

# Extended Statehood In The Caribbean ~ The Kingdom Of The Netherlands. A Not So Perfect Union With The Netherlands Antilles And Aruba



Bonaire

## *Introduction*

*Het Statuut*<sup>[i]</sup>, the Constitution of the Kingdom of the Netherlands, was formalized in 1954 on December 15. It defines the Kingdom as a federal state of three autonomous countries, the Netherlands in Europe and two countries in the Caribbean, the Netherlands Antilles, comprising six islands, and Suriname. In 1975 Suriname left the Kingdom and became an independent country. Aruba, after obtaining a long coveted *status aparte* in 1986, seceded from the Netherlands Antilles but remained part of the Kingdom as a separate country.

As of December 2004, *Het Statuut* had lasted half a century, a respectable age. It has weathered the times without changing colour, but now its future seems blurred. At its inception, *Het Statuut* was not meant to be a constitution that would forever define the domain of a Kingdom of the Netherlands with one part in Europe and another in the Caribbean. From the outset it was believed that one day the Caribbean countries would become independent. For Suriname that day came in 1975. However, for the Netherlands Antilles and Aruba that day may

never come. The Antillean public and its political representatives value the current constitutional arrangement of the Kingdom, though with mixed blessings, diverse feelings and complex attitudes. In anticipation of the constitutional anniversary of *Het Statuut* some uneasiness surfaced, both in the Netherlands as well as overseas. Was it a time of celebration and, if so, how and what to celebrate?**[ii]** Some authorities were concerned that the anniversary could become a *testimonium paupertatis* of the operations of the Kingdom in the last 15 years, adding another obstacle to the problematical state of the Caribbean affairs of the Kingdom. In the Dutch press, the Netherlands Antilles were reported as a lost case; a Caribbean democracy that has turned into a Dutch banana republic (sic) in the West Indies.**[iii]** In April 2004, the Governor of the Netherlands Antilles depicted the crisis his country is experiencing as one of widespread and profound poverty, too many school dropouts with no prospects, increasing drug trade that is derailing civil society, too many murders, muggings and burglaries and a frightening high proportion of criminals.**[iv]** The number of homicides on Curaçao is staggering and 30 xs higher than in the Netherlands.

The celebrations went ahead, especially in The Hague where on 15 December 2004 the highest officials of all three countries gathered in presence of HM the Queen of the Kingdom. A special coin was issued to commemorate the event.

#### *A Constitution that was not meant for the Caribbean***[v]**

When the outlines of a post-colonial order were being drawn, at the end of World War II, the Netherlands did not distinguish between its different colonized territories, which included the immense Indonesian archipelago in the East, as well as the small territories in the Latin American hemisphere of Surinam and the Dutch West Indies in the Caribbean. In the process of de-colonization all the territories were simply lumped together. After World War II ended and Japan had capitulated, Indonesia declared itself independent, an act that stunned the Netherlands. The unilateral declaration of Indonesian independence was fought with the sword. Those new to world power, particularly the United States of America, did not agree and eventually forced the Dutch to negotiate with the Indonesian nationalists. The Netherlands attempted to keep Indonesia within the Kingdom by proposing a form of postcolonial federal union. It was thought that a free association of autonomous states could pacify the ambitions of the independence movement. The Indonesian nationalistic powers, however, would not compromise and after four years of war and several round table conferences

the government of the Netherlands formally bent to the will of history. The strength and appeal of Indonesia's independence movement had been misread and could not be

contained within a liberal post-colonial Charter that aimed to keep Indonesia within the Kingdom. Indonesia's independence marked the end of the Dutch empire.

After Indonesia pulled out of the Kingdom, Surinam and the Netherlands Antilles reaped the fruits of the Netherlands' attempts to keep Indonesia on board. The West-Indian countries had been party to the Netherlands promise, broadcast on December 6, 1942, by Queen Wilhelmina in exile in London, to de-colonize the Kingdom. The arrangements that were then conceived had not been meant for these much smaller territories. The Caribbean territories, however, would not budge on the concept of a free association of autonomous states as the heir to the colonial Kingdom and stuck to the original liberal terms of the Charter of the Kingdom-to-be. The Caribbean countries claimed autonomy, not independence. They aimed to be partners on equal footing with the Netherlands and succeeded, at least on paper, when in 1954 a new Charter of the Kingdom was enacted. This Charter included the rule that any changes require the unanimous consent of the parties involved. The Netherlands gave in to the aspirations of these small states, believing at the time that there was neither much to gain nor much to lose. The empire was already gone. Moreover, the Charter was not meant for eternity; one day the Caribbean countries would become independent.

### *Change in Status: from Temporary to Permanent Relations*

The constitution of the Kingdom has not fundamentally changed since 1954. Only Aruba's *status aparte* caused some constitutional amendments. Formally, the political status of the Caribbean countries can still be defined as a free association of autonomous states. But in day-to-day reality the political status has incrementally changed because of a shift in perspective: from future independence to a more permanent arrangement. In the 1970s and 1980s future independence was a dominant prospect and a system of development aid formed the core of the Kingdom's relations. The Dutch aligned their aid to the development priorities as determined by the autonomous Caribbean government. In line with international development cooperation theory, it was believed that with the help of development aid, the islands would eventually become viable self-governing units. Dutch parliament and media did occasionally scrutinize this aid

to the Antilles as the islands fell into the category of high-income countries. In 1998, the GDP per capita in the Netherlands Antilles was around US\$11,000 and in Aruba US\$16,000.**[vi]** In 2002/2003 these figures were US\$15,624 and US\$20,310 respectively. According to standards of international development cooperation, these countries do not merit assistance. At the moment of the expansion of the European Union in 2004, the Netherlands Antilles and Aruba had a GDP per capita that was higher than the GDP per capita of the new member countries of the European Union.**[vii]**

In view of the assumed future independence of the islands, Dutch politics simply alleged that the development aid could only serve this process. No harm was done, consensus ruled, criticism was rare and no further questions were raised. The Antillean development policy, if any, directed the Netherlands aid, which resulted in large amounts spent on infrastructure such as harbours and airports, roads, social housing and the restoration of monuments.

In the early 1990s the prevailing winds changed and requirements of good governance and democratic law and order took precedence over the perspective of future independence. In the Netherlands a political consensus emerged that the Caribbean islands were too vulnerable to become sovereign self-governing states; they needed external support structures. This change manifested itself after Aruba seceded in 1986 from the Netherlands Antilles. Aruba obtained a separate status as an autonomous country in the Kingdom on similar and equal terms as the Netherlands Antilles. Aruba's secession was initially granted on the condition of becoming an independent country after a period of ten years. As soon as Aruba had seceded, it began to renegotiate the independence clause. Aruba had never intended to become independent; it wanted to remain a partner in the Kingdom. Without much ado the Netherlands gave in. Consequently the prospect of independence was exchanged for a more or less permanent relationship, both for Aruba and for the Netherlands Antilles. The Kingdom was to stay in the Caribbean; the moment for independence of the overseas countries had passed. As a result, the Netherlands became more involved in the affairs of the Caribbean islands. This involvement with the islands' governance was reinforced by changes in the international order. Left on their own, the Caribbean islands were considered defenseless, sub-scale territories, which could easily fall prey to international lawlessness. How internal affairs are run on the islands has become an international concern as well. As the Kingdom represents the Caribbean

countries in international affairs, the Netherlands is held accountable. A stronger involvement of the Netherlands in the local politics of the island governments has taken place.

### *Kingdom's Extended Statehood Operations*

History's legacy created in its wake a rather unbalanced Kingdom. In Antillean politics, the autonomy of the Caribbean countries has become, over the years, a central doctrine of how the Kingdom should operate. But according to Dutch politics, the Antillean insistence on the canons of autonomy is rather outdated, now especially with the Netherlands itself yielding substantial authority to the offices of the European Union. The world has become much more interconnected and the partition between local and Kingdom affairs has become rather porous.**[viii]** However, amending the constitutional arrangement of the Kingdom requires the consent of the Caribbean countries. In Dutch politics this formal equality of the partners is nowadays conceived to be out of proportion to the reality of vast differences in size and population, government and administration, economics and international status. In sum, the operations of the Kingdom are not backed by a balanced distribution of powers; it is rather difficult to get things done. Every so often, a tight rope has to be walked which is not the most expedient way to progress. Too often, delays, blockades and procedural excess are the norm. For outsiders the complexity and viscosity of the Kingdom's operations is exceedingly difficult to follow.

### *Mission and Organization of the Kingdom*

Once upon a time, the Netherlands ruled the waves. Today, it can hardly cope with what is going wrong in the greatly reduced remaining parts of the Kingdom in the Caribbean, those being the Netherlands Antilles (Curaçao, Bonaire, Saba, Sint Eustatius and Sint Maarten) and Aruba. Four hundred years ago the Dutch East Indian Company became one of the world's first multinationals, encompassing a large part of the globe and forming the foundation of the Netherlands colonial empire. Nowadays, the empire is gone; what is left is a Kingdom that is barely able to enforce right over wrong in its overseas countries. The Netherlands has minimal power with regard to the Caribbean countries of the Kingdom, the last vestiges of its colonial past. Compared to the colonial period, the stakes have changed. In the Netherlands, today, a progressive self-image prevails, one that does not allow for any ambition to rule the waves once again.

More significantly, a sentiment of *never again* has taken hold, a consequence of repressed memories of a bloody colonial legacy in Indonesia (1945-49) where the Netherlands lost its empire. The colonial mission is long past. Since the 1980s the Kingdom's mission in modern times is *under construction*, as it were. The Kingdom's course in the last decades of the 20th Century was rather unsteady. The makeover from a mission to *decolonise* to a calling for the Kingdom as a modern form of extended statehood still has to be made.

### *Kingdom Ltd.*

After World War II, the Kingdom's role in the Caribbean was not meant to be dominant. The Charter of 1954 designated the Kingdom a federal state, comprising three autonomous countries albeit with a rather asymmetrical internal structure: the Netherlands, Surinam and the Netherlands Antilles, *The Netherlands Antilles, Aruba and the Netherlands have their own parliaments, governments, judicial structures and constitutions, with responsibilities at federal level (or: Kingdom level as it is called in the Netherlands) being limited to foreign policy, defense, nationality, safeguarding human rights and good governance, and a few other areas.***[ix]**

The designers of the Charter purposefully limited its authority. The Charter was a landmark document, concluding the colonial period. Suriname and the Netherlands Antilles would, as autonomous countries, administer their own affairs. Neither the Kingdom nor the Netherlands would have a say in local concerns such as government finance, social and economic development, cultural affairs and education. The founding fathers of the Charter defined the Kingdom essentially as a federal institution whose formal authority was limited mainly to foreign affairs, defense, and nationality/citizenship. In addition, the Charter stipulated areas of communal responsibilities, which, by statute, require the partners to cooperate (*statutory cooperation*). These communal areas are the rule of law, good governance, democracy and human rights. In these areas, the overseas countries are equally responsible but the Kingdom has the ultimate obligation of safeguarding the principles of good governance. Here the Kingdom's authority is related to the performance of the island governments. In situations where the Caribbean countries do not live up to standards of good governance, the Kingdom has to act. This is easier said than done.

### *Safeguards and Cooperation*

One of the governors of the Netherlands Antilles, Cola Debrot, forewarned in

1973 that serious difficulties would arise when the Dutch saw reason to interfere in the area of quality of human rights and democracy in the Netherlands Antilles. **[x]** The Kingdom's safeguarding procedure, defined as *higher supervision*, has always been very restricted. According to a statement of the Minister for Kingdom Relations to Dutch Parliament in 2004, higher supervision is a measure of last resort because it infringes on the regular democratic process of autonomous countries. *Supervision* is authorized in special circumstances, and then only when it concerns a matter of structural shortcoming on the part of the national or island government. Other considerations must first be taken into account, such as the seriousness of the matter, recourse by the Antillean government, actions of a lesser nature, and finally, the effectiveness of *supervision*. **[xi]** Thus, this minister, in unison with many of his predecessors, made it very clear that the Kingdom's *higher supervision* was only to be called upon under very unique circumstances. Moreover, even under these exceptional circumstances, tensions are inevitable as nowhere has the baseline been determined upon which the responsibility of the Kingdom would be activated. **[xii]**

In line with the principle of the equality of partners, Het Statuut calls for mutual assistance, deliberation and voluntary cooperation. In the years that followed this mutual assistance morphed into a format of international development cooperation. The Charter and other formal regulations pay little attention to this part of Kingdom affairs. In reality, most of the Kingdom's day-to-day business involved voluntary cooperation on a wide range of local affairs of the Caribbean countries. In the 1980s and 1990s, the transfer of monies from the Netherlands to the Caribbean countries took on the format of *development cooperation* projects. Over the years the Netherlands financed thousands of projects in the Caribbean countries over a wide range of sectors. Recently, Dutch development cooperation with the Netherlands Antilles and Aruba has been concentrated on a handful of areas, in particular education, good governance, sustainable economic development and law enforcement. **[xiii]** All along, the Netherlands' aim has been to ultimately end the development assistance to the Caribbean countries. It was perceived as temporary support in order to facilitate the eventual transition to independence.

#### *A Split-Level Kingdom, de mas y menos*

As it stands, the Kingdom does not guarantee a standardized provision of government service for all *Nederlanders* or, a base line for these services in the

Caribbean countries. The Kingdom Ltd. does not answer claims to safeguard a basic level of provision in areas as education, public health, and social welfare. Hand in hand with recognition of the doctrine of Antillean autonomy, the Kingdom's role in social, cultural, financial and economic affairs has been restricted to *a voluntary* engagement. As a matter of principle, the autonomous countries in the Kingdom have to look after themselves in these areas. Cooperation and financial assistance are at hand, though with a limited time perspective. As autonomous countries, the Netherlands Antilles and Aruba define their own standards of public provision in areas such as government finance, social and economic development, cultural affairs and education. They make their own political choices and do so in view of local conditions and specific local needs, political aims, budgetary constraints and personnel capacities. How government functions are performed and the level of services provided may vary between the countries of the Kingdom; such is a logical outcome of the architecture of the Kingdom's limited public authority and the autonomy of the Caribbean countries.

Government standards and services vary widely indeed between the Netherlands in Europe and the Caribbean countries of the Kingdom. Conditions of life are different for the *Nederlanders* in Europe and the *Nederlanders* in the Caribbean. This applies to education, social security, public safety as well as social housing and environmental practices. Fifty years ago, the distance between the Netherlands and the Caribbean islands was significant, both in real mileage as well as perception; nowadays frequent airline and fast online connections, television and tourism have much reduced the distance between these worlds. Perhaps even more significant is the high interaction between the substantial Caribbean population in the Netherlands and their overseas relatives. *Nederlanders* in Europe and their *rijksgenoten* in the Caribbean have become more familiar with each other's way of life. The number of people on either side with first hand knowledge of life in the other part of Kingdom has much increased. What once was faroff and foreign has become familiar. The annual Caribbean carnival in Rotterdam has become a major attraction for all kinds of *Nederlanders*.

