

The Civil Code Reform That Got Away

What the surviving records reveal—and how Saint Lucia can finish the work of legal sovereignty

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Documentary investigation and public-policy analysis. Version 1.0. Not legal advice. Not a financial audit or a finding of misconduct.

Abstract

Saint Lucia's Canadian-supported Civil Code reform is often remembered through its failure. This paper reconstructs a more discriminating history. Contemporary government statements establish a reform intention by 1998, a signed assistance agreement reported in 2000, and an operational programme with committees and a timetable in 2002–2003. OECD records independently identify Canadian aid commitments under the project's name. A substantial original family-law report survives in the government archive. The documentary trail does not, however, establish a completed replacement Civil Code, a comprehensive expenditure account, or the precise decision that ended Canadian support.

The investigation separates project identity, funding, intellectual production, consultation, legislative approval and practical implementation. It tests Kenny D. Anthony's retrospective explanation against contemporary records without treating recollection as either worthless or conclusive. Later family-law achievements are examined as possible continuations, parallel developments or separate programmes; similarity alone is not accepted as proof of ancestry.

The paper's central contribution is a theory of sovereignty as *completion capacity*: the ability to turn an authorised domestic choice into coherent, usable and maintainable law. Its principal policy proposal is a recovery-first reform programme. Before commissioning another comprehensive rewrite, Saint Lucia should recover the old decision trail, establish the current legal baseline, settle a bounded set of policy choices, and fund the entire passage from drafting to public use. Historical work is an asset, not an instruction to enact yesterday's recommendations unchanged.

Keywords: Saint Lucia; Civil Code; CIDA; law reform; legal sovereignty; institutional memory; legislative drafting; implementation; Canadian development assistance.

The findings in brief

The strongest result of this investigation is not a sensational allegation. It is a correction to the usual unit of analysis. A reform can fail as a programme while leaving valuable work behind. Conversely, a country can pass related laws without completing the original programme.

Three findings anchor the paper:

- The Canadian initiative was more than an aspiration. Its public record includes a reported signed agreement, an organisational structure, a published timetable and identifiable funding commitments. Those are different kinds of evidence, and none substitutes for the others.
- The tempting summary “a new Code was drafted and abandoned” outruns the material recovered. A report containing reform recommendations is not necessarily a bill, and a bill is not necessarily a complete, approved legislative package.
- The most useful reform question is now twofold: what prevented completion, and what would make the next attempt capable of surviving disagreement, staff turnover and the end of a grant?

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1. A country can own the power and still struggle to use it

There is something unsettling about a nation being told that it is free to change its laws, while the work required to exercise that freedom repeatedly remains unfinished.

The legal power is real. So is the difficulty.

The first two papers in this series examined Article 917A: a domestic provision through which relevant English law can become Saint Lucian law. This third paper examines the other side of that arrangement. What happens when Saint Lucia deliberately sets out to write a different legal future?

The subject is not simply an old consultancy. It is the institutional journey between wanting a reform and living under it.

In the NationBeat interview supplied for this series, former prime minister Kenny D. Anthony described the unsuccessful Civil Code reform as an “agonizing failure.” His account linked Canadian assistance to his approach to Jean Chrétien, recalled funding and expertise being provided, and attributed the disappointing outcome to difficulties in the domestic process followed by Canadian withdrawal. The supplied transcript is machine-generated; this paper uses his account as attributed recollection and reserves prominent direct quotation for audio verification. [26, approximately 01:08–01:12]

That account matters. Anthony was not an outside commentator. But his position makes corroboration more important, not less. An involved public figure can know what the archive does not disclose and still compress years of events into a morally powerful, causally incomplete story.

There are at least three possible histories behind his recollection. A technically capable project might have lost political sponsorship. A politically supported project might have lacked the machinery to resolve difficult choices. Or a donor-funded phase might have ended while the broader reform agenda continued through other institutions. These explanations can overlap. They should not be selected merely because one sounds most plausible.

The aim here is to reconstruct the record before assigning the lesson.

The legal connection, briefly

Article 917A concerns contracts, quasi-contracts and torts, with important qualifications and priority for conflicting express local legislation. It does not import every British enactment or govern every field covered by the Civil Code. In *Hilaire v Chastanet* [2023] UKPC 22, the Privy Council upheld the provision’s constitutional validity and confirmed that its reception mechanism includes relevant English statutes. Parliament retains authority to change or repeal it. [27, paras. 19–22, 33–43; 28, art. 917A]

The family-law reform investigated here is therefore not a proxy for Article 917A. Changing marriage or succession rules would not, by itself, switch off the general reception mechanism. Nor has this investigation recovered an approved proposal showing precisely how the Canadian project intended to redesign that mechanism.

The connection is institutional. If an inherited legal update system remains operative while domestically chosen Code reform struggles to reach enactment, the comparative ease of the two processes becomes part of the sovereignty problem.

Independence is not disproved by administrative difficulty. But independence is made more useful by overcoming it.

2. Method: investigate stages, not slogans

This is an open-record documentary investigation, supplemented by a supplied interview transcript and comparative institutional analysis. It is not based on interviews conducted for this paper, access to Cabinet papers, confidential Canadian files, or a complete audit of government accounts. No person or institution was contacted for comment during this research.

The search covered the Saint Lucian government archive, throne speeches, selected budget addresses, government releases, the original committee report, OECD aid-activity publications, Eastern Caribbean court material, UN treaty-body documents, later legislation and regional programme statements. Prior papers were read for continuity, not treated as independent proof of historical events. Connected personal material was used only where relevant to the series and supplied interview context.

The inquiry treats each proposition separately. “Proposed” requires evidence of an intention. “Funded” can mean a commitment, a transfer, or expenditure; the intended meaning must be stated. “Drafted” requires identification of the actual document. “Consulted” requires more than an invitation. “Abandoned” can describe a programme’s unfulfilled ambition without establishing the date or legal form of its termination.

A simple evidence discipline

Four labels govern the argument:

- **Documented:** an identified record supports the stated event or proposition.
- **Reported:** a source records what an official, institution or participant said; the underlying claim may remain unverified.
- **Inferred:** the paper draws a conclusion from specified records, while acknowledging alternatives.
- **Unresolved:** the records needed to choose between material possibilities have not been recovered.

These labels are not a ranking of people’s honesty. They are a way of keeping the distance between a source and a conclusion visible.

A government announcement is strong evidence that government announced something. It is weaker evidence that the promised activity happened. An official summary of a UN meeting is strong evidence of the delegation’s representation. It is not automatically a correct inventory of national law. An original committee report provides unusually close evidence of the committee’s work, but remains a participant-produced account rather than an independent evaluation.

Repetition is also not corroboration. A newspaper drawing from Anthony’s interview does not provide a second witness to the withdrawal of funding. A newsletter reproducing an earlier government notice does not establish that the announced meeting occurred. These distinctions become important below.

What “original” means here

The contribution is the reconstruction and comparison of a dispersed record, including the recovery of an accessible but awkwardly linked government document. This paper does not claim that nobody previously read that report or recognised the programme’s difficulties. The sources were public; the analytical work lies in reconnecting them and making their implications testable.

The archive remains incomplete. Negative search results are reported as limits of this investigation, not as certificates that a document never existed. More records could change the chronology or causal interpretation. That possibility is built into the conclusions, not hidden in a final disclaimer.

3. Before the failure: a programme with an intellectual and political purpose

1998: an intention before the familiar starting date

The reform ambition predates the operational programme commonly associated with 2002. In the throne speech of 21 April 1998, government announced systematic Civil Code reform alongside legal-institutional strengthening and discussions with potential funders. This establishes policy intention. It does not establish a Canadian funding agreement at that date. [1, p. 6]

The distinction matters because a project’s administrative start date can erase the political and preparatory work that made it possible. Conversely, backdating the entire project to the earliest aspiration can manufacture a misleading impression of continuous funded activity.

Here, the defensible formulation is a reform agenda visible by 1998, followed by more specific bilateral arrangements and an operational phase.

2000: the agreement was already being publicly described

The throne speech of 28 March 2000 reported that Anthony had requested Canadian assistance, Chrétien had committed support, officials had held discussions, and an agreement had been signed. The planned sequence moved from thematic study and consultation to drafting, then publication, professional education and court-staff training. It linked reform to civil rights, governance and a more effective private-sector legal framework. [2, pp. 15–16]

This is unusually important corroboration of the later interview. The partnership was not invented in a retrospective account. It was being described publicly while Anthony was in office.

