

Exploring Sub-national Island Jurisdictions

GODFREY BALDACCHINO* AND DAVID MILNE†

*Canada Research Chair (Island Studies), University of Prince Edward Island, Canada

†Professor Emeritus, University of Prince Edward Island, Canada

ABSTRACT *Sub-national island jurisdictions (SNIJs) manifest diverse expressions of governance within typically asymmetrical relationships with a much larger state. Dubbed ‘federacies’ in the literature on federalism, these bilateral systems of self- and shared-rule arise almost exclusively on islands. The jurisdictional powers that island federacies enjoy are principally a result of bilateral negotiations between island political elites and a (usually benign) metropole. This bargain is struck against the backdrop of a particular colonial inheritance, a local ‘sub-nationalist’ culture, and the varying ambitions of local elites to win jurisdictional powers to advance ‘sub-national’ territorial interests. At other times, however, island autonomies arise as crafted, deliberate devolutions of central governments eager to exploit islands as ‘managed’ zones for economic or security-related activity in a globalised economy. In either case sub-national autonomies often show more success and resilience as non-sovereign island jurisdictions than their sovereign island-state counterparts.*

KEY WORDS: Islands, sub-national jurisdictions, asymmetrical federalism, Commonwealth

Kish Island: Fact or Fiction?

From the palm-lined road nearby, the mountains of Iran’s southern coast are visible. But any shadow cast by Iran’s repressive regime barely seems to reach Kish’s gentle sand. On this small island, 18 km off the southern coast of the Islamic Republic of Iran, it is far easier to find a five-star hotel than a mosque. That’s because Iran’s dictatorial government is trying to showcase Kish not as a strict Islamic haven, but as an earthly paradise designed to win over the international community. (Roston, 2005, p. 21)

Kish Island is one of three ‘industrial free trade zones’ approved by the Majlis (Iran’s Islamic Consultative Assembly) in August 1993. Kish may be small: just 5 km wide and 17 km long. Nevertheless, it is administered semi-autonomously by “an Authority organized as a company with autonomous legal status, whose capital shall belong to the government” (Law on Administration of Free Trade-Industrial

Correspondence Address: Godfrey Baldacchino, Canada Research Chair (Island Studies), University of Prince Edward Island, Charlottetown, Canada C1A 4P3. Email: gbaldacchino@upe.ca

Zones, Article 5). Its very smallness and islandness lets Kish get away with such a departure from fundamentalist theocratic rule.

Many readers can be excused for thinking that the above example is a purely fictional one. For how could the most puritanical, hard-line and anti-Western of contemporary states—the Iran of the mullahs and the Ayatollahs, member of ‘the axis of evil’, widely believed to be developing a nuclear arsenal—tolerate shopping malls, hyper-markets, theme parks, women in high heels and pool tables on part of its territory? How could it sanction an island which runs its own (semi-private) airline and has plans for an 18-hole PGA golf course and a Formula One race track (Roston, 2005; Watson, 2004)?

Yet Kish Island is very real and its *modus vivendi* is not hard to understand. Iran, like other states, is keen to attract international capital: hence the conversion to a visa-free trade zone and booming business hub. Kish’s insignificant, remote and peripheral island status provides a tolerable and convenient diversion from the required austere life of the mainland. Here Iran can profitably experiment with a site that is small, bounded and liberal with no danger of destabilizing spillovers. Here Kish serves as an informal market for an international trade in avionics, where Iran’s air force fleet of ageing US-made F-15s, F-5s and F-4s (bought during the reign of the Shah), now under a US-embargo, can access desperately needed maintenance parts and expertise.

Mainland – Island Relations

This ‘Mainland Iran – Kish Island’ dialectic is not unique. There are many similar examples of ‘mainland – island relations’ in the contemporary world which, from a surface glance, do not seem to make sense. Yet their logic becomes clearer when seen in the context of states requiring unique offshore spaces outside the straitjacket of the increasingly restrictive, ‘level-playing field’ rules of global commerce among sovereign states. Islands provide bounded space for the emergence of ingenious new species of asymmetrical economies and governance.

The pattern repeats itself again and again where typically large states make creative use of their small, far-flung and remote island jurisdictions to facilitate activities that would be simply anathema on home ground. Take Batam Island, located close to Singapore, which acts as the exclusive economic zone for Indonesia (Royle, 1997). Or consider Labuan, an integrated international offshore finance centre, which serves a broadly similar purpose for neighbouring Malaysia (see www.lofsa.gov.my/lofsa5/index.htm). The Maldives, with its small population and convenient archipelagic geography, is another fundamentalist Islamic state that tolerates a vibrant tourism industry via a scrupulous zoning policy (Baldacchino, 2004a).