The unequal provision of government services within the Kingdom has only recently been raised in politics as a matter of principle. **[xiv]** There are glaring differences in living conditions that do exist, especially for those who find



themselves at the bottom of the social-economic ladder.[xv] Curaçao's statistics on violence and homicides are much higher than in the Netherlands. Living on welfare or social security is tough, but much tougher for people who have to do so on Caribbean welfare.[xvi] The strong notion of Caribbean' autonomy in local affairs, both in the Netherlands as well as in the overseas countries, explains why these differences have not surfaced earlier as a critical political issue. Every so often, members of the Netherlands. Parliament when visiting neighborhood slums in the Caribbean countries have proclaimed that living under such conditions must not be allowed in the Kingdom of the Netherlands (*dit kan eigenlijk niet in het Koninkrijk!*). So far, the Netherlands' Parliament has not debated these concerns in principled terms, let alone that regulation and finances have been put in place to address them.

### *Organization of the Kingdom Offices*

Her Majesty the Queen is the head of the Kingdom of the Netherlands. The King can do no wrong. The ministers are responsible. One of the ministers in the Dutch cabinet is charged with the responsibility for Kingdom Relations. Since 1998, this portfolio has been part of the ministry of the Interior and Kingdom Relations. Before 1998 the Kingdom's portfolio rotated among ministers who held one or another portfolio as first political assignment. These were successively Agriculture and Fisheries (1982-1986), Social Affairs and Employment (1986-1989), Justice (1989-1993) and Defense (1994-1998).[xvii] The combination with these other portfolios was accidental, a spin-off at the end of the Dutch cabinet formation when portfolios were assigned. The minister for Kingdom Affairs is assisted by a small sub-department of the ministry of the Interior and Kingdom Relations. In the Antilles, a Resident-Representative represents the Netherlands government. This office was created in the early 1970s after social and labour riots in May 1969 set Curaçao on fire. The Netherlands Parliament urged to open a social envelope for the Antilles, to be locally supervised by Dutch civil servants. This office became eventually the Netherlands Representation in the Netherlands Antilles with a wide range of functions: providing local feedback concerning Netherlands. overseas policy; assisting in financial cooperation; representation; and hosting visiting Netherlands' delegations.

The Netherlands is only one of the three partners in the Kingdom, but at the same time the Netherlands supersedes the other partners when specific Dutch institutions and regulations are nominated as institutions and regulations of the

Kingdom. The Kingdom as such has very few institutions of its own. In many instances, institutions of the government of the Netherlands qualify as offices of the Kingdom as well. The prevalence of overlapping Dutch and Kingdom institutions causes ambiguity in the Caribbean countries: who is in charge, the government of the Netherlands or the Kingdom government? When in day-to-day reality Dutch officials act on behalf of the offices of the Kingdom, a conflict of interests may be suspected to arise. The Kingdom's interests may well vary with the Dutch interests, and vice versa. The Antillean authorities do not tire of emphasizing their claim to equal footing with the Netherlands. Juancho Evertsz, prime minister of the Netherlands Antilles (1973-1977), once sardonically warned the Netherlands: 'We will kick you out of the Kingdom', indicating that the Kingdom is not an exclusive institution of the Netherlands. Another time, the minister of Justice in the Antilles, snipped to a Dutch journalist: 'She is also our Queen'. At times of disagreement with Dutch government policy, the Antillean Parliament (*Staten*) has tried to find recourse in sitting down with HM the Queen. In December 2004 a delegation of the Antillean *Staten* proposed having an audience with HM the Queen in order to explain its fundamental disagreement with recent changes in the Dutch migration policy for some *rijksgenoten*. As the Netherlands parliament had already expressed its support for these changes, the Antillean *Staten* felt that there was no other recourse than making an address to the Head of the Kingdom of the Netherlands. What actually ensued falls behind the royal veil of the Crown.

The office of the Governor of the Netherlands Antilles is a most important intermediary in the Kingdom's apparatus. The Governor is appointed by the Kingdom on recommendation by the Antillean government. Every visit of any significant Dutch official to the Netherlands Antilles, be it a politician, an administrative departmental head or a delegation of the High Court (*Hoge Raad*), starts with an audience with the Governor. The Governor's position is double-faced, representing both HM the Queen in the Antilles and at the same time being the head of the Antillean government. The Governor has to walk a tight rope between these two functions, especially when exercising his power of supervision: does he act on behalf of the head of the Kingdom or as the head of the Antillean government? *Supervision* by Kingdom authorities tends to be perceived as Dutch supervision and is, as such, more difficult to digest for Antillean politicians than supervision by their own head of government. In 1992 the island government of Sint Maarten was put under *higher supervision* by the Kingdom. In 1994, after a

successful Antillean lobby, the *higher supervision* was delegated to the national government of the Netherlands Antilles. In both instances the Governor of the Netherlands Antilles acted as supervisor. Island legislation and administrative decision making of any importance by the island executive had to be approved by the supervisor. Sint Maarten's supervision ended in 1996.

At the time when *development cooperation* was the backbone of the Kingdom relations, a minister for Development Cooperation in the Antillean cabinet was the principal counterpart of the Dutch minister for Kingdom Relations. Up until the early 1990s, the Dutch minister for Kingdom Relations annually toured the islands in company with the Antillean minister for Development Cooperation to apportion the development aid budget. These island tours were prepared in great detail, and projects of all sizes and sorts were discussed one by one with the respective island authorities. These tours started and ended with a formal meeting on Curaçao with the Council of Ministers of the Netherlands Antilles.

The moment that safeguarding *good governance* in Dutch overseas politics became prominent, the Antillean prime minister took over the counterpart position. Contacts between Dutch and Antillean ministers with corresponding portfolios such as Justice, Finance, Education, and Environment amplified during the 1990s. These collegial contacts were encouraged by the Dutch minister of Kingdom Affairs (1994-1998), as he felt overcome by the complexity of his portfolio. Especially his experience setting up a Coast Guard in the Caribbean waters while Defence minister, taught him a very Antillean lesson. With the Antillean government a bitter battle had ensued about the command structure of the Coast Guard. The ministry of Defence in the Netherlands did not wish to share this command with Antillean authorities while the Antillean government did not want to surrender any fraction of Antillean autonomy. The startup of the Coast Guard operations became much delayed, a delay that the Defence minister found difficult to explain in The Hague and elsewhere. He suggested that his colleagues *go and look for themselves*, expecting that such visits would provide a collegial understanding of the slow pace of accomplishments he could record. His colleagues did not need much prodding to travel to the Caribbean islands in the sun. For instance, in 1998 a total of 9 Dutch ministers visited the Netherlands Antilles and Aruba, each with their own entourage. **[xviii]** Also in following years, large numbers of Dutch ministers paid visits to the Caribbean countries.

The Netherlands' Council of Ministers constitutes the Council of Ministers of the

Kingdom when Kingdom affairs require ministerial attention and decision. On those occasions the Minister Plenipotentiary of the Netherlands Antilles, respectively Aruba, in the Netherlands take part in the deliberations of the Council of Ministers of the Kingdom. In case the Netherlands Antilles, respectively Aruba, or both, have serious objections to some or other decision of the Council of Ministers, reconsideration can be demanded (*intern appel*). [xix] The matter is then reviewed by a delegation of the Council of Ministers, comprising the Minister-President, two ministers and one or both Ministers Plenipotentiary. In this delegation the representatives of the Caribbean countries form a minority. But what also counts is that such a reconsideration is a serious duty and undertaken with due circumspection. An *intern appel* is a rare occasion and as such receives extensive covering in the Caribbean news media, but also in the Netherlands. [xx] The Kingdom lacks a Kingdom Parliament in which the Caribbean residents or countries are represented. This *democratic deficit* surfaces every so often on the political agenda, though without attempts at repair. In a Parliamentary Contact, delegations of the Parliaments of the Netherlands, the Netherlands Antilles and Aruba meet twice a year. These meetings are loosely structured and mainly occupied with exchanges on actual affairs, current events, grievances and incidents.

### *Netherlands' Assistance to the Caribbean Countries*

Also in financial terms, the Kingdom of the Netherlands is very much a Netherlands affair. The Kingdom does not have a budget of its own to spend on matters concerning the operations of the Kingdom in the Caribbean countries. The outlays for the Caribbean countries are voted for in different Chapters of the budget of the Netherlands government. The costs involved in the Caribbean countries. Defence and Foreign Affairs are part of the regular budget of the respective ministries of the Netherlands government. The special financial assistance provided to the Netherlands Antilles and Aruba is voted for in a specific Chapter (*Hoofdstuk IV*) of the Netherlands government budget; it is not part of the Chapter for international aid to developing countries.

Many a Dutch politician has claimed that the financial assistance to the Caribbean countries is generous, among the highest in the world of development aid. These claims are not correct. On average the assistance amounts these days to ca Euro 400 per capita per annum, while the French and European transfers to the French Caribbean are much higher. Moreover, until 1992 a substantial part of the Netherlands' financial assistance was provided as concessionary loans, which had

to be paid back. The total of the Netherlands' loans amount to ca. Euro 400 million; this was in 2004 by far the biggest part (92%) of the external debt of the Netherlands Antilles.**[xxi]** Since 1992, almost all Netherlands' transfers to the Netherlands Antilles became debt free, in other words these transfers since do qualify as gifts.

Over the years, financial assistance has been a dominant characteristic of the governmental relations between the Netherlands and the Caribbean countries. It increased from Euro 61 million (Hfl 134 million) in 1979 to Euro 118 million (Hfl 265 million) in 1995 to Euro 143 million in 2004 (estimated).**[xxii]** The particularities of this assistance have changed over time. Once development projects of all size and sorts were financed and micro-managed. With the changeover to a permanent status in the early 1990s, the cost of upholding the safeguards of the Kingdom became a significant part of the portfolio. At the same time, the Netherlands attempted to streamline the project portfolio and to distance itself from micro-managing the financial assistance by creating intermediary funds.

### *Development Cooperation*

Various concepts have been applied to the Netherlands' financial and technical assistance to the Antilles. The Charter of the Kingdom prescribes the Netherlands, the Netherlands Antilles and Aruba to assist each other.**[xxiii]** This assistance has never been considered as a regular financial transfer within the statehood arrangement of the Kingdom. The assistance provided could best be defined as exterior contributions from the Netherlands to the Caribbean countries.**[xxiv]** Concepts as *development cooperation* or *development aid* were in the 1980s in common use. The underlying idea was that with the help of development aid the Caribbean countries would become self-supporting and thus prepared for an independent status. It was expected that eventually the Dutch aid would come to an end. This line of thought included that the priorities of the aid budget should be set by the recipient and not by the Dutch donor.

The exterior character of the Dutch financial contribution to the Antillean governments did not make for planned activities that were integrated in local government plans, provided such plans existed. Frequent attempts were made to arrive at these plans, to no avail. At one time, in 1976, a Task Force comprising representatives of the Netherlands Antilles and the Netherlands was assigned to prepare an integrated 15-year social-economic development plan for all the islands.**[xxv]** Another time, in the 1980s, the Department for Development

Cooperation of the Netherlands Antilles made an effort to compile integrated development plans for the *needy islands*, Bonaire, Saba, and Sint Eustatius and at that time, for Sint Maarten as well. These and other planning efforts did not materialize in budget agreements with the Netherlands. donor. The development plans did not spell out operational programs nor were priorities defined in a ranking order. The total budgetary estimates of the drafted development plan far exceeded the format of Dutch financial assistance. Some of these plans became known as 'shopping lists' or 'shopping carts'.

In the early 1980s, the Netherlands froze all spending on the development budget pending the outcome of the planning machinery. The result was that the budget could not be exhausted at the end of the annual budget cycle. This want for budget spending put the size of future budgets at risk to be reduced. In reaction, the minister for Kingdom Affairs did not hesitate to return to the practice of funding individual projects. In doing so he contradicted his requirement that money would be spend only on the basis of adequate planning by the Netherlands Antilles. In order to maintain the future financing capacity of *development cooperation*, the format of the individual project became the norm again. As priorities could not be defined in terms of development policies, budget decisions were based on individual project proposals as presented by the Antillean authorities. These proposals were discussed in *allocation meetings* with the Netherlands minister for Kingdom Affairs. More often than not, the proposals were agreed upon. Some of the successive ministers for Kingdom Affairs backed away from the minutiae of these allocation meetings and mandated a departmental head to negotiate the long list of projects in preparation, projects in execution and most important, projects to be approved. Such meetings were held on each of the islands of the Netherlands Antilles, twice a year.

How essential were all these projects? Of course, some were more significant than others. Public housing, especially on Curaçao and Aruba, received a generous flow of finance in the 1980s, ca 30% of the available budget in those years. A Public Housing Corporation was set up and became financially independent in the years that followed. The Corporation also became politically independent; objective criteria were applied in the allocation of housing rather than pork barrel considerations, as had been the case in the past. Equally successful were the various subsidies for renewal of the Dutch-colonial style city of Willemstad, Curaçao, and subsidies for the restoration of the Dutch-colonial style monuments (*land- en stadshuizen*). These programs have strengthened the

tourist appeal of Curaçao. The historical architecture made Curaçao exceptional among the other Caribbean islands which all compete in the same Caribbean tourist market of beach, sun and fun. In 1997 Curaçao's historic core of Willemstad was listed on UNESCO's World Heritage.

On the Antillean part, some authorities have argued that the Kingdom's Charter had served the Caribbean countries well. In October 2004, the minister of Constitutional Affairs of the Netherlands Antilles made reference to the immediate disaster and generous re-construction aid provided by the Netherlands government after hurricanes had struck Sint Maarten, Saba and Sint Eustatius (in 1995, and following years). He remembered with great satisfaction how, without delay, large cargo planes and numerous men and women, either as military, firefighters or technical experts were flown in, at first to help-out and maintain order, and later to assist in rebuilding the islands.**[xxvi]** These are shining examples indeed of *development aid* or *first aid* to the Netherlands and the Caribbean countries. On the other hand, in many instances an attitude of 'there is no harm in asking' has been apparent on the Caribbean part.**[xxvii]** Many projects are simply icing on the cake.

Individual projects of any kind and size have been for years the predominant format of the Netherlands financial assistance to the Caribbean countries. In the 1980s and early '90s, the Netherlands budget was spend on hundreds of projects, most of them decided individually and according to proposals by the islands authorities. Over the years, various categorizations were in use for the portfolio of government projects. For instance, in 1997 this portfolio contained as major categories: education (27.1%), public housing (20.8%) and environment, ecology and infrastructure (17.2%).**[xxviii]** In 1998 a total of 467 projects was in various stages of realization spread out over almost every area of government: justice, administrative organization and reform, economic development, environment/ecology and infrastructure, public housing and neighborhood improvement, social development and public health, education and culture. In 1999, almost 200 projects and circa 120 technical assistance operations had to be managed. In those days almost anything went. Around the turn of the century efforts were made to bring policy to bear on the budgeting process. In the process of cleaning up the budget, all funds for cultural cooperation and cultural exchange within the Kingdom of the Netherlands were lost. Scratched beneath the surface of the budgetary details, it became apparent that on the part of the

Netherlands all ambition to culturally enliven the relations with the Caribbean *Nederlanders* had died. Some disqualified henceforth the Kingdom of the Netherlands as a *bread-and-butter* Kingdom without any cultural or multicultural mission. **[xxix]** Not until the 50th anniversary of the Charter at the end of 2004, the Netherlands State Secretary (junior minister) for Education, Culture and Science, when visiting the Netherlands Antilles and Aruba, promised to brighten up the Kingdom relations with some cultural exchange. But she added that she did not yet know how to do this.