But the speech is not the agreement. It does not disclose the signature date, funding conditions, allocation of responsibilities, release of funds, performance milestones or exit clauses. Those remain essential records to recover.

Its conception of implementation was nevertheless broader than producing a text. Legal reform was expected to change what practitioners and court staff knew and what the public could understand. The programme’s public design therefore already recognised some of the work that later implementation analysis would insist upon.

2002–2003: organisation and a delivery promise

In November 2002, Anthony publicly described Civil Code revision as underway, alongside other justice reforms. His closing discussion juxtaposed changes in legal practice with the pace of politics. Read against his later disappointment, the address is a useful contemporary record of optimism, not proof that delivery was secure. [3, closing substantive paragraph]

The government's 19 February 2003 announcement described three subcommittees and a three-phase project. The first phase was scheduled from July 2002 to December 2003; drafting was expected to take eight months, followed by implementation and public communication. Attorney General Petrus Compton emphasised social relationships and business interests. Project manager Gordon Carnegie described Quebec's experience as one guide among several, with recommendations intended to reflect Saint Lucian conditions. [4]

The April 2003 throne speech made the timetable more public still: drafting was expected early in 2004, with consultation on a draft Code during the second half of that year. [5, p. 8]

These were consequential promises. They allowed citizens, legislators, officials and development partners to expect a transition from discussion to a legislative product. They also created a benchmark against which later records can be read.

The timetable should not be ridiculed with hindsight. Access to Quebec's research could reasonably have reduced some preparatory work. Yet borrowed knowledge does not eliminate the need to settle local policy, reconcile existing statutes, write transitional rules or prepare institutions. Whether the budget and schedule adequately allowed for those tasks cannot be established without the underlying project plan.

The public sequence

Date	Publicly evidenced stage	What it does not establish
April 1998	Systematic reform intention [1]	Canadian finance already secured
March 2000	Signed agreement reported [2]	Complete contractual terms
July 2002	Operational start later reported [4; 10]	Continuous activity in every stream
February 2003	Three subcommittees announced [4]	Attendance or completed decisions
April 2003	Drafting and consultation timetable [5]	A finished draft Code
August 2004	Family report handed to government [9]	Cabinet approval or enactment
October 2004	Public consultation announced [10]	A completed, representative consultation

The table is a map of evidentiary stages. It is not a certificate of project completion.

4. Follow the money—but do not invent the accounts

One of the investigation's most useful findings comes from outside Saint Lucia's political narrative. The OECD's activity-level aid publications identify a Canadian entry explicitly named **"Legal Reform Project – St. Lucia Civil Code Reform."** Two annual records carry the same CRS number. [6; 7]

Reporting year	Donor / agency	Instrument	Commitment, USD million	CRS number
2002	Canada / CIDA	ODA grant	0.46	020150
2003	Canada / CIDA	ODA grant	0.05	020150

These are rounded annual commitment entries, not established cash disbursements or audited expenditure. They should not be advertised as the project's proven total cost. The publications use US-dollar reporting conventions, so the figures are not Canadian-dollar budget authorisations or Eastern Caribbean dollars. The CRS number is an aid-reporting identifier; a crosswalk to any different internal CIDA project identifier has not been recovered. These two reporting years do not establish the full funding history. [6, pp. 7, 20, 90; 7, p. 102]

That is what the evidence allows. It is already valuable.

Four financial questions, not one

A commitment records a donor's undertaking under a reporting system. A disbursement records money paid. Expenditure records how resources were used. A result records what the spending produced. These are connected, but they are not interchangeable.

Suppose a government promises to finance a clinic, pays a design firm, receives architectural drawings, and never opens the building. Saying "the clinic was funded" may be true in one sense and deeply misleading in another. Saying "nothing was delivered" may also be false: the drawings could be real and useful. The relevant questions concern the money, the product, the missing stages and the value still recoverable.

The Civil Code inquiry needs the same discipline.

To establish actual financial performance, researchers would need the donor contribution agreement and amendments, disbursement records, local counterpart accounts, consultant contracts, accepted deliverables, unused balances and any closure statement. Reconciliations should preserve original currencies and fiscal periods before translating amounts for comparison.

No such complete set was recovered. The paper therefore makes no allegation that funds were misappropriated, wasted in their entirety, or returned. It does not assert that Canada paid the sum of all announced or reported commitments into Saint Lucia's treasury.

Why even a small archival funding trace matters

The OECD entries provide a second institutional route into the history. They can help archivists identify a file when a modern project database has changed names, agencies or identifiers. They also protect the inquiry from relying solely on a national political recollection.

The right next question is not “where did the money disappear?” That presupposes what must be established. It is: *which transactions, contracts and outputs correspond to these records, and how were they closed?*

Public accountability is strengthened by exact questions. It is weakened by dramatic arithmetic unsupported by accounts.

5. The recovered report: a surviving asset, not a ready-made Code

The original government Reports index led to a defective relative link. Removing a duplicated directory segment revealed the publicly retrievable PDF. This was ordinary access to a public file, not access to a confidential archive. Its recovery does not establish when it was first published online or how widely it circulated.

The principal findings from the document are deliberately stated compactly:

The *Report of the Committee on Family Law*, dated 26 July 2004, identifies the joint CIDA–Saint Lucia project. Its 128 pages record twenty policy papers and ten committee meetings: nine in August–early October 2003, with the final meeting on 8 April 2004 after quorum-related cancellations. It describes heavy commitments and personnel changes. It leaves detailed drafting, old-to-new correlation and vested-rights transitions to a later phase. It distinguishes the national private-law remit from regional child-protection and juvenile-justice work. Its proposals depart from Quebec in some respects; its rejection of same-sex-union recognition and civil unions also exposes judgments requiring fresh review. This is the present author’s summary, not a quotation. [8, cover; pp. 17, 19, 23–25, 105–110]

Three limits follow. The surviving document is neither a complete replacement Code nor a whole-project evaluation. Its account does not allocate responsibility for every interruption. And its historical recommendations are not today’s law.

The news value is in the distinction

“Nothing happened” is too crude. “A completed Code was left on the shelf” is not established either. The recovered material locates meaningful work between those extremes.

That middle position has practical value. It changes what a responsible recovery effort would buy. If useful research survives, a new commission should not automatically pay to recreate it. If essential policy and drafting work remained unfinished, the state should not pretend the historical file can simply be sent to Parliament.

An unfinished bridge may contain sound foundations and an unusable crossing. Neither demolishing everything nor opening it to traffic is a sensible default. First, inspect what exists. Then determine what is sound, what is obsolete, and what is missing.

The analogy has a limit. Law is not a static structure. The people whose relationships it governs change; rights standards, court decisions and institutions change with them. Legal recovery must therefore examine both structural soundness and present legitimacy.

A visible mismatch with the public timetable

Comparing the report's chronology with the December 2003 first-phase endpoint announced that February shows slippage in the family-law stream. The April 2003 speech supplies a further public expectation, but does not exclude overlapping drafting. The material does not establish whether the family stream controlled the completion date of every other part of the project. A complete critical-path analysis would require the work plan, progress reports and decisions on dependencies. [4; 5, p. 8; 8, p. 17]

This is a narrow finding, but a strong one. It replaces a general impression of delay with an identifiable mismatch between a promised stage and a documented stage.

The causal question remains open: was the timetable unrealistic, were participants overextended, were decisions contested, were replacements slow, or were necessary changes to scope not reflected in the schedule? The answer may involve several of these. The records needed to distinguish them are specified in Appendix A.

Handover is not acceptance

The government's August 2004 release reported delivery of the family-law report and promised public access and feedback. Minister Damian Greaves linked legal change to changes in social-work practice, education and legislative drafting. The release has an internal dating problem: its heading says 6 August while its body describes a 12 August handover. This paper uses "August 2004" for the event and does not silently repair the source. [9]

The distinction between handing over a report and accepting its recommendations is important. A ceremonial handover can establish that a product reached government. It does not reveal which proposals were approved, returned for revision, rejected, or left undecided.

In business, receiving a supplier's deliverable and authorising it for production are different decisions. Government needs an equivalent distinction, without reducing political deliberation to commercial procurement. Technical receipt, policy endorsement, legal approval and democratic enactment are separate acts.