Even developed metropolitan powers play the same game, in an even more cynical fashion. The UK, for example, appeals for curbs on low/no-tax regimes via the OECD and the G7, while encouraging British investment to benefit from the very same low/no-tax regimes of the Isle of Man, the Channel Islands, Bermuda and the Cayman Islands, for whose ‘good government’ the same UK remains ultimately dependent. Although a self-professed unitary state, China treats Hong Kong (since 1997) and Macao (since 1999) as ‘special administrative regions’, where “the socialist

system and policies shall not be practised . . . and the previous capitalist system and way of life shall remain unchanged for 50 years” (Ministry of Justice, PRC). Kinmen Island for its part acts as a relatively safe clearinghouse for China – Taiwan relations, particularly appreciated at times of tension (Hung-Ta, 2004).

The rationale for these metropolitan – island arrangements, however, is scarcely one-sided. From the perspective of small island territories, there are quite plausible reasons to aspire to an ‘arms’ length’ relationship with a larger ‘mainland’ benevolent patron. McElroy and Mahoney (2000) explain how the smaller players in these unequal dyads derive substantial economic advantages from the arrangement. These include: free trade with, and export preference from, the parent country; social welfare assistance; ready access to external capital through special tax concessions; availability of external labour markets through migration; aid-financed infrastructure and communications; higher quality health and educational systems; natural disaster relief; and provision of costly external defence. Autonomy without sovereignty may also facilitate tourism development because of easier terms of access and security.

Most of these special conditions have emerged in the context of a history of a relatively benign colonial relationship—typically one dominated by strategic rather than economically exploitative interests. *The Economist* (2003) has claimed that the island citizens of Aruba, Bermuda and French Polynesia are among the world’s top 10 richest people: these three territories are non-sovereign island jurisdictions, benefiting from customized linkages with the much larger states of The Netherlands, the UK and France, respectively. Various other sub-national island jurisdictions partake of some form of profitable asymmetrical federalism with(in) a typically larger state (Stevens, 1977; Baldacchino, 2004b).

Of course, it is important to recognize that the arrangements for many of the islands cited above vary enormously in nature and character from genuinely powerful bilateral island – mainland relationships. Typically arrangements like those for Kish Island that have been constructed from above, for profit or strategic convenience, lack the elements of genuine jurisdictional autonomy and historic entitlement that arise in many enduring island federacy arrangements. Kish Island cannot presume, for example, to claim a distinct status akin to the Isle of Man or the Åland Islands; these are ‘autonomies’ of a totally different order and character. Moreover, since there is so little sociological or ideological substance or drive in these island autonomies from below, there is also nothing like claims to ‘nation’ status by the Faroes, or claims of being a distinct or indigeneous people that undergird largely insular Nunavut. ②

It is when the conditions of island identity are strong and when there are powerful constitutional precedents to sustain the claim to self-rule that island autonomies truly come into their own as partners in a genuine bilateral federal covenant. Constitutional arrangements here are truly ‘federal’, that is contractual, the products of free consent between the parties, and not merely autonomies that are devolved from a central government and can be taken away as quickly as they were initially granted (Elazar, 1987, pp. 5–12). Such vigorous examples of federal ‘self-rule’ and ‘shared-rule’ arrangements between islands and their metropolises are set out below in all their luxuriant variety. These are surely a continuing testament to the rich governance systems, with all their anomalies and asymmetry, that remain with the

European retraction of Empire. Moreover, these delicate arrangements between European metropolises and their maritime dependencies have in turn been absorbed and ‘grandfathered’ at the supranational level within the European Union.

In their vast majority, then, these examples from the world’s sub-national (mainly island) jurisdictions show a remarkable pattern of mutual accommodation and convenience between large (often metropolitan) states and their offshore islands. It is usually in the interests of *neither* party to push these islands into straightforward sovereignty, as was so often the case in the decades following the Second World War. Now both prefer a negotiated bilateral partnership that can take its place within the highly variegated ‘federal’ landscape of governance within the modern world. Of course, there may also be in the metropolitan state an evident embarrassment over these remnants of empire and the continuing burden that they may present. This is well reflected in The Netherlands’ ongoing tug-of-war with its Caribbean island dependencies (see Oostindie, this issue). So the patterns and motivations on each side for current non-sovereign constitutional arrangements are complex and do not always move in the same direction or remain constant from one case to the next.

In any event we have to confront the fact that the contemporary global political and legal geometry is more complex than it has ever been and obliges a rethink of older notions of sovereignty and the international state system. Upholding and distinguishing strict ‘sovereign’ from ‘non-sovereign’ entities in international practice was never consistently followed in the past and is even less tenable today, as power is increasingly pooled among and across states, and reconfigured and redistributed from within national territories. This practical spirit increasingly animates the arrangements of many offshore islands with their metropolitan partners, where non-sovereign island jurisdictions will wish to preserve, or even enhance, their asymmetrical status and autonomous powers, rather than take the risk of joining the ranks of sovereign states themselves. In short, life in the ‘antechamber’ of the state system (see Bartmann, this issue) may look a good deal more attractive to these jurisdictions than the romantic advocates of sovereign self-determination had ever supposed.

