "Law and Order" component, is subjective in that it is primarily based on perceptions. Subjective ratings potentially expose the data to individual biases or prejudices, which may result in conflating perceptions of the rule of law with

certain socio-economic outcomes such as economic development and/or democracy (Holmberg, Rothstein, and Nasiritousi 2009). The same can be said about various indices of corruption (such as Transparency International's Corruption Perceptions Index), which are sometimes used as measures of the rule of law. Nonetheless, the absence of corruption is not a sufficient condition of a strong rule of law (Rothstein and Teorell 2008), and thus its use as an indicator of the rule of law is inappropriate for the present analysis.

One indicator of the rule of law that is both objective and widely available historically (over the last half-century) is the Contract-Intensive Money (CIM) measure used primarily by new institutional economists. CIM is a measure of how people choose to hold their financial assets – either as currency (i.e. cash) or in financial institutions as bank deposits or other financial instruments (Clague, Keefer, Knack, and Olson 1999). In countries with a strong rule of law and trust in legal institutions, one would expect currency to be used almost exclusively for small transactions, while the vast majority (roughly 90% or more) of financial assets would be held in financial institutions, where assets are considered safe and also accumulate interest or other types of compensation. Conversely, in countries with a weak rule of law, one would expect to find a stronger preference for currency even if it means forgoing interest income, as there is less confidence that money lent to financial institutions is secure. As such, CIM is often used as a measure the general confidence in the state's capacity to enforce contracts and protect private property through the legal system – a measure which at first blush seems to better correspond with the first proposed causal mechanism of improving market efficiency than the second proposed mechanism of supporting civil society. However, CIM is also considered a more general measure of the rule of law (Besançon 2003). Indeed, its architects maintain that although CIM is a “measure of the enforceability of contracts and the security of property

rights”, they contend that it is also a more general measure of the rule of law and the quality of state institutions, as CIM is shown to have moderately high, positive correlations (consistently around the .62 to .63 range) with other measures of the rule of law and the quality of governance, including the ICRG, Business Environment Risk Intelligence (BERI) and Business International (BI) ratings (Clague, Keefer, Knack, and Olson 1999: 186, 197).

Concerning the present analysis, I compare two proxies of the rule of law: CIM and the ICRG’s “Law and Order” indicator, which measures the popular observance of the law and the strength and impartiality of legal institutions (PRS Group 2009). Both measures produce substantively similar results in all models, supporting the use of CIM as a general measure of the rule of law. Consequently, I use CIM as a proxy of the rule of law, as it has greater data availability (i.e. less missing cases) and it is an objective, rather than a subjective, measure. The CIM data are taken from the International Financial Statistics database (International Monetary Fund 2009), and are calculated as the ratio of non-currency money to the money supply; that is, it is the proportion of the money supply held by financial institutions and other parties.

In order to provide a more thorough analysis of the relationship between the rule of law and child mortality, the quantitative models include the fiscal sociology measure of state size and five politico-economic control variables. I control for the natural log of the per capita gross domestic product using data from Heston, Summers and Aten (2006). Higher levels of GDP per capita generally contributes to higher personal incomes (when controlling for income inequality, as done here), which is expected to increase the ability of households with children to obtain adequate food and shelter, necessary healthcare services and pharmaceuticals, and in some cases, education. I also control for the level of democratization by taking the five-year average score (the mean of the values of the observation year and the four previous years) of the “Polity 2”

variable from the Polity IV dataset (Marshall and Jaggers 2006). Past studies have found a negative relationship between democracy and child mortality rates (Doces 2007; Lena and London 1993), though most research has focused on the negative association between democracy and infant mortality (Franco, Álvarez-Dardet, and Ruiz 2004; Lake and Baum 2001; Moon and Dixon 1985; Navia and Zweifel 2003; Shandra, Nobles, London, and Williamson 2004; Zweifel and Navia 2000). However, the debate remains unresolved as to the mechanisms through which democracy influences child mortality. Some propose that democracy decreases child mortality by increasing the likelihood of women using contraception and that democracies tend to spend more on public health and other social services (Navia and Zweifel 2003), while others argue that the effect of democracy on child mortality operates primarily through the latter's beneficial effect on female literacy (Doces 2007).

Following dependency theory arguments, I include a control variable measuring a country's stock of foreign direct investment (FDI) as a percentage of GDP using data from UNCTAD (2008). FDI stocks are used as a measure of the long-term effects of investment dependence, as it is considered to have deleterious effects on developmental outcomes in the long-term (Bornschiefer, Chase-Dunn, and Robinson 1978). Aside from the effect of investment dependence on economic growth, income inequality and on the state's ability to raise tax revenue (all of which are included as controls in the models presented below), investment dependence may also effect child and infant mortality by diverting land from food production, thereby displacing poor farmers and their families who have little alternative for a livelihood (Wimberley 1990). This line of argument has been supported empirically in a number of studies (Lena and London 1993; Shandra, Nobles, London, and Williamson 2004; Shen and Williamson 1997; Wimberley 1990). Some argue that trade openness (the sum of imports and exports as a

proportion of GDP) is simply another measure of economic dependency and is thus expected to have a positive relationship with child mortality through the mechanisms listed above (Shen and Williamson 1997), while others explain this association through the environmental degradation (specifically water pollution) caused by trade openness, which in turn increases infant mortality (Burns, Kentor, and Jorgenson 2003). In contrast, other studies have shown that trade may in fact reduce child mortality, through its positive effect on economic growth, by increasing the demand for a strong social safety net deemed necessary to deal with the risk inherent in open economies and by facilitating the spread of Western values of scientific approaches to disease including the importance of immunizations (Levine and Rothman 2006). Consequently, trade openness is included as a separate control in the models. The import and export data are taken from the World Development Indicators (World Bank 2008a).

Next, I control for the level of income inequality, as cross-national statistical analysis has shown it to have a deleterious effect on infant mortality rates (Babones 2008a). The data are taken from the Standardized Income Distribution Database (Babones 2008b), where GINI coefficients are standardized in order to facilitate cross-national time series comparisons (see Babones and Alvarez-Rivadulla 2007). Lastly, as I am testing whether the rule of law has an effect on child mortality independent of the size of the state, I include the latter by adding the natural log of central government tax revenue as a share of GDP to the model (World Bank 2002).

Summary statistics for each variable are presented in Table 2.1. There are 102 developing countries that meet the criteria specified above and qualify for inclusion into the dataset. However, the models are restricted to between 93 and 62 countries as a result of missing data. In addition, some of the remaining cases are missing at least one of the four potential

observations, resulting in an unbalanced dataset. The correlation matrix (Table 2.2) shows that the log of GDP per capita has the strongest correlation with the dependent variable, followed by the rule of law and then democracy, with all three variables achieving a strong, negative correlation coefficient of over 0.5. Notably, the correlation coefficient of the rule of law is substantively larger than that of tax revenue as a share of GDP. However, conclusions on the relative effects of these two state functions on child mortality at this point are premature, as the correlations do not control for effects of the other variables in the matrix.

**Table 2.1: Summary Statistics**

	<b>N</b>	<b>Mean</b>	<b>Std. Dev.</b>	<b>Min</b>	<b>Max<sup>†</sup></b>
Child Mortality	408	100.27	71.01	7.0	320.0
Rule of Law	362	0.77	0.15	0.2	1.0
GDP (log)	385	7.79	0.92	5.1	9.8
Democracy	397	-1.06	6.53	-10.0	10.0
Trade/GDP	371	67.51	37.40	3.1	228.9
FDI/GDP	392	26.15	111.57	0.0	2001.1
Tax/GDP (log)	208	2.69	0.48	1.3	3.7
GINI	316	47.67	8.54	28.8	65.7

<sup>†</sup> The maximum value for FDI/GDP of 2001.1 is a substantial outlier; however, as result of missing data, the maximum value in the models is 578.8

**Table 2.2: Correlation Matrix**

	Child Mortality	Rule of Law	GDP (log)	Demo- cracy	Trade/ GDP	FDI/ GDP	Tax/GDP (log)	GINI
Child Mortality	1							
Rule of Law	-0.582	1						
GDP (log)	-0.752	0.644	1					
Democracy	-0.502	0.369	0.400	1				
Trade/GDP	-0.219	0.258	0.227	0.049	1			
FDI/GDP	-0.069	0.173	0.178	0.014	0.456	1		
Tax/GDP (log)	-0.359	0.411	0.392	0.104	0.532	0.316	1	
GINI	0.145	0.241	0.157	-0.101	0.174	0.138	0.207	1

### *Modeling Strategy*

The Breusch and Pagan (1979) Lagrange Multiplier statistic confirms that pooled OLS regressions are inappropriate given the data structure. As such, I ran the Hausman (1978) test to determine the suitability of the random- and fixed-effects cross-sectional time series models. The Hausman test indicates that the random-effects model is not a consistent estimator, and thus fixed-effects models are employed to analyze the data.<sup>8</sup> Influential cases were identified by examining the overall residual of each observation. The exclusion of these cases does not substantively alter the results and they are therefore included in the models. In addition, tests of collinearity on each model's corresponding pooled OLS regression show that multicollinearity between the independent variables is minimal, as all variance inflation factors are less than two.

### **Results**

The results are presented in two tables. The first table (Table 2.3) contains the base model of the control variables of the log of GDP per capita, the level of democratization, trade as a share of GDP and foreign direct investment stock as a share of GDP, and a second model that includes the focal independent variable – the rule of law. Table 2.4 presents the same models in addition to two additional models examining the other two variables – tax revenue as a share of GDP and income inequality. The results are divided between two tables because the two additional variables in Table 2.4 are missing many more data points relative to the other variables, and therefore many of the cases in Table 2.3 are excluded (Table 2.3 is based on 333 observations, compared to 168 observations in Table 2.4). Dividing the tables allows an examination of the effect of the rule of law on child mortality in a broader sample of developing

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<sup>8</sup> Models that include the income inequality variable using fixed-effects models may be misleading, as the GINI coefficient data does not vary over time for many developing countries. Consequently, I also ran the random-effects models to compare the results. As the results of the income inequality and the rule of law variables of the random-effects models are substantively similar to those of the fixed-effects models, I present only the latter.



countries, while also allowing a robustness check by comparing the results with those on a more limited set of countries that include two other crucial statistical controls.

The first model of Table 2.3, the base model, shows that the four controls are all negative and statistically significant (although FDI stock as a share of GDP is only significant at the .10 level). In both models 1 and 2, the results of GDP per capita and democracy are as expected, with a negative trade openness coefficient lending support to the mechanisms identified by those who predict a beneficial impact of trade on child mortality. However, the results of the FDI stock variable are a little more surprising, indicating no association (or at best, a mild negative association) between investment dependence and child mortality – not the positive association expected by dependency theory. In Model 2, the rule of law variable is added to the base model

**Table 2.3:** Fixed-Effects Models of Child Mortality

Regressors	Models	
	1	2
Rule of Law		-51.735*** (14.452)
GDP (log)	-19.403*** (5.638)	-15.365*** (5.617)
Democracy	-1.657*** (0.246)	-1.719*** (0.240)
Trade/GDP	-0.151** (0.063)	-0.140** (0.061)
FDI/GDP	-0.080* (0.044)	-0.058 (0.044)
Constant	260.142*** (43.250)	267.131*** (42.251)
Observations	333	333
Number of Countries	93	93
R-squared (Within)	0.28	0.32

Standard errors in parentheses; two-tailed tests

\* significant at 10%; \*\* significant at 5%; \*\*\* significant at 1%

and is shown to have a statistically significant, negative relationship to the child mortality rate, lending support to the causal mechanisms proposed above. Specifically, the results suggest that if a developing country were to change from having no rule of law to a “perfect” rule of law (i.e. changing its rule of law score from the theoretical minimum to the maximum), on average that country would expect a decrease of nearly 52 child deaths per 1,000 births, holding the level of GDP per capita, democracy, trade and FDI stock constant.

In Table 2.4, models 1 and 2 are presented again, but this time using the dataset restricted to observations where both tax revenue and income inequality data are also available. In Model

**Table 2.4:** Fixed-Effects Models of Child Mortality

Regressors	Models			
	1	2	3	4
Rule of Law		-64.289*** (19.774)	-62.504*** (19.719)	-63.265*** (19.968)
GDP (log)	-16.322** (7.214)	-11.803* (7.036)	-11.872* (7.002)	-12.067* (7.063)
Democracy	-1.000*** (0.345)	-0.879*** (0.332)	-0.845** (0.331)	-0.843** (0.333)
Trade/GDP	-0.062 (0.084)	-0.067 (0.081)	-0.052 (0.081)	-0.049 (0.082)
FDI/GDP	-0.442*** (0.129)	-0.294** (0.131)	-0.297** (0.131)	-0.293** (0.132)
Tax/GDP (log)			-9.513 (6.755)	-9.355 (6.806)
GINI				-0.206 (0.681)
Constant	223.151*** (56.957)	236.189*** (54.607)	260.348*** (56.986)	271.714*** (68.460)
Observations	168	168	168	168
Number of Countries	62	62	62	62
R-squared (Within)	0.29	0.36	0.37	0.37

Standard errors in parentheses; two-tailed tests

\* significant at 10%; \*\* significant at 5%; \*\*\* significant at 1%

2, the rule of law coefficient remains negative and significant, but increases in magnitude from 52 to 64 deaths per 1,000 births when compared to Table 2.3. The results of the effects of the rule of law in the restricted dataset are similar to those in Table 2.3, which contains over 90% of the population of the developing countries to which the results are to be inferred. As such, the likelihood that the results presented in Table 2.4 suffer from systematic bias as a result of missing data is quite low. In Model 3, the log of tax revenue as a share of GDP is added and does not produce any statistical effect on child mortality. On the other hand, the direction, significance and magnitude of the rule of law variable remain virtually unchanged when the tax revenue control is added to the model. Lastly, the GINI coefficient is added in Model 4 as the final control, where it fails to achieve statistical significance. Again, with the addition of this final control, the rule of law variable produces results nearly identical to models 2 and 3, where controlling for the level of GDP per capita, democracy, trade, FDI stock, tax revenue as a share of GDP and income inequality, a developing country would expect a decrease on average of nearly 63 child deaths per 1,000 births if it were to change from having no rule of law to a “perfect” rule of law.

Regarding the control variables in the base model of Table 2.4, the results of GDP per capita and democracy are similar to Table 2.3 (although GDP per capita becomes significant only at the .10 level once the rule of law variable is added to the model), while trade openness loses its statistical significance. Interestingly, the unexpected mild negative association between FDI stock and child mortality in Table 2.3 becomes larger and consistently statistically significant across all models using the restricted dataset. Proponents of dependency theory may contend that the expected positive association between FDI stock and child mortality failed to manifest because three of the primary causal mechanisms through which this is thought to occur

are directly included in the model as regressors: economic growth, income inequality and the state's ability to raise tax revenue. Thus, FDI stock could still have a harmful effect on child mortality by decreasing economic growth and state tax revenue, or increasing inequality. However, even when all three of the potentially intervening variables are excluded from the models (results not shown), the FDI stock coefficient remains negative, thereby failing to support the dependency perspective and the causal mechanisms outlined above.

The results suggest a strong, negative (i.e. favourable) and robust effect of the rule of law on child mortality in developing countries, independent of the size of the state and other the political and economic controls. The results also suggest that state size as measured by tax revenue as a share of GDP does not have a statistically significant effect on child mortality independent of the rule of law and other controls. Although the proposition that state capacity effects child mortality in developing countries is supported by the quantitative analysis, the analysis also suggests that this occurs through the rule of law and not through the size of government coffers.

### **Comparative Case Analysis: Barbados and Jamaica**

Although the results support the proposition that the rule of law influences child mortality through different mechanisms than state size, they do not provide a direct test of each proposed causal mechanism. As such, the statistical results do not provide insight as to whether the rule of law decreases the child mortality rate by improving market efficiency and/or strengthening civil society. Indeed, consistent with the similarity of the results between the CIM and ICRG measures presented above, measures of market efficiency have been shown to have a moderate to high correlation with measures of personal security and violence (indicators of civil society strength) (Haggard, MacIntyre, and Tiede 2008), which makes it difficult to separately test the

two mechanisms. Further investigation is therefore required to examine the validity of each of the two proposed causal mechanisms that connects the rule of law to child mortality and health. Case studies are one way to address this issue. For instance, a comparative analysis of two similar countries that have comparable levels of contract enforcement and protection of property rights, but different levels of violence, would provide a means of determining whether violence and personal security directly affect health. Two countries that meet these criteria are Jamaica and Barbados.

As outlined in Chapter 1, Barbados and Jamaica are historically, politically and, to a certain extent, culturally quite similar. This resemblance extends to contract enforcement and the protection of private property, where both countries have a strong rule of law in these areas (CIM scores for the year 2000 are 0.92 and 0.89 for Barbados and Jamaica respectively). However, with respect to personal security and violence, the two countries differ dramatically. Jamaica has an extremely high level of interpersonal violence, while Barbados is a relatively peaceful country. This is reflected in the ICRG “Law and Order” measure that includes popular observance of the law in matters of personal security, where Jamaica scores a meagre 2 (out of 6) indicating a rather weak rule of law (ICRG does not rate Barbados). In addition, the murder rate is approximately seven times higher in Jamaica (59.5 murders per 100,000) than in Barbados (8.7 murders per 100,000), and in 2006, Jamaica held the title of “murder capital of the world.”<sup>9</sup> Given the differences in the levels of violence, the two countries are ideal cases for examining whether violence has a direct influence on health.

Recent research has shown that injury as a result of violence contributes to increased morbidity and mortality (Le Franc, Samms-Vaughan, Hambleton, Fox, and Brown 2008). In

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<sup>9</sup> BBC (2006) “Jamaica ‘murder capital of the world’”.  
[http://www.bbc.co.uk/caribbean/news/story/2006/01/060103\\_murderlist.shtml](http://www.bbc.co.uk/caribbean/news/story/2006/01/060103_murderlist.shtml). Accessed: November 1, 2010.

Jamaica, approximately one-half of the admissions to emergency units of individuals under the age of 30 are related to injuries suffered from intentional personal violence, compared to approximately 10% in Barbados (Le Franc et al. 2008). At the Kingston Public Hospital, injury due to interpersonal violence is the leading cause of trauma, nearly double the amount of automobile accidents, whereas in most developed countries automobile accidents account for the largest proportion of trauma victims (in Canada automobile accidents in account for more than 50% of all traumatic injuries to persons below 40 years of age and 63% of all deaths in the 5-24 year-old age group) (Mansingh and Ramphal 1993). The trauma profile at the Emergency Unit at the University Hospital of the West Indies (Kingston) is similar, where intentional violence accounted for 40% of emergency facility trauma cases, more than double the amount of the of injury due to automobile accidents (18%) (McDonald, Duncan, Mitchell, and Fletcher 1999). Consequently, violence contributes to increased morbidity and mortality in Jamaica, and it is the leading cause of death among young Jamaican males (Smith and Green 2007).

In addition to the direct effect of violence on morbidity and mortality in Jamaica, violence also affects the quality of public health services. Due to the high proportion of trauma cases resulting from intentional interpersonal violence, a disproportionate amount of public resources are spent on violence-related injuries in Jamaica (Coleman 2006; Smith and Green 2007). During the last 40 years, the public health care system in Jamaica has been provided free of charge, with the exception of nominal user fees for primary care introduced in 1993 and rescinded in 2008 (McCaw-Binns and Moody 2001). As such, it is estimated that the Jamaican state bears approximately 90-94% of the cost of managing trauma injuries, with injuries resulting from violence significantly inflating the cost of an already underfunded health care system (Mansingh and Ramphal 1993). Therefore, the prevalence of violence-related trauma diverts

scarce resources away from other injuries and health care priorities, decreasing the overall quality of public health care. Moreover, violence is also an issue for Jamaican health professionals. A survey of health staff in Jamaica showed that 39% reported being victims of verbal abuse, 12% bullying and 8% physical abuse (Jackson and Ashley 2005). Physicians, nurses and ambulatory staff had the highest victimization rates of physical violence, the vast majority of which was committed by patients and their relatives inside health facilities. This can have a negative effect on the quality of health care delivery as it can result in absenteeism, staff attrition, reduced work performance, and decreased motivation and morale (Jackson and Ashley 2005).

Violence also adversely affects health outcomes by restricting access to health care. In Jamaica, violence tends to be concentrated in the poorer communities in Kingston and throughout the island. These “garrison” communities are organized crime strongholds, where the rule of law is weak and difficult to enforce (Clarke 2006; Figueroa and Sives 2002; Sives 2002). In these communities, citizens are scared to leave their homes out of fear for their personal safety. Often, limits are set on the times of day when residents are permitted to leave their houses, a violation of which can result in death (Moser and Holland 1997). These restrictions on the physical mobility of residents effect access to not only to health care facilities, but also to education (Moser and Holland 1997).

Mobility restrictions and the fear of violence also negatively affect social capital by hindering the operation of local organizations. Indeed, in these areas it is “increasingly difficult for any sort of community organizations not based on fear and coercion to function” (Ayres 1998: 8). As Moser and Holland (1997) argue, community associations structured along horizontal (as opposed to hierarchical) linkages are severely constrained. Not only does limited

physical mobility inhibit social interaction, but these organizations are often viewed as a threat to organized crime (or other hierarchical associations), heightening the fear of violence among potential participants. Consequently, in many garrison communities, associations such as dance halls, youth clubs and sports facilities no longer function, thereby reducing trust and norms of reciprocity among residents (Moser and Holland 1997). This in turn reduces the likelihood of the formation of other community-based organizations working to reduce poverty and/or promote health.

One hundred years ago, Barbados was considered “the most unhealthy place in the British Empire” and now it is among the healthiest of developing countries (Walrond 2001: 11). During the post-war era, Barbados established public hospital services followed by universal public health care, both of which contributed to the decline of its infant mortality rate of around 400 per 1,000 births at the beginning of the 20<sup>th</sup> century to its current rate of 10 per 1,000 births (Walrond 2001). As in Jamaica, public health services in Barbados are provided free of charge. However, the level of interpersonal violence is substantially much lower in Barbados. As such, Barbados has less emergency trauma cases as a result of personal violence (10% as compared to around 40-50% in Jamaica as noted above), indicating less mortality and morbidity resulting from violence, which allows it to dedicate more resources to other health care priorities. A lower prevalence of violence also implies that health care professionals are less likely to become victims of violent aggression in the workplace, potentially increasing the quality of health care relative to Jamaica. In addition, a strong rule of law combined with the absence of garrison communities and the concomitant fear of violence gives all Barbadians the freedom to access public health care facilities anytime they deem necessary, and it also facilitates a higher level of trust and cooperation among residents, as community associations are free to operate without



coercive interference. As a result, child mortality rates in Barbados are nearly three times lower than in Jamaica (12 as compared to 31 deaths per 1,000 births, respectively) (UNICEF 2008a). This difference is likely much more pronounced if we were to compare the rates in Barbados to the garrison communities in Jamaica where the violence is concentrated. Although child mortality statistics for specific communities in Jamaica are unavailable, it is reasonable to assume that the relatively peaceful middle and upper class neighbourhoods in Jamaica have a child mortality rate similar to that of Barbados. Given this assumption, the poorer communities of Jamaica likely have a child mortality rate much higher than 31 deaths per 1,000 births. Should this be the case, it would provide further evidence that interpersonal violence has a direct impact on child mortality and health.

In summary, the comparison between Jamaica and Barbados supports the proposition that a strong rule of law has a direct effect on health independent of contract enforcement and the protection of property rights. The rule of law is shown to influence health through promoting personal security and limiting interpersonal violence, thereby strengthening civil society in addition to limiting injuries as a result of violence, conserving public health resources and facilitating access to healthcare. Thus, the strong rule of law concerning personal security in Barbados diminishes the deleterious health effects of violence while supporting trust and cooperation among residents to pursue their collective interests regarding health (among other aspects of social development).

## **Conclusion**

In this chapter, I identify the capacity of the state to promote the rule of law as a factor that potentially affects child mortality via causal mechanisms independent of the fiscal sociology dimension of state capacity – state size. I propose two potential causal mechanisms through

which the rule of law may affect child mortality: by improving market efficiency (through contract enforcement and the protection of property rights) and strengthening civil society. I conduct a quantitative analysis that suggests that the rule of law has a beneficial and robust effect on child mortality in developing countries, independent of the size of the state and other the political and economic controls. I subsequently compare Jamaica and Barbados to determine whether the personal security component of the rule of law (i.e. violence) has an effect on health separate from the market efficiency component (i.e. contract enforcement and property rights). The comparison suggests that a strong rule of law with respect to personal security has a direct effect on health by limiting interpersonal injury, conserving public resources, facilitating access to healthcare and increasing social capital by strengthening civil society.

This research contributes to the literature on the rule of law and development in two significant ways. First, although past quantitative research has identified associations between the rule of law and social development indicators, the only causal mechanisms specified in the literature are those that connect the rule of law to economic development. This research makes a contribution by highlighting potential causal mechanisms through which the rule of law may directly influence health and potentially others indicators of social development. Second, the research endeavours to reach beyond conceptualizing the rule of law as important for development through its ability to promote market efficiency through contract enforcement and the protection of private property. The capacity of the state to promote personal security and limit interpersonal violence is identified as a crucial factor affecting social development outcomes. Accordingly, these analyses suggest that the rule of law is associated with development outcomes that benefit the poor. Now that it has been established that the rule of law (and specially the capacity of the state to limit violence) has important developmental

consequences, let us now return our attention to the primary task at hand – identifying the determinants of a strong rule of law in post-colonial societies.

## CHAPTER 3 – JAMAICA

The objective of this chapter is to outline the factors that led to the decline of the rule of law in Jamaica, which began with the growth of politically motivated violent crime in the 1940s. I identify the late colonial period of 1938 to 1959 as the critical period that triggered the path-dependent process towards the deterioration in the rule of law in Jamaica. I argue that the rule of law was weakened during the transition to universal suffrage. This sudden transition, undertaken by decree from the British colonial apparatus, occurred in a deeply divided society. At that time, the historical trajectory of the island resulted in substantial differences in political culture, specifically in attitudes towards state authority held by different segments of the population. On the one hand, the middle and upper classes had experience with the franchise, with most accepting the legitimacy of the state, legal authority and democratic institutions. On the other hand, the working classes, who were somewhat removed from the dominant institutions on the island, largely fostered a general distrust of the state and legal authority, and also had little proclivity for, or exposure to, democratic institutions and political organization—many were voting for the first time.

The first universal suffrage elections in 1944 witnessed the emergence of two dominant political parties: the Jamaica Labour Party (JLP) and the People's National Party (PNP). The PNP, led by Norman Manley, was supported mainly by the middle class and put forth a rational, socialist program to appeal to the masses. However, Alexander Bustamante, leader of the JLP, made few campaign promises, but successfully relied on charisma to appeal to the working classes and won the first universal suffrage elections. As his support base was distrustful of the state, his government routinely broke the law without losing electoral support. The JLP used

both violence and the state against political adversaries, while distributing patronage in an attempt to maintain their electoral popularity.

During this period, the British were responsible for enforcing the law, which included ensuring that the new government complied with the legal restraints on its power. However, the Governor of Jamaica more or less tolerated Bustamante's misuse of the state. Appeals by the leader of the PNP to the Governor and the colonial administration to end these abuses were largely ignored. Subsequently, a decision was made by the PNP to enlist their own street forces for self-defence and to counter the strong-arm tactics of Bustamante's party. As a result, violence between the parties escalated. Once the PNP achieved electoral victory in 1955, it began imitating JLP strategy by using patronage in order to maintain electoral support and to reward the work of its strong-arm street forces. This marked the institutionalization of violence and patronage in Jamaican electoral politics and provided the basis for the well-documented escalation of political violence in the 1960s.

### **The Development of Class, Racial and Religious Differences in Jamaica, 1494 to 1938**

Jamaica is the third largest island in the Caribbean Sea and is approximately 11,000 square kilometres. It has a mountainous interior, and its current population is roughly 2.8 million inhabitants. Prior to European colonization, the island was inhabited by Taíno (sometimes referred to as Arawak) natives. They named the island *Xaymaca* meaning the "Land of Wood and Water." After Christopher Columbus's arrival in 1494, the island was claimed as a Spanish colonial possession. The number of Taíno at that time has been estimated at 60,000 (Henriques 1957). As with other territories in the Americas, the indigenous Taíno population were nearly decimated after several years of Spanish rule as a result of disease, economic and social

disruption, and enslavement. One hundred years after the arrival of Columbus, the Taíno population was said to number 74 (Henriques 1957).

The Spanish were disappointed with the lack of precious metals (particularly gold and silver) in Jamaica. As a result, the island was not heavily populated by Spanish settlers. In 1611, the population was estimated at 1,510 people – “523 Spaniards including men and women, 173 children, 107 free Negroes, 74 Indians [Taíno]..., 558 slaves, and 75 foreigners” (Henriques 1957: 20). The colonists were primarily involved in cattle ranching and crop farming for domestic consumption and to supply Spanish expeditions in the Americas. Given its relative unimportance to the Spanish crown, the colony was not provided with many resources for its defence, and in 1655, a British expedition was able to capture the island with relative ease. At that time, with very few Spanish settlers and the Taíno population all but extinct, the island was virtually a *tabula rasa* where the British were able to implant social, economic and political institutions as if the island were previously uninhabited.

The Jamaican agricultural economy did not immediately flourish after British rule, and migration from Britain was slow. Settlers planted tobacco and cotton and experimented with other crops, but on the whole such practices were not very lucrative. However, a commercial center did emerge in Port Royal based on the lucrative trade of privateering. Commonplace in the Caribbean at the time, Port Royal became the major trading post of the loot of privateers who plundered the Spanish and Dutch. One of the most successful and infamous buccaneers was “Captain” Henry Morgan, who resided in Port Royal. Under a British Letter of Marque, he led unprecedented expeditions that attacked, terrorized and plundered many Spanish colonial possessions. By the time Port Royal was destroyed by the earthquake of 1692, the practice of

buccaneering was in steady decline. At that point, the sugar industry was already on the rise and with it came an increase in the demand for labour on the plantations.

The importation of significant numbers of slaves from Africa through the Atlantic slave trade began at the turn of the 18th century. Prior to that, the Spanish did have some slaves of African origin when the British captured Jamaica in 1655 (although relatively small in number); however, many of these slaves escaped to the mountains and were known as the Maroons. The Maroons survived primarily on subsistence farming and some suspect they joined and mixed with a small group of indigenous Taíno that had managed to escape and survive Spanish rule. Due to the difficulty of the terrain, the Maroon community was able to repel several British incursions into their territory and remained an autonomous community throughout the slavery period. Chattel slavery was the primary source of labour for the sugar plantations. Consequently, there was a clear social and legal racial hierarchy between the white settlers and the black slaves. However, partly as a result of the disproportionately small number of white females on the island, procreation between white male settlers and black female slaves was prevalent and a large class of “mixed-race” people soon emerged.

Before proceeding, it is important to note that “race” is a problematic concept. During the colonial era, the concept of “race” was used to denote biological differences between humans based primarily upon common phenotypic characteristics. These classifications were used by colonial authorities to distinguish themselves from what they considered “inferior” races and were used as a justification for the enslavement of those of African descent. However problematic and morally repugnant, colonial society in the West Indies was a race-based society, and as such racial categories based on the colour of one’s skin were one of the primary organizing principles of social relations. As such, references to racial terms such as “white” to

refer to individuals of European descent, “black” to refer to individuals of African descent or “mixed-race” to refer to individuals of Afro-European descent (who were also known as “mulattos,” “browns” or “coloureds”) are unavoidable, as they were meaningful social constructions during the historical period under investigation. Their use here should not be interpreted as an endorsement of such terms.

By 1774, it is estimated that the coloured population in Jamaica was about 23,000 individuals, of which 4,000 were free (Brathwaite 1971). The experiences of the mixed-race population varied, with some remaining slaves while others were manumitted (given their legal freedom). Many were given an education, with some educated overseas. Several received inheritances from their white fathers, sometimes substantial, and some became slave-owners themselves. Among the slaves, three status groups emerged, with domestics at the top of the hierarchy, followed by skilled workers, then the field hands (Brown 1979). Of those who remained slaves, the coloureds for the most part occupied privileged positions, that is they were generally employed as domestic servants and spared the gruelling work in the fields (Henriques [1953] 1968). Their growth in numbers led to the creation of a separate legal classification, creating a hierarchy of three legal categories: whites, free coloureds and blacks, and slaves. The white settlers enjoyed similar legal rights and privileges as those residing in Great Britain. The practise of chattel slavery meant that slaves were considered the private property of their owners and thus had very few legal rights and protections. The group recognized as coloured enjoyed many of the legal rights and privileges as whites, but with some restrictions. The law proscribed that free coloureds could give evidence in a court of law against slaves, but were legally restricted from providing evidence against other free coloureds and whites until 1796 and 1813, respectively (Brathwaite 1971). In addition, after some mixed-race descendants of successful



planters began inheriting substantial wealth (it is estimated that by the 1760s, coloureds had inherited approximately £2,000,000 to £3,000,000 worth of property), in 1761 the Assembly passed legislation restricting the amount free coloureds and blacks could inherit to £2,000 in currency and property (Brathwaite 1971; Henriques [1953] 1968). Furthermore, free coloureds and blacks were restricted from voting or running for public office.

There were also legal distinctions between free coloureds and free blacks. While blacks were excluded from the military, free coloureds were required to join, but were excluded from the cavalry and could not rank above Sergeant (Brathwaite 1971). Also, Acts by the Assembly granting particular wealthy and educated individuals the legal status of a white (save holding public office) was reserved exclusively for mixed-race individuals (Henriques [1953] 1968). Consequently, official records meticulously tracked the racial origins of residents. As such, a racial classification scheme outlining the proportion of one's white and black ancestry was adapted from the *casta* system of Spanish America (refer to Table 3.1 for the more common racial categories used in Jamaica).