6. Consultation, disagreement and the missing decision record

The government announced an October 2004 consultation at Bay Gardens Hotel on the family report, before submission to Cabinet. The notice identified child-status discrimination and relationships outside marriage among the issues under consideration. It establishes intended consultation, not its completed proceedings. [10]

A later issue of the government newsletter repeated the prospective wording. Its later publication date does not turn the text into proof that the meeting occurred. No attendance register, proceedings, submission set, response matrix or Cabinet decision from that event was recovered in this investigation.

This gap matters for two very different reasons. It limits historical explanation. It also makes it harder for today's policymakers to know which disagreements were resolved and which arguments would otherwise be repeated from the beginning.

What government told the UN in 2006

At the CEDAW meeting of 23 May 2006, Saint Lucia's delegation described Civil Code revision as ongoing, wanted another national consultation, and offered an assurance of marital equality within a year. It reported resistance to no-fault divorce and controversy surrounding property rights in non-marital unions. The same passage called the reform a joint subregional project, leaving its relationship to the bilateral programme ambiguous. These are recorded representations, not independently established public preferences or proof that a specific funding arrangement remained active. [13, paras. 47–49]

The exchange is evidence that the reform question had not disappeared from government's international account. It is not evidence that the earlier consultation was representative, that a second consultation happened, or that the proposed timetable was met.

Do not turn democratic disagreement into administrative dirt

Anthony's retrospective account emphasises debate, confusion and delay. That invites an understandable but dangerous shortcut: treat consultation as the obstacle and expert drafting as the solution.

Family law allocates obligations, security, inheritance and bargaining power. Disagreement about it can be substantive and legitimate. A person who challenges a property-sharing proposal may be protecting a vulnerable partner, defending individual ownership, misunderstanding the proposal, or resisting equality. Those are not the same position. A consultation process has to distinguish them.

Nor is majority approval the complete test of a rights-respecting law. Constitutional and other applicable legal obligations cannot be reduced to a popularity survey. Consultation should identify experience, practical effects, options and objections; it should not give a simple veto over another person's legal dignity.

The proper distinction is between *productive disagreement* and *unmanaged indeterminacy*.

Productive disagreement produces a clearer issue, evidence, alternatives and a reasoned decision by the authorised institution. Unmanaged indeterminacy produces another meeting because nobody knows who may decide, what standard applies or when discussion ends.

The available record does not permit a confident allocation of the historical delays between these categories. The next project should make that allocation visible while it is happening.

A decision rule for future consultation

Each consultation should begin with a short document stating the problem, the legal constraints, the options still open, the people likely to be affected and the decision-maker. It should say how submissions will be considered, what will be published and what protections apply to sensitive personal material.

After consultation, government should publish a response: what changed, what did not, why, and what further evidence is needed. If a decision is deferred, the deferral should have an owner and a review date. A further consultation should explain what new question it is meant to answer.

This is not a device to manufacture consent. It is a way of respecting participation enough to show where it went.

One should be able to follow a citizen's concern from submission to official response without relying on a participant's memory twenty years later.

7. Was it abandoned? First identify which project

Several legal-reform programmes operated in the same region and period. They shared institutions, policy concerns and sometimes development partners. That makes conflation easy.

Saint Lucia's initial report to the UN Committee on the Rights of the Child separately identified an OECS/CIDA judicial and legal reform project, an OECS/UNICEF/NCH family-law initiative, and Saint Lucia's civil-law reform. This is contemporary evidence that the reform landscape contained distinct streams. [11, para. 312]

That distinction is not bureaucratic trivia. It controls which funding records, closure statements and subsequent laws belong in this history.

A tempting closure record that does not close this case

In his September 2004 opening-of-the-law-year address, Adrian Saunders reported termination of the OECS/CIDA Judicial and Legal Reform project following a mid-term review, explaining the limited funds remaining and a decision to dedicate them to court-managed reform. [12, p. 15]

This is a clear and useful termination account. It is not, without a documentary link, the termination account of the national Civil Code programme.

Using it as such would appear to solve the investigation while actually substituting a different project. A matching donor, approximate date and legal subject matter are not enough.

The bilateral Civil Code funding-withdrawal claim therefore remains supported by Anthony's attributed recollection, but not yet by a recovered withdrawal letter, closure evaluation or financial reconciliation. The record supports non-completion of the intended comprehensive reform more strongly than it supports a precise termination date or cause.

A contemporaneous observer left the question open

In May 2008, Jane Matthews Glenn described uncertainty over whether Civil Code revision remained a priority for the governments then in office in Saint Lucia and Canada. Her analysis contrasted cultural and social aspirations with private-sector objectives. She did not supply a formal closure finding. [14, pp. 16–17]

That is a valuable historical checkpoint. The uncertainty is not merely a present-day inability to retrieve old files; an informed comparative scholar was already unable to describe the project's priority with confidence near the period in question.

Nevertheless, an observer's uncertainty does not prove official indecision or concealed termination. It shows what could responsibly be said from the material available to that observer.

An ancestry test for later reform

This paper adopts a strict provenance rule. To attribute a later law to an earlier project, seek a transfer record, an institutional acknowledgement, drafting instructions, identifiable text revisions, or evidence from the people responsible that can be independently checked.

Shared subject matter is a lead, not a conclusion. Shared language can arise from a common model. The same consultant may work on several unrelated contracts. A new programme may reuse an earlier idea while replacing its architecture.

This rule protects both accountability and credit. It prevents a failed programme from being made responsible for everything that followed. It also prevents later institutions from receiving or losing credit on the basis of a convenient historical story.

For the present inquiry, no direct documentary chain was recovered connecting a completed bilateral draft Code to a later Act. The appropriate category is therefore *possible influence requiring proof*, not *established legislative descendant*.

8. The afterlife: neither total failure nor completion

The wider history contains actual reform. It also contains repeated promises, drafting queues and continued repairs.

In its report submitted in February 2011 and published by the UN in June 2013, government described four OECS family-law bills awaiting final review and Cabinet submission. It separately linked slow restructuring of Human Services to limited resources. The funding explanation should not be stretched to every legal delay described in the report. [15, paras. 42–45]

At a June 2014 UN meeting, the delegation described too few legislative drafters for the revision backlog. Consultants were costly, it said, but employing them occasionally was considered cheaper at that time than hiring additional drafters. The exchange contains no workforce study or whole-life cost comparison. It documents the government's explanation, not proof that the staffing choice was economically optimal—or that it caused the earlier bilateral project's failure. [16, paras. 40–47]

The UN Committee's 2014 concluding observations also identified a continuing gap between prepared bills and adoption, while acknowledging actual legal changes. This is a record of uneven progress, not complete legislative paralysis. [17, paras. 3, 8–9]

A concrete counterexample: correcting civil-status records

An August 2014 government release reported 2,096 civil-status rectifications between March and July. It attributed improved service to changes in legal discretion, staffing and the Registry's organisation, with some longstanding cases resolved. The announcement is not a causal evaluation: the reporting period partly preceded the cited April amendments, and several organisational changes occurred together. It nevertheless gives a concrete, citizen-facing example of later reform activity. No documentary connection to the Canadian project was established. [18]

The policy lesson is narrower and more useful than “small reforms always work.” Legal change can be evaluated at the point where a person gets a corrected record, not only at the point where an Act is

passed. A serious evaluation would examine waiting times, error rates, unresolved cases, access outside Castries and whether the improvements lasted.

Regional legislation and its separate lineage

The OECS Commission explicitly connected Saint Lucia's 2018 child-protection and child-justice measures to the regional model-bill movement and the OECS/USAID Juvenile Justice Reform Project. The Attorney General's published histories identify the resulting Child (Care, Protection and Adoption) Act 8 of 2018 and Child Justice Act 9 of 2018, recording commencement on 12 December 2018. This is stronger enactment evidence than a release about parliamentary passage, but does not establish that every required service was operational. [19; 20; 21]

The government's 2019 Beijing report prioritised remaining family-law bills for enactment. Its 2020 UPR report still described Status of Children legislation as being drafted, with preliminary consultation intended for early 2021. A priority announcement had not itself been an enactment. The current status of every related proposal requires a separate, complete legislative census; this paper does not claim to have performed one. [22, paras. 5–11; 23, para. 22]

The later Domestic Violence Act 11 of 2022 is another concrete legal change, with the published history recording commencement on 21 March 2022. It is not evidence that comprehensive Civil Code reform was completed. [24]

Reform does not end at enactment

An October 2024 OECS consultancy notice, hosted by the Saint Lucian government, sought further work on child-friendly laws and bills under the USAID-funded OASYS programme. It identified legal conflicts and operational gaps, included Saint Lucia, and required assessment, amendments, validation, regulations or forms, and delivery to national Attorney General offices. Its planned assignment was twenty-eight weeks during 2025. The notice proves a solicitation and identified needs, not an awarded contract or accepted outputs. [25, sections 1–6]

This later programme should not be folded into the old Canadian project. It illustrates a different point: even enacted reforms require maintenance. The first law is not necessarily the finished law, and the finished text is not necessarily a functioning service.