### *Statutory Cooperation: Financing the Kingdom's Safeguards*

In the early 1990s a broad political consensus emerged that the Caribbean countries were better off remaining part of the Kingdom of the Netherlands. On the part of the Netherlands, considerations of safeguarding *good governance* in the Caribbean countries were paramount in changing the tides. However, when the reality of a Kingdom with partners in the Caribbean region became a permanent phenomenon, the Charter's original definition of limited authority and regulation was not reviewed. Running their own affairs had always been of principal interest in Antillean politics; autonomy was there to stay, also in a permanent relationship. On a conference, titled *Future of the Kingdom* the Netherlands attempted to reach agreement on changing institutional rules and regulation in view of the Kingdom's safeguarding role in the Caribbean region. Without success. Quite the contrary, in fact, as conference documents were literally torn up in the face of the Netherlands prime minister who led the Dutch delegation at that time. **[xxx]**

But on the part of the Netherlands, the winds had definitely changed. Unable to arrive at agreement to change the Kingdom's rules and regulation, The Hague applied the Netherlands financial assistance to the Caribbean countries to get a foot in the door. With financial conditions of all sorts, the Netherlands intervened in a range of areas such as the Antillean government organization and the size of its public service, the public debt and finances, prison conditions, police operations and criminal investigation. The island government of Sint Maarten was put under *higher supervision*. A paradoxical situation surfaced: The emphasis on local autonomy had not resulted in a relaxed relationship with the Netherlands. On the contrary, it created a laborious and unwieldy partnership, so much so that around the turn of the century the Netherlands contracted international organizations (IMF, World Bank, OESO) as go-betweens in defining the governance conditions the Antillean politics had to comply with. The IMF was



hired to set conditions for additional budgetary support; the World Bank was assigned an economic study and the OESO was contracted to evaluate the educational system of the Netherlands Antilles. This added fuel to the Antillean sentiment that the *special relationship* with the Netherlands had come to an end. The formal relationships soured but a majority of the Antillean populace did not much mind the Netherlands. interventions, which put the Antillean public authorities in an even more awkward position.[xxxii] Antillean politics felt overruled by the Netherlands but this sentiment was not shared by its constituency, which added to the frustration in dealing with the Dutch.

At the onset of a *permanent* status of the Caribbean countries in the Kingdom, the acclaimed system of development aid drove a wedge between the partners. In former years, an Antillean development policy, if any, had directed the Netherlands aid. For the Antilles, the Netherlands development aid budget was considered our money. In 1987, in Protocol *Development Cooperation* agreement was formalized between the Netherlands and the Netherlands Antilles on how to apportion the *development aid budget*. [xxxii] A few years later, the whole concept of development cooperation came under scrutiny because of the level of the income per capita in the Caribbean countries. It was obvious that they did not qualify as underdeveloped countries nor did they qualify for development aid according to international rules. The vocabulary changed. Development cooperation became now hailed as *voluntary cooperation*. But more than merely the vocabulary changed. Now the nature and direction of the aid itself were measured in the Netherlands' politics. The obligation of the Kingdom to safeguard principles of *good* governance and democratic law in the overseas countries became a significant rule of conduct with regard to the appropriation of the aid budget. Until 1989 *development* cooperation had been the backbone of the Kingdom relations. Since then *statutory cooperation* gradually gained in importance. The Netherlands. stance on priorities changed and under Dutch pressure *statutory cooperation* cut a substantial part of the budget. Although *statutory cooperation* also qualified as a voluntary engagement that required agreement with the Antillean counterpart, it carried a stronger commitment on the part of the Netherlands. These changes were carried out under the regimen of the *Protocol Development Cooperation* of 1987. The Netherlands felt that an attempt to come to a new agreement with the Netherlands Antilles would not be successful. It was not attempted.

The Antilles felt that the Netherlands was abusing *our money* to pursue its own

agenda. While before Antillean development needs were directing Dutch financial assistance, now the Netherlands interfered with demands for *good governance*. A conflict as to who should set the priorities arose. Moreover, the feasibility of *good governance* priorities was disputed. Off the record one learned that the Caribbean islands considered themselves too small, not ready, or too culturally different to live up to international *good governance* standards such as humanitarian prison conditions, administrative transparency, public hearings and Ombudsman procedures and recognition of gay marriage. Pourier, a former prime-minister of the Netherlands Antilles, contrasted the enforcement of the rule of law in terms of the creation of a Coast Guard ('very appropriate') with the urgent need for funds to fight poverty: 'When more and more people sink below the poverty line, the trade and smuggling of drugs (to the Netherlands) becomes an attractive and devastating alternative'.**[xxxiii]** In other words, in his view good governance was very appropriate but first the problems of the people below the poverty line had to be tackled. *Good governance* and development were not recognized as complementary categories. From an Antillean point of view, the Netherlands financial assistance to answer basic needs in the Caribbean countries now had to be shared with a rather trendy interest in *good governance*.

Unable to put new regulation in place, the Netherlands applied a financial jacket to pursue *good governance*. As a result, technical assistance from the Netherlands to the Caribbean islands jumped from a mere 10 million Dutch guilders in 1986 to fivefold that amount in 1995 and stayed thereafter on a high level. Many officials and advisors from the Netherlands were, literally, flown into prominent advisory or executive positions on the islands, especially those with expertise in the fields of public finance, government administration and justice. Technical assistance has always been part of the picture, but during the early 1990s technical assistance jumped from just a few percent to about ¼ of the total Netherlands. budget earmarked for the Netherlands Antilles and Aruba (1990: 9%) (1995: 29%) (1996: 24%). In 1997 about 25% was spend on technical assistance and 75% on government projects. Technical assistance operated in areas such as justice and law enforcement, administrative assistance and reform, and public finance (together: 76.9%). In some instances, technical assistance was provided in a *twinning format*: Netherlands institutions or departments, governmental as well as non-governmental, were supporting similar institutions in the Netherlands Antilles such as tax departments, police units, foundations for education, broadcasting corporations.**[xxxiv]**

Most *technical assistance* operates under the authority of the Antillean government and does not have to answer to Netherlands. authorities. Formally, technical assistance is provided on request of the Antillean government and temporarily added to the formation of the Antillean civil service, either as expert advisor or executive. In few instances loyalty conflicts, real or assumed, have arisen. Technical assistance has been accused of leaking information to the Netherlands. And Netherlands' authorities have been suspected of sending out a *fifth brigade* to get a foot in the door. Working conditions and competitive departmental behavior rendered in some cases proper functioning impossible. But on the whole, most technical assistance operated as was required. Without doubt technical assistance has in many respects strengthened *good governance* in the overseas countries but it falls short of a structural provision to safeguard and regulate *good governance* as one of the principal affairs of the Kingdom.

In 2003 the Netherlands. budgetary categories began to reflect the change in policy. In addition to support for *autonomy* of the Caribbean countries, the Kingdom's safeguards received a major distinction.[xxxv] Also, in 2004, the budget made a distinction between programs supporting the autonomy of the partner countries in the Kingdom (>75% of the total budget) and activities that aimed at the *safeguarding* function of the Kingdom (< 25 %).[xxxvi] The *autonomy* budget was allocated to three distinct programs: *good governance, education, sustainable economic development and, for Aruba also health care*. The expenditure estimate for these *autonomy* programs ranges between Euro 102 million in 2004 and Euro 100 million in 2008. The *safeguarding* budget included support for the overseas judiciary institutions.[xxxvii] Also, cooperation with Netherlands. agencies for criminal investigation and the Coast Guard in the Caribbean waters is financed under the *safeguarding* budget. The expenditure estimate on *safeguarding* varies from Euro 31 million in 2004 to Euro 29 million in 2008.

Once the Netherlands' assistance to the Caribbean countries resembled a Christmas tree with hundreds of projects of all sorts of activities. Now the budget had become formatted in a clear categorization of a two-pronged Dutch policy of Kingdom relations. On paper all was now well organized, but within the realm of Antillean autonomy much remained to be desired and the Kingdom's safeguarding of good governance had not yet overcome drugs, crime and poverty. The Dutch - Antillean relationship had become: 'sensitive, unequal and laborious'.[xxxviii]

### *Format and Horizon of the Netherlands' Assistance*

Supplementing Caribbean public finances with general or specific subventions out of the Netherlands budget has been out of the question. For the Netherlands, the format of its financial assistance to the Netherlands Antilles has always been a critical matter. For a long time each and every individual project had to be approved by the Dutch bureaucracy in The Hague. Only in a few specific instances, budgetary assistance has been granted.[xxxix] In 2004, a partial debt relief was agreed upon and may be followed with additional agreements. Some do wonder why the financial transfers are not formatted in a more expedient model, for instance, one similar to the local government finance system in the Netherlands.[xl] Dutch municipalities raise their own taxes and receive additional specific and general grants from the Netherlands' central government. This structure entails that local government finances are being monitored. However, the orthodoxy of Antillean autonomy forbids such supervision. On the other hand, Antillean autonomy does not deter requests from Antillean authorities for debt relief to the Netherlands' government. Moreover, when the Caribbean countries draw loans on the international financial markets, they need prior approval of the Kingdom government, thus also compromising the orthodoxy of being autonomous. Maybe only insiders can explain the incongruity that within the Kingdom, Caribbean taxpayers' monies are to be handled according to the *good governance* of the island authorities, while the Netherlands' financial assistance must be micro-managed by an intricate departmental bureaucracy. Apparently, Caribbean *good governance* is not good enough for Dutch subventions.

As a matter of principle, the Caribbean countries of the Kingdom have eventually to look after themselves. With Aruba a formal agreement has been reached to bring the financial assistance to an end in 2010. This time horizon does not include the areas of *statutory cooperation*. A separate budget is earmarked for matters that are pivotal to the Kingdom's operations such as the rule of law, criminal investigation and the coast guard. For the first time, the Netherlands' persistence on ending the financial relationship at some future moment is now consigned to what once was labelled development cooperation, not to the *statutory* cooperation. The latter will remain a vital part of the Kingdom's operations. Also with regards to the Netherlands Antilles, the Development Fund that has been initiated in 2004 will be temporary and eventually the Netherlands' financial assistance will come to an end. The continuous Netherlands's tenacity on Antillean financial *self-rule* may be a remnant of a not so distant past, where temporary relations and future independence prevailed.

### *Fragmentation of the Antillean Nation-State*

In the fall of 2004 an advisory body to both the Netherlands. government as well as the Antillean government, came to the conclusion to abandon the Antillean statehood configuration. This committee was set up in a joint effort of the Netherlands and the Netherlands Antilles to advise on the wobbly government structure of the Netherlands Antilles and its uncontrollable public finances. **[xli]** According to this advisory committee, the insular nature of Caribbean politics and society had rendered an Antillean nation-state unworkable. Each and every island should have its own separate statehood, in one or other way, to be complemented with extended statehood relations with the Kingdom, also in one or other way. These extended statehood relations must include that some public affairs are taken care of by the Kingdom, as was previously also the case: defence, foreign affairs, citizenship. Law enforcement should be added to the Kingdom affairs. And the Kingdom.s safeguarding position must be expanded to include the public finances of the Caribbean authorities. Moreover, in order for the Kingdom to be able to hold the fort, its safeguards must be regulated and standardized. A monitoring system should be set up and monitoring procedures must be followed. For many a politician, both in Holland as well as in the Antilles, Aruba's *status aparte* in 1986 meant the end of a viable Antillean nation-state. The remaining Antillean nation-state, comprising Curaçao and Bonaire, Sint Maarten, Saba and Sint Eustatius, is out of balance. The other islands felt now even more dominated by Curaçao. A former prime minister calculated: the Netherlands Antilles minus Aruba equals: 6 minus 1 = zero. With Aruba's secession, the expense of two fully-fledged layers of government in relation to a population of less than 200,000 became even more problematic. As a result, since 1986, the government organization of the Netherlands Antilles has been, in a permanent state of imminent re-structuring (*herstructurering*), one day to be more centralized, another day more decentralized, split up in two countries, or even disbanded, but in no instance have definite choices been made. **[xlii]** For almost 20 years the viability of nation-state of the Netherlands Antilles has been questioned. **[xliii]**

### *A Wobbly Nation-State*

In the Netherlands Antilles two layers of government exist, a national level of government (Netherlands Antilles) and an island level (Curaçao, Sint Maarten, Bonaire, Saba and Sint Eustatius). At the national level, the government nomenclature calls for *Staten* (parliament), ministers and departments; at island level for *Eilandsraad* (island council), *Gedeputeerden* (deputies) and *Diensten*

(services). The *Gouverneur* (governor) is head of the national government; the *Gezaghebber* (lieutenant-governor) heads the island government. Elections for *Staten* and *Eilandsraad* are held every four years though in different years. Every two years the political parties on all 5 islands are preparing for elections, which greatly interferes with the regular administration of government. As anywhere, unfavorable political decisions are postponed until after the elections, which in the Netherlands Antilles comes down to every other year.

The operations of the Kingdom are presently affected by the *lame duck* status of the Netherlands Antilles. In recent years several Antillean cabinets have at the moment of their inauguration, announced that they aimed at being the last Antillean government in history. They aspired to bring the nation-state of the Netherlands Antilles to an end. The Netherlands played its part; on various occasions the Netherlands took a position that added to the instability of the Netherlands Antilles.

Curaçao is by far the largest island of the Netherlands Antilles with 130,000 inhabitants in 2004; Saba is the smallest with ca 2000. The other islands perceive the national government of the Netherlands Antilles to be dominated by Curaçao, while Curaçao maintains that its interests are twisted by the needs and financial burden of the *needy islands*. In recent years, Curaçao's social and economic problems have pervaded the operations of the national government. Going to an extreme, Sint Maarten formally suggested in 2003, that the Antillean central government should be brought under supervision of the Kingdom authorities because of negligence. Sint Maarten accused the national government of abusing its power to the advantage of Curaçao and insisted that the Kingdom should take over. The fact that in the 1990s Sint Maarten came under *higher supervision* of the central government of the Netherlands Antilles, after strong pressure from the Netherlands to do so, may have some significance here. In those years Sint Maarten's administration did not comply with standards of good governance such as administrative equity and democratic legitimacy. Like Aruba before, Sint Maarten wishes now to separate itself from the Netherlands Antilles. **[xliv]**

On national level, Curaçao holds 14 seats out of a total of 22 in the *Staten* of the Netherlands Antilles. In theory Curaçao could put up a majority in the *Staten* but in reality Curaçao is politically a very divided nation. Moreover, an Antillean government that is exclusively founded on the body politic of Curaçao would be unpalatable for the other islands. The formation of the national government must

reach out to a variety of coalitions of political parties on all five islands. In other words, to achieve a governing majority, a coalition with political parties on the other islands is required. How a coalition will be constituted varies; the only certainty is that Curaçao will always be part of it. As the other islands count together for 8 seats out of a total of 22, no majority can be established without participation of one or more political parties on Curaçao. **[xlv]** Every island wants to be part of the national government in order to pursue its specific interests. The coalitions that are formed often lack a solid national program. The number of seats that establish a majority in parliament comes first, a government program second. The cabinet of Louisa-Godett (2003-2004) governed for 6 months without a program that was underwritten by its coalition partners.

