

THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1961

HOUSE OF ASSEMBLY

Tuesday 25th April, 1961.

Pursuant to the adjournment, the House of Assembly met at 12 o'clock (noon) today.

PRESENT

His Honour Mr. K. N. R. HUSBANDS, (*Speaker*); Mr. J. E. T. BRANCKER, (*Leader of the Opposition*); Hon. Dr. H. G. H. CUMMINS, C.B.E., M.D., C.M., (*Premier*); Hon. M. E. COX, (*Minister of Trade, Industry and Labour*); Hon. F. E. MILLER, (*Minister of Social Services*); Mrs. E. E. BOURNE; Hon. D. D. GARNER, (*Minister of Agriculture, Lands and Fisheries*); Mr. C. B. SEARLES; Hon. L. StA. THORNE, (*Minister of Education*); and Mr. G. E. S. STRAUGHN.

Prayers were read.

Messrs. CORBIN, GODDARD, and TUDOR and Hon. R. G. MAPP entered the House and took their seats.

MINUTES

Mr. SPEAKER: I have the honour to inform the House that the Minutes of the meetings held on the 17th, 21st and 30th March, respectively, and the 4th April, 1961, have been printed and circulated amongst hon. members, and unless there be any objection, the Minutes of these Meetings will be taken as read and confirmed. (*A pause*)

There being no objection, the Minutes of these Meetings are being taken as read and confirmed.

DOCUMENT

Mr. SPEAKER: I have the honour to inform the House that I have received the Financial Report of the Accountant General for the month ended 31st January, this year.

Mr. WALCOTT entered the House and took his seat.

PAPERS LAID

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I am commanded to lay the following:-

An Account of the Transactions in the several districts of the Island for the Quarter ended 31st March, 1961.

Hon. R. G. MAPP: Mr. Speaker, I am commanded to lay the following:-

The Motor Vehicles and Road Traffic (Amendment) Regulations, 1961.

The Fifth Annual Report of the Transport Board for the period 1st October, 1959 to 30th September, 1960.

GOVERNMENT NOTICES

Government Notices were given as follows:-

Hon. R. G. MAPP Resolution to approve the Regulations entitled "The Motor Vehicles and Road Traffic (Amendment) Regulations, 1961."

Hon. Dr. H. G. H. CUMMINS: A Bill to amend the Anglican Church Act, 1911.

Hon. Dr. H. G. H. CUMMINS: A Bill - An Act to grant an additional sum of money out of the Public Treasury and to appropriate the same for the service of the year ended the 31st day of March, 1961.

Mr. BRYAN entered the House and took his seat.

QUESTIONS

Mr. BRANCKER: To enquire of the Hon. Premier:

Between first day of January 1960 and thirty-first day of March 1961 how many policemen have ceased to be members of the Local Constabulary; and for what reason in each case?

Mr. BRANCKER: To enquire of the Appropriate Minister:

Will the Minister assure this House that such casual employees of Government Departments as are employed during first week of next month will be in receipt of their day's pay for first day of May, Labour Day?

Mr. BRANCKER: To enquire of the Appropriate Minister:

Whether Government proposes to amend Pension Regulations to ensure that Casual Employees of Government Departments will be eligible for pension benefits not only in respect of retirement on the grounds of age but also in respect of retirement on Medical grounds prior to attainment of the retirement age?

BILLS READ A FIRST TIME

On motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. L. StA. THORNE, the Bill to amend the Anglican Church Act, 1911, was read a first time.

On motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. L. StA. THORNE, the Bill to grant an additional sum of money out of the Public Treasury and to appropriate the same for the service of the year ended the thirty-first day of March, one hundred and sixty-one, was read a first time.

12.25 p.m.

ORDER POSTPONED

Mr. SPEAKER: The first Order of the Day is to resume Committee on a Bill to amend the Executive Committee Act, 1891.

Hon. M. E. COX: Mr. Speaker, I am asking leave to postpone Order No. 1 and to take Order No. 2 as the first Order of the Day.

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

SUSPENSION OF STANDING ORDER No. 5

Hon. M. E. COX: Before we proceed with the business of the day, I am moving that Orders Nos. 1 to 9 be exempted from the provisions of Standing Order No. 5. I beg to make that motion.

Hon. L. St. A. THORNE: I beg to second that.

Mr. WALCOTT: Mr. Speaker, we should know, if they are postponing the first Order of the Day and dealing with Order No. 2, what is the reason for exempting Order No. 1 from the provisions of Standing Order No. 5. I am saying that Order No. 1 should not be exempted from the provisions of Standing Order No. 5 if it is not the intention of proceeding with Order No. 1 today. We cannot see the logic in asking for the exemption of this Order from the provisions of Standing Order No. 5, if it is not the intention of dealing with this Order today. We have not been treated with the courtesy of knowing why we are not proceeding with the first Order of the Day now.

Mr. SPEAKER: There is no explanation on the part of the Hon. Mover.

The question that Orders Nos 1 to 9 be exempted from the provisions of Standing Order No. 5 was put and resolved in the affirmative. A division was taken as follows:-

AYES: Mr. BRYAN, Hon'bles Dr. H. G. H. CUMMINS, M. E. COX, D. D. GARNER, R. G. MAPP, L. St. A. THORNE, F. E. MILLER, Mrs. BOURNE, Messrs. SEARLES and STRAUGHN - 10.

NOES: Messrs. WALCOTT, GODDARD, CORBIN, TUDOR and BRANCKER - 5.

INTERPRETATION (AMENDMENT) BILL

Mr. SPEAKER: The first Order of the Day now stands in the name of the Hon. Premier:- To move the second reading of a Bill to amend the Interpretation Act, 1949.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, this Bill is in connection with a further constitutional amendment. In this case, this is a Bill to amend the Interpretation Act, 1949. This Bill seeks to give effect to the constitutional arrangement which is embodied in the despatch No. 379 of the Secretary of State for the Colonies. The first amendment is that the Governor should automatically accept the advice of Ministers in exercising any function which is by law vested in the Governor-in-Executive Committee subject to the right to refer matters back once for the re-consideration of Ministers. I think hon. members will remember the incident which happened not so long ago and which is still within living memory; that incident could not happen again when we have passed this amendment.

As set out here, with this amendment, the Governor is bound to accept the advice of the Executive Committee in any case in which he is called upon to consult the Cabinet. He has the right to refer a matter back once; that is, if, for some reason or another, he does not like the advice tendered by the Executive Committee he may ask them to have another look at the matter and probably state his opinion; but ultimately the decision is that of the Cabinet. If the Cabinet does not agree with the opinion of the Governor when he refers the matter back to them, they can say "Thanks very much, but our previous decision stands."

The second amendment is that where the Governor is directed to exercise any functions after consultation with any persons or authority, he should not be obliged to accept their advice. That provision is found in many of our

Acts. The Governor may seek advice as distinct from that of the Executive Committee. He may be required to seek the advice of some other person, he is not bound to accept the advice of that person or persons. That case is not the same as in the case of the Cabinet; the Governor has to accept the advice of the Cabinet but not in these other circumstances to which I have just referred. In those matters in which the Governor is called upon to act on the advice of his Ministers, he is obliged to accept the advice tendered; in the other case where he is required to act after consultation with some person or authority, he will not be obliged to accept any advice tendered, and in cases where he is to act in his discretion, he will not be obliged to consult with any person or authority. That is done in Clause 6 of this Bill where there is a new Section numbered 28B. There is the arrangement that legislative, executive, administrative and judicial functions which at present remain with the Governor-in-Executive Committee under powers conferred by local Acts, should be delegated to or conferred upon Ministers, the relevant legislation being amended as necessary.
12.35 p.m.

I think those are also made clear in the Objects and Reasons and the relevant amending Sections, and in this case the last point is that Clause 5 of this Bill as I said just now, is the new section 28A of the Interpretation Act, 1949. Those are the salient points in this Bill which amends the Interpretation Act, 1949.

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

Hon. L. St. A. THORNE: I beg to second that.

Mr. BRANCKER: Mr. Speaker, we are not of course objecting to the second reading of this Bill, but we want to point out that where the law defines the manner in which the Governor shall exercise his power, and in respect of cases wherein he is called upon to act on the advice of or on the recommendation of any person or authority, a very solemn and serious duty devolves on the person tendering the advice or giving the recommendation to ensure that they carefully and closely, and, I would say, meticulously follow recognised, established precedent.

In a matter of this kind, conventions inevitably must be adhered to and must not be overlooked, and we, at the present time, in our state of immaturity so far as this establishment of constitutional law is concerned, can do no better - or very little worse - than follow the established conventions of the United Kingdom, until in the process of time we may with our wisdom and our resources be able to evolve a better system of conventions than at present exists in the United Kingdom; but until such time we would be well advised not to depart from such conventions as are long established and have been generally accepted in the British Commonwealth, particularly, Mr. Speaker, when we bear in mind that in respect of cases where the Governor is called upon to act 'on the recommendation of', he will be, if and when this Bill becomes law, obliged to accept the advice tendered or recommendation made; the only safeguard - and that really is only a delaying process, it is not in the real purpose a safeguard - being that he will have the right to refer the matter back once for the re-consideration of the person or authority making the recommendations. One can well believe, Mr. Speaker, that in case of a matter in which the advisory body or the recommending body feels strongly and takes a not exactly impartial attitude, the reference back to the advisory or recommending body would merely constitute a very brief delay, because they probably would not re-consider it at all. It would be referred back to them and they would say "right, it was referred back to us", and say as I believe I heard the Premier say just now, "thank you very much", and send it back to the Governor and he is obliged then to accept the advice tendered or the recommendation made.

Mr. Speaker, as we are now starting up on the road to full internal self-government, we must be careful to avoid any bad precedent; we must be careful to avoid any pitfalls due to over-zeal or due to a spirit of partisanship in

respect of a particular matter or particular personality. Only recently there was that incident, Mr. Speaker, in respect of the selection of the Aldermen in the City Council in which there were very strong feelings, and in which there was certainly no attempt made to follow similar precedent of the United Kingdom, because it is recognised that where an election result is as that was, whoever is in the majority irrespective of whoever it is, even if his majority is two to one or three to one, then in the nomination of Aldermen they should be selected or nominated in the same ratio and on the same percentage irrespective of the Party or irrespective of the personality involved.

We have, Mr. Speaker, in attaining self-government, to be really big, to be able to ignore personalities, forget political feuds and leave out vendettas, because in establishing a matter such as this, we may be quite likely creating in certain cases our own precedent - certainly if we do not follow the well established precedent of the United Kingdom until we have something better evolved of our own; and there is a great onus, a very solemn and grave responsibility on the part of the advisory body or the recommending body to give such advice or recommendation as is well covered and amply fortified by recognised and well established precedent of the United Kingdom. Likewise there evolves on the Queen's representative a similar heavy responsibility in those cases in which he will not be obliged to accept any advice tendered; that is, in those cases where the Governor would be required to act after consultation with some person or authority, in which event he will not be obliged to accept any advice tendered. He must realise that although he does not have to accept any advice tendered, he must also follow the direct, straight line of established convention and precedent before he decides on his line of action, and avoid acting arbitrarily or in any spirit of partisanship. Likewise in the case where the Governor has to act in his discretion, he also will not be obliged to consult with any person or authority, and equally there devolves on him, I submit, a very serious and grave responsibility to ensure that his discretion is exercised with the utmost sagacity after due thought and in accordance with the highest, recognised and established tradition. 12.45 p.m.

