

THE House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1955—56

HOUSE OF ASSEMBLY

Thursday, 26th January, 1956

Pursuant to the adjournment the House of Assembly met at 2.00 o'clock p.m. today.

Present

His Honour Mr. K. N. R. HUSBANDS (*Speaker*); Hon. G. H. ADAMS, C.M.G., Q.C., B.A., (*Premier*); Mr. J. E. T. BRANCKER, Hon. Dr. H. G. H. CUMMINS C.B.E., M.D., C.M. (*Minister of Social Services*); Hon. M. E. COX (*Minister of Communications, Works and Housing*); Mr. L. E. SMITH J.P., (*Chairman of Committees*); Mr. F. L. WALCOTT, O.B.E., Hon. R. G. Mapp, (*Minister of Trade, Industry and Labour*); Mr. T. O. BRYAN, Mr. J. C. MOTTLEY, Mr. V. B. VAUGHAN, Hon. C. E. TALMA, (*Minister of Agriculture, Lands and Fisheries*); and Mrs. E. E. BOURNE.

Prayers were read

MINUTES

Mr. SPEAKER: I have the honour to inform the House that the Minutes of the last meeting have not yet been ready for circulation.

COMMITTEE OF SUPPLY

Mr. SPEAKER: The first Order of the Day stands in the name of the Hon. Minister of Social Services: To move the House into Committee of Supply to consider the grant of sums of money for the service of the colony.

Hon. Dr. H. G. H. CUMMINS: Mr Speaker, I beg to move that Your Honour do now leave the Chair and the House go into Committee of Supply.

Hon. M. E. COX: I beg to second that.

The question was put and resolved in the affirmative without division.

Mr. SPEAKER left the Chair and the House went into Committee of Supply, Mr. SMITH being in the Chair.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, this first Resolution for the sum of \$32,200 has not yet been circulated and I ask leave to postpone it and deal with the second Resolution for the sum of \$20,000.

There being no objection leave was granted the hon. member.

Supplementary Estimates, 1955-56, No. 66

Government Headquarters

Hon. M. E. COX: Mr. Chairman, this Resolution is for \$20,000 to complete the construction of Government Headquarters at Bay Street. The Addendum explains fully the work in detail. The Director of Public Works has represented that in order to complete the Government Headquarters the sum of \$18,600 is required over the estimated cost of \$379,000 which has already been provided.

The increase is due to a variety of reasons which are set out below:—

(a) the waiting hall for visitors included after the original estimate had been approved ..	\$ 11,000
(b) the greater amount of filling required to the entrance roads than was first envisaged ..	5,000
(c) 3 Fire Hydrants recently required by the Fire Officer ..	600
(d) Increase in the cost of Electrical installation ..	500
(e) Cost of Electric Company's underground cable ..	1,000
(f) Fire Extinguishers ..	500
	\$ 18,600

Sir, added to that is the sum of \$1,400 for the opening of the Headquarters. As the Addendum explains, when the Estimates were made for the construction of this building, no provision was made for the removal of houses which occupy the site at the time, hence it was felt that that could be done within the vote; but time has proven that it could not be done. Of course, we must realise that on account of the hurricane there was a dislocation of work on that building and when work is dislocated and has to be reorganised, you do lose a certain amount of time. Consequently, you have to pay the cost of that reorganisation.

The waiting hall for visitors is absolutely essential. When visitors come to this building, it will be necessary for them at times to wait for some time before they actually get in contact with the persons they want; therefore some provision had to be made for these visitors so that they can at least sit down

until they are attended to. As the Addendum explains, provision for them had to be made on both floors after it was done on the ground floor.

So far as the vote for the opening ceremony, I feel that honourable members will agree that there should be some sort of ceremonial opening of this building inasmuch as the Government has been criticised from time to time for constructing these buildings and not opening them publicly. I want to say here and now that this building has been erected to the everlasting credit of the Labour Party of this Island. As you will see, there was a photograph of this building in the Daily Newspaper. The Hon. Premier mentioned on the last occasion when we were discussing Federation that we have this building which we can offer to the Federal set-up at least for temporary use as administrative offices in case it is decided that the capital is to be established in Barbados.

So far as the vote for the ceremonial opening is concerned, the estimate may appear large, but it is the Government's intention to invite representatives from every section of the community to this function. After all, it is the people's building and I think every section of the public should be represented at the opening ceremony. If it were not necessary to spend as much as \$1,400, we would not have put in that amount. It has been said on more than one occasion that we have these opening ceremonies and we only invite certain top heavy people. We want to show that this building is the people's building and that it belongs to the people of this island; hence representatives from every section of the community will be invited to the opening ceremony.

I think that is as much as can be said at this stage, and with those few remarks I beg to move that this Resolution for \$20,000 do now pass.

Hon. C. E. TALMA: I beg to second that.

Mr. F. L. WALCOTT: Mr. Chairman, what I want to question is with respect to paragraph 4 of the Addendum. It states that it is also desired to provide an amount for entertainment purposes at the opening ceremony of the Government Headquarters and it is estimated that a sum of \$1,400 will meet this requirement. The question of entertainment is not part of the building cost and I do not see why it was necessary to include that amount under the Government Headquarters which is under Part II — Capital (b) Available Funds, Head VII Miscellaneous. There is an appropriate Head under which that sum could have been voted.

I am asking the question whether the Minister answers or not. He just said that this is the people's building and my question is directed to him. Now, the Ministers have a vote for entertainment and it is my opinion that this \$1,400 for entertainment could have been placed under that Head for strict accounting because I cannot regard this entertaining as anything connected with the building of the Government Headquarters. It is something separate and distinct: and it should have been put separately so that when we come to assess the amount spent on the building, we will really find out what was the correct amount. Of course this \$1,400 is only a small portion of what it costs to erect that building.