Such a position, of course, looks like a timid and self-defeating posture from the perspective of those who grew up in the heady days of colonial emancipation following the Second World War; but it is no longer so. Opting for non-sovereign jurisdictional status may be a highly rational, strategic choice that can result in substantial net material and security gains for the jurisdiction. As Oostindie’s paper in this collection so ably demonstrates, such judgements should not to be lightly or ideologically dismissed, particularly at a time when security concerns are real and when sovereignty for most islands has largely *not* delivered relatively high levels of economic prosperity. Being a sub-national island jurisdiction (SNIJ) typically bestows a solid safety net supported by a metropolitan power, while granting enough discretion to safeguard national identity, local culture and the general exercise of local power. McElroy and Pearce (in this issue) refer to a “superior level of performance” by SNIJs. The metropolitan player can meanwhile exercise ‘soft imperialism’ (which does not typically raise eyebrows among the members of the UN Committee on Decolonisation), keep a watchful eye for potential geostrategic military or economic rents, and can lavish its munificence upon its small island beneficiaries.

Islands nowadays may therefore be wise to ignore the siren call of sovereignty and cut their arrangements more pragmatically and creatively. Such pragmatism manifests itself clearly, for example, in the muddy and treacherous waters of para-diplomacy (see Kelman *et al.*, this issue). Of course, there are many circumstances where sovereignty will show itself to be the most logical or compelling course of action: such would explain the independence of East Timor in 2002, and possibly that of Kosovo and Montenegro soon (e.g. Bahcheli *et al.*, 2004). And there are many examples where (often small) island sovereign states have succeeded beyond all expectations and where the tools of sovereignty have been a vital part of the explanation for their success. A good case study would be Iceland; but, even here, as Kristinsson (2000) argues, the continued utility of undiminished sovereignty, together with non-membership of the European Union, will depend on circumstances. Surely this is the point: the appropriate political architecture and jurisdictional status for any island can only be known after careful review of all its options—current and likely in the foreseeable future—undertaken in a clear-sighted pragmatic spirit (e.g. Le Rendu, 2004). Certainly for our purposes there appears to be every reason to expect islands making this kind of review to continue to opt for contoured, negotiated, non-sovereign, constitutional arrangements in the future (e.g. Dodds, 2002).

An ‘Island Studies’ Holistic Perspective

We now move to a panoramic vantage point from which to observe and to understand how small islands—as parts of larger, multi-layered systems—have adapted and sustained themselves historically and how they now address current pressures of globalization and environmental threats. Table 1 discloses a ‘panorama’ indeed, with sub-national island autonomies that span all oceanic basins and boast all manner of diversities of size, climate, topography, ecology, history, economy, politics, and jurisdiction.

These islands are the rich breeding grounds for unique adaptations of governance in the modern world, just as surely as islands have, ever since the days of Darwin and his contemporaries, provided bounded territories for the study of biological and ecological systems in nature. A case study of an island such as Tasmania (see Stratford, this issue) can sensitively explore some of these dimensions and properties of islandness— isolation and distinctiveness—as island ‘resources’. As the work of comparative federal scholar Ronald Watts has so powerfully illustrated (Watts, 2000; 2003), islands are also an excellent lens through which to understand unique variations in federal governance arrangements. Watts’ taxonomy of islands borrows its language and ideas about island federal relationships from evolutionary biology with its talk of variations or ‘species’ within a genus of self- and shared-rule arrangements. Table 2 sets out the range of governance possibilities, some of which, such as federacies, appear *uniquely* contoured for island territories.

Watts arranges many *de jure* islands into these constitutional groupings, while avoiding problematic cases (like the Turkish Republic of Northern Cyprus). The evidence also shows two kinds of physical determinism: 1) a high logistical inclination for islands to enjoy some powers of self-rule, with different kinds of shared-rule arrangements with metropolitan states; and 2) a tendency for islands to

Table 1. Populated sub-national island, or mainly island, jurisdictions (SNIJs)