As I said, Sir, we are not in anyway opposing the second reading of this Bill, because it follows lines of constitutional advancement of which we are in favour although the constitutional advancement as a whole which is proposed is not as far as we of the Opposition are prepared to go.

After all, Mr. Speaker, we are still of the Commonwealth of Nations and we are still - all of us who practice law, constitutional or other branches of law in this country - taught in the United Kingdom what is correctly called English Law; that is to say, we have been called to the Bar of Great Britain and Northern Ireland and are free to practise at that Bar; and the system of law, constitutional and otherwise, which we are taught and which we follow is that of the United Kingdom and the Commonwealth. That is why I submit that it is our duty, either in the case of the Ministers or the Governor to follow established constitutional precedents, and these precedents should be of the United Kingdom.

Mr. STRAUGHN: Mr. Speaker, there is one bit of clarification which I think would certainly do me good and it might do us all good. We do have this situation in which the Governor must accept the advice of his Cabinet or the Ministers with the proviso that he may refer back the matter once to them for their reconsideration. I have not been able to find any Act or anything written - probably it may be no convention - of how long the Governor can or may keep a recommendation from the Cabinet before he assents or refers it back to them for their reconsideration. Is it possible for important Cabinet decisions to be held up by the Governor for two or three weeks while he is deciding to refer it back once for their reconsideration? Probably, there is a particular convention which governs that part of it, but I have not been able to find it in writing: but because all of us are concerned, we certainly want to know that any constitutional advancement which we make does not get into

bottlenecks somewhere or the other. I certainly would like to be enlightened as to how long the Governor can keep a recommendation of the Cabinet before he replies to the Cabinet either with his consent or that the matter be referred back to them for their consideration.

The other point is this. It is interesting to note that the Hon. Leader of the Opposition has referred to other matters in which he says that we must act according to established precedent. Of course, there may be matters of which there would be no former precedent and I wonder how one would act then. Obviously, the Cabinet and the Governor must act in their own discretion. I only will refer to the Local Government Aldermen question. I was not aware that any precedent as regards that had taken place in the United Kingdom, although there may have been a precedent on it, but it would certainly sound strange to me; therefore, there could be no precedent by which one could be guided in that particular incident. As I have said, I am not conscious that there was such a situation in the United Kingdom on the start of the Local Government system.

It is all right for one to say that one should act in accordance with the established precedent, but there are occasions when there are no such precedents. We had to be guided in this case by law when the first Aldermen were appointed by His Excellency the Governor because if there was any precedent of the question which took place in the United Kingdom along those lines, it certainly would surprise me.

I think one can overwork and make references to this local issue on the question of appointing Aldermen and say that we must be guided by precedent: but if we can show that it is a peculiar local problem, then we cannot talk of any precedent by which one can be guided, and as responsible representatives of the people in Barbados we should be able to use our own judgement in matters which are peculiarly Barbadian.

I certainly do repeat my first question in closing. I think one can debate this matter for a long time and I am not really interested in prolonging unnecessarily this particular question for debate: but I am quite certain that it is something which can generate some warmth and heat, if not light as well. I want to know how long the Governor can sit down on any recommendation of the Cabinet before he refers it back to the Cabinet. There is nothing by law or in writing which can tell me that; and if the Governor can sit down for any length of time and there is nothing either by convention to say that within a certain time he must give a reply to such recommendation, I can visualise a deadlock in which the Officer administering the Government can keep for a pretty long time some important matter, or a matter of urgent public importance, such as where a Cabinet may want to carry out a particular phase of its programme and it is held up because the Officer administering the Government is entitled by law to have something regarding it to be referred to him before he refers it back once to them for their reconsideration. Is it going to take four, five or six weeks? Suppose it is a matter on which the complete situation of the country will change while waiting for him to decide. As I have said, there may be a convention on it and it may be the practice that within a week or two the officer administering the Government would refer the matter back. It may be a matter on which you must give immediate consideration, but in giving consideration it may take you a long time. How long should you take in giving it consideration? I am interested in having some enlightenment and clarification on this matter. 12.55 p.m.

Mr. GODDARD: Mr. Speaker, with the advance of greater independence in the Government of Barbados, these are necessary changes and we all support them. I have only risen to show how right the ex-Governor, Sir Robert Arundell, was when he made that decision; otherwise this amendment would be unnecessary. As a matter of fact, as the Hon. Leader of the Opposition pointed out on that occasion, the convention should have been followed, not only by the Governor but by the Government. If they had a free hand or if they had acted under the amendment today, they would have been doing something contrary to convention in any demo-

cratic Government. Even today I do not think that they have learnt a lesson. Anyhow, that is history and I do hope that they will realise the error of their ways then. I only rose to point out how right the then Governor was when he acted in the way in which he did; otherwise this amendment could not have been brought down today.

Mr. STRAUGHN: On a point of order. Could the hon. member enlighten us as to the convention under which either the Government or the Governor would have been acting in that case?

Mr. GODDARD: I do not think that the hon. member is so unaware of the circumstances to think that anybody who had been elected with a 75% majority could have been denied the right to govern that body by their packing the Aldermen 100% and so nullifying the wishes of the Electorate.

Mr. STRAUGHN: On a point of order. My question was to what convention the hon. member was referring. It certainly appears to me that there was a reflection on the vote of this House.

Mr. GODDARD: They have not yet learned the lesson; there is little hope for them.

Hon. R. G. MAPP: On a point of order. Least of all I would not want to recriminate in any of these matters. Let the hon. member tell the House whom we recommended as Aldermen if he talks about packing them.

Mr. GODDARD: That is still a secret as far as I am concerned. I have never been told. If the hon. member would like to tell me now, I would be quite willing to hear. *(Laughter)* We have moved on and the position is now that the Government can make errors and the Governor will have the opportunity of referring matters back once. They will continue in their stubbornness, the Governor will act as they direct and the entire responsibility will be theirs because we have a greater measure of self-government.

Hon. L. St. A. THORNE: On a point of order. The hon. member speaks in a way as if he is certain that there is absolutely no hope for any other Party coming into power. This convention gives the same right to any Party who is in power. I certainly deprecate the idea of the hon. member giving the impression that this Government is only doing something for itself, which will not be the privilege of any other Government which comes into power.

Mr. GODDARD: That is why we are agreeing to the amendment. We hope to form the next Government. *(Laughter)*

Mr. STRAUGHN: On a point of order. The hon. member has used the words: "They will continue in their stubbornness." If he wants to form the next Government how can he say that we are persisting in our stubbornness?

Mr. GODDARD: They may get back in power in another ten or fifteen years. With regard to this measure of advanced constitutional change, this is absolutely necessary. I have only risen to point out how well was the then Governor within his right when he acted in the way in which he acted and when people were saying that he did not have the right to act in that way.

Mr. TUDOR: Mr. Speaker, I rise not to add anything to what the Hon. Leader of the Opposition has already said, but I have risen to draw the attention of the Hon. Premier to Clause 2 of this Bill which, I believe, will need some clarification. Clause 2 of this Bill is the Clause which describes, so to speak, what "Minister" "Premier" and, of course, "Privy Council" mean. This Clause says in the case of "Minister" that "Minister" means a Minister appointed under Clause XVIII B of the Barbados Letters Patent, 1914 and includes the Premier. With respect to the Premier it says that "Premier" means a Premier appointed under the same Clause of the Barbados Letters Patent and that "Privy Council" means the Privy Council established by Clause 6 of the Barbados Letters Patent 1914. This is the clarifi-

cation which I would like to have from the Premier. So far as I know, the Letters Patent do not mention the words "Minister", "Premier" or "Privy Council". We know, for instance, that in the case of the Privy Council, that is the new name for the Executive Council. The Executive Council, so far as I remember, is referred to in Section 2 of the Royal Instructions and not in the Letters Patent at all. I am asking therefore whether this amendment to the Interpretation Act has any validity when it refers to the Sections of the Letters Patent which, so far as we know, are not yet amended and which, as they stand, make no mention of these various persons. Unless the Letters Patent are amended and brought up-to-date, none of these names can appear in them. When they were drawn up, the constitutional stage which we have now was not existing and it seems to me that there must have been some mistake made in the drafting. Unless this position is clarified, we are in the position of passing a Bill which includes and makes reference to the Letters Patent which themselves do not make any reference to the things which form the basis of this amending Bill.
1.05 p.m.

I know for instance, that we are to consider a Bill in the course of these discussions which emphasises the change-over in the name of the Privy Council as a substitute for the Executive Council. As I said before, the Executive Council is provided for in the Royal Instructions and not in the Letters Patent, and not in the Letters Patent, and Premier and Ministers - I do not mean the persons themselves, I mean the terms - have constitutional existence only in the Legislature in the most recent years, and are not mentioned at all in the Letters Patent of 1914; but it may be, Mr. Speaker, that there are recent amendments to the Letters Patent of which we do not know, or that amendments bringing all this up to date are now being contemplated in which these things will be mentioned in their proper place.

I ask the Premier for clarification because it seems to me that we are doing something which appears to be irregular, because mention is made of these things in a document which, so far as we know, does not mention them. Now, Mr. Speaker, I mentioned that only to say that we of the Democratic Labour Party had always thought that the new constitution of Barbados embodying all the principles of self-government would have been put together in a single instrument so that in one document, if you like to call it that, you would have put together the powers of the Governor, the powers of the cabinet and all the other ancillary and auxiliary powers which both Governor and Cabinet should have or divide among themselves for the purpose of self-government. We felt that way because it would have been convenient had that been done, and the danger of piecemeal amendments is perhaps too clearly seen in what I now draw to hon. members' attention, because I believe the Government is well aware of the fact that even when all these constitutional amendments have received the sanction of the Legislature and the assent of the Governor, there are certain consequential matters in the Letters Patent and Royal Instructions which will have to be brought up-to-date.

It seems a pity really, Mr. Speaker, that all could not have been done at the same time. Had that been done, we would not now be making reference to the un-amended Royal Instructions as we are doing now. It would be good, therefore, if the Premier can give some reply to this matter to let us know whether the reasons for referring to the Letters Patent here are legally valid, and secondly how soon are we to expect amendments to the Letters Patent and the Royal Instructions, and what legal consequences will come from these amendments; whether the amendments to the Letters Patent and the Royal Instructions will bring the whole matter up-to-date.

It is a very important matter and I regret very much, Mr. Speaker, that hon. members cannot follow the points I am making now with reference to the Letters Patent, because curiously enough this House does not seem to possess a copy of the Letters Patent or a copy of the Royal Instructions, and if it is one place in this island which should

have them available, it is the General Assembly. I look forward to the day when copies of these two important documents will be made available to members for their study and edification. So I await the comments of the Hon. Premier on this matter.

Mr. WALCOTT: Mr. Speaker, this Bill in itself is a very simple document in that it carries out the wishes of those of us who subscribe to self-determination and independence. I would have no quarrel with any member of any country who aims at self-determination, self-government and independence, but that should carry with it the full meaning of independence, self-government and self-determination. At this stage, however, if I understood the Premier rightly, he said in his opening remarks that things which had happened before would not happen again. I do not know if he meant that in relation to the appointment of the Aldermen to the City Council of Bridgetown, because if he does, it means that his concept of self-government and self-determination is unfounded, and he is not the preserver of the rights of independence, true elections and democracy.