However, all the other things which you have set down here to be done are connected with the cost of the building. They are (a) waiting hall for visitors, (b) money for entrance roads, (c) three fire hydrants, (d) increase in the cost of electrical installations (e) cost of electric company's underground cable to the building, and (f) fire extinguishers. All those things are connected with the

physical aspect of the building, but you will agree that the party which is to be held has nothing to do with that; therefore the money to be spent on that would have been more appropriately accounted for under the Head dealing with entertainment, that is to say like the Minister's vote for entertainment. When it is put down under this Head, it is going to reflect on the true cost of the building. It is not Miscellaneous Expenses for the building; it is Miscellaneous Expenses for Entertainment. It is a small point but surely it is a matter which does not come under this Head.

The question that the Resolution do now pass was put and resolved in the affirmative without division.

2.25 p.m.

On the motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. M. E. COX, the CHAIRMAN reported the passing of one Resolution in Committee of Supply, and the postponement of one.

Mr. SPEAKER resumed the Chair, and reported accordingly.

On motions of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. M. E. COX in each case, the Resolution passed in Committee of Supply was read a first and second time and agreed to.

SHOPS ACT (AMENDMENT) BILL

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Premier: To move the second reading of a Bill to amend the Shops Act, 1945.

Hon. G. H. ADAMS: Mr. Speaker, the object of this Bill is to amend the Shops Act, 1945, so as to enable the Government to ensure that discrimination on account of race, colour and creed shall not be practised in premises to which the Act applies. The Bill is so drafted that it is proposed to add a Clause which will be supplementary to Clause 9 which will enact that no one is to be refused access, or opportunity to avail himself of any facility, service or amenity offered to the public by any shop by way of trade or business or incidental thereto on account of the race, colour or creed of such person. Then there is a proviso added to enable the proprietor of a shop to show that he did not himself commit the offence, and that the actual offender, whether or not it be his servant or agent, should be punished and not himself. The onus is of course on the proprietor to prove that the offence was committed without his knowledge and that he has used all due diligence to enforce the execution of the provisions of this section.

There is used the usual language which is put into a Bill when there is a prohibition put on the doing of anything, but the owner or proprietor of a business premises should not be himself punished if he can prove that the thing was done without his consent, connivance or wilful default. Because of the possibly serious nature of the offence aimed at, it has been thought necessary to increase the fine which at present is in the Shops Act for a breach of that Act: a fine of £5 or its equivalent.

Speaking in general terms, there is not the shadow of a doubt whatever that, apart from social distinctions, there are distinctions made on the ground of race and colour by certain persons mainly in the hotel trade which not only causes irritation among Barbadians, but which often prevents visitors to the island who may have suffered indignities in consequence of this discrimination, from returning to this Island, or from having a good word to say about the Island. It is true that the immediate cause of this proposed amendment to the Shops Act is the

fact that it will, to some extent at least, show to those Delegations from other West Indian colonies whom we have found showing their unwillingness to vote for Barbados as the site for the Federal Capital, that colour prejudice is rampant in this Island. It will show those persons, at any rate that as far as the position is today, you cannot legislate to make a man morally or sensibly free from racial or religious prejudices, but you can make it an offence where it is blatant. No legislation will change the heart of man; but you can punish him if, in spite of what he ought to do, he does something which he should not do.

I say that the immediate cause of this legislation is the impending Federation Conference; but sooner or later it would become necessary in any event, to do this. If I may put it in this way, when Your Honour and myself were schoolboys, racial prejudice was infinitely greater than it is today. Matters have improved, but in some quarters noticeably with the growth of these shops which call themselves clubs, and, pretending to be clubs exclude persons, as we know, generally because of their colour, and not because of their character or lack of character. These shops have again brought to the fore bitterness, a sense of frustration, and the indignity which they have so often meted out to coloured persons.

2.35 p.m.

This Government feels that this is a proper time to make this proposed amendment. One is well aware, of course, of the possible danger of giving the outside world the impression that things are so bad, that you have to legislate against it, and I am going to say here and now things are bad in Barbados. Visitors from abroad without racial prejudice are met with it when they come. The average European, and to a great extent the average North American tells you about it and express surprise at the things that they see here; and although I repeat, Mr. Speaker, it is a point as to whether you should hope that other methods — the church, commonsense and time—will change it, on the other hand that process is long.

Let me say here what I firmly believe as a result of my experiences in other colonies in the British West Indies. It is true that colour discrimination is practised in Barbados, but some of the persons who point a finger of scorn at you, have exactly the same tendency and there is a showing of latent colour discrimination in their hotels and public life more so than in Barbados, because in public life it is a matter of indifference what is the colour of a man's skin in Barbados today, and the headship of an office would be given to a man of any colour if he were worthy of it. Although I said, sir, it is true that some of those who point a finger of scorn suffer from exactly the same thing, it is undoubtedly a fact, that political leaders in other colonies would have objection in coming to Barbados as a Federal set-up. Therefore, just as we have done with Immigration, (we are removing by law things that you say are bad and should be removed,) so we propose to do so with this.

I am sorry the hon. member for the City is not in his place, because yesterday privately he expressed disinclination to vote for this Bill on the grounds that it did not rope in hotels, and the chief malefactors were those so-called residential clubs that are hotels; in fact, calling themselves clubs. A careful reading of the definition clause in the Shops Act, show that they are included. I know of no hotel or guest house in this island, and therefore any place dealing in intoxicating liquor that is not a shop under the Shops Act. Those clubs on the St.