Referendums were held in 2004 on Sint Maarten, Bonaire, Saba and Sint Eustatius. The outcomes were unmistakable writings on the wall of the Antillean nationstate. A majority of the voters on Sint Maarten, 69%, opted for a separate status as autonomous country within the Kingdom, 14% chose for independence. **[xlvi]** But an impressive majority of Saba's and Bonaire's voters preferred a direct constitutional relationship with the Netherlands, respectively 86% and 59.5%. **[xlvii]** A majority of the vote on Sint Eustatius preferred to maintain the Antillean nation-state. The outcome of Curaçao's referendum in 2005 indicated a major preference of almost 68% for a separate status in the Kingdom. A surprisingly high percentage of almost 24% opted for direct constitutional relations with the Netherlands. **[xlviii]** The turnout averaged around 55%.

### *The Netherlands. Flip-Flop Position*

The dynamics between the national government of the Netherlands Antilles and the island governments have over the years encouraged the Netherlands to bypass the national government. To get things done, it was often expedient to entertain direct relations with the island governments. And for matters of principle, such as the secession of Aruba, a round-table conference (1983) was comprised of representatives of all the island councils. In doing so, the Netherlands only added more fuel to the simmering disintegration of the Antillean nation-state.

Formally the Antillean government is counterpart to the Netherlands government; it is a government-to-government relationship. In day-to-day reality every island prefers to have relationships of its own with the Netherlands, for various reasons. The island authorities feel that their interests are not well served by the national

government. Complaints about bureaucratic red-tape are frequent. Direct contacts with Netherlands' officials strengthen the islands' egos. For years, the Netherlands has on occasion disregarded government institutions and procedures of the Netherlands Antilles in some or other way. No harm was done as long as these contacts and deliberations took place under the auspices of the Antillean government. During the 1980s, Jan de Koning, the Netherlands' minister for Kingdom Relations Affairs visited all the islands twice a year to decide about the appropriations of the development aid budget. His manner was informal and he strongly preferred face-to-face contacts to bureaucratic paperwork. The Antillean minister for Development Cooperation and the Minister-Plenipotentiary of the Netherlands Antilles took part in these rounds of deliberations.

When his successor, Ernst Hirsch Ballin, attempted to focus the Kingdom's operations on good governance, his direct contacts with the individual islands became critically frowned upon. His policy was to strengthen the position of the Kingdom in the Caribbean with regards to such areas as the rule of law, public finance and social security. Answering persistent calls for *herstructurering* of the Antillean nation-state, Hirsch Ballin proposed in a Draft Commonwealth Constitution (*Schets*) to split the Antillean nationstate in two: Curaçao and Bonaire forming one country, Sint Maarten, Saba and Sint Eustatius the other. **[xlix]** At that time, he averred that a further fracturing of the Antillean nation-state would lead to unworkable relationships within the Kingdom. The draft constitution met with uninterest in the Antilles and did not have a follow-up. In the corridors of Antillean politics it was qualified as a one-sided Dutch initiative. It may also be that this initiative was too much ahead of its time. **[I]**

To everyone's surprise, the Netherlands proposed in 1993 on a *Future of the Kingdom* conference that every island could obtain a *status aparte* (separate status) and maintain a specific relationship with the Netherlands. What to do with the leftover Antillean nation-state was left in the dark. The rationale behind this initiative was the Netherlands' policy to strengthen the Kingdom's safeguarding position in a direct relationship with each and every island. The Netherlands aimed to cut out the national government of the Netherlands Antilles as a wobbly intermediary. Also this initiative came to a dead end. The outcome of a referendum in 1993/1994 in the Netherlands Antilles showed a strong preference for the Antillean nation-state as is. This outcome was a surprise for Antillean politics, especially on Curaçao. The established parties on Curaçao had a strong



preference for a *status aparte* in order to be on its own rather than united with the *needy islands*. Following the popular will, the next government of the Antilles attempted to re-centralize governmental operations. An Antillean advisory committee outlined a model for restructuring of the Netherlands Antilles. This was published in 1995 under the title *Make It Work*.<sup>[ii]</sup> Unfortunately, in the years that followed, this plan did not work.

On the part of the Netherlands, the next minister for Kingdom Relations interpreted the outcome of the 1993/1994 referendums as an indication that only strict government-to-government relationships should be maintained. Subsequently, island authorities that used to visit the Cabinet for Netherlands Antillean and Aruban Affairs (the departmental forerunner of the department of Kingdom Relations) in The Hague, no longer had access. *The Hague* turned a deaf ear. A much more formal stance was taken and a disposition took over that the Netherlands should not get bogged down in the minutiae of Caribbean island politics. *Keep a safe distance* became the practice. The island authorities bitterly complained to visiting members of the Dutch parliament, to no avail. In 2003, the Netherlands government took another turn and proclaimed a renewed interest in re-directing relations with the island authorities. The authority and functions of the national government of the Netherlands Antilles should be reconsidered. The Dutch minister for Kingdom Affairs aimed at a redistribution of powers and functions between the Kingdom, the Netherlands Antilles and the island authorities: *maximum* powers had to be distributed to the islands authorities, *minimal* powers to the national government of the Netherlands Antilles and *crucial* powers to the offices of the Kingdom. A round of discussions and conferences followed. The Antillean government had initially agreed to have these discussions framed within the perspective of a continuing existence of an Antillean nation-state. Sint Maarten made explicitly clear not to agree. At the opening of an Antillean islands' conference, Sint Maarten did not want to take part in such discussions as long as Sint Maarten's aim of a separate status within the Kingdom was not recognized. This caused the conference to break up. Sint Maarten invited the Netherlands to start direct negotiations, thus circumventing the Antillean government. The Netherlands minister considered Sint Maarten's invitation improper, he would not make arrangements without the national government of the Netherlands Antilles.

In 2004, after half a year of dithering, an advisory *Committee Governmental and*

*Financial Relations Netherlands Antilles* was appointed to make an assessment of the necessary changes in the organizational, financial and fiscal structure of the Netherlands Antilles in view of persistent complaints, especially from the smaller islands. Now however, the advisory body included representatives of all the islands, the Antillean government as well as representatives of the Netherlands government. Finally the problems of the Antillean nation-state were recognized as a problem to be tackled by all parties, including the Netherlands, in a combined effort. Earlier on the Netherlands had consistently kept the structural problems of the Antillean nation-state at arm's length. The problem was put under the rubric of Antillean autonomy and had thus to be solved by Antillean politics first. All along the Netherlands's position had been that the Kingdom should be engaged only after the Netherlands Antilles had made up its mind. In the meantime, in the Kingdom's day-to-day operations a practical plurality had been exploited or, in other words, by *muddling through* the Kingdom had been *getting by*.

### *Migration*

Antilleans and Arubans are *rijksgenoten* and free to move among the three countries of the Kingdom. Until recently, migration from the Caribbean countries to the Netherlands was unregulated for most part. Since 1999, a few restrictions apply, at least on paper, to underage minors who want to emigrate. **[lii]** For many years the Netherlands government did not have a migration policy with regards to Antilleans and Arubans. Changes in migration figures were like changes in weather. What to do about it? A Dutch government rule of thumb proclaimed it not to be in Antillean interests to migrate in large numbers. According to every successive Netherlands' minister for Kingdom Relations, a better idea would be to stimulate economic development on the islands so that Antilleans find jobs at home. For their part, Antillean governments have issued warnings of massive emigration to the Netherlands in order to elicit additional budgetary assistance from Holland. In 1984 the Dutch minister for Kingdom Relations was told *Holland here we come* in a meeting with the Antillean Council of Ministers when he did not give in to budgetary assistance to finance civil service lay-offs. The Dutch minister suggested that such migration would be foremost an Antillean problem. In his view, the large number of Surinamese immigrants around the date of Suriname's independence (1975) had more upset Suriname than the Netherlands society. These attitudes towards the effects of large-scale migration are obviously framed by their time. Twenty years later, migration, including Antillean migration, has become a recurrent and

divisive topic in Dutch politics and society.

### *Antillean Migration to the Netherlands*

Over the years migration has been up and down. Migration peaks at times of economic downturn in the Antilles. Especially youngsters, who cannot find work on the islands, try their luck in Holland. Migration to the Netherlands has increased dramatically in the 1980s and 1990s. Between 1985 and 1992 the number of Antilleans and Arubans in the Netherlands tripled to 90,000. At one time it was estimated that in 2000 around 104,000 Antilleans could be living in the Netherlands. **[liii]** In 2001, the actual figure had reached over 115,000 and in 2003 this number was almost 130,000 of which almost  $\frac{3}{4}$  was first-generation and  $\frac{1}{4}$  second-generation Antilleans living in Holland. **[liv]** One year later almost 131,000 Caribbean *rijksgenoten* lived in the Netherlands. **[lv]** Migration from Curaçao is dominant in the national figures. In 1997 circa 5000 people migrated from Curaçao to the Netherlands, in 1998 about 8000, in 1999 about 9000, in 2000 more than 13000, in 2001 about 9000 and in 2002 about 6000. On average every year about 2000 people migrate from the Netherlands to Curaçao. It is not known how many of these migrants are *returns* that have migrated earlier to the Netherlands. **[lvi]** The Curaçao census in 2001 shows that the populace of Curaçao dropped from 150,000 in 1997 to 130,000 in 2001, a decline of almost 15 % in just a few years. The large Antillean population in the Netherlands entails a constant ebb and flow of persons between the European and Caribbean parts of the Kingdom. The frequency of flights of KLM, the Royal Dutch Airlines, between Amsterdam and the Netherlands Antilles rose to figures never seen before. In just one year, 1998-99, KLM flew about 800 flights between Amsterdam and the Antilles. **[lvii]** The many islanders migrating to the Netherlands must have an impact on the morale of the people who stay put on the island. The recent strong migration of a new class - professionals who have lost confidence in the island governments - has further eroded the islands' capacity to self-govern. At the same time, Antillean migrants in the Netherlands find themselves no longer living in a country where representatives of their own culture and language run the government. For them the hotly debated tenet of Antillean autonomy has been exchanged for residence in the Netherlands. **[lviii]**

A regular group of migrants are students. The scholarship provisions of the Netherlands government apply also to Antillean and Aruban students who enrol at educational institutions in the Antilles respectively in the Netherlands. More than

75% of the Curaçao students who follow university education do so in Holland; the same applies to the category following higher vocational education. On the other hand, about 80 % of the students who follow a middle level of vocational training, stay on the island; 20% depart for the Netherlands. **[lix]** Every year in August so called *scholarship* (bursalen) flights leave from Curaçao, Aruba and Sint Maarten with students who follow further education in the Netherlands. Their initial accommodation is taken care of by the Antillean, respectively Aruban Foundation for Study in the Netherlands. **[lx]** On arrival representatives of the Foundation receive them for Study in the Netherlands. The ministerplenipotentiary of the Netherlands Aruba in the Netherlands usually attend these welcoming receptions and on occasion voice warnings about how different Dutch society and manners are in comparison to home. An Antillean minister once (2003) cautioned: 'Don't let them (*the Dutch*) get to you'. In 2001 a total of 450 Antillean scholarship students departed; for Aruba this figure was circa 280. At first sight, this migration testifies to the wider educational options the Kingdom offers to Antillean students. The downside is that many of these migrant students do not return home. Successive Antillean cabinets have since 2000 insisted on a policy that encouraged students to enrol at home. To that end the Netherlands government made scholarship program also available for Antillean students who opted for study in their home country. This was abandoned in 2004. According to an evaluation of the Netherlands Ministry for Education in 1998, the availability of scholarships for study at home had not been very effective in keeping students from migrating overseas. Later on, the University of the Netherlands Antilles (UNA) disputed this conclusion as the total number of its students increased from ca 700 in 2000 to ca 1000 in 2003. **[lxi]**

The Foundation for Study Scholarship Curaçao counted a total 3200 scholarship-students in December 2002. Out of these 3200 students, 1500 studied in the Netherlands and 1700 on Curaçao. The students in Holland follow on average a higher level of education than those on Curaçao. It appears that 65% of the Curaçao students in the Netherlands do not return home after having completed their studies. This sharply contrasts with the category of students who first complete their studies at home, the University of the Netherlands Antilles, and migrate thereafter to the Netherlands for additional study. On average these *follow-up* students do return home after having finished their study in the Netherlands. Added to the number of students who do not return must be the returnstudents who do not feel at home any more on their island. They leave

frustrated after a short period of failed attempts to establish themselves again. The downside of the annual *scholarships flights* is a substantial brain drain from the Netherlands Antilles. In this case the Netherlands benefits of the islands. investment in basic and secondary education. **[lxii]** On the other hand, attempts to block this brain drain through a *study at home* policy goes against the worldwide trend to a more - literally - universal education. Moreover, the costs of such a policy have to be offset against the level of excellence of the education that can be offered at home. The intellectual advantages of exploring a wider world have to be taken into account as well. All in all, there are no simple solutions to stop the brain drain from these small islands.