If there is one thing in which the roguish behaviour of a Government can be exhibited, it was the roguish attitude of the members of this Government who, after an election, tried to upset the election by the nominated fashion. That roguish behaviour is one of the things we have to watch most carefully, and when you grant self-government to a country, it is not the intention to give it to rogues and corrupt people; it is the intention that people will respect Parliamentary democracy, and if an election takes place, to abide by it. I would say that the attitude of the present Government is that they are elected to the Cabinet and they are elected to rule the people, but those of us inside this Chamber on the other side seem to come here on a wheelbarrow! The Premier smiles. When anybody goes to the polls to elect anybody, they have to elect all of us; and if you want to know how true that is, put twenty-four names on a piece of paper and carry in into a ballot booth and see if that is the end of the election; see if in every constituency you are not required to have a person with a name, and if they do not have a name that cannot be elected.

I say that, Mr. Speaker, because there is too much the temptation in the whole area of the West Indies that we fight for self-government, we fight for self-determination, but at the same time we surrender our rights, and then the rights that we ourselves possess, we find are being taken away from us and they also try to take away our very liberties. Let us examine the behaviour in this House and the way bills are introduced. If they had to go to the electorate, they would not be done in that way.

Mr. SPEAKER: Did the hon. member say the behaviour of this House?

Mr. WALCOTT: I said the behaviour in this House so far as measures are concerned. It is no concern of the Government whether they deal with the first Order on the Order Paper although the Order Paper was fixed previously. If a member knows that he cannot be present for the discussion of Orders Nos. 1, 2, 3 and 4, he may feel that he can get there in time to deal with Order No. 5 but when he gets in the Chamber he finds that Order No. 5 has already been dealt with; and you would hear members of the Government saying that they have the right to deal with the Order Paper as they think fit. Mr. Speaker, it is these little things in which we have to be careful, and maybe, our children and grand-children may be affected if we surrender these things in self-government.
1.15 p.m.

There is no more appeal when you have self-government: but then if those of us who have been elected have to come under some Iron Curtain method rather than under the democratic way of our life, then those who want to come in and serve their country will find it more difficult than those of us who are in now.

I think the Hon. Premier made a big mistake when he said that he does not want what took place in the past to

recur again. I think everybody should respect the electorate. When the Hon. Premier made reference to what took place in the past and said that he would not like such a thing to take place again and if he means the question of the nomination of the Aldermen to the City Council, I say that I am sorry that he said so because if he means that, that is no more than trying to flout the wishes of the electorate and nobody has the right to do that because the electorate should always be supreme. If you have an election today, even though the results may be against your wishes, you should respect the electorate. The Hon. Premier's stay in power today is based on what were the results of the last election. The group of them forming the Government has been put in that position by the votes of the electorate and we say that we would work together for good or ill. What I say is that members on that side seem to forget that we on this side went through the same process of coming in here as they went through. The whole history of this island and of constitutional government is based on elections, not on Cabinets. I need not remind the House of the programme of the Party in power when in 1944 they proclaimed that they were in favour of single-member constituencies but now we hear them saying that they do not believe in it now.

I say, Mr. Speaker, that I have watched and have read matters constitutionally in Latin-America - and we are very near to Venezuela and the twenty-one Republics of South America. I do hope that we will not be given to the fighting for power and we will not have to adopt the same measures in these parts as are adopted in the twenty-one republics of South America.

Sir, I am one who will go further and say that I think we should have complete self-government, but I want at the same time to warn the nation that self-government implies self-government and the highest standards of political morality and constitutional propriety must be exercised. There is no point of watching the trappings of the British constitution, and for local Ministers and Ministers of these West Indian islands to want the power of Ministers in Great Britain and yet want to keep all the old rags of the Colonial system along with that power. They want to take all the buckets and old pans along with them when they are given this power, and they cannot decide to depart from taking along with them all that old rubbish. Here we have a classic example. All the Ministers in Barbados want to retain the same things which the British Government says that they should give up. They want to be a Minister on the one hand, and on the other hand, they want to trade with the public. We have it that the first Premier of Barbados said that there is nothing to prevent him from appearing in Court. Only he would say that, Mr. Norman Manley who is a Barrister like him would not say that. Mr. Harold Macmillan would not want to go into the Macmillan business and sell books. You have it here that all the Ministers want to run their own business as if they are honorary citizens and at the same time to sit in judgment on issues of powers and say that these are the powers which you should have. It is an open secret that the present Premier practises medicine like any other ordinary doctor in Barbados. He is jostling with the other medical practitioners of the colony, but at the same time he is Premier of Barbados and is laying down the dictum for the doctors. Though you give \$1,000 a month to the Premier and that is a good salary in the context of the Barbados economy, you have it that he must still be jostling with other people in the medical profession so as to maintain some big estate for his relatives. That is the sort of behaviour which you have here. The public's will is secondary to their selfish ambitions and it is within this context that they talk about power. They are persons of that mentality. They want power. They want to see themselves in power, but they do not want the removal of some of the things which you do not associate with constitutional power. They want power and still to retain those things. They want constitutional power and the financial power which they had before.

Well, Your Honour, the choice was left to you and you have chosen. You will pardon me if I make this analogy which is *a propos* of the office of Speaker. I see that there is some unwritten understanding that the members want the Speaker to give up the vocation which he followed and to

be purely a Speaker. If any holder of the office of Speaker-ship would ever accept that bogus type of arrangement and say that the office of Speaker is such that I can no longer perform what I had to perform -- and I think that what Your Honour used to perform was not in conflict with the office of Speaker -- how much more so should it be that a Minister should give up what he used to perform before he was a Minister. It is an open secret that some of the Ministers are engaged in business transactions with people who are closely allied to them and with people who have some aspects as to the knowledge of Government operation. It is an open secret that some members of families of the Ministers themselves have been trading with the Government. There was a brother of a Minister who bought motor cars in this island and when people came here to meetings as Government Officials, that person's motor cars were used and money paid out of the Public Treasury to that person who, as I have said, was the brother of a Minister. That is the conduct which you get running through your constitutional changes and you are using that power because you have some political lackeys and loafers. You have your political lackeys among the middle-class group and your political loafers among the lower income class group. That is the type of political conspiracy, bribery and corruption that can be associated with constitutional changes and it is an issue which you have to watch. In all organisations and all parties, you get political lackeys and loafers; but if the Government Party is made up of them, then you have to be careful. If that sort of thing continues, a man will have to sell his conscience to keep his seat.

1.25 p.m.

Some of the members of the Party today cannot be returned at all to this House of Assembly unless they become out-and-out political lackeys for the Party in power; nobody else wants them because their contribution to public life is nil. These same constitutional changes mean that the Cabinet will spend the Labour Welfare money as a body of politicians utilising money as if it were something belonging to them. The money from the sugar industry under the three Funds is the money which they are spending. They want to have these constitutional changes because they want to use these three funds at their own sweet will. Nobody else can have any say; only they can sit down and say how the Labour Welfare money should be spent. You do not have things as you have them in British Guiana or Trinidad or Jamaica.

I say that because I live in the West Indies. You have constitutional changes in Barbados, you have them in British Guiana, you have them in Trinidad and you have them in Jamaica. On the eve of the Barbados delegation going to Trinidad you have these Constitutional changes and a fight for a more advanced constitution. I want to say that I have visited all the West Indian islands. I was Chairman of a Regional Organisation and I have been elected as President of a new organisation. These constitutional changes are serious ones and we are at a very serious stage. I have been to Cuba; I am no witch hunter; the insidious and sinister method of infiltration is so ruthless that I am aware and we have to be aware of it. Those who are lying low in the respective areas will rise from experience gained in the various bridgeheads, the ones in Cuba, Venezuela and British Guiana. Mr. Jagan will win the elections in British Guiana. A jet flight from British Guiana to Barbados is only a matter of minutes.

When I was a boy I used to sing the songs of the British Empire, but with the same type of independence and self-government and with the same type of dunderheads which you have, these are things which will make us very watchful. I know the Communist techniques; I have been in places where they operate. There are those who talk about Mr. Manley in Jamaica but the West Indies would be a lost case without Mr. Manley. It is better to have Mr. Manley than to have this nebulous amorphous collection of people who have not got the outlook of Mr. Manley and the Jamaican people. We do not talk about people who talk with water in their mouths when it suits them to say that Mr. Manley is good. He is a man who knows what to say on occasions to inspire leadership of the Jamaicans in a way in which other people have not done. Without Trinidad and Jamaica where

would our position be? They happen to be part of our front line of defence in a very crucial battle which is to take place both on our economic and our constitutional front.

I think that when we come to constitutional changes we have to watch what is happening around us. The Ministers want power for themselves but not power for Barbadians. They are saying that they will be here everlastingly; they mean that they alone are capable of doing things and therefore let them have the power. That is the phrase they express. They give the impression that nobody can come into the House unless they say: "Yes, you can come in." I think that we have to make ourselves very clear on this matter. I do not want to mince any words; this is the beginning of our complete self-determination. I make no bones about it. Speaking as an individual, I feel that we should have self-government. I am not afraid of the Government in power; so far as being elected to this House of Assembly, is concerned, I am prepared to lose, but I am prepared to fight as well. I do not ask any quarter and I do not give any; but when I see what is happening in other places and I see the responsibility of constitutional propriety as existed in the years since Ministerial Government has come into power, you can see what is happening. Ministers do not resign in these places; I do not think that any Minister has resigned in Barbados since 1954. I do not think that any Minister in the West Indies has resigned since we had constitutional advancement. At one time it was said that the Premier would stand down; but the Premier is like a dog who has tasted blood. Why should he resign when life is so sweet? If he resigns he would have a Civil War in his own Party. Therefore how could he resign?

1.35 p.m.

It is an open secret that the big boss who is in Trinidad has not decided yet whom he is going to have. He is the true Trujillo of Barbados. He has a son; so he is telling them that they had better wait until his son comes down. It has been said by one of the men in the Party that they cannot afford for Cummins to leave; and leave the Premiership to whom? Cox? I do not refer to the members now as members of the House but as members of a political Party. We know that those are some of the problems they have to face; but so far as the Premier is concerned, like the hon. senior member for the City, I say that the Premier is a very affable man but by no means a political leader. He does not possess the political sagacity which is required for a leader, but he cannot be otherwise than how he is made up physically.

Mr. Speaker, that is not the Premier's nature; but I would say he is going a good job in that he is keeping an amorphous group together, and it is better to do that than to abdicate. If it came to the fundamental question of honesty between the Hon. Premier and the other Minister representing the constituency of St. Thomas, I believe that the Hon. Premier would come down on the side of honesty more quickly than his colleague. I say that as a question of political outlook, his outlook is not one which is forceful or far-seeing, but if it comes to a question of what he believes to be right, even if it is wrong, he can call right wrong generally meaning that it is so, because his powers to distinguish between right and wrong may not be a particular feature of his.

I can see that these are some of the problems we have to face in these constitutional changes because we have not created these standards for ourselves. Now, Mr. Speaker, I am a believer in self-government, but I must warn the community that that is not something which is lightly done without looking at it very clearly. This is not a reflection on Your Honour, but in a small community like this, I see that the Minister went into my constituency to tell people about water. As I said, this is a parish pump country, the people want water, so the Minister in an election year is going to give them water. The Minister does not treat the other member with the courtesy of ringing him up and saying that he would be visiting the member's constituency because it was drawn to his attention that something was taking place there. He comes into your constituency with the ostensible view of showing that he was going to deliver water. It is a pity that the people did not give him buckets and

ask him to bring it from the pipes! Those are the sort of things that I analyse in these changes. In normal circumstances when a Minister is visiting a member's constituency with the purpose of seeing something that is taking place in that constituency, it is not a question of playing politics. When you send out an invitation from the Ministry, you do not send it out on the basis of sending it to a friend where a public issue is involved; you send it out with the intention that the person has a right to be invited.