**Table 3.1: Most Common Racial Classifications in Jamaica**

Racial Classification	Proportion of White Heritage	Proportion of Black Heritage	Parents	Legal Category
Negro	Below 1/4	Above 3/4		Negro
Sambo	1/4	3/4	Mulatto + Negro	Mulatto
Mulatto	1/2	1/2	White + Negro	Mulatto
Quadroon	3/4	1/4	Mulatto + White	Mulatto
Mustee*	7/8	1/8	Quadroon + White	Mulatto
Mustiphini	15/16	1/16	Mustee + White	Mulatto/White†
Quintroon	31/32	1/32	Mustiphini + White	White
White	63/64 and above	1/64 and below	Quintroon + White	White

Source: Brathwaite (1971)

\* Octoroon was also used as a synonym for Mustee

† Brathwaite (1971) indicates that this group was classified as legally white, while others suggest that only Quintroon (and above) ranked as legally white (Henriques [1953] 1968)

The coloured population continued to expand to 10,000 by 1793 and by the 1820s, the coloureds were estimated at 50,000, with approximately 35,000 free (Brathwaite 1971; Stewart [1823] 1969). Accordingly, a few decades prior to emancipation in 1838, the majority of mixed-race Jamaicans had obtained their freedom, while the vast majority of blacks remained slaves. By this time, the free coloureds were a distinct economic and social class, occupying the middle rank of the social hierarchy—above the black slaves, but below the whites. The mixed-race population distanced themselves from the blacks, mostly out of fear of being associated with them (Knox 1962). Stewart ([1823] 1969: 325) contends that they felt a “kind of pride in being removed some degrees from the negro race, and affect as much as possible the manners and customs of the whites.” Perhaps it was this quest for differentiation that led coloured slave owners to be perceived as more cruel and harsh towards the slaves than whites (Brown 1979). Stewart ([1823] 1969: 331-332) contends that the attitude of the slaves was well captured by the quote: “If me for have massa or misses, give me Buckra [white] one—no give me mulatto, dem no use neega well.” According to Curtin (1955: 175), “the racial line between brown and black was already beginning to emerge as the most serious area of racial friction.” The whites did not associate socially with coloureds, to the point that when entertaining, white planters would hide their coloured mistresses and children out of shame. Since individuals of mixed-race were barred from attending white social functions, those with means set about holding their own parties, visitings and balls (Stewart [1823] 1969). In addition, balls restricted to coloured women and white men also occurred, akin to the Quadroon Balls of Louisiana. As described in 1823, while it was a social taboo for white men to marry a woman of colour, “[m]ost of the females of colour think it more genteel and reputable to be kept a mistress of a white man...than to be united in wedlock with the most respectable individual of their own class” (Stewart [1823] 1969: 325).

At emancipation in 1838, legal and political equality among the various racial categories ensued. However, this did not carry over into the economic and social realms. The whites and a few mixed-race individuals (generally of lighter complexion) controlled the sugar plantations and economy. The browns consolidated their position as an intermediate class. The pre-emancipation free coloureds had for the most part acquired both property and education. Many of the mixed-race ex-slaves, given their privileged position and the fact the some had acquired higher levels of education relative to the black slaves, also began occupying middle class professions. This upward mobility intensified after the advent of direct British rule in 1866, when the Colonial Office needed to offset the power of the white planters (who were against recent colonial policy in the sense of wanting to maintain slave-like conditions) by co-opting the “brown ex-slaves into the civil bureaucracy and some of the service professions including law, teaching, medicine and their consolidation in the social structure by, among other things, differential access to schooling” (Brown 1979: 150). As Smith (1961) points out, for many years following emancipation, the brown middle class went to secondary school and then onto clerical trades, while the black majority only received a scanty elementary education and went into menial, unskilled jobs. This sequence of events has cemented what has become known as the class-colour correlation in Jamaica, where by the 1940s and 50s the majority of blacks were labourers/working class, the majority of coloureds were middle class, while the whites (or very fair mixed-raced) comprised the upper class. This was reflected in Jamaica’s civil service prior to 1938, where “[t]op officials were white expats, subordinates brown, [with the] lowest offices filled by blacks” (Smith 1961: 14). Indeed, hiring decisions and promotions were often influenced by one’s racial suitability for the position (Henriques 1957).

In addition to the class-colour correlation, differences between the classes developed regarding religious preferences. It is instructive to examine the evolution of religion on the island in order to understand the significance of these differences. In 1662, a few years after the British conquest of Jamaica, the Anglican Church (or the Church of England) became the established church in Jamaica, while Roman Catholicism (brought to the island by the Spanish settlers) was officially abolished from the colony. The primary function of the church was to minister British expatriates and colonists. As the established church, the Anglican Church was endowed by public funds. At the outset, Anglican clerics were paid by the Vestries (local governments controlled by the plantation owners), which outlawed religious instruction to the slaves (Jackson 2004). The plantation owners feared that certain moral principles of Christianity conflicted with slavery and that the slaves would be less quiescent as a result. Moreover, the central government also funded the Church and the Governor of Jamaica, as the representative of the Crown, had the authority to induct or remove Anglican priests (Stewart 1992). In the late 18<sup>th</sup> and early 19<sup>th</sup> centuries, the Anglican Church continued to support slavery despite the emerging emancipation movement in Britain. Indeed, prior to the appointment of Jamaica's first Bishop in 1824, some of the Anglican clergy had owned slaves (Jackson 2004). As such, historically the Anglican Church was an institution of the ruling class, which was later referred to as "the Planters' Church" (Jackson 2004).

In the late 18<sup>th</sup> century, missionaries from the other Protestant religions (the Moravians, Presbyterians, Methodists and Baptists among others) began working in Jamaica. The primary objective of these missions was to bring religious instruction to the slaves. The presence of non-conformist churches was not positively viewed by the planters who preferred the hands-off approach of the Anglican Church towards the slave population. Prior to emancipation, these

non-conformist missionaries, especially the Baptists, were deemed by the plantation owners to pose a threat to the stability of the island (Stewart 1992). Indeed, slaves caught praying were often punished. Nonetheless, these churches began attracting large numbers of slaves, in addition to free blacks and coloureds.

The missionaries were interested in converting the slaves to Christianity and ameliorating their living conditions. However, the missionaries (including the Baptists) were instructed to remain silent on the issue of emancipation, even though many of their home committees were campaigning for the abolition of slavery in Britain (Stewart 1992). Notwithstanding, the Baptists became active in promoting the interests of the slaves in social and political affairs (Stewart 1992). Furthermore, in 1831, Baptist deacon and slave Sam Sharpe organized a strike among slaves during the sugar cane harvest that escalated into a failed slave rebellion known as the Baptist War.

With emancipation in 1838 came the freedom to openly practice religion for the former slaves. The Baptists' membership increased the most of all denominations, growing from 10,000 members in 1831 to 34,000 in 1845 (Curtin 1955; Stewart 1992). The Baptists continued their engagement in the social conditions of the black population. In 1842, their followers were accused of being "more adamant in wage disputes with planters than were workers belonging to other denominations and that the Baptist ministers, in encouraging worker demands, were breaching the line between religion and politics" (Stewart 1992: 16). The Baptist clergy also gave "advice on land tenancy, rents, and wages, and...in the sponsoring of free village settlements" (Stewart 1992: 21). They were heavily criticized not only by the Anglicans, but also other missionary groups.

After emancipation, the planters changed their tune and began supporting the teaching of Christianity to former slaves. This support came under the premise that religion could “tranquilize the minds of the many” or teach the ex-slave the “Christian duty of submission” or to use Christianity as “an opiate for social unrest” (Soares 1986: 35; Stewart 1992: 34). Although the planter class remained opposed to some of the more activist Christian denominations (principally the Baptists), they supported the churches that promoted the status quo. Accordingly, some planters enlisted Anglican and Wesleyan catechists for their workers (Stewart 1992). In 1840, the Anglican Bishop of Jamaica claimed that as a result of religious instruction the “conduct of the emancipated Negroes throughout the West Indies has been remarkable for tranquil obedience to the law, and a peaceful demeanour in all the relations of social life” (as cited in Jackson 2004: 35).

To varying degrees, all the European-led Christian churches adhered to a racial hierarchy with a white bias. This was problematic in a population that was predominantly non-white, and it eventually led to the creolization of Christianity (Stewart 1992). The process of creolization involved the creation of officially unsanctioned “creole” or “native” factions of the Euro-Christian churches that were controlled, organized and led by black or mixed-race pastors. While following the general teachings of their Euro-Christian counterparts, these creole churches also incorporated the use of local dialect and culture (including some African traditions). The Native Baptist movement (the most influential of the native churches) emerged primarily as a response to the discrimination faced by blacks in becoming Baptist pastors (Dick 2009). Although the precise origin of the Native Baptists is under debate (some argue that Sam Sharpe, who led the 1831 Baptist War, was a Native Baptist), the Native Baptists had only acquired significant organizational strength and a common identity in 1839 with the establishment of the

Jamaica Native Baptist Missionary Society (Dick 2009). Although influenced by the English Baptists, they

re-interpreted European symbols, teachings, liturgy and history. They also reacted to the racist tendencies, dualism and unquestioned obedience to the authorities demonstrated by the European missions. In addition, they were Africa conscious, not in the sense of having African religious beliefs and practices but rather with their emphasis on community, their own forms of worship, use of native language and commitment to proclaim the gospel to their fellow countrymen. (Dick 2009: 126)

The Native Baptists surpassed the Baptists in their level of political engagement in support of the labouring masses. For the working class, Native Baptist churches became “venues for fostering community, legitimizing alternative world-views, and articulating political solidarity” (Holt 1992: 291). Consequently, the Native Baptists became increasingly popular as they provided a vehicle for cultural resistance and social change. This popularity experienced a further increase during the religious revival of the early 1860s. By 1865, the Baptist and the Anglican Church were the two largest churches, with neither able to claim majority membership of the Jamaican population (Soares 1986), even though the Anglican Church remained the established church and received significant amounts of government financing until 1870.

Although 1838 marked the attainment of legal racial equality, in practice the legal system, especially local magistrates, continued to discriminate against blacks. Consequently, in the 1860s Afro-Jamaicans began organizing local alternative court systems in various parishes (Holt 1992). In 1863, Paul Bogle, a Native Baptist deacon, organized an alternative legal system in the parish of St. Thomas. Its courts “issued summonses, tried cases, and levied fines. It involved a completely parallel judicial and police system, including a judge, clerk of the peace, inspector, sergeant, and private, as well as a schedule of fees and fines” (Holt 1992: 289). Those subject to the court’s jurisdiction had to pay a tax, called a “membership fee.” Non-compliance

with judgments came with severe social sanctions within the community, including excommunication from the local church.

Paul Bogle, along with other Native Baptist leaders, later led the Morant Bay Rebellion in 1865. The rebellion started as a protest march and a quest to post bail for arrest warrants served as a result of an earlier protest march at the Morant Bay courthouse concerning what was considered a biased judgment against a local black resident. According to Dick (2009), the protesters were fired upon and then retaliated, and the situation escalated to a localized rebellion in the days that followed. Similar to the 1831 Baptist War, the rebellion was quickly quashed by government troops, and Paul Bogle was hanged after his capture. After the Morant Bay Rebellion, many of the Native Baptist chapels were destroyed and the Baptists, who were becoming increasingly accommodationist in disposition, absorbed some of their membership (Dick 2009; Stewart 1992).

By the 1940s, over one hundred years after emancipation, the Church of England for the most part remained a church of the privileged classes under expatriate white leadership until 1955, when the first Afro-Jamaican Bishop was ordained. After the disturbances of 1938, the Anglican Bishop admitted that the Church had not done enough regarding the social conditions of the masses (Jackson 2004). This was reflected in the religious preferences of the population. The 1943 census indicates a clear division among the population regarding religious faith, with 28.3% of the population reporting to be followers of the Anglican Church, 25.8% followers of the Baptist Church, followed by the Methodists (8.9%), Presbyterians (7.5%), Roman Catholics (5.7%), with all the remaining religions enjoying less than 5% support of the population, including those who reported to have no religion (4%) (Government of Jamaica 1943). Writing in the 1950s, Knox (1962: 296) comments that “[a] close correlation still exists between class



status and religious preferences.” He indicated that the upper class are primarily Anglican or Catholic, the middle class primarily Anglican, Presbyterian and Methodist, while the lower classes are primarily Baptist, the Church of Christ and a variety of “quasi-Christian cults”, an observation echoed by Henriques (1957). The class differences in religious membership were also reinforced by the practices of the upper and middle class churches. The membership of these churches subtly discouraged attendance from the lower classes through social sanctions of those whose Sunday best clothing did not meet middle class standards or those who did not contribute the expected amount to the collection (Davis 1942).

The quasi-Christian cults of the mid 20<sup>th</sup> century, which include the Revivalists and Cumina, drew their membership almost exclusively from the lower classes (Simpson 1956). The Rastafari were also among the quasi-Christian religious movements at the time; however, they did not obtain a significant following until the 1960s. These religions represented more contemporary forms of the creolization of Christianity. Given that they provided a forum for alternative world-views and cultural resistance, they were influenced by, and shared many features with, the Native Baptists of the 19<sup>th</sup> century. They were often accused of fomenting civil disobedience and anti-government sentiment. Davis (1942: 41-42) labels these sects as “irresponsible” and highlights that “[m]any of these sects are disloyal to the Government and encourage stealing, teach against payment of taxes” and instruct followers that the European Churches are rackets that are only concerned about money. Therefore, the churches of the lower classes challenged the established order, while the churches of the middle and upper classes supported it. These class-based differences in religious preferences contributed to differences in political culture that developed between the lower and middle classes. As outlined below, the churches of the masses contested the legitimacy of the colonial state, which led to a general

distrust of the state among the lower classes. Conversely, the middle class churches supported the legitimacy of the colonial state, an attitude already strong among the middle class, who, unlike the lower classes, already had familiarity and experience with colonial political institutions and were socialized into British political culture.

In summary, by the 1940s, a strong race-class correlation and class-based differences in religious membership led to substantial social and cultural differences between the classes/races, particularly between the lower classes and the middle to upper classes. At the time, Jamaican anthropologist M. G. Smith (1965) identified three major socio-cultural groupings that not only occupied a separate class, but also held different value systems: whites, browns and blacks—with the greatest cultural gulf existing between the blacks and the two upper groups (browns and whites). In the same vein, Curtin's sociological analysis entitled *Two Jamaicas* (1955) describes Jamaica society as one that is divided into two distinct cultural groupings: the upper-class whites and middle-class coloureds that comprise European Jamaica; and the lower-class blacks that comprise African Jamaica. Consequently, each the middle and lower class could be considered a distinct ethnic or communal group, in that members of each class self-identified with a different community that shared a common culture and religion. As described below, it was this ethnic division between the lower and middle classes that led to differences in political culture, specifically concerning attitudes towards the legitimacy of the colonial state. It was within this context that the disturbances of 1938 and the subsequent constitutional changes took place.

### **The Disturbances of 1938**

The 1930s were tumultuous times for Jamaica's economy, the brunt of which was borne by the labouring classes. Not only did it have to contend with the economic depression and falling sugar prices, but the sugar industry was also giving way to the less labour intensive

banana industry in the late 1930s. This resulted in increasing unemployment in the countryside and contributed to the large migration of the unemployed to Kingston. Between 1921 and 1943, the population of Kingston and St. Andrew increased from 118,309 to 238,229 (Roberts 1957: 51).

The riots of 1938 were a turning point in the political trajectory of Jamaica. Externally, these riots and similar events in the British West Indies triggered the Moyne Commission, which examined the causes of the disturbances and eventually recommended increased public funding of social services for the colonies, in the areas of health care, education, housing and social welfare. In Jamaica, from these riots emerged two leaders who were to significantly alter the political landscape of the island: Norman Manley and Alexander Bustamante.

Norman Manley was born in the parish of Manchester, Jamaica in 1893. His parents were of a mixed racial background, with a near-black father and a near-white mother. His father owned a small trading business and his family would have been roughly considered upper-middle class. Before the riots, Manley had been a Rhodes Scholar, had fought in the First World War, and had established himself as one of the country's most respected lawyers. As a result of his stature, Manley was approached by labour leaders in 1936 to create and lead a political party, which he declined (Munroe 1990).

Alexander Bustamante (née Clarke) was Norman Manley's cousin – they shared the same maternal grandmother. Bustamante was born in the parish of Hanover, Jamaica in 1884 to a middle-class family. Although, like Manley, he was of mixed-race, he was quite light skinned and was considered a “pass-for-white.” Prior to the 1930s, his biography is somewhat difficult to ascertain because, as his biographer argues, he “deliberately set out ... to shroud his own background and upbringing to substitute legends of his own making” (Eaton 1975: 1). It is

believed that Bustamante left Jamaica in 1905 and held a series of jobs in Cuba, Panama, Spain, the US, Argentina, Canada and England (Brown 1979; Hill 1976). Bustamante is not believed to have had any extensive post-secondary education. Later in his life, he did produce a degree in literature from a Spanish university, but the authenticity of this certificate has been questioned (Hill 1976). He permanently returned to Jamaica in 1934 and became a moneylender.

In 1935, Bustamante began writing letters to newspapers sympathetic to labour (Hill 1976). Two years later, he became involved with trade unionism by invitation of A. G. S. Coombs, the President of the Jamaica Workers and Tradesmen Union (JWTU). Bustamante convinced Coombs that he should become part of the leadership of the JWTU, and filled the new position of “President General” for a brief period until his expulsion from the union in late 1937 (Hill 1976). Leading up to the riots in 1938, Bustamante’s pro-labour editorials gained him a large following.

The late 1930s witnessed high unemployment and low wages among the working class, which contributed to rising tensions. Local disturbances among disgruntled workers (in the form of work stoppages and riots) first appeared in 1935 (Post 1978). In March 1937, workers at Grays Inn Sugar Factory refused to work for such low compensation, which resulted in protests over wages and unemployment in the area (Jamaica Information Service 1969). A year later, the situation had not improved. Working class frustration culminated in a dispute over wages at the Frome Estate in the parish of Westmoreland on April 29<sup>th</sup> 1938. The dispute escalated to violence when police were called in to restore order. Battles between labourers and the police lasted 10 days and resulted in 4 deaths (including a pregnant woman), 9 hospitalized and 89 imprisoned (Jamaica Information Service 1969).

As news of the Frome riots reached and spread through Kingston, working-class anger and frustration turned into mobilization. On May 23<sup>rd</sup> 1938, dock workers took the lead and went on strike, while other groups of manual labourers followed. Upon hearing the news of the work stoppages and the gathering of labourers at the wharves, Bustamante immediately headed there to speak to the crowds. When the crowd refused to disperse, the police were given the orders to fire on them, as they did at the Frome Estate. However, Alexander Bustamante stepped in front of the police, removed his shirt and exposed his chest and said “If you’re going to shoot, shoot me!” (Hill 1976: 31). He was arrested, but work stoppages, demonstrations and riots ensued. However, it seemed to some, including Norman Manley, that Bustamante’s release would be crucial in ending the riots, also noting in his diary that he “felt a martyr was being made” (Manley: 1). Manley pushed for his release, which he eventually secured May 28<sup>th</sup> and the disturbances eventually subsided. Between the 21<sup>st</sup> and 31<sup>st</sup> of May, the riots resulted in 46 deaths and 429 injuries (Munroe 1990). Bustamante then set out to form a labour union under his leadership, while Manley publicly lamented the need for a Labour Party and actively participated in forming one (Manley).

The Bustamante Industrial Trade Union (BITU) was formally registered on January 19<sup>th</sup> 1939. Although Bustamante had originally envisioned forming seven separate unions, he ultimately decided to form one union to organize all categories of workers (Hart 1999). Both its name and structure reflected the autocratic nature of Bustamante’s personality. The rules of the BITU submitted during registration outlined its organization. Rule 17 stated that “Mr. Alexander Bustamante shall be the permanent President of the Union, and shall hold office during his lifetime...The President shall preside as Chairman at all meetings of the Union and the Managing Executive Committee...” (as cited by Hart 1999: 19). Furthermore, the Managing

Executive Committee was to be composed of officers that were all directly appointed by the President except for the Vice-President, who was the only officer to be elected at the Annual General Assembly. However, even this position was not entirely under the control of the membership, as Rule 18 stated that individuals could run for the position only upon nomination by the Managing Executive Committee. In addition, Rule 30 gave the President full control of the terms of the employment over all paid officers and employees of the union, including the power to dismiss them at his discretion. Although the structure of the BITU was uncommonly dictatorial for a labour union, the workers rallied behind their leader who had risked his life and went to jail on their behalf, and accepted this arrangement. Hart contends that “[t]here can be little doubt that at this time the concept of the BITU as belonging to the leader rather than the membership was acceptable to the overwhelming majority of the workers” (Hart 1999: 23). By the time of its registration the BITU was already the largest labour union on the island (see Appendix A).

September 18<sup>th</sup> 1938, the People’s National Party (PNP) held its inaugural meeting. In his speech, the leader of the PNP, Norman Manley, informed the audience that the party pledges to support the labour movement and “the progressive forces of this country and to work for the raising of the standard of life of the common people” (Manley 1938: 2). Manley indicated that the PNP would begin the process of preparation for self-government, agitate for suffrage expansion and educate the masses on the advantages of self-government and democratic rule. Perhaps with Bustamante in mind, the purpose of the educational campaign was to avoid “a foolish electorate at the mercy of every demagogue and unable to unravel the tricks of undisciplined politicians who regard politics as a means of self-aggrandisement” (Manley 1938: 9). Regarding party structure, Manley stated that the “Party will be modelled on strictly

democratic lines” (Manley 1938: 7). In short, autonomous party groups of six or more persons within an area who adopt the party constitution formed the grassroots base of the party membership. All party groups within an electoral district then send delegates (the number of which is a function of group size) to the Ward Committee, where election candidates are selected. In addition, each Ward Committee elects delegates to the General Party Conference to elect the Council, who in turn elect the Executive Committee. Both the Council and the Executive Committee were to be “the heart and brain of the organisation where the plans and programmes and organisation of the Party will be studied and worked out” (Manley 1938: 9).

From the time of its inception until the first universal suffrage election in 1944, the PNP derived its organizational support almost exclusively from the brown middle classes (Eaton 1975). The party’s executives and candidates were primarily from the middle-class, and the party was very much middle-class in temperament, “embodying a high degree of British orientation” (Munroe 1990: 26). Its executive was criticized by some for “being ‘more British than the British’, and for upholding ‘the principles of British law’” (Munroe 1990: 2). Bustamante was not asked to join the leadership of the PNP. He became a formal member of the party in 1939, but was never an active participant in the organization (Hart 2006; Munroe and Bertram 2006).

### **Divisions within the Labour Movement, 1938-1942**

The labour movement seemed to be gaining momentum. In the latter half of 1938, both a new union that began reaching significant numbers of Jamaican workers and a labour party supportive of the movement were in their nascent stages. At first blush, a powerful and united labour movement with both a trade union arm and a political party seemed to be taking shape after the disturbances earlier that year. However, divisions within the movement were

manifesting themselves even during these early stages. These divisions between the leadership of the BITU and PNP were primarily based on differences of strategy and leadership style of the two organizations.

Prior to the formal registration of the BITU and the inaugural meeting of the PNP, differences in strategy between the two leaders began to show. Bustamante wanted to increase the membership of his union and was more than happy to demonstrate the union's organizational power in the face of opposition. In a letter to Norman Manley dated August 24<sup>th</sup> 1938, Bustamante indicated his impatience with the Conciliation Board and their recommendation not to call any strikes before arbitration. He wanted to call a general strike before attempting to arbitrate three outstanding grievances at various estates, stating that "[w]e can tie up the entire country and fight these abuses once and for all ... by stopping the cogs of industrial machines."<sup>10</sup> Manley replied that a general strike would be strategically fatal to the labour movement and suggested to reserve organized action only for the specific problem estates. Furthermore, Manley advised that Bustamante should pursue "[a] closer organisation of the Union membership and structure on the spot so as to strengthen the local force of the Union."<sup>11</sup> Of course, decentralization of the organization of the union would imply that Bustamante would have to relinquish some of his authority over operational decisions. Given the organizational structure outlined above in 1939, it is evident that Bustamante decided not to pursue this suggestion.

The latter half of 1938 also witnessed the emergence of a split in the trade union movement between the nascent BITU and Bustamante's former union, the JWTU. On December 5<sup>th</sup> 1938, Walter Citrine, the General Secretary of the British Trade Union Congress, was invited

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<sup>10</sup> Letter to Norman Manley, August 24<sup>th</sup> 1938. Jamaica Archives: 4/60/2B/2.

<sup>11</sup> Letter to Alexander Bustamante, August 29<sup>th</sup> 1938. Jamaica Archives: 4/60/2B/2.



to bring the leaders of both unions together in an attempt to reconcile differences for the good of the labour movement. At this stage, the nascent BITU (a mere 6 months after the announcement of its formation) was much larger than the JWTU, with a membership of approximately 80% of organized labour (see Appendix A). At the meeting, Coombs (the President of the JWTU) seemed to exhibit a conciliatory tone, while Bustamante did not. According to Coombs, Bustamante said: “I do not see what all this is for. Mr. Coombs has no Union – a few members scattered here and there. There is no Union in Jamaica but mine” (as cited in Hart 1999: 15). Although an arrangement was eventually made between Bustamante and Coombs, the feud between the two leaders continued and they never completely trusted one another.<sup>12</sup>

Divisions between the PNP and the BITU became more pronounced in 1939. During February, Bustamante decided to call a spontaneous, island wide general strike after the United Fruit Company refused his request to dismiss a JWTU member who had an altercation with an organizer trying to lure JWTU members over to the BITU (Hart 1999). Manley saw this decision as a strategic blunder for the BITU and the labour movement as a whole. He immediately informed Bustamante of his dissatisfaction with the decision and with the organizational structure of his union. In a letter to Bustamante, Manley expressed that “owing to the error made in calling a Strike which was not justified...the whole of public opinion was alienated.”<sup>13</sup> He also criticized the BITU’s organizational structure, writing that “I do not in any way believe in an organization which is based on autocratic methods”, and suggested that the BITU change its constitution so that the election of officers and strike decisions be determined democratically and that the organization change its name. Notably, Manley also disapproved of the BITU’s use of violence, stating that “[v]iolence at the moment...has accomplished nothing

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<sup>12</sup> See Letter to Alexander Bustamante, February 21<sup>st</sup> and April 4<sup>th</sup> 1939, and Letter to Norman Manley, March 31<sup>st</sup> 1939. Jamaica Archives: 4/60/2B/3.

<sup>13</sup> Letter to Alexander Bustamante, February 21<sup>st</sup> 1939. Jamaica Archives: 4/60/2B/3.

and indeed might have completely ruined the whole Movement.” Manley and the PNP acted as a mediator between the Governor and Bustamante and negotiated a settlement where the severe emergency regulations (including Bustamante’s potential incarceration) and the general strike were both called off with the establishment of the Trade Union Advisory Council (TUAC). The TUAC comprised mostly of PNP executives and its mission was “to assist in the orderly and progressive development in the trade union movement” (as cited in Munroe 1990: 69), which aimed to avoid unwarranted strikes and promoted democratic constitutions for its affiliated unions. Bustamante, under pressure from the emergency regulations that would come into effect had he not acquiesced, agreed to the arrangement.

The TUAC began putting pressure on Bustamante to make the constitution of the BITU more democratic. On April 1<sup>st</sup> 1939, an article appeared in *Public Opinion* (a newspaper supportive of the PNP) under the penname “Philosopher” (a member of the PNP) that criticized the autocratic nature of the BITU. Bustamante was outraged, and in a letter to Manley wrote that the BITU is “not going to accept any attack from one of your officers without retaliation. If there is going to be a fight, let there be a fight.”<sup>14</sup> Manley replied that he strongly believes in a free press and “fair criticism” and that members of the PNP are “as free to criticise the Party as [they are] to criticise Trade Unions.”<sup>15</sup> He also pointed out that he believes strongly in the labour movement and stated that “I will never attack that Movement and that stands whether my Movement is attacked or not. When you attacked the PNP I did not retaliate by attacking Labour Unions... Once I have made up my mind about the righteousness of a cause I stick to it.” Shortly thereafter, Bustamante withdrew the BITU from the TUAC (which he was able to do now that the pressure of emergency regulations had subsided) and continued to resist the

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<sup>14</sup> Letter to Norman Manley, April 1<sup>st</sup> 1939. Jamaica Archives: 4/60/2B/3.

<sup>15</sup> Norman Manley, Letter to Alexander Bustamante, April 4<sup>th</sup> 1939. Jamaica Archives, Spanish Town: 4/60/2B/3.

adoption of a democratic constitution for the BITU. He also remained true to his promises of retaliation against the PNP. In June 1939, he and BITU supporters began harassing the party (Munroe 1990). For instance, in August Bustamante was reported to have driven into the crowd of a PNP meeting in progress at a dangerous speed, which resulted in two summonses against him.<sup>16</sup> Bustamante's hostility was significant enough for a PNP organizing committee to report that "their work was greatly handicapped by the campaign against the party being waged by Mr Bustamante" (as cited in Munroe 1990: 71). However, given their mutually reinforcing roles, a type of truce can be said to have gradually developed between the PNP and BITU so that by February 1940, the PNP executive reported that "Mr Bustamante had ceased his attacks on the party" (as cited in Munroe 1990: 71).

The somewhat uneasy truce between the two organizations held throughout 1940, a time when the island was occupied with the events of the Second World War. At the outset of the war, the PNP had declared a moratorium on its campaign for self-government in support of the British Empire's war effort. In April, Bustamante sent a letter to the Colonial Secretary expressing that during the war Jamaicans must remain loyal to their "mother country" and refrain from criticizing Britain.<sup>17</sup> He also informed the Governor of Jamaica that he disapproves of the communist "literary trash" imported by a "Communitic group [that] has caused an enormous amount of disloyalty to the British Empire."<sup>18</sup> However, by September 1940, the PNP resumed its campaign for self-government as a result of war contingency arrangements made by Britain where the Anglo-Caribbean territories would potentially become the responsibility of the United

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<sup>16</sup> Commissioner of Police, Letter to Colonial Secretary, October 3<sup>rd</sup> 1939. Jamaica Archives, Spanish Town: 1B/5/77/55 1937.

<sup>17</sup> Alexander Bustamante, Letter to Colonial Secretary, April 18<sup>th</sup> 1940. Jamaica Archives, Spanish Town: 1B/5/77/140 1940.

<sup>18</sup> Alexander Bustamante, Letter to Governor Richards, May 3<sup>rd</sup> 1940. Jamaica Archives, Spanish Town: 1B/5/77/140 1940.

States (Munroe 1990). At the same time, the party also made the decision to declare itself socialist (Post 1981). Self-government and socialism became the two central pillars of PNP policy. On the other hand, Bustamante frequently expressed loyalty to the British Empire and was ardently opposed communism.

The idea of self-government, whether in the form of Dominion status within the British Empire or outright independence, was not on the minds of the majority of the Jamaica populace in the early 1940s (Munroe 1990). In response to the recommendations of the Moyne Commission, the Colonial Development and Welfare Act passed in 1940, which allocated £5,000,000 from the United Kingdom Exchequer to fund “development and welfare” in the British colonies (subsequently, Colonial Development and Welfare Act of 1945 allocated £120,000,000 for the same purposes) (Great Britain 1945). Much of this was earmarked for the provision of social services for the masses, which included the improvement of health, education, housing and social welfare facilities. In essence, the Act provided a type of metropole-funded welfare state for the colonies. In addition, the investment in infrastructure that had been financed by the colonial administration over the previous fifty years contributed to a general feeling of loyalty to the British Empire. Indeed, the British crown was largely seen as the protector of the masses (Eaton 1975; Munroe 1990; Nettleford 1971; Stone 1986). As such, support for independence or breaking away from the Empire was low. At that time even the middle-class, who had the most to gain from independence (via the transfer of coveted civil service jobs from British expatriates), were still not convinced of the idea. During a PNP executive meeting in 1941, Manley stated that the “[m]iddle class as a whole is not prepared to sever connections with the British Empire.”<sup>19</sup> Cautious of this state of affairs, Manley stated: “I have declared my

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<sup>19</sup> Richard Hart, “Notes on the PNP Executive Meeting in 1941” The Richard Hart Letters, the Sir Arthur Lewis Institute for Social and Economic Studies, the University of the West Indies, Kingston, Jamaica.

opposition to Empire [i.e. direct rule] but I do not advocate independence... ‘Self-Government’ is a perfectly good word for our purposes.” In this sense, the use of self-government was vague enough to apply to either independence or some form of self-determination within the British Empire, recognizing that the latter may be more appealing to general public.

On September 8<sup>th</sup> 1940, shortly after the PNP’s declaration of support for self-government and socialism, the Governor issued an Order for Bustamante’s arrest under the Jamaica Defence Regulations of 1939. According to reports received by the Governor, Bustamante was inciting violence, race/class war and revolution at a public meeting (Post 1981). With its President detained, the BITU executive reached out to the PNP for assistance. About a month after Bustamante’s arrest, the BITU and PNP officers setup formal mechanisms for communication and collaboration between the two organizations (Hart 1999). During this time of close cooperation, the PNP agitated for Bustamante’s release. Manley met personally with the Governor to lobby on Bustamante’s behalf.<sup>20</sup> While Bustamante was in prison, the BITU executive sought Manley’s advice and leadership, and Manley regularly visited Bustamante. Thus, Manley was effectively given strategic control of the BITU in Bustamante’s absence.

By the end of 1941, Manley had significantly strengthened the BITU. At the time of Bustamante’s internment, the BITU was struggling financially. Bustamante must have been concerned about the survival of his union and as such welcomed any assistance Manley and other PNP executives could give the organization to keep it afloat in his absence. However, after some time it was clear that his union was not only surviving, but thriving. Under Manley’s stewardship, the union had built up a healthy cash balance and increased its membership fivefold (Ranston 1989). This undoubtedly became a cause for concern for Bustamante. During January of 1942, divisions between the two cousins began to resurface publicly, with Bustamante

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<sup>20</sup> Governor Richards, Letter to Norman Manley, October 30<sup>th</sup> 1940. Jamaica Archives, Spanish Town: 4/60/2B/4.

assuring the colonial administration that he was against self-government and that he intends to terminate the association between the BITU and the PNP (Hart 1999). About the same time, Bustamante also withdrew from his regular meetings with Manley (Ranston 1989). News of Bustamante's release was announced on January 10<sup>th</sup> 1942 (Munroe 1990). Interestingly, on January 5<sup>th</sup>, a dispatch from the Colonial Office informed the Governor that Jamaica was to be granted full universal suffrage as soon as the electoral lists could be prepared.<sup>21</sup> However, the Governor did not make this information public until February 10<sup>th</sup>, two days after Bustamante's release (Munroe 1990).