### *The Netherlands: A Country Of Immigrants*

Antillean migration to the Netherlands is now caught in the divisive debate on the topic of migration and integration in general, not only in the Netherlands but also in most countries of the European Union. The freewheeling Dutch immigration policy has come to an end under pressure of the population figures it produced. The Netherlands has once more become a country of immigrants. **[lxiii]** What once was Dutch is no more. But what is Dutch? Also in the past, the attempt to define *Dutch* raised intricate questions. **[lxiv]** In 2003 the numbers of the largest non-western populations in the Netherlands are: Turkey 341,000; Morocco 295,000; Suriname 320,000; Netherlands Antilles and Aruba 129,000. The total number of non-western residents is 1,622,602; this is 10% of the total population of 16.2 million. Immigrants of Indonesian origin are separately categorized and number 215,000 (1998). Immigrants of Suriname and the Netherlands Antilles are a minority in the total non-western immigrant population in the Netherlands but the Antillean share has been growing fast. **[lxv]** In the period 1999 - 2003 the Antillean population increased with 30%. **[lxvi]**

Amsterdam's mayor predicted in 2002 that in 2020 60% of the city population would be of non-Netherlands origin, so called *Nieuwe Nederlanders* or *Hollandse Nieuwe*. **[lxvii]** A conservative prognosis assumes that in 2015 ethnic minorities will take up a 40% to 45% share of the population in the major cities. The most recent figures of the Central Bureau of Statistics in the Netherlands confirm these trends. **[lxviii]** The share of first and second-generation migrants (allochtonen) in the population of the four largest cities in the Netherlands (Amsterdam, Rotterdam, Den Haag en Utrecht) has increased from 31% in 1995 to 43% in 2003. More than two-third of these *Nieuwe Nederlanders* are of nonwestern origin; in the total city population 31% is of non-western origin. **[lxix]** In the press

this trend is captioned as the *verkleuring* (colorization) of Dutch cities. [lxx] Around the turn of the century a passionate debate on migration and integration overwhelmed Dutch politics and society. Immigration and integration were paramount issues in the dramatic parliamentary elections of 15 May 2002 in the Netherlands, which followed the murder of Pim Fortuyn, a prominent candidate. A wave of relief passed through both the immigrant communities as well as the old-time Dutch establishment when a few hours after the murder, the suspect was caught and described as a white Dutchman in his 30s. The outcome of the flowing elections upset the political establishment and dramatically changed the balance of power between the political parties. Two weeks later, during a debate on future Kingdom relations, one of the new 'Fortuyn' members of Parliament stated that he would no longer accept that the Netherlands could not overrule the Caribbean partners in the Kingdom when amendments to its Charter were required to regulate Antillean migration to the Netherlands. [lxxi] In terms of numbers, the subsequent elections restored much of the political establishment in the Netherlands. But in its wake, Fortuyn and his murder created a tougher social and political climate for the immigrant population. Fortuyn's legacy made possible that what once was absolutely politically incorrect, now gained wide political currency. More often than before Antillean immigrants complain about discrimination and stigmatization.

#### *Towards A Netherlands Policy On Antillean Migration?*

Antillean migration to the Netherlands is now often lumped together with migration from non-western countries; it has become a political issue. The Netherlands. Integration law (*Inburgeringswet*) of 1998 requires that all foreign immigrants, including Antilleans, follow a Dutch civics course (Dutch language, basic politics, social customs) unless they have a certain level of secondary education and proof of an adequate command of the Dutch language. To the chagrin of the Antillean government no distinction was made with other migrants from non-western countries. The Antillean government fiercely opposed any distinction of a mandatory nature between European and Caribbean Dutch passport holders. In 2001 the Netherlands and the Antillean government could not reach agreement over a mandatory civics course for Antillean youngsters prior to their departure to the Netherlands. And again in 2004, the Antillean Parliament rejected unanimously a mandatory *civics course* for Antillean migrants to the Netherlands. According to the unyielding opinion of Antillean Parliament, Antilleans have Dutch citizenship and should not be classified as second-rate

citizens. As Dutch passport holders they should not be discriminated. **[lxxii]**

In 2004, the Dutch Parliament undertook an evaluation of the Dutch immigration policy of the last thirty years. During the parliamentary hearings it was observed that in the last decades of the 20th Century the Dutch government had never persuaded the new immigrants to live according to Dutch social norms and values, because of fear of being accused of discrimination. According to the director of the Social and Cultural Planning Bureau, the politically correct belief in a multi-cultural society formed the base of this laxness. He imagined that the questions about assimilation and integration of newcomers were shrouded in the progressive belief of the co-existence of several cultures within the bosom of Dutch society. This evaluation uncovered that 75% of the second generation of Turkish and Moroccan immigrants returned to their *homeland* to find a spouse. **[lxxiii]** These homeland marriages were held accountable for a much slower pace of integration than had been expected. **[lxxiv]**

In 2004 the Netherlands government announced stringent conditions for migrants-to-be. To prepare the grounds for new legislation, a policy paper was presented to Parliament in April 2004, which contained the outlines of new rules with regards to a migrant's integration in Dutch society. **[lxxv]** Prior to migration, an individual has to obtain a civics certificate in his homeland and on arrival another test on Dutch language and civics has to be passed. Failing this test means that no permanent residence permit can be obtained. New immigrants who already reside in the Netherlands also are obliged to pass a civic test. If they have not done so within 5 years, the local authorities will fine them annually. The cost of these civics courses have to be paid in full by the migrants themselves, except for unemployed persons and disadvantaged women. **[lxxvi]**

In addition, dual citizenship of ethnic minorities of the third generation in the Netherlands will no longer be permitted as it delays a successful integration into Dutch society. **[lxxvii]** In January 2003, one out of 18 inhabitants in the Netherlands had a dual citizenship; this is 5.5% of the total inhabitants. Turkish-Dutch and Moroccan-Dutch were the most numerous combinations, respectively 234,000 and 189,000. In a period of five years the number of people with dual citizenship increased 47%. **[lxxviii]** What will become of the intentions of the Dutch government to limit dual citizenship has to be seen, also in view of the ongoing integration of the European Union.

The mandatory civics course that was required by the *Integration Law* of 1998 has not been strictly enforced with regards to Antillean migrants. The new

legislation to rigorously implement this requirement was strongly contested in Antillean Parliament.**[lxxix]** And within the Netherlands's Council of Ministers, the minister for Kingdom Affairs quarreled in September 2004 with the Netherlands. minister for Integration. The Kingdom Affairs minister did not want to regulate the movement of Antillean youngsters, as 'the Antilles are a full member of the Kingdom'.**[lxxx]** When in the media or Parliament stringent admission requirements are advocated, a foregone conclusion often is that the constitution of the Kingdom does not permit restrictions to movements of Dutch citizens within the Kingdom. Others maintain that even if such restrictions were constitutionally aligned, it would be politically unfeasible to enforce restrictions to the movements of Antillean *Nederlanders*. Any restrictive policy would only encourage more immigration - *before it is too late*.

In a Kingdom with open borders for its inhabitants, the mutual dependencies between the partners have sharply increased. The new wave of young Antillean immigrants appears to have difficulty integrating into Dutch society. Among the immigrants in the Netherlands, some of the Antillean migrants constitute a complex category. The Caribbean immigrants are of Dutch nationality; they hold Dutch passports and they supposedly speak the Dutch language, although some of them do not. They are entitled to the same domestic and welfare subsidies as their Dutch counterparts. Generally speaking they arrive lacking the immigrant's ambition to make it in a 'new' world. The Netherlands is not seen as a 'new' world but rather as the better social part of the Kingdom. Another complication is that immigrants from any other country have free access to the Netherlands once they have obtained Dutch citizenship in the Netherlands Antilles.**[lxxxi]** Dutch Parliament urged in 2004 the minister for Kingdom Relations to halt the *Antillean problem trail* to the Netherlands.

The high profile immigration issue in the Netherlands may one day create the political leverage to make amendments to the Kingdom relations. The homeland interests of the Netherlands are now more intertwined with Antillean politics than ever before. Overseas social and economic problems in the Kingdom have now hit home in the Netherlands. In the European Union, migration from the new member states to the timehonored EU nations is met with regulation and restrictions. Britain's Prime Minister announced that immigrants from the 10 new member states would not be given instant access to state benefits in Britain: 'There can be no access to state support or housing for the economically



inactive'.**[lxxxii]** In Denmark, also a member of the EU, immigration laws have been barring mixed Danish-foreign couples from setting up households in Denmark. Both husband and wife had to be 24 years or older before they would be allowed to live as a couple in Denmark. And even then, the law requires a minimum income of about US\$50,000 a year, along with a deposit of US\$10,000 until the foreign spouse is able to become a citizen.**[lxxxiii]** Regulation of immigration is also increasingly becoming a *Brussels*. affair, which may require the Netherlands to become tougher in the enforcement of its own legislation. As it stands in 2005, the Caribbean opposition won and Antillean migrants to the Netherlands are excluded from the new *civics course* regulation. But other options are being considered to halt the *Antillean problem trail*. A judge on Curaçao did not mince words and qualified the pending regulation as disproportionate and a specimen of Dutch narrow mindedness.**[lxxxiv]**

#### *Restrictions for European Nederlanders in the Caribbean*

The European *Nederlanders* are not free to move to the Netherlands Antilles. For a long time, Netherlands' persuasion of the Antillean authorities to liberalize the residence and work restrictions was not acted upon. These restrictions find their origin in colonial rules. An Antillean minister proclaimed in 1987 that these rules were the only good legacy of colonial times; they should not be squandered under Dutch pressure. In his view the very limited carrying capacity of the Caribbean islands does not allow for large scale Dutch settlement.**[lxxxv]** In 2000 some restrictions were lifted but not all. European *Nederlanders* who want to migrate no longer require a residence permit but they do need an authorized statement of admittance (*van rechtswege toegelaten*) which can be obtained by proof of sufficient financial means, adequate housing, and a declaration of good conduct (no criminal record).**[lxxxvi]** Another national ruling stipulates that foreigners require a working permit.**[lxxxvii]** European *Nederlanders* are here lumped together with other foreigners in the category *Vreemdelingen* (foreigners). An exception is made for persons with an 'authorized statement of admittance'. European *Nederlanders* who have obtained such a statement still may face some restrictions in cases where the island government has ruled that for economic reasons work permits are required.

Aruba's regulation differs from the Antillean.**[lxxxviii]** European *Nederlanders* in possession of an employment contract, automatically receive a residence permit for the same period as the employment contract, with a maximum of three years under proviso of housing, income, health and good conduct conditions. After its

first expiration, a residence permit for indefinite time will be granted.

Not all *Nederlanders* have the same rights of abode in the countries of the Kingdom. European *Nederlanders* who want to move to the Caribbean countries meet some restrictions that do not apply when Antilleans migrate to the Netherlands.

### *A Not So United Kingdom*

Contrary to communal (volcanic) outbursts of *Orange* sentiments - the name of the Dutch Royal family, and the color of the shirts of the national Dutch soccer team - in all parts of the Kingdom, disparate leanings prevail. **[lxxxix]** In many ways the Kingdom is not united. Citizenship is shared but identities are defined by origin of birth, western, foreign and non-western, and increasingly prejudiced by (under-) class and crime characteristics. Divergence rather than unification holds sway in the Kingdom. An awareness of shared interests is mostly conspicuous by its absence. Being condemned to each other rather than being connected for better and worse, dominates day-to-day sentiments and relations.

Since the Charter of 1954 was enacted, the Kingdom of the Netherlands has not been a very persuasive agent in rallying a sense of common purpose and identity that unites its distinct parts. Even in colonial days, before the Charter was enacted, the Netherlands was not known for efforts to export Dutch language and culture to overseas colonies. The impact of Dutch culture during centuries of colonial rule in the Indonesian archipelago has been labeled as 'scratches on the rock'. **[xc]** The Kingdom's constitutional agreement in the Caribbean was never meant to endure forever; it was contrived as a postcolonial arrangement.

In the early days, interaction between the Netherlands and the Caribbean countries was infrequent, mostly out of the public eye and mainly related to government affairs. Not much was known about the *rijksgenoten* in the Caribbean. During this period, a benign perception of the overseas Dutch citizens prevailed in the Netherlands. image. Well-educated students, speaking charmingly accented Dutch, hardworking and good mannered nurses, fun-loving carnival dancers, friendly sailors, interesting people, also because of their exotic color, were the images that dominated the Dutch view of the *Nederlanders* in the Caribbean. **[xci]** Curiosity rather than a sense of shared identity or common interest set the tone in those days. The Roman Catholic Church and a range of Dutch and local charity organizations helped with basic needs. In those days, Suriname and the Netherlands Antilles did not claim much attention in Dutch

politics and public interest.

Nowadays, social disintegration on Curaçao manifests itself in the form of high levels of migration to the Netherlands. The positive image of the Antillean *rijksgenoten* changed. So-called 'Antillean' neighborhoods have sprung up in Dutch cities with high levels of unemployment and crime. Some suggest that the ideological climate in the Netherlands now does make Antilleans feel not welcome any more. **[xcii]** Antilleans feel stigmatized as *allochtonen* in the Netherlands and a negative image of a group of Antillean youngsters overshadows the achievements of the substantial majority of well-integrated Antillean migrants in the Netherlands.

### *Common Citizenship, Diverse Identities*

The citizens of all three countries are *Nederlanders*; they share the same nationality and have the same passport. This passport now also carries the imprimatur of the European Union on its cover. The cover's inside holds a request from Her Majesty the Queen of the Netherlands to

*(...) all authorities of friendly powers to allow the bearer of the passport to pass freely without let or hindrance and to afford the bearer every assistance and protection which may be necessary.*

This royal request applies also to the Caribbean *Nederlanders*. The Dutch passport grants Antilleans and Arubans the right of abode in the whole of the European Union as well as entry without visa requirements to many other countries, including the United States of America. Many islanders consider the right of citizenship that the extended statehood the Kingdom of the Netherlands provides of paramount importance. For some, these extended citizenship rights are among the most personally tangible advantages of the Kingdom.

Sharing the right of citizenship does not go hand in hand with a communal identity. Rarely does one hear an Antillean state or claim that he is *Nederlander* or *Dutch*. Above all, the inhabitants of the Netherlands Antilles and Aruba identify themselves according to their island of origin: *yu Korsou* (from Curaçao), *Sabaan*, *Bonairiaan*, *Statiaan*, *Sint Maartener* and *Arubaan*. The nation-state of the Netherlands Antilles is often considered to be a post-colonial construct that does not provide for a sense of national identity. That line of thought is caught in the maxim: 'The Netherlands Antilles exist only in the Netherlands'. **[xciii]** Every island has its own anthem; only recently did the Netherlands Antilles acquire a

national anthem. Their respective inhabitants much better know the island anthems.

For most of the Antilleans, formal citizenship in the Kingdom of the Netherlands is not coupled with affinity to Dutch culture. For an Antillean, *Nederlanders* are European *Nederlanders*, a distinct category. Antilleans who hold Dutch passports do not consider themselves *Nederlanders*. Also on the European mainland, in the Netherlands, ambiguity rules. The Antillean population in the Netherlands is considered of foreign origin, and sometimes categorized in Dutch statistics as *allochtonen* (foreigners), together with other immigrants from non-western countries. Among Antilleans, this categorization is felt as a negative and offensive distinction. **[xciv]**

### *Language*

Antillean culture and identity is expressed in the language spoken: Papiamentu in Curaçao, Bonaire and Aruba; and English on Sint Maarten, Saba and Sint Eustatius. Although Dutch is the formal language to be used for instruction, in court and police summons, it is common practice that at home, at school, in the island Council and in Parliament, and on the streets these other languages are spoken; not Dutch. In court, the judge speaks Dutch but a suspect may need (and does get) an interpreter. For most Antilleans in the Caribbean Dutch is a second language in day-to-day communication; for many it is foreign language. In 2003, when announcing her first visit as Prime Minister of the Netherlands Antilles to the Netherlands, Myrna Louisa-Godett made it known that she would speak Papiamentu during this visit and be accompanied by interpreters to make her understood. This was not because she had not mastered the Dutch language, but to make a political statement about the language spoken on Curaçao. She would make an exception for her visit to the HM the Queen.