Mr. SPEAKER: I do not want to make any defence for the Minister.....

Mr. WALCOTT: Neither do I want to involve you in this. I would say that sometimes a member is not in the island and the Minister does not know where he is; but if an invitation goes to my home and I am not in the island, a reply is sent on my behalf. That is a question of propriety. When I receive an invitation from the Government, I do not believe that it was sent out in a personal light; I believe it was sent out on the basis of my being a member of the House of Assembly. I believe that all members were invited to the opening of the Deep Water Harbour, and if I reply to the Premier saying that I accept, it is not to a personal invitation, but I believe it is a public invitation, and I have to treat it with the courtesy it deserves, whether or not I attend.

I do not want the Premier or the members of the public to believe that I am not in favour of self-government. I am in favour of full self-Government, but I am not in favour of what is being done now, because I cannot see how Barbados can be passing constitutional changes like these in April, 1961, and somebody can tell us that they are going to London in 1962 to ask for complete self-Government for the West Indies. When the West Indies have complete self-Government, what is going to be our position? Are you going to ask the Federal Government for more power so that when you have self-Government your constitution is equal within the Federation? You know, Sir, that I do not believe in Governors either. The Governor is a constitutional luxury which we do not have the economy to support. (Mr. STRAUGHN: Hear, hear!) Now this is Party politics. The junior member for St. Joseph makes a comment in favour of what I am saying, but the Hon. Minister pushes up his mouth. Maybe the hon. junior member for St. Joseph is thinking at an earlier age than the Minister. Is it because there is a Governor General in Canada that in the next two years the constitution of Barbados must necessarily provide one for the West Indies? The economy of the island cannot support seven Ministers with all these trappings. It is a waste of time. (Mr. STRAUGHN: The Premier should have a house, though.) Anybody in the position of a Premier should have a house, motor car and things like that. After all I go to big countries; I do not live all my time among the poor boys; but there is this idea that if the Premier, driving his car, kills somebody's fowl, because it is the Premier they call for \$5 for the loss of it though it might have been dying anyhow.

In my way of thinking, Mr. Speaker, I do not see the necessity for constitutional Governors. You may say that that conflicts with my original view that if you did not have a Governor there would be no check or safeguard in questions of political impropriety. All I say to that is that a nation must take a chance with the people it puts to serve it. If it puts people to hang it, then it must be satisfied. I think that all voluntary organisations in any community, where there is the evolution of self-government, should be prepared to take a greater responsibility in the life of the community. All these powers for which the Premier is asking are powers with which all of us agree, but we ask you for Heaven's sake to behave in the same manner and carry on with the same constitutional rigidities for yourselves as other people have carried on; and I take no higher example than the people of the British Parliament. The British have their faults like all nations; they were responsible for long periods of colonialism and in some instances they are still responsible for periods of colonialism and repression such as the repression which is being carried out against Jomo Kenyatta in Kenya.

1.45 p.m.

Despite those things, the British Parliament and the British Constitution and the Britishers in their Houses of Parliament have acted in a manner which any nation should try to emulate. There is no covering up in the British House of Commons for any Minister if a Minister errs. I do not believe that when Mr. Hugh Dalton had resigned as Chancellor of the Exchequer he was accused of impropriety in the sense that he wanted to divulge the secrets; but what took place was something which he had to be responsible for and as a result he had to pay the penalty. I think that there are many instances on record to show that.

I am in complete agreement with your getting more self-Government. There should be no need for you to go to the Governor. The Prime Minister should be the person most responsible. I feel that way about it. I go as far as to say that when you want somebody's wife to open something, it should be the Minister's wife who should do that sort of thing. Give the Ministers' wives a little bit of publicity. Dress them up and put them there and when you have a little baby function, let them do that. Let the Premier live in Government House so that whenever you go there you can be treated. Whenever the Premier wants to hold a Party, he has to hold it at the Government Headquarters. It is not in keeping with the holding of such functions. You do not want the lawns there to be crushed up. When you have a party there, it is like holding a wedding reception at a house which is not big enough and you have a little tarpaulin spread in the back to accommodate the guests. I feel that the dignity of the Premier is such that he should hold his parties at Government House. Government Headquarters is the official place for carrying on business; it is not a place for having drinks. Let the Hon. Premier have Government House where his Party members can go because when it is something political, all the political members of his Party can go up.

I have no objection at all to the Premier having Government House as his place of residence. I do not know which house they want to give him as an official residence. But, as a matter of fact, I do not see any use for a Governor now. I am a republican in my outlook. I am one who does not believe in any second chamber. This two-chamber business is just an anachronism. The Upper House has to pass what you pass in here. The people who want to get in the Other Place can only get up there by becoming a rubber stamp. These are not views which I now express; these are views which I expressed a long time ago. I do not see the necessity for a double-chamber. When you have two chambers, it is only a means of prolonging the agony. You elect people to this Chamber and they should be capable of passing the laws of the country. It is true that some of them talk stupidly; but when you reach this place, it is a place to test anybody's ability to serve the country.

I do not believe that the Premier has in mind the idea of having personal power and this is no reflection on him. Since the Government has become powerful and are appointing people to these Boards, I see that they appoint whomsoever they like. I was a member of the Governing Body of a School. I was a member of this House who fought for the expansion of the Coleridge-Parry and the Alexandra Schools. I was a member of the Governing Body of these schools from 1945 when you began to choose the Governing Body to these schools. Your Honour, the leader of the Opposition and myself were all members of that Board. By a process of gradual elimination, the first person whom that Government chose to take off from that Board was I and they have put on members who ostensibly cannot be regarded as people in public life. They have put on people like Mr. Lincoln Rollock. Of course, he is the brother-in-law of the Minister of Communications. You get that sort of thing happening. Anybody who knows the gentleman concerned cannot really say that from the point of view of his public spiritedness he was elected a member of that Board. It is true that you do not put a man on a Board like that because he is a member of the House of Assembly, but at least you should put a man to serve on that Board who has shown interest in the operation of, so to speak, an aspect of our public life, whether it be social welfare or education. I have not accused the Hon. Premier of doing it although he may have been the Minister of Education at the time, but you

have that sort of thing taking place. It is not a question that one is yearning for something, but it looks as if you are not giving any true indication to things in the public interest. I take it that when you decide to come in here - unless somebody says that you must come in - that you feel you have something to contribute to public life. I say that sort of behaviour of removing people from public Boards just like that is stupid. You do not remove people from service when they are serving you. It does not cost the Government any money to have a member on the Board. I do not think any Minister would say that I was carrying out something which was inimical to the policy of the Government when I was on these Boards. There is only one Board which I am on now and I do not go to the Board meetings because the Hon. Minister of Agriculture directs the functions of the Board, and it is a Board on which you get political conflicts and that is why I do not attend the meetings. I was on that Education Board where you would think that from my general position as a member of a Trade Union you should have me as a member. You should always have a member of the Trade Union on Educational Boards because Trade Unionists have children and at least you can speak to somebody when you are in such an organisation. However, they try to deprive the community of these things on an individual basis.

1.55 p.m.

You cannot run a country on spite; you cannot be Premier on spite. Because the Premier is the Premier and I am opposed to the Premier's Party I would not say that the Premier should not have the benefit of a house at the public expense. Because they are in power I do not say that they should not have these powers; but they should adhere to the general principles which have been adopted by the Mother of Parliaments in Great Britain. The Premier has said on a former occasion that I know what kind of man he is. I say "yes". I had a tremendous respect for the Premier; I would not say that I do not have any respect for him now, but I do say that the degree of respect which I had for him is not the same as it was, because I have always regarded him from the early days when, by his own convictions, as against what looked like power, he forsook the easy way of life and chose the other way. I have exhibited my respect for the Premier when I was a member of the Party, not in a flamboyant way but in a way in which you could believe. Nothing that I say is any personal reflection on the holder of the office of Premier or whoever is going to be responsible for these things; it is a question of how I feel about these things. I say that because I am satisfied in my mind, and I will repeat what I said, that the present Premier is in a very invidious position in so far as his own political career is concerned; on the one hand there is a gentleman in Trinidad for whom he has grown to have a lot of respect and on the other hand he is surrounded by a group of people who will do anything to retain power. When it comes to the Elections, I will say more on that matter; I do not think that on this occasion I need say anything more about it. What I believe and I can say quite truthfully and without any fear of contradiction is that I am satisfied that the Premier would not be afraid or unwilling to face the Electorate and to accept the will of the Electorate, no matter what happens. The Premier is not a man who would beat the Electorate; I cannot say that for the others. I hope that the views which I have expressed on the constitutional changes are not taken to be views against constitutional changes but views to preserve all of these changes for the promotion and liberty of the community.

At this stage, it now being 2 p.m. of the clock,

Mr. SPEAKER: It now being 2 p.m. of the clock, this sitting now stands suspended until 2.30 p.m. of the clock.

This sitting now stands suspended.
2.00 p.m.

On re-assembling,

Hon. M. E. COX: Mr. Speaker, I beg to draw your attention to the fact that there is no quorum present and I ask that the bell be rung.

On the bell being rung, a quorum was obtained.

QUESTION TIME

Mr. SPEAKER: It is now Question Time. The Reply to Question No. 16 standing in the name of the hon. junior member for St. John is now ready. I observe that the hon. member is not in his place.

Mr. TUDOR: Mr. Speaker, in view of the fact that the hon. member is not now in his place, I am asking on his behalf that the question be deferred.

Hon. M. E. COX: Mr. Speaker, may I appeal to hon. members opposite to let us proceed with Government Business seeing that the hon. senior member for St. Philip, whose Resolution is the first item on the Order Paper under Private Members' Business, is not in his place, and similarly with the Hon. Leader of the Opposition whose item is Order No. 2.

PRIVATE MEMBERS' BUSINESS

Orders No. 1 to 20 under Private Members' Business were called.

Mr. SPEAKER: Is there any answer?

Mr. WALCOTT: Mr. Speaker, I was not clear as to what the hon. member was requesting. I do not know if he means the Government Business should be proceeded with from the point of view of the matters which are now under consideration. From my Order Paper, the hon. member was speaking on the last occasion on the first Order of the Day under Private Members' Business. I myself have a matter with which I would like to proceed. If the hon. member has given some indication that he would like to proceed with Government Business, I regard my matter as pressing. You will notice from the Order Paper that the hon. member was speaking on the first Order on the last occasion.

2.35 p.m.

Hon. M. E. COX: I think, Mr. Speaker, in making my position clear I should say that there is a tacit understanding that if a member is not present who proposed a motion, it is not proper that we should discuss it in his absence, because I want every member to hear what I have to say on matters in this House, and I do not think it would be fair to speak behind his back, because I may say something to which he may take objection; so I want everybody to hear what I say. The hon. senior member for St. Philip is not here today; therefore I do not think it is fair to continue to speak in his absence. The same thing applies to the Hon. Leader of the Opposition whose motion is No. 2 on the Order paper; so I would not like to continue with that item either because he is not here. What I have been suggesting is that if hon. members would give way we might continue with Government business and continue discussion on the Bill which was before the House before the Suspension.