-
1. West Atlantic/Caribbean: Anguilla, Aruba, Netherlands Antilles (Bonaire, Curacao, Saba, St Eustatius, Sint Maarten), Barbuda, Bermuda, British Virgin Islands, Cayman Islands, Guadeloupe, Martinique, Montserrat, Nevis, Puerto Rico, San Andres y Providencia, Tobago, Turks & Caicos Islands, US Virgin Islands (20)
 2. South, Central and North-East Atlantic, all related to Britain: Alderney, Ascension, Falklands, Guernsey, Isle of Man, Jersey, Northern Ireland, Sark, Scotland, Shetland Islands, St Helena, Tristan da Cunha, Wales (13)
 3. Scandinavia: Åland, Bornholm, Faeroes, Gotland, Greenland, Hiiumaa, Lofoten, Saaremaa, Svalbard. (9)
 4. South Pacific: Admiralty Islands/Manus, American Samoa, Banaba, Bougainville, Chatham Island, Cocos (Keeling) Islands, Cook Islands, Easter Island/Rapa Nui, French Polynesia, Galapagos, Kosrae, Macquarie Island, New Caledonia, Niue, Norfolk Island, Pitcairn, Pohnpei, Rotuma, Tasmania, Tokelau, Torres Strait Islands, Truk, Wallis and Futuna, Yap (24)
 5. North-West Atlantic: Baffin Island/Nunavut, Cape Breton Island, Îles de la Madeleine, Newfoundland & Labrador, Prince Edward Island, St Pierre et Miquelon (6)
 6. Mediterranean and East Atlantic: Territories associated with European Union member/applicant countries: Azores, Akrotiri & Dhekelia, Balearics, Canaries, Corsica, Gozo, Madeira, North Cyprus, Sardinia, Sicily (10)
 7. Indian Ocean/East Africa: (Andaman & Nicobar, British Indian Ocean Territory, Kish, Lakshadweep, Mayotte, Njazidja, Mwali, Nzwani, Pemba, Reunion, Rodrigues, Socotra, Zanzibar). (13)
 8. South Asia, East Asia & North Pacific: (Aceh, Aleutians, Guam, Hainan, Hawai'i, Hong Kong, Irian Jaya, Jeju/Cheju, Labuan, Macao, Mindanao, Northern Marianas, Okinawa, Queen Charlotte Islands/Haida Gwaii, Sabah, Sarawak, Sakhalin & Kuriles, South Moluccas, Tamil Eilam, Taiwan). (20)
-

Total: 115^a

Note: This number would increase marginally if ‘enclaves’—which could be considered land-based ‘islands’, like Gibraltar, Ceuta and Melilla—were included.

Inclusion in this (non-exhaustive and dynamic) list is not to be construed as an act of acknowledging the legitimacy or otherwise of any jurisdictional powers, *de jure* or *de facto*.

Date of Compilation: 15 June 2006.

be run as single jurisdictions, as if there were something abhorrent about splitting that which nature had defined as unitary (Baldacchino, 2002).

In fact, while there are millions of islands, only nine (at most) today are split between two or more different countries (Baldacchino, 2006, p. 854). Small island territories have been “decolonizing without disengaging” (Houbert, 1986) over the past 60 years, starting with the ‘departmentalization’ of four French overseas island territories in 1946, followed by the setting up of the Netherlands Antilles in 1954, and dramatized by the secession of Anguilla from St Kitts-Nevis in 1979. Historical practice and/or international provisions have secured over time the autonomy of such locations as Åland, Svalbard, the Channel Islands and the Isle of Man. Military interventions and/or sectarian strife has led to *de facto* autonomous jurisdictions in Northern Cyprus, Mindanao, Sri Lanka and Taiwan (although the latter is somewhat unique in being recognised by a number of states). Constitutionally or legally entrenched provisions secure and frame the autonomy of island provinces like Hawaii, Mwali, Prince Edward Island and Tasmania. ‘First nations’ enjoy

Table 2. A taxonomy of sub-national island jurisdictions (after Watts, 2000)

-
- Unions (unitary polities where constituent geographic units maximize ‘shared rule’ at the expense of sub-national autonomy) as are Tobago (within Trinidad & Tobago) and Gozo (within Malta).
 - Constitutionally decentralized Unions (basically unitary in form but incorporating constitutionally protected sub-national units of government) such as Anguilla (in relation to the UK), Guam (in relation to the USA), Niue (in relation to New Zealand), Zanzibar (in relation to Tanzania).
 - Federations (compound polities, combining strong constituent units with a strong central government) as are Prince Edward Island (a province in Canada); Tasmania (a state in Tasmania); Hawaii (a state in the USA).
 - Confederations (with several pre-existing polities joining together to form a common ‘government’ for certain limited purposes). The island nations of Cyprus, Ireland, Malta and the UK operate within a predominantly confederal European Union, although over time there are more and more binding federal features to the EU
 - Federacies (asymmetrical federal relationships, with smaller units linked to a larger polity but retaining considerable and specific autonomy) as are the Isle of Man, Greenland and Puerto Rico.
 - Associated States (similar to federacies, but can be dissolved by either of the two units acting on pre-arranged terms) as are the Cook Islands in relation to New Zealand.
-

self-determination in locations such as Nunavut, Haida Gwaii/Queen Charlotte Islands, Rotuma and the Torres Strait. There are the various former colonies, not interested in independence (as stubbornly confirmed in various plebiscites), and engaged in evolving binary relations with Amsterdam, Copenhagen, London, Paris, Sydney, Washington or Wellington. Specific sub-national arrangements treat Kish, Labuan, Madeira, Corsica, Sicily, Nevis, Scotland or Zanzibar differently from the rest of the respective state, often in respect of cultural differences and distinct histories, or as an outcome of deliberate, central government strategy. There are also special island (or mainly island) regions which enjoy a specifically different autonomy portfolio, *de jure* or *de facto*: Hong Kong, Macao, Shetland and Sakhalin – thanks to a recognition of the prudent management of resourcefulness (investment finance, human capital, fossil fuels) that might be threatened by a loss of autonomy.