A warning from a reporting mismatch

There is an instructive problem in the historical record. The 2006 CEDAW discussion spoke of removing a wife's duty of obedience. Yet the Attorney General's published Civil Code already attributes mutual-protection and joint-residence provisions to amendments made in 1989. The original 1989 Gazette was not recovered for this paper, so the precise comparison rests on the official consolidation and its amendment notes. [13, para. 47; 29, arts. 144–145]

The mismatch could reflect outdated source material, loose description or a wider equality concern. It does not establish deliberate deception. It does mean that researchers should not count a later disappearance of the old wording as a success of the Canadian project without checking the actual legislative history.

Policy needs a verified baseline. Otherwise, a country can be urged to repeal a rule already amended, or credited with a reform that happened much earlier, while a genuinely unresolved problem remains untouched.

The same discipline should govern the recovery of every historical recommendation: what did it propose, what was the law then, what happened subsequently, and what is the live problem now?

9. What explains non-completion? A causal ladder

The evidence does not justify a single-cause verdict. It supports explanations with different levels of confidence.

An observed interruption is not necessarily the cause of the programme's ultimate outcome. To establish that connection requires the downstream chain: the decisions delayed, the tasks prevented, the deadlines missed, the resources exhausted and the official response. That chain has not been recovered. It should be investigated, not imagined.

Explanation 1: insufficient decision capacity

The findings in section 5 make this the most concrete mechanism to investigate. A reform committee needs more than distinguished names. It needs time to read, authority to decide, continuity of participation and a means of resolving vacancies or persistent non-attendance.

This is an institutional-design question before it is a moral judgment about individuals. A court administrator may be an ideal contributor precisely because that person already carries indispensable responsibilities. Adding committee work without replacing existing duties can make expertise available on paper but scarce in practice.

Call this *decision capacity*: the reliable availability of informed people who can make, record and transmit the choices on which the next stage depends.

Its presence cannot be inferred from a committee's size. It should be evidenced by allocated time, prepared papers, actual meetings, decisions and completed handoffs. The hypothesis predicts that unfinished decisions will cluster around overloaded roles and absent replacement arrangements. Attendance records, work allocations and correspondence could confirm or weaken it.

Explanation 2: disagreement was not converted into authorised choices

The 2006 representations identify contentious subjects. They do not establish that disagreement was illegitimate or that opposition was decisive. A better hypothesis is that the process may have lacked an effective way to turn unresolved disagreement into a reasoned decision by the institution entitled to make it.

This changes the remedy. If people lacked information, provide explanation and evidence. If competing interests required political judgment, send clear options to the proper decision-maker. If legal constraints removed an option, explain them. If administrative uncertainty remained, test the proposed service. Repeating consultation without identifying the kind of uncertainty cannot reliably solve any of these problems.

The evidence needed is the sequence of options, objections, revisions and decisions—not merely a list of meetings.

Explanation 3: the funding clock and domestic process diverged

A grant normally has a duration and conditions. Democratic settlement may take longer, particularly when reform changes family obligations or property expectations. Anthony's withdrawal account makes a mismatch between these clocks plausible. The agreement and closure records are needed to test it. [26]

There is a third clock: institutional preparation. Even after the political choice is made, registries, courts, practitioners and public services may need time to become ready.

Three clocks do not excuse indefinite delay. They suggest that a credible programme must manage their interaction. A donor should know what triggers an extension, reduced scope, a pause or responsible closure. Government should know what it must finance after support ends. Citizens should know what has actually been decided.

Explanation 4: reform was too broadly bundled

A comprehensive Code can improve coherence, but it can also tie ready changes to the most difficult unresolved issue. A dispute about one part may hold up another even when the two could safely be separated.

That is a design hypothesis, not an established explanation of this project. Some apparent opportunities for separation may disappear when legal interactions are examined. The task map and dependency structure are missing.

The question is not whether to prefer a whole Code or isolated amendments in the abstract. It is whether the smallest deliverable unit includes everything needed to make its promises work without creating conflicts elsewhere.

Explanation 5: political priorities changed

The 2007 throne speech called for targeted Code review around property and financing; it did not identify continuation or termination of the bilateral programme. Glenn's 2008 discussion recorded uncertainty about priorities. These sources justify investigating agenda changes, but not attributing non-completion to a particular election, party or individual. [35, p. 9; 14, pp. 16–17]

A change of government is not automatically an abandonment mechanism. A programme with documented decisions, a domestic budget and an accountable continuing office may survive it. A programme without those supports may stall without any change of government at all.

The test is what decisions and appropriations changed—not merely who held office.

What the evidence does not support

There is no basis here for alleging corruption, intentional sabotage, a secret British veto, or a donor demand that Saint Lucia abandon its mixed legal tradition. Nor is there sufficient evidence to declare that every recommendation would have produced beneficial outcomes if enacted.

These are not rhetorical concessions. They preserve the central finding: the record is rich enough to improve institutional design, but incomplete enough to rule out a confident blame narrative.

10. The original argument: sovereignty has a completion problem

Anthony's underlying concern is that Saint Lucia should make meaningful choices about its legal future. This paper accepts that concern but pushes it beyond choosing a legal tradition or repealing a reception clause.

Can a domestic choice travel all the way through the state?

10.1 Authority, authorship and completion

Three things should be distinguished.

Authority is the legal power to decide. **Authorship** is the ability to understand alternatives and deliberately choose among them. **Completion** is the ability to give that choice coherent legal and practical effect, then maintain it.

Completion also includes a reasoned, recorded decision not to enact a proposal, while meeting continuing legal obligations. Legislative throughput is not the same as democratic success.

A state may possess the first while struggling with the second or third. That does not make its independence unreal. It explains why formal power can coexist with dependence in practice.

The distinction prevents an overly nationalistic account of expertise. A Canadian lawyer can help Saint Lucia exercise authorship. A Saint Lucian official can participate in a process that lacks meaningful local choice. Nationality matters to relationships of power, but it does not by itself identify who owns the decision.

The standard is not "no foreign help." It is: can Saint Lucia understand, alter, accept, reject, implement and maintain what the help produces?

There is a philosophical point here. Freedom to act is not exhausted by the absence of legal prohibition. It also depends on the means to act intelligibly. A person may be entitled to appeal a decision yet be unable to obtain the record or understand the procedure. A state may be entitled to replace a law yet lack dependable machinery for doing so. States and individuals are different legal actors, but the analogy clarifies the distinction between formal permission and effective agency.

10.2 Automatic continuity and deliberate change are not equally demanding

This series identifies a potentially important asymmetry. Within its legal limits, an existing reception provision can keep supplying rules without a new domestic bill for every update. A deliberately designed local alternative may require research, consultation, political decisions, drafting, parliamentary time, implementation and maintenance.

Foreign rules do not apply effortlessly. Lawyers and courts still do costly interpretive work. The difference is that one route benefits from an existing legal default while the other depends on a new chain of collective decisions.

When domestic completion is difficult, the asymmetry can make dependence self-reinforcing. Professionals continue using available sources; specialised local reform capability develops slowly; the next domestic alternative remains costly. This is a testable institutional hypothesis, not a proven causal history of Article 917A's survival.

Removing the default without strengthening the alternative may create uncertainty. Strengthening local authorship without reviewing the default may leave its first-mover effects intact. A serious sovereignty programme should address both.

This third paper therefore adds a delivery condition to the earlier papers' legal-design argument: a new reception architecture needs a credible institution capable of operating it.