Mr. TUDOR: As the hon. member has drawn to the House's attention, neither the Leader of the Opposition nor the hon. senior member for St. Philip is in his place. I believe I can undertake on behalf of the two of them who are now absent to give the Government the assurance that they may continue with Government Business.

Mr. SPEAKER: The hon. senior member for St. Peter.

Mr. WALCOTT: If the hon. member does not mind going on with Government business, it is for him to say so; but I propose to proceed with Order No. 3, because I take it that Orders Nos. 1 and 2 have been postponed.

Mr. SPEAKER: If the hon. member wants to proceed he will have the right to proceed; it is only if he gives way that the Government may continue.

Hon. M. E. COX: Mr. Speaker, what I gathered from the hon. senior member for St. Lucy was that he was quite prepared to let us continue with the matter which was under discussion when the House was suspended.

Mr. SPEAKER: The Movers of the first two Orders under Private Members' Business are not in the House;

but if the hon. senior member for St. Peter who has a motion in his name under Private Members' Business does not give way, he is in his right to proceed with that.

Hon. M. E. COX: I am not quite clear on the matter. The hon. senior member for St. Philip and the Hon. Leader of the Opposition whose motions are Nos. 1 and 2 on the Order Paper, these matters cannot be proceeded with.

Mr. SPEAKER: The position is this: Under Private Members' Business I call all the Orders from Nos. 1 to 20. If there is no answer to Order No. 1, it is not proceeded with; if there is no answer to No. 2 when I call it that Order is not proceeded with. If I call Order No. 3 and there is an answer, then Order No. 3 is proceeded with; it is as simple as that.

Hon. M. E. COX: I thank Your Honour, but I understood it the same way. What I understood you to say was if you called Orders Nos. 1 to 20, without calling Nos. 1, 2, 3, 4, 5, 6 as the case may be. If however the hon. senior member for St. Lucy feels it is quite all right and he is prepared to agree to let us carry on, I would have no objection to doing so.

Mr. SPEAKER: It is not a matter for the hon. senior member for St. Lucy. It is a matter for me to call the Orders, and if there is no answer, they may not be proceeded with. That is all and the end of it.

Mr. TUDOR: Mr. Speaker, all I was trying to say, so far as my colleagues are concerned, was the fact that they are not present makes it possible for me to undertake on their behalf to allow the Government to proceed so far as these two Orders are concerned, but there is a third Order under Private Members' Business whose Mover, I believe, is present; so it is a matter of seeing whether the hon. member is prepared also to accommodate the Government.

Hon. M. E. COX: The hon. member, I think, gave the impression that we should not proceed with Orders Nos. 1 and 2 under Private Members' Business, but should proceed with Government business.

Mr. SPEAKER: The hon. member does not rule this House; I do. Does the hon. senior member for St. Peter intend to proceed with Order No. 3?

Mr. WALCOTT: Yes, Sir.

THE REPRESENTATION OF THE PEOPLE (AMENDMENT) ACT, 1961.

Mr. SPEAKER: Order No. 3 under Private Members' Business stands in the name of the hon. senior member for St. Peter: to move the second reading of a Bill to amend the Representation of the People Act, 1957.

Mr. WALCOTT: Mr. Speaker, the reason why I will proceed with this Bill is that when I put any Order on the Order Paper, I am really serious about dealing with it; and in view of the fact that the Hon. Leader of the House said on the last occasion that they are meeting today and Thursday, I do not know when the House will meet again and therefore I think I should deal with this Bill.

This Bill is a Bill to amend the Representation of the People Act, 1956, and the amendment is a simple one in that it seeks to reduce the age of voting in a general election to eighteen years. The present age is twenty-one, and I cannot see that there is any righteousness about the age of twenty-one. It is something that has been going on in some of the British territories for many years, but I do not think that, with the advance of education and with the general advance of communities, we can claim today that the age of twenty-one, which was in law in some instances the age for which an adult becomes responsible for all of his affairs, is the correct age for determining whether or not a person should have the privilege of exercising the franchise.

I think I am correct in saying that in Australia the age for voting is lower than twenty-one, but I do not want to call

any territory or country as a precedent for the reduction of our age from twenty-one. I want to examine the situation in Barbados as it stands. Mr. Speaker, there are more children today attending Government Secondary schools and private secondary schools of whom we can say with accuracy that in this age they are, at the age of eighteen more capable of exercising the franchise on a comparative basis of advancement than the boys and girls or men and women of twenty-one years, say, twenty-five, thirty, or fifty years ago. The scientific advancement of the world and our own educational advancement in this community where more children are being educated for further periods than was the situation thirty years ago makes it obvious that there can be no justification for disenfranchising or not allowing these children to exercise their civic right and responsibility.

Moreover, Mr. Speaker, I believe that the earlier the age is for people to have a direct civic responsibility, the better it is for the community as a whole. I do not subscribe to the view that the age of twenty-one must for all time be regarded as the age for the first time when people must exercise their right to vote. I am sure there are members of this Assembly who have been taking an active interest in the civic affairs of this community before they reached the age of twenty-one; so the privilege and honour to exercise the right at an election should not be precluded from people under twenty-one.
2.45 p.m.

On the basis of other things in life, such as the age at which you send a boy to defend his country, it is not the age of twenty-one years; and if in a serious thing as going into battle for one's country where one can pay the supreme sacrifice for what one believes in, it can be regarded that the appropriate age for that is lower than twenty-one years, then I cannot see how such persons can be deprived from voting at this stage of our development at the age of eighteen years.

This is not a Party issue or a Party manifesto as such; it is a question upon which any person can exercise his point of view and opinion. We have inherited the view that the age of twenty-one years is the age for doing things, but there is nothing which can say that it cannot be regarded as thirty-one years instead of twenty-one years. I think it was the Spartans who believed that you reached the full age of manhood at the age of thirty years. In the United States of America, they have an age at which they say you can be a Senator. It is just like the time before President Kennedy became President of the United States of America. One of the criticisms levelled at him even by members of his own Party was that he was too young. It was only because the people were not accustomed to seeing people of his age in such a post of high responsibility. They believe that a man of forty-three years was not old enough to take the high post of President of the United States of America.

Here in Barbados, I do not think it can be said that our young people are lacking in the knowledge of the right to exercise their vote. I would say that anybody who would be against young people having the right to exercise their vote would be acting in the same way as the people in power acted many years ago when people who were not enfranchised went to political meetings, but it was regarded that he or she could not vote because he or she was not earning the amount of money to have the qualification to vote.

I do not think that a person reaching the age of eighteen years can be regarded as a child acting without responsibility. I go as far as to say that Barbados can be regarded as a community which is comparatively a young community, and that if a census of the ages of the people was taken you will find that a very important percentage of the population would be between the ages of eighteen and twenty-one years. The percentage of people between that age will form for Barbados a very important stage in our development.

I think the Hon. Minister of Education has sent out a circular to people telling them about the technical training programme which the Duke of Edinburgh enunciated. I do

not think that the age of eighteen years can be regarded as too young when it represents the very flower of our training facilities for life to come. For example, a boy or girl at the age of eighteen years today finds himself in the Sixth Form at any of our grammar schools. I defy anybody to tell me, in the case of a boy or girl who has received an education that would be lasting in that child's life by the time that he has reached the age of eighteen, that he would regard the age of eighteen as incomplete for that boy or girl to exercise the right to cast a vote and to say who should be his or her representative. After all, the ones who are older are saying who should guide them and it is not undemocratic for them to say who should guide them. It is not giving them a right greater than anybody else. There is no logical reason in saying that it has been twenty-one years for so many years: therefore it cannot be changed.

I use another argument. One may say that because this system has been going on for very many years, there is no need to revise it or to examine it. I find that it is the temptation of some people to hold on to the past, no matter what the past produces. I do not subscribe to that view; I feel that a boy or girl has to fight his or her cause wherever he or she is in our community. As it is now, as long as you are over the age of twenty-one — you can be blind, deaf or dumb — you have the right to exercise your vote. Logically, let me know what is the difference between an old person who is 100 years, who does not know what he is doing, going to the poll and exercising his right to vote and that of a boy of eighteen going to the poll and exercising his right to vote.

I say this with emphasis. One of the best ways of building up youth is to allow them to enter into the life of the civil community at the age when they can take a natural responsibility. None of us should be afraid of youth because the House is comprised for the greater part of members of the young generation. In some communities, I would not have been permitted to enter this Chamber when I entered it. I am one of the youngest members who have come to this House. I was elected to this House at the age of 28 years, and I do not think since I have entered this House that I have shown any disabilities because I was a young man. I was a representative from then, and you can very well see that if I was a representative from the age of 28 years and if, say, that ten years before I was taking an active life in the community, you can very well see that I was doing so when I was 18 years old. From the very first day I entered this Chamber, I made a contribution by taking part in three debates. My period was not as conducive to political thought as it is today. In those days, adult suffrage was not the order of the day; in those days you had to produce a monetary qualification, but today that is no longer necessary.
2.55 p.m.

We have gradually removed all of these barriers like money qualifications and land qualifications to come to this House of Assembly. All of those things were done so as to remove the restriction to full representative government. Earlier today we discussed the question of full internal self-government; we want full internal self-government and maximum representation of the community on the basis of the people who make up the community. People from 18 years upwards are part of the working population and we should not debar anybody who is making a full contribution to the community from exercising his civic right. People in factories and in the sugar industry are working at the age of 18, and I feel that if you are not debarring people from working at the age of 18, you should not debar them from exercising the right to vote at the age of 18 on the basis that 18 years is too young an age for people to select who should represent them.

You have not given this matter the serious consideration which it should be given. It should not be a question of who has brought it forward; but it is a question for examination. I would go further and say that for many years I have been thinking of this matter, and as an amendment to the Representation of the People Act I think that one of the good things for this country would be to show that enthusiasm with which young people would exercise the franchise

and which would be a boon to the very Electorate and the Electorate roll. Life is not so challenging to people because the young people of any community whatever will have to look to the future; it is the young people who, in the main, must be able to contribute to the community.

This is not a controversial matter because it does not take away anybody's right; it is not against anybody's political philosophy. Everybody in this House agrees with people having the right to vote; the question is: do you think that the age of 21 years is the best thing and not the age which is introduced in this Bill. That would be a matter of mature judgment for those who happen to be representatives. Nothing could be brought forward as a logical deduction to show that if you reduce the age of voting to 18 years you would reduce the substance of the community so that it would lose its stability. The young people have not shown that they are unworthy of the vote or that they are unwilling to learn trades; they have not shown that they are not interested in education or that they are not interested in all of the things which go to build up the community. Far from that, the young people are interested in work and one of their problems is to find work. In my own files there are letters from boys and girls who are leaving the Secondary Schools and I believe that Your Honour would also have this experience because you reside in a rural community. You reside in a town in a rural community in which you cannot find enough work for all the boys and girls who leave the Secondary Schools in the area in which you happen to live. You yourself would know that the development of the minds of the children today is at a great pace.