The Commonwealth, it must be noted, has its own constellation of ‘mainland–island’ relations. Indeed, for a pan-national organization, it has the largest such assembly of concerned locations. The rationale for such a concern differs, and there are examples from the complete spectrum of Watts’ taxonomy (see Table 3).

Other Commonwealth members, being archipelagic states, have an interest in examining the extant division of powers between central and peripheral government—these would include Bahamas, Kiribati, Maldives, Seychelles, Solomon Islands, Tonga, Tuvalu, Vanuatu and Samoa. Singapore, while also not on the list, may have an ultra-nationalist interest in some of its neighbouring Malaysian islands (Bunnell *et al.*, 2006). Nauru, though a sovereign state, has been added as a case that beckons creative diplomacy (Connell, 2006).

One observation arising out of Table 2 is that many SNIJs already enjoy a form of direct representation within the Commonwealth, particularly within the membership of some of the 85 civil society organizations and through active participation in the

Table 3. The Commonwealth's constellation of 'mainland – island' relations

No	Associated Commonwealth power/state	Sub-national island jurisdiction	Description	Capacities	Effective date for autonomy
1	Antigua & Barbuda	Barbuda	Special status within Antigua & Barbuda (local Council, 11 members)	moderate, fiscal	1981
2	Antigua & Barbuda	Redonda	Dependency of Antigua & Barbuda	limited	1981
3	Australia, Commonwealth of	Christmas Island	Territory (unicameral Shire Council, 9 seats)	limited	1958
4	Australia, Commonwealth of	Cocos (Keeling) Islands	Territory (unicameral Shire Council, 7 seats)	limited	1955
5	Australia, Commonwealth of	Norfolk Island	Territory with Commonwealth responsibilities administered by Australia	moderate	1979
6	Australia, Commonwealth of	Tasmania	State (province) within Commonwealth	extensive	1901
7	British Crown	Guernsey, Bailiwick of	Crown dependencies (not in EU) Alderney, Guernsey, Herm, Sark, small islets. Has had Chief Minister since 2005.	extensive	1204?
8	British Crown	Jersey, Bailiwick of	Crown dependency (not in EU), largest of Channel Islands. Chief Minister since 2005.	extensive	1204?
9	British Crown	Man, Isle of (Mannin)	Crown dependency (autonomous state not in EU but has access to EU market). Chief Minister since 2005.	extensive	
10	Canada	Newfoundland & Labrador	Province within Federation	moderate	1949
11	Canada	Nunavut (islands and mainland)	Territory (self-governing Inuit homeland)	moderate	1999
12	Canada	Prince Edward Island	Province within Federation	moderate	1873
13	Cyprus	Turkish Republic of Northern Cyprus	<i>De facto</i> state over 37% of Cypriot territory, internationally recognized only by Turkey	limited	1992
14	Fiji	Rotuma	administered by district officer; Rotuma Council	limited	1992

(continued)

Table 3. (Continued)

No	Associated Commonwealth power/state	Sub-national island jurisdiction	Description	Capacities	Effective date for autonomy
15	India	Lakshadweep	Union Territory admin by national government	limited	1956
16	India	Andaman & Nicobar	Union Territory admin by national government	limited	1956
17	Malaysia	Sabah (North Borneo)	State (Province) with certain constitutional prerogatives (e.g. immigration controls)	limited	1963
18	Malaysia	Sarawak (North Kalimantan)	State (Province) with certain constitutional prerogatives (e.g. immigration controls)	limited	1963
19	Malta, EU	Gozo	Ministry for Gozo; so far separate electoral district	limited	1987, 1998
20	Mauritius	Rodrigues	Regional Assembly	extensive	2001
21	Nauru	Nauru	Sovereign state since 1968; on brink of collapse? To be 'incorporated' into Australia?	extensive	1968
22	New Zealand	Chatham Islands	Local Council	limited	1995?
23	New Zealand	Cook Islands	Associated state in free association	extensive	1965
24	New Zealand	Niue	Self-governing in free association with NZ at request of Niue	extensive	1974
25	New Zealand	Tokelau	Self-administered territory (3 atolls)	extensive	1925
26	Papua New Guinea	Bougainville (North Solomons)	Autonomous Province (4 reps to parliament) in transition (Peace Treaty, 2001)	extensive	2001
27	Papua New Guinea	Manus (Admiralty Islands)	Province (2 representatives to PNG parliament)	limited	1975
28	Papua New Guinea	New Britain (Western & Central)	Province (3 representatives to PNG parliament)	limited	1975

(continued)

Table 3. (Continued)