Upon his release on February 8<sup>th</sup>, Bustamante immediately denounced Manley, the PNP and certain BITU officers (Munroe and Bertram 2006). Bustamante then fired the BITU executives who had been working closely with the PNP. When they refused to leave and insisted that the union become more democratic, Bustamante responded by smashing chairs over their backs until they left the premises (Ranston 1989). After learning of Bustamante's public attack on the PNP, Manley wrote to him stating:

For the sake of the progress of the country I have shut my mouth for three and a half years about you. I have borne all your attacks in silence. I have been stoned at your request – I have seen you try to break up the movement for no reason except your personal interest ... I am not sitting down and keeping quiet any longer. If it is war, it is your choice.<sup>22</sup>

In the same letter, he also wrote: "I do not forget that you told me, last year September, that funny story about how you were sent for by the Colonial Secretary and promised your release if you would attack the PNP." On February 16<sup>th</sup>, Manley went public with the accusation that Bustamante made a deal with the Governor that secured his release from prison in exchange for denouncing the PNP (Munroe 1990). There is some debate among historians over whether an

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<sup>21</sup> Colonial Dispatch, January 5<sup>th</sup> 1942. Jamaica Archives, Spanish Town: 1B/5/26/163.

<sup>22</sup> Norman Manley, Letter to Alexander Bustamante, February 14<sup>th</sup> 1942. Jamaica Archives, Spanish Town: 4/60/2B/5.

explicit deal was actually made. The timing of Bustamante's release seems to suggest that it was related to the granting of universal suffrage, and as a result a strategic decision was made by the Governor to create a division between the two organizations. However, both Bustamante and the Governor denied that an arrangement was made. Nonetheless, in a personal letter written four months later, Governor Richards comments:

Bustamante is a damned nuisance, admittedly, and he too is stirring up trouble all over the Island. The difference is that he is first and last out for Bustamante and Bustamante's credit. He is not fundamentally anti-Government and subversive. On the other hand the Manley group is fundamentally anti-Government and subversive. It is out to discredit and if possible to break the present administration and it works, night and day, in season and out, for that end under Manley's guidance. It aims – now openly – at conscription of all wealth and property, at complete self Government and at an entirely Communist set-up. Its methods and technique are closely modelled – comparing small things with great – on the Nazi plan – to end in the dictatorship of Manley, who has become more bitter and irreconcilable with the passage of time.

Nuisance, though Bustamante is, there is no doubt that had he not been released or had he gone in with Manley the situation would be far more serious than it is. (as cited in Post 1981: 221)

As Post (1981) argues, from the Governor's perspective, there may not have been any need for a deal, as Bustamante would have been expected to attempt to recapture full autocratic control of the BITU on his release, which would have necessarily meant distancing the organization from the influence of the PNP. Thus, whether an explicit arrangement was made may be a moot debate. However, from the historical record, the evidence seems to point to the colonial administration (via the Governor) attempting to divide the labour movement (with or without an explicit arrangement) by timing Bustamante's release with the news of a new constitution for Jamaica. Nonetheless, after this episode the labour union and the labour party that emerged from the disturbances of 1938 to lead the labour movement were never to collaborate again.

### **The Parting of Ways, 1942-1943**

The division between the two organizations was particularly difficult for the PNP. Support for the BITU remained strong among organized labour (see Appendix A) and among the working class. For the PNP, the feud with the BITU resulted in the loss of a substantial proportion of its working class support. Moreover, Bustamante and his supporters proved to be relatively successful in thwarting attempts of the PNP to organize among the lower classes. Paradoxically, the PNP became a labour party without a working class base, whose support came primarily from the middle-class.

The PNP did, however, remain involved with the Trade Union Advisory Council. After the withdrawal of the BITU from the TUAC in 1939, the TUAC lost not only its largest union member, but also its role as advisory body for all organized labour. It thus became an organization of loosely associated small unions. However, in 1941 the organization took on a more formal structure, began to meet regularly and changed its name to the Trade Union Council (TUC). The TUC's original, modest-membership unions (including the Jamaica Workers and Tradesmen Union, the Tramway, Transport and General Workers Union and the Jamaica United Clerks Association), were then joined by unions of subordinate government employees that were organized in 1942, providing the PNP-affiliated TUC the beginnings of a mass working class base.<sup>23</sup>

After the split, Bustamante began working on consolidating the power of the BITU. It became evident that he was not opposed to using intimidation and physical violence to this end. During April of 1942, the Jamaica United Workers Union (JUWU) – a TUC affiliated union founded by the former BITU officers that were dismissed after Bustamante's internment –

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<sup>23</sup> Richard Hart, "Notes on the Structure of the TUC." The Richard Hart Letters, the Sir Arthur Lewis Institute for Social and Economic Studies, the University of the West Indies, Kingston, Jamaica.



became a frequent target of his attacks. Manley notes that “[a]s a result of the nature and tone of recent speeches delivered by Bustamante at meetings...the Jamaica United Workers Union is being subjected to an organized campaign of mob violence...”<sup>24</sup> In the same letter, Manley pointed out the unwillingness of the police to take action. He indicated that upon a request by a JUWU officer for police protection for a lawful meeting, the police informed him:

1. That he was advised not to hold any meeting
2. That if he did the Police would in no way be responsible for his safety or for the prevention of disorder at the meeting
3. That he ought to leave Kingston and speak in the country
4. That he...would have to assume and accept responsibility if contrary to the advice he held the meeting and disorder arose.

Violent confrontations between the BITU and the JUWU occurred throughout April to June, usually with Bustamante appearing on the site of a union dispute, which inevitably resulted in fights between the workers (Post 1981). When a threat of violence was made against Bustamante in the official newsletter of the JUWU, Bustamante did not respond by requesting police protection. Rather, he requested the return of his revolver that was seized by the police during his arrest in 1939. In a letter to Inspector Orrett, he wrote: “I would like to have my Revolver. I have a perfect right to defend my life. That’s all the protection I need.”<sup>25</sup> Although Bustamante’s request was not granted, it does show his disregard for the rule of law. Furthermore, Bustamante routinely violated the terms of his release<sup>26</sup>, which required him to advise the police before leaving Kingston. During one such violation, he explained to the Governor that:

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<sup>24</sup> Norman Manley, Draft Letter to the TUC, April 28<sup>th</sup> 1942. Jamaica Archives, Spanish Town: 4/60/2B/6.

<sup>25</sup> Alexander Bustamante, Letter to Inspector Orrett, April 25<sup>th</sup> 1942. Jamaica Archives, Spanish Town: 1B/5/77/111.

<sup>26</sup> Alexander Bustamante, Telegram to Governor Richards, June 20<sup>th</sup> 1942 and July 8<sup>th</sup> 1942. Jamaica Archives, Spanish Town: 1B/5/77/88.

No disrespect to the order was meant. It is impossible to remember. I don't blame yourself [sic] for this order but when an innocent person lives under particularly the British flag representing justice, liberty and fair play is given this kind of treatment similar to crucifixion death is preferable [sic].<sup>27</sup>

This disregard for the law was indirectly supported by police, whose general inaction to Bustamante and his supporters' violations allowed them to continue the behaviour.

Given that universal suffrage elections were imminent, and given his support among the working class, Bustamante perceived an opportunity to further consolidate his power. On July 9<sup>th</sup> 1942, Bustamante announced the formation of the Jamaica Labour Party, although the party's official launch only came a year later (Hart 1999). The party, like the BITU, was headed by Bustamante, who had complete control and selected its electoral candidates. It had no constitution (until 1951) and likely no members by the time it contested its first election in 1944 (Hart 2006). Thus, the JLP had no structure, and its organization base was essentially a network of BITU officials throughout the island (Ranston 1989). In his typical autocratic style, Bustamante called the shots. When Richard Hart of the PNP and Clem Tavares of the JLP discussed their respective parties' Executive Committee decision making process, Hart informed Tavares that:

...differences of opinion in the PNP Executive were decided by majority vote and that there had been occasions when Party President Manley had been out-voted. At the JLP Executive Committee meetings, Tavares had told Hart, Bustamante listened to what members had to say then made the decision as to what was to be said or done by the Party. (Hart 2006: 251)

Regarding policy, the party was pro-labour, and while not necessarily pro-capitalist, it was definitely not anti-capitalist. Its program stated:

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<sup>27</sup> Alexander Bustamante, Telegram to Governor Richards, July 8<sup>th</sup> 1942. Jamaica Archives, Spanish Town: 1B/5/77/88.

The aims and objects of the Jamaica Labour Party are to work for the improvement of the social, economic, educational, and political improvement and development of the condition of the small taxpayers, the workers, and the masses on the whole. At the same time, the Party is pledged to keep within a certain moderate conservative policy in order not to reduce beyond reason, or destroy the wealth of Capitalists to any extreme that will eventually hurt their economical inferiors... (as cited in Post 1981: 355)

As such the JLP, like the PNP, was a labour party, but it differentiated itself as it did not endorse socialism and therefore was much more favourable towards to capitalist class than the PNP.

### **The Origins of Political Unionism, 1943-1944**

The formation of the JLP, which was an extension of the BITU, signalled the beginning of the era of political unionism in Jamaica. Given the animosity between the BITU and the TUC-affiliated unions, the establishment of the JLP/BITU complex encouraged closer collaboration between the PNP and the TUC, and also created their natural rival. Thus, two labour union/political party complexes were created, although at the time the BITU had a much larger membership than all the TUC unions together, while the PNP had a well-structured political party with a solid membership base.

After the official launch of the JLP, Bustamante wasted no time intensifying his campaign against the PNP. In August of 1943, BITU supporters unsuccessfully attempted to break up a PNP rally, while the police, although present, did not intervene (Post 1981). This followed a general pattern of JLP/BITU harassment along with minimal intervention by the police. The harassment was on occasion was non-violent. As Richard Hart recalled, a BITU “union follower just gets up on the fence and conducts the audience in the singing of God Save the King...making the speaker quite inaudible and making it impossible to continue the meeting” (as cited in Sives 2010: 11). Manley described it as the “vigour with which quite obvious organised groups conduct themselves in their effort to maintain a sing-song or sometimes what

looks like a revivalist meeting at one side of the street whilst a political meeting goes on on the other side...making it impossible to hold a meeting.”<sup>28</sup> The police often would not act, claiming that the BITU sympathizers were not in violation of the law. Manley, a respected lawyer, called the Inspector of Police’s attention to specific sections of the Towns and Communities Law, which gave the police the power to intervene in precisely those situations.<sup>29</sup> However, for the most part the harassment involved violent physical intimidation (such as throwing stones and beatings) were the order of the day (Sives 2010). The violence had escalated to such a point that by the end of August of 1943, the Jamaica Progressive League (supporters of the PNP) wrote to the Commissioner of Police concerning the “state of lawlessness” that had resulted in physical harm to PNP followers at the behest of Bustamante and his supporters, while the police did little to intervene.<sup>30</sup> The letter urges police action, upon whose failure would “then become the Right of every good citizen to Arm himself in whatever way he can as a protection against possible hurt by enemies of orderly society.” In September, the Kencot Group of the PNP passed a resolution stating:

that respectable people and taxpayers have been deliberately attacked and beaten in the streets, under the eyes of the Police, to the extent that they have been obliged to be treated at the Government Hospital,

that on the night of Thursday the 9<sup>th</sup> of September 1943 in this area of Kencot people were threatened in their homes by mobs of terrorists prepared to do violence, and marching the streets with clubs and other dangerous implements,

that the people of the corporate area and Kencot are alarmed at the...indifference of the police with their unwillingness to give protection to the public against the marauding element of lawlessness

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<sup>28</sup> Norman Manley, Letter to the Inspector of Police, October 30<sup>th</sup> 1943. Jamaica Archives, Spanish Town: 4/60/2B/7.

<sup>29</sup> Ibid.

<sup>30</sup> Secretary of the Jamaica Progressive League, Letter to the Commissioner of Police, August 25<sup>th</sup> 1943. Jamaica Archives, Spanish Town: 1B/5/77/182 1943.

...BE IT RESOLVED...[to] urge the Commissioner of Police to take immediate action...and restore law and order<sup>31</sup>

In October, after a complaint received by the Colonial Secretary, the Commissioner of the Police reported that the Jones Town Citizens' Committee was formed primarily by PNP members who were "nervous" as a result of the conduct of the "hooligan followers of Bustamante" and was lobbying the government to "prevent future violence resulting from differences of political opinions."<sup>32</sup> These requests were not only from PNP supporters. The Jamaica Liberal Party (a party that failed to win a seat in the 1944 elections and then disbanded) passed a resolution condemning "the tendency toward mobocratic rule and the incentive to lawlessness and violence" and asked that the colonial government "ensure the preservation of: 1) Law and Order at all public meetings; 2) Freedom of Speech; 3) Freedom of Assembly; 4) That the government...trace the origins of the perpetrator of lawlessness..."<sup>33</sup>

The standard response from the police was either that the violence reported by PNP sympathizers was a "gross exaggeration" or that the political rivalry was being "dealt with according to Law as occasion demands."<sup>34</sup> The standard response from the colonial administration was to refer the matter to the Commissioner of Police or that the issue of lawlessness was "under consideration."<sup>35</sup> Regardless of the response, the clashes continued unabated with no significant changes to the status quo regarding police intervention.

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<sup>31</sup> Secretary of the Kencot Group (PNP), Letter to the Government of Jamaica, September 21<sup>st</sup> 1943. Jamaica Archives, Spanish Town: 1B/5/77/182 1943.

<sup>32</sup> Commissioner of Police, Letter to the Colonial Secretary, October 20<sup>th</sup> 1943. Jamaica Archives, Spanish Town: 1B/5/77/182 1943.

<sup>33</sup> Jamaica Liberal Party, Letter to the Colonial Secretary, February 1<sup>st</sup> 1944. Jamaica Archives, Spanish Town: 1B/5/77/182 1943.

<sup>34</sup> Commissioner of Police, Letter to the Colonial Secretary, September 21<sup>st</sup> and October 26<sup>th</sup> 1943. Jamaica Archives, Spanish Town: 1B/5/77/182 1943.

<sup>35</sup> Colonial Secretary, Letter to the Jones Town Citizens' Committee, October 1943 and Letter to the Jamaica Liberal Party, February 14<sup>th</sup> 1944. Jamaica Archives, Spanish Town: 1B/5/77/182 1943.

As most of the reports of violence perpetrated by JLP/BITU supporters have come from their political and union rivals, one could make the argument that they were one-sided pro-PNP accounts, and that the PNP were equal participants in the street battles and thus equal partners in the perpetration of violence. However, there are some problems with this view. First, the police's non-intervention policy was often under the guise that the clashes were two-way fights, which was not necessarily the case. Post (1981: 410) writes that there is plenty of corroborative evidence that the JLP/BITU initiated the assaults and that "the deliberate holding back of police also seems true." As such, the situation did merit police intervention and the PNP's involvement in street fights was largely in the form of self-defence. Strategically, this is not surprising given the Governor's aforementioned dislike for the PNP's predilection for self-government (which he seemed to interpret as anti-Empire) and socialism. Second, the wording of the appeals to the colonial administration by the PNP supporters and their allies was for the just, equal enforcement of the law, where violence as a result of political differences was enforced. The language was fair and balanced, and was not worded in such a way as to be seen as partisan. Lastly, the mere fact that they requested police protection, as opposed to immediately subscribing to some form of vigilante justice, shows a commitment to democratic values and the rule of law, unlike Bustamante's request for his revolver instead of police protection. Hence, the evidence points to the JLP/BITU as the violent aggressor, with the police (and as such the colonial administration) giving their tacit consent through their inaction, and the PNP/TUC as the victims of illegal harassment.

The violent tactics used by the JLP that were designed to frighten PNP supporters, hinder them from holding meetings, and limit their campaigning continued up until the first universal suffrage election at the end of 1944 – although the election day itself was relatively peaceful

(Munroe and Bertram 2006; Sives 2010). On November 1<sup>st</sup> 1944, the Governor announced the timetable of Jamaica's new constitution, which saw the existing Legislative Council dissolve on November 18<sup>th</sup>, the new constitution come into force on November 20<sup>th</sup> and the elections take place on December 14<sup>th</sup>. The new constitution brought significant change, increasing the electorate about 10 fold (to 663,069 electors) over the previous elections, where the political franchise was restricted to those who met the property or income qualifications (Handbook of Jamaica 1925: 96; Munroe and Bertram 2006: 84; Post 1981: 483). However, to fully understand the significance of the constitutional change, it is important to place these changes within the historical context.

### **Constitutional Change in Jamaica**

During the early colonial period (1664-1866), Jamaica (along with Britain's other West Indian colonies of that era) was governed through the "Old Representative System" of government, where power was divided between the Governor (appointed by the Crown) and the Assembly (settlers who were elected on a restricted franchise). The Assembly had legislative power while the Governor was responsible for the execution of laws. Although the Governor could veto legislation passed by the Assembly, the Assembly retained the authority over all bills related to taxation and public spending, including the Governor's salary. As such, Jamaica was largely a self-governing colony within the British Empire. In 1865, the Morant Bay rebellion was viewed as a failure (albeit brief) of the capacity of the ruling class to repress a black uprising. Out of fear of another rebellion, the Assembly voted for its own dissolution and requested direct rule from Britain. Consequently, Jamaica became a crown colony in 1866.

Crown colony rule entailed governing the colony via the Legislative Council, with the Governor as president and voting member. The Legislative Council also included 6 *ex-officio*

appointments from the colonial administration and 6 members nominated by the Governor, each allotted one vote. In 1884, after pressure from residents demanding more local involvement in government, Jamaica became a “partly representative” crown colony. That is, nine additional voting members, who were to be elected on a restricted franchise, joined the Legislative Council. In 1895, the number of elected members on the Legislative Council was raised to fourteen, while the number nominated members was simultaneously raised to ten. Thus, the number of *ex-officio* and nominated members always exceeded that of the elected members (Handbook of Jamaica 1925).

The constitutional changes of 1944 saw legislative power pass from the Legislative Council to the newly formed House of Representatives of 32 members elected by universal suffrage. The Legislative Council became an upper house consisting of 5 *ex-officio* members and 10 nominated members, whose primary function was to consider legislation passed by the House (all Bills had to be passed by the Legislative Council to become law). The Executive Council was created, consisting of the Governor as chairman (with a casting vote in the case that votes were equally divided among members) and ten voting members: 3 *ex-officio* members of the colonial administration; 2 members nominated by the Governor; and 5 elected members from the House of Representatives. The Governor, with the consent of the Executive Council and the Secretary of State, could strike down legislation passed by the House (Handbook of Jamaica 1946).

### **The 1944 Elections**

The major parties that contested the 1944 elections were the PNP, the JLP and the JDP (Jamaica Democratic Party). The JDP was essentially a conservative party that was strongly pro-



capitalist and the least progressive of the three as far as labour was concerned. The PNP espoused a socialist philosophy and constitutional decolonization, advocating:

wage legislation, industrial courts, workmen's compensation, economic planning, a State Bank for finance, the redistribution of taxation, land settlements by peasant ownership, co-operatives and collectives, agricultural research, credit and marketing organizations, State industrial development, slum clearance and swamp reclamation, the development of water resources for power and irrigation, nationalisation of public utilities and subsidised monopoly of industries, old age pensions, improved medical services, tenancy reforms, unemployment assistance, a host of educational reforms, votes for all and self-government by Dominion status (Smith 1957: 9).

Aside from assertion of being pro-labour but capitalist-friendly, the JLP basically had no program. Following BITU objectives, the JLP promised immediate material assistance to the masses, primarily in form of higher wages and better living and working conditions. Of the 32 seats contested in the 1944 election, the JLP captured 22, the PNP 5, with independent candidates capturing the other 5 seats, leaving the JDP with no seats at all. Although it was a resounding victory for the JLP, the popular vote was much closer (with the JLP receiving 41.1% of the vote and the PNP receiving 23.5%) (Munroe and Bertram 2006).

What factors contributed to the JLP victory? First of all, the JLP drew a large amount of support from the membership of the BITU. With over 46,000 members (see Appendix A), the BITU provided a solid base of support for the JLP. In addition, the JLP was able to attract some of the capitalist vote from the conservative JDP. Before the election, the ability of the JDP to appeal to the masses was in doubt, and some of the capitalists decided to strategically support the capitalist-friendly labour party in order to stem to popularity of the socialist, and less capitalist-friendly, PNP (Post 1981). Most importantly, however, the JLP defeated the PNP as a result of its mass appeal, specifically its ability to, and the manner in which, it appealed to the working class.

It was in these first universal suffrage elections that it became evident that the class divide also entailed differences of political culture. As mentioned, Jamaica's class structure entailed a tripartite stratification along racial lines, with the whites occupying the upper class, the browns the middle class and the blacks the lower classes. The communal division between the predominantly brown middle classes and the predominantly black working classes affected political attitudes and behaviour. While their privileged position gave the middle class familiarity and experience with British colonial institutions, for the most part the lower classes did not have the same familiarity with the state and colonial political traditions. This lack of experience was also compounded by the social distance between the classes – it hindered political socialization by creating barriers to the transmission of political culture from the middle to the lower classes. Consequently, political organization, state organization and the notion of representative government were not part of the political culture of the lower class (Smith 1957). In fact, the working class saw the state as alien and treated it with a general distrust (Stone 1976). In contrast, the middle class was politically socialized in “the British political experience and the institutions of Imperial Power” (Smith 1957: 65). Accordingly, the middle class subscribed to the same political culture as the upper class (but did not necessarily share the same political interests!). Thus, the ethnic divide between the middle and lower classes resulted in the acceptance of democracy and state authority by the former, but not the latter. The distrust felt towards these state and legal institutions among the lower class created an opportunity for a different type of authority to emerge as legitimate. This vacuum provided the structural conditions for an autocratic and charismatic leader to appear and gain popular acceptance – a leader such as Alexander Bustamante.

Weber outlines three mutually exclusive structures of legitimate authority – legal authority, charismatic authority and traditional authority. He defines legal authority as legitimacy based on “[r]ational grounds—resting on the belief in the legality of enacted rules and the right of those elevated to authority under such rules to issue commands” (Weber [1922] 1978: 215). This is contrasted with charismatic authority, defined as legitimacy based on “[c]harismatic grounds—resting on devotion to the exceptional sanctity, heroism or exemplary character of an individual person, and of the normative patterns or order revealed or ordained by him” (Weber [1922] 1978: 215). Within a democratic context, this involves a “highly emotional type of devotion to and trust in the leader. This accounts for a tendency to favor the type of individual who is most spectacular, who promises the most, or who employs the most effective propaganda measures in competition for leadership...[i]t also dictates the limitations on the level of rationality which...this type of administration can attain” (Weber [1922] 1978: 269).

From a Weberian perspective, the JLP successfully relied on charismatic appeal and the PNP unsuccessfully relied on rational appeal. With the victory of the JLP, the majority accepted to elect a party with no policy platform and a non-democratic party structure with a strong and charismatic leader. As such, Bustamante successfully campaigned on the premise that there was no need to present a comprehensive party platform. Presenting a platform and debating policy would have resulted in the routinization of Bustamante’s charismatic appeal. That is, campaigning on a policy platform would have implied a shift from charismatic appeal to a more rational appeal – a domain where the PNP had the clear upper hand. Accordingly, presenting a platform would most likely have diminished his party’s electoral success. Bustamante’s competitive advantage lay in the legend surrounding his throwing himself in front of police guns during the 1938 riots, going to prison three times since 1938 (which was interpreted by the

masses as a detention based on principle and solidarity with the working class) and in his exceptional oratorical abilities to elicit emotional responses in public meetings; in short, his advantage lay in his charismatic appeal. Bustamante had become a larger than life figure among many of the working class, with supporters often chanting:

We will follow Bustamante  
We will follow Bustamante  
Till we die.  
Bustamante is a good man  
Bustamante never did wrong  
We will follow Bustamante  
Till we die. (Brown 1979: 101)

Even Manley recognized the charismatic authority Bustamante carried with the masses, by writing after the election that “Bustamante is in the eyes of the uneducated masses a legendary figure. To him they attribute every gain made for the common people... ‘Labour’ to them was not ‘Labour’ as policy for the working classes... ‘Labour’ was the cause of the underprivileged as symbolized by Bustamante” (as cited by Sives 2010: 13). As such, policy debates would have destroyed the basis of Bustamante’s support. Indeed, as Smith writes, “the circumstances of Bustamante’s rise to power and charismatic leadership were the very conditions which made it logically contradictory and self-destructive for him to formulate a programme of political action” (Smith 1957: 35).

Given this environment, the PNP policies of self-government and socialism were not widely popular. As noted, the idea of independence was almost non-existent at that time, even among the middle class, while the British crown was considered by many as the protector of the masses. Bustamante masterfully exploited this and the ethnic divisions between the classes with statements implying that independence would result in brown man rule or slavery under the brown man while severing the ties to the monarchy (Eaton 1975; Post 1981). This type of

campaigning was effective as it had historical resonance with the black working classes given that during slavery, those of mixed-race were perceived as being harsher overseers than the whites. Secondly, the socialist agenda of the PNP arguably may have been the rational choice in a material sense for the masses, but the common lack of understanding and the inability on the part of the PNP to explain it made it easy for the JLP's bread-and-butter campaign promises to gain traction. This difficulty was compounded by Manley attempting to bring a rational alternative to Bustamante's charisma, which the masses could not identify with (Smith 1957). That is, the belief in what Weber terms legal authority was not strong among the masses – they more readily accepted charismatic authority. In essence, Manley learnt the hard way “that rationalism as such had no appeal on the political platforms of Jamaica, which indeed are the fields of charismatic personality and claims” (Smith 1957: 47). Thus, somewhat ironically, the JLP had solid support from both labour and capital, while the PNP struggled in attracting the working class vote, deriving its support mostly from an isolated middle class.

### **The Jamaica Labour Party Government, 1945-1949**

After the election, Bustamante and the Jamaica Labour Party became the majority party in the House of Representatives, and Bustamante, along with four elected members of the JLP, became members of the Executive Council. As mentioned, the House of Representatives had limited power, as bills it passed could be blocked by the non-elected members of the Executive Council. However, an arrangement was made to give the five elected members of the Executive Council some ministerial responsibilities over specific government departments, even though this was not formalized in the new constitution (Handbook of Jamaica 1946). As such, Bustamante became Minister of Communications, while his deputies were given the following

portfolios: Finance and General Purposes; Education; Social Welfare; and Agriculture, Lands and Commerce.

Although the electoral victory was certainly celebrated by Bustamante and the JLP, the responsibility of taking democratic office also posed a challenge. Bustamante's popularity among the working class rested primarily on his charismatic appeal; however, his electoral victory necessarily entailed his involvement in the rational administration of government as set out by the new constitution, an area where the PNP opposition had a distinct advantage. Weber ([1922] 1978) suggests that charismatic leaders generally rule autocratically and irrationally—that is, outside the constraints of rules of any kind (either based on legality or tradition) and of everyday routine structures. In the case of Bustamante, this tendency is reflected in the autocratic structure and in his ad hoc decision-making in both the JLP and BITU. However, within the context of the new constitution and the colonial order, autocratic rule of this nature was not possible in government. Nonetheless, as Weber contends, any charismatic authority that aims to rule in the long-term must undergo a process of routinization, which entails the adaptation of the charismatic authority to routine structures and to the day-to-day administration of government. This process necessarily involves the “appropriation of powers and of economic advantage by the followers or disciples” (Weber [1922] 1978: 249). In addition, within a democratic context, Weber maintains that charismatic authority tends to hide “behind a [democratic] legitimacy that is formally derived from the will of the governed”, and that charismatic leaders attempt to maintain and build popular support by achieving honour and glory in war and/or by promoting the material welfare of the governed (Weber [1922] 1978: 268-9). As outlined below, Bustamante and the JLP adapted to the challenges of rational administration through precisely these mechanisms. After achieving political office, the JLP attempted to

maintain electoral popularity through: 1) promoting political/union violence; 2) political patronage, while using the state illegally (within limits).

Almost immediately after taking office, Bustamante, who remained president of the BITU, set out to use his new found power to his advantage. In February 1945, Richard Hart, the President of the TUC-affiliated Jamaica Government Railway Employees Union (henceforth the Railway Union), urged the government to follow through with its campaign promise to increase wages for government subordinate staff. Bustamante responded that the “persons who you allege to represent are financial members of the Bustamante Industrial Trade Union, which is the sole bargaining power in this country” (Hart 2004: 28). Although Bustamante’s claim that the railway employees were members of the BITU was false, it was clear that Bustamante remained hostile towards the TUC and that he was prepared to use his position in government to bring about its demise. In this instance, Hart (2004) argues that Bustamante expected that the TUC-affiliated members would defect to the BITU as a result of his electoral victory and his membership on the Executive Council. When it became clear that the railway workers were not going to defect to the BITU, Bustamante reneged on his promise of wage increases. Later that year, the Railway Union, which had a substantial majority of railway workers as members, requested the government to recognize it as the sole bargaining agent for railway workers. The government refused, and after discussion on the Executive Council, the JLP government reversed its previous policy to respect the rights of all unions, and announced that it would not recognize any union which could not satisfy the government that it was authorized to speak for all workers (i.e. 100%).<sup>36</sup> Thus, government subordinate staff unions which had a membership of 99% of the workers would no longer be recognized as a collective bargaining unit by the government.

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<sup>36</sup> Norman Manley, Letter to the Under-Secretary of State for the Colonies, January 11<sup>th</sup> 1946. Jamaica Archives, Spanish Town: 4/60/2B/11.

As Manley writes, Bustamante then attacked the Railway Union employees under false pretences and threatened serious consequences as a result.<sup>37</sup>

By April, Bustamante had: excluded a personal enemy from the island; won an illegal strike without agreeing to arbitrate in advance of the Inquiry Board's decision; exercised control over the distribution of tickets to labourers wanting to work in the United States; raised the salary of members of the House of Representatives, in spite of opposition by the Governor in the Executive Council; and threatened violence to his political enemies (Post 1981: 522). In a time of high unemployment, the issue surrounding the distribution of overseas employment tickets was of critical importance. The JLP-dominated government granted workers the coveted employment tickets on the basis of political or trade union affiliation (i.e. supporters of the JLP or BITU). As such, the JLP was able to use the distribution of tickets (numbering around 2,000 per month at the beginning of 1945) as an effective form of political patronage (Post 1981). Aside from holding illegal strikes and distributing tickets on a partisan basis, Bustamante also used the state in other illegal ways to advance his union. For instance, during March and April of 1945, Bustamante allowed "his own union to keep up its activities among dock workers in defiance of the government to which he now belonged" (Post 1981: 523).

These abuses of power were committed without intervention from the Governor. Hart (2004) argues that the Colonial Office strategically withheld direct intervention in order to determine the long-term success the new government and also because they had a vested interest in the success of the new constitution. Even the US State Department, which had a history of supporting the suppression of socialist political parties in the Anglo-Caribbean (e.g. Guyana) and thus should have been sympathetic to the JLP, opposed the Colonial Office's position. Its representative thought that the Governor was overly tolerant of Bustamante's abuses of power,

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<sup>37</sup> *Ibid.*



while attempting to use his influence in order to curtail the practice of allotting employment tickets on a partisan basis (Post 1981: 533). However, the colonial administration remained firm on their policy of non-intervention in the affairs of the new government. It was clear that the JLP's exploitation of the state apparatus for partisan advantage was not going to be challenged in any significant way by the colonial administration. As the provision of patronage was proving to be a successful strategy, the JLP-dominated government made partisan and union affiliation the main criterion for awarding most government work contracts (Eaton 1975). Consequently, the misuse of state power continued, and the JLP successfully made patronage a centrepiece of their administration and the basis of their popular support.

Meanwhile, the PNP and the TUC worked on breaking the BITU monopoly on organized labour. The first task was to reorganize the TUC. Up until the elections in 1944, the TUC Executive Committee did not meet regularly and the loosely affiliated unions continued to manage their affairs independently. Given the overwhelming success of the centrally organized BITU, the TUC decided to restructure the organization and began the process of centralization. In 1945, the governing bodies were reorganized into a Council and an Executive, permanent TUC staff were hired, a per capita tax to fund the TUC was imposed on affiliated unions and, most significantly, the TUC Executive took over the management of strikes and negotiations of affiliated unions.<sup>38</sup> The reorganization was complete by 1946, when the first full Congress meeting was held.<sup>39</sup> After its restructuring, the TUC began to make inroads with organized labour and the working class.

By May 1945, the war with Germany ended, and political and union violence, primarily against the PNP and TUC, continued unabated. In June, a labour dispute at the Match Factory

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<sup>38</sup> Richard Hart, "Notes on the Structure of the TUC." The Richard Hart Letters, the Sir Arthur Lewis Institute for Social and Economic Studies, the University of the West Indies, Kingston, Jamaica.

<sup>39</sup> *Ibid.*

(where the majority of workers were BITU members) between the BITU and management ensued. BITU pickets attempted to keep workers of the TUC-affiliated union at the Match Factory from crossing the picket line. When they did cross, Bustamante along with the Assistant Labour Adviser visited the premises, used the influence of government to have 48 TUC employees dismissed (Post 1981). In other labour disputes later that month, Bustamante had personally instructed his followers to “beat up all PNP people wherever they might be found”, including two specific organizers of the TUC executive and one PNP member of the House that he singled out (Post 1981: 527). The Colonial Office continued its policy of little to no intervention in these matters, as they did during the pre-election period. Therefore, along with patronage politics, violence became the other centerpiece of the JLP administration.