I can speak with authority about children because I am a father. I have had experience of living with a child of this generation and I know what a boy at 18 years of age is capable of. I have a son who is 20 years old and the way in which he can talk to me and the way in which he can express himself show that his outlook is one in respect of which I can say that young people should not be debarred their privilege. You would not expect your high office to be exercised by a boy of 18 years; because he has been to the Sixth Form at Harrison College does not mean that he has accumulated enough experience of life and of men and of matters as an office such as yours would have to bring to bear on issues of the day. When you come to such things as knowledge, age and experience they would be happy things to work: but there are things which you would not expect a boy to fill. No boys younger than 18 years have won the Barbados Scholarship, but it is not an unusual age. The age is 19 years, and if you are nineteen and you are not yet twenty, you are not debarred from sitting the Barbados Scholarship. I have an example in the Principal of the University College of the West Indies, Dr. Lewis. He is less than 45 years and he is the principal of the University College of the West Indies. By that you will know what he was at the age of 18 years. He is now in the top class and I can show an instance where age is no longer the barrier to the development of the mind.
3.05 p.m.

Owing to the educational facilities of, say, fifty years ago which were limited, if you voted at the age of twenty-one, then today the age should be sixteen and not eighteen on a comparative basis, because the kind of opportunities for mental development are greater now than they were then. There cannot, therefore, be any criterion for saying that the age of twenty-one is the ideal age, because it was the legal age that was put down for people. You can very well understand that our forbears talked about twenty-one, because the Victorian and Elizabethan era were periods in which age was revered, and you could not look at a man and make him anything. I am sure that I am not unusual in this outlook. Someone said I could not sign a contract unless I was twenty-one; signing a contract has nothing to do with this, nor does it say that because you are not twenty-one you cannot go to gaol.

Mr. Speaker, voting does not give you the right to sign a legal contract, and it does not mean that a Magistrate cannot put the Bastardy Order on you if you are eighteen. The idea of twenty-one years is only for legal business. People cannot marry, unless their parents decide they can

marry, until they reach twenty-one; but do not let the parents sign and see if something is not produced. Biologically if nothing could happen before you reached the age of twenty-one, then you would say that twenty-one should be the age. That is why I say that signing legal documents has nothing to do with the question of exercising the right to vote, and I hope that nobody would confuse the issue of the legality of signing documents, preparing affidavits or anything like that as a basis on which you determine when a person should vote, because we are dealing with the Representation of the People Act.

It is good that I can deal with any argument which is likely to be used against the lowering of the age. What I say, Sir, is that my own experience has led me to the view that when more people are brought within the ambit of voting and exercising their civic right, the community will be a healthier community, because more people would be engaged in what is going on in the community, and therefore nothing should be done to preclude as many people as possible from engaging in the art and system of Government. If we hope to be a young emerging nation, there should be nothing we should do that would preclude a person from exercising to the full all of his rights within the community. I feel that members should set an example. In Barbados there is too much the temptation that if something is done in Jamaica, Trinidad or British Guiana, somebody would feel we can do it here too. There is this 'whatever you can do, we can do better' attitude. I feel that there are things which we have to examine for ourselves, and for that reason, I feel that the amendment should commend itself to members of the Chamber in order to give the young people the right to vote.

I hope I will not hear the same argument used in this instance as was used about single member constituencies to the effect that you did not put this to the people or did not make it an electioneering platform. I do not think, Mr. Speaker, that this is depriving anybody of anything. In the old days this idea of putting something to the people was not a matter of depriving them of something; it was a question that those who remained in power by the old system felt that the constitution should not be changed. The composition of the House has changed, and the hon. junior member for St. James has come in here now on a Labour ticket. With the composition of the House being the other way, the hon. junior member for St. James would never have thought of coming here on a Labour ticket, because he would be regarded as an outcast, as a traitor — even if he were a sleeping traitor. I do not think that even pretending members can feel that this is an amendment to dispossess them. You can understand the old members feeling that adult suffrage would dispossess them as it did, and you can see that they were afraid, because as one member said, the flood-gates were open.

I believe that what happened in the old days was that members went to the people because it was a peculiar thing that if you wanted somebody who gave you the right to vote and you had to give somebody else the right to vote, they would be free just as you can go and ask a man to join a club, but the members of the Club can black-ball you; so it is democracy to say that they gave you the right to come in. In those matters it was whether you are going to deprive the community of anything, and therefore you let the community know that you were going to take something away from it. In this case you are not taking anything away but adding, and I do not think anybody can say that you are doing something for which you did not have a mandate. I do not think, Sir, that that charge can be made against us, or that the electorate should know before members exercise their minds, nor do I think that the members can say that it is a Bill which gives irresponsible, immature people the right to exercise a vote. The Minister of Education should have a free mind, because I take it that any man to be Minister of Education must possess a free mind. A man who has been a schoolmaster for many years building the minds of people must have seen how the minds of children have been working as well as those of adolescents and adults, and I doubt very much that the Minister with his pronouncements from what I read in the newspaper, though he said he was talking about a period as a period for information and education, would say that the children are being left as dunces.

The Minister of Education, whose portfolio deals with the minds of the community and has a programme for further education along with his association with the University College of the West Indies, has a background that was moulded and welded in education; he can bring his experience from the Victorian era into this era where he can see the changes; but some people of one generation do not live easily with another generation, and I am sure that he cannot say that the reduction of the age to eighteen is any infringement, or — I may say, any dissipation of the quality of the electorate.

3.15 p.m.

Far from that, I believe he would have to admit that that is what is being done now on the level of further education and what he can see that children are grasping as education must of necessity fit them for a more responsible role. I am going to give an example. You have six Permanent Secretaries in the Ministries and their average age is younger than the age which one would consider to be the age for one to hold such a post. I know that there are five Permanent Secretaries who are younger than I am and they are doing a fine job; so it is stupid for one to say that you should put somebody under 40 years to hold such a top post. I believe that there are only one or two of them who are above the middle forties. All are below the age of 45 years. Our Civil Service today recruit boys at the age of between 18 years and 19 years and less than 21 years. Go and see how many youngsters they are who are disenfranchised but who are working for the Government of Barbados — and some of them are doing very important work because their ability fits them to do it. It is an interesting pattern of our own educational institutions in our times to see that we have not yet advanced from the stage where we cannot see any relaxation in the age limit for voting. I must say that I see no logical argument against lowering the age to 18; the only argument I can see against it is that from antiquity the age was 21 years.

I hope that they will give some examination to this question. Let me put it this way. We do not have to ask the Colonial Office to grant us another constitutional change when we are doing this. The Secretary of State is required to give us constitutional advances, Ministerial power and every advance which is being made along the lines which other colonies have been granted, but we do not have to ask anybody for this constitutional change because it is one which rests in our hands. It is something which we can do and we should grant it to the people of this country because it is the one thing which the people desire. Sir, I have much pleasure in moving the second reading of this Bill.

Mr. TUDOR: Mr. Speaker, I believe one of the signs of getting older is that you tend to judge public questions by the reaction which they would have on the people of your own age range. While I was listening to the hon. member — and with interest — it occurred to me that it is ironical but nevertheless, true that may be, some 18-year-olds if they had the vote would probably consider the hon. member and myself as old foggies and that the sooner we get out of public life and make way for them, it would be better. If you look at this matter that way, you are bound to be skeptical of the desirability of an amendment of this sort because you will be looking upon young people as being rash, head-strong and being foolish and you will be fearing what they will do if political power came into their hands. I brushed off those thoughts as the hon. member went on to speak and began to think that a question of public importance ought to be decided on principle and on no other basis. It seems to me that democratic government rests on several principles and the two important principles which apply more than any other to the foundations of democratic government are: (1) that only the wearer of the shoe knows where it pinches, and (2) that it is better to count heads than to break them.

Let us deal with the first principle that it is only the wearer of the shoe who feels where it pinches. If that principle is true and can apply to political life, it means among other things that young people are called upon nowadays to face burdens of existence from which they would have been sheltered by their parents and guardians 60 years ago. They are caught up in the main stream of existence today and they are part themselves of the struggle. They become wage-earners early and become parents of children; and in coun-

tries whose international relations leave much to be desired, they are frequently asked to pay the supreme sacrifice of laying down their lives in battle. In addition to that, in almost all civilised countries it is possible to find that the laws of the land exact certain penalties — some of them very grievous penalties — on the young for contravention of the law and those penalties are enforced with the utmost severity, the age of the offender notwithstanding. Therefore it needs not much more argument to show the democratic principle, that the wearer of the shoe alone knows how it pinches, is true and therefore it is difficult to exclude young people from further participation in public life.

Moreover, from the point of view of statistics, it is by no means certain that if the voting age were reduced from 21 to 18, the electoral register would be swamped with people of that age. It is not even certain that all of them without exception would chose to register. But the point is that this is something which ought to be offered to them.

I go further and say that those who might have fears that the reduction of the voting age might so upset the balance of thinking and attitudes among the electorate need only to reflect on this fact: that the reduction of the voting age from 21 to 18 can only add at the most about 4,000 or 5,000 new voters to the list.

3.25 p.m.

That is not a percentage great enough to affect the total outlook, attitude and opinion of the entire Electorate. This new influx of voters — I mention this to re-assure those who are afraid of young people and who would be apprehensive on that score — being such a small percentage of the total Electorate would probably, I put it no lower than that, not affect the general pattern of voting to any great extent. Therefore those who feel that an influx of young voters would put them in power and those who feel that an influx of young voters would throw them out of power would probably, on analysis, be proved to be both wrong.

As to the second principle which is that it is better to count heads than to break them, this principle only has to be studied in order to be accepted. Let us look at the matter in this way: in a community where the Government is interested in raising the cultural and educational standard of the people and where it aims at raising the intellectual level of the population to a height at which all the people can understand what is going on around them and therefore make their full contribution to the life of the community, in such an atmosphere every single person counts. If a person can leave school and become a citizen liable to discharge all the obligations of citizenship and enjoy all the rights and benefits which citizenship confers, how can you, without a surprising lack of logic, be prepared to draw the line arbitrarily at a certain age range and say that beyond this age range, although you are to play your full part, you are to be denied the one thing which makes the claim possible? Then there is another aspect of the application of that principle which, to my mind, is most important. The principle is that it is better to count heads than to break them. Where the economic, social and cultural development of a community is not as right as it should be there is bound to be a considerable amount of discontent. Things being what they are, that discontent is felt more keenly among the young people than among the old people. The young people see more of the disadvantage under which they live at first hand because they are moving into it and the old people are moving out of it. The disappointments are keenest among the young folk. If you have a situation in which young people feel that the advantages of their very lives are so frustrated today and you give them no outlook so as to remedy those conditions, then you are bound to have to deal with a situation which develops and gets out of hand. Secondly, when disturbance comes, there is a point beyond which people will not put up with bad conditions. You have to start breaking heads in order to get order whereas by counting heads and giving everybody the vote you will prevent disaster. I cannot illustrate the application of the principle more than that. Where conditions of life are hard, where young people feel those conditions most keenly, where they themselves are victims of circumstances, not of their own design but circumstances brought on largely by the inefficiency and mismanagement

of their elders, the very nature of the disappointments they feel urges them to revile against you. It is better with the urge for betterment and the channelling off into the democratic process to give the young people the vote so that when they have to meet the frustration of disappointment you may be able to see how far they should be governed and play their full part as citizens in putting right the things which they experience. I think it is unfair to the proper working of the democratic system if you give people no outlet for bringing about a physical change and at the same time expect to maintain law and order. The position as I see it is that it is better to count heads than to break them.