No	Associated Commonwealth power/state	Sub-national island jurisdiction	Description	Capacities	Effective date for autonomy
29	Papua New Guinea	New Ireland	Province (3 representatives to PNG parliament)	limited	1975
30	Sri Lanka	Tamil Eelam	Secessionist movement	moderate	
31	St Kitts-Nevis	Nevis	State (province) within Federation (secession pressure, abated in 2004)	extensive	1983
32	St Vincent and the Grenadines	The Grenadines	Islands within archipelagic state	limited	
33	Trinidad & Tobago, Republic of	Tobago	Ward of Republic, 15-member House of Assembly	limited	1962
34	UK (claimed by Argentina)	Falkland Islands (Islas Malvinas)	Overseas Territory—separate British dependency (archipelago)	extensive	1998 amended
35	UK	Anguilla	Overseas Territory—separate British dependency	extensive	1980
36	UK	Bermuda	Parliamentary British Overseas Territory—internal self-government	extensive	1968
37	UK	British Virgin Islands	Overseas Territory—internal self-government (16 inhabited islands, 20 islets)	extensive	1977
38	UK	Cayman Islands	Overseas Territory—British crown colony, internal self-government	extensive	1962
39	UK	Montserrat	Overseas Territory (extensive UK aid following 1995 volcanic eruption)	extensive	1989
40	UK	Pitcairn Islands	Overseas Territory (local government Council 10 seats)	extensive	1904, 1940
41	UK	Saint Helena	Overseas Territory (includes Ascension, Tristan da Cunha as ‘dependencies’)	moderate	1989

(continued)

Table 3. (Continued)

No	Associated Commonwealth power/state	Sub-national island jurisdiction	Description	Capacities	Effective date for autonomy
42	UK	Turks & Caicos Islands	Overseas Territory (40 islands, 8 inhabited)	extensive	1973, 1976
43	UK, EU	Wight, Isle of	Unitary Authority (County Council)	limited	1890
④ 44	United Kingdom, EU	Zetland (Shetland and Orkney Is)	Administrative regions of Scotland within UK	none	no status
45	United Republic of Tanzania	Mafia Island	Province (Chole, Jibondo, Juani Islands and coastal mainland)	unknown	1979
46	United Republic of Tanzania	Zanzibar (Unguja) & Pemba	Autonomous province (Zanzibar, Pemba and smaller islands)	moderate	1979

Commonwealth Games. This already highlights the fluid nature of sovereignty, given that participation in international events is today not restricted to sovereign states.

Islands in Flux

Of course, relationships among most ‘island – mainland’ dyads is far from smooth or settled. Asymmetrical federalism is by definition in perpetual negotiation: in 2005 Jeju Island became a ‘special administrative province’ of South Korea, enjoying even more autonomous powers (*Chosun Ilbo*, 2005) while the Bermuda Independence Commission has recently visited London for high-level talks (Sanders, 2005). In 2006 Aland has been threatening to scuttle the renewed attempt to get the European Constitution endorsed (Rennie, 2006), Tokelau has rejected a move to independence in free association with New Zealand following a referendum (*Scoop Independent News*, 2006) and China and Taiwan continue their—so far verbal and diplomatic—confrontation. The fluidity of the ‘mainland – island’ arrangement is enhanced precisely because it is *both* federal (and thus involving multilevel governance, which presents competing claims for legitimacy and policy competence) *and* asymmetrical (where the striking of *idiosyncratic* or special deals and outcomes is often preferred). The relationship is liable to change (e.g. in Canada: see IIGR, 2005); and ‘full sovereignty’ (whatever that phrase may imply in the 21st century) remains a viable option and vision, should it be impossible to work out decent terms for a sub-national solution. We could scarcely find a better example of this critical fluid nature of governance than that of Bougainville (see Ghai and Regan this issue), with the recent changing nature of that island’s status towards autonomy either within, or possibly independent from, Papua New Guinea. The issue of renegotiation in these cases may be fractious: the terms of the relationship may be the subject of civil strife, guerrilla movements or other forms of internal warfare and diplomatic tension. These may take the guise of ‘infra-nationalism’, which is a political and institutional structure beyond the constitution, a *de facto* island (or sub-island) state apparatus existing in a taunting defiance of the main state, with which relations are *not* harmonious. This has occurred in recent decades in such diverse places as Aceh, Bougainville, Corsica, Cyprus, New Caledonia, Mindanao and Sri Lanka (Weiler, 1991).