James Coast I am told, are the chief malefactors under the law of Barbados. If we put a penalty in the Shops Act, they can be punished by the provision of this Bill. I do not think it is necessary, Mr. Speaker, for me to say anything more. The Government proposes also to put it to the House and, may be, the Select Committee now sitting on the new Licencing Bill to include it in their consideration and insert a section in the proposed new Bill, whereby the condition of granting a licence will be that you do not practise discrimination. Just as we are stopping it here in the Shops Act the position will be that if a person with a liquor licence is guilty of this discrimination he loses his licence. It may be that some establishments might be willing to pay the penalty of \$500 but continue to practise discrimination; that establishment can be punished under the Liquor Licence Act, by taking away the Liquor Licence of the establishment. I say that by way of anticipating any suggestion by any honourable members that this Act does not go far enough in the way of taking away licences, because there is no provision for licences: and it would be unscientific to put it in the Shops Act which deals with the conditions of service in shops, shop assistants, their hours of work and so on. The provision for taking away Liquor Licences therefore, would come before the Select Committee on the Liquor Licences Act, and we would have sanction of the principle that there must be no discrimination, subject to a fine not exceeding \$500 or a term imprisonment not exceeding six months, and when the Liquor Licences Bill becomes law, cancellation of the licence.

I think, therefore, Mr. Speaker, that we have covered as far as we can by legislation all this; and in the Liquor Licence Bill we have covered by way of punishment any infringement of this principle.

Before I formally move the second reading of the Bill, I will refer to the new Section 9 A (1) (b) "Subject to the provision of this section, no person, otherwise lawfully entitled, shall be refused opportunity to avail himself of any facility, service or amenity offered to the public by any shop by way of trade or business or incidental thereto on account of the race, colour or creed of such person." This Section covers barbers' saloons, hairdressing parlours or whatever fancy names these shops may give themselves. If any hon member is in doubt as to how far it goes, I refer him to the Act which is in the 1945 Volume on page 114.

I now beg to move, Mr. Speaker, that this Bill be now read a second time.

Hon. Dr. H. G. H. CUMMINS: I beg to second that.

2.45 p.m.

Mr. CRAWFORD: Sir, apparently the hon. Introducer of this Bill was so completely subjugated to conflicting emotions that even to himself the reasons for his introduction were somewhat obscure. At one time, he said that the primary reason for the introduction of the Bill arose out of consideration for and in connection with the placing of the Federal Capital and went on to add that even apart from this consideration, sooner or later, the Bill might have become necessary. Then realising the extent of his error, he went on to add that things are very bad now. When he said that apart from the consideration in connection with the placing of the Federal Capital it may become necessary sooner or later (sometime in the future anyhow) to introduce a Bill of this sort, I wondered if he had just arrived from New Zealand. However, he demonstrated evidence of his return to sanity by confessing that now things are very bad.

Now, I think, Mr. Speaker, we should begin first by making passing reference to the policy of introducing this Bill to curb racial discrimination in the effort to get other Federal West Indian Delegates to vote for Barbados as the Federal Capital. I challenge the Hon. Premier to name one single delegate or quote one single instance in which it can be asserted with justification that these allegations about racial discriminations have operated against us in the placing of the Federal Capital here. The fact is that Barbados was never in the running for the Federal Capital. This question of legislation to curb racial discrimination has been given momentum on account of two things. Some weeks ago the daily newspaper referred to some aspect of racial policy as regards Codrington High School and the Lodge School alleging that Codrington High School is a lilywhite institution enjoying facilities at a Government-Aided School which because of its racial policy it should not be entitled to. As the Hon. Premier is the Minister of Education, he was forced to say something about it, and he in all probability promised that he would introduce legislation to curb it.

Then with respect to the question of the placing of the Federal Capital and racial discrimination, the hon. junior member for St. Peter about two weeks ago in this House mentioned that one of the things which would operate against the selection of Barbados as the Federal Capital would be racial discrimination. To be quite candid, I am of the opinion that this reference by the hon. junior member for St. Peter to the question has been the source of all this talk about Barbados and the Federal Capital and racial discrimination. Before then, it was never heard, not even in a whisper; but the hon. member publicised it and naturally it is like opening a festering sore. It is known that racial discrimination exists in Barbados and everybody began to hang some story around it and the Federal Capital: and in so far as the Hon. Premier is concerned, like a drowning man catching at a feather, he simply grasped it to serve as an excuse if Barbados does not get the Federal Capital.

Now, Mr. Speaker, Conferences on Federation have been going on for quite sometime. If Barbados was in the running, certainly at one of the earlier Conferences, its name and site would have been suggested. In 1953, Grenada was agreed upon as a compromise and as everybody knows, Grenada is from almost every point of view absolutely unsuitable. If Barbados was in the running, why was Grenada agreed upon as a compromise? The answer is to be found in two factors. In the first instance, Jamaica should normally be deserving of the placing of the Federal Capital but it is not centrally situated: and as everybody can see, that country is not willing to support its rival Trinidad, which is eager and ambitious to get it: but for reasons which are well-known to most of us, West Indians are not too willing to put it there. Now, the time for Barbados to have been selected as the Federal Capital by West Indian delegates, racial prejudice or not, was in 1953; but in that year, at that Conference, there was not a single whisper about Barbados being the Federal Capital, nor were there any objections raised against it being here because of racial discrimination. We were not selected then merely because of the antagonism existing between the three important West Indian Leaders, notably between Sir Alexander Bustamante and the Hon. Premier of Barbados. Since then, Sir Alexander has admitted right in these precincts at a dinner we had in his honour that he would have supported Barbados as the Federal Capital.

if the question were raised at that Conference. In other words, if the Leader of the Government in Barbados, Sir Alexander Bustamante and Mr. Gomes had been on amicable terms in 1953, we should have had the Federal Capital sited here and the matter would have been settled finally.

Mr. SPEAKER: I think I have allowed the hon. member sufficient latitude. The question of the Federal Capital is not in this Bill.

Mr. CRAWFORD: I appreciate Your Honour's ruling but I felt constrained to make the remarks since the hon. Introducer of this Bill claimed that the main cause for the introduction of it was the question of the siting of the Federal Capital.

What I was apprehensive about was the implication that if we do not pass this Bill for those reasons we cannot hope of having the Federal Capital sited here, therefore before the public might be misled, I felt some attempt should be made to place the issue in its proper perspective.

