



General Audit Chamber

Algemene Rekenkamer



MINI FOCUS AUDIT:

THE LEGEND OF LOHKAY

NOVEMBER 2020



This document is an English translation of the original Dutch language report entitled: "*De legende van Lohkay*". In the event of textual contradictions or any other differences, the original Dutch text will prevail.

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General Audit Chamber, Juancho Yrausquin Blvd #10, unit 4 & 5

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1. BACKGROUND

“One-Tete Lohkay” was known as a female freedom fighter and is considered to be a heroine during the era of slavery in Sint Maarten. She was a young woman known by the name Lohkay, enslaved on a plantation on the Dutch side of the island, and considered by her ‘owners’ as rebellious for attempting to escape on numerous occasions. During one of Lohkay’s escape attempts, she was caught and brought back to the plantation. The rulers of the plantation ordered that one of her breasts be cut off as punishment for her rebellion and as a warning to the other slaves. From this moment on she was known as One-Tete Lohkay.

Stories have been told that after Lohkay was nursed back to health, she escaped the plantation once more, this time succeeding and living in the hills. She would sweep down to the plantation fields from time to time for food and supplies during the night and visit persons. Her determined and courageous nature makes her a remarkable Heroine and a symbol of freedom for Sint Maarten.

Lohkay is honored and celebrated on Emancipation Day for her perseverance and courage. A statue of her was unveiled in 2006 and stood proudly at the center of Belair Roundabout until the aftermath of Hurricane Irma. The statue portrays Lohkay in motion, almost as if she is running with sugar canes in her right arm and a band around her chest, a representation of her defiance and strength.

2. THE AUDIT

Almost three years have passed since the removal of the Lohkay statue from her location at the Belair roundabout. This mini [focus audit](#) seeks to outline the facts surrounding the statue, including the costs incurred by government for the statue, its whereabouts, the status of its restoration and when it is expected to be returned to its original location.

Based on article 39 of the [National Ordinance General Audit Chamber](#) we can issue notifications. This report is a collection of facts and does not include conclusions or recommendations.

We posed several questions to the Minister of Education, Culture, Youth and Sport (hereafter: ECYS) and Minister of Public Housing, Spatial Planning, Environment and Infrastructure (hereafter: VROMI). The report is based on the responses received by the Minister of ECYS.

3. FINDINGS

3.1 Current Situation

The statue of Lohkay was sculpted using Government funds and unveiled by the former Island Council Commissioner of Culture on Emancipation Day in 2006. The statue stood in the center of the Belair Roundabout until 2018. After the passing of Hurricane Irma in September 2017, the statue was removed from its original location and to date has not been returned. According to the Ministry of ECYS, the sculptor removed the statue in 2018 due to the risk of theft of copper. The statue is currently stored at the sculptor's storage facility.¹

Figure 1: St. Maarten News, September 13, 2017



It is unclear from the responses received, what the exact damages to the statue were from the impact of Hurricane Irma, and when the statue will be restored and placed back in its original location.

The Department of Culture is a proponent of referring to the local Freedom Fighter Heroine as Lohkay and dropping the appellation of "One-Tete" and its association with the punishment imposed on her. Although not made official by the Ministry of ECYS as yet, it is being explored.²

3.2 Status and Responsibility

The Ministry of ECYS and by extension the Government is responsible for the Lohkay statue and its upkeep.³ As this was originally a project spearheaded by the former Department of Sport and Culture Development, the responsibility now falls under the Department of Culture of the Ministry of ECYS. The assignment to sculpt the Lohkay statue was awarded through a bidding process between 2005 and 2006. Information on the original purchase price of the statue was not provided by the Minister of ECYS due to the information not being readily available.

The Lohkay statue is not considered a 'designated monument'.⁴ Based on the [National Monuments Ordinance](#), an official monument is described as a movable and immovable object which was manufactured at least fifty years ago. The statue falls outside the scope of these criteria. The legislation outlines conditions to repair, restore and remove designated monuments. However, since the statue is not considered an official monument, it is unclear what policy or law governs its restoration and repair.

In 2012, the Government was able to secure budgeted funds to weld, polish and clean the statue in preparation for the first official Emancipation Day holiday. This total cost for the preparation of the Lohkay statue was \$795 and \$3,585 was spent on other Government-owned statues.

¹ Reaction from the Ministry of ECYS dated September 10, 2020

² Confirmed in the Ministry of ECYS responses dated September 10, 2020

³ Confirmed in the Ministry of ECYS responses dated September 10, 2020

⁴ National Monuments Ordinance article 1a

At that time, discussions were being held with the sculptor and the Department of Culture for the maintenance of the various Government-owned statues, including statues that were commissioned by the Ministry of VROMI for the roundabout project. There was no budget available at the time under the Department of Culture for the maintenance and upkeep of the statues. Additionally, the Department of Culture did not agree to take responsibility for the maintenance of all statues due to budget constraints.

Eight years later, there are still no maintenance contracts in place for the upkeep of the Lohkay and other statues.⁵

3.3 Other Statues

There are several other statues owned by the Government that are not designated as monuments but could be considered tangible cultural heritage.⁶ In 2018, the Government received a quotation totaling \$70,000 from the Lohkay sculptor to repair these statues. It is unclear if the quoted costs to repair are related to ongoing maintenance or represent a one-time expenditure. The Lohkay statue is not insured and requires US\$9,000 to repair. Table 1 depicts the costs to repair all statues.⁷

Table 1: total cost to repair Government-owned statues

Damaged Statues	Cost to repair (USD)
<i>Salt Pickers Roundabout</i>	\$ 16,000
<i>Freedom Fighter Roundabout</i>	\$ 5,000
<i>Belvedere Alec the Butcher</i>	\$ 18,000
<i>One-Tete Lohkay</i>	\$ 9,000
<i>Cole Bay (Kruijthoff)</i>	\$ 6,000
<i>Fisherman Simpson Bay</i>	\$ 5,000
<i>Festival Village</i>	\$ 16,000
Total Cost	\$ 70,000

The amount budgeted in 2020 for “monument preservation” is ANG 76,000.⁸ The statues mentioned in Table 1 are not considered monuments and fall outside the scope for monument preservation. The costs for restoration could possibly fall under the budget item “tangible cultural heritage”⁹ The costs are not further defined in the National Budget, making it unclear whether repairs required for Government-owned statues are budgeted.

⁵ Confirmed in the Ministry of ECYS responses dated September 10, 2020
⁶ Tangible cultural heritage is a budget post line item in the National Budget 2020
⁷ Information provided by the Ministry of ECYS dated September 10, 2020
⁸ Budget post 44301, 61005, Department of Culture, National Budget of 2020
⁹ Budget post 43489, 61007, Department of Culture, National Budget of 2020

4. CHALLENGES

1. The Lohkay statue currently is not an officially designated monument based on the National Monuments Ordinance. The [Ordinance](#) governs and outlines the process of restoration and repair for official monuments, leaving the restoration and repair process unregulated for Government-owned statues that fall outside this definition.
2. The approximate cost to repair the Lohkay statue totals US\$9,000. Information on the exact amount spent on purchasing the statue by Government in 2006 was not readily available, however, in addition to the unknown purchase price Government spent \$795 in 2012 for the upkeep of the statue. There are no maintenance contracts in place and no timeline as to when the statue will be restored and returned to its original location.
3. The Government invested in 2006 in the Lohkay statue, in 2018 the statue was removed from its location and to date has not been returned. Although the exact cost is unknown, the Ministry of ECYS is responsible for all expenses already incurred and future obligations associated with its maintenance and whereabouts.



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