10.3 Domestic consent cannot be delivered by a consultant

A donor can finance research. A consultant can explain options and draft provisions. Neither can legitimately make every contested domestic choice on behalf of the people affected.

This creates a dependency that a procurement contract alone cannot solve. A supplier's progress may depend on decisions by officials who are not parties to the consultancy contract, or whose time is controlled elsewhere. Paying for more drafting days cannot resolve an instruction that has never been authorised.

Local decision capacity is a complementary input. Its absence can reduce the value of additional external expertise. "More money" and "better consultants" are therefore incomplete remedies even where both are desirable.

A future contract should identify the counterpart decisions on which each deliverable depends. Who supplies them? By when? What happens if they are delayed? This is not donor control of domestic policy. It is a candid allocation of responsibility for the process.

10.4 The stock-flow problem

External assistance often arrives as a temporary flow: expert time, a study, a drafting assignment, a workshop. A functioning legal system requires durable stocks: people who retain knowledge, accessible records, maintained databases, dependable procedures and professional learning.

A flow can build a stock. It can also pass through without leaving much behind.

The 2014 drafter-consultant exchange makes the economic question concrete but does not answer it. A permanent post carries salary and management costs even during quiet periods. A consultant may supply rare expertise efficiently. Conversely, repeated procurement and orientation, fragmented drafting and loss of knowledge may make occasional consultancy expensive across the full lifecycle. [16, paras. 43-47]

The correct comparison is not one consultant invoice against one annual salary. It is the cost and performance of alternative ways to maintain a necessary capability over time.

Saint Lucia should assess a hybrid: a small domestic core retaining files, legal knowledge and programme ownership, with specialised external help where needed. Regional sharing may reduce fixed costs, provided domestic policy decisions and responsibility remain clear. No savings estimate is offered; the necessary workload and cost data have not been obtained.

10.5 Reform recoverability: an asset project accounts can overlook

An unfinished reform retains value if a successor can reconstruct the problem, understand rejected options, identify unfinished decisions and safely reuse sound work. It loses value when those records become inaccessible or unintelligible.

This paper calls that property *reform recoverability*.

Recoverability is not the number of files in a folder. A thousand unexplained drafts may be less useful than a clear issues paper, a decision log and an authenticated final version. It is also not a reason to preserve every personal detail indefinitely; privacy, confidentiality and lawful records-management obligations matter.

Five tests are useful. Can a successor find the record? Authenticate it? Understand its stage? Identify changes in law and policy since its production? Reuse it lawfully and technically?

Report the tests separately as yes, no or unresolved. A single score would conceal too much. A document can be accessible but obsolete, or intellectually valuable but impossible to attribute to an approved decision.

This turns archival work into a delivery investment. Recovering a draft can reduce repeated research. Recovering why an option was rejected can prevent an expensive mistake. Recovering an unresolved objection can improve consultation. These are prospective benefits, not claims that the old programme's cost can be recouped.

10.6 Avoid the salvage fallacy

Because a report took time and money to produce, officials may feel pressure to use it. That is not a sound criterion. Past expenditure is not a reason to enact an unsuitable rule.

The comparison concerns future value. Is updating the surviving work likely to serve the present objective better than starting afresh? What legal risk and opportunity cost would reuse create? What evidence could change the choice?

Some material should be retained as history and rejected as policy. Some may be reusable after revision. Some may only identify questions still needing answers.

Recovery first does not mean enact the old report. It means make an informed choice about what to retain, replace or stop.

10.7 A game-theory insight: nobody has to oppose reform for it to stall

Consider a hypothetical reform that needs a ministry to settle policy, a drafting office to reserve time, and a funder to extend support. Each prefers reform to failure. Each faces costs if it commits while the others do not.

The ministry waits for confidence that a drafter is available. The drafter waits for approved instructions. The funder waits for visible domestic commitment. Everyone can sincerely favour completion while waiting for someone else to move.

This is a coordination problem, not proof of bad faith. The example is an analytical model, not a claim about the historical actors' actual motives or conduct.

The remedy is a credible joint commitment with staged obligations: an agreed decision date, protected drafting capacity, a contingent funding arrangement and a visible escalation route. Rejecting a bad proposal must remain possible. What should disappear is ambiguity about who is waiting for whom.

Here public policy can benefit from project management without becoming merely managerial. Coordination does not decide a law's moral content. It helps the responsible institutions reach and implement a decision about that content.

10.8 Where this extends existing thought

The importance of implementation is not a new discovery. The recovered committee report itself distinguishes formal from practical equality, identifies the need for administrative systems and programmes, and recognises interactions across legal fields. That local antecedent deserves explicit credit. [8, p. 20]

Andrews, Pritchett and Woolcock's work on problem-driven iterative adaptation emphasises locally defined problems, an environment authorising action, feedback and broad participation. The World Bank's *World Development Report 2017* links effective governance to commitment, coordination, cooperation and the distribution of power. [37; 38]

This paper's narrower contribution is to connect those concerns to a mixed legal system with an operative foreign-law reception rule and a recoverable, unfinished domestic reform. It adds a documentary test: trace the actual transitions between knowledge, decision, drafting and use, and preserve enough evidence for another administration to resume intelligently.

It would be wrong to infer that Saint Lucia's project was merely cosmetic because capability-trap theory discusses cosmetic reform. The surviving evidence instead requires taking its substantive work seriously. Likewise, iterative learning is not permission to experiment unlawfully with people's rights. Legal authority, equal treatment, review and protection of affected persons constrain how adaptation should occur.

The proposal is thus neither a claim to have invented state-capacity analysis nor a mechanical application of it. It is an attempt to make that analysis institutionally specific and investigatively accountable.

11. What to learn from Quebec—and what not to copy

The Canadian partnership was attractive partly because Quebec had confronted reform of a related civilian tradition. The useful lesson today is not simply to import its current provisions.

Examine the work surrounding them.

Canada's Department of Justice chronology records a formal revision initiative in 1955, successive leadership and committee arrangements, and a long sequence of changes. The National Assembly's guide identifies the new Code's enactment in December 1991 and commencement on 1 January 1994. This was not a single drafting event. [31; 36]

Quebec enacted a distinct implementation statute addressing transitional matters and consequential changes. Moving from one legal regime to another was itself a legislative task. Its solutions are not automatically suitable for Saint Lucia. [32]

McGill's Civil Code Revision Office archive preserves working papers, correspondence, minutes and internal memoranda, not only a final report. Its described holdings include approximately 4,000 documents and 40,000 pages, subsequently indexed and digitised. Those figures describe an archive, not a resource target for Saint Lucia. [30]

A small country need not reproduce Quebec's scale to reproduce the functions: continuity of responsibility, accessible records, policy decisions, coherent drafting, transition planning and professional preparation.

The wrong comparison

Because Quebec took decades, it does not follow that Saint Lucia must do so—or that a shorter schedule was necessarily foolish. The settings and agendas differ. Saint Lucia can benefit from work completed elsewhere.

The relevant comparison is functional. Which tasks can borrowing accelerate? Which remain domestic? A foreign example can show alternative property regimes. It cannot determine local administrative capacity, settle every distributional choice or confer democratic authority on a Saint Lucian bill.

Small jurisdictions face similar sequencing questions

Lucy Marsh-Smith's discussion of Jersey contract-law reform emphasised a settled policy brief, political priority and sensible use of scarce drafting time. It explored pooled expertise. These are comparative design observations, not an evaluation of the Saint Lucian programme or evidence of Jersey's present project status. [34, paras. 38–40, 56]

A locally grounded study points in a compatible direction. Confia Samantha Jn Paul-Samuel's 2023 public-administration dissertation used interviews with ten purposively selected participants involved in Saint Lucian lawmaking. Its abstract highlights resources and participation among implementation barriers. The sample is small and non-random; the findings are not national prevalence estimates or retrospective proof of the Canadian project's cause. [33]

These materials support better questions about capacity and sequence, not a universal formula. The model below is a Saint Lucian policy design for testing, not a package claimed to have been validated elsewhere.

12. A recovery-first programme for Saint Lucia

The next reform should begin with an inventory and a decision, not an announcement of another complete rewrite.

The programme below is proposed by this paper. Dates are planning targets after formal authorisation and resourcing, not predictions or an existing government initiative. Its first product is a credible basis for action. A comprehensive new Code is not promised within ninety days, a year or an arbitrary donor cycle.