This state of variability is often represented in an expression of ambivalent, ‘love – hate’ nationalism. The smaller (island) player is often demonstrably proud of its own (sub?)-national identity, captured also by explicitly showcased cultural differences (in language, religion, history, ethnic composition, political ideology, other identity symbols like flags, anthems, currency, monuments and emblems) from its larger player. Yet it may refer to a benign, special relationship with the larger player for the purpose of defending its prized autonomy and self-determination (from the threat of international piracy, general insecurity or irredentist neighbouring states). If the relationship lies in discord, then local political movements and the public at large are likely to see, and play upon, the image of the larger player in a colonial or imperialist light, unfairly and insensitively pushing its weight around, swamping their legitimate rights to self-determination. The larger player, in contrast, would tend to react (if at all) by invoking obligations towards order and regional stability and against renegade, destabilizing and quirky politics. The situation ‘on the ground’ is usually

far more complex, with different political parties, social classes and other social groupings on the island, on the mainland and in between (the influential island diaspora) championing and expressing their preference for one or more of what could be a bewildering range of relational solutions (e.g. for the Caribbean, see Ramos and Rivera, 2001, pp. 1–21).

Conclusion

By now it should be obvious how far matters have moved on from 1984 when *The Round Table* issued its last (and only) thematic issue on sub-national island jurisdictions (and small states). At that time, riding a significant wave of reflection triggered by the US-led invasion of Grenada the year before, the issue then was *security* for islands still enamoured with decolonization. In the editorial for that issue, the *raison d'être* for small states and the motley 'left-overs' of empire was reduced half-humourously to: "casino countries, tax havens, sheep stations, bauxite plants, air bases, tourist traps, oilwells with surrounds, banana plantations and nutmeg groves" (Lyon, 1984, p. 124). This colourful representation was even then an unfair and incorrect characterization, and it has become increasingly so. Almost as an act of vengeance many small sub-national island jurisdictions now show enviable per capita levels of prosperity, even higher than those for small sovereign island states (Armstrong *et al.*, 1998; Armstrong and Read, 2002; Bertram, 2004; Easterly and Kraay, 2000; Poirine, 1998).

To be sure, islands can still be used and valued principally for *strategic* metropolitan purposes. Japan, for example, maintains its only large and contentious US military base on the outlying island prefecture of Okinawa, recently the subject of a resiting agreement (Kakazu, 2000). Britain summarily deported the entire island population of the Chagos Archipelago and leased the islands to the USA, which in turn built the ultra-sophisticated Indian Ocean military base at Diego Garcia (Winchester, 2004). Of course, the USA meets another strategic purpose in the questionable practice of detaining suspected terrorists in 'legal limbo' on its island base at Guantanamo Bay in Cuba (Supreme Court of the United States, 2004). The Australian government 'excised' Christmas Island, Cocos (Keeling) Islands and the Ashmore Reef from the nation's territory for the purposes of immigration, deeming that persons who had arrived there had not effectively entered the country (Connell, 2006, p. 55).

But this unflattering portrait of sub-national islands as weak and subordinate containers purely at the mercy of outside metropolitan powers is scarcely the norm in this new age of globalization and multilevel governance. Island jurisdictions customarily defy that caricature, whether as fully fledged states or increasingly as subnational actors working out their own pragmatic responses to the challenges of a changing global system in concert with their partners. The patterns vary enormously, as do the constitutional choices and options. Sovereignty is still a powerful dream for many peoples, whether living on islands or not, and in many circumstances it may be the best of all options. But we also now live in a world where there is less certainty about the merits of sovereignty than was once the case, and less arrogance about the ultimate choices that island jurisdictions ought to take. We welcome this more pragmatic and tolerant spirit respecting constitutional arrangements, along with the

confidence and flexibility it engenders among island peoples world-wide. Now islands can get on with making their choices, and crafting their futures with less fear and ridicule than in the past.