In my opinion, by any standard of reasoning, it is a remarkable statement by the Hon. Premier that sooner or later whether we have the Federal Capital sited here or not, it may be necessary to implement legislation to curb racial discrimination. Those of us who live here would admit that there is no other colony in the British Caribbean in which colour prejudice is so rife as it is here, and apparently legislation is necessary to improve on the position. I remember some time ago hearing a prominent Jamaican stating that one of the greatest contributions Sir Alexander Bustamante had made to the social life of Jamaica was the almost complete obliteration of racial prejudice in that colony.

2.55 p.m.

There, of course, it was not done by legislation. Sir Alexander Bustamante is the sort of personality which, even without the law to support his action, is inclined to take matters into his own hands. In the public places in Jamaica—the big hotels and restaurants where such discrimination was practised—he remedied it by himself carrying waterfront workers and other unskilled workers into these places and compelling them to be served, threatening these places that if these workers were not served, he would introduce legislation to take away their licences. But everyone is not that type of *bon vivant* as Sir Alexander Bustamante and it does not suit all of us to run around to these places in an attempt to put down racial discrimination. Therefore, in Barbados, the way to deal with this matter is by legislation.

I regard it as an unnecessary salvo to those people who rigidly maintained this racial segregation in Barbados for the Hon. Premier to say that consideration of the Federal Capital has made the introduction of this legislation necessary, and not to come out completely and say that he regards the position in Barbados as requiring immediate correction and therefore he has introduced this legislation. The Federal Capital has nothing to do with racial prejudice in Barbados. If we get the Federal Capital here, it is because the British Government wants it here; and the fact that the Federal Capital has not been sited as yet finally, is the indication to my mind that the British Government would like it here, whether or not racial prejudice was rampant. They are not concerned with that.

The Hon. Premier knows, as well as I do, that Barbados was made the Headquarters of the Standing Closer Association Committee, which was the Committee set up to introduce West Indian Federation. He knows why we were made the Headquarters of that Committee; he knows how we were made the

Headquarters. As a matter of fact, the Premier knows that not a single Delegate or Adviser or a single member of the Delegation to the Conference at which Barbados was made the Headquarters for the S.C.A.C. on Federation had the slightest ambition or intention to make Barbados or even to suggest Barbados as the Headquarters of that Committee. That greatness was thrust upon us; none of us felt that we could have got it. Since then we have seen the R.E.C. sited here, and there are other indications in the wind, for instance, the intention of the Bank of Nova Scotia to put up a branch here and the siting of the improvement to Barclay's Bank in Barbados are all indications of a desire on the part of the overriding authority in London, if possible, to make Barbados the Federal Headquarters. The position is this: whether or not this Bill which has been introduced here to-day is passed, whether or not the Other Place ratifies it now or at some time in the future, if Her Majesty's Government wants the Federal Headquarters here, it will be here.

I say that all the indications are that, if possible, Barbados will be made the site of the Federal Capital. I shall not be surprised at all if at sometime in the past, the hon. senior member for St. Joseph himself may have been tipped off by the Colonial Office as to their desires in the matter; but I certainly take objections to the statement made by the Premier that the Delegates from Antigua or Jamaica or Trinidad or from any of the other Islands would have objected to voting for Barbados as the Federal Capital merely because of this racial discrimination.

Speaking for myself, I am inclined to the view—well, the Hon. Premier has said that things are bad. I say that they could not be worse for this part of the world. In order to find them worse, you would have to go to the Southern States of America or to South Africa. For some reason or other, there are people in this community who still pretend that they are living in the sixteenth or seventeenth century. Their actions are motivated by the sixteenth century outlook and they believe that the colour of a man's skin is the proper yard stick by which to judge his achievements and by which to judge the manner in which he should be treated in the community in which he should be placed.

3.05 p.m.

As he himself is a coloured man, the Hon. Premier must be aware of all this: and therefore, it is difficult to understand him when he said sooner or later it will be necessary to introduce this legislation.

A few years ago, I suggested on the floor of this House that the Government should then have taken steps to make illegal the practice of racial discrimination in this colony. I am admitting now no state secret when I say that the Acting Governor at the time was very concerned about the suggestion, because I merely did not propose that all shops—and when I say shops, I mean all business places which come within the legal definition—or liquor licenced places should be compelled to serve anybody who wants their service, but I also proposed that every business place in the community should be compelled by law to employ a certain percentage of coloured people. It is not, Sir, merely enough to dream that forcing any of these exclusive restaurants to serve coloured people, will in itself put an end to racial prejudice in Barbados; that is sheer nonsense.

As a matter of fact, by and large, the coloured community in this country would be more inclined to believe that they were entitled as of right to be employed in every commercial concern in the colony

than merely to have by law the right to enter any hotel in Hastings or on the St. James Coast and buy a drink; because if they are not working they cannot buy a drink; and even if they are working, the rates they pay coloured people cannot pay for drinks at these places.

Mr. Speaker, I want to be perfectly simple in my remarks. When I say so, I mean this: the right to enter an exclusive hotel on the St. James Coast to the younger man in Bridgetown means nothing. He can never hope to pay the \$40 that some of these places charge for living there, nor can he hope to buy a drink there; of course, I am not saying it would not achieve the purpose, but it will mean incidents we have had in discrimination in the past in which distinguished coloured people who came to Barbados were involved, can no longer exist. I remember some time ago hearing that some distinguished African Student from the Imperial College of Tropical Agriculture in Trinidad was refused admission to a hotel in Christ Church, and then in recent times another person was refused admission to a third rate guest house, also in the parish of Christ Church. That is, of course, the sort of thing we can no longer allow to obtain. More important than that is the necessity for allowing every child in this community who leaves school, to be able to obtain any position in employment in Barbados to which their educational achievements entitle them, regardless of the colour of their skins, under similar conditions as the people employed at these places. That is important because there is, for instance, the failure of commercial banks in Bridgetown to employ coloured people. I can think of one bank which has employed coloured people, but not under the same conditions that they employ the white. Out of the three banks in the City, two have made some effort to employ a staff which shows no evidence of racial discrimination, and in one of these, I believe, there is complete understanding between all the workers. In the other, coloured employees who have been taken on have not been put in the category of the other clerical members of the staff, nor are they paid the same salaries.