After a year of the new government abusing its power to promote partisan and union interests without action from the Governor, Norman Manley decided to make a plea directly to the Colonial Office. In a letter to Creech Jones, the Under-Secretary of State for the Colonies, Manley writes:

I have, as a matter of policy and good faith, refrained from writing anything about the actions of the existing regime since it was established following on the general elections of 1944. The present situation goes, however, so far beyond the bounds of fair play and involves principles of such importance, that I feel it a duty to break my self-imposed silence.<sup>40</sup>

After describing the Railway Union incident as an example of severe abuses of government power in an obviously partisan manner, Manley points out that:

Mr. Bustamante continues to be life President of the Bustamante Industrial Trade Union, notwithstanding his seat on the Executive Council and it is open and avowed policy of the Union to eliminate and destroy all other trade union activity...[and that these abuses

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<sup>40</sup> Norman Manley, Letter to the Under-Secretary of State for the Colonies, January 11<sup>th</sup> 1946. Jamaica Archives, Spanish Town: 4/60/2B/11.

of power] drives one to the conclusion that anything may take place which will further Bustamante's aim of destroying all political and union opposition.<sup>41</sup>

Manley then goes on to make his appeal to the Colonial Office, which is worth quoting at length:

The People's National Party and the Democratic Trade Union movement have never asked for any help from Government, or even for the sympathy of Government. All that it has asked is that Government in the person of the Governor and the official machinery of the country should hold the scales level as between Government and the opposing trade unions or political movements and should not favor one rather than the other or act so as to assist one in his efforts to destroy the other.

...Unfortunately, Colonial officials, and this includes those whom we have in Jamaica today, ...seem to think that it would be a good thing for Jamaica if the majority party succeeded in destroying all party opposition.

...it is clear that if Government pursues its present policy, all unions which have been organized among subordinate government employees will be compelled to fight for their very existence. That policy must inevitably mean that the unions would cease to exist because they would be unable to do anything on behalf of their members. *There could be no compromises about such as issue and it would be better to die fighting than to die from asphixiation* [sic]. Moreover, ...[t]he whole country would be plunged into a bitter struggle, but it would be absolutely unavoidable.

...I make one single appeal and I make it with all the urgency at my command. All that we ask is fair play, that the scales be held level and that the development of the political life of our country be allowed to proceed without the weight of the official government with its vast powers being thrown into support of one side, by deliberate acts which must have that tendency and result.<sup>42</sup>

Manley received a reply from the Under-Secretary of State for the Colonies on February

12<sup>th</sup>. Jones wrote:

I was very apprehensive about the future when I found that the dominant group in the Chamber was somewhat hostile to your party and far from constructive in their approach, and to some extent under the domination of a somewhat erratic leader!

...as Jamaica is pioneering an experiment in self-government in the West Indies, its people made an unfortunate choice [in electing the JLP]. It is the more unfortunate

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<sup>41</sup> *Ibid.*

<sup>42</sup> *Ibid*, emphasis mine.

because we in the Colonial Office feel that our intervention in Jamaican affairs should be restrained to a degree that our supervision and intervention disappear altogether.<sup>43</sup>

This response was significant for two reasons. First, Creech Jones was a British trade union leader, a member of the British Trades Union Congress (after which the PNP-affiliated TUC was modeled), a founding member of the Trades Union Congress Colonial Affairs Committee and the founder of the Fabian Colonial Bureau. If ever there was to be a minister in the Colonial Office sympathetic to the plight of the PNP and TUC, it was Creech Jones. Second, although it seems that Jones was sympathetic to Manley and the PNP, it was evident in the tone of his reply that the Colonial Office would not be intervening in the abuses of state power by the JLP. This message certainly must have dispirited Manley, as the Colonial Office, which at that time was the ultimate wielder of state power in Jamaica, refused to restrain Bustamante's excesses. Accordingly, Manley and the PNP/TUC knew that a confrontation with the JLP/BITU government was now inevitable (Hart 2004). They began planning a strike of all government subordinate staff, which was to begin with the Railway Union, when news came of a surprise strike at the Mental Hospital (which employed TUC-affiliated government subordinate employees) on February 15<sup>th</sup>—three days after the reply from Jones.

A TUC-affiliated union leader and PNP member of the House of Representatives had called a strike at the Mental Hospital without consulting the TUC executive. Manley was irate, but realized he had no choice but to move forward with the plan of a strike of all subordinate government staff (Hart 2004). Unsurprisingly, Bustamante was not sympathetic to the strike and telegraphed the Governor instructing him to “take an iron hand in this matter; no sympathy

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<sup>43</sup> Under-Secretary of State for the Colonies, Letter to Norman Manley, February 12<sup>th</sup> 1946. Jamaica Archives, Spanish Town: 4/60/2B/11.

whatsoever must be shown.”<sup>44</sup> He instructed all BITU workers at the Hospital to return immediately, adding that “if you are intimidated you will get protection. If you join with the evil doers you will get no protection from my union nor my government – rest assured.”<sup>45</sup> The next morning, Bustamante and Frank Pixley (both JLP members of the House and ministers in the Executive Council) descended upon the Hospital with about 3,000 BITU supporters armed with sticks and iron pipes, and the TUC pickets “fled for their lives” (Hart 2004: 33). A PNP supporter, John Nicholas, who was investigating the commotion at the Hospital, was spotted and chased by Clifford Reid, a BITU delegate, and a bunch of BITU supporters. The crowd attacked Nicholas, who then fired on Reid with his revolver. Both men later died at the Public Hospital. Over the next few days, the TUC continued with their plan and other TUC-affiliated government employees began going on strike, starting with the Railway Union, then the Fire Brigade, the Prison Warders, the Government Printing Office workers and finally the Public Works employees. Meanwhile, the PNP were attacking Bustamante’s decision to appear at the Mental Hospital, and pressured him to acknowledge under what authority he had been acting. Bustamante declared in the House that he acted “exclusively in his capacity as a member of the Government in the pursuit and execution of his official responsibility.”<sup>46</sup> In a public statement, Manley declared that “[t]he public realise that the Labour Department is no longer an impartial body but has become an instrument to assist Bustamante on every occasion of strife which he calls to secure his aims”.<sup>47</sup>

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<sup>44</sup> *The Daily Gleaner*, “Bustamante to Governor: ‘Take an Iron Hand’”, February 16<sup>th</sup> 1946, p.1.

<sup>45</sup> *The Daily Gleaner*, “Bustamante to Governor: ‘Take an Iron Hand’”, February 16<sup>th</sup> 1946, p.12.

<sup>46</sup> *Public Opinion*, “The Reichstag”, February 20<sup>th</sup> 1946, p.1.

<sup>47</sup> *Public Opinion*, “Manley Repudiates Bustamante’s Lies”, February 18<sup>th</sup> 1946, p.1.

On February 17<sup>th</sup>, Bustamante publicly defied the TUC to try to physically assault him.<sup>48</sup>

In response, Nethersole (the chairman of the TUC) released a statement that made front page headlines:

I have issued no challenge to Mr. Bustamante nor have I threatened to attack him... What I have stated is that...[we] are prepared to provoke no violence but are determined to resist attacks on our persons and property by rebellious people who use their private armies for unconstitutional purposes. And we will resolutely oppose and resist all demagogic thugs who attempt to reduce us into servility and to suppress our rights to hold and express our individual opinions and to join and participate in the institutions and organizations which we support.

We will defend these vital and fundamental rights to the death and we will fight our attackers in the streets, in the lanes, on the housetops until we have driven them into the sea.<sup>49</sup>

This statement represents a significant shift in the public pronouncements of TUC and PNP policy. Up to then, their strategy had been to document abuses and violations of the law and petition the colonial state in the hope that it would enforce the rule of law. This shift signified that they would no longer take abuse and wait for the police or the state to take action and adjudicate fairly. Rather, the statement indicates in no uncertain terms that the PNP/TUC complex will now respond to violent attacks with violence. This follows the spirit of Manley's ultimatum to the Colonial Office that "it would be better to die fighting than to die from asphyxiation" in the absence of equality of the law.

In reaction to the strike, the Governor vowed not to negotiate with the unions, banned all public gatherings and a week later began arresting pickets.<sup>50</sup> However, against such overwhelming odds, public support began mounting for the striking TUC members, with money

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<sup>48</sup> *The Daily Gleaner*, "Bustamante Defies 'Nethersole and Gang' To Begin Attack", February 18<sup>th</sup> 1946, p.1.

<sup>49</sup> *The Daily Gleaner*, "Not Attacking but will Defend says Mr Nethersole", February 19<sup>th</sup> 1946, p.1 and *Public Opinion*, "Mr. N. N. Nethersole says: 'I Have No Desire To Enter Into Gunplay With Bustamante'", February 19<sup>th</sup> 1946, p.1.

<sup>50</sup> *The Daily Gleaner*, "Governor Bans all Public Meetings, Processions", February 18<sup>th</sup> 1946, p.1 and "37 Pickets Herded into Police Van", February 26<sup>th</sup> 1946, p.1.

and other in-kind donations for strikers and their families pouring into PNP headquarters (Hart 2004). Even the *Daily Gleaner*, the Jamaican newspaper which at the time favoured the JLP, appealed to the leaders of the political parties not to confuse politics with trade unionism and appealed to the government to negotiate with the TUC.<sup>51</sup> After a couple weeks into the strike, the Governor had a change of heart and decided to negotiate with the unions. All striking workers were eventually reinstated, and some union demands were met (Hart 2004). Meanwhile, Bustamante and Pixley were charged with manslaughter for their role in the death of John Nicholas, but were later acquitted.

Although the government employee strike was a victory for the PNP/TUC, the threat of violent reprisals remained. Wills Isaacs, an executive member of the PNP, had been crucial in the Mental Hospital strike, particularly for his public speeches that rallied TUC and PNP supporters. Although Isaacs had lost the 1944 general election to JLP's Frank Pixley, he had won the municipal election and was the Corporation Councillor of the KSAC (Kingston and St. Andrew Corporation) for central Kingston. Isaacs was a talented orator and had a rising public profile since the elections of 1944, related to both his duties as Corporate Councillor and his position as an executive within the PNP. After the Mental Hospital episode, Isaacs was a rising star within the PNP, although some observed that he held Bustamante-like tendencies. In a letter to the editor in the *Daily Gleaner*, a citizen compares Isaacs to Bustamante, as both had a reputation for "strong-arm politics".<sup>52</sup> Indeed, as early as August 1943, when criticizing the violence of the JLP/BITU supporters at PNP political meetings, Isaacs had indicated that he wouldn't shy away from a fight and was quoted as saying: "If Bustamante does not behave

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<sup>51</sup> *The Daily Gleaner*, "We Appeal", February 28<sup>th</sup> 1946, p.1.

<sup>52</sup> *The Daily Gleaner*, "Strong-Arm Politics", April 27<sup>th</sup> 1946, p.10.

himself...I, Wills Isaacs, will flog him myself.”<sup>53</sup> In November of 1946, Hart (a TUC executive) warned that Wills Isaacs has a “demagogue appeal [which] is very useful in offsetting the demagogue appeal of Bustamante, but he will become a menace later on” (as cited by Sives 2010: 25).

After enduring perennial inaction by the colonial authorities, the PNP decided that the creation of strong-arm groups, to defend against attacks at political meetings, was necessary to survive. As such, the PNP, under the leadership of Wills Isaacs, began organizing these groups. As reported by the Governor, “Wills Isaacs...one of the most irresponsible of PNP leaders, has put himself at the head of section of unemployed men in Kingston and has formed a new Association of Ex-Servicemen (although he himself has no war service)” (as cited by Sives 2010: 18). By May 1947, PNP became more brazen and organized marches around government offices. On May 12<sup>th</sup>, the Governor reported that a group of unemployed led by Isaacs attempted to disrupt the functioning of the Executive Council and then threatened and intimidated staff, used physical violence against government employees who administer assistance to ex-servicemen, and later tried to break up a meeting where Bustamante was speaking (Sives 2010). On May 28<sup>th</sup>, PNP supporters demonstrated outside of Headquarters House. After the House session ended, JLP members coming out of the building were met by jeering protesters. Bustamante had made it to his car, but became surrounded by PNP supporters scoffing at and booing him, until JLP supporters arrived on the scene to fight them off.<sup>54</sup> Consequently, Bustamante’s government passed a law forbidding marches and demonstrations close to various government buildings (Bolland 2001). At the end May, in a letter to the Secretary of State for the Colonies, the Governor writes that both the JLP and PNP “seem principally concerned with

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<sup>53</sup> *The Daily Gleaner*, “Mr. W. O. Isaacs Ready To Flog Mr. Bustamante”, August 27<sup>th</sup> 1943, p.2.

<sup>54</sup> *The Daily Gleaner*, “Factions Clash In City”, May 29<sup>th</sup> 1947, p.1.



blackguarding and threatening their opponents. Criticism and opposition have goaded Bustamante into a state where he is at times unable to control himself while Wills Isaacs, who now appears to call the tune in the PNP, is no less violent and scurrilous in speech or irresponsible in action” (as cited by Sives 2010: 17).

Around that time, the municipal election campaign got underway, with the election to be held October 23<sup>rd</sup> 1947. These municipal elections were the first to be held by universal suffrage. Both the JLP and PNP were campaigning hard to promote their municipal candidates in the Kingston and St. Andrew Corporate area and across the island. Both parties had a lot at stake. Although only a municipal election, the JLP was eager to retain its electoral hold in the city and rural areas, while the PNP was just as eager to make an electoral breakthrough. The intense competition and rivalry between the two union-party complexes came to a head on October 2<sup>nd</sup> in what became known as the “Battle of Rose Town”.

A meeting in Rose Town (Western Kingston) by PNP candidate Ken Hill was attacked by JLP supporters, who began “throwing stones at the speakers and listeners, and demanded that the meeting cease immediately”.<sup>55</sup> The PNP attendees decided to fight back. A PNP supporter that was injured during the scuffle had made it to the much larger PNP meeting nearby where Norman Manley was in attendance. In learning about the attack on the meeting in Rose Town, Manley indicated that he:

brought the meeting to a close and led those at that meeting and would follow up to Trench Pen [Rose Town]...This was done pursuant to a policy which we have been following throughout these Elections whereupon learning that any meeting is being victimised by organised disorder the crowd from the nearest meeting is taken there so that there is a sufficiently large number of persons present in support of the meeting to ensure that order is preserved and that peaceful citizens are protected from hooliganism and violence.<sup>56</sup>

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<sup>55</sup> *The Daily Gleaner*, “11 Hurt In Election Meeting Clash”, October 3<sup>rd</sup> 1947, p.1.

<sup>56</sup> Norman Manley, Letter to Commission of Police, October 3<sup>rd</sup> 1947. Jamaica Archives, Spanish Town: 4/60/2B/12.

This statement further demonstrates that the PNP had decided to take security into their own hands and not rely on the impartial enforcement of the law by the police and the colonial apparatus. Indeed, Manley acknowledged that this security strategy on dealing with the disruption of public meetings was now party policy. With the arrival of reinforcements, the meeting in Rose Town was able to continue and was successfully held.<sup>57</sup> However, according to another PNP eye-witness, news of the confrontation in Rose Town was also reached the mass JLP meeting in nearby Trench Town, with supporters of that meeting also deciding to walk over to Rose Town to assist JLP supporters there.<sup>58</sup> These supporters clashed throughout the night with the PNP successfully fighting off the JLP. Two JLP supporters were beaten to death and a PNP city Councillor (among many others) was severely beaten.<sup>59</sup>

The PNP publicly regretted the violence and denounced the attacks as self-defence against a JLP/BITU offensive designed to disrupt their meeting. However, the significance of this event was that it demonstrated that the PNP could now successfully counter violence with violence and win street battles. Henceforth, they had to be taken seriously as a physical force, and the JLP could no longer expect to be able to attack political meetings with impunity and chase the PNP off the streets – that strategy would no longer be effective. As Manley later remarked, it “is our meetings that the other side tried to break up only to find that we are too strong today” (as cited by Sives 2010: 20). After the Battle of Rose Town, it became clear that the PNP could now protect itself and was also on the offensive. This was a game changer for JLP strategy – there was now a risk that they could be beaten at their own game. Notably, many of these confrontations took place in Bustamante’s constituency of Western Kingston, which was a working-class black community with concentrations of unemployed men. The tide began to

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<sup>57</sup> *Ibid.*

<sup>58</sup> *The Daily Gleaner*, “The ‘Battle Of Rose Town’ As Recalled By Gladys Ellington”, April 2<sup>nd</sup> 1978, pp.10, 24.

<sup>59</sup> *The Daily Gleaner*, “2 Killed and 35 Hurt As Mob Runs Amok”, October 4<sup>th</sup> 1947, pp.1, 12.

turn in that Bustamante decided not to run again in Western Kingston, but instead chose a loyal JLP riding outside of Kingston for the subsequent general elections. Moreover, after the events of the preceding few months, Bustamante ironically became a staunch advocate of law and order.<sup>60</sup> As Hart (2004: 60) comments, it was only after the Battle of Rose Town “did the Police intervene and the state begin to assume its role as peacemaker.” The election of October 23<sup>rd</sup> saw the PNP win 7 municipal seats to the JLP’s 6. However, because local members of the House of Representatives were *ex-officio* members of the Council, the JLP was able to control the Council and Bustamante was selected to hold yet another public office—that of Mayor of Kingston (Hart 2004).

After successfully fighting off the JLP at the Battle of Rose Town, the PNP formed designated strong-arm groups so that PNP supporters could be easily mobilized in the event of other street confrontations. A group in Western Kingston called the Pioneer Group was created to protect the PNP at public meetings. As one member recollected, there was a:

need to formulate a super organisation for the defence and protection of Party members and the PNP organisation. So we banded ourselves together with various diehards—fearless comrades — and formed a super group at Edelweiss Park which was the Pioneer Group.

...The group grew to 560 members, and we used to scout out meeting sites, make sure of refuge and assistance if the meetings were attacked and generally provided security from attack. Soon we could hold most of our group meetings and street meetings without molestation *although the violence still continued*.<sup>61</sup>

The Pioneer Group disbanded in 1951, but many members were subsumed under Group 69.<sup>62</sup> Wills Isaacs’ group of the unemployed, ex-servicemen and others from Kingston eventually became known as Group 69 (named after their base at 69 Matthews Lane in Western Kingston).

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<sup>60</sup> *The Daily Gleaner*, “Bustamante Repeats That Law And Order Must Be Kept”, October 4<sup>th</sup> 1947, p.1.

<sup>61</sup> *The Daily Gleaner*, “Pioneer Group provided security from attack”, April 2<sup>nd</sup> 1978, p.10, emphasis mine.

<sup>62</sup> *Ibid.*

Following the Pioneer Group, Group 69 was formed with the purpose of “staving off the many attacks launched against PNP people, particularly in Central Kingston.”<sup>63</sup> Central Kingston was the constituency where Isaacs lost to the JLP’s Frank Pixley in the 1944 general election; however, partly due to the activities of Group 69, he was able to defeat Pixley in the 1949 general election. As a former member of the group later reminisced:

As vanguards of the PNP we contributed considerably to protecting our brothers and sisters from the tyranny of the then majority party, whose intention it was to drive us off the streets of Kingston and to make it impossible for us to keep meetings and therefore to cripple our organization.

... Who were the people in Group 69? We were all young men and women then. We came from Chestnut Lane, West Street, Luke Lane, Pink Lane and from all over the Corporate Area.<sup>64</sup>

Therefore, the momentum of the PNP “victory” in Rose Town was maintained with the establishment of strong-arm groups and their institutionalization within the PNP party structure. The PNP were no longer chased off the streets; however, as the former member of the Pioneer Group recalls, street confrontations and violence between the PNP and the JLP continued.

The bus strike of 1948 also witnessed the use of violence by PNP/TUC supporters as a tactic in labour disputes. The TUC-affiliated workers at the Jamaica Utilities bus company went on strike. The BITU assisted the company in breaking the strike, as they recruited replacement drivers and conductors for the buses. From February to May, four bombs were thrown onto the buses and one into the yard of a BITU building complex, although it has been suggested that the latter bomb may have been planted by BITU supporters (Hart 2004). It appears that these bomb attacks were not organized by the leadership of the TUC or PNP, but rather by the lower levels of the organization had taken it upon themselves (Sives 2010). This incident is not only a

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<sup>63</sup> *The Daily Gleaner*, “Group 69: ‘We Were All Young Men’”, April 2<sup>nd</sup> 1978, p.10.

<sup>64</sup> *Ibid.*

demonstration of the increasing use of violence by the PNP/TUC, but it also shows that violence as tactic in the partisan struggle was becoming widespread and its use was not necessarily under the control of party or union leadership.

Around the same time, the TUC Executive recommended further centralization and the merger of all unions into one. It was acknowledged that having separate unions was “a source of weakness when compared to the unified structure of the rival BITU” (Hart 2004: 74). This was approved by all executives of each affiliated union except one, which agreed to continue its affiliation with the TUC and pay a monthly tax.<sup>65</sup> Consequently, by the end of 1948, the TUC had become a single general workers union—nearly a mirror image of the BITU—directly competing with the BITU for all categories of labour. Although the new TUC constitution explicitly attempted to run its affairs democratically with control in the hands of its membership, the TUC “began to operate in a manner somewhat similar to its centrally run BITU counterpart” (Hart 2004: 76).

In 1949, violence between the PNP and the JLP intensified, and in March, the Governor banned political meetings for a period of four weeks (Sives 2010). The following month, Isaacs was charged with sedition for proclaiming that “[w]e cannot sit down and fold our hands, and tonight every PNP-man here, let me tell you, you are to arm yourself, you are to carry cowcods, black-jacks and cutlass the same way Bustamante tell his people because it is going to be open warfare” (as cited by Sives 2010: 25). He was later acquitted of the charge. On April 12<sup>th</sup>, the PNP released a statement on the subject of political violence, indicating that the PNP had been victims of violence from 1943-1946, “while the Police stood by helplessly” and that the PNP “will continue to affirm that violence must cease, [and] cease it will. We will, nevertheless,

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<sup>65</sup> Richard Hart, “Notes on the Structure of the TUC.” The Richard Hart Letters, the Sir Arthur Lewis Institute for Social and Economic Studies, the University of the West Indies, Kingston, Jamaica.

never allow force or violence to stop our work, nor will we ever be afraid to defend the rights we all enjoy.”<sup>66</sup> In May, Manley and Bustamante signed a peace pledge at the behest of the Governor. The peace was kept until July 6<sup>th</sup>, when a JLP supporter was killed during a municipal by-election, and the Governor began a Commission of Enquiry. During the enquiry, Manley acknowledged that when polling stations were rumoured to have been intimidating PNP voters, the party would dispatch PNP supporters (generally composed of the strong-arm groups mentioned above) to monitor the station, which would mostly end the trouble, but at times would degenerate into a fight.<sup>67</sup> During the enquiry, Isaacs infamously stated “that a broken skull or two was not much in the growth of a nation”, which later resulted in his resignation as executive of the PNP.<sup>68</sup> After the Gordon Town incident, political violence between the two parties continued throughout the general election campaign, with accusations that both sides were throwing stones and attempting to disrupt the meetings of the other (Sives 2010).

Elections were held on December 20<sup>th</sup> 1949. The PNP received 43.5% of the vote compared to the JLP’s 42.7% (Munroe and Bertram 2006). However, the JLP won 17 seats to 13 for the PNP, with 2 going to independent candidates. Consequently, the JLP remained the majority party in the House holding 17 of 32 seats. The PNP made gains in key ridings, including both Central Kingston (where Isaacs defeated Pixley) and Western Kingston (Bustamante’s former constituency). This was partly due to the fact the PNP could now hold meetings in those constituencies without being chased off the streets, and also partly a result of the centralization of the TUC (Eaton 1975). As such, the PNP expanded their support base to

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<sup>66</sup> *The Daily Gleaner*, “Violence: A Statement By The PNP”, April 12<sup>th</sup> 1949, p.8.

<sup>67</sup> *The Daily Gleaner*, “Divergent Accounts Of Incidents At Election”, July 29<sup>th</sup> 1949, p.12.

<sup>68</sup> *The Daily Gleaner*, “Commissioner tells PNP official ‘You are Not on a Political Platform’”, July 15<sup>th</sup> 1949, p.1 and “Wills Isaacs resigns as PNP official”, August 10<sup>th</sup> 1949, pp.1, 10.

include both the middle-class and the urban working-class, while the JLP became primarily a rural party.

### **The Second Jamaica Labour Party Government, 1949-1955**

Violence between the two rival unions continued for some time, with the newly centralized TUC making some ground on the BITU regarding membership numbers and into industries that the BITU had previously dominated. In 1950, the TUC entered the hotel industry with the successful strike at the Myrtle Bank Hotel. Moreover, in 1951 the TUC was able to break the BITU's monopoly in the sugar industry after a two month battle between JLP and TUC supporters (with truckloads of professional PNP pickets being brought in to confront the BITU supporters also transported in to break the strike) at the Worthy Park Estate (Eaton 1975; Munroe and Bertram 2006). However, as a result of the escalating violence, especially after the protracted two-month long confrontation at the Worthy Park Estate, in 1952 an amendment to the Trade Union Law was passed that banned professional pickets. Consequently, unions could no longer truck in supporters from other areas to picket and apply pressure in support of their cause.<sup>69</sup> Now only employees (either of the firm or of the industry) along with union officers were able to picket. This had the effect of significantly reducing the violence between the BITU and TUC (Eaton 1975).

That year, the PNP experienced internal conflict between the right (including Wills Isaacs) and left wings of the party. In the end, the group known as the "four Hs" (Richard Hart, Frank Hill, Ken Hill and Arthur Henry) were expelled from the party on March 29<sup>th</sup>. The four Hs were prominent TUC executives (at the time Ken Hill was TUC President and the Mayor of Kingston) and formed the nucleus of the party's left wing. Publicly, Manley had framed the

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<sup>69</sup> Jamaica (1952b), *The Trade Union Law*. Chapter 389, S. 3 of 1/1952, p.6290.

expulsion as purging the party of its communist wing, as claims by the JLP that the PNP was a communist party were hurting the party's popularity, even though the party had progressively distanced itself from socialism since the 1944 election campaign (Post 1981). Immediately prior to these accusations, Manley was reported to have repeatedly said privately to Ken Hill "I know that you're not a communist".<sup>70</sup> After his ejection, Ken Hill stated that: "I am not a communist and Manley knows it. But it is good 'face card' to prepare the way for his hereditary system in the PNP."<sup>71</sup> The claim that Manley was preparing the way for a more autocratic style of leadership within the PNP was further substantiated when the expelled executives demanded an investigation by their former party into their dismissal. Manley reportedly was able to kill the probe with the plea: "Let sleeping dogs lie!"<sup>72</sup> As Smith (1957: 47) argues, the ability of Manley to avoid the investigation was significant in that he "discovered for the first time that the simple assertion of his personality was sufficient, not only for Party members, but for many hitherto non-affiliated elements in Jamaican society. He discovered in this way that rationalism as such had no appeal on the political platforms of Jamaica, which are indeed the fields of charismatic personality and claims." The TUC was immediately disaffiliated with the PNP, and the party launched the National Workers Union (NWU) two days later.<sup>73</sup> By the next general election in 1955, the NWU had won over the vast majority of organized labour from the TUC (see Appendix A), ironically in part because of the TUC education programs that had emphasized loyalty to the PNP (Eaton 1975).

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<sup>70</sup> *The People*, "Manley Writes To Hill", May 24<sup>th</sup> 1952, p.1,4, the Richard Hart Letters, the Sir Arthur Lewis Institute for Social and Economic Studies, the University of the West Indies, Kingston, Jamaica.

<sup>71</sup> *The People*, "PNP Bad Cheques Cashied At KSAC", May 24<sup>th</sup> 1952, p.1, the Richard Hart Letters, the Sir Arthur Lewis Institute for Social and Economic Studies, the University of the West Indies, Kingston, Jamaica.

<sup>72</sup> *Ibid.*

<sup>73</sup> *The People*, "Manley Writes To Hill", May 24<sup>th</sup> 1952, p.1,4.



The subsequent general election was held in January of 1955, with fewer incidents of campaign violence than the 1944 and 1949 (Sives 2010). The PNP received 50.5% of the vote compared to the JLP's 39%. This translated into 18 seats for the PNP (with the remaining 14 going to the JLP); therefore, the PNP became the majority party in the House of Representatives. In addition, the power of government had increased in 1953, when the Executive Council increased its elected member representation from 5 to 8 members thereby making the elected members the numeric majority in the Executive Council. Moreover, all 8 members were government ministers (including the Chief Minister, who appoints his seven other ministers), which granted the majority party formal control over a larger number of government departments (Handbook of Jamaica 1955).

### **The People's National Party Government, 1955-1959**

After more than 10 years in opposition, the PNP had won the general elections. What factors contributed to the PNP victory? In short, the PNP achieved electoral victory by adapting its tactics and platform to the electorate, not because of any significant shifts of the electorate towards the rational, socialist program they originally proposed in the early 1940s. From the historical record, it is evident that the PNP achieved electoral success through emulating the tactics and strategy of the JLP/BITU; that is, by moving from rationalism towards a more charismatic and autocratic approach. First, the PNP transformed from a party whose supporters petitioned the Commissioner of Police, the Governor and the Colonial Office to intervene in violence perpetrated against it to a party who protected itself (and occasionally went on the offensive) through its own partisan vigilante strong-arm groups. Even though the 1955 election campaign was not as violent as the two previous general elections, the knowledge that both parties could hold their own in street confrontations may have acted as a deterrent. Second, the

TUC had changed its structure from a decentralized association of multiple unions into a general union and ran its affairs in a more centralized—and somewhat more autocratic—manner, like the BITU. When the TUC was disaffiliated with the PNP, the newly formed NWU operated in an even more centralized manner.<sup>74</sup> Third, the leadership of the PNP began to take on a somewhat more charismatic and autocratic leadership style. Manley's dismissal of the investigation involving the expulsion of the four H's is a case in point, which also had the consequence of reducing challenges to his authority and control of party direction. In addition, Manley and the other PNP executives would routinely speak at public outdoor "monster mass meetings", which contributed to an aura of charisma. These meetings would often include the strong-arm groups of many under- and unemployed, where oratorical skill and rhetoric were involved in a literal rallying of the troops, who frequently praised the name "Norman Washington Manley". His persona began to take on "heroic dimensions", and during the 1955 election campaign this image was reinforced by the widely-circulated PNP brochure "Man of Destiny", which painted Norman Manley in heroic light (Bradley 1960: 397). Lastly, the socialist and more radical language of the 1944 election was significantly toned down for the election of 1955, so much so that the PNP policy platform was virtually indistinguishable from the JLP platform (Smith 1957). Indeed, the promise of immediate material benefits seemed to replace the promise of a revolutionary government. In the run-up to the elections, the PNP published a cartoon ad of two men in conversation: "What's cooking Fred? Nothing since the JLP get in power – ah jus can't put pot pon fire [I just can't put the pot on the fire]".<sup>75</sup> Another ad depicts a construction crew paving a road in a rural area in front of a house with a resident inside saying "Dem could ah even cum asphalt me kitchen now me ah vote PNP [They could even come and asphalt my kitchen now

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<sup>74</sup> Richard Hart, *The Situation in Jamaica*, c. 1960. The Richard Hart Letters, the Sir Arthur Lewis Institute for Social and Economic Studies, the University of the West Indies, Kingston, Jamaica.

<sup>75</sup> *The Daily Gleaner*, January 10<sup>th</sup> 1955, p.2.

that I've voted PNP]".<sup>76</sup> As such, promises of concrete material benefits replaced the socialist rhetoric of the early 1940s to appeal to voters, and these tactics resulted in the broad working-class support that was necessary for electoral victory.

The emulation of JLP strategy, specifically the formation of groups such as the Pioneer Group and Group 69, carried with it certain operational consequences for the PNP. Since attaining office in 1944, the JLP were able to use state resources, mostly in the form of government work contracts, to reward supporters, especially party stalwarts who fought street battles on behalf of the JLP/BITU (Sives 2010). Thus, Bustamante set the pace for the clientelistic practice of partisan preferential hiring (Eaton 1975; Stone 1980). With the JLP setting the example, the formation of strong-arm groups within the PNP came with the expectation of eventual reward for loyalty when the party came to power. In 1949, the PNP gained control of the Kingston municipal council with their general election victories in several constituencies in Kingston (as members of the House with constituencies in the Kingston and St. Andrew Corporate area were *ex-officio* members of the city council). As Richard Hart (a PNP executive at the time) recalls, members of the PNP strong-arm groups, many of whom were unemployed and depended on manual labour, were given municipal work contracts in return for their partisan loyalty and support (Sives 2010).

Now that the PNP formed the new government, they had a much larger coffer from which to distribute patronage and reward supporters. Moreover, in 1957, the power of government expanded again, as the Executive Council was transformed into a Cabinet with the Chief Minister becoming the Premier of Jamaica. By 1958, three years into their mandate, Hart suggests that the PNP had outdone the JLP in patronage and partisan employment for state contracts, and as such have "consolidated a core of aggressive PNP support loyal for bread and

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<sup>76</sup> *The Daily Gleaner*, January 11<sup>th</sup> 1955, p.2.

butter.”<sup>77</sup> During 1959, it was alleged that in order to secure a government contract, road workers had to publicly denounce the JLP, while a PNP Party Group Leaders Training Document instructed the PNP group leaders to ensure that PNP supporters get the lion’s share of government work (Sives 2010). Aside from rewarding partisan loyalty, preferential employment had the consequence of bolstering the NWU membership numbers, where, by the time of the next elections in 1959, the NWU had a larger overall membership base than the BITU (see Appendix A). However, by the mid-1950s, union violence was on the decline and unions were becoming increasingly autonomous from political parties. As such, parties began concentrating their efforts on mobilizing the poor and unemployed through patronage benefits (Stone 1989). Thus, the PNP was at the forefront of this shift, outmanoeuvring the JLP at its own game and offering an unprecedented amount of patronage to both reward supporters and mobilize electoral support among the working class.

This institutionalized clientelistic relations in Jamaican politics, creating an expectation of benefits when one’s party got into power. Indeed, as Stone (1989) argues, the unemployed eventually became the largest voter swing group in Jamaican politics. This group became acculturated to voting based on their expected share of the state’s largess. Thus, it became difficult to break the cycle of patronage, because if one party ceased distributing it, supporters who were accustomed to it would simply change their electoral allegiances. Therefore, by the end of the PNP’s first term in power, both political violence and patronage politics had become mainstays of the democratic culture, which also resulted in a political culture where leaders were not held accountable for following the rules (Stone 1980). This marks the end of the critical

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<sup>77</sup> Richard Hart, Memo, March 26<sup>th</sup> 1958. The Richard Hart Letters, the Sir Arthur Lewis Institute for Social and Economic Studies, the University of the West Indies, Kingston, Jamaica.

juncture that triggered the path-dependent process that saw the escalation of both political violence and clientelism, and the subsequent deterioration of the rule of law.