Let us look at another aspect of the matter; there is some reason why the voting age stands at 21 years. There may be legal reasons which have the authority, but they do not recommend themselves to logic. We understand that in law you are a minor until you are 21 years but in law also provision is made for minors to contract marriages — and a more responsible undertaking you can scarcely imagine. I think myself that setting up a family and providing for a home with children is as responsible an undertaking and activity as being able to vote. Why is it that in one case the law makes provision for minors to enjoy one facility and denies them the other? If a man or woman at the age of 18 years commits murder, after trial, conviction and sentence he or she can look forward to the involuntary surrender of life at the behest of the State in exchange for the life which he or she has taken.

3.35 p.m.

It seems to me to possess a terrific lack of logic to ask a man or woman to surrender his life for the commission of a crime for which you have held him responsible and still deny him the right to choose his Government. If you argue that his moral facilities are so well developed that when he is about to commit a crime, conscience and a sense of right or wrong should direct him not to do it, if you argue therefore that morality in the matter is so highly developed that it should teach him right from wrong and it should show him the difference between killing and not killing, it is strange that you cannot see that it takes a lesser degree of conscience to enable him to determine whether or not he should vote for this Party, or determine the degree to which he should contribute to the life of his community. The choice in the heat of passion as to whether you should commit murder or not may be a hard choice to bring under control, and therefore it takes more out of you to keep your passion in restraint; and you would need more awareness for that than you would need to be able to vote.

Mr. Speaker, the law says that at seventeen or eighteen years you are deemed to be so responsible that you can choose whether or not you should kill, and yet you have to wait until you are twenty-one before you can choose whether you can vote for X or exercise a vote in the proper manner. That is the illogicality that I cannot understand. It seems that the one valid argument which could be used against an amendment of this sort is that it is better to keep the voting age more or less on all-fours with the age in which the law sets out certain legal requirements. That would be the valid reason for opposing it; but when you examine that reason further and discover that whereas the law recognises the age of twenty-one for certain purposes, and it still recognises ages below that for other purposes, that argument breaks down, and consequently the one argument which could be used against this amendment is the one argument which turns out to be in its favour.

I have to point out, Mr. Speaker, that young people nowadays are more mature mentally than would have been the case twenty years ago. It has to be so, Mr. Speaker, because the range of their experience is wider. Let us take an ordinary case. Twenty-five years ago the possibility of space travel remained only the dream of certain adventurers' novels and mathematical theoreticians. It is a fact that persons who are now growing up and who are brought face to face with that experience must have a slant on the universe which is broader, wider and longer, shall we say, than their predecessors. Generations of the past never understood all the complicated issues which children now take for granted, and so that maturity has itself acted as a boost for

another kind of maturity; it has enabled them now to make decisions for themselves in matters in which parents and guardians made decisions a generation ago, so much so that it would be very common, I believe, Mr. Speaker, in households in this island to discover children actually guiding their parents in matters of business, not because they have the experience but because their thinking powers are more sharply developed. That is as it should be, and I cannot therefore see the force of the argument which allows every kind of development of young people except the one development which matters, and that is the development which would enable them to play their full part in the life of their community as citizens.

My support of this Bill has nothing at all to do with what is done in Australia, although I am glad to hear that in Australia the voting age is eighteen; it has nothing to do with what is done in the other territories or in the United Kingdom itself; it is based on what I think is an accurate knowledge and experience of conditions in this island; it is based on my conviction that the maturity and stability of young people in this island are such as would warrant their being given the right to exercise the duties and responsibility of citizenship. To me therefore the exercise of that right and that responsibility could only be given to them through their being able to take part in political life, to offer themselves, if otherwise qualified, for membership of the General Assembly of this island, and if they are property owners, to offer themselves for work in the local administration of this island and in all other spheres where the exercise of political right makes a difference between a thinking person and a humbug.

I therefore have great pleasure in seconding the amendment in the terms as moved by the hon. senior member for St. Peter.

Hon. R. G. MAPP: Mr. Speaker, I speak as a young man myself who entered this House at the age of twenty-six - I believe the Mover of this motion just said that he entered the House when he was twenty-eight - and therefore I do not approach this question from the point of view of a man who is so troubled by age that he cannot see the advantages and also the disadvantages of being too young.

We have listened very carefully, Sir, to the Mover of this Resolution and the Seconder, and I cannot see that a case has yet been made out for any reduction of the age which qualifies a person to vote in Barbados. Nobody has fought more for the rights and privileges of the common man to give him freedom and constitutional advancement than the Barbados Labour Party, and when I say the Barbados Labour Party, I include persons who may not now be in the Party, but who were with us when we fought in the old days for the democratic rights of adults - and I stress the word "adults" - in this island, and we have continued to fight ever since then. Sir, democracy and the maintenance of a democratic state is not an easy procedure.

3.45 p.m.

It calls for an attitude of mind far different from the attitudes which we see in here and which we saw from members of the Opposition earlier today. It is far different from regarding a person in the Opposition as one whom you must ruthlessly slaughter on every occasion. It calls for checks, balances and, above all, matured judgement and a mature approach on the part of those who have power in their hands, whether that power is exercised during the vote or whether it is exercised by having to be voted into a representative institution like this.

I think it was Burke who gave vent to the venerable and admirable admonition when he says that your representative owes you not his industry but only his judgement, and he betrays instead of serving you if he sacrifices it to your opinion. That is so when we hear not his benefits alone but we hear his representations in every true and proper sense of the word and that is why, we have always stressed, those of us who follow the British pattern of democratic life, that people are entitled to the vote and system of adult suffrage - with the emphasis on the word "adult".

I come back to a part of the words which were spoken by the last hon. member who spoke and who put his case

from the point of view of pure emulation only. I am going to fire it back at him. He said, how can you draw a line on an arbitrary age and say that beyond that age range you cannot play your full part in the development of the community? I put it to this House that when the hon. member said that it was based on a false approach. Certainly from the point of view of having a line to be drawn at one particular age as against a lower or higher age, you have to ask yourself, at what age can a person be determined to be fully an adult? At what age he can bring those faculties so necessary for making choice? I say that the age of 21 years was chosen because in the matured judgement of those people who have always said that age is the limit in the British Electoral System, they felt that the age of 21 years is the age when a man even in the legal system can be regarded as a full adult.

The hon. senior member for St. Lucy talks about marriage and says that the law makes provision for those people who are below the age of 21 years. Yes, Sir, that is so, but it is certainly not entirely free and untrammelled in so far as the giving of consent. You have to get the consent of your parents. Why is that? It is because experience has shown that below that age - and I believe the Hon. Premier as a medical man can bear me out - psychologically you are not matured as regards certain biological and physical processes. Some of us mature early and some of us mature at the age of fourteen. Some of us are matured more than others as a being; but because you may mature earlier than others it does not mean that you can bring a balanced outlook at arriving at a certain thing earlier. If you go below 21 years, why stop at 18 years? It is more arbitrary to say 18 years than to say 21 years, because you have every example and tradition and even medical advice to draw from to keep it at 21 years. When you go below that, why say 18 years? Why not go below that? There are people who have gained certificates below the age of 18 years. There are some who have gained them at 17 and 16 years. However, in the legal system a man is not an adult until he is 21 years. At 21 years you can marry of your own free will but not below that you must be regarded as one who must have the consent of your parents in order to do so.

Mr. TUDOR: Mr. Speaker, I interrupt the hon. member for clarification. Do I understand him to mean that the reduction of the voting age to 18 years would be all right provided it was accompanied by the consent of the parents?

Hon. R. G. MAPP: I am challenging the validity of that argument. It was he who raised it, not me. I am destroying it. He said that it is logical for the State to give you the franchise at 18 years because you can marry below the age of 21 years and if you can enter into such a responsible institution as marriage below the age of 21 years, you can exercise the vote below that age. I am pointing out to him that he did not put the full facts to the House. The full facts are that you can marry below the age of 21 years but not without your parents' consent. At the age of 21 years and over you can marry on your own. You can enter into any form of union that you may desire on your own because the State says that is the age at which you become a mature man. It was based on those facts - it was not a mere fact, whim or fancy - that the age of 21 years was put as the qualifying age for voting. It was not only put as the qualified age for voting but they also say that that is the age at which you can enter Parliament or an elected institution.

3.55 p.m.

It is no mere coincidence. It was based on sound argument that if you could vote at the age of 21 years for a member of Parliament, therefore you should be able to exercise the same judgement and run for Parliament yourself. But could you say that you are running for Parliament at the age of 18 years when you could not even get consent for marriage at that age? People should not feel themselves delegated to say what somebody else has told them to say; they should use their own considered opinion. I repeat that there would be no argument at all for reducing the voting age to eighteen years and not, at the same time, reduce the age at which you can run as a candidate for the House of Assembly. The argument for doing one thing would be the argument for doing the other. At the age of 18 years you cannot say that you have seen a fair lady and you want to join yourself to her without first obtaining the blessing of your parents. An

heir cannot inherit property until he becomes 21 years of age; he can inherit it in a certain sense but he cannot enter into full possession until he is twenty-one years of age. It was with the legal aspect in mind that that age of 21 years was arrived at as the age for granting adult suffrage. It was not anything arbitrary.

We are still a comparatively young democracy. What others have taken hundreds of years to attain, we have come along and attained after some struggle in less than 25 years. The struggle only started in the 1930's. That was the first sign of revolution and the first sign that the waters were being stirred. We have gone a long way. I do not know when the voting age in Australia was lowered, but I do know that Australia has had independence for a long time. We have not yet attained independence. Although the hon. member guarded himself by saying that he does not advocate copying Australia, I am wondering if he has brought in this Bill, having been influenced to any extent by what obtains in Australia. If we are going to follow Australia, why should we not follow other territories which have the age of 21 years? I do not say that they are less worthy of example than Australia. The fact that the hon. member brought in Australia may have influenced certain hon. members to think that we should follow Australia. I do not think that we should copy Australia or Jamaica; if we feel, judging from our local circumstances, judging from the fact that, constitutionally, we still have not yet arrived, I am wondering if we should leap forward rather than take a gradual process. This morning we heard great praise for Great Britain; we heard that we should emulate Great Britain. If we believe that Great Britain is a model, well then, let us follow her.

I think that this matter is more involved than being just a sentimental matter. The hon. senior member for St. Lucy spoke about young people. I want to say that you are young at 30 years and I believe that the hon. junior member for St. James still feels young. Some people mature more quickly than others; you have to draw the line somewhere, and experience has shown that a democratic society can best thrive when we place things in the hands of people who have matured; the age of 21 years is still regarded as the age of maturity. If you just say that the age should be reduced to 18 then I would say let us put it at 16. Some people pass examinations at 16 and they go to Prison at 16; they may do anything at 16 which some people may do at 30 or 40, but there is no reason for saying that we should have this voting age reduced to 18. Where will we stop if we were to go on like this? We do not want to find ourselves putting our destiny into the hands of people who are 12-year olds. It is difficult to make an infant look like an adult, however much you may try to hide the fact. I would not like to see the day come when the citizens of this country are faced with the possibility of people who are eighteen years telling you that they are mature enough to enter this House and represent other people. You cannot do that.
4.05 p.m.

There are exceptions to every rule. You get Bachs and Beethovens, but how many of us are Bachs and Beethovens in the field of music? And how many are Marconis? There are geniuses who mature early; you cannot do anything about them. I therefore cannot see the pressing necessity to reduce the age below twenty-one. As time goes on, when we have travelled more in space — I think the hon. member for St. Lucy referred to travelling in space; I understand that old men thrive more in space than on earth, and the higher they go the younger they will get — and humanity grows wiser and we start developing at this terrific pace, maybe we can give consideration to a serious proposal like this.