It seems to me that this is a matter, sir, which is deserving of just as much attention. Amendments to the Shops Act give people the right to enjoy the facilities of all shops in the country. I said a little earlier, Sir, that far from saying "sooner or later" in the ordinary course of events, this legislation might have become necessary, eight years ago. Eight years ago, I think it was, I laid an Address to the effect that all businesses, commercial and industrial concerns which operate in this Island, including commission houses, insurance companies and insurance agencies, hotels, banks, electric supply corporations, gas and telephone companies, warehouses, factories, cinemas, pharmacies, and agencies for steamships and airways companies, etc., should be compelled to employ a reasonable percentage of Negro assistants on their clerical and other staffs and respectfully requested that legislation be sent down to the Legislature with this object in view.

At the same time the *London Times* proposed that all Colonial Office officials should be prohibited from obtaining membership or from participating to any extent whatsoever in the activities of hotels, clubs, associations or social or recreation centres of any sort which maintained racial discrimination in any form. That suggestion came from the *London Times*. The *Times* was deeply concerned over the existing forms of racial discrimination in many of the West Indian and African colonies and in an endeavour to curb it, proposed that Colonial Office Officials should not be allowed to take

part in the activities of these places; and on the floor of this House I suggested that the suggestions made in *London Times* should have been given legal form. 3.15 p.m.

I imagine that is what caused the deep concern of the Acting Governor at that time, because he discussed the matter with me on several occasions and he also discussed it with several members of this House. My recollection of the matter is that the Hon. Premier was completely neutral, and his colleague at the time, Mr. Springer, was even opposed to it. Therefore, I was personally very gratified when at a date not very far from that, both of them were humiliated outside of Barbados purely because of the colour of their skins.

If there had been any support for the suggestion then we should have had this law in Barbados long before now, there would not be any likelihood of anybody saying today, or even using as an excuse, the suggestion that racial discrimination had debarred us from getting the placing of the Federal Capital here. As a matter of fact, I remember distinctly a suggestion by the Governor of that time (and it was not a private suggestion, it was rather public) that new legislation endeavouring to get around it should be something like the establishment of Rotary Clubs at which from time to time leading people of the community would meet and slowly break down these racial barriers. The reason why that particular matter was so impressed on my mind was because of the fact that the Governor was shortly leaving this colony on leave and he asked me to refrain from pressing the matter before he came back. He never came back. I am not prepared to say that when he said so he knew he was not coming back, but it is rather significant that he asked me not to press it before he came back and then he never came back at all.

I am of the opinion that something is needed to bring certain people in Barbados to their senses and the only thing we can use is the force of the law. There is no reason why the colour of a man's skin should be the yard stick by which he should be judged as to whether or not he is able to buy a drink at any premises in Barbados. That is no reason at all; and I am emboldened in this view owing to the fact that the intelligent, the educated and the cultured people in Barbados are among the least prejudiced. It seems to me that the more ignorant, the more crude, the White section in Barbados is, the more colour-prejudiced it is. It reminds me of a story which I heard once of a girl in the Southern States of America. I have got the impression that it is not so much that the person who practises racial discrimination in Barbados feels that he is more important than the coloured man, but it is that he feels that unless he tries to draw a line of demarcation against somebody else, he would not be able to feel in his own conscience that he is better than somebody. The story which I heard of the girl in the Southern States is to the effect that once when they were removing all the coloured people from a little village in the Carolinas and taking them elsewhere in the States to work in the Coal Mines or some industry or other, a little white girl was deeply concerned over the proposition; and on the day in question when inspectors came to take a census of the coloured people that they were possibly able to take away from the district, this little girl told the inspector not to take away all the Negroes because if they did so she would not have anybody to be better than. [Laughter]. That is the attitude of mind in which a Section of the White people of Barbados approach the question. They are the unlettered, crude and uncultured. You certainly would not want them at

your backdoor: but because they have the lily skin, they feel they are entitled to put on airs and exhibit all the traits with which their complexion motivates them. It is all well and good to laugh at them but it is also better to be able to curb their propensities by law. Sometimes they need to be reminded of a lot of things.

It is deplorable that in no other colony in the area is it even necessary to break down racial prejudice by law except in Barbados. It is not so in Trinidad, Jamaica, nor British Guiana. There are people who live in British Guiana who are amazed at the racial prejudice which exists here. In Jamaica the boot is on the other foot. In Grenada and Dominica there is no prejudice. There is more prejudice by the coloured people. I remember having more trouble to take a German White Girl at one of those coloured Dominican Tennis Clubs than a coloured Dominican would have to get to a White Tennis Club. The point is that it is not perhaps that those colonies do not have racial discrimination: but it is due to the fact that nearly all the land is owned by coloured people. After emancipation, in the other islands, the Negroes acquired possession of the greater portion of the land and that took place in all the other Islands of the West Indies except Barbados. The hon. senior member for Christ Church who has lived for years in Grenada will be able to endorse the statement that in Grenada the few whites there dare not attempt to exhibit any sense of racial superiority over the coloured people.

I say again that we have had to resort to the force of law in 1956 in Barbados to curb the prejudicial propensities of white people. They are well seized of the idea that because the coloured people came here originally as slaves that their descendants must be for ever hewers of wood and drawers of water. That is the usual conception and we all know that custom dies hard. Anybody with the most nodding acquaintance of history will know that slavery is a historical accident, and that it has befallen every race at some time or the other. 3.25 p.m.