### **The Unravelling of the Path-dependent Process: The 1959 Elections and Beyond**

The 1959 general election campaign saw the return of political violence. The violence was primarily concentrated around Western Kingston (a densely populated and poor working-class constituency), and also entailed an escalation from sticks and stones to the use of guns in partisan battles (Sives 2010). Furthermore, the political strong-arm groups, now being referred to as gangs, began attacking homes and individuals merely because they resided in certain communities that were known to provide a strong support base for a particular party (Sives 2010). The PNP won the elections by receiving 55% of the popular vote and 29 of the now 45 seats in the House of Representatives, with the remaining 16 going to the JLP (Munroe and Bertram 2006). After the election, the JLP requested a judicial commission into the impact of political violence on the election. The PNP proposed a bi-partisan committee to investigate election irregularities, but ignored the plea to investigate political violence. Manley also dismissed the JLP proposal to investigate the feasibility of providing government compensation for victims of partisan violence by stating that the issue of violence was “nothing but a red herring” and by reiterating that the JLP had begun the tradition of political violence in Jamaica (Sives 2010: 48). These responses by Manley further demonstrate the extent to which the PNP leader had changed. In the 1940s, the leader was the strong proponent of the law and legal procedure. Then, after achieving his party’s best electoral outcome, he dismissed calls for investigations into the political impact of vigilantism—an issue that he considered of the utmost significance in the mid-1940s. Thus, the idealist had transformed into the pragmatist, which in the Jamaican context entailed becoming increasingly charismatic and autocratic.

Between 1958 and 1962, many constitutional changes occurred in Jamaica. In 1958, Jamaica along with Barbados, Trinidad and Tobago, the British Leeward and Windward islands had formed the West Indies Federation, with each colony becoming a province. Although Manley and Bustamante led the two main federal parties (the West Indies Federal Labour Party and the Democratic Labour Party, respectively), both leaders declined to run for their respective federal parties, preferring to maintain their focus on Jamaican politics. The federation was to establish itself as a self-governing state within the British Empire, with the intention that it would soon be granted its independence from Great Britain. However, the federal government was structurally quite weak (with a low level of economic integration—lacking freedom of labour mobility between the provinces) compared to the power of the provinces. Consequently, the 1958 federal elections in Jamaica was met with relatively little voter interest and political violence (Sives 2010). In 1959, Jamaica was granted full internal self-government, which meant that all areas except those related to defence, foreign affairs and international trade were controlled by the Jamaican government. In 1960, without discussion with executive of either the JLP or the federal Democratic Labour Party, Bustamante decided to publicly opposed the federation (Sives 2010). With the opposition of the JLP, Manley decided to hold a referendum in Jamaica on the future of the federation. The referendum witnessed low levels of political violence, which Sives (2010: 56) argues indicates “that partisan political violence did not automatically occur around electoral moments, but rather became significant when the rewards were more obviously apparent.” To Manley’s surprise, in the referendum of 1961 the majority of Jamaicans sided with the JLP and voted to withdraw from the federation. The PNP government then entered into negotiations with the British Government and it was decided that Jamaican independence would be granted on August 6<sup>th</sup>, 1962. Manley also decided to hold a

general election prior to independence, so that the public could decide which party would lead them into statehood. During the 1962 general election campaign, violence was primarily concentrated in Western Kingston, as it was in 1959 (Sives 2010). The JLP won the elections and became the first government of an independent Jamaica.

As mentioned, the institutionalization of political violence and clientelism during the late colonial period set the stage for the escalation of political violence and patronage politics in the post-independence period that has been well-documented in the literature. To briefly summarize this literature, in 1963 the JLP government decided to demolish a Western Kingston neighbourhood known as a PNP stronghold to create Tivoli Gardens, a government housing complex where units were allocated to staunch JLP supporters. Tivoli Gardens became the first of several “garrison” communities, where an area becomes a “veritable fortress where the dominant party and/or its local agents/supporters are able to exercise control over all significant political, economic and community related social activities” (Figueroa and Sives 2002: 83). With the establishment of these communities came the process of communal patronage, where entire communities benefit from political patronage in return for votes (Stone 1980). This led to homogenous voting, where some polling stations returned up to 100% of the votes for one party (Figueroa and Sives 2002). The mid-1960s also saw the politicization of the lumpenproletariat and criminal gangs from the socio-economically disadvantaged neighbourhoods in Western Kingston (Lacey 1977; Payne 1988). These gangs were co-opted into the partisan struggle and incorporated into the patronage system. This resulted in an escalation of the intensity and the nature of political violence, including the increased use of guns and bombs, and led to open warfare between rival political gangs in Western Kingston, resulting in the declaration of a state of emergency in 1966 (Lacey 1977; Sives 2010). Consequently, this communal patron-client

arrangement ultimately affected the state, as its capacity to impose the rule of law rapidly disintegrated in these garrisoned neighbourhoods creating geographic gaps in state presence. Well-armed gangs defended their territory (i.e. neighbourhoods) from rival gangs and the police, where road blocks demarcated community borders and entry into and out of the neighbourhood became tightly controlled. As such, the power of the law enforcement was limited to occasional police and military raids (Figueroa and Sives 2002). By the late 1970s, party-affiliated strong men had substantial control over these communities; they “organized sallies into enemy territory and strategic withdrawals, held kangaroo courts, issued weapons, ordered executions, protected and informally policed their territories and generally kept everyone in order” (Eyre 1984: 27-28). In the 1980s the strong men of the garrison communities switched their focus from politics towards the expanding and more lucrative Columbian cocaine trade (Clarke 2006; Sives 2002). In this environment, the leaders of organized crime (or “drug dons”) wielded ultimate power in these communities and took it upon themselves to maintain order, distribute “jungle justice” and provide some forms of welfare to the community (Duncan-Waite and Woolcock 2008), while for the most part retaining their partisan connections. The state remained almost powerless to uphold the rule of law in these communities, and to this day its presence in these areas is largely limited to infrequent police raids. Consequently, as a result of the strong presence of politically-connected organized gangs in the garrison communities, Jamaica has developed one of the highest murder rates in the world and has a weak rule of law with respect to personal security.

## **Conclusion**

In summary, there were two key factors that contributed to institutionalization of political violence and patronage politics in Jamaica during the transition to universal suffrage. The first was the communal division between the middle and lower classes that resulted in differences in



political culture. The second was inaction on the part of the British Colonial Office to uphold the rule of law with reference to legal checks on the power of the first government elected by a full franchise.

I argue that the emergence and institutionalization of political violence and patronage politics in the 1940s and 50s began the path-dependent process of the weakening of the rule of law in Jamaica. The origins of political violence and clientelism in Jamaica lie in the transition to universal suffrage during the late colonial period. As a consequence of the island's history, a communal division had emerged between the middle and lower classes. By the 1940s, this division between the classes manifested itself, in Weberian terms, in differences in the types of authority seen as legitimate. The majority of the middle and upper classes believed in the legitimacy of legal state authority, while the lower classes largely did not. These structural conditions contributed to the electoral success of the JLP. Upon attaining power, the JLP government routinely broke the law with no effect on its support base. As the colonial government did very little to enforce the rule of law upon the government, the use of strong-arm tactics and patronage became an effective electoral strategy to win over the masses. The PNP had no choice but to give up its rationalism and idealism and to mimic the strategies of the JLP in order to survive. The adoption of charismatic appeals and strong-arm tactics by the PNP eventually led to their electoral success. Once in power, the PNP were obligated to dispense patronage to reward their supporters and street forces who had been disadvantaged regarding public employment and state assistance during the tenure of the previous JLP government. Therefore, members of the lower classes who were devoted party stalwarts or members of partisan strong-arm groups of both the PNP and the JLP came to expect to be rewarded with political patronage when their party came to power, and likewise be discriminated against when

their party was in opposition. This expectation marked the institutionalization of clientelism in Jamaican democratic politics. Consequently, any party that then made the decision not to distribute patronage to party supporters would have been tantamount to political suicide, as that party would have lost much working-class support, which would have compromised their electoral competitiveness.

It is the institutionalization of political violence and patronage during the period of 1938 to 1959 that serves as the critical juncture that triggered the path-dependent process of the escalation of violence that began in the post-independence period and continues to the present. As argued in the extant literature, the years immediately following independence in 1962 witnessed the creation of garrison communities, the development of communal patronage and the politicization of criminal gangs, resulting in an increase in gun violence and other forms of violent crime, and a decrease in the capacity of the state to enforce the law in these garrison neighbourhoods. These events were a direct consequence of the political violence and clientelism that developed as a part of the Jamaican democratic culture during the late colonial period. Later, in the 1980s, the garrison communities (which were mostly out of the reach of the law) provided the ideal environment for the expansion of the drug trade. These neighbourhoods evolved into strongholds of organized crime that controlled cocaine trafficking, while becoming areas that were increasingly difficult for the law to penetrate. Since then, violence between political factions and drug dons continued to escalate to the point that Jamaica became the “murder capital of the world” in 2006.<sup>78</sup>

This case supports past findings showing that ethnic diversity negatively affects state effectiveness and the rule of law, while also supporting the literature that emphasizes the

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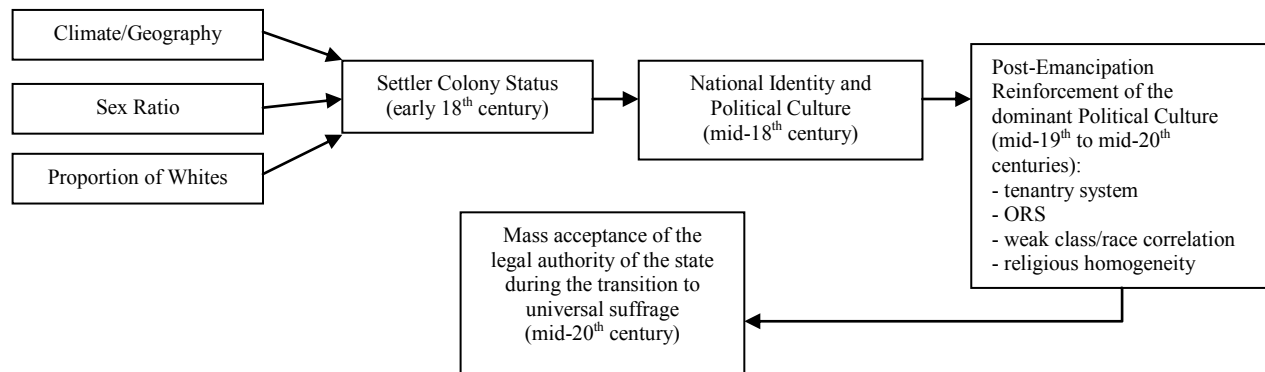
<sup>78</sup> BBC (2006) “Jamaica ‘murder capital of the world’”.  
[http://www.bbc.co.uk/caribbean/news/story/2006/01/060103\\_murderlist.shtml](http://www.bbc.co.uk/caribbean/news/story/2006/01/060103_murderlist.shtml). Accessed: November 1, 2010.

importance of culture in the state-building process. In particular, it shows how ethnic divisions among the newly enfranchised electorate (largely as a result of their separation from many of the dominant colonial institutions) contributed to class differences in political culture and the how latter affected state legitimacy. In combination with a popular leader who was willing to use violence and patronage to gain power and a colonial government that was willing to turn a blind eye on both violence and patronage, the lack of legitimacy and the distance of the population from the state caused many people to accept violence as a component of politics and promoted a patronage system in which powerful patrons—not the state—ultimately came to rule large swaths of territory. This is the situation that led to the breakdown of the rule of law in Jamaica.

## **CHAPTER 4 – BARBADOS**

This chapter examines Barbados as a negative case regarding the development of political violence, patronage politics and the concomitant deterioration of the rule of law. It reviews the development of state authority in Barbados during the early colonial period (17<sup>th</sup> to 20<sup>th</sup> centuries) and the organization of political parties and trade unions during the late colonial period (1937-1966). I argue that as a consequence of its historical trajectory, the majority of Barbadians held similar attitudes regarding state authority by the late colonial period. This process began early in the colony's history with the perception of Barbados as a genuine settler colony due to its favourable climate and geography, balanced sex ratio, and high proportion of white residents. That white residents came to view the island as a permanent home led to the development of nationalist sentiments that entailed pride in the island and the construction of a distinct national Barbadian identity. This identity was heavily influenced by specific Victorian values, emphasizing a strong sense of moderation, stability, law-abidingness and gradualism. The political culture that formed out of this national identity and its associated collective values was reinforced during the post-emancipation era by the tenantry system, the survival of the Old Representative System (ORS), the weak correlation between race and class, and by the island's religious homogeneity. As a result of all these factors, the majority of Barbadians from all classes viewed themselves as members of a national community and had adopted the dominant political culture by the time of the transition to universal suffrage during the late colonial period. Accordingly, most Barbadians of all classes accepted the legitimacy of the state, legal authority and democratic institutions (refer to Figure 4.1).

**Figure 4.1: The Historical Development of State Authority in Barbados, early 18th to mid-20<sup>th</sup> centuries**



During the transition to universal suffrage in the 1940s, two competing progressive political parties emerged. Both were competing for the progressive vote, both had established affiliated trade unions and by the mid-1940s both had roughly equal levels of popular support. Moreover, as in Jamaica, substantial personal animosity developed between the two leaders who were both fighting for the same cause. Although some minor instances of political violence occurred between the two competing party-union complexes, interpersonal violence did not become part of the repertoire of political tactics used during election campaigns. I contend that this was a result of the absence of communal divisions, which facilitated that internalization of the dominant political culture by members of both parties and, more importantly, by the majority of the electorate. The greater level of integration of the lower classes into the formal political system prevented the escalation of political violence and the establishment of patronage politics (thereby preventing the deterioration of the state's authority and infrastructural power).

### **Colonial Settlement and Development, 1625-1838**

Barbados is an island of 410 square kilometres that forms part of the Lesser Antilles in the Caribbean Sea. It is a coral island and its terrain is relatively flat compared to many of the

more mountainous Caribbean islands (including Jamaica). Prior to the arrival of the Europeans, Barbados was settled first by Taíno and later by Kalinago migrants from South America. Spanish mariners that visited the island in the early 1500s reported that it had indigenous (i.e. Kalinago) settlements; however, in 1536 a Portuguese explorer reported that the island was uninhabited, which was later confirmed by English explorers in 1625 (Beckles 2007). It is thought that the slave-raiding missions of Spanish conquistadores to capture labourers for the Americas resulted in a significant depletion of the indigenous population and that those who managed to escape the raids fled for the relative safety of the more mountainous islands nearby. Although Iberian explorers had landed on the island, their interest in it was minimal (aside from the raids) and as such their visits did not result in permanent European settlement. Consequently, when English mariners arrived in Barbados on May 14<sup>th</sup> 1625, the island was uninhabited and was subsequently claimed as an English colonial possession.

Colonists from Britain began arriving in 1627. As in Jamaica, the settlers originally planted tobacco and cotton. Most of the labour for these plantations were indentured Irish, Scottish and English servants, who comprised over half the whites arriving in Barbados during the 1630s and 1640s (Beckles 2007). The 1640s witnessed the take off of the sugar revolution, whereby sugar cultivation quickly overtook the planting of tobacco and cotton. With the rise of the more lucrative and labour-intensive sugar industry came the importation of significant numbers of African slaves. Accordingly, the population of blacks began to rapidly increase in the 1640s, where by the mid-1650s blacks and whites were nearly equal in number, and by the beginning of the 18<sup>th</sup> century blacks outnumbered whites by a ratio of roughly 4 to 1 (refer to Table 4.1).

**Table 4.1: Population Estimates of Barbados by Race**

Year	Whites	Blacks
1643	37,000	6,000
1655	23,000	20,000
1673	21,309	33,184
1676	21,725	32,473
1684	19,568	46,602
1712	12,528	41,970

Sources: Watson (1979) and Dunn (1973)

Barbados was unique among Anglo-Caribbean islands as it had a relatively high proportion of white residents. From the 1750s to the 1780s, the proportion of whites had stabilized at around 17% of the population (Beckles 2007: 53). Moreover, there was significant variation in the class distribution of the white population. By the late 18<sup>th</sup> century, slightly less than 25% of the white population were upper-class (chiefly planters), with the middle-class (plantation managers, professionals, small merchants and small-scale planters) comprising a further quarter of the white population, while more than half the whites were poor (Lambert 2005; Watson 1979). These poor whites, who were given the derogatory label of “redlegs,” consisted primarily of the descendants of the Irish, Scottish and English indentured servants that arrived between the 1630s and 1650s. These former servants found it difficult to acquire productive arable land, and as such became wage labourers and subsistence peasants on small low-yield plots.

Another notable demographic feature of Barbados was its sex ratio. By the early 1700s, women formed the majority of both the white and black populations (Beckles 2007; Lambert 2005). Accordingly, Barbados achieved a stable sex ratio with women forming the majority much earlier than many West Indian islands, including Jamaica. Consequently, the extent of mixed coupling in Barbados was much less than on the islands where white males significantly outnumbered white females, resulting in a mixed-raced population that was comparatively low.

Near the beginning of the 19<sup>th</sup> century, it is estimated that there were about 2,000 free people of colour as compared to about 8,000 poor whites (Lambert 2005). The poor whites often experienced lower standards of living than the free coloureds and blacks, who were concentrated in urban areas (Beckles 2007). Given its relatively small mixed-race population, Barbados did not officially recognize formal racial gradations as did Jamaica (Lambert 2005; Watson 1979). At the same time, the legal system strongly favoured whites. As in Jamaica, white settlers were given full legal rights, slaves were treated as private property with very few rights, while the free coloureds and blacks were given many legal rights and privileges, but with some restrictions. For instance, free coloureds and blacks were prohibited from giving testimony against whites in legal proceedings (Lambert 2005:80). Therefore, prior to emancipation, as a distinct legal group that enjoyed certain privileges, whites were at the top of the racial hierarchy, while there was little legal differentiation among the non-white population lower on the hierarchy (aside from distinguishing slaves from free persons). Accordingly, Barbados can be said to have had “a bipolar racial taxonomy” that distinguished between white and non-white, notwithstanding the ambiguous position of the free people of colour and poor whites in the racial hierarchy (Lambert 2005: 80).

Although race was certainly important in Barbadian society, it was not the primary organizing principle of social relations. When some prominent white Barbadians, including historian John Poyer, proposed a race-first movement that would focus on uplifting poor whites, the movement was met with ambivalence by many white planters, who were more interested in maintaining their advantaged position in the extant class system rather than any system based on the racial superiority of whites (Beckles 2007; Lambert 2005). Given the large group of poor whites and the relatively small group of mixed-race persons, the class-colour correlation was



weaker in Barbados. Thus, skin complexion was not necessarily a good predictor of class position, with latter assuming a more central role in the organization of social relations than the former.

The early stabilization of the sex ratio of the white population combined with the island's favourable geography and climate contributed to the early sense that Barbados was a true settler colony; that is, a colony where colonists plan to permanently settle. Given that white females slightly outnumbered white males, family unions were relatively stable in Barbados by the early 18<sup>th</sup> century (Watson 1979). Conversely, in Jamaica the white population was predominantly young men whose ambition was to come to Jamaica to acquire a fortune and then return to Britain to settle permanently (Segal 1995). As such, by 1740 about 1/3 of the plantation owners in Jamaica were absentee (residing in Britain), rising to around 2/3s by 1800, while in Barbados there was a substantially smaller proportion of absentee planters (O'Shaughnessy 2000; Watson 1979). Moreover, the climate and geography of Barbados made it more favourable to European settlement than other West Indian islands. Given its open geography and constant wind currents, the climate in Barbados is considered moderate-tropical and does not get as hot as many of the other Caribbean islands. Furthermore, as a coral island Barbados has porous soil that makes drainage effective and reduces the accumulation of stagnant bodies of water, which lowered the incidences of malaria and yellow fever among the colonists (Watson 1979: 7). Thus, during the 18<sup>th</sup> century, Barbados was regarded as a "colony of settlement," while Jamaica was regarded as a "colony of exploitation" (Jones, Mills, Clarke, Brown, LeFranc, and Henry 1997: 38; O'Shaughnessy 2000).

That Barbadian whites came to view the island as a permanent home led to the development of nationalist sentiments. A sense of pride in their island and a Barbadian (or

Creole) identity had begun to take root by the mid-18<sup>th</sup> century (Watson 1979). By the early 1800s, the strong sense of Barbadian nationalism was well-documented. During his visit to Barbados, Pinckard (1806: 76,78) notes that a:

sense of differentiation is strongly manifested in the sentiment conveyed by the vulgar expression to [sic] common in the island – ‘neither Charib [indigenous], nor Creole [European], but true Barbadian,’ ... And there are multitudes in Barbados who never saw any other soil, and who no doubt, from the same laudable sentiment which we so honor as Britons, regard their native isle as pre eminent above all others.

Madden (1835: 23) remarked that “[t]he people of Barbados are infinitely prouder of their country than those of Jamaica are of theirs.” Strurge and Harvey ([1837] 1968: 152) commented that Barbados has “a body of native resident proprietors, who have found it possible to forget that England is ‘home;’ and who glory in the title of ‘Barbadians.’ They possess a real nationality, with characteristics, neither English, Irish, nor Scotch.” Similar observations were made in the latter half of the 19<sup>th</sup> century. In 1874, the *Agricultural Reporter* (a Barbadian newspaper) reported that “there had been an old saying that ‘the two proudest nations of the globe are the Barbadians and the fantail pigeons’” (Davis 1983: 18). In a Royal Commission Report conducted in 1897, the author noted that “the attachment of the inhabitants to the island and to the traditions of the past is exceedingly strong” (Morris 1897: 29).

Nationalism was not limited to the white residents. As noted, women also formed the majority the black population by the early to mid 1700s, a feature unique to Barbados among the West Indian islands. During the same period, Barbados was also exceptional in that it had a substantially high proportion of Barbadian born (as opposed to African born) blacks (Beckles 2007; Watson 1979). These demographic factors contributed to a sense of nationalism among the slave population. Pinckard (1806: 76) commented that nationalism “...is participated even by the slaves, who proudly arrogate a superiority above the negroes of the other islands! Ask

one of them if he was imported, or is a Creole, and he immediately replies – ‘Me neder Chrab [indigenous], nor Creole [African], Massa! – me too Barbadian born.’” Indeed, the sense of nationalism was strong enough among the slave population that after the deportation of some slaves to Sierra Leone after the slave rebellion of 1816, many them petitioned the Crown in 1841 begging to be returned to their native island of Barbados (Welch 2001).

The development of a nationalist sense of pride in Barbados was part of a larger nation-building (or creolization) process that also involved the formation of a Barbadian national identity. National identity is defined here as a collective cultural phenomenon that involves a sense of belonging to a common political community and the adoption of specific common (national) values that influence political culture. This distinct Barbadian character began to form by the mid-18<sup>th</sup> century (Watson 1979). With a relatively low proportion of African-born slaves, African culture and customs were less identifiable than in Jamaica, while the Barbadian Creole language is more anglicized and contains less African word borrowings than does Jamaican patois (Watson 1979). Notwithstanding that certain African cultural practices were retained by the slaves but hidden from view due to pressure from the white community (e.g. Obeah), on the whole slaves were not able to re-establish African culture nor develop new independent cultural patterns (Beckles 2007: 64; Greenfield 1966: 171). Consequently, the creolization process was heavily weighted on European cultural traditions for both the white and slave populations, much more so than other Anglo-Caribbean colonies. With the white elite attempting to recreate patterns of English country life, Barbadians came to define themselves by their “moderation” and “the natural mildness and benignity of their tempers” (Greene 1987: 264-265; Watson 1979). The national identity that developed has been described as representing “the preoccupation with class, deference, discipline, diligence, thrift, and rectitude that resembled the values of Victorian

England” (Segal 1995: 292). It has also been characterized as “[a]n abundant sense of insular or national pride that cuts across races and classes; an affinity to things British; a disposition in favor of stability and resistance to rapid change” (Will 1972: 110-111). Consequently, by the early 19<sup>th</sup> century, residents began referring to the island as “Little England” (Greene 1987: 266). However, it is important to highlight that while the Barbadian national identity was arguably constructed around certain values found in rural England in the 18<sup>th</sup> century, it had a uniquely Barbadian flavour, and did not entail a comprehensive adoption of British culture. Thus, the label “Little England” is somewhat misleading as the national identity and collective value system that developed were exclusively Barbadian.

### **Emancipation and the Tenantry System, 1838-1937**

At emancipation in 1838, former slaves found themselves in a different predicament than their counterparts in the larger Caribbean territories of Jamaica, Guyana and Trinidad. In Barbados, it was extremely difficult to acquire land. All productive land was already in use, with 81% of the island’s total acreage controlled by 441 of the 508 plantation estates (Beckles 2004b). The scarcity of arable land in Barbados made it comparatively expensive (refer to Table 4.2). In addition, in order to maintain a landless proletariat after emancipation, the plantations generally did not offer to sell parcels of their land to the few labourers who were able to save enough via wages or other means. Moreover, there were no crown lands available for squatting as there was

**Table 4.2: Land Values in the British Caribbean in the Late 1840s**

Colony	Mean Price Range per Acre (£)
Dominica	1 - 3
Trinidad	1 - 13
Guiana	1 - 30
Jamaica	4 - 20
Antigua	40 – 80
Barbados	60 – 200

Source: Beckles (2004b: 80)

in Jamaica, which further limited the former slaves' access to productive land. The situation was well-summarized by a local Magistrate in 1841:

Little progress has been made by the labourers in establishing themselves as freeholders, not from any disinclination on their parts to become so, but, circumstanced as our island is, there is little probability of any great number being able to obtain freeholds. The reason is obvious; there is not in the whole island a spot of waste land fit for cultivation, and as the land is principally divided into plantations, the proprietors are not likely to sell off small plots for that purpose; and there being no public lands available, it is plain that freeholders to any extent cannot be established in this country (as cited in Momsen 1988: 3).

The barriers confronted by the newly emancipated black population in acquiring land significantly hindered the establishment of a Barbadian peasantry. In Jamaica, many former slaves became peasants, with a substantial number becoming successful independent producers and commercial farmers supplying both local and export markets (Beckles 2004b). This was not the case in Barbados, where the vast majority of the former slaves had no choice but to remain landless labourers. The scarcity of land gave the planters a clear upper hand on the labour market, whose advantage was further consolidated with by their control of the Assembly, which enacted laws that resulted in the creation of the tenantry system. The tenantry system was a legal framework governing plantation labour, whereby former slaves could occupy slavery era housing and a small plot of inferior land on a plantation in return for providing full-time wage labour exclusively to the estate below the market rate. Exorbitant fines were imposed on the tenant for any days absent from work – often the amount of a day's wages. Most importantly, non-compliant tenants and their families could be evicted from their house with only a few days notice, often with nowhere to go. The tenantry system was therefore a coercive legal arrangement based on a type of debt peonage. It was designed to maintain a large number of labourers who were forced or frightened into working on plantation estates for extremely low

wages under poor conditions in order to survive. For many former slaves, living conditions worsened after emancipation as wages were often below subsistence levels, and given that plantations were no longer responsible for the life-long survival of their labourers, estates no longer provided healthcare nor did they house and feed the elderly and infirm labourers as they were legally required to do during slavery. The infant mortality rate increased after emancipation and remained comparatively high well into the 20<sup>th</sup> century (Applewhaite 2007; Beckles 2004b), during which time the basic structure of tenantry remained unaltered.

Under such oppressive conditions, plantation workers were eager to change their lot in life. Opportunities for upward social mobility on the island were quite limited and were mostly confined to education. After emancipation, a “cult of education” developed among the former slaves who came to value formal education and insisted that their children attend school (Beckles 2004b: 59). That is, labourers developed a “cultural propensity to access education largely because they...received a landless emancipation, a disenfranchised freedom that drove them to rely upon professional and academic certification in order to escape the entrapment of sugar estates” (Beckles 2007: 296). This emphasis placed on education and the professions by Afro-Barbadians suggests they were oriented towards the collective value system (regardless of whether this orientation was out of a natural proclivity for such values or out of necessity), while the education system acted as a socialization agent that further reinforced these values. By the 1940s, Barbados was unique in the West Indies as it had near universal literacy (Beckles 2004a: 61).

Barbados, like Jamaica and the other West Indian colonies of that era, was governed through the “Old Representative System” of government, where power was divided between the Governor (appointed by the Crown) and the House of Assembly (a representative body of elected

members based on a restricted franchise among the colonists). The Assembly had legislative power while the Governor was responsible for the execution of laws. Although the Governor could veto legislation passed by the Assembly, the Assembly retained the authority over all bills related to taxation and public spending, including the Governor's salary. Unlike Jamaica, however, Barbados never became a crown colony. The House of Assembly was established in 1639 and is currently the third-oldest representative assembly in the Western Hemisphere, preceded only by the Virginia House of Burgesses and Bermuda's legislature. The fact that Barbados had retained its Assembly (and control of the public purse) while many other Caribbean islands became crown colonies (i.e. directly ruled by the Colonial Office in Britain) during the 19<sup>th</sup> century reinforced the sentiment that the island was a genuine settler colony and was a source of national pride. Moreover, the maintenance of a planter-dominated Assembly throughout the 19<sup>th</sup> century was crucial in sustaining the tenantry system, which reinforced the value of education among the landless. It is thought that direct rule from Britain would have resulted in a less exploitative arrangement for plantation workers.

In 1829, there was an estimated 5,146 free coloured and black population (Stafford 2005: 47). Approximately 47% of the free non-white population were black, while the remaining 53% were mixed-race (Beckles 2007). This group formed the basis for what was to become the non-white middle class. In investing in education for their children, the brown and black middle class was able to consolidate their position between the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, growing from approximately 2,000 households in the 19<sup>th</sup> century to around 20,000 households by the 1930s (Stafford 2005: 1). Accordingly, the middle and working classes were not separated by skin colour (especially given that there were also white members of both classes), with the non-white middle class comprising roughly equal proportions of both black and brown individuals.

Therefore, class differences were not compounded by racial differences, which resulted in less social distance between the lower and middle classes than in Jamaica.

Social and cultural differences between the lower and middle classes were also mitigated by religion. From the time of settlement, the Anglican Church remained the dominant church well-into the mid-20<sup>th</sup> century. In 1871, 88.9% of the island's population were members of the Anglican Church, dropping to 85.6% by 1891 (Davis 1983: 26). By 1946, membership of the Anglican Church had decreased to 66% of the population, while the second most popular religion—the Wesleyan Church—attained a following of 6.56% of the population (with the Baptist Church attaining a mere 0.44% following among the population).<sup>79</sup> Accordingly, the Anglican Church remained the dominant church of all classes. As in Jamaica, it was the established church and was endowed by state funds; however, its disestablishment and disendowment did not occur until 1969. Moreover, the Anglican Church in Barbados was also the church of the planter elite and was an effective instrument of social control that supported the status quo of the oppressive tenantry system (Davis 1983). The Church managed the Vestries and welfare services, and it provided and controlled much of the education system. As Stafford (2005: 202) writes, “[t]hose who lived on plantations were usually expected to attend church and it was useful for the poor to attend the Anglican Church as a connection to the Vestry who administered poor relief and to the minister who could give references for jobs.” Thus, membership among the working classes was in part due to necessity, which resulted in high nominal membership but low active membership in the Church (Davis 1983). Nonetheless, the pervasiveness of the Anglican Church in many facets of labourers lives (the labour market, education system and poor relief) limited the popularity of the more radical of the non-conformist Protestant churches (such as the Baptists), let alone the development of more radical

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<sup>79</sup> West Indian Census (1946), “Census of the Colony of Barbados”, Government Printer: Kingston, Jamaica.



religions. Consequently, organized religion did not provide the laboring masses with a forum for the development of alternative world-views, cultural resistance and social change, but reinforced the dominant values of society.

In summary, after emancipation there were a variety of factors that contributed to the widespread adoption of the dominant political culture among the masses. The inability of acquiring arable land resulted in the tenantry system, whereby the only means of social mobility among former slaves was education and participation within the colonial system. In addition, that Barbados was able to retain its Assembly both strengthened Barbadian nationalism and reinforced the tenantry system. Therefore, unlike the more culturally autonomous Jamaican peasants, Barbadian plantation labourers could not escape the dominant social institutions (i.e. economic, religious and educational institutions), which hindered the development of an oppositional culture. The relatively minimal African influence on the island limited cultural alternatives and promoted the acceptance of the dominant value system and political culture. Moreover, class differences were not compounded by racial and religious differences, resulting in the absence of communal divisions between the working and middle classes, which further facilitated the socialization of the lower classes into the dominant political culture.

### **The Disturbances of 1937 and its Aftermath**

As in many countries, Barbados experienced difficult economic times during the 1930s. The depression led to falling sugar prices, which further aggravated the problems of unemployment, low wages, poor working conditions and poverty among the working class. The level of frustration among labourers was high, which was reflected by a number of local flare-ups among the working class that began in 1934 (Mark 1966). These outbursts culminated in what has become known as the disturbances of 1937.