References

- Armstrong, H. W. and Read, R. (2002) The phantom of liberty? Economic growth and the vulnerability of small states, *Journal of International Development*, 14(3), pp. 435–458.
- Armstrong, H. W., De Kervenoael, R. J., Li, X. and Read, R. (1998) A comparison of the economic performance of different micro-states, and between micro-states and larger countries, *World Development*, 26(4), pp. 639–656.
- Bahcheli, T., Bartmann, B. and Srebrnik, H. F. (Eds) (2004) *De Facto States: The Quest for Sovereignty* (London: Routledge).
- Baldacchino, G. (2002) Jurisdictional self-reliance for small island territories: considering the partition of Cyprus, *The Round Table*, 365, pp. 349–360.
- Baldacchino, G. (2004a) Sustainable user practices on/for islands, *Insula: International Journal of Island Affairs*, 13(1–2), pp. 5–10.
- Baldacchino, G. (2004b) Autonomous but not sovereign? A review of island sub-nationalism, *Canadian Review of Studies in Nationalism*, 31(1–2), pp. 77–90.
- Baldacchino, G. (2006) Innovative development strategies from non-sovereign island jurisdictions: a global review of economic policy and governance practices, *World Development*, 34(5), pp. 852–867.
- Bertram, G. (2004) On the convergence of small island economies with their metropolitan patrons, *World Development*, 32(2), pp. 343–364.
- Bunnell, T., Muzaini, H. B. and Sidaway, J. D. (2006) Global city frontiers: Singapore's hinterland and the contested socio-political geographies of Bintan, Indonesia, *International Journal of Urban and Regional Research*, 30(1), pp. 3–22.
- Chosun Ilbo (2005) Jeju Island to become special autonomous province, 22 May, at <http://english.chosun.com/w21data/html/news/200505/200505220011.html>
- Connell, J. (2006) Nauru: the first failed Pacific state?, *The Round Table*, 383, pp. 47–63.
- Dodds, K. (2002) *Pink Ice: Britain and the South Atlantic Empire* (London: I. B. Tauris).
- Easterly, W. and Kraay, A. (2000) Small states, small problems? Income, growth and volatility in small states, *World Development*, 28(11), pp. 2013–2027.
- The Economist* (2003) On the world's rich list, 17 May, p. 33.
- Elazar, D. J. (1987) *Exploring Federalism* (Tuscaloosa, AB: University of Alabama Press).
- Houbert, J. (1986) Decolonizing without disengaging: France in the Indian Ocean, *The Round Table*, 298, pp. 145–166.
- Hung-Ta, C. (2004) The cultural landscape in the island with the status of borderland, paper presented at the eighth International Small Island Studies Association (ISISA) 'Islands of the World' conference, Kinmen Island, Taiwan, November.
- Institute of Intergovernmental Relations (IIGR) (2005) Special discussion papers on 'asymmetric federalism', Queens University, Kingston, Ontario, at www.iigr.ca/iigr.php/site/browse_publications?section=43.
- Kakazu, H. (2000) *The Challenge for Okinawa: Thriving Locally in a Globalized Economy* (Okinawa: Okinawa Development Finance Corporation).
- Kristinsson, G. H. (2000) From home rule to sovereignty: the case of Iceland, in G. Baldacchino and D. Milne (Eds), *Lessons from the Political Economy of Small Islands* pp. 141–155 (Basingstoke: Macmillan).
- Law on Administration of Free Trade-Industrial Zones, at www.kishfreezone.org/investment/rules2.htm
- Le Rendu, L. (2004) *Jersey: Independent Dependency? The Survival Strategies of a Microstate* (Wiltshire, UK: ELSP).
- Lyon, P. (1984) Small states and left-overs of Empire (Editorial), *The Round Table*, 290, pp. 122–129.
- McElroy, J. L. and Mahoney, M. (2000) The propensity for political dependence in island microstates, *Insula*, 9(1), pp. 32–35.
- Ministry of Justice, People's Republic of China, at www.legalinfo.gov.cn/english/LegalKnowledge/LegalKnowledge1.htm

- Poirine, B. (1998) Should we hate or love MIRAB?, *The Contemporary Pacific* 10(1), pp. 65–106.
- Ramos, A. G. and Rivera, A. I. (Eds) (2001) *Islands at the Cross Roads: Politics in the Non-Independent Caribbean* (Jamaica: Ian Randle).
- Rennie, D. (2006) Tiny island that's ready to stop Europe in its tracks, *The Daily Telegraph*, 15 February, at <http://telegraph.co.uk/core/Content/displayPrintable.jhtml?xml=/news/2006/02/15/waland15.xml&site=5>.
- Roston, A. (2005) Iran's bizarre military bazaar, *The Walrus*, 2(4), pp. 21–24.
- Royle, S. A. (1997) The benefits of insularity on development: the case of Batam Island, Indonesia, paper presented to the Development Studies Association Conference, University of East Anglia, Norwich, September.
- Sanders, R. (2005) Bermuda: independence or not?, *Caribbean Net News*, 8 March, at www.caribbeannetnews.com/2005/03/08/sanders.shtml
- Scoop Independent News* (2006) Tokelau referendum does not produce a 2/3 majority, 16 February, at <http://www.scoop.co.nz/stories/PA0602/S00232.htm>
- Stevens, R. M. (1977) Asymmetrical federalism: the federal principle and the survival of the small republic, *Publius: The Journal of Federalism*, 7(4), pp. 177–204.
- Supreme Court of the United States (2004) *Rasul et al. v. Bush*, President of the United States *et al.*, at www.supremecourtus.gov/opinions/03pdf/03-334.pdf (decided 28 June).
- Watson, I. (2004) Iran island resort is an experiment in free trade, *NPR News*, 7 December, audio at www.npr.org/templates/story/story.php?storyId=4206243; www.kishisland.com/.
- Watts, R. L. (2003) *Comparing Federal Systems*, Kingston and Montreal: McGill-Queen's University Press.
- Watts, R. L. (2000) Islands in comparative constitutional perspective, in G. Baldacchino and D. Milne (Eds), *Lessons from the Political Economy of Small Islands*, pp. 17–37 (Basingstoke: Macmillan).
- Weiler, J. H. H. (1991) The transformation of Europe, *Yale Law Journal*, 100, pp. 2403–2483.
- Winchester, S. (2004) *Outposts: Journeys to the Surviving Relics of the British Empire* (London: Penguin Academic Books).