I mean that there is no inherent reason why the descendant of a British emigrant to Barbados 300 years ago should regard himself as superior to a similarly cultured descendant of somebody who was brought here from Africa 300 years ago, merely because of the colour of his skin. In Barbados, this feeling has existed and remained and exhibited itself in so many ugly forms for much longer and more persistently than in any other colony in the West Indies. While on the one hand to me it is a source of gratification to see this Bill brought on the floor of this House of Assembly today, on the other hand I regret that it has had to be resorted to; and I also regret that since it was obvious that its use was necessary, it was not done long ago. It would have served to bring the people of Barbados to their senses.

In the parish which you represent, Mr. Speaker, it is not so long ago since a planter was heard to say that it is high time that we get all the Negroes back to slavery. That is only about five years ago. That only reveals the state of mind of some people who are still living in Barbados today, people whose antecedents came here from Britain over 100 years ago. Many of them were deported by Cromwell, and if you go a little further back in history, Mr. Speaker, you will remember that when the Romans took their British ancestors to Italy, people like Caesar regarded the British as the most benighted slaves who had ever been brought to Rome.

There is on record still the copy of a letter which Cicero wrote to Atticus asking that no more British

slaves be brought to Rome because they were too stupid to be any good; no use could be made of them. The sons of children by their mothers were ignored and still that British race produced Shakespeare; that same race actually achieved world domination. We find some of their descendants in Barbados today — descendants from those same people whom the Romans accused of being benighted and incestuous: people who are now teaching and practising that the colour of their skin entitles them to lord it over other people.

I want to say that, in my opinion, the amendment to the Shops Act, and even the other proposed amendment with regard to the issuing of Liquor Licenses, will not go far enough; they will not meet the position in Barbados as properly as they should. By all means compel every registered place in the country to place its facilities at the disposal of everybody in the country, but go further and make it plain to every commercial concern in this Island that they are also compelled and required by law to furnish employment to coloured people of Negro extraction in the same way in which they now employ white people.

It will be a very slow process to wait on the gradual evolution of thought on the part of those people to bring about the desired improvement in the situation. We cannot allow it to continue, and I am therefore impressing upon the Government the necessity for the approach to the question in the direction that when entitled to enter places of entertainment they should also be entitled to be able to earn a livelihood at the Jim Crow Institutions in order to get money to take part in the facilities offered by these places of entertainment.

3.35 p.m.

Mr. BRANCKER: Mr. Speaker, I am sorry that at the moment the honourable and learned Introducer of this motion, the Premier, is not in his place, because there are certain legal aspects of it which I would like to refer to, and which it would be interesting to have him present to reply to the legal aspects to which I am going to refer. But as my friend the honourable senior member for Christ Church who will not only be a fellow delegate to the Premier, but who has a very wide and as sound a legal background as he has in his place, I know that he will be willing to put to the honourable and learned member for St. Joseph certain points of view which appeal to me in connection with this Bill.

Now, sir, I will say that I entirely support it, and the points of view it represents, and I am entirely in sympathy with it. I certainly differ from the Introducer who stated that the immediate cause of this legislation being before us today was the Federation Conference. I differ from him in the view that this is the appropriate time, because if it be true that distinguished delegates particularly from Trinidad are urging that in Barbados colour prejudice and racial discrimination is rampant, they will have all the material that they want when they say that just on the eve of the Federation Conference Barbados has found things so bad, so intolerable, so extremely intolerable, that they have had to rush this legislation on the Statute Book, and like all rushed legislation they leave so many loopholes that it can be regarded as nothing more than a gesture of how we feel and a mere step in the right direction. I would not like to think, Mr. Speaker, that this Bill, if it passes in its entirety and without any amendments, should be in hands of that shrewd and astute Trinidadian lawyer, the Hon. L. C. Hannavy, nor would I like to think of the criticisms he could make of it. Of course, it is not our fault that Trinidad

has the services of all the three men whom we had in C. V. H. Archer, W. K. Fergusson and C. deL. Inniss, but I am sure, sir, that if it is intended that the Bill should be drafted with no loopholes you should get something really and vastly superior to this.

Now, sir, in section 2, certain words are included which I will not deal with in detail, but to which I will make reference in general.

"No person shall be refused on account of class, colour or creed".

That is what I am directing your attention to and I am asking the honourable senior member for St. Joseph to focus his attention on it. You are saying he shall not be refused on account of race, colour or creed. What does that mean? Our good friend Mr. Rogers will say to any distinguished coloured person, however dignified, Mr. Speaker, "We have had enough discrimination of race, colour and creed, — on the other hand, I have an appointment now; I have to go to St. Joseph to cut a client's hair," (perhaps the honourable junior member), "and therefore will you please wait until I come back, in two hours time." Before the time is up Mr. Rogers telephones and is told that the distinguished and dignified coloured gentleman is still there, and he will say, "Please tell him I am very sorry; my car has broken down and will he still wait," (obviously not expecting him to wait) — and Mr. Rogers will have succeeded. Therefore the Bill has not excluded the services of his saloon from persons on the grounds of race, colour or creed.

The words "on account of" are the words which I feel do not make sense. How are you going to prove that a person is refused on account of race, or colour or creed? It is that phrase that makes it so wide and vague as to be ineffective, because he will never say, "Well, I have refused you on account of race, colour or creed; but I refused because I had another appointment:" which he might be able to prove. But now, sir, it is not only these three things which we want to eliminate; there is another word which I certainly would recommend the inclusion of, "the race, colour, class or creed." I see no reason at all, Mr. Speaker, why "class" should not appear here, because otherwise, you will find a person who is not a Speaker or a Chief Justice, but who is refused not on account of his race, or colour or creed, but because of his class, because he is only middle or upper working class or something of the kind; and after all, we should go all out against discrimination. You know, sir, it was some years ago in Barbados that a gentleman, who turned out to be one of the most distinguished intercolonial and international cricketers the Caribbean ever produced, was blackballed from Spartan on account of class. That is a thing which we should attempt to tackle just as we are tackling this other discrimination. There is no point dealing with one aspect and leaving another aspect; it is just as bad. That is why, because of the three successive blackballings of that gentleman, Empire Club was formed.