The immediate cause of the disturbances surrounded the arrest of Clement Payne on July 22<sup>nd</sup> 1937. Payne came to Barbados from Trinidad March 26<sup>th</sup> 1937. He began holding mass meetings giving fiery speeches calling for the immediate formation of labour unions, which at that time were illegal in Barbados (Beckles 2004a). In a short period of time Payne gained a large following among the working class, especially among radicals and the younger generation. The authorities took notice and, in conjunction with their counterparts in Trinidad, Payne was arrested on the charge of falsely declaring his birth country as Barbados (as he was born in Trinidad) to Barbadian immigration officials. He was arrested July 22<sup>nd</sup> and fined ten pounds. The following day, Payne led a non-violent protest march against the conviction to Government House, where he was arrested, detained and served with a deportation order. On July 26<sup>th</sup>, Payne's counsel, Grantley Adams, succeeded in the appeal to quash the conviction against Payne for his false declaration of his place of birth. However, Adams was unsuccessful in his attempt to have the deportation order rescinded. Later that day the police, fearing an uprising among Payne supporters if he was openly deported, secretly placed him on a steamer bound for Trinidad. That evening, a large crowd that had assembled on the wharf expecting to witness and protest Payne's deportation received word that he had already been deported by the authorities. The crowd began rioting that evening, which intensified the following morning. The Riot Act then went into force, and by the time order was restored, the total number of casualties were 14 killed and 47 wounded.<sup>80</sup>

Although Payne's deportation and the subsequent disturbances marked the beginning of fundamental change in the colony, it would be his lawyer, Grantley Adams, who would become a more influential force in shaping the island's history. Adams was born in Barbados in 1898

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<sup>80</sup> Report of the Commission appointed to enquire into The Disturbances which took place in Barbados on the 27<sup>th</sup> July 1937 and subsequent days (Deane Commission), CO 28/319/8/65678, the Sir Arthur Lewis Institute for Social and Economic Studies, the University of the West Indies, Kingston, Jamaica.

and was of mixed-race. He was awarded a Barbados Scholarship and studied law at Oxford University. He was called to the Bar in London and practiced law there until his return to Barbados in 1925. Upon his return, Adams was a respected legal professional, and like many of the middle-class at that time, was initially opposed to the progressive movement. However, Adams began to support progressive causes as a successful candidate in the 1934 general elections, where he was re-elected as a member of the House of Assembly in 1935 and 1936 (Hoyos 1974). However, it was after the disturbances of 1937 that Adams began to agitate more forcefully for better social conditions among the masses.

In 1938, the Deane Commission undertook its investigation to determine the causes of the disturbances. The Commission concluded that although the arrest and deportation of Clement Payne was the immediate cause of the disturbances, the ultimate causes were the economic conditions of the labourers, including overpopulation, unemployment and wages that were “below subsistence levels” and “inadequate to provide the bare necessities of existence.”<sup>81</sup> The Barbados Progressive League (BPL) was founded shortly after the Deane Commission in July 1938 (Hoyos 1978). It was formed “to mobilise and direct the upsurge of political enthusiasm and energy released as a result of the disturbances of 1937 and the announcement of the appointment of the Royal [Moyne] Commission.”<sup>82</sup> The stated purpose of the BPL was:

to provide political expression for the law-abiding inhabitants of the colony, to equip them with the sort of political education that would enable them to participate in the development of democratic institutions, to promote their social and economic improvement and to assist in the extension of all principles of good government (as cited in Emmanuel 1988: 99).

The seven inaugural members of the League’s Executive Committee included Grantley Adams (appointed as Vice-President) and Wynter Crawford who had declined the position of General

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<sup>81</sup> *Ibid.*, p.7.

<sup>82</sup> Barbados Progressive League (1944), Policy and Programme.

Secretary (Beckles 2004a; Emmanuel 1988). Crawford, an Afro-Barbadian, had launched the Barbados Observer in 1934—"a radical newspaper, boldly identifying and attacking 'conservative' forces and racial discrimination, vigorously promoting 'progressive' causes...campaigning for a socialist rearrangement of society, for self-government and independence" (Crawford and Marshall 2003: xiv).

The Moyne Commission was appointed to examine the causes of the disturbances in Barbados and similar events across the Anglo-Caribbean and to make a variety of recommendations to temper dissatisfaction of the masses. It was in a memorandum to the Moyne Commission in January 1939 that the Barbados Progressive League first stated its policy programme. Its main planks included a legal minimum wage, increased access to health clinics, improved housing and infrastructure, free compulsory education, land reform (including partial nationalization of the plantation system), universal suffrage, self-government and the establishment of a West Indian federation. Adams was also called upon to give evidence as part of Moyne Commission and his testimony was socialist in nature, but shortly thereafter he moderated his policies (Hoyos 1972; Hoyos 1974). The recommendations of the Moyne Commission published in February 1940 included many (but not all) of the suggestions of the League, including the establishment of a fund by the Imperial Exchequer to finance social services in the colonies, especially in the areas of health care, education and housing; the legalization and legal protection of trade unions; and a move towards universal adult suffrage for the local and central governments in each colony.<sup>83</sup>

Adams's moderated strategy for social reform was to persuade the plantocracy that concessions to workers was in their long-term interests (Beckles 2004a: 27). However, his moderation quickly led to rift in the executive of the League by March 1939. Herbert Seale, who

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<sup>83</sup> West India Royal Commission 1938-39 Recommendations (1940), Cmd. 6174: London.

had become General Secretary of the League, was a more aggressive agitator who took a more hostile approach to labour relations that culminated in the organization of an unauthorized strike at the end of February. Adams disapproved of Seale's militant approach, and a public confrontation between the two executives resulted from the strike. Seale was forced to resign from the League's executive, and Adams resigned from his position of Vice-President to protest the honorarium that was to be paid to Seale by the League upon his departure. After his resignation, Adams waged a public battle with the executive of League, which ultimately resulted in their resignation (Hoyos 1974). Adams was then able to drum up support for the Executive Committee elections and became President of the League on June 23<sup>rd</sup> 1939. After the elections, five of the original seven executives left the League (including Wynter Crawford), leaving Adams and his supporters in control (Crawford and Marshall 2003). Later that year, the Trade Union Act was passed by the House of Assembly. The Act, which was to come into effect on August 1<sup>st</sup> 1940, legalized trade unions in Barbados. The legal recognition of trade unions came relatively late to Barbados, as compared to Jamaica where trade unions were legally recognized in 1919, British Guiana in 1921, Trinidad in 1932 and St. Vincent in 1933.

With Adams in control, by 1940 the League took out the more radical planks of its platform and no longer advocated for fundamental changes to the plantation system (i.e. nationalization). Rather, it advocated a set of comprehensive reforms to benefit labour, such as minimum wage legislation, public health insurance, a housing and sanitation scheme, free compulsory education, old age pensions, unemployment insurance and workmen's compensation along with universal suffrage and a West Indian federation.<sup>84</sup> The League was structured to combine three separate organizations under one executive board – a labour union, political party and a friendly society (a mutual association among workers to provide social welfare to

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<sup>84</sup> Barbados Progressive League (1944), Policy and Programme.

members). Its slogan was “Three units, one arm, raising the living standard for the working classes” (as cited in Beckles 2004a: 29). Accordingly, with the passage of the Trade Union Act, the organization of the League’s trade union activities intensified in 1940.

The League established the Barbados Workers’ Union (BWU). Given the relatively small population size of the island, the BWU was structured as a general union organizing all types of workers divided into semi-autonomous divisions. As such, each division of the BWU had a good deal of internal control (Adams 1966: 21; Brandford 1991). The League followed the advice of Sir Walter Citrine, the General Secretary of the British Trade Union Congress, who suggested that the BWU should be “organised into a number of divisions with a central executive council elected by the annual delegate conference which is the ultimate governing body of the Union.”<sup>85</sup> The BWU was officially registered October 4<sup>th</sup> 1941, with Adams elected as its first President (Marshall 1991). Given Adams’s moderate leadership style, the BWU was somewhat conservative as a labour union and largely rejected the strike as a legal weapon (Mark 1966).

### **A Progressive Party in the House of Assembly – The Elections of 1940 and 1942**

In the general elections of 1940, the League captured 5 of 24 seats in the House of Assembly, of which one went to Adams and another to Wynter Crawford. Although Adams actively campaigned against Crawford, Crawford supported the progressive cause and aligned himself with the League in the House of Assembly (Crawford and Marshall 2003). Notably, conservative elements remained in control of the Assembly as the franchise restrictions had not yet changed since the disturbances of 1937, where voters numbered approximately 4,500 or less than 4% of the adult population (Crawford and Marshall 2003; Phillips 1990). Nonetheless, the League became the first organized political party in Barbados.

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<sup>85</sup> Barbados Workers’ Union (1946), “Five Years of Trade Unionism” in *Barbados Workers Union Fifth Anniversary 1941-1946*, p. 24.

In 1941, conservative elements on the island formed a political party, the Elector's Association, to counter the rising influence of the League. The Elector's Association was predictably more right leaning, and its manifesto indicated that the fundamental difference between it and the League was its emphasis on free enterprise as opposed to nationalization.<sup>86</sup> The incoming Governor of Barbados, Sir Grattan Bushe, described the Electors' Association "as an organ of the influential white element" that included the Attorney General, who was also a member of the executive.<sup>87</sup> By the early 1940s, the Old Representative System in Barbados had evolved into the Governor's Office (holding executive power, which included the Attorney General), the House of Assembly of 24 members elected on a restricted franchise (holding legislative power, including control over the budget), a Legislative Council of nine members appointed by the Governor with veto power over Bills, and an Executive Committee, established in 1881, which acted in an advisory capacity (i.e. as a Cabinet) to the Governor who was not obliged to follow their recommendations (Emmanuel 1988). The Governor was the Chairman of the Executive Committee, which comprised two ex-officio officers and four members of the House of Assembly, all of whom were chosen by the Governor. Governor Bushe had arrived in Barbados with an agenda of constitutional reform and wanted the Executive Committee to be more representative of the Assembly.

In the general elections of 1942 (during this period, general elections were held every two years), the League won 4 of 24 seats, with both Adams and Crawford being re-elected. Bushe publicly mused about appointing Adams to the Executive Committee, and was met by resistance from the conservative element. However, Bushe met with each member of the Executive Committee separately to impress upon them the undesirability of excluding one party in the

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<sup>86</sup> Barbados Elector's Association Manifesto and Policy 1951.

<sup>87</sup> Governor Bushe, Letter to Downie, January 8<sup>th</sup> 1942. CO 28/328/65699/3, the Sir Arthur Lewis Institute for Social and Economic Studies, the University of the West Indies, Kingston, Jamaica.

Assembly from the councils of government and to “give the experiment a trial”.<sup>88</sup> Adams was subsequently appointed to the Executive Committee. At the same time, Bushe also persuaded the Executive Committee to adopt the Franchise Bill which lessened the franchise restrictions, which although was not the universal adult suffrage that Adams had unsuccessfully proposed as a private member’s bill in 1940, was designed by the Governor to begin a process of gradual reform.<sup>89</sup> In the end, the franchise reform reduced the annual income qualification from £50 to £20 and gave women the right to vote. This had the effect of tripling the number of votes cast, from around 4,500 votes prior to the reforms to around 15,800 votes in the subsequent (1944) general election (Phillips 1990).

### **A Split in the Progressive Movement and the Elections of 1944**

In 1943, the relationship between Adams and Crawford became even more tenuous. As editor of the Barbados Observer, Crawford wrote an article on October 23<sup>rd</sup> covering the memorial service for Clennell Wickham. In 1930, Wickham was editor of the Barbados Herald, a radical newspaper with a political orientation similar to Crawford’s Observer, while at that time Adams was editor of a conservative newspaper, the Agricultural Reporter. A libel suit was brought against Wickham, and Adams took the case for the prosecution. The case was tried by a Special Jury at Adams’s request, with Adams winning the case against Wickham, resulting in the bankruptcy of the Barbados Herald and Wickham’s subsequent departure from the island. At the memorial service in 1943, Adams eulogized Wickham. In his article “A Grave Error”, Crawford wrote that Wickham “must have been turning in his grave on hearing all these eulogies from Grantley Adams” and that “Wickham could have never forgiven Adams for the part he played in

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<sup>88</sup> Governor Bushe, Letter to the Secretary of State for the Colonies, March 7<sup>th</sup> 1942. CO 28/327/65635/9820, the Sir Arthur Lewis Institute for Social and Economic Studies, the University of the West Indies, Kingston, Jamaica.

<sup>89</sup> *Ibid.*



virtually chasing him out of the island” (Crawford and Marshall 2003: 54). Adams prosecuted Crawford for libel, his request for a Special Jury was again granted, and was awarded £1,500 in damages in May 1945.<sup>90</sup> The collection of the judgement would have bankrupted Crawford, shut down the Barbados Observer, and would have prevented him from sitting in the House of Assembly. However, according to Crawford, Adams could not have done that given the popularity of the Barbados Observer, “so he just let the judgement stay there and collected the money later on” (Crawford and Marshall 2003: 54).

The personal differences between the two leaders of the progressive movement in the House of Assembly also represented a division between two factions of the movement. As mentioned, Adams adopted a more gradualist and reformist approach to social change. This approach combined with his previous position as the editor of the conservative *Agricultural Reporter* and his reputation as a respected legal figure made him the preferred leader of the progressive movement by both conservatives and the Governor. Crawford, on the other hand, was increasingly viewed as an outspoken radical. From 1942 to the elections of 1944, while Adams was a member of the Executive Committee, the Governor repeatedly reported to the Colonial Office that Crawford was making a name for himself as a radical through his statements in the Assembly and in the Barbados Observer, with the Governor clearly viewing Crawford as an irritant.<sup>91</sup> Crawford certainly did not approve of Adams’s gradualist leadership of the

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<sup>90</sup> Barbados Annual Review (1945), “Libel Action”, No. 3, p.71.

<sup>91</sup> Governor Bushe, Secret Despatches to the Secretary of State for the Colonies, November 10<sup>th</sup> 1942, March 11<sup>th</sup> 1943, July 12<sup>th</sup> 1943, August 12<sup>th</sup> 1943, September 15<sup>th</sup> 1943, October 13<sup>th</sup> 1943, March 13<sup>th</sup> 1944, June 12<sup>th</sup> 1944, the Sir Arthur Lewis Institute for Social and Economic Studies, the University of the West Indies, Kingston, Jamaica.

progressive movement, and Adams's appointment to the Executive Committee raised the specter that the movement was being co-opted by conservative forces.<sup>92</sup>

In the lead up to the 1944 general elections (the first general election to be held with the broadened franchise outlined above), Crawford founded the West Indian National Congress Party (henceforth Congress Party) on October 28<sup>th</sup> 1944.<sup>93</sup> The Congress Party became the second political party in Barbados aligned with the progressive movement. The party's manifesto was nearly identical to the League's, including policies such as minimum wage legislation, public health insurance, free compulsory education, old age pensions, unemployment insurance, workmen's compensation, the nationalization of public utilities (telephone, gas and electric companies), universal suffrage and a federation of the British West Indies.<sup>94</sup> However, it also included more radical policies such as the disestablishment of the Anglican Church, the nationalization of segments of the agricultural sector and legislated minimum prices for sugar cane harvested by plantation workers (Crawford and Marshall 2003). Crawford not only saw an opportunity to launch a new political party with the enlargement of the electorate, but also perceived an opening with agricultural workers on the sugar plantations. By 1944, the League's BWU remained the island's only registered trade union. The union's early activities were centered almost entirely among port workers, as they were the easiest to organize (Mark 1966). The BWU had virtually ignored agricultural workers, and by 1944 they remained an unclassified group within the union (Barbados Workers' Union 1946: 25). Indeed, the Labour Department reported that "there is a singular and deplorable lack of organization for purposes of negotiation in the agricultural industry" (as cited in Dixon 1991: 18). Accordingly, Crawford launched his

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<sup>92</sup> Governor Bushe, Secret Despatch to the Secretary of State for the Colonies, February 12<sup>th</sup> 1943. CO 28/327/65635/1, the Sir Arthur Lewis Institute for Social and Economic Studies, the University of the West Indies, Kingston, Jamaica.

<sup>93</sup> *The Barbados Advocate*, "A New Political Party", November 4<sup>th</sup> 1944, p.6.

<sup>94</sup> *The Barbados Observer*, "Manifesto of the W. I. National Congress", November 25<sup>th</sup> 1944, p.6.

party directly targeting the large number of agricultural workers who had been overlooked by both the League and the BWU.

The general elections at the end of 1944 resulted in 8 seats for the League, 8 seats for the Congress Party and another 8 for the Electors' Association. In nominating the four members from the House of Assembly to sit on the Executive Committee, the Governor selected two members from the League (including Adams) and two from the Electors' Association. Although the Congress Party held a third of the seats in the Assembly, they were excluded from any of the four seats in the Executive Committee reserved for members of the Assembly. As such, the Governor seemed to have changed his mind from statements he made two years prior regarding undesirability of excluding one party in the Assembly from the councils of government.

Shortly after the elections and before their inaugural party meeting in March,<sup>95</sup> a Congress Party deputation met with the Governor to agitate for a minimum price for sugar canes and increased bus service to rural districts.<sup>96</sup> Later that year, a [Sugar] Cane Cutting Enquiry was commissioned. By the time of the official enquiry in November, the Congress Party had formed the West Indian National Congress Union, although the union had yet to be registered.<sup>97</sup> Consequently, the League's BWU lost its claim as the only trade union in Barbados. However, the BWU had five years of unchallenged trade union organization on the island and had established a membership of 5,587 by March 1945, in contrast to the Congress Union, which along with the two other unions formed that year (the Overseas Association and the Clerks Union), had a total combined membership of less than 500 (Mark 1966: 75,99). The Congress Union was organized primarily for agricultural workers (Crawford and Marshall 2003). Its activity in assisting and organizing agricultural workers also spurred interest in them on the part

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<sup>95</sup> Barbados Annual Review (1945), "West Indian National Congress", No. 3, p.44.

<sup>96</sup> *The Barbados Observer*, "Congress Discuss Cane Prices with 'H. E.'", January 20<sup>th</sup> 1945, pp.1,4.

<sup>97</sup> C. Y. Sheppard (1946), "Cane Cutting Enquiry, Barbados", Advocate Co.: Barbados.

of the BWU, which had heretofore focused primarily on urban and port workers. Both the Congress Union and the BWU submitted memoranda to the Cane Cutting Enquiry in November 1945. The inquiry resulted in a substantial increase in the rate of pay for sugar cane cutters, with both unions releasing self-congratulatory remarks surrounding their role in the outcome.

With the emergence of the Congress Union, both progressive political parties had affiliated trade unions, which marked the beginning of political unionism (i.e. the establishment of party-union complexes) in Barbados. This began to blur the distinction in the public mind between union activity and political activity (Mark 1966). This was especially true of the Congress Union, where the party executive also took on the role of the union executive.<sup>98</sup> In addition, wages were so low among cane cutters, that they could not afford to pay union dues (Crawford and Marshall 2003: 73). As a result, the Congress Union lacked organizational and financial resources, which limited its success and viability as a trade union. The Congress Union was short lived—it was active from 1945 until around 1948.<sup>99</sup> It is difficult to determine the precise year that the Congress Union folded; however, in 1951, the Barbados Advocate's Who's Who listed Adams as both the President of the Barbados Labour Party (the Barbados Progressive League renamed its political arm to the Barbados Labour Party in 1946) and the President of the BWU, while Crawford was listed as the President of the Congress Party without any mention of the union (Barbados Advocate 1951: 206). Therefore, it appears that the Congress Union was active during the 1946 and 1948 general elections, but was no longer active during the general election of 1951.

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<sup>98</sup> Representatives of the Congress Union during the Cane Cutting Enquiry were all Congress Party members in the House of Assembly.

<sup>99</sup> As President of the Congress Union, Crawford was consulted by the Labour Advisor for the Comptroller for Development and Welfare in April 1948 to determine sugar industry wages. See Barbados Annual Review (1948), "Sugar Workers Gained 15% Increase in Wages", No. 6, p.57.

The BWU, on the other hand, was both well-organized and well-financed. As a result of its structure, the BWU became organized by means of grass-roots democratic mobilization through branch meetings and conferences shortly after its inception (Lewis 1968). As mentioned, the BWU's early organizational activities centered primarily on urban and port workers; that is, workers that could be more easily organized and who could afford to pay union dues. When it did begin to organize agricultural workers after the establishment of the Congress Union, it began with the sugar factory workers who were more skilled and better paid (and could thus afford union dues). By 1947 the BWU was negotiating for 2,000 sugar factory workers, but not the over 20,000 field hands (Mark 1966). Its organization and large number of dues-paying members also contributed to the BWU's economic viability. In the 1940s and early 1950s, the BWU was better organized and in better financial shape than the political branch of the League—the Barbados Labour Party (BLP) (Lewis 1968; Will 1972). Throughout this period, the BWU was increasingly viewed by its members as separate organization from the League (Mark 1966). This became a source of conflict in the latter half of the 1940s as Adams viewed the three arms of the League as three aspects of the same organization, which resulted in a shared office and shared bookkeeping between the BWU, the BLP and the friendly society.

The sense that the BWU was a somewhat independent organization from the League was promoted by the approach of the leaders of the union. Although Adams was the President of the BWU, Hugh Springer, the General Secretary, was the union's organizational head since its founding (Mark 1966). Under Springer's leadership, the BWU became a democratic and bureaucratic organization (Hoyos 1974). This was a result of the union's structure, Springer's

exceptional organizational skills and his uncharismatic demeanor.<sup>100</sup> Having set the BWU's organizational culture during its formative years, in 1947 Springer amicably departed from both the BWU and politics to take up the position of Registrar of the University College of the West Indies in Jamaica, and was replaced by Frank Walcott. Walcott's tenure as General Secretary furthered reinforced the bureaucratization and non-charismatic nature of the BWU (Emmanuel 1988; Hoyos 1974). Nonetheless, although the BWU was a bureaucratic and somewhat autonomous organization from the League, its leaders remained actively involved in politics with the BLP. Springer was a member of both the House of Assembly and sat with Adams in the Executive Committee, and Walcott won a seat in the House of Assembly in 1945.

### **The Elections of 1946**

In the lead up to elections, it was unclear which party would attain a plurality of seats in the Assembly. In the absence of franchise reform, the conservative Electors' Association, which won one third of the seats in 1944, was expected to capture approximately the same number of seats again. However, the remaining two thirds of the seats that went to progressive parties were being intensely contested by BLP and the Congress Party. The battle for the progressive vote could have gone either way. Crawford was just as popular as Adams at the time and was gaining in popularity (Lewis 1999). As mentioned, the political platforms of the BLP and Congress Party were quite similar, and the Electors' Association tried to capture some of the progressive vote by shifting somewhat to the left and adopting some of the welfare state policies in the BLP programme. According to one contemporary observer, there was "little to choose in the manifestoes of the three political parties...[a]ll three parties are leftists, with the Congress Party

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<sup>100</sup> Richard Hart (1945), "Report on the Trade Union and Political Situation in Barbados", the Richard Hart Letters, the Sir Arthur Lewis Institute for Social and Economic Studies, the University of the West Indies, Kingston, Jamaica.

left of left, and the Electors' Association slightly right of left.”<sup>101</sup> Consequently, the electoral competition was fierce, especially between the BLP and the Congress Party.

Unlike Jamaica, the effect of each party's affiliated trade union on electoral outcomes was limited. This was primarily due to the restricted franchise. Concerning the Congress Union, the vast majority of its “members” were agricultural labourers who could not afford union dues, let alone meet the franchise requirements. As such, the launch of the Congress Union the year before built up much support and goodwill among agricultural workers, but this could not be translated into votes for the Congress Party. By 1946, the membership of the BWU had grown to 8,470 (Barbados Workers' Union 1946: 25). Although its members were on average better paid than those of the Congress Union, it is unclear how many BWU members qualified for the franchise.

The stakes of the election campaign were raised when Governor Bushe announced constitutional reforms when the House was dissolved prior to the general elections. In what became known as the “Bushe Experiment”, the Governor announced that he would reform executive power:

- (a) the House would select a leader able to command majority support therein;
- (b) the majority leader would select the members of the House to sit on the Executive Committee. These would assume a semi-ministerial status and would resign if they lost the confidence of the House;
- (c) the Committee, due to be chaired by the Governor, would accept “collective responsibility” for public policy;
- (d) the House would be under pain of dissolution if it defeated a key policy measure of the Committee (Emmanuel 1988: 97-98).

The battle for the progressive vote, the similarity of the policy platforms, the affiliation of both parties with trade unions and the Bushe Experiment combined to fuel intense competition between the BLP and the Congress Party. As Marshall writes, Adams and Crawford had nearly

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<sup>101</sup> *The Barbados Advocate*, “A Responsible Undertaking”, November 14<sup>th</sup> 1946, p.6.

equal electoral support and challenged each other for the allegiance of the masses “*almost* in the fashion of Norman Manley and Alexander Bustamante in Jamaica” (Crawford and Marshall 2003: xvi, emphasis mine). There were some minor instances of violence between the two parties during the 1946 campaign. Crawford recalls that during the campaign, he would hold public meetings with a building at his back to avoid any unpleasant surprises. One evening, his supporters organized a meeting in the middle of sugar cane field (without his prior knowledge). As soon as they began speaking, BLP supporters began throwing bottles and stones from behind the platform, forcing the meeting to end. However, Crawford stated that he later “paid them back for it though, because when Adams came to St Philip to have a meeting at Four Roads, we put up our equipment just across the road, and they could not talk at all” (Crawford and Marshall 2003: 79).

Crawford also recalled a couple of individual instances where he was personally targeted. One was an incident during the campaign where he was alone and by chance crossed paths with three men that were strong supporters of the BLP, one of whom he recognized. One of the three stated: “Hey, hey, look Crawford down there, man. Look Crawford down there by himself with nobody at all; leh we kill him down here today. He is our big opponent” (Crawford and Marshall 2003: 79). In the heat of the moment, Crawford decided to confront the leader of the three and ran straight at him, which resulted in the three men retreating. In another instance, two men approached Crawford during a campaign rally and requested to speak to him in private about something important. When Crawford began walking away with them, he became apprehensive and said: “Look, we can talk here” (Crawford and Marshall 2003: 79). When the two men tried to urge him to get further away from the rally, he promptly turned back. He later found out that



the two were recently released from prison and were sent “to see what confusion they could create” (Crawford and Marshall 2003: 79).

Although there were some minor instances of political violence during the 1946 election campaign in Barbados, the violence did not escalate as it did in Jamaica. In Barbados, there is no record of deaths or serious injuries as a result of campaign violence during the 1940s and 1950s. The party-union complexes in Barbados did not form strong-arm groups and the leaders of each party were relatively accessible to almost anyone who requested an audience with them. Although Crawford recalls two incidences that were near misses regarding personal violence against him, he was never physically assaulted during the campaign. Given the accessibility of Crawford and the other political leaders, the absence of physical attacks against them was not the result of a lack of opportunity for such attacks. Aside from disrupting the occasional public meeting, the use of violence against the person with the intent to cause serious harm to political opponents was not part of the repertoire of political tactics used by parties during election campaigns. In short, this suggests that interpersonal violence was simply not part of the political culture in Barbados. Regarding campaign violence, Crawford admitted that one had to be careful, but that Barbados “did not have a lot of the violence as did Jamaica” (Crawford and Marshall 2003: 79).

There were approximately 22,800 votes cast in the 1946 elections, an increase of around 8,000 votes as compared to the 1944 election (Phillips 1990). This indicates that more people were gradually becoming politically active, as this was the second election since the Franchise Bill lessened the franchise restrictions. The 1946 general elections resulted in 9 seats in the House of Assembly going to the BLP, 7 to the Congress Party and 7 to the Electors’ Association with one independent – not much change from the 8 seats each party held prior to the elections.

## **The Decline of the Congress Party and the 1948 Elections**

Lewis (1999) suggests that Crawford made a few strategic mistakes during the 1946 campaign, which may have diminished his electoral fortunes. Nonetheless, the party continued to attract the progressive vote and received around the same amount of electoral support as the BLP. Consequently, the future prospects for the Congress Party looked promising. Through the activities of its union, the Congress Party established a great deal of goodwill among the masses of agricultural labourers. Although they were not yet enfranchised, it appeared that a move towards universal suffrage was imminent, which would have presumably given the Congress Party a large electoral boost. However, the party had a few difficulties. The Congress Party was loosely structured and organizationally weak (Cheltenham 1970; Will 1972). As Richard Hart reported, the party was not organized, lacked unity and had practically no membership.<sup>102</sup> This lack of organization and unity came to harm the party immediately after the elections.

After the 1946 election, the Electors' Association proposed to form a coalition with the Congress Party under Crawford's leadership and to split the four seats on the Executive Committee between the two parties. The leaders of the Electors' Association made it clear to Crawford that they were not interested in working with Adams, having built up distrust towards him working together on the Executive Committee in the previous government. Crawford was uneasy in forming a coalition with the conservatives and refused. Then, according to Crawford (2003), Adams proposed a coalition between the BLP and the Congress Party. Although there had been much personal animosity between the two leaders, Crawford agreed to a coalition among the two progressive parties, provided that J.E.T. Brancker (another Congress Party executive) and himself occupied two of the four seats on the Executive Committee. Adams

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<sup>102</sup> Richard Hart (1945), "Report on the Trade Union and Political Situation in Barbados", the Richard Hart Letters, the Sir Arthur Lewis Institute for Social and Economic Studies, the University of the West Indies, Kingston, Jamaica.

agreed, but later indicated the Governor would not accept Brancker's nomination, so Adams decided to nominate Hugh Blackman (also of the Congress Party). Crawford later discovered that the Governor made no such refusal of Brancker's nomination and refused a coalition with Adams unless Brancker and himself were nominated to the Executive Committee. Adams then went directly to Brancker and claimed that Crawford was trying to destroy the coalition and that he would nominate Brancker (along with Blackman) should Crawford refuse his seat on the Executive Committee. When Brancker declined, Adams then approached Blackman and asked him to find another Congress Party officer that would sit with him on the Executive Committee. Blackman accepted Adams's request and Talma accepted the offer. Adams then nominated Congress Party members Blackman and Talma (not Crawford and Brancker as originally agreed upon) to the Executive Committee. Crawford was outraged and immediately withdrew his support of the coalition. Consequently, Blackman and Talma crossed the floor to join the BLP. Shortly thereafter, Adams was able to entice A.E.S. ("T.T.") Lewis, the only white member of the Assembly in either of the two progressive parties, to also crossover to the BLP.

By 1947, as a result of party defections due to Adams's Machiavellian political manoeuvring, the Congress Party was reduced to 4 seats in the House of Assembly, while the BLP increased their seats to 12. This marked a change in the fortunes of the Congress Party, which effectively went into decline (Emmanuel 1988). In the elections of 1948, the BLP consolidated their position as the dominant party in the House of Assembly. The BLP retained the 12 seats they had prior to the election, and the Congress Party was reduced to 3 seats.

Around the same time, the activity of the Congress Union was on the wane, while the BWU was becoming more active regarding the organization of agricultural workers. In 1946, the BWU acknowledged that "the major task of the union is to complete the organization of the

agricultural workers”, and as Richard Hart noted on his visit to Barbados, the BWU had begun making significant inroads in that regard (Barbados Workers' Union 1946: 17, 27). The BWU’s organizational and financial resources gave it an advantage in organizing plantation workers, as they were comparatively more difficult to organize. By 1947, the BWU claimed over 10,000 members (Mark 1966) and by 1952 it had grown to 14,000 members<sup>103</sup>. However, as the BWU was growing, it was becoming increasingly independent from the BLP. Under the leadership of Frank Walcott, the BWU became more bureaucratic, and as a result began agitating for more autonomy from the League. The shared bookkeeping arrangements and the shared use of the BWU’s newspaper *The Beacon* became divisive issues between the BWU and the BLP. By 1949, the relationship between Adams and Walcott became one of open political hostility (Mark 1966). In October of that year, the Auditor General recommended that the funds of the BWU be managed separately from the BLP and the League’s friendly society, which further intensified the dispute between the BWU and the BLP.

### **Universal Adult Suffrage and the Elections of 1951**

In 1950, the Representation of the People Act went into force by Proclamation, thereby setting the stage for the first general election under universal adult suffrage in Barbados, which was to be held in 1951 (Phillips 1990). Moreover, with universal suffrage, the House would now sit for a period of five years between elections. That year, the Electors’ Association sponsored the formation of a trade union, the Caribbean Workers’ Union, hoping that the formation of a party-union complex would increase their electoral fortunes (Will 1972). However, the union was short-lived and was no match for the democratic, bureaucratic, well-organized, well-financed and semi-autonomous BWU. Indeed, Adams claimed that by the early 1950s the BWU

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<sup>103</sup> Barbados Workers’ Union (1983), “Brief Outline of Trade Union Development in Barbados” in the *Official Opening of new Headquarters: Solidarity House*.

had become the strongest union in the West Indies (Hoyos 1974) – a claim that arguably seems to correspond with the historical evidence.

By 1951, the BWU had made significant inroads into the organization of plantation labour. That year, the BWU signed the Domestic Sugar Agreement with the sugar producers, which brought substantial benefits to the workers (including production bonuses),<sup>104</sup> while also establishing mutual confidence and respect between capital and organized labour (Hoyos 1974). Meanwhile the Congress Union, which had originally attempted to organize and champion the cause of plantation labour, had been abandoned. Therefore, in the lead up to universal suffrage elections, the recent activity of the BWU gave the BLP the upper hand among the newly enfranchised masses of plantation labourers—an advantage that would have clearly gone to the Congress Party five years earlier.

The transition to universal suffrage represented a three-fold increase in the electorate over the previous election (Mark 1966; Phillips 1990). Given the vast number of new voters, the BLP/BWU conducted public educational meetings surrounding the electoral process to attract new supporters (Will 1972). During the election campaign, the Electors' Association offered the newly enfranchised bribes of money and alcohol in exchange for their vote. To the dismay of the Electors' Association, Crawford advised the masses to accept the bribes of the conservatives (as “they owed it to them”), but to vote their conscience on election day, given that the elections were conducted by secret ballot (Will 1972). The BLP won 15 seats, the Electors' Association 4 seats and the Congress Party 2 seats, while 3 seats went to independents. With 15 of 24 seats, the BLP emerged as the dominant progressive party in the House of Assembly. In the context of universal adult suffrage, the Congress Party was dealt a significant blow being reduced to two

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<sup>104</sup> *Ibid*, p.7.

seats—half as many as the conservative party. The general elections of 1951 were to be the last elections in which the Congress Party competed.

### **The Inter-Election Years 1951-1956: Full Ministerial Government, the Depoliticization of the BWU and the Rise of the Democratic Labour Party**

After the elections, the rift between the BWU and BLP widened. The BWU was already concerned about covering the costs of *The Beacon* newspaper that represented the views of both the BWU and the BLP. The BWU was further aggravated after suspecting that its funds were used to print the BLP manifesto for the 1951 general elections (Mark 1966). The distance between the two organizations further increased with the introduction of full ministerial government in 1954.