Recovery must run alongside urgent, independently justified repairs. Missing historical records are not grounds for postponing compliance with existing obligations or remedies for current harm. The inventory informs the larger programme; it must not become another veto on action.

Phase 1: ninety days to know what exists

Government should authorise a bounded recovery exercise led by Attorney General's Chambers, with a records specialist and designated Finance counterpart. Relevant ministries, the Registry, National Archives and Canadian institutional record-holders would be invited through appropriate channels to identify holdings. Independent institutions should participate within their proper functions; programme management must not intrude into judicial decisions.

Search for agreements, plans, financial records, committee files, policy papers, draft versions, consultations and close-out material listed in Appendix A. Preserve provenance. Identify originals, copies, incomplete extracts and recollections.

Publish an inventory and gap report, with a protected annex where lawful confidentiality requires it. Explain what was found, what is missing, which institution was asked, and what further recovery is proportionate. Do not turn "not located" into "destroyed" without a disposal record.

Preserve fragile records now; do not wait for a major reform grant. At the phase's end, decide whether to commission a larger programme, a narrower package, further archival work or no immediate legislative project. Each can be legitimate if supported by reasons.

Phase 2: establish today's law before choosing tomorrow's

For each candidate topic, prepare a current-law and implementation map. Distinguish the Code, later Acts, judgments, regulations, commencement provisions, procedures and known service problems. A historical heading is not proof that every associated provision operates today.

Place the historical recommendation beside the current position. What changed? What remains unresolved? What new questions have arisen? Ask institutions to verify the service process, not merely the statutory text.

Provide a short public explanation and a technical schedule with dated sources. A qualified reviewer should sign off the baseline. Uncertainty should remain visible until resolved.

Three to six months may be an initial planning range for a bounded package, depending on the inventory and staffing. That is an illustrative assumption for validation, not a productivity estimate derived from the old project.

Phase 3: choose one coherent first package

The first package should be small enough to complete but complete enough to work. Consider urgency, rights, affected population, readiness, interactions with other law and the evidence available.

A child-status and parentage package is one candidate for assessment—not a settled recommendation to enact a historical draft. Family-home or matrimonial-property reform is another. The current-law audit may reveal a different priority that is more urgent or better prepared.

Do not select only the easiest items; that could institutionalise postponement of people most in need. Do not select the largest symbolic item merely to demonstrate ambition. Combine public importance with a credible path to delivery.

Before final drafting, the responsible minister and Cabinet, as appropriate, should settle major policy choices in written instructions. Parliament retains its lawmaking role, including scrutiny and amendment. Preliminary approval must not be presented as legislative inevitability.

Phase 4: draft the rule and the bridge

Every package should include substantive rules, an old-to-new correlation, necessary repeals or consequential amendments, transitional arrangements, implementation responsibilities and an explanatory memorandum.

Transition deserves separate expertise. What happens to existing proceedings, prior agreements, registered interests or estates already opened? What about people who organised conduct around the previous law? A universal “all rights preserved” formula cannot settle every question if the reform is intended to change future consequences. Choices need to be specified, justified and tested against applicable law.

Identify forms, technology, training, staffing, public information and review arrangements. A draft is not ready for enactment merely because its clauses read well.

Phase 5: scrutinise, commence and test public use

Public and parliamentary scrutiny should receive the whole package, including costs, transition choices and the consultation response.

Avoid bringing duties into force when institutions cannot fulfil them. Also avoid leaving enacted protections dormant indefinitely. Where staged commencement is appropriate, use transparent readiness criteria, reporting and review. Technical inconvenience must not become an unexamined excuse for withholding protection.

After commencement, measure service and distributional effects. These might include application volumes, processing times, access costs, dispute patterns and available remedies. Baseline data and interpretation matter: a temporary rise in claims may indicate improved access rather than deterioration.

Publish an early implementation review and a later outcome review. Amend defects revealed by experience. Maintenance is part of success, not proof that reform should never have been attempted.

Who owns what?

Function	Proposed accountable home	Evidence of completion
Programme direction	Responsible minister / Cabinet	Mandate and recorded decisions

Function	Proposed accountable home	Evidence of completion
Legal integration	Attorney General's Chambers	Reviewed instructions and legal package
Record stewardship	Named records custodian	Inventory, versions and access rules
Finance	Designated Finance counterpart	Reconciled budget and actuals
Participation	Named consultation lead	Submissions and reasoned response
Legislative scrutiny	Parliament	Public legislative process
Operational delivery	Relevant service institution	Readiness and service measures

Functions may be combined in a small administration. Combining them must not make responsibility disappear. Technical advice, political choice, legislative authority and independent adjudication remain distinct.

A funding model that does not end at the report

Show separate allocations for recovery, legal baseline work, policy development, consultation, drafting, transition, implementation and maintenance. Make domestic and donor contributions visible by function and period.

Before signing a major consultancy, identify the local staff time needed to make decisions and receive the work. Allocate protected time or backfill existing duties. A committee appointment is not a staffing plan.

Contracts should require usable source files, version histories, explanations of outstanding issues, research inventories and lawful rights of reuse. Link final payment to accepted deliverables and a usable handover—not to political enactment outside the supplier's control.

Do not let a contract expire without a recorded disposition: completed, extended, rescaled, suspended with a review date, or closed with reasons and preserved assets. An unsuccessful programme can still close responsibly.

Three minimum rules

No consultant without an identified counterpart.

No new legal regime without a transition and implementation plan.

No project closure without an intelligible record of what survives.

These rules are not sufficient for reform. They address avoidable ways in which money and knowledge can fail to become usable public value.

13. What this looks like in everyday life

These examples are hypothetical design tests, not descriptions of current Saint Lucian entitlements or legal advice. They show why reform must connect rules, institutions and incentives.

A child, a surname and an estate

Suppose a reform declares that children must not be disadvantaged because their parents were unmarried. How is parentage established? What if a record is inaccurate? Who pays for evidence? Which institution can correct it? What follows for maintenance and inheritance? Does the change reopen an estate already distributed?

An equality clause cannot be assessed in isolation. Nor should difficulty justify abandoning equality. The task is to turn a principle into a workable route.

The delivery measure is not merely that wording changed. It is whether a person can establish the relevant relationship, obtain a correct record and exercise the resulting rights without unreasonable cost or delay.

A family home and a lender

Suppose a rule protects a non-owning spouse against sale of the family home without consent. It may improve security. It also changes what a lender must verify, how interests are recorded and what a purchaser may rely upon.

This is not simply “families versus business.” It is a design problem involving protection, notice and remedies. An unclear protection can generate disputes harming the family it was intended to help. A rule designed only for transactional ease may expose the economically weaker person.

The work crosses family law, registration, finance, evidence and administration. Coherent modular reform is different from a disconnected amendment.

A registry clerk and a new right

Suppose Parliament creates a simpler correction procedure. If the form still demands old documents, the public guide is unchanged and staff cannot decide an unfamiliar case, the practical system may continue applying yesterday’s rule.

This is not necessarily resistance. Training, delegated authority, escalation procedures and accurate information are parts of reform, not optional publicity.

The lesson extends beyond law. A benefit can fail at the application desk; procurement reform in a tender template; planning reform in an inspection queue. People encounter the state through procedures. Sovereignty becomes tangible when those procedures express a deliberate, defensible choice and work.

14. A research programme that can change the conclusions

An investigation should explain what evidence would make it revise its account. Six tests follow.

First, recover the agreement and plan. If the funded assignment was only preparatory, claims about a failed whole-Code contract would require revision. If it required a complete legislative package, the missing-stage inquiry becomes more direct.

Second, reconcile the aid entries with accounts. Disbursements, expenditure and balances could reveal a smaller or larger programme, extensions or scope changes not visible in the published annual entries.

Third, reconstruct the decision chain. Minutes might show that policy was settled and drafting capacity decisive. Completed drafting files might instead show political approval as the unresolved stage. The remedy should differ accordingly.

Fourth, recover consultation material. It could substantiate, qualify or contradict the later description of opposition. Who participated, what they were asked and what they objected to all matter. Silence is not a national mandate.

Fifth, establish disposition. A donor letter, review or Cabinet record might replace recollection with a documentary endpoint. It might show that “withdrawal” compressed expiration, non-renewal, reallocation or a negotiated closure.