Well, sir, it will be recalled that as long ago as March of last year, I queried of the Hon. Premier himself whether it was then his knowledge that recently certain barber saloons in this colony had refused to attend gentlemen of colour and would the Government submit a questionnaire to every practising barber in this island enquiring into the policy of his business in regard to racial and colour discrimination. I am wondering, sir, if the honourable member of the Cabinet would be in a position to say in the absence of the learned Premier whether that suggestion was adopted, whether a questionnaire was even sent out to practising barbers, and if so, if it be not a

state secret, what was the nature of the replies to that questionnaire.

3.45 p.m.

And then I went on in my third question of 15th March, 1955 to suggest that Government take steps, by legislation or otherwise, to ensure that no racial or colour discrimination is practised in the barber saloons of this colony. Mr. Speaker, I think there are no copies of replies to these questions.

Now, Sir, there is another legal aspect to this matter and it is in reference to the penalty which is only a maximum of \$500 or a term of imprisonment not exceeding six months. I am not suggesting that the proprietors of all these places are of the Rogers, etc. standard. The hon. senior member for St. Joseph said that this Bill was for the purpose of including certain of those club houses and hotels on the Gold Coast. I imagine that the proprietor of one of those places on the Gold Coast which charges \$36.00 (U.S.) or \$75.00 (B.W.I.) per day would risk a fine of \$500.00 to refuse Paul Robeson, Miss Audrey Jeffers or any distinguished visitors like those from buying anything at their Club. I imagine the proprietors of those places paying a fine of \$500 in order to satisfy their clientele from the United States of America, South of the Mason Dixie Line, or wherever the present customers come from. Of course, those places would not worry members of this Chamber very much.

Looking around this table, I only see the hon. junior member for St. Andrew who would go to those places for entertainment. Speaking for the rest of us, we would go if we were not required to pay.

I am submitting that the penalty of \$500 should be higher; you can leave the imprisonment term as it is at six months. The amount of \$500 is too small for those wealthy establishments to pay for the privilege to discriminate in a country like this where the population is 80% Coloured.

Let us consider this question of the barber saloons. I have heard it said during the past few days by a legal man who might well be the legal advisers to some of those saloons as Mr. Rogers: "you know we can get around this Act very easily. We will charge such a price as to chase coloured people from these places. We will put up outside a price of 15/- or 16/- for a hair cut and that would chase all coloured people from those places. They will not be able to go there. When our customers come, they will be charged the same sum of two shillings." That is bluff. There are too many loop holes and wide avenues through which an astute lawyer can slide out, so my suggestion to remedy that is through the Labour Department. Let the Labour Department prescribe a standard price for a haircut, and if that actual price is prescribed, people will not be able to resort to that device of stating a price which one would normally regard as a price for millionaires. [A VOICE: I would suggest that it be 1/6.] An hon. member suggests that the price should be 1/6. I would welcome that because my tonsorial artist still insists on charging 3/-, but he does not discriminate. Of course one can go as often as one likes: one can go fortnightly or every three or four weeks. I say again that a standard price is one of the ways of coping with that means whereby Mr. Rogers and his confreres will try to refuse coloured patronage.

Now, Sir, in dealing with this subject of discrimination, this particular Bill has been regarded as urgent because of the impending Federation Conference. The argument has been put forward that if you site the Federal Capital here it would be a very difficult place to have it, because distinguished

people like Mr. Manley, Mr. Bird and so on, would not be readily accepted at the expensive and elaborate establishments in this place. But I think we must also consider that as a matter of policy in our anti-discrimination legislation we should consider cases such as Schools. We know how the Codrington High School and St. Wirifred's Girls' only take children whom one would call real white or people who would pass for white. Those are the very fair people who try to avoid coloured associations, lest they be darkened in the minds of those who are in closer proximity to them.

I commend the consideration of similar legislation to deal with Schools which pursue and practise a policy of discrimination. They do not admit it in their constitution; they do not write it up on placards; but we know there are those which will not accept as pupils people who come within the category of brunettes — those people who are of a dark shade are normally called brunettes. There is no use making a fuss of Barber saloons alone. I would say that there are schools which are also discriminating and you should curb them in their policy. After all, a school is where the children of today will be the adults of tomorrow and that is the one place where children should not be brought up in a segregated state. In the United States they have brought up anti-segregation legislation, and in Barbados a person can open a Private School and say he is not taking certain children, the reason given is because of the colour of those children.

On the other hand, I think the hon. and learned senior member for St. Joseph, if he has to meet Mr. Hanpays or Mr. Gomes in discussing the Federal Capital about colour discrimination, will say that there is no more colour discrimination in Barbados than there is in Trinidad. I know if the hon. senior member for St. Joseph has to get more data from people in Trinidad who are not fanatical and who would not object to giving the information, he will discover that in Trinidad there are Clubs and various private schools where there is as much discrimination as there is here. Discrimination to the highest extent exists in that colony in both cases. As I was saying, now that you are dealing with this thing, do not just deal with it in the one aspect as regards the shops; let us deal with it as a whole. Let us deal with it in our educational institutions and in regard not only to race, colour or creed but also in regard to class.

3.55 p.m.

As I said, sir, when we come to the matter specifically, not only do I hope there will be a considerable tightening up of this phrase "on account of the race, colour or creed of such person" because it seems to me that defending Counsel will have an easy task if a charge is brought against anybody. If a person is charged with refusing someone access to a shop, or the facility or amenity offered to the public by any shop, and the charge says "on account of the race, colour or creed of such person" how can you prove that that person has refused access because of colour, race or creed? As you know, Sir, the prosecution must prove its case; if you prosecute somebody in the Police Magistrate's Court, the law says that you must prove beyond all reasonable doubt that the defendant is guilty. How are you going to prove a person guilty of a charge brought under this Act if you allow this Clause to remain as it is? The person is not going to say that he refused access to any person on account of race, colour or creed. I submit that this phrase needs deletion and an effective substitute to replace it.