Under a full ministerial government, the Executive Committee was reformed and the office of Premier was created, along with an “embryonic” ministerial system (Emmanuel 1988: 96). As majority leader in the House of Assembly, Adams was called upon to become Premier of Barbados. According to parliamentary convention in the British tradition, a Premier cannot simultaneously hold the presidency of a trade union. Although this concerned Adams, he eventually decided to resign his post as President of the BWU and accepted the Premiership (Hoyos 1974). This left the BWU under the control of its General Secretary, Frank Walcott. In doing so, he became the only Premier in the Anglo-Caribbean who respected the convention and voluntarily relinquished the leadership of his party’s affiliated union. According to his biographer, Adams could not have foreseen that his departure from the BWU and his rift with Walcott would have such far-reaching consequences (Hoyos 1974: 104).

On assuming the office of Premier, Adams did not appoint Walcott (who remained a BLP member of the House of Assembly) to a ministerial post. This decision surprised some, as it was

expected that Adams wanted to keep close ties with the BWU, especially given that he had just resigned as its President. It created an estrangement between Walcott and Adams. Under Walcott's leadership, the BWU was able to establish control over its property and decouple itself from the BLP after Adams's departure (Mark 1966). By the time of the 1956 general elections, Walcott did not commit the BWU to the BLP,<sup>105</sup> thereby dissolving the BLP/BWU party-union complex and terminating the electoral endorsement of the BLP by the BWU.

Notwithstanding its relationship with the BWU, the BLP remained the dominant party in the Assembly, and by the mid-1950s its future electoral prospects looked promising. However, a faction within the BLP was dissatisfied with the party's somewhat autocratic structure and Adams's leadership.<sup>106</sup> With the fall of the Congress Party and the separation of the BWU from the BLP, an opportunity was identified to create a new progressive political party. On May 6<sup>th</sup> 1955, disgruntled members of the BLP publicly launched the Democratic Labour Party (DLP) under the leadership of Errol Barrow.<sup>107</sup> The manifesto of the DLP was quite similar to that of the BLP. Both parties were solidly social democratic, with both distancing themselves from some of the more socialist policies that defined the progressive movement in the late 1930s (Duncan 1976). One important difference between the DLP and the BLP was party structure. After deriding Adams for his autocratic leadership style, the DLP were determined to create a party with a more democratic structure. Accordingly, the DLP was much more democratic than the BLP, enshrining this structure in the party constitution that came into effect a few days

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<sup>105</sup> Barbados Labour Party, *The Legend of the Flame: BLP 45 Years* (pamphlet), p.31.

<sup>106</sup> Democratic Labour Party (1965), *Ten Years of Service*.

<sup>107</sup> *Ibid.*

before the party's official launch.<sup>108</sup> Moreover, the DLP held its first party conference on December 4<sup>th</sup> 1955, something that the DLP claims the BLP had not done since its inception.<sup>109</sup>

In 1956, prior to the general elections, both Crawford and Brancker joined the DLP, signifying the end of the Congress Party.<sup>110</sup> In addition, the Electors' Association also disbanded and the conservatives regrouped under the Progressive Conservative Party. However, its platform was nearly identical to that of the Electors' Association, advocating economic development via free enterprise and emphasizing individual freedom as opposed to any type of state socialism.<sup>111</sup> The election resulted in the BLP retaining its 15 seats, with the DLP winning 4 seats, the conservatives winning 3 seats and 2 seats going to independent candidates (one going to Frank Walcott of the BWU).

### **Constitutional Change: The West Indies Federation and the Path Towards Independence, 1958-1966**

Beginning in 1958, Barbados, along with the other Anglo-Caribbean islands, underwent rapid constitutional change. The idea of a Federation of the West Indies that was championed by Adams and the BLP in the late 1930s was finally realized in 1958. Adams was elected as a member of the victorious West Indies Federal Labour Party headed by Norman Manley of Jamaica. However, as Manley declined to run in the federal elections (preferring to focus on Jamaican politics), Adams became the first (and only) Prime Minister of the West Indies Federation. The DLP joined forces with Frank Walcott of the BWU for the federal election and

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<sup>108</sup> Democratic Labour Party (1955), *The Democratic Labour Party Constitution and Rules*.

<sup>109</sup> Democratic Labour Party (1965), *Ten Years of Service*, p.7.

<sup>110</sup> *Ibid.*, p.8.

<sup>111</sup> Progressive Conservative Party (1956), *United for Progress and Prosperity: A Short Version of the Progressive Conservative Party's Policy, General Election 1956*.



campaigned for the federal Democratic Labour Party under Bustamante's leadership, but were shutout of all five federal seats allotted to Barbados.<sup>112</sup>

With Adams and other prominent BLP members focusing on federal politics in Trinidad, the DLP renewed its focus on Barbadian politics. A month after the federal elections, a stalemate had developed between the BWU and sugar producers regarding wage increases. By the end of March, plantation labourers stopped working. This had major implications, because the failure to harvest the sugar crop in an economy that was dependent on sugar would have had grave economic consequences. Barrow, at the suggestion of Crawford, took a leadership role in what became known as the sugar crisis of 1958.<sup>113</sup> Barrow organized a mass meeting of 8,000 plantation workers and escorted them to the Governor to ensure that their demands were heard. This increased the popularity of the DLP among the working class and further consolidated the DLP-BWU alliance (Hoyos 1972; Will 1972).<sup>114</sup> Although Walcott and the BWU began to endorse to DLP, this did not represent the formation of a DLP/BWU party-union complex. Rather, the BWU remained an independent labour union whose leadership could choose to endorse particular political parties at particular times, as in many liberal democracies. Consequently, although the endorsement of the DLP by the BWU was significant, it did not necessarily involve the same intensity of party loyalties and thereby bloc voting patterns one would expect with a party-union complex arrangement.

With the popularity of the DLP on the rise, Barbados also experienced some domestic constitutional changes. The final transformation of the Executive Committee was completed with the establishment of a Cabinet government in 1958. In 1961, Barbados was granted full internal self-government, which meant that all areas except those related to defense, foreign

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<sup>112</sup> Democratic Labour Party (1965), *Ten Years of Service*, p.14.

<sup>113</sup> *Ibid.*, p.15.

<sup>114</sup> *Ibid.*

affairs and international trade were under the control of the Barbadian government. During the general elections of 1961, although Walcott was again re-elected as an independent member of the Assembly, both he and the BWU endorsed the DLP, which had already increased its goodwill among plantation labourers as a result of its activities in 1958.<sup>115</sup> Accordingly, the DLP won 14 seats, the BLP 5 seats, the conservatives (who again changed their party name to the Barbados National Party) 4 seats, with Frank Walcott sitting as the only independent member. Barrow thus became Premier of Barbados, while Crawford was appointed Minister of Trade, Industry, Labour and Development.

After Jamaica and Trinidad and Tobago dropped out of the West Indies Federation, the federation was dissolved May 31<sup>st</sup> 1962. Adams returned to Barbados and refocused his political energies on the BLP. As Jamaica and Trinidad and Tobago were granted independence from Britain that year, it was becoming clear that the future of Barbados would entail becoming an independent country rather than a province of an independent federation. However, in Adams absence, the BLP held only 5 of 24 seats and was crippled by the loss of support from the BWU. In 1963, Adams and the BLP founded the Barbados Progressive Union of Workers (BPUW) (Will 1972). Adams was hoping he could re-establish a BLP party-union complex and entice workers from the BWU to the BLP's new union and increase the political support of the BLP. The opportunity came during the windfall crisis of 1963.

During 1963, there was a substantial unexpected increase in the profits of the sugar industry. The BWU successfully demanded that 40% of the additional profit be shared among the plantation workers. The BWU won this concession from the sugar industry and gave one third of the 40% directly to the workers, while the other two thirds were kept by the union and put into social programs. The workers were not pleased with the paternal attitude of the BWU

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<sup>115</sup> *Ibid.*, p.20.

and Adams exploited this dissatisfaction by getting a large number of BWU members to defect to the BPUW (Hoyos 1972). Although this gave the BPUW a temporary surge in support, Walcott and the BWU were able to quickly regain the members that had defected during the crisis (Hoyos 1974). Consequently, the BPUW failed in challenging the BWU, with the latter being too well organized, financed and institutionalized to topple easily (Will 1972).

In 1966, the Barbados Independence Act was passed by the British Parliament, which granted Barbados independence from Britain on November 30<sup>th</sup> of that year. The general elections of 1966 were to determine which party would lead the country into independence. The DLP were able to maintain their popularity (with the temporary surge in membership in the BLP's new union long over) and won 14 seats. The BLP were able to win 8 seats, mostly at the expense of the conservatives who dropped to 2 seats. Consequently, Errol Barrow became the first Prime Minister of Barbados.

## **Conclusion**

This chapter examines Barbados as a negative case in the development of political violence and clientelism during the late colonial period. It describes the historically high level of integration of the masses in the dominant social institutions, which hindered the development of ethnic divisions along class lines, contributing to the development of a sense of national community and the internalization of the dominant political culture by the majority. This political culture provided the foundation for the acceptance of the legitimacy of legal state authority by the masses during the transition to universal suffrage, which inhibited the escalation of political violence. The minor incidences of political violence between the BLP and the Congress Party during the 1946 general election campaign did not escalate as they did in Jamaica, despite the similarities in the political circumstances of both countries. Moreover, the

rise of the DLP (after the decline of the Congress Party) also did not result in widespread violence with the BLP. This hindered the establishment of a system of patronage politics as found in Jamaica. The absence of widespread political violence meant that partisan strong-arm groups were unnecessary; consequently, there was no need to reward members of such groups through political patronage. Furthermore, all political parties competed on a rational basis and did not primarily rely upon charismatic appeal. As such, none of the governing parties underwent a process of routinization, a process that in Jamaica involved distributing political patronage on a partisan basis to maintain electoral support. In sum, political violence and patronage politics were not institutionalized in Barbados during the late colonial period, whereas that same period served as the critical juncture that triggered the path-dependent process towards the escalation of violence in Jamaica.

After independence, general elections remained relatively peaceful undertakings. There have been no reported murders or serious injuries as a direct result of campaign violence in Barbados. Political parties do not compete through physical intimidation or communal patronage, but compete on the basis of policy, campaign strategy and the many other dimensions (both desirable and undesirable) found in most other liberal democracies. Consequently, political strong-arm groups have not formed, nor have garrison communities developed. The rule of law is comparatively strong in all regions and communities in Barbados, and organized crime is not able to easily infiltrate specific geographic areas. This reinforces a strong rule of law, resulting in one of the lowest murder rates in the Anglo-Caribbean.

## CHAPTER 5 – COMPARATIVE ANALYSIS

The two previous chapters provided the causal narrative of the sequence of events that led to the institutionalization of political violence, patronage politics and the concomitant deterioration of the rule of law in Jamaica, but not in Barbados. An initial reading of both cases suggests that in Jamaica, the historical trajectory during the early colonial period generated a communal cleavage between the masses and the middle/upper classes. This cleavage resulted in differences of political culture between the lower and middle classes during the late colonial period that combined with the events during the transition to universal suffrage that led to the institutionalization of political violence and clientelism. On the other hand, in Barbados the basis of a strong rule of law began with a high level of integration into the dominant social institutions, resulting in the absence of communal divisions, which in turn promoted a sense of national community and the adoption of the dominant political culture among the masses. This reinforced legal state authority, delegitimized political violence and limited patronage politics.

This chapter provides a more explicit comparison and analysis of the factors involved in both cases that led to the presence of institutionalized partisan violence and patronage in Jamaica and its absence in Barbados. It will begin by comparing the early colonial period in both countries—the critical period that influenced the orientations of the masses towards state authority. Then, the influence of these orientations is examined in conjunction with the events of the late colonial period. The complete argument surrounding the origins of political violence and a strong rule of law is then presented.

## **The Development of the Political Culture of the Masses**

During the early colonial period (mid-17<sup>th</sup> to early 20<sup>th</sup> centuries), events in Jamaica and Barbados laid the underpinnings concerning the type of state authority structures accepted as legitimate by the masses. Before continuing, it is important to review what is meant by state authority structures. Following Weber ([1922] 1978), I maintain that there are three structures of legitimate state authority – legal authority (or legal-rational authority), charismatic authority and traditional authority. Legal authority is defined as legitimacy based on “[r]ational grounds—resting on the belief in the legality of enacted rules and the right of those elevated to authority under such rules to issue commands”; charismatic authority as legitimacy based on “[c]harismatic grounds—resting on devotion to the exceptional sanctity, heroism or exemplary character of an individual person, and of the normative patterns or order revealed or ordained by him”; and traditional authority as legitimacy based on “[t]raditional grounds—resting on an established belief in the sanctity of immemorial traditions and the legitimacy of those exercising authority under them” (Weber [1922] 1978: 215).

Although Weber believed that any extant state authority structure draws upon a mix of all three ideal types, these state authority structures are somewhat mutually exclusive as “according to the type of legitimacy which is claimed, the type of obedience, the kind of administrative staff developed to guarantee it, and the mode of exercising authority will all differ fundamentally” (Weber [1922] 1978: 213). That is, the dominant type of state authority will dictate the way in which legitimate authority is exercised, while the concurrent use of other forms of state authority may be useful insofar as they do not impede the dominant form. For example, although the charisma of Barack Obama lends him authority and legitimacy as President of the United States, the ultimate basis of his legitimacy rests in his democratic election (i.e. legal authority), not in

his charisma (charismatic authority). Therefore, the dominant structure of state authority will determine how legitimate authority is exercised and the type of obedience expected from the subjected population. Legal authority rests upon obedience to an impersonal legal system, with those exercising authority constrained by legal rules that limit the scope of powers of those holding office. With traditional authority, obedience is given to the person who occupies a traditionally sanctioned position, whose authority is limited by the bounds of tradition. Charismatic authority entails obedience by virtue of personal trust in the exceptional qualities exhibited by the leader. Charismatic leaders often rule autocratically and irrationally—that is, outside the constraints of rules of any kind (either based on legality or tradition).

As outlined in the previous two chapters, I argue that during the transition to universal suffrage the lower classes in Jamaica rejected the legal authority of the state and primarily accepted the legitimacy of charismatic authority, while in Barbados the masses had accepted legal state authority as legitimate. The foundations for these differences began in the 17<sup>th</sup> century. Important differences between Jamaica and Barbados resulted in variation in four crucial factors between the two colonies: 1) the extent of a race-class correlation; 2) the extent to which the Afro-Caribbean population viewed themselves as members of the national community; 3) the orientation of the religion of the lower classes towards the established order; and 4) the structural conditions that facilitated the cultural autonomy of the lower classes. Each of these four factors is described in detail below.

#### *Race/Class Correlation*

Partly as a result of its favourable climate and geography and partly as a result of the timing of British settlement, by the latter half of the 18<sup>th</sup> century Barbados had a comparatively large white population relative to its size. Many British settlers, including a large number of

Irish and Scottish indentured servants, settled on the island before the sugar revolution of the 1640s. In contrast, Jamaica, which did not become a British colony until 1655, did not develop its agricultural economy until after the sugar revolution was well underway in Barbados. In addition, after becoming a British colony Jamaica was slow to develop its agricultural economy largely as a result of the instability on the island created by the strong presence of privateering. Hence, migration from Britain was initially comparatively low. However, once agriculture began picking up in Jamaica, sugar became the favoured crop over tobacco and cotton due to its demonstrated success in other colonies such as Barbados. The Atlantic slave trade became the primary source of labour for the sugar plantations as indentured white servants had an extremely high mortality rate in Jamaica (due to the climate) and were much more costly than acquiring slaves (Roberts 1957). Thus, substantial numbers of indentured Irish, Scottish and British servants were not brought into Jamaica as they were in Barbados prior to the sugar revolution. By the 1770s, Jamaica had an estimated white population of 7.5% of the total population (Brathwaite 1971; Roberts 1957)<sup>116</sup> compared to the 17% ratio of whites in Barbados at the time. Moreover, the small number of British indentured servants combined with the availability of inexpensive agricultural land in Jamaica resulted in the absence of the development of a permanent class of poor whites as found in Barbados.

Another important difference that developed between the two islands by the early 18<sup>th</sup> century was the sex ratio. In Barbados, white females outnumbered white males by the early 18<sup>th</sup> century, which was due in part to the favourable climate and geography and the relatively early timing of British settlement. Conversely, in Jamaica, men significantly outnumbered women in the white population. This resulted in a high level of mixed coupling, which created a large class

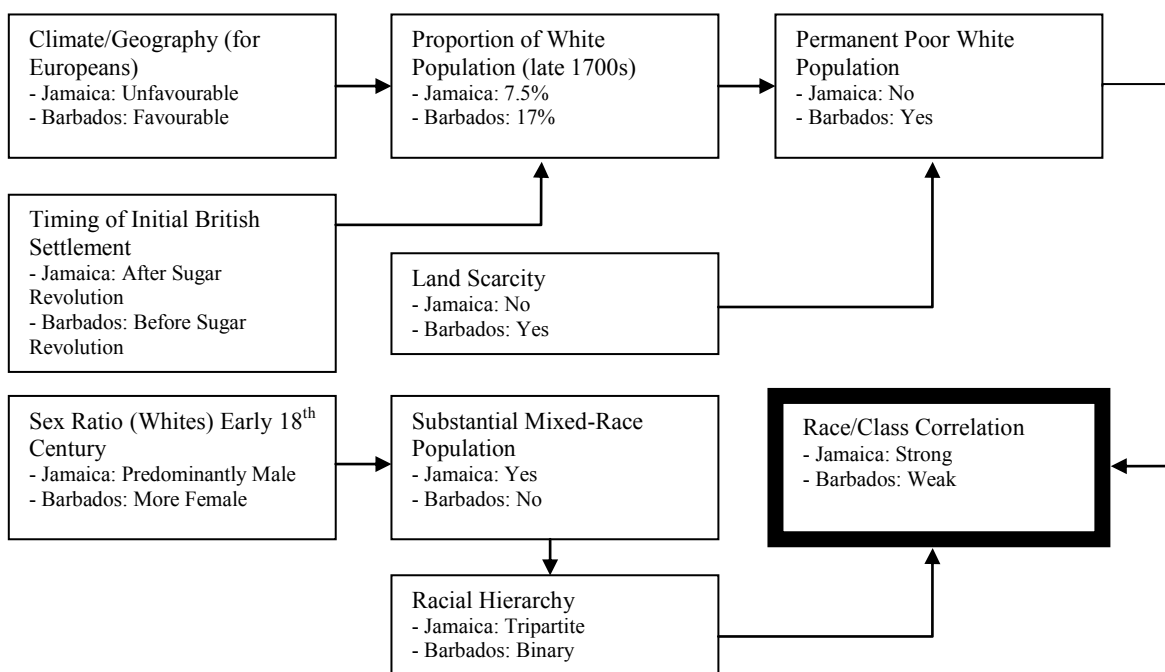
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<sup>116</sup> Calculated from the 1778 white and slave population estimates in Roberts (1957) combined with the 1774 free coloured estimates in Brathwaite (1971).



of mixed-race people. Consequently, a social and legal racial hierarchy was created with three distinct categories: whites, mulattos (mixed-race) and blacks. Eventually, each of these groups came to monopolize a different class, with the whites (who owned, controlled and managed the means of production on the island) comprising the upper class, the browns (who had a higher level of education relative to the black majority) concentrated in the middle class, while the majority of blacks remained working class labourers. Such a strong congruence developed between race and class that by the mid-20<sup>th</sup> century employment decisions were often influenced by one's racial suitability for a position (independent of ability). The absence of a large number of mixed-race individuals in Barbados resulted in a largely binary racial hierarchy, which simply distinguished white from non-white (mixed-race and black). This combined with the presence of a substantial number of poor whites resulted in a much weaker race/class correlation. Refer to Figure 5.1 below for a summary of the key factors in Jamaica and Barbados that produced differences in the correlation that developed between race and class.

**Figure 5.1: Causal Diagram of the Development of the Race/Class Correlation in Jamaica and Barbados**



The strong race/class correlation in Jamaica resulted in considerable social distance between the predominantly brown middle class who went to great lengths to dissociate themselves from the predominantly black lower class. As the middle class in both Jamaica and Barbados were strong carriers of the dominant political culture, social distance between the middle and lower classes in Jamaica meant less opportunity for the transmission of political culture to the lower classes. Consequently, this separateness between the two classes contributed to the development of certain normative differences, including differences in political culture. In Barbados, nearly equal proportions of brown and black individuals belonged to the middle class, which combined with the presence of a poor white population to produce a weaker race/class correlation. As such, class differences were not further compounded by racial differences. In this sense, the middle and lower classes in Barbados could be considered socially closer than the middle and lower classes in Jamaica. Accordingly, the relative closeness of the classes gave the middle class more prominence as a political socialization agent of the lower classes than in Jamaica, which facilitated the transmission of the dominant political culture to the masses in Barbados. This helped foster a national identity and increased the legitimacy of the state.

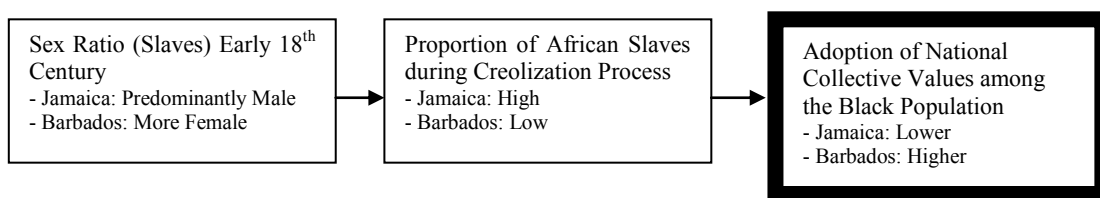
#### *The Sense of National Community among the Afro-Caribbean Populations*

By the early 18<sup>th</sup> century, the sex ratio of the slave population resembled that of the white population in both colonies. In Barbados, females outnumbered males among the slaves, while in Jamaica male slaves significantly outnumbered female slaves. Accordingly, at that time Barbados had a much higher proportion of native born slaves than did Jamaica, where the slave population could not reproduce itself. To meet the demand for agricultural labour, Jamaica had to import a much larger proportion of slaves from Africa. As a result, during the creolization process African culture and customs were more prevalent among Afro-Caribbeans in Jamaica

than in Barbados. Consequently, the development of local culture (i.e. the creolization process) among the slave population was much more heavily weighted on European cultural traditions (and less on African cultural traditions) in Barbados. This provided the structural conditions for the internalization among the slaves of the prevailing collective (national) value system on the island, which emphasized moderation, law-abidingness, gradualness and rectitude (refer to Figure 5.2).

In Barbados, the internalization of the dominant value system among the black population also entailed the adoption of the (dominant) Barbadian identity. Although economically exploited, the Afro-Barbadian masses actively participated in the dominant

**Figure 5.2: Causal Diagram of the Internalization of National Collective Values among the Masses in Jamaica and Barbados**



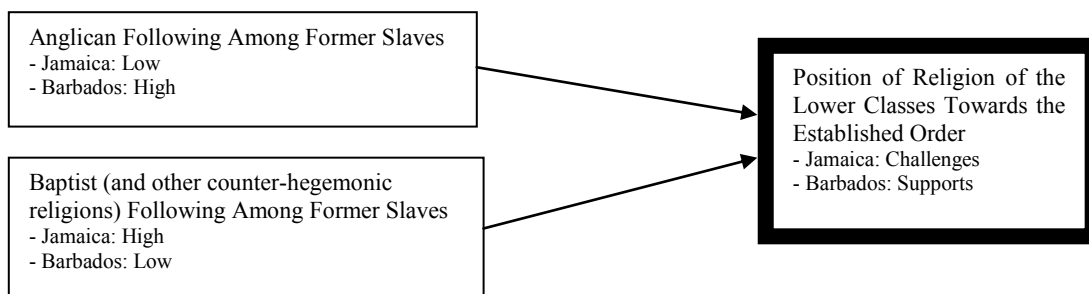
social and cultural institutions on the island and developed a sense of national community. The adoption of this national identity by the masses was a source of pride and provided the foundation for strong nationalistic sentiments (even among slaves). This fostered state legitimacy thereby delegitimizing political violence and impeding patronage politics. Conversely in Jamaica, institutional separation among the classes impeded a sense of a common national community. In this sense, the masses were somewhat isolated from many of the dominant colonial institutions both culturally and physically. This delegitimized the state and contributed to the development of political violence and clientelism.

### *Religion and the Established Order*

Religion is another domain where stark differences developed between the two islands that in due course influenced the orientation of the masses towards state authority. This is not immediately evident as both countries were majority Protestant during the colonial period and remain so post-independence. Shortly after becoming British colonies, the Anglican Church became the established and endowed religion in both Jamaica and Barbados. In both colonies, the Anglican Church supported the planter elite and as such was an institution of the ruling class. The influence of religion in the colonies diverged in the 19<sup>th</sup> century, when the non-conformist Protestant churches began having a significant presence and following in Jamaica among the newly emancipated former slaves. Specifically, the Baptists and later the Native Baptists became quite popular, beginning with a dramatic increase in membership in the 1830s followed by a further increase with the religious revival of the early 1860s. By 1865, the Anglican Church in Jamaica could not claim majority attendance of the population (Soares 1986). To various extents the Baptist, Native Baptist and other unsanctioned “native” factions of the non-conformist churches challenged the established order and provided a forum for cultural resistance, social change and the development of alternative world-views. Moreover, the Baptists and Native Baptists led two failed rebellions (the Baptist War of 1831 and the Morant Bay Rebellion of 1865). In some cases, Native Baptists took a leading role in organizing parallel judicial and police systems among Afro-Jamaicans. These religions provided the basis for the establishment of other counter-hegemonic, quasi-Christian religious movements including the Revivalists, Cumina and Rastafarianism that were often accused of fomenting civil disobedience and anti-government sentiment. These became the dominant religions of the lower classes from which their followers were almost exclusively drawn.

Conversely, in Barbados the Anglican Church remained dominant throughout the early and late colonial periods. While the Anglican Church was disestablished and disendowed in Jamaica in 1870, in Barbados it remained the established and endowed church until 1969. Consequently, in 1881 the Church enjoyed a following of 88% of the island's population (in part as a result of its influence in the labour market and its control over the education system and poor relief), compared to a following of 20% in Jamaica (Davis 1983; Soares 1986). By the 1940s, the Anglican Church continued to enjoy majority support in Barbados with membership of 66% of the population (more than ten times the membership of the second most popular religion), compared to a following of 28% in Jamaica. Furthermore, the other popular religions at the time such as the Wesleyan Church (the second most popular religion with a following of 6.6% of the population) also supported the status quo and did not challenge the social order. The Baptists, who played an instrumental role in challenging the established order and the dominance of the Church of England in Jamaica, had a mere 0.4% following among the Barbadian population in 1946, compared to a following of 26% in Jamaica during the same period. Therefore, organized religion in Barbados reinforced the dominant values of society among the lower classes and did not provide a venue for cultural resistance and social change (refer to Figure 5.3).

**Figure 5.3: Causal Diagram of the Orientation of Lower Class Religions towards the Established Order in Jamaica and Barbados**



In Jamaica, the class differences in religious preferences contributed to the development of a social and cultural divide between the lower classes and the middle to upper classes. The counter-hegemonic views preached by the non-conformist churches and their native offshoots were popular among the lower classes, while the middle and upper classes were primarily members of the pro-establishment Anglican, Presbyterian and Methodist churches. Accordingly, the churches of the lower classes challenged the legitimacy of the British colonial state and its legal institutions, while the churches of the middle and upper classes supported these institutions. In Barbados, the Anglican Church, which effectively maintained the status quo and supported the plantocracy, remained the dominant church of all classes (including the lower classes). Hence, among the masses, religion in Barbados both supported and actively maintained the legitimacy of the established order, including the authority of the state and the legal system.

#### *The Cultural Autonomy of the Lower Classes*

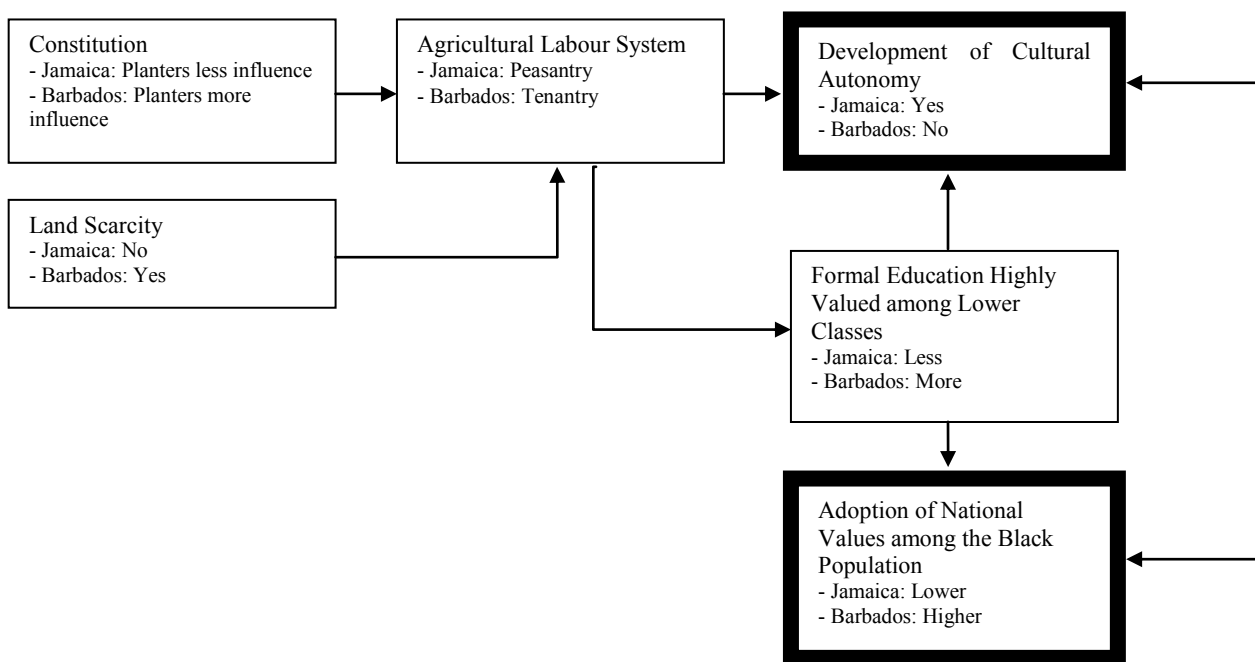
After emancipation, two different systems of agricultural labour developed in the two colonies: the peasantry system in Jamaica and the tenantry system in Barbados. In Jamaica, many former slaves became peasants. Some became subsistence farmers, while others became successful commercial agricultural producers. This gave the Afro-Jamaican population some independence from wage labour in the plantation system and thereby an opportunity to withdraw (at least somewhat) from the dominant culture. Thus, the peasantry system provided former slaves some independence from the hegemonic culture and dominant value system, and as such provided a space for an oppositional culture to develop. As Sheller (2000) argues, the peasantry in Jamaica developed a democratic ideology that included an explicit critique of white racial domination and of capitalism, and joined with the Baptists and other churches to challenge these structures of domination.

In Barbados, a coercive legal framework was established after emancipation that resulted in a system of debt bondage known as the tenantry system. This system created a large and permanent class of wage labourers who were compelled to work for very low wages. As a result of the shortage of affordable land, the majority of Afro-Barbadians remained dependent upon plantation labour and its oppressive conditions. Labourers lived directly on the plantation estates and were legally required to follow stringent rules of conduct. Violations of these rules usually carried grave consequences that were enforced at the discretion of the plantation's management, including the termination of employment and the eviction of the worker and his family from their home on very short notice. Consequently, there was little opportunity to develop an oppositional culture in Barbados. Moreover, the dependence on wage labour and the inability to acquire land created a cult of education among the Afro-Barbadians, who, without any means of becoming peasants, saw formal education and the professions as the only method of escaping the wretched conditions of the tenantry system. An orientation towards the education system required active participation within the established order and thereby the dominant collective value system (i.e. the emphasis on moderation, gradualness and law-abidingness), while the education system itself was one of the primary socialization agents that reinforced this value system. Moreover, unlike Jamaica and many other Anglo-Caribbean colonies, Barbados never became a crown colony. Consequently, the plantocracy (through their control of the Assembly) possessed the legal and political power to maintain the tenantry system throughout the 19<sup>th</sup> century (Jamaica became a crown colony in 1866, which lessened the legal and political influence of the plantocracy). Refer to Figure 5.4 for a causal diagram of the development of an oppositional culture in both colonies.

The tenantry system limited the economic and social independence of agricultural labourers in Barbados, thereby inhibiting the development of an oppositional culture and

facilitating the integration of the masses into the dominant social institutions. Furthermore, the tenantry system created a cult of education that reinforced the dominant value system among the Afro-Caribbean population outlined above. In Jamaica, a peasantry was able to develop with some independence from the plantation system. This

**Figure 5.4: Causal Diagram of the Development of Cultural Autonomy among the Masses in Jamaica and Barbados**



provided an opportunity for the establishment of an oppositional culture that challenged the extant structures of domination and allowed the peasantry to live outside of many of the dominant social institutions. Consequently, the peasantry joined with the non-conformist and other churches of the lower classes in challenging the legitimacy and authority of the colonial state and its legal system.

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In summary, four critical differences developed between Jamaica and Barbados that affected the political culture and thereby the foundations of state authority structures among the lower classes in each colony: the extent of a race-class correlation; the extent to which the Afro-Caribbean population acquired a sense of national community and internalized the dominant national values; the orientation of the religion of the lower classes towards the established order; and the structural conditions that allowed/inhibited the development of cultural autonomy among the masses. These four conditions combined in each colony to create different orientations among the masses towards structures of state authority by the late 1930s.

In Barbados, the lack of ethnic divisions between the lower and middle classes, the internalization of collective national values, a religion that actively supported the extant structures of domination and the structural conditions that inhibited the mass adoption of an oppositional culture resulted in the lower classes adopting the dominant political culture that was congruent with legal state authority. That is, the collective values adopted by the lower classes were compatible with the authority of the state (and its legal system) that operated on impersonal and rational grounds. Accordingly, I contend that in Barbados, the state and the legal system were seen as legitimate by the masses during the late colonial period. Of course, one can accept the legitimacy of a state but at the same time be diametrically opposed to specific actions, policies or laws. As such, the lower classes in Barbados were amenable to a reformist and gradualist approach to the changing of state institutions. Therefore, notwithstanding any such opposition to historic injustices committed by the state (e.g. slavery and the tenantry system) and desire for state reform, by the late 1930s the lower classes in Barbados accepted the legitimacy of the state and the law.