Sixth, trace descendants. Later drafting files could establish that earlier work entered subsequent law. The history should then recognise partial recovery and assign credit accurately. Until a link is established, similarity remains similarity.

Measures worth collecting next time

Publish a small set of indicators: unresolved decisions and their age; available versus committed drafting time; milestones supported by actual documents; consultation responses completed; implementation tasks outstanding; and whether essential records remain recoverable.

Interpret them carefully. More consultation is not automatically better. Short drafting may mean efficiency or insufficient scrutiny. An enacted bill may impose costs a dashboard misses.

The central measure is a defensible change that works for those affected. Process indicators help explain whether that result is becoming more likely. They are not the result itself.

Publication and right of reply

The findings can support public discussion as a transparent documentary working paper. Before presenting a definitive account of why Canadian support ended, further reporting should seek records and responses from the institutions and participants involved. No failure to respond can be inferred: no requests were sent during this investigation.

Ask fair, specific questions. What was the assignment? Which outputs were accepted? Which decisions remained outstanding? What changed in scope or funding? Where are the files? Seek evidence, not merely a convenient quotation.

When new material changes a conclusion, publish the correction and version history. A policy organisation earns authority by making reasoning revisable, not by making every first conclusion sound final.

Conclusion: write the future, and build the means to finish it

This story is not adequately described as a lost cheque, absent political will, or a glorious draft waiting to be rescued. The record establishes more than an aspiration and less than a completed, fully explained legislative programme.

That is not a disappointing answer. It is the beginning of a more useful one.

The most consequential loss may not be a particular text. It may be broken continuity between research, domestic choice, drafting and public use. The evidence does not prove every link in that explanation. It is sufficient to make those links the focus of a new inquiry and a better programme.

Anthony's call for Saint Lucia to make its future should mean more than choosing a legal tradition. It should mean building institutions capable of carrying the choice through.

Saint Lucia need not begin from nothing. Nor should an old report govern its future merely because it survives.

Recover the work. Audit the law. Make the choices openly. Fund the people who must carry them out. Preserve the record. Test whether the resulting rights can be used.

That is what it would mean to finish the work of legal sovereignty.

Appendix A. The records that could settle the remaining questions

This is a proposed reporting agenda, not a list of requests sent. Access remains subject to applicable law, privacy, legitimate confidentiality and institutional procedures. It does not assume that every institution named holds every record.

Attorney General's Chambers and project custodians

Seek the agreement; plan and amendments; appointment and replacement records; policy-paper inventory; other committee reports; approved instructions; draft bills and version histories; correlation and transition schedules; acceptance records; and correspondence on unresolved decisions.

Determine the assignment, the work produced and where the next step became uncertain. Ask for an inventory first if full release is impractical. Request reasons and dates for missing or withheld categories rather than treating silence as proof of destruction.

Cabinet and parliamentary record-holders

Seek dates and disposition of relevant submissions; releasable decisions; legislative-programme entries; bill titles or numbers; and suspension, rescaling or closure records. Confidential deliberation may warrant different treatment from the existence or final disposition of a proposal.

Was approval, rejection, revision or deferral documented? A handover ceremony cannot answer that question.

Finance and the Accountant General

Seek account identifiers; donor receipts; counterpart allocations and actual expenditure; contracts and payment certifications; unused balances; currency and fiscal-year reconciliations; and close-out statements.

Use the OECD title and CRS 020150 as search aids, not presumed domestic accounting codes. Preserve the distinction between commitment and resources received or spent.

Canadian institutional record-holders

Seek the internal identifier corresponding to the OECD entries; agreements; implementing arrangements; consultant terms; progress and evaluation records; payments; extensions or reallocations; and any expiration, non-renewal or withdrawal instrument.

Ask whether the bilateral activity was administratively connected to the regional OECS/CIDA programme. A documented relationship could refine this paper's separation of the streams. Until then, do not merge their records.

National Archives, Government Information Service and Registry

Seek release logs resolving the August date discrepancy; publication records; consultation agendas, attendance, submissions and recordings; audiovisual records of handover; and subsequent transfers of project papers.

Preserve original files, accessible copies, metadata and explanations of evidentiary status. A reference to underlying work is a lead, not proof that complete copies remain in a particular office.

OECS, UN documentation services and later programme custodians

Seek model-bill versions, commentaries, adaptation records, consultation reports and acknowledgements of reused work. The 2011/2013 state report says annexes, including consultation and supporting material, were retained in Secretariat files—promising additional leads. [15, p. 2]

Distinguish shared intellectual influence from transfer of a deliverable into later law. Both matter, but they are different claims.

Participants and affected communities

After examining records, seek accounts from participants, officials, practitioners and consultation attendees. Ask for corroborating documents and distinguish firsthand knowledge from later understanding.

Ask affected communities what problems remain today. Historical records should inform present choices, not displace present voices with preferences recorded two decades earlier.

Appendix B. Claim discipline for publication

Defensible wording	What the present record does not justify
Aid commitments are recorded.	The entire amount was spent or lost.
A family-law report survives.	A completed Code is ready to enact.
The committee recorded interruptions.	Named members caused the whole failure.
Consultation was announced.	It was completed or representative.
Anthony recalled funding withdrawal.	Its precise date and reason are verified.
Later laws have regional lineage.	They necessarily descend from Canadian drafts.
A record was not recovered.	It never existed or was destroyed.
Historical recommendations merit review.	They should be adopted unchanged.

Material limits of the search

The record is strongest for public intention, the 2002–2004 organisational period and selected later developments. It is weakest for contracts, actual finance, other committee streams, consultation results and formal closure.

Literal “Civil Code” searches in accessible budget addresses for 2000–2006 did not yield expenditure evidence. These are not the complete Estimates or accounts. Negative results in selected later throne speeches do not establish closure.

Canadian database and archival discovery was partial, not an exhaustive search of Global Affairs Canada holdings. This paper also does not claim a complete inventory of Saint Lucian Acts, bills or operational reforms through September 2026.

The report’s internal date controls its description. Server modification and PDF creation dates are not committee approval or publication dates. UN meeting, submission and publication dates are distinguished. Legislative passage, assent, publication and commencement are not collapsed.

The interview is a supplied machine transcript awaiting audio verification for prominent quotation. The paper’s interpretations are not presented as the policy recommendations of Anthony, the committee, Canada or the OECS.

A note on novelty

The proposed contributions are the integrated reconstruction; the funding-to-output distinction; the project-ancestry test; completion-capacity analysis; and a recovery-first programme treating records, decisions and implementation as part of sovereignty. No claim is made that these concepts lack antecedents or that the recovered document was previously unknown to every scholar or official.

The public value is making a difficult history more accurate and a future reform more feasible.

Sources and verification notes

Numbered citations identify the source and, where available, printed page, paragraph or section. Links point to the source or identified accessible host. Research was conducted in September 2026. Current-law references describe the particular published materials reviewed, not an exhaustive legal opinion. Sources recording intentions or representations are used for that limited purpose.

[1] **Government of Saint Lucia.** [Throne Speech 1998](#). 21 April 1998. Dame Pearlette Louisy; printed p. 6. Evidence of policy intention, not funding secured.

[2] **Government of Saint Lucia.** [Throne Speech 2000](#). 28 March 2000. Printed pp. 15–16, Civil Code / Code of Civil Procedure. Reports an agreement already signed; the agreement itself was not recovered.

[3] **Kenny D. Anthony.** [Reflections on the Perceptions of Justice in the Commonwealth Caribbean](#). November 2002. Closing substantive paragraph. Original government HTML; exact day not supplied.

[4] **Government Information Service.** [Civil Code Reform Project Committee Members Appointed](#). 19 February 2003. Named contact: John Emmanuel. Primary announcement of organisation, timing and objectives, not confirmation of completed stages.

[5] **Government of Saint Lucia.** [Throne Speech 2003](#). 8 April 2003. Printed p. 8; prospective drafting and draft-Code consultation timetable.

[6] **OECD.** [Aid Activities in Latin America and the Caribbean 2002](#). 2004. Printed pp. 7, 20, 90–91. National entry p. 90; physical PDF page 92. Donor-reported commitments, not audited expenditure. DOI: 10.1787/aid_lat_am-2004-en-fr.

[7] **OECD.** [Aid Activities in Latin America and the Caribbean 2003](#). 2005. Printed p. 102. Reporting year differs from publication year. DOI: 10.1787/aid_lat_am-2005-en-fr.