I realise that time is fleeting, but you have a large Staff in the Attorney General's Chambers of 5

persons — there is a vacancy at the moment — and they should be able to put their heads together, if they are sincere in backing up the Government in this matter; otherwise, if a person is charged, I do not see how he could be convicted under this Section as it is now. A person is not going to put up on his business place “cats and dogs not admitted.” However, when we go into Committee on this Bill, I hope that the honourable senior member for Christ Church and the Hon. Premier will be back in their places and we will be able to do something about this matter.

I have heard that the penalty of \$500 will not mean anything to the big proprietors of the \$75 a day hotels. No less than a fine of \$2,500 as the maximum fine would possibly meet the ends of justice and act as a deterrent to the well-to-do people who cater to these prejudiced Canadian millionaires.

The question that this Bill be now read a second time was put and resolved in the affirmative without division.

On the motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. R. G. MAPP, Mr. SPEAKER left the Chair, and the House went into Committee on the Bill, Mr. SMITH being in the Chair.

Clauses 1 and 2 were called and passed.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that you do now report the passing of the Bill in Committee.

Hon. R. G. MAPP: I beg to second that.

Mr. BRANCKER: Mr. Chairman, I am very sorry that the passing of this Bill in Committee has been moved so quickly while I was trying to find an effective amendment to Clause 2. I beg to move that Clause 2 be re-committed.

Mr. CHAIRMAN: The motion has not been seconded.

The question that the Chairman do now report the passing of the Bill in Committee was put and resolved in the affirmative without division.

The Chairman reported and Mr. Speaker resumed the Chair and reported accordingly.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I beg to move that this Bill be now read a third time.

Hon. R. G. MAPP: I beg to second that.
4.05 p.m.

Mr. BRANCKER: If I may just say a word on the third reading of this Bill, because all legislation has to go from this Chamber to another Chamber, and what I say now may reach the other Chamber; and it may inspire some Hon. Member of that Chamber to see and act on what I have said about the inclusion of that phrase “on account of” in Clause 2 of this Bill. My suggestion is that this clause should read as it is with the exclusion of that phrase “on account of the race, colour or creed of such person.”

In other words, Clause 2 should read, “no person shall be refused opportunity to avail himself of any facility, service or amenity offered to the public by any shop by way of trade or business or incidental thereto on account of the race, colour, class or creed of such person.”

If you leave it at “on account of race, colour or creed” you are simply saying nobody shall be refused, nobody can be refused. I suggest that this particular thing might be amended.

The question that this Bill be read a third time was put and resolved in the affirmative without division.

On motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. R. G. MAPP, the Bill was then passed and the Title agreed to.

LEAVE TO TAKE ORDER NO. 16

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, there is only one other item, that is Item 16. It is to do with the staffing of the Labour Exchange and in view of the fact that agents from England will soon be here to recruit workers, it is rather urgent. I am asking leave to take Order No. 16, as the next Order of the Day, and I am asking that the hon. senior member for St. Thomas be able to take charge of it in the absence of the Hon. Premier.

There being no objection leave was granted the Hon. Minister.

THE CIVIL ESTABLISHMENT (GENERAL) (AMENDMENT) ORDER, 1956

Labour Department

MR. SPEAKER: The next Order of the Day stands in the name of the Hon. Minister for Trade, Industry and Labour, on behalf of the Hon. Premier to deal with the following Resolution: Resolution to approve the Order entitled “The Civil Establishment (General) (Amendment) Order, 1956.”

Hon. R. G. MAPP: Mr. Speaker, the object of this General Establishment Order, is to increase the staff at the Labour Department, and also to make provision for permanent staff instead of the temporary staff at the Employment Exchange and bringing an additional staff thereto. Members will know, very recently the Labour Department has been under severe strain owing to the increased number of emigrants that have been going abroad. That has thrown an increased burden on the staff of the Labour Department, and the Employment Exchange can hardly cope with the pressure that has been brought to bear upon it with its limited resources.

I therefore find it necessary to bring down this Order making provision for increased staff for these two Departments. I may say, Mr. Speaker, that members will remember that during the last Estimates, I told the House that we were considering this matter of increased staff at the Labour Department and proposals for increasing staff were put to the administration; but due to one reason or another — I believe the pressure brought on by the hurricane and other things probably delayed this matter a bit — it has now reached the House this year instead of some time last year as hoped. At the present moment at the Labour Department there is the Labour Commissioner, and he is acting, — Mr. Pickwood is in England as Liaison Officer, Mr. Jack is Acting Commissioner — there are three inspectors and one Long Grade Clerk — Mr. Pollard has been made senior clerk in the Department — and other temporary staff dealing with emigration schemes.

Now, Sir, the result of the recently promoted emigration has been that the Acting Commissioner has had to divide much of his time to the Emigration Scheme and also some of the staff, so that the ordinary business of the Labour Department has fallen into arrears and is not dealt with as expeditiously as it should be, and therefore, this is urgently needed so that the staff of the Labour Department can cope with the additional duties and the new burdens to be thrown on their shoulders by such Acts as have been put on the Statute Book. The House will also be aware that the Employment Exchange which is now in Synagogue Lane has had to deal with an extraordinary amount of placings and registrations — and these registrations are increasing every day by hundreds — and it is impossible for the present staff to cope with the situation. So

it is urgently necessary that we increase the staff of these two Departments.

I therefore, beg to move that this Order do now pass.

Hon. Dr. H. G. H. CUMMINS: I beg to second that.

The question was put and resolved in the affirmative without division.

The Order Paper having been fixed.

ADJOURNMENT

Hon. Dr. H. G. H. CUMMINS: I beg to move that this House do now adjourn until Tuesday next, 31st January, 1956, at 3 o'clock p.m.

Hon. R. G. MAPP: I beg to second that.

The question that this House do now adjourn was put and resolved in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly.

4.20 p.m.