Many Antillean Ministers of Education have in the past attempted to replace Dutch with Papiamentu as the instructional language in primary education though most parents preferred a bilingual education, Dutch and Papiamentu. **[xcv]** Disputes about the instructional language have turned into conflicts between the minister and the prominent Catholic Board of Education on Curaçao that had to be decided in courts, up to the highest court in the Netherlands. As it stands today, legislation is being drafted to formalize the language of instruction for the age group of children 4-15 years old. For lack of political consensus, the bill is changed every so often, leaving the schools in limbo. Three instructional models are on the table: Papiamentu, Dutch and bi-lingual. A consensus is growing that at

the beginning of the first school years, the language of instruction should be the mother tongue of the pupils based on the assumption that other languages can best be learned after having mastered the mother tongue. For a majority of the schools in the leeward islands (Curaçao, Bonaire and Aruba) this means Papiamentu.

Papiamentu is now in most schools in Curaçao and Bonaire the language of instruction in the first years, while Dutch is learned as a second language. A few schools have achieved an exceptional status with Dutch as instructional language. Other schools clamor for bi-lingual instruction and education, Papiamentu and Dutch, but do not find recourse with the educational authorities.**[xcvi]** Another court case will undoubtedly follow. Dutch is the language of instruction during secondary education. One high school on Curaçao is recognized where Papiamentu is the language of instruction. When continuing education, a student needs to have mastered the Dutch language. But most children enter secondary education without having done so adequately. Consequently, the shift in instructional language between primary and secondary education may be held accountable for the high number of student failures. These scores testify to the everunresolved instructional language problem.**[xcvii]**

For decades, ideological conflicts rather than a clear trajectory of language instruction have dominated the educational arena. Due to the enduring conflicts, for many years teaching material was outdated, sometimes only available in mimeograph as Dutch teaching books were not reprinted and Papiamentu teaching books were not yet available. In the classrooms teachers tended to instruct children in Papiamentu while the textbooks were in the Dutch language. Not only did children not master the Dutch language, also their teachers were not at ease with this language.**[xcviii]** The technical reading scores in Curaçao schools at the end of primary education lagged much behind the norms applied in the Netherlands. At the end of the 1960s, more than 25% of the Antillean primary school population doubled annually; in the Netherlands this was 7.4%. Only 25% of the Antillean pupils reached the end of primary education without having once doubled; in the Netherlands 66% reached the end of school without having doubled. In 1985 half of the population in the range of 15-24 year had dropped out of school: 10% in primary education, 14% after having completed primary education and 24% during continued education.**[xcix]** These dramatic figures were confirmed in 1994 and once more in 1997. Antillean immigrants in the Netherlands have on occasion surprised Dutch educational institutions because their children hardly speak any Dutch; some are even completely illiterate.**[c]**

Most do well in Dutch schools, some do very well, but in particular children born in the lower social-economic strata of Curaçao do very poorly, not only in school but also on the streets. **[ci]** For them, the fallout from ideological conflicts about the language of instruction has been very damaging.

### *Living in the Margin (with Drugs)*

Social class cuts through matters of identity and culture. A culture of poverty has taken hold of a substantial part of the population of Curaçao; more accurately, the poverty of the colonial period has not been lifted. **[cii]** At present, Curaçao's poverty manifests itself in a different way. Poverty is now strongly related to crime and drugs. During colonial times, racism and cultural deprivation determined social relations. Most of the black part of the population of Curaçao took on a negative self-image in relation to white-Dutch and people of mixed colors. Curaçao was, according to Hoetink in 1962, a highly segmented society. **[ciii]** The somatic and cultural imaging in colonial days was full of normative content, defining one's social position in the order of color: white, colored of various hues, and black. Curaçao's society still is divided by color lines, though less pronounced than in the period of the colonial Dutch-white supremacy. For some, the negative self-image that was ingrained during colonial times has been corrected by decolonisation, economic development and better education. But not for all, not for the people who still live in the margin of Curaçao's rather wealthy society. Instead, the negative self-image is confirmed as *others* have been able to do better for themselves, in terms of education, health, employment, income, housing, perspectives in life, and travel. For the lower and underclass, the presence of the Kingdom of the Netherlands in the Caribbean does not make much difference. This class of people is especially affected by the different standards of public provision within the Kingdom, more than their fellow islanders who have achieved a comfortable status. In their case, the colonial and racist past has not been overridden by developments that provide for a more positive self-image, one that would allow bygones to be bygones, not forgotten but replaced by a new reality. The 1954 Charter empowered local elites but did not lift the local color lines, nor did it raise the subsistence level of Curaçao's underclass. The uprising of 1969 carried a promise of black power that could have changed life for the better, also for the black underclass. This promise was not fulfilled. The hazards of embedding self-government in hands that were not prepared for it did not pay off for the classes that had been marginalized all along. Waves of economic prosperity by oil refinery (Shell), off-shore banking, Latin American

tourism were followed by economic downturns, whose hardest hit victims were the people on the lower steps of Curaçao's social-economic ladder.

The drug economy offers a class of young people without proper education and skills an easy way of making money fast. It has pervaded Curaçao's society. In March 2002, the Antillean Prime Minister estimated that 50% of the informal economy was drug-related. In an Antillean study 'Combating poverty' elaborate attention is paid to the drug economy. **[civ]** An increasing quantity of cocaine is smuggled into the Netherlands by young couriers from Curaçao who swallow large number of *bolitas*, little bags with cocaine, and then take a plane to Amsterdam. On arrival laxatives are taken to flush the coca out of a courier's body. A *bolita*-absorber can carry around 800 to 1000 grams of cocaine per flight. By September 2002 a total of 1,311 drug couriers had been arrested in that year at Amsterdam's Schiphol Airport. These included 808 regular couriers and 503 *bolitas*-absorbers. Around 3600 kilos of drugs were seized. In 2000, 800 arrests were made and in 2001 around 1220 smugglers were arrested. After a body scanner was placed at Curaçao's Hato airport, KLM had ca 25 no-shows per flight on the first days of operation, presumably of couriers and absorbers. On the basis of daily KLM flights to the Netherlands, an estimated 600 kilos per month are smuggled this way into the Netherlands. According to cocaine traffic studies, the amount carried by in-flight couriers is only a small percentage of total cocaine imports in the Netherlands.

When living in the margin, the Kingdom does not carry much significance other than some iconographic images of a faraway *Olanda*, with a Queen and family, and some dignitaries who disembark a KLM plane when they come to visit once in a while.

### *Downloading the Underclass*

Every so often, the Kingdom operates as a platform for a confrontation with the Antillean underclass, much to the annoyance of Antillean authorities. It has become common standard for Dutch media, and also for quite a number of Dutch authorities when visiting the Antilles, to report over and over again their misgivings concerning this part of the Kingdom, especially Curaçao. In 2004, a former chief of Amsterdam's police corps, Eric Nordholt, summarized his findings: 'Corruption, crime, drugs, social degradation, unemployment, inadequate medical care, political malaise and a public negation of the factual problems (...) Antillean as well as Dutch authorities should be ashamed of themselves' (translated). **[cv]** In

the beginning of the 1990s, then as chief of Amsterdam's police, Nordholt had suggested that criminals were dumped in the Netherlands with the silent collusion of Antillean authorities. A storm of Antillean protest erupted. The negative assertions were never substantiated but kept on being repeated. The Minister Plenipotentiary of the Antillean government in the Netherlands reacted furiously. Nordholt's image was biased and lacked concrete substance; crime was being countered, poverty being fought and many Antillean students were managing to graduate at universities in the Netherlands and elsewhere. **[cvi]** Since the mid 1990s these exchanges have often marred communications and, whatever their real substance, left dark clouds hanging over the Kingdom relations.

Teeth grinding anger erupts among Curaçao's political establishment when Dutch dignitaries plan to visit neighborhoods where the culture of poverty is starkly manifest. One of the Dutch prime ministers, on his first (and last) visit to the Antilles, requested explicitly to call on such a neighborhood. A street corner group accused the local politicians who accompanied the Dutch prime minister, of putting on a good face for the sake of the Dutch minister's visit: 'other times you are not seen here'. The Dutch prime minister encouraged the group, to keep up the struggle for a better life with thumbs up. Often a flurry of Antillean finger pointing surrounds such visits: Dutch intervention in local politics, the autonomy of government being attacked, paternalistic Dutch goodwill on display, and Dutch degradation of local politics.

The spotlight on the plight of Curaçao's underclass reflects at best a moral inclination to improve the situation. But the focus of this attention is also driven by the migration of the underclass problems to the Netherlands. These problems have manifested themselves in such a degree in the Netherlands that it has become an issue in Dutch politics. City councils, town mayors, police- and immigration authorities are urging the minister for Kingdom Affairs to take action. Consequently, most of the times when Kingdom affairs are being tabled, these topics dominate the agenda and time and again Antillean authorities are confronted with the underclass problem on their islands.

Because of the attention paid in the Dutch parliament and press, Antillean affairs have become synonymous with drug traffic, criminal youngsters, and school dropouts. On their part, Antillean authorities have become irritated and claim that Dutch officials and media deliberately overexpose these problems. They assert



that no attention is paid to efforts that deserve positive attention such as a substantial trimming the overstuffed government bureaucracy, or budgets set aside for programs to fight poverty. Once the Minister Plenipotentiary of the Netherlands Antilles in the Netherlands complained that over and over again the cocaine *bolita* traffic comes up in most of his government and media contacts. Another time the Antillean government requested the Netherlands to make corrections to the negative imaging of the Netherlands Antilles in the Dutch media. The intensity of the Antillean reaction may in part derive from being ashamed of this public exposure, not only because its dirty linen is washed in public but also even more so as such confrontation scorns the canonized autonomy of Antillean government.

In addition, a sense of guilt that the underclass has been so neglected, may even further complicate the Antillean reaction. At the same time, Antilleans cannot duly raise the question as to how to define the Kingdom's responsibility in this matter. In 1995, a minister of Kingdom Affairs rubbed this in: 'autonomy also means to solve your own problems'. But others do not hesitate to broach the now ill-fated division of responsibilities between offices of the Kingdom and the local autonomous governments. **[cvii]** They argue that the issue of the Antillean underclass must be downloaded to the files of the Kingdom as well. **[cviii]** While the Netherlands seems to exploit the Kingdom's platform to make the Antillean elite look at the backyard underclass, the responsibility of the Kingdom is called into question at the same time. The underclass was always there but did not have a voice that mattered. Now it does, in elections, in local crime statistics, in migration figures and the trade of drugs, and last but not least, in Dutch cities with Antillean neighborhoods. Dutch prisons and adolescent correctional facilities count ten times more Antilleans than their share in the total population. **[cix]** The underclass can no longer be glossed over; it has become a real issue that must be dealt with, in one or other way.

### *Misgivings about Kingdom's Safeguards*

The lack of *good governance* and social disintegration of more and more neighborhoods on the island of Curaçao have cast a worrisome light on the adequacy of Kingdom's safeguards. The number of attacks on people, either at home, shops, businesses or on the streets, has risen to alarming proportions, especially when taking into account the size of the island population. **[cx]** <sup>110</sup> Compared with the number of homicides in the Netherlands in 2003, Curaçao

score is 30 xs higher (x 100.000).**[cxi]** These figures do raise serious questions about local autonomy as well Kingdom.s safeguards, their worth in real terms, at home and on the streets.

The drugs trade to satisfy consumer demand in Europe and the USA pervades Caribbean society. The dangers of international terrorism can now be added to this list. The small island states have demonstrated that they are vulnerable to these opportunistic dangers as well as to environmental damage by international corporations. In 2001-2003, flights from Curaçao to Schiphol Airport, Amsterdam, were literally loaded with both traffickers and drugs. Mismanagement and neglect of the welfare systems in the Netherlands Antilles have long driven migration to the Netherlands. Free migration is seen as a lifeline on the Caribbean islands, it is seen as one of the Kingdom's most valuable assets. Yet this strong migration to an 'overseas social paradise' has sharply driven up the Antillean share in the Netherlands' crime and unemployment statistics. Socalled 'Antillean neighborhoods' (*Antillengemeenten*) have sprung up in the Netherlands, leading to calls for the Netherlands to close its borders to these migrants in the future, or at least to Antilleans with a criminal record at home.

The pollution history of Curaçao's refinery also overwhelmed the quest for Kingdom's safeguards. At the cost of the health of the population living in neighborhoods of the polluted air, first Royal Dutch Shell and now PDVSA-Refineria di Korsow have operated without proper regulation. In other parts of the world, such pollution problems have been framed in the larger context of how rich multi-national companies conduct themselves in poor nation-states.**[cxii]** In this case, however, an environmental scandal was allowed to continue for decades, not in a poor nation-state but in a country that was part of the Kingdom of the Netherlands.

With the benefit of hindsight, some point to defects in the constitution of the Kingdom of the Netherlands. They argue that it was plainly wrong in assigning full responsibility for local government and administration to the Antillean authorities. The designers of the Charter limited the Kingdom.s authority in the Antilles. In the last 15 years, the Caribbean island authorities have demonstrated to be restricted in their abilities. *Het Statuut* specifies that the Kingdom must safeguard good governance, democracy and human rights in the Caribbean countries. The Dutch authorities have been slack in maintaining these standards.**[cxiii]** Regulations were not put in place and crisis management rather than regular procedures to safeguard the rule of law, public safety and social

security had to save the day. Moreover, the intricate issue of safeguarding *good governance* is complicated by the logical *impossibility* of a situation in which the Kingdom has responsibility for some standards of government without carrying authority over other, interrelated domestic affairs in the Antilles. **[cxiv]** The rule of the Kingdom is limited and differentiates according to various government functions. The different functions, however, are interrelated and cut through any formal distinctions made between Caribbean and Kingdom controls. In reality good governance is not limited just to the rule of law, democracy and human rights. Sub-standard education, high levels of youth unemployment, poverty, family deficiencies, housing conditions and neighborhood slums, call for good governance as well. The original concept of a Kingdom Ltd. could not, in 1954, have anticipated the requirements of *good governance* in modern times.

The Kingdom's institutions and procedures tend to divide rather than unite. The distribution of public authority in the Kingdom essentially demarcates autonomous governments rather than integrated statehood. Common public policy for all three countries of the Kingdom is limited. In reality, the Kingdom does not operate as a union, it is fragmented and does not have a common creed, nor language or culture. Time and again, the fundamental disagreement about the need to *reset* the Kingdom cropped up. In its operations the Kingdom stumbles, not only in addressing the well-being of the *Nederlanders* in the Caribbean part of the Kingdom, but also in protecting Netherlands. interests in Europe, especially in the Netherlands' municipalities that have become known as *Antillengemeenten*.