In Jamaica, social and cultural differences between the lower and middle classes combined with the differences in religious preferences between the two classes to result in a communal division between the two classes. The middle class was considered “more British than the British” (Munroe 1990: 48), while that label could not be applied to the lower classes. Instead, the high degree of institutional separation experienced by the lower classes resulted in increased cultural autonomy and weaker ties to the dominant (elite) value system on the island, which created an opening for competing value systems to emerge. The churches popular among the lower classes provided a forum for cultural resistance and actively challenged the structures of domination, which was supported by the oppositional culture that developed among the peasantry. In this sense, the political culture of the lower classes differed significantly from the middle class (who were politically socialized into British political institutions) in that they did not view the extant rational state and legal system as legitimate. Indeed, they saw the state and its legal system as alien and treated it with a general distrust. As such, the masses were less agreeable to a reformist and gradualist approach to the changing of state institutions (as they were largely considered illegitimate), but were more amenable to a revolutionary transformation that involved a break with the extant structure of state authority.

This attitude towards state authority held by the lower classes interacted with a series of events during the transition to universal suffrage to determine whether political violence and patronage politics were institutionalized in each colony. As outlined in the next section, it is the institutionalization of political violence and clientelism during the late colonial period that triggered the path-dependent process of the weakening of the rule of law in Jamaica, while its absence in Barbados failed to activate a similar sequence of events.

## **The Transition to Universal Suffrage: A Critical Juncture**

During the transition towards universal suffrage in the late colonial period, the political environment in Barbados and Jamaica were similar in many respects. Prior to full suffrage, the progressive movement in both colonies was divided between two factions whose leaders had once been collaborators, but were now ardent rivals (Manley and Bustamante in Jamaica; Adams and Crawford in Barbados). Furthermore, each faction was supported by a political party and an affiliated trade union (i.e. party-union complex) that had a substantial number of members and followers (the JLP/BITU and the PNP/TUC in Jamaica; the BLP/BWU and the Congress Party/Congress Union in Barbados). However, the two colonies experienced different intensities of political violence. Jamaica experienced some minor instances of political violence that later escalated to serious incidences, which was then followed by the institutionalization of partisan violence and clientelism. Although Barbados also experienced minor instances of political violence, these did not escalate nor did violence or patronage politics become institutionalized as in Jamaica. I argue that these differences in the two colonies were primarily due to differences in the attitudes held by the lower classes regarding the type of state authority structure accepted as legitimate, with the timing and sequence of constitutional change in each colony and the colonial government permitting violence (in Jamaica) both reinforcing these differences.

### *Jamaica*

In Jamaica, the transition to universal adult suffrage was abrupt. By decree of the Colonial Office, the first universal suffrage elections were held December 14<sup>th</sup>, 1944. As such, Jamaica transformed virtually overnight from a crown colony (i.e. a colony directly ruled by the Colonial Office in Britain with a minimal amount of local political influence) to a colony where legislative power was concentrated in the newly formed House of Representatives whose

members were elected under a universal franchise. Consequently, the enfranchisement of the masses occurred in a context where the lower classes had had little exposure to electoral competition, political organization and the political traditions of the colonial state. Before acquiring the vote, the lower classes did not have an opportunity to witness intense electoral competition whose outcome was decided by an enfranchised middle class who were more familiar with colonial political practices and institutions (as was the case in Barbados). This limited the transmission of political culture from the middle to the lower classes, which was further hindered by the aforementioned communal divisions between the two classes.

Given the absence of opportunities for extensive political socialization from the middle to the lower classes, the latter's orientation towards state authority remained unchanged. That is, the lower classes continued to subscribe to a political culture that challenged the extant structures of domination and the legitimacy of the colonial state, while seeking a break with the extant (legal-rational) structure of state authority. As charismatic authority is often not constrained by legal or traditional rules (or even past behaviour), it generally represents the clearest departure from past structures of state authority (based on legal, traditional or other charismatic regimes). Accordingly, a political party relying on charismatic appeal (especially one with an anti-establishment image) was a much closer fit with the attitudes of the lower classes towards state authority than one relying on rational appeal, which was an approach that was both somewhat foreign and one that represented a continuation of the extant rational structure of state authority. Consequently, in the first universal suffrage general election of 1944, the masses overwhelmingly supported the political party that relied on charismatic appeal (the JLP) as opposed to the party that relied on rational appeal (the PNP). Weber suggests that legitimacy based on charismatic grounds within a democratic context involves a "highly emotional type of

devotion to and trust in the leader... [and] a tendency to favor the type of individual who is most spectacular, who promises the most, or who employs the most effective propaganda measures in competition for leadership” (Weber [1922] 1978: 269). It was precisely Bustamante’s charismatic appeal—that is his legendary status, his anti-establishment image, his emotional following among the masses (“We will follow Bustamante till we die”) and his effective electoral propaganda (i.e. exploiting the black/brown divide) that resonated with the masses, much more so than Manley’s rational approach.

The rational administration of government became the first major challenge for the JLP regime. As mentioned, states based on charismatic authority are generally ruled autocratically and irrationally—outside the constraints of law, tradition or precedent. However, within the context of the new constitution and the colonial order, irrational and autocratic rule of this nature was not an option. Consequently, the JLP government had to undergo a process of routinization. As Weber ([1922] 1978) maintains, within a democratic context, this entails building popular support through honour and glory in war and/or by promoting the material welfare of the masses. The JLP did exactly that by flouting the law to promote “political war” with the PNP/TUC and by rewarding supporters with political patronage. The misuse of state power did not negatively affect the popularity of the JLP among the lower classes, who were largely distrustful of the colonial state. In fact, political violence and patronage proved to be successful strategies in maintaining mass support, and as such became the centrepieces of the JLP administration.

Appeals by the PNP to colonial authorities (who at the time were responsible for law enforcement) to end the abuses of state power and the illegal activities of the JLP were of no avail. As such, the colonial authorities tacitly supported the JLP by initially turning a blind eye to JLP-initiated partisan violence and their misappropriation of state funds. The colonial

administration was thus complicit in the political violence committed by the JLP through its policy of non-intervention. However, the colonial administration's support for the JLP remained passive (i.e. it manifested itself through inaction) and did not involve active discrimination against the PNP, such as the case of the People's Progressive Party in Guyana, where its leaders were forbidden to hold political meetings and were incarcerated on the grounds of their political affiliation, while the constitution was suspended and later changed to favour the opposing party. In this sense, although the colonial authorities did not act to quell partisan violence (at least initially), they did not initiate the violence. However, the question remains as to what would have happened had the colonial government initially intervened in JLP-initiated violence. Although it is difficult to estimate the counterfactual, the historical evidence seems to suggest that early state intervention may have prevented the establishment of strong-arm groups affiliated with the PNP and thereby the institutionalization of political violence in Jamaica. However, mass support for the charismatic authority of Bustamante may have then led to other types of violence. Empirical analyses suggest that the transition to independence is an unstable period where the chances of communal violence, rebellion and civil war are significantly increased (Fearon and Laitin 2003; Wimmer 1997). Given the low level of legitimacy and distrust towards the colonial state among the masses, it is unclear whether other types of violence (such as a rebellion) would have emerged in the absence of political violence. Therefore, although colonial intervention may have stopped the institutionalization of political violence, colonial intervention alone may not have been sufficient in preventing all potential forms of violence, which may have also in due course negatively affected the rule of law.

Rather than face decimation at the hands of JLP-initiated partisan violence, the PNP decided to imitate JLP strategy. The PNP enlisted its own vigilante strong-arm groups to counter

the street forces of the JLP in order to hold public meetings without interruption and ensure the survival of the party. When this proved successful, the PNP began to appeal to the masses by moving further away from a purely rational approach towards a more charismatic one in order to broaden their support. Beginning in the late 1940s, the leadership of both the party and its union became less rational and democratic and more charismatic and autocratic. Publicly, Manley was transformed into a charismatic persona that took on heroic dimensions. During the general election campaign of 1954/1955, while dropping its more socialist policies (so that the JLP and PNP platforms were nearly identical), the PNP began promising material benefits to the masses (specifically the poor and unemployed). These strategies achieved their intended consequences, resulting in increased lower class support for the PNP that culminated in the party's electoral victory in 1955.

The move towards charismatic appeal and its corresponding political tactics came with consequences for the PNP. Having increased their popular support as a result of their charismatic appeal, the PNP could not have governed strictly on the basis of legal authority (i.e. under the constraints of the law) without having lost support. Consequently, once in power, the PNP exercised state authority following the model set by the JLP (based on routinized charismatic authority) by misappropriating state funds to reward members of vigilante strong-arm groups and unemployed supporters with unprecedented levels of political patronage. This institutionalized political violence and clientelism in Jamaica, creating a political environment whereby the viability of political parties depended upon their ability to recruit supporters willing to engage in violence, who in return were rewarded by a share of the state's largess when their party was in power. As the recent history of Jamaica demonstrates, this cycle was difficult to

break and thus the institutionalization of political violence and partisan politics set off a path-dependent sequence of events that resulted in the deterioration of the rule of law.

Path dependence can be defined as “specifically those historical sequences in which contingent events set into motion institutional patterns or event chains that have deterministic properties” (Mahoney 2000a: 507). Following Mahoney (2000a), I identify the institutionalization of political violence as the contingent initial event that generated a path-dependent reactive sequence. That is, the late colonial period witnessed the conjuncture of the transition towards universal suffrage with the rejection of legal state authority by the lower classes. In Jamaica, the outcome of this conjuncture was the institutionalization of political violence and clientelism, which triggered a sequence of events that eventually led to the well-documented deterioration of the rule of law in the post-colonial period.

### *Barbados*

In Barbados, the transition to universal suffrage was more gradual than in Jamaica. In 1943 franchise reform did not grant universal adult suffrage for which the progressive movement was lobbying, but did lessen the franchise restrictions to the House of Assembly by reducing the income qualification and by giving women the right to vote, which tripled the electorate. Universal suffrage was not granted until 1951. It was during this period of the reduced, but still restricted, franchise (i.e. 1943-1951) that the fervent rivalry between the two factions of progressive movement took place. Thus, before acquiring the vote, the masses did have exposure to intense electoral competition whose outcome was decided by an enfranchised middle class who were more familiar with colonial political practices and institutions. Consequently, unlike Jamaica, the enfranchisement of the masses occurred in a context where the lower classes had had some exposure to electoral competition and political organization. Furthermore, the lack



of communal divisions between the lower and middle classes provided an opportunity for the transmission of political culture from the former to the latter and limited communal competition and patronage.

The political socialization of the lower classes into the extant political traditions and customs was facilitated by their internalization of the dominant political culture, which in turn reinforced the legitimacy of legal state authority. The the “law-oriented” political culture (see Will 1981) among the masses was well-matched with the structure of the extant state institutions that were based on legal authority. A broad-based oppositional culture and an anti-authority sentiment did not develop among the lower classes. Accordingly, I argue the masses did not seek a break with the extant structure of state authority, but accepted the legitimacy of the state and the legal system, seeking inclusivity within those institutions. It is the acceptance of legal and rational state authority among the lower classes that resulted in the absence of escalation of political violence.

When the two factions of the progressive movement split and formed competing party-union complexes (the BLP/BWU and the Congress Party/Congress Union), by the mid-1940s the situation was ripe for political violence. Indeed, minor incidences of political violence did appear in the form of throwing bottles and stones in order to disrupt public meetings. However, the severity of violence did not rise beyond this level. I argue that the failure of partisan violence to escalate was the result of the legal-rational orientation of the leadership of both factions of the progressive movement, which was ultimately a function of the political culture of both the middle and lower classes. Both Grantley Adams and Wynter Crawford relied on rational appeal to attract electoral support from the enfranchised middle class, while simultaneously attempting

to attract goodwill and support from the lower classes, given that universal suffrage was expected to be imminent.

Unlike Bustamante in Jamaica, neither leader used public platforms to work supporters into an emotional frenzy by promoting extreme polarization between the two progressive parties, and then implicitly condone (or in some cases explicitly command) that violence should be used against supporters and leaders of the opposing party. Aside from the disruption of public meetings, both Adams and Crawford eschewed the use of interpersonal violence as a political tactic. Adams, a respected Oxford-trained lawyer and member of the House of Assembly since 1934, not only had respect for, but was also quite adept at working within the colonial state and its legal institutions. Consequently, the use of extralegal tactics (including partisan violence) to any significant degree was unnecessary and, given the legal-rational orientation of its support base, would have most likely eroded support for Adams and the BLP. Adams even disapproved of the use of violence during the disturbances of 1937, lamenting that “[t]he progressive cause seemed to have floundered on the shoals of discontent and violence. Barbados, an island long known for its law-abiding character, had blown up in an explosion.”<sup>117</sup>

Crawford and the Congress Party also relied upon rational appeal—its party manifesto published in 1944 outlined a rational, socialist platform. Notwithstanding his personal animosity towards Adams, Crawford did not dedicate much time publicly attacking Adams, but spent much of his energy opposing the plantocracy, the Anglican Church and various policies of the colonial administration and through his public statements in the House of Assembly and in the Barbados Observer. As such, for Crawford the progressive movement took precedence over his rivalry with Adams, which was evidenced by his rejection to work with the conservative Electors’ Association and his willingness to form coalition with the BLP in 1946 (during which time he

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<sup>117</sup> *The Barbados Advocate*, “Blunders, Struggles and Regrets”, January 31<sup>st</sup> 1971.

was politically outmanoeuvred by Adams). Thus, Crawford did not attempt to promote polarization between the two progressive parties, nor did he make allowances for the use of interpersonal violence as a political strategy.

Although the legal-rational approach of the party leaders was a crucial factor in preventing the escalation of political violence, it was the masses who ultimately shaped the political environment, as it is they who chose to support these particular leaders. It wasn't simply a historical accident that the leadership of the two factions of the progressive movement were more rational in orientation. Rather, they were the chosen leaders of the movement precisely *because* they followed a legal-rational approach. That is, their popularity was a result of the dominant orientation (i.e. legal-rational) of both the middle and lower classes towards state authority. Accordingly, I contend that the structural conditions were such that had a charismatic figure like Bustamante appeared on the Barbadian political scene, he would most likely not have had a substantial following. Indeed, at public meetings in Barbados, there were instances when audiences rebuked candidates who had in their opinion gone too far with their attacks, saying they had not come to hear people vilified or the Government denigrated (Will 1981). That is not to say that charisma was not an important political asset for Barbadian leaders (see Allahar 2001). However, it was the internalization of the dominant political (law-oriented) culture by the masses that led to their acceptance of legal state authority and to their rejection of leaders whose appeal was based on charismatic authority (not to be confused with charismatic leaders whose appeal was based primarily on legal-rational authority), which in turn hindered the escalation of political violence (and thereby the institutionalization of patronage politics), providing the foundation for a strong rule of law post-independence.

## **Conclusion**

To summarize, differences along four key dimensions (the extent of a race-class correlation, the extent to which the Afro-Caribbean population developed a sense of national community and internalized the national value system, the orientation of the religion of the lower classes towards the established order, and the structural conditions that either facilitated or hindered the cultural autonomy of the masses) developed between the two islands during the early colonial period that influenced the attitudes of the masses towards state authority during the late colonial period. In Barbados, these four dimensions combined to result in the absence of communal divisions, with the lower classes accepting the legitimacy of legal state authority. In Jamaica, these four dimensions resulted in communal divisions along class lines, with the lower classes challenging the extant legal state authority structure. It was these differences between the two colonies that proved to be the crucial factor that determined whether political violence and political patronage were institutionalized during the transition to universal suffrage. In Jamaica, the masses rejected the colonial state and accepted the legitimacy of charismatic authority, which, combined with the inaction of colonial authorities, ultimately resulted in the institutionalization of political violence and clientelism. In Barbados, the masses accepted the legitimacy of the state and its legal authority, which hindered the escalation of political violence and patronage.

The institutionalization of political violence and patronage politics during the late colonial period triggered the path-dependent process that weakened the rule of law in Jamaica. Although numerous studies have pinpointed political violence as the cause of a weak rule of law in Jamaica, few examine the origins of political violence itself. In taking a comparative historical approach, I contribute to current explanations of the origins of political violence in

Jamaica in two ways. First, the comparison of Jamaica with Barbados does not lend support to explanations that attribute the emergence of political violence to the historical accidents of either the development of animosity between Manley and Bustamante or the rise of a charismatic leader (Eaton 1975; Munroe 1990) – although Munroe also acknowledges the role of structural factors. As personal hostility also developed between the two progressive leaders in Barbados (where political violence was not institutionalized), this suggests that the animosity between Manley and Bustamante is not a sufficient cause of the institutionalization of political violence in Jamaica. That is, although there was great friction and rivalry between Adams and Crawford in Barbados, this did not lead to an escalation in the intensity of political violence as experienced in Jamaica. Moreover, the comparison also suggests that the rise of a charismatic leader was not simply a historical accident, but was the result of structural conditions (i.e. the attitudes of the masses towards state authority) that enabled Bustamante to achieve a strong following among the lower classes. As the lower classes did not accept the state as legitimate, they were prepared for a break with the extant state authority structure. As charismatic authority is not constrained by legal rules or tradition, it represented the clearest departure from the status quo. As such, the masses were prepared and normatively inclined to support a charismatic leader who presented himself as anti-establishment.

Second, a historical perspective suggests that the origins of political violence and clientelism in Jamaica can be traced back to the early colonial period. Sives (2010) provides one of the most comprehensive analyses of the origins of political violence. The research presented here both draws upon and corroborates much of her analysis of the late colonial period, which attributes the support of Bustamante among the masses in the 1930s to their political inexperience. A comparative historical approach modifies this argument by suggesting that

political inexperience was not the primary cause of Bustamante's following, but rather it the political culture of the masses, specifically their orientation towards state authority. That is, in Barbados the lower classes were also politically inexperienced during the transition to democracy (although they had an opportunity to acquire some experience as their transition to democracy was more gradual). However, the main difference between the two colonies that led to a popular charismatic progressive leader in Jamaica and not in Barbados was the orientation of the masses towards state authority. Consequently, the origins of political violence in Jamaica lay not only in the confluence of events during the late colonial period, but also in developments that took place in the early colonial period.

In Barbados, political violence and clientelism were not institutionalized. That is, the conjuncture of the transition towards universal suffrage with the acceptance of legal state authority by the lower classes did not set off a path-dependent reactive sequence that ultimately weakened the rule of law. In this sense, Barbados is a negative case of the path-dependent process that negatively affected the rule of law. However, Barbados is also a positive case for the promotion of a strong rule of law. It is a case where there is a strong congruence between political culture and political institutions. The law-oriented culture of moderation and law-abidingness both legitimized and reinforced the legal-rational structure of the colonial state, and hence strengthened the rule of law. This suggests that the level of congruence between the political culture held by the majority of any society and the structure of state authority has important implications, which are analyzed in the concluding chapter.

## CHAPTER 6 – CONCLUSION

This research project began with a question: What are the determinants of a strong rule of law in post-colonial societies? I set the stage for the analysis by reviewing the literature showing that the rule of law has important developmental consequences, and by conducting original research suggesting that the rule of law has a strong, beneficial effect on social development through causal mechanisms other than contract enforcement and the protection of property rights. Little is known regarding the foundations of a strong rule of law in post-colonial developing countries, while the international community spends billions of dollars on rule of law assistance with disappointing results. My research addresses this lacuna by comparing Jamaica and Barbados, two countries with many similarities, but with divergent outcomes concerning the rule of law. As promoting the rule of law is a core function of the state, I reviewed the state-building literature and found it seemingly unable to account for the differences between the two cases in their capacity to maintain law and order during the post-independence period.

The research takes a comparative historical approach, specifically investigating the origins of the divergence of the rule of law between Jamaica and Barbados. The analysis suggests that the level of ethnic diversity influenced the political culture of the masses during the transition to universal suffrage. This determined whether political violence and patronage politics were institutionalized, which ultimately led to the deterioration in the capacity of the state to promote the rule of law. In Jamaica, communal divisions along class lines resulted in the lower classes challenging the authority of the state, which combined with the decision of the colonial authorities not to intervene in early instances of political violence (thereby tacitly supporting it) contributed to the establishment of a democratic political system based on

violence, lawlessness and patronage that emerged during a critical period of instability on the island (the transition to both universal suffrage and independence). In Barbados, the absence of communal divisions contributed to the broad-based acceptance among all classes of the legitimacy of legal state authority, with all major political parties appealing to the electorate on a rational basis, thereby hindering the escalation and institutionalization of political violence and clientelism. Moreover, the compatibility between the political culture and the state authority structure provided the foundation for a strong rule law during the post-colonial period. This chapter will review the implications of these findings and explore broader applications of the research.

### **Theoretical and Practical Implications**

In the state-building literature, strengthening state capacity is conceptualized almost exclusively as a top-down process. That is, it is predominantly based on the premise that strengthening the state apparatus and promoting its bureaucratic management will increase state capacity. As such, it tends to equate strengthening state capacity with strengthening state institutions. This tendency also holds true regarding current approaches to rule of law assistance in developing countries. The OECD's Development Assistance Committee advocates security system reform (i.e. state institutional strengthening and corruption control) as the primary means of strengthening the rule of law in fragile states (OECD 2007). My research represents a departure from this literature and developmental practice by suggesting that the strengthening of state institutions alone is not a sufficient condition to augment state capacity with respect to the rule of law. Although the strength of state institutions are certainly important in determining state capacity, the capacity of the state to promote the rule of law is also determined by a bottom-up process, where the political culture of the majority affects the rule of law. That is, the rule of



law is strengthened when there is congruence between the dominant political culture and state structures. More specifically, the case studies suggest that a political culture held by the majority that promotes the widespread acceptance of legal state authority is an important determinant of the rule of law because it affects both the acceptability of political violence and the structure of the state. In short, my research suggests that the rule of law depends not only on characteristics of the state, but also on characteristics of society and the fit between the two.

This insight modifies current cultural theories of state-building. The dominant trend in the extant literature on norms and state-building suggest that certain norms augment state capacity through promoting more effective and disciplined bureaucratic state organization. The comparison of Barbados and Jamaica suggests that beyond strengthening the organizational capacity of the state apparatus, the dominant norms held by society at large are also an important determinant of state capacity regarding the rule of law. The research therefore corroborates Gorski's (2003) and Rueschemeyer's (2005) work describing how norms affect state-building. Furthermore, the research modifies the extant legal studies scholarship on the relationship between the rule of law and culture. The findings suggest that it is not simply societies with certain general cultural attributes such as individualism or egalitarianism that are associated with a stronger rule of law (Licht, Goldschmidt, and Schwarts 2007). Rather, specific values associated with the dominant political culture that may differ in countries that are culturally similar facilitate the mass acceptance of the legitimacy of legal state authority and therefore strengthen the rule of law. For instance, Jamaica and Barbados shared many cultural similarities (including comparatively similar levels of individualism and egalitarianism), but differed in the attitudes of the masses towards state authority. This implies that strengthening the rule of law in weak states could entail promoting specific attributes of political culture that are compatible with

the acceptance of legal state authority without necessarily having to alter the foundations of national cultures.

The findings also contribute to the literature on ethnic diversity and state capacity. The research supports past findings showing that ethnic diversity negatively affects state effectiveness and the rule of law. However, it proposes a new causal mechanism through which this occurs—through the influence of ethnic diversity on political culture. The research suggests that ethnic divisions can influence the rule of law through contributing to communal differences in political culture, independent from its effect on ethnic competition or ethnic-based patronage. In particular, political culture significantly affects state legitimacy, while the latter shapes state enforcement of the rule of law. Ethnic-based differences in political culture appear especially relevant when ethnic-based inequalities exist and when certain communities are more isolated from the state.

These findings also have important policy implications regarding the effective promotion of the rule of law in fragile states. The research implies that the legitimacy of legal state authority is derived from the dominant political culture, and as such does not necessarily follow as a consequence of the sudden granting of individual rights and the establishment of a modern formal legal system. Consequently, where the dominant political culture is not necessarily congruent with state authority, resources could be channelled towards attempts to modify these specific aspects of the dominant political culture, potentially through targeted educational programs or support of other agents of political socialization, for example. This would represent a departure from the current practice of focusing almost exclusively on strengthening formal legal institutions and controlling corruption. Accordingly, the findings provide further empirical

support to the assertion that culture may explain the general failure of rule of law development assistance in weak states (Brooks 2003).

Another contribution of this project is the emphasis placed on violence. The rule of law (i.e. rule by law) can roughly be divided into two broad components: the market efficiency component (the ability to enforce contracts and protect private property) and the personal security component (the ability to limit unlawful interpersonal violence). Much of the extant literature on the rule of law and development centers on the market efficiency component. This research brings to the fore the importance of the state's ability to limit violence as an equally important feature of the rule of law with respect to development. Furthermore, it highlights the conditions under which a rule of law that successfully limits unlawful violence is strengthened or deteriorates in post-colonial societies. This is achieved through a focus on differences in the institutionalization of political violence and clientelism in two countries with similar levels of contract enforcement and property rights that also share many of the same financial institutions. The institutionalization of political violence and patronage politics are identified as root causes of the escalation in the general level of unlawful violence and thereby a deterioration of the rule of law through the personal security component, while the level of contract enforcement (the market efficiency component) remained consistently strong throughout the post-independence period in both countries.

The research also contributes to the literature by highlighting the importance of the rule of law with respect to development beyond economic growth. The cross-national statistical analysis of the effect of the rule of law on health suggests that the rule of law has a beneficial effect on child mortality – a measure indicative of broad-based social development. Moreover, the comparative analysis of the relationship between violence and health in Barbados and

Jamaica indicates that a weak rule of law has a negative effect on health that is disproportionately borne by the poor. Taken together, these analyses suggest that the rule of law is associated with development outcomes that cannot be monopolized by the wealthy and thus benefit all segments of society, and as such it is not antithetical to the interests of the working classes as certain neo-Marxist theories of the state suggest (see Miliband 1969). However, in no way should this conclusion be seen as an endorsement of the current economic structure of Barbadian or Jamaican society; rather the evidence suggests that, *ceteris paribus*, the rule of law (specifically regarding levels of interpersonal violence) has positive developmental effects that benefit the poor.

Lastly, my research also suggests that unlawful political violence created an incentive structure for the violation of legal constraints on political power. That is, political violence created an incentive for the governing party to use the state against political opponents and provide patronage to supporters. This, in turn, reinforced political violence, creating a vicious cycle where both violence (representing a violation of the thin definition of the rule of law) and patronage (representing a violation of the thick definition of the rule of law) fed off each other and became progressively more intense. This dynamic triggered the vicious cycle that represented the institutionalization of political violence and clientelism, which ultimately led to a deterioration of the rule of law in Jamaica.

### **Potential Extensions of the Research Findings**

As mentioned in Chapter 1, the research was designed to optimize the identification of new causal variables and mechanisms regarding the determinants of the rule of law. Accordingly, a limitation of this methodology is the ability to generalize the findings to a large number of cases. Although beyond the scope of the current project, the research generated ideas

that could be tested cross-nationally. I will briefly discuss the potential applicability of the findings to other countries, which will be followed by a review of other prospective research projects that emerged from this research.

Two contemporary cases where the research findings may be relevant are Iraq and Afghanistan. Both these countries are currently transitioning to democracy and independence from foreign occupation (as did Barbados and Jamaica in the late colonial period). The regimes in Iraq and Afghanistan were overthrown 8 and 10 years ago respectively, and since then the two countries have been under various degrees of foreign military and political control—what some term the new form of modern imperialism (Mann 2003). The imperial powers in these countries are attempting a transition to democracy and full political and military withdrawal (i.e. the granting of full independence), as was the case with Jamaica and Barbados during the late colonial period. In both Iraq and Afghanistan, violence is rampant and the rule of law is weak. Indeed, news organizations provide daily reports of violence whose victims are not only foreign troops and aid workers, but also native politicians, local defence and police forces, in addition to countless civilians.

In Iraq and Afghanistan, much effort (not to mention billions of dollars) has been spent on strengthening the rule of law since the onset of the foreign occupations, with little to show for it. After the fall of the Taliban regime in Afghanistan, Western experts inspected Afghan prisons, trained police forces and judges, consulted in the rewriting of laws and planned elections while paying scant attention to local customs, norms and values (Brooks 2003: 2279). In Iraq, the US military put a “simplistic” rule of law building program in place after the ouster of Saddam Hussein—one which sent “over groups of U.S. judicial experts with no experience in the Arab world and no grounding in the Iraqi legal culture to advise on the rapid rebuilding of the

Iraqi judicial system” (Carothers 2009: 59). My research suggests that the rule of law remains weak in the two countries because the domestic political and legal culture were ignored during these state-building efforts, seemingly because these efforts have been promoted and imposed by foreign occupiers without meaningful domestic consultation and participation. To the casual observer, it appears evident that the legitimacy of the legal authority of the state in both Iraq and Afghanistan is quite weak. Consequently, at first blush it appears that the two cases conform to my findings which suggest that the rule of law cannot simply be imposed top-down; rather, state structures must be congruent with the dominant political norms and values, but more research is obviously needed to substantiate such a claim.

Haiti is another country where the research findings may provide some insight. Haiti is one of the Caribbean’s most fragile states and has endured a weak rule of law for many decades. As a former French plantation colony with a history of slavery, Haiti shares many similarities with Jamaica. Like Jamaica, there was a tripartite racial hierarchy during the colonial period, which led to a strong race/class correlation post-independence (after the Revolution). Furthermore, a social and cultural divide developed between the elite and the Afro-Caribbean masses, where French cultural knowledge and mastery of the French language became prerequisites for social acceptance within the upper classes. In addition, structural conditions (i.e. post-Revolution land reform) facilitated the cultural autonomy among the peasantry that led to the development of an oppositional culture as in Jamaica. Notwithstanding important differences between the two countries (including that Haiti gained independence much earlier than Jamaica through a militarized revolution and that it has not been a strong democracy since independence), on the surface it appears that the factors that ultimately contributed to a weak rule of law in Jamaica may have also contributed to the same outcome in Haiti. However, a

comparative historical analysis examining the effects of political culture on the evolution of political violence and patronage politics in the two countries is required to determine if any such similarities exist.

Beyond these particular cases, the research may have broader implications. The comparative analysis highlights the importance of the congruence between political culture and state authority structures. It suggests that a strong rule of law requires a common political culture that encourages the broad-based acceptance of the legitimacy of legal state authority. This finding can be tested cross-nationally. The association between specific political values (such as belief in the legitimacy of the law, belief in the illegitimacy of non-state sanctioned violence, willingness to resolve disputes according to the law, and support for traditional sources of authority—that is, religious or other non-legal forms of authority) and the rule of law can be investigated using cross-national statistical analysis. A study of this nature would switch the focus of this emerging area of rule of law scholarship from general national values (such as individualism and egalitarianism) to more specific characteristics of the political culture.

These research projects have the potential to contribute to our understanding of the difficulties of strengthening the rule of law in weak states (specifically in countries that experience high levels of violence) by highlighting the importance of a bottom-up approach to the study of the rule of law. Research of this nature can provide insight into contemporary state-building efforts, while also potentially contributing to the debate of whether state-building an inherently internal process or something that can be facilitated by the international community (Carothers 2006; Fukuyama 2004; Hehir and Robinson 2007).

## APPENDICES

### Appendix A

<b>Year (January)</b>	<b>Union</b>	<b>Membership</b>	<b>Paying Members</b>	<b>Percent of Total Membership</b>
<b>1939</b>	BITU	6,500	N/A	N/A
	Other	N/A	N/A	N/A
<b>1940</b>	BITU	10,007	3,271	81%
	Other	2,317	N/A	19%
<b>1941</b>	BITU	8,133	5,200	N/A
	Other	N/A	N/A	N/A
<b>1942</b>	BITU	20,612	13,741	N/A
	Other	N/A	N/A	N/A
<b>1943</b>	BITU	28,762	18,498	88%
	Other	3,907	2,725	12%
<b>1944</b>	BITU	37,112	23,868	81%
	Other	8,828	5,905	19%
<b>1945</b>	BITU	46,538	29,930	85%
	Other	8,534	3,587	15%
<b>1946</b>	BITU	47,671	30,658	82%
	Other	10,539	3,662	18%
<b>1947</b>	BITU	52,331	33,654	82%
	Other	11,486	4,599	18%
<b>1948</b>	BITU	52,331	33,654	82%
	Other	11,486	4,599	18%
<b>1949</b>	BITU	59,722	35,734	85%
	TUC	4,045	1,851	6%
	Other	6,259	2,888	9%
<b>1950</b>	BITU	63,576	32,788	71%
	TUC	12,405	8,570	14%
	Other	13,484	9,296	15%
<b>1951</b>	BITU	64,859	33,429	73%
	TUC	23,513	8,764	26%
	Other	1,288	917	1%
<b>1952</b>	BITU	64,679	33,339	69%
	TUC	26,560	10,628	28%
	Other	2,388	1,873	3%
<b>1953</b>	BITU	69,692	46,260	70%
	TUC	20,540	7,140	21%
	NWU	5,025	1,842	5%
	Other	3,309	2,128	4%
<b>1954</b>	BITU	66,689	49,804	66%
	TUC	18,670	6,300	19%
	NWU	10,633	2,658	11%



	Other	4,797	1,804	4%
<b>1955</b>	BITU	64,164	45,876	62%
	NWU	24,361	8,961	24%
	TUC	12,840	5,440	12%
	Other	2,183	1,220	2%
<b>1956</b>	BITU	65,154	46,601	53%
	NWU	41,517	12,502	34%
	TUC	12,840	5,440	11%
	Other	3,015	1,874	2%
<b>1957</b>	BITU	65,943	47,547	48%
	NWU	46,820	14,631	43%
	TUC	11,230	4,108	7%
	Other	3,000	N/A	2%
<b>1958</b>	BITU	73,257	53,213	46%
	NWU	72,903	16,260	45%
	TUC	10,432	3,542	7%
	Other	3,648	2,641	2%
<b>1959</b>	BITU	74,343	54,943	43%
	NWU	82,723	22,140	48%
	TUC	12,063	4,593	7%
	Other	2,191	2,070	1%

Sources: Munroe (1990); Eaton (1961).

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