[8] **Saint Lucia Civil Code Reform Project, Committee on Family Law.** [Report of the Committee on Family Law](#). 26 July 2004. Joint CIDA–Government of Saint Lucia project. 128-page original government PDF; principal pinpoints pp. 17, 19, 23–25, 105–110. The URL retains the archive’s spelling of Committee.

[9] **Government Information Service.** [Draft Family Law Report in the Hand of Government](#). August 2004. Named contact: Virnet St. Omer-Fontenelle. Header gives 6 August; body describes 12 August handover. Discrepancy retained in the analysis.

[10] **Government Information Service.** [Government to Address Discrimination against Children](#). 11 October 2004. Named contact: Claudia Monlouis. Announces 12 October consultation. NationWide’s 16 October reproduction remains prospective, not confirmation of completion.

[11] **Government of Saint Lucia / UN Committee on the Rights of the Child.** [Initial report of Saint Lucia, CRC/C/28/Add.23](#). Submitted 2 June 2004; issued 13 October 2004. Paragraph 312 distinguishes national and regional reform streams. Accessible UN-document copy hosted by Refworld.

[12] **Adrian Saunders, acting Chief Justice.** [Address to Mark the Opening of the Law Year 2004/2005](#). 17 September 2004. Printed p. 15; termination account concerns the regional OECS/CIDA Judicial and Legal Reform project, not an established closure of the national Civil Code activity.

[13] **UN Committee on the Elimination of Discrimination against Women.** [Summary record of the 730th meeting, CEDAW/C/SR.730](#). Meeting 23 May 2006; issued 19 June 2006. Printed pp. 6–7, paras. 47–49. Records Saint Lucian representations; project identity and legal-baseline accuracy require caution.

[14] **Jane Matthews Glenn.** [Mixed Jurisdictions in the Commonwealth Caribbean: Mixing, Unmixing, Remixing](#). May 2008. Electronic Journal of Comparative Law 12.1, pp. 16–17. Accessible full-text reproduction; the original publisher-hosted file was not recovered. Used for the author’s contemporary assessment, not a termination finding.

[15] **Government of Saint Lucia / UN Committee on the Rights of the Child.** [Combined second to fourth periodic reports, CRC/C/LCA/2–4](#). Submitted 8 February 2011; issued 20 June 2013. Printed p. 2 (annexes); p. 9, paras. 42–45 (regional bills and institutional restructuring).

[16] **UN Committee on the Rights of the Child.** [Summary record of the 1892nd meeting, CRC/C/SR.1892](#). Meeting 6 June 2014; English version issued 24 July 2014. Printed p. 6, paras. 40–47. Recorded account of drafting capacity and consultancy costs, not an independently costed comparison.

[17] **UN Committee on the Rights of the Child.** [Concluding observations on Saint Lucia, CRC/C/LCA/CO/2–4](#). 8 July 2014. Paragraphs 3 and 8–9. Adopted 13 June 2014; publication date shown here. Committee assessment, not a bilateral-project evaluation.

[18] **Office of the Prime Minister, Government of Saint Lucia.** [Prime Minister Lauds Civil Status Registry’s Improved Service](#). 18 August 2014. Officially reported outputs and ministerial explanation. No counterfactual evaluation; no established Canadian-project lineage.

[19] **OECS Commission.** [Saint Lucia Honours Universal Children’s Day with Adoption of New Child Protection Bills](#). 28 November 2018. Institutional account explicitly identifying regional model bills and OECS/USAID JJRP support. Parliamentary passage differs from assent and commencement.

[20] **Attorney General’s Chambers, Saint Lucia.** [Child \(Care, Protection and Adoption\) Act: legislative history](#). Revised Laws of Saint Lucia 2023. Act 8 of 2018, commencement 12 December 2018; subsequent amendment noted. This history does not establish all required services were delivered.

[21] **Attorney General’s Chambers, Saint Lucia.** [Child Justice Act: legislative history](#). Revised Laws of Saint Lucia 2023. Act 9 of 2018; commencement 12 December 2018. Later amendment listed in the 2025 Acts index; substantive current-law audit not undertaken here.

[22] **Government of Saint Lucia.** [Beijing +25 Report](#). 2019. Printed pp. 2–4, paras. 5–11; regional programme attribution and prospective priorities.

[23] **Government of Saint Lucia.** [National report for the Universal Periodic Review, A/HRC/WG.6/37/LCA/1](#). 18 December 2020. Paragraph 22; Status of Children drafting and intended consultation. Ministry-hosted national report.

[24] **Attorney General’s Chambers, Saint Lucia.** [Domestic Violence Act: legislative history](#). Revised Laws of Saint Lucia 2023. Act 11 of 2022; commencement recorded as 21 March 2022; repeal of the earlier Act noted.

[25] **OECS Commission / Government of Saint Lucia.** [Legislative Drafting for Amendments of Child-Friendly Laws and Bills in the OECS](#). 25 October 2024. Consultancy invitation and terms of reference, sections 1–6. A planned 2025 assignment, not proof of award or completed delivery.

[26] **Kenny D. Anthony, NationBeat.** [Discussion of the Saint Lucian Civil Code: supplied interview transcript](#). Supplied for the series in September 2026. Reform recollection approximately 01:08–01:12; sovereignty discussion approximately 01:14–01:15. Machine transcript, not audio-authenticated for this paper. Original programme link may be unavailable. No new interview conducted.

[27] **Judicial Committee of the Privy Council.** [Hilaire v Chastanet \[2023\] UKPC 22](#). 13 June 2023. Paragraphs 19–22 and 33–43. National Archives official judgment text; distinguishes legal validity from this paper’s policy analysis.

[28] **Attorney General’s Chambers, Saint Lucia.** [Civil Code, article 917A](#). Revised Laws of Saint Lucia 2023. Grouped webpage contains the start of Book Third, Obligations, beneath a trusts heading. Read the article text, not the page title alone.

[29] **Attorney General’s Chambers, Saint Lucia.** [Civil Code: respective rights of husband and wife](#). Revised Laws of Saint Lucia 2023. Articles 144–145 and provenance notes referring to Act 13 of 1989. Original 1989 Gazette not recovered for this paper.

[30] **McGill University Library.** [Archives of the Civil Code Revision Office of Quebec](#). Undated collection introduction. Describes holdings, indexing and digitisation. Comparative example of record preservation, not a Saint Lucian project source.

[31] **Department of Justice Canada.** [Important Dates in the History of the Civil Law of Quebec](#). Institutional chronology. Entries concerning the 1955 revision initiative and later institutional arrangements.

[32] **Bibliothèque de l'Assemblée nationale du Québec.** [Loi sur l'application de la réforme du Code civil](#). Institutional legislative-history guide. Implementation statute assented to on 18 December 1992; guide describes transitional and consequential work. Comparative only.

[33] **Confia Samantha Jn Paul-Samuel.** [Barriers to the Successful Implementation of Laws in Saint Lucia](#). 2023. Doctor of Public Administration dissertation, Walden University, no. 11726. Repository abstract and methods summary used; ten purposively selected interviewees. Not a causal evaluation of this historical project.

[34] **Lucy Marsh-Smith.** [Reform of Jersey Contract Law: Practical Perspectives](#). 2017. Jersey and Guernsey Law Review, March issue; paras. 38–40, 56. Comparative author analysis; not a statement of current Jersey project status.

[35] **Government of Saint Lucia.** [Throne Speech, April 2007](#). 19 April 2007. Printed p. 9. Targeted property and financing review, without an established connection to continuation or closure of the bilateral programme.

[36] **Bibliothèque de l'Assemblée nationale du Québec.** [Code civil du Québec \(1991\)](#). Institutional legislative-history guide. Assent 18 December 1991; commencement 1 January 1994.

[37] **Matt Andrews, Lant Pritchett and Michael Woolcock.** [Escaping Capability Traps through Problem-Driven Iterative Adaptation \(PDIA\)](#). 2012. Center for Global Development Working Paper 299. Author/publisher summary of local problem definition, authorisation, feedback and broad participation. Used as a theoretical antecedent, not project evidence.

[38] **World Bank.** [World Development Report 2017: Governance and the Law](#). 2017. Publisher's overview and main messages on commitment, coordination, cooperation, functions and power. Theoretical positioning, not evidence of this project's cause.