### *Conclusion*

The Kingdom's role and function have been limited and Antillean autonomy was for long *de rigueur*. Neither the Kingdom nor the Antillean or Curaçao government has in past or present been able to set things right. Will abandoning the Antillean nation-state and redefining Kingdom's regulation suffice to perfect this union? And what about Antillean autonomy? Schaefer, an Alderman for Public Housing in Amsterdam, once summarized the customary talk-ins and hearing procedures in the Netherlands in 1960s and 1970s: '*you can't set up house in gibberish*' (in Dutch: in gelul kun je niet wonen). In an Antillean context he may have stated: '*you need more to eat than autonomy*' (van autonomie kun je niet leven).

To sum up, any repair option to consolidate the Kingdom's presence in the Caribbean, with equal rights and open borders for its citizens will require: more

unity in policy; expansion of the Kingdom's *good governance* agenda to include social rights; more regulation and power sharing; and goodwill and practical minds on both sides. Can this be done? The repair operation aims at bringing Caribbean governance in line with rules of *good governance* that have become entrenched in the Netherlands, Europe and elsewhere, not for the sake of a persistent colonial hangover that these territories must be controlled, but because *good governance* serves the social-economic development of the island nations and the commonwealth of its citizens. It is also believed that the Kingdom of the Netherlands can help to strengthen the *good governance* agenda of the Caribbean nations. The Kingdom's mission to uphold a *good governance* mirror to the Caribbean countries must be substantiated in real terms and practical safeguards. Expansion of *good governance* for the whole of the Kingdom runs counter to, first of all the Antillean insistence on being *autonomous* but also has to deal with political reservations in the Netherlands. Can the political will be mustered in the Netherlands to come up with the regulation and the money that is required to narrow the gaps in the level of government provision among the countries of the Kingdom? And can the allure and illusion of Antillean autonomy be deconstructed to real life proportions? Maybe, maybe not.

Turning the mirror around does raise the question of how good is governance in the Netherlands itself? Easily a long list of scandals in various corners of the Netherlands' government can be drawn up, including fraud in infrastructure projects, drug smuggling by the Netherlands Royal Police on Curaçao, corruption in the civil service, misappropriation of funds from Brussels, conditions in detention centers for illegal immigrants and drug smugglers, and so on. Moreover, Dutch civil society is now torn between the trusted images of the past and yet uncharted stark realities. First Pim Fortuyn was murdered, and in 2004 Theo van Gogh, a well-known journalist and filmmaker, was killed in Amsterdam by a Muslim fundamentalist. These incidents, criminal vendettas and settling scores, discrimination and violent attacks on mosques, schools and churches have shocked Dutch civil society. The assumption of seemingly never-ending advancement since the 2nd World War has been put to test, causing disarray in the Netherlands. However grim and upsetting for the Netherlands nation, these adverse developments may contribute to creating a more practical rather than a *know-it-all* relationship among the authorities within the Kingdom. Still, these unsettling events have not made it easier to repair a not so united Kingdom.

The alternative of not repairing the Kingdom is to continue muddling through in day-to-day operations, just as in the last 15 years the Kingdom has been getting by. This option will most likely have a price in terms of a further degradation of Netherlands' citizenship for Antillean *rijksgenoten*. Maybe not enacted in legal provisos but most likely so in real life, a second-class citizenship will become increasingly manifest in terms of safety, health, education and social security. And it may become especially tangible when crossing the borders within the Kingdom.

## Notes

- i.** Het Statuut, the official title of the constitution of the Kingdom, translates to Charter, both concepts are used indiscriminately in the chapter.
- ii.** A Committee 2004 comprising people of all walks of life who are or have been involved in one or other way in the Kingdom relationships was set up by an old-Governor of the Netherlands Antilles and a brother in-law of the Queen. The committee's aim is to present the governments of the Netherlands, the Netherlands Antilles and Aruba a document containing a vision on the future of the Kingdom on the occasion of the anniversary of Het Statuut. Thereto it launched in October 2003 a website and discussion paper, *Investeren in gezamenlijkheid* (Investing in communality).
- iii.** de Volkskrant, Kabinet Antillen wankelt door ziekenhuisklucht, 2 April 2004.
- iv.** The Governor of the Netherlands Antilles specified in the assignment of a political representative (informateur) to gauge the options of a new Antillean cabinet to be formed, the crisis the country is experiencing in these terms. Amigoe, Gouverneur benoemt Atacho tot informateur. Curaçao, 21 April 2004.
- v.** This paragraph draws on the work of Inge Klinkers, *De weg naar het Statuut. Het Nederlandse dekolonisatiebeleid in de Caraïben (1940-1945) in vergelijkend perspectief*. (Utrecht, University of Utrecht, 1999).
- vi.** Pitou van Dijck, *Opportunities in the region*, Conference report. The economic development of the Caribbean overseas countries and territories: the role of the European partners (The Hague, 20 - 21 June 2001): table 1.
- vii.** According to a report of the IMF (4 June 2003), GDP per capita is US\$ 15.624 in the Netherlands Antilles. In Aruba GDP per capita is US\$ 20.310 according to the report 2002 of the Central Statistics Bureau. In: *Verdieping of geleidelijk uiteengaan. De relaties binnen het Koninkrijk en met de Europese Unie*, p. 26. Raad van State, The Hague, 9 September 2003.
- viii.** E.M.H. Hirsch Ballin, *Herdenken van 1648 in een veranderde wereld*, pp.17-20. In: *Breekbare banden. Feiten en visies over Aruba, Bonaire en Curaçao*

na de Vrede van Munster. 1648-1998. Maritza Coomans-Eustatia e.a. (eds.). Stichting Libri Antilliani, 1998.

**ix.** Ernst M.H. Hirsch Ballin, The constitutional relationship between the Caribbean Overseas Countries and Territories and their mother countries, Conference Report. The economic development of the Caribbean overseas countries and territories: the role of their European partners (The Hague, 20-21 June 2001): 25-6.

**x.** Harry Hoetink, Flarden van een geschiedenis. In: Dromen en littekens. Dertig jaar na de Curaçaose revolutie, 30 mei 1969. Gert Oostindie (ed.), pag. 330. Amsterdam University Press, 1999.

**xi.** Website Ministry of the Interior and Kingdom Relations, Answering questions about the effects of the industrial waste (SHELL) on Curaçao, 2nd April 2004. The question referred to an article, The Hell of Shell.

**xii.** Ministry of the Interior and Kingdom Relations, Toekomst in samenwerking, p. 6. The Hague, 1999.

**xiii.** State Secretary for the Interior and Kingdom Relations, Opening speech. Conference Report. The economic development of the Caribbean overseas countries and territories: the role of the European partners, p. 19, The Hague, 20-21 June 2001.

**xiv.** Among others Aart. G. Broek, Ik vraag geen gunst maar wat ik eisen mag, p. 10. Willemstad 15-16 June 2003. Also: Ontwikkeling en armoede op de Nederlandse Antillen, p. 81-83. Thela Publishers. Amsterdam, September 1997.

**xv.** According to Eurostat, the statistical office of the European Union, the Netherlands scored in 1992 in the top of the European social welfare nations, right after Sweden. In 2001 the Netherlands's position has fallen to the middle range. Nederland niet langer in top verzorgingsstaten EU, de Volkskrant, 23 April 2004.

**xvi.** Also in the Netherlands the number of people who live in poverty is increasing, especially among the older and the even more the older immigrants who have not been long enough in the Netherlands to qualify for a full AOW (state old age pension). See: de Volkskrant, Grote groep ouderen inde schulden, 30 March 2004.

**xvii.** Before 1998 the portfolio was called Nederlands-Antilliaanse en Arubaanse Zaken and the minister was accordingly titled Minister van Nederlands-Antilliaanse en Arubaanse Zaken. Throughout this chapter we apply the term Kingdom Relations.

**xviii.** Lammert de Jong, De werkvloer van het Koninkrijk. Over de samenwerking

van Nederland met de Nederlandse Antillen en Aruba, p. 27. Amsterdam, Rozenberg Publishers, 2002.

**xix.** Het Statuut voor het Koninkrijk der Nederlanden, art. 12. In: Nederlandse Staatswetten, Editie Schuurman & Jordens 1-III. Tweede Druk. E.E.J. Tjeenk-Willink - Zwolle 1995.

**xx.** For instance, in 1997 the Netherlands Antilles and Aruba objected to European regulation which would restrict their rice and sugar export to the European Union. The Netherlands' attempts to reach a Brussels compromise that was in the interests of the Netherlands Antilles and Aruba had failed. Eventually the Netherlands chose not to block a compromise that was supported by all members of the Union. Aruba and the Netherlands Antilles made objections and opted for an intern appeal. After the matter had been reconsidered, the Council of Ministers agreed with the European regulation. Source: Behartiging van de Buitenlandse Belangen van de Nederlandse Antillen en Aruba. Een evaluatie van de rol van het Ministerie van Buitenlandse Zaken, p. 129-154. Inspectie Ontwikkelingssamenwerking en Beleidsevaluatie. The Hague, July 2003.

**xxi.** The debt of the Netherlands Antilles to the Netherlands includes development aid loans, budgetary assistance and arrears in payment of the Antillean share for the Coast Guard and technical assistance. Amigoe, 31 August 2004. The total debt (external and internal) of the Netherlands Antilles amounts to Euro 2.4 milliard. (2004).

**xxii.** Edo Haan, Antilliaanse Instituties. De economische ontwikkeling van de Nederlandse Antillen en Aruba, 1969-1995, p. 204, 211. Capelle a/d IJssel, Labyrinth Publication 1995. And for 2004: Rijksbegroting Koninkrijksrelaties Begroting IV 2004, p. 7.

**xxiii.** Statuut van het Koninkrijk der Nederlanden, art. 36.

**xxiv.** An exception was the aid of the Netherlands Antilles to the Netherlands in 1953, when after heavy storms dikes broke and part of the Netherlands was inundated.

**xxv.** Gemengde Commissie van Deskundigen. Aanzet tot een integraal beleidskader voor de Nederlandse Antillen in de jaren 80. Willemstad, 1979.

**xxvi.** Richard Gibson, minister of Constitutional Affairs of the Netherlands Antilles, during a Panel Conference, organized by the Island Government of Sint Maarten and the University of Sint Maarten, 22 October 2004.

**xxvii.** A striking example was an attempt of the Curaçao Port Authority to have a second (or third) crane financed out of the Dutch development budget. As Curaçao's port is commercial enterprise, it should be able to raise capital for

maintenance, renewal or extension. This request was discussed accordingly with representatives of CPA and a few months later and without much ado, a commercial loan had been obtained from a local bank to finance the new crane. Another, rather different proposal required the intervention of the Minister for Kingdom Affairs himself. Sint Eustatius authorities insisted that a group of youngsters should make a camping trip to a lake in Sweden, Europe, on invitation of some Swedish tourists who had visited the island the previous year. This trip was captioned as a cultural project and should be paid out of the Cultural fund. Only after the Dutch minister had made it clear that he could not agree to use the fund for this activity, the commotion subsided.

**xxviii.** Lammert de Jong 2002: p. 101.

**xxix.** See Human Development Report 2004. Cultural liberty in today's diverse world: The overarching message of this Report is to highlight the vast potential of building a more peaceful, prosperous world by bringing issues of culture to the mainstream of development thinking and practice. Not to substitute for more traditional priorities that will remain our bread and butter -but to complement and strengthen them. p. vi.

**xxx.** Toekomst conferentie 1993.

**xxxi.** Gert Oostindie & Peter Verdon, *Ki sorto di Reino. Visies en verwachtingen van Antillianen en Arubanen omtrent het Koninkrijk*, p. 49, Sdu Uitgevers, The Hague 1998.

**xxxii.** Protocol van Afspraken tussen de Minister voor Nederlands-Antilliaanse en Arubaanse Zaken en de Minister voor Ontwikkelingssamenwerking van de Nederlandse Antillen betreffende de ontwikkelingssamenwerking tussen Nederland en de Nederlandse Antillen. The Hague, 2 October 1987.

**xxxiii.** Pourier, *Ik wil investeren in jongeren*, NRC Handelsblad, 28 January 1998.

**xxxiv.** In 1997 some 30 twinnings were listed in a report on technical assistance to the Netherlands Antilles and Aruba. In: *De personele samenwerking tussen Nederland, de Nederlandse Antillen en Aruba*. KABNA, September 1997.

**xxxv.** Rijksbegroting. Begroting IV Koninkrijksrelaties 2003.

**xxxvi.** Rijksbegroting. Koninkrijksrelaties. Begroting IV 2004, p. 5

**xxxvii.** This program includes the financing of overseas posting of Dutch judges and public prosecutors in addition to the Caribbean format. On average 22 judges and 10 public prosecutors were posted (2004).

**xxxviii.** Alfons van Marrewijk, *Internationalisation, Co-operation and Ethnicity in the Telecom Sector. An Ethnographic study of the Cross-Cultural Co-operation of PTT Telecom in Unisource, the Netherlands Antilles and Indonesia* (Delft: Eburon,



1999), p. 190. Eburon Delft, 1999.

**xxxix.** An exception is the Solidarity Fund for the needy islands.

**xl.** Han Lammers, during his tenure as Reconstruction Coordinator (after hurricanes Luiz and Marilyn), Sint Maarten, 1998.

**xli.** Advies Werkgroep Bestuurlijke en Financiële Verhoudingen Nederlandse Antillen, Nu kan het... nu moet het! In English: The Time is now, let's do it! (Jesurun report) 8 October 2004.

**xlii.** In the Quaterly Bulletin, 2004-II, the Report of the President of the Central Bank of the Netherlands Antilles, expressed similar worries: To move forward, progress must be made on the constitutional issue. The report of the Jesurun Commission on the future constitutional relations within the Kingdom has been issued without a clear claim of ownership. This has led to a laxity of the parties involved and only made progress on this front less likely. It is evident that this stalemate must be broken swiftly because clarity on our constitutional future is crucial for addressing our macroeconomic imbalances in a lasting way. Quaterly Bulletin, 2004 - II.

**xliii.** Aruba's status aparte was agreed upon during a round-table conference in 1983.

**xliv.** To support its claim to separate from the Netherlands Antilles, Sint Maarten's leading political party argued in a council meeting that of the total of its tax receipts of NAF 261 mln (maybe 287 mln), over NAF 80 mln (maybe even 105 mln) went to the treasury of the central government in Curaçao. Amigoe, 25 March 2004.

**xlv.** The formation of a new Antillean government in 2004 was reported in a local newspaper under the rubric of Curaçao, not under the Antillean rubric.

**xlvi.** The results of the referendum on Sint Maarten (23 June 2004): 68,9% for separate status as autonomous country within the Kingdom, 14,2% for independence, 11,6% for a restructuring of the Netherlands Antilles and 3,7% preferred direct a relationship with the Netherlands. The turn-out was 55,7 %.

**xlvii.** The results of Bonaire's referendum (10 September 2004): 15,9% for continuing being part of the Netherlands Antilles, 59,5% for a direct relationship with the Netherlands, 24,1% for a separate status as autonomous country within the Kingdom, and 0,5% for independence. The turn-out was 57%.

**xlviii.** < [www.Curaçao-gov.an](http://www.Curaçao-gov.an) >

**xliv.** Schets van een Gemenebestconstitutie voor het Koninkrijk der Nederlanden. Tweede Kamer, 1989-1990, 21 300 IV nr. 9. l. J.A.B. Janus, Het Statuut van het Koninkrijk der Nederlanden: terugblik en perspectief. In: Naar een nieuwe

structuur voor het Koninkrijk. Staatsrechtconferentie 1993, p. 7/58. W.E.J. Tjeenk Willink, Zwolle 1993.

**ii.** Make it work. Model voor een geherstructureerd Nederlands-Antilliaans staatsverband. Landelijke commissie Herstructurering. Nederlandse Antillen, July 1995.

**iii.** Underage minors need formal approval of the Antillean Custody Council. This restriction aims to prevent migration of underage minors without guardianship. Prior to their travel, the Custody Council has to confirm the legal custody of these minors. Proof of legal custody has to be checked at the moment of departure. Without this approval they cannot be registered in the Netherlands. Civil Registry and subsequently they are denied access to accommodation and welfare provision. Registration is also important because it provided a contact address for entering a civics course, job- training or further education. The custody regulation remained for years embedded in a piece of paper only as the Antillean government did not put the departure check into effect. Per 1 November 2004 this check will be enforced by a group of custody-check-out officials at HATO, Curaçao's airport. Pressure from the Netherlands during the regular rounds of contact between the ministers of Justice of the three countries, activated the custody regulation.

**liii.** Hans van Hulst, Morgen bloeit het diabaas. De Antilliaanse volksklasse in de Nederlandse samenleving (Het Spinhuis, 1997), p.11.

**liv.** Bruggen bouwen. Eindrapport van de Tijdelijke Commissie Onderzoek Integratiebeleid, p. 61-63. Tweede Kamer, vergaderjaar 2003-2204, 28 689, nrs. 8-9.

**lv.** Van Aartsen kaart Antillenroute aan. Amigoe, 2 September 2004

**lvi.** Theo Dol, Curaçao bezorgt zichzelf een vreemdelingen probleem. In: Amigoe, 10 April 2004.

**lvii.** Besluit van de directeur-generaal van de Nederlandse mededingingsautoriteit tot afwijzing van een verzoek tot toepassing van art. 56 van de Mededingingswet. Betreft zaak: Zaaknr. 273 en 906; Vrije Vogel/KLM en Swart/KLM, November, 2000.

**lviii.** It is interesting to note that during a lecture at the Caribbean Institute, Leiden, the Netherlands, almost everyone there disagreed with the thesis that the Antilles would eventually become an institutional part of the Netherlands in the form of a province or municipality. Only very few of the predominantly Caribbean audience half-heartedly accepted this premise. While many of this audience had chosen to live in the Netherlands, they still could not envisage a future

development where the autonomy of the Antilles would be exchanged for a stronger integration of their Caribbean island into European Holland. (plus: data on opinion of Antilleans in Curaçao: Ki sorto di Reino).

**lix.** Data obtained in e-mail correspondence from William (Freddy) Curiel, 9 June 2004.

**lx.** The Foundation for Study Scholarships Curaçao reneged in 2004 its contract with the Antillean Foundation for Study in the Netherlands. As more than  $\frac{3}{4}$  of the students in the care of the Foundation for study in the Netherlands are from Curaçao, this Foundation will now be dissolved. Each and every island of the Netherlands Antilles will now have to take care of its own student population in the Netherlands.

**lxi.** Figures provided by dr. Gorette Narain, Rector of the University of the Netherlands Antilles. 15 June 2004.

**lxii.** William (Freddy) Curiel, Structurele braindrain op de Antillen remt effect van ontwikkelingshulp. Antillenmonitor-39, 24 May, 2004.

**lxiii.** Jonathan I. Israel indicates on several occasions the immigrant character of Dutch society in the Golden Age. Israel quotes Pieter de la Court (1661): It is certain (...) that our manufacturers, fisheries, commerce and navigation, with those who live from them, cannot be preserved here without a continual immigration of foreign inhabitants-much less increased or improved. (p. 624). Elsewhere Israel states: Despite the rising level of immigration from the inland provinces, most immigrants in Amsterdam continued to be foreign born. In the 1650s, 6.677 foreign-born men married in Amsterdam as against 4.252 newcomers born in the Republic outside Amsterdam. (p. 626). In the Golden Age student enrolments at the universities was for a substantial part foreign born, especially at Leiden. During the quarter 1626-1650 more students at Leiden's university were foreign

born than Dutch (p. 901). In: The Dutch Republic. Its Rise, Greatness, and Fall 1477 - 1806. Oxford University Press, Paperback 1998.

**lxiv.** Also Russell Shorto maintains that in the seventeenth century (...) it's something of a misnomer to think of Dutch in this era as an ethnic signifier. The Dutch provinces in the seventeenth century were a melting pot of Europe. As English, French, German, Swedish, and Jewish immigrants came and settled, they adopted the language, Batavianized their names ( ....) and, in time, adopted a basic framework for looking at the world one of the main features of which was the need to accommodate others. In: The Island at the Center of the World. The Epic story of Dutch Manhattan and the forgotten Colony that shaped America, p.

125. New York, Doubleday 2004.

**lxv.** Bruggen Bouwen, p. 62.

**lxvi.** Bruggen Bouwen, p. 63

**lxvii.** Job Cohen, Vreemden (Foreigners), Cleveringa-lezing, 26 November 2002.

**lxviii.** Centraal Bureau voor de Statistiek, Bevolking grote steden verandert in hoog tempo, Publikaties Webmagazine, 7 June 2004.

**lxix.** Immigrants of Japan are categorized as western.

**lxx.** de Volkskrant, Grote steden verkleuren in rap tempo, 8 June 2004.

**lxxi.** Sociëteit De Witte's Koninkrijkstafel, 17 May, 2002.

**lxxii.** Het opmerkelijke nieuws uit Papiamentstalige kranten. August 23-28, 2004. Summary by the office of the Resident Representative of the Netherlands in the Netherlands Antilles.

**lxxiii.** Bruggen bouwen, p. 455.

**lxxiv.** De Volkskrant, Vrijblijvendheid fnuikend voor integratie, de Volkskrant, p. 3, 6 October 2003.

**lxxv.** Contourennota Herziening van het inburgeringsstelsel, presented to Parliament, 23 April 2004.

**lxxvi.** Michiel Kruijt, Pim Fortuyn had kunnen juichen, de Volkskrant, 23 February 2004.

**lxxvii.** Dubbelnationaliteit niet meer mogelijk. De Volkskrant, 21 May 2004.

**lxxviii.** CBS, Bevolkingstrends 2e kwartaal 2004, p. 5

**lxxix.** The Antillean Parliament unanimously opposed the Netherlands civics-course policy and made this well known, in the media and formal communication, prior to the debate on this policy in the Netherlands Parliament. Amigoe, 2 September 2004.

**lxxx.** Ruzie in kabinet over Antillianen. De Volkskrant, 23 September 2004.

**lxxxi.** In Dutch Parliament were in 2004 explicitly mentioned: Haitians, Columbians and Dominicans. Amigoe, 2 September 2004

**lxxxii.** Blair promises Middle Road on European Immigration, The New York Times, 28 April, 2004.

**lxxxiii.** Copenhagen Journal, Wedding vows can lock Danes out of their homeland. The New York Times, 10 September 2004.

**lxxxiv.** Rechter Bob Wit over toelatingsregeling: Verdonk speelt in op vreemdelingenhaat.. Amigoe, 18 June 2005.

**lxxxv.** Minister Chance during a meeting of the Council of Ministers of the Netherlands Antilles with the minister for Kingdom Relations, Jan de Koning, and his delegation, which included the author.

**lxxxvi.** Nederlandse Antillen, Landsverordening Toelating en Uitzetting, amended 26 July 2000.

**lxxxvii.** Nederlandse Antillen, Landsverordening Arbeid Vreemdelingen, 3 August 2001.

**lxxxviii.** Aruba, Ministry of Justice, Press bulletin, October 2003.

**lxxxix.** And even Orange does not always win over hearts in the Dutch Caribbean, at least not during the world cup soccer match in 1998 between Olanda and Brasil when viewers overwhelmingly cheered Brasil rather than Olanda in one of Curaçao's pubs.

**xc.** Some of these scratches still hurt. In 2004, the New York times reported that an Indonesian editor of a leading news magazine Tempo, was sentenced to one year in prison in a libel case that critics said was a setback for press freedom in Indonesia. He was charged 'under sections of Indonesia.s criminal code that date back to the Country's

Dutch colonial era'. p. A6. The New York Times, 17 September 2004.

**xc.** Hans van Hulst, Geen snelle recepten. Gezichtspunten en bouwstenen voor een andere aanpak van Antilliaanse jongeren, p. 24 Amsterdam, Aksant 2003. Also: Gert Oostindie, Het paradijs overzee. De Nederlandse Caraïben en Nederland, pp. 235-236. Amsterdam. Bert Bakker 1997.

**xcii.** Hans van Hulst 2003: p. 24.

**xciii.** A parallel can be drawn with the last stages of British colonization of North America: Looking at their North American colonies from London, the British saw them as a whole before the colonists did. (...) The British worried about the whole (...) because they did not understand the parts, and they reified their concerns into a totality they called America. (...) In a word, America was Britain's idea.. In: Samuel P. Huntington, Who are we? The Challenges to America.s National Identity, p. 111. New York, Simon and Schuster 2004.

**xciv.** Cultural references are at play here. Japanese immigrants are not categorized in Netherlands' statistics as non-western, because of cultural affinities while Antillean rijksgenoten are tabled in a foreign, non-western category.

**xcv.** Peter Verton, enquête 2001.

**xcvi.** Ouders Römerschool bozer na voorlichting, Amigoe, 25 October 2005.

**xcvii.** Carel de Haset, Nordholt geeft tendentius beeld. Amigoe 15 June 2004.

**xcviii.** Ramón Grosfuegel suggests that the Dutch Antilles is (sic) a living example of how national identity has nothing to do with language. However, one wonders how Grosfuegel arrived at his statement: In Aruba and Curaçao nearly everybody

speaks four languages perfectly (Papiamentu, Spanish, English and Dutch), and no one questions their identity as Arubans or Curaçaoans. Grosfuegel 2003, p. 63.

**xcix.** Hans van Hulst 2003: p. 12.

**c.** Hans van Hulst 2003: pp. 11-12.

**ci.** Hans van Hulst 2003: p. 12. These data refer to the mid 1980th but it is assumed that not much has changed.

**cii.** Hans van Hulst 2004: p. 8.

**ciii.** H. Hoetink, De gespleten samenleving in het Caribisch gebied. Bijdrage tot de sociologie der relaties in gesegmenteerde maatschappijen. Assen, Van Gorcum 1962 (5e druk 1987).

**civ.** 104 Atakando Pobreza. Combating Poverty through Integrated Neighbourhood Development, p. 24-28. Commissioned by the Fund for Social Development and Economic Activities (Reda Social). Willemstad-Amsterdam, Reda Social-Rozenberg Publishers, 2004.

**cv.** Amigo, Nordholt spaart Curaçao niet. 14 June 2004.

**cvi.** Amigoe, Nordholt geeft tendentius beeld. 15 June 2004

**cvii.** Among others, Ontwikkeling en armoede op de Nederlandse Antillen. Een beleidsevaluatie van Sede Antia (1987-1996) Thela Publishers, Amsterdam, September 1997. And: E.M.H. Hirsch Ballin, Herdenken van 1648 in een veranderde wereld, pp. 17-20. In: Breekbare banden. Feiten en visies over Aruba, Bonaire en Curaçao na de Vrede van Munster. 1648 - 1998. Maritza Coomans-Eustatitia a.o. (eds.). Stichting Libri Antilliani, 1998.

**cviii.** Most recently, Committee 2004, comprising people of all walks of life who are, or have been involved in one or other way in the Kingdom relationships, has presented the governments of the Netherlands, the Netherlands Antilles and Aruba a document containing a vision on the future of the Kingdom. Among other things, Committee 2004 proposes to expand the list of Kingdom affairs with: education, public health and combating poverty. In: Investeren in gezamenlijkheid (Investing in communality). Website, edition October 2004.

**cix.** Hans van Hulst 2003: p. 7.

**cx.** In 2004 (until 22 November) 1010 attacks were registered. In previous years this was 431 in 2001, 526 in 2002 and 730 in 2003. Most attacks in 2004 were armed attacks: 805. And in 70% of the armed attacks, firearms are being used. So in more than 50% of the attacks on Curaçao, firearms are brought into play. About 25% of the attacks take place in or around homes; almost 50% are street attacks. In previous years, attacks with firearms counted for 41% (2001) and 61% (2002) of all attacks. On a total of 1010 attacks in 2004, only 178 arrest were

made (up to 22 November 2004) of which a number of 147 were classified as solved cases, this is only 14 % of all attacks. Source: Resume 2004 and Projectteam Atrako, aanhoudingen en opgeloste zaken 2004.(hag. RIJNSCHOT. E.L.)

**cxii.** The number of homicides in the Netherlands has been rather steady. From 1996 to 2003, the highest number was 1,4 per 100.000 (in 1996). In 2003 this number had fallen to 1,2 per 100.000. Centraal Bureau voor de Statistiek, Niet-natuurlijke dood naar diverse kenmerken. Website, statline. Cbs.nl/Stat/Web/.

**cxiii.** Jane Perlez and Evelyn Rusli, Spurred by illness, Indonesians lash out at U.S. mining giant. The New York Times, p. A1 and A 11. September 8, 2004. In the case of the Newmont Mining Corporation, the world biggest gold producer, based in Denver USA, the health hazards were contested. Robert Humberson, the general manager for external relations in Indonesia exclaimed: We find the water is in excellent condition, I dive there myself. It's fabulous. A few days later, The New York Times reported that six officials of the Newmont Mining Corporation were detained and held for questioning about the accusations of pollution. Jane Perlez, Indonesia detains six from US Mining Business over Pollution. The New York Times, 24 September 2004. An environmental scientist in Canada who worked with the Indonesian environmental group Friends of the Earth, believed that arsenic in the mine waste was the cause of the illnesses. In August 2005, the government of Indonesia brought charges of pollution against Newmont. The New York Times reported: .For foreign investors, the case has raised fresh concerns about Indonesia's legal system and its history of corruption. This appears to be another attempt to use the law to force further payment from a foreign investor, said Peter Fanning, chairman of the International Business Chamber of foreign business groups in Indonesia. Jane Perlez, American Mining Company Denies Polluting Indonesian Bay, The New York Times, 6 August 2005.

**cxiiii.** Frits Bolkestein, Zachte heelmeesters, NRC Handelsblad, 7 February 2004.

**cxv.** Lammert de Jong 2002: p. 224.

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