Mr. Speaker, we have begun and are in the midst of this business of constitutional change, and the same voters are called upon to exercise their judgment in respect of such questions as federation, further independence and so on. This is the time to consolidate on what we have already and to go forward to our objectives and not indulge in these fantasies, because it is only a fantasy that would lead one to expect that a person from all our experience can be called an adult at the age of eighteen. We have heard no argument that is not easily demolished. We cannot have one facet of

this question and deal with that age alone so far as voting is concerned and not reduce the age for everything. In every legal document where the question of age and maturity comes into play, the age of twenty-one is the dividing mark; it forms the division between immaturity and maturity and between the adult phase and the teenager. You pass through the age of adolescence and reach the adult stage at the age of twenty-one. We have heard that; it is enshrined in the law and in the constitution; so what is the compelling reason for reducing it to eighteen? Where would we go after we have reduced the age to eighteen? We would then want to reduce to sixteen.

Mr. Speaker, you must have some properly defined line, and history and experience have shown that that dividing line between adolescence and adulthood, between maturity and immaturity is twenty-one; so let us stick to it. I do not see that any harm has been done so far as our system of exercising the vote is concerned. I think there was a stage in England when women below the age of thirty could not vote, but it was reduced to twenty-one by stages. We did not do it that way; we said that at the age of twenty-one a man or woman could have a vote. We did not follow them because we felt that we had arrived at a stage where a man or woman at twenty-one was mature enough to exercise a vote. I think, Sir, that hon. members would be well advised to let us go on seeing where we have come from and the stage that we have reached, and the fact that we are going forward to independence and giving those citizens of twenty-one matters of profound importance to their future and to the future of their children to decide upon in the very near future. They have to decide on very big questions like the type of Federation we are going to have, the question of independence and questions on which the future of Barbados is intimately bound up. The future of these and that of their children and their children's children are intimately bound up and I am not yet convinced that we could bring the requisite responsibility to bear on these very fundamental questions which are facing this community by reducing the age below twenty-one.

As I said, I have not heard any reason why, to carry it to its logical conclusion, we should stop at eighteen and not say sixteen. Members talked about people going to prison, being hanged and all that; it cannot happen to them at sixteen; you can go to prison or to another institution at the age of sixteen, and you can get married at twelve or fourteen with the consent of your parents. You can enter into an institution in which you must exercise some sense of responsibility, but when the state says that you have not yet arrived at that stage of responsibility to enter freely and untrammelled, you have to do it with the consent of your parents.

Mr. Speaker, certain members mentioned the Minister of Education, but I am sure that from his profound reading and experience in dealing with children, you do not want anything better. Both of us were teachers and had dealings with children; we know their approach at different stages and the judgment they are called upon to exercise. We are not talking about geniuses; we are talking about the ordinary children who would be called upon if you reduced the age. We know the psychological changes through which children go in the adolescent stage as opposed to the adult stage, and it is for very good reasons more so than having an arbitrary line that the age is twenty-one as is enshrined in the law.

On my left sits another previous teacher for all his years, and I feel sure that he will add to our findings and knowledge in attempting to deal with this question.

Hon. L. StA. THORNE: Mr. Speaker, on this matter of lowering the age for voting, I am to say that I have been very favourably impressed, and I want the Hon. Mover of the Resolution to see that up to a point I do feel that so far as what he has said is concerned, he has certainly given a very big boost to the work of the teaching fraternity in this island of Barbados.
4.15 p.m.

I have no fear of what will be the result from my own point of view if the age was lowered to 18 years. I am posi-

tively sure that my comrade in the parish of St. John would like to hear that the lowering of the franchise to the age of 18 years would not at all endanger my chances of being returned; so nothing I say on the Bill can be taken to mean that I say so because it tends to reduce my chances of being returned because I think I can boast of being at home in any issue.

The Hon. Mover of the Resolution was very, very careful to play up his argument in favour of reducing the age around this argument of Sixth Formers. He said, "look how many youngsters of Barbados reach the age of 18 years in the Sixth Form!" There are only a comparatively few who reach the age of 18 years in the Sixth Form and then when he uses that argument he certainly would rule out all the other boys or younger people. I do not think he made reference to the Sixth Form because he wanted to rule out those other boys.

Mr. WALCOTT: Mr. Speaker, I rise on a point of order. The hon. member, if he is developing that point, thought that I was speaking of those youngsters in the Sixth Form only. I drew to their attention the boy or girl of that age in the Sixth Form and their mental development as an example, but I stated that the Education Department gave more boys and girls at the age of 18 years the opportunity for more development and that children of today were better able to exercise the right of voting than those of 60 years ago. I did not say that those are the only people who were able to do so, I said that those are some of the people.

Hon. L. StA. THORNE: I did not insinuate that he said that they were the only examples; but as a result of the way he put it, it gave the impression that only persons of 18 years who had reached and had attained Sixth Form education were good and suitable for exercising the vote.

What struck me very forcibly really, was the fact of another point which he made to the effect that these teenagers in some instances showed a greater measure of intelligence in the usage of the vote than adults over 50 years and 60 years old, and he quoted an old person of 69 years. It was because of such an argument that he wanted to assure himself that persons who were given the use of the vote at 18 years had reached a certain standard of maturity so far as their ideals were concerned. I feel where the intelligence of teenagers is concerned, where their ability to mark the "X" in the right place is concerned, that they are by far superior to some of the adults. But it is not merely a matter of marking the "X" in the right place; in this usage of the vote we certainly do want people when they cast their vote to do so intelligently in that they have the necessary experience to look out for the qualities which go to make a good representative and, in so far as those teenagers are concerned, I am to say that whereas I have not the slightest doubt relative to their ability from the academic point of view, I do sincerely feel that they would need that touch with the outside world, with the rank and file, which would give them the practical experience which is so necessary in exercising your vote in an intelligent way.

Sir, I feel that the Hon. Mover of the Resolution was influenced by the fact that whereas he was sure, as I am sure, that there are many teenagers who are far below the age of 18 years, although he did not say that, but even young people of 13 years who would exercise their right to vote in so far as marking an "X" in the right place, he was also quite sure that they are inexperienced and it is for that reason that I am inclined to say that whereas teenagers satisfy us from the point of view of the academic ability, at any rate I think he would admit that they should be given the opportunity to round off their knowledge by gaining a knowledge of life before they are called upon to embark upon this job of casting their vote. We know that 21 years is the legal age which has been adopted. We know that there are some youngsters who complete their academical course when they reach the age of 18 years; but though those youngsters may have academic ability you should give them the necessary and practical experience before you give them the right to exercise the vote. I do not think you will be doing them any harm when you give them that opportunity; you will be making it possible for them to be able to exercise their vote

in a more intelligent way than they would be able to do if they had come straight from school with all their childish fancies which we know do not always work out right.

Now, Sir, why is it that we are advocating the saddling of these young people prematurely with the vote? Is it because we feel that adults are not doing their job in the right way? If that is so, to yoke the teenagers with the vote would not solve the problem. You will find that things will go from bad to worse owing to the fact that the teenagers would not have the necessary practical experience and they would merely be exercising it by their whims and fancies. I do not know if you feel that by including teenagers it may be possible for you to get more votes. If that is your feeling, we should not look at it from the personal point of view.

I agree with the points made by the Hon. Minister of Communications. He has touched on many other points which I was going to make and I do not think it is necessary for me to prolong this debate. I only say again that I do not think it would be in the best interest of the teenagers themselves if you draw them into this fray before they get the necessary opportunity to get some practical experience so far as life is concerned.

Mr. WALCOTT: Mr. Speaker.....

Mr. SPEAKER: Before the hon. member replies, I must make sure that every hon. member has the right to speak; otherwise if the hon. member replies now, any hon. member who speaks after that can only speak with the permission of the House and if there is only one objector that permission is destroyed.

Mr. STRAUGHN: I was thinking that the Hon. Minister would have spoken until the close of time for Private Members' Business and that is why I was so slow in rising. I imagine that there is no one who would want this measure to go through on the remarks of only those hon. members who have spoken. Perhaps I would be one whom hon. members would think would favour the reduction of the age to 18 years because I am more to the age of a teenager than anyone around this Table. I am interested in this because it touches on the problem of social research.
4.25 p.m.

I would say that if we accept the arguments which we have heard up to now — and I think there are sound arguments in many respects, for instance, the argument that the age of 21 is an arbitrary age. We have been practising and moulding our lives on this arbitrary pronouncement for some time, but it does occur to me that if one is talking about making a change from an arbitrary situation to another arbitrary situation, then one must be more able to prove that case conclusively; otherwise the *status quo* should be allowed to remain. There is a law which says that you have to presume that an accused person is innocent until he has been proved to be guilty and that is the same thing as changing from the age of 21 which we have accepted. I do not think that there is anything sacrosanct about the age of 21; I happen to know that in Dutch countries the age for being an adult is 22 years. In other words, you are not an adult until you are 22 years of age.

Mr. Speaker, it is the end of the time for Private Members' Business and I intend to develop my point in more detail on another occasion.

At this stage, it now being 4.30 p.m. of the clock,

Mr. SPEAKER: It now being 4.30 p.m. of the clock the House will revert to the consideration of Government Business.

MESSAGE FROM THE HONOURABLE THE LEGISLATIVE COUNCIL

Mr. SPEAKER: Before the House resumes the consideration of Government Business, I have the honour to inform the House that I have received a Message from the Other Place returning to this Honourable House the Bill to amend the Local Government Act, 1958, which has been passed with amendments which are shown written on the Bill.

STATEMENT re PROVISION OF FUNDS FOR HIGHWAYS IMPROVEMENTS

Hon. R. G. MAPP: Mr. Speaker, before we resume Government Business, I am asking leave to make a Statement respecting the provision of funds for highway improvements.

Mr. SPEAKER: The Hon. Minister is asking leave to make a Statement and unless there be any objection, leave will be granted the Hon. Minister. *(After a pause)* There being no objection, leave is granted the Hon. Minister.

Hon. R. G. MAPP: Mr. Speaker, the Statement is as follows:-

"A sum of \$320,000 has been provided in the 1961-62 Estimates under Part II - Capital Expenditure, Head VIII - Item 4, Highway Improvements. This amount includes a revote of \$242,000 for the specific purpose of improving the following junctions:-

Eagle Hall, Bank Hall, Hindsbury Road, Fairfield/Welches, Government Hill, Collymore Rock/Culloden.

2. In view of the urgent need for road improvements in the Cheapside area and at the Belmont/Martindale's junction, it is proposed to meet the cost of these projects estimated to be \$87,000 and \$60,000 respectively from the \$320,000 provided under Part II - Capital Expenditure, Head VIII - Item 4, Highway Improvements, and defer the proposed road improvements at Bank Hall, Government Hill and Collymore Rock/Culloden.

3. This statement is being made for the information of the Honourable House in view of the fact that it is proposed to utilise funds provided under an item for a purpose other than indicated in the relevant Note in the Estimates."

Mr. SPEAKER: A propos to the statement which I have in my hand and which has been read by the Hon. Minister of Communications and copies of which may be in the hands of hon. members, I am asking the Minister to consider very carefully what is proposed in paragraph 2 of this statement. I would urge upon him the necessity, as I think it is, for introducing a Resolution in this House in this connection. I think that there is money involved in such a transfer which cannot just be taken for granted, the money having been already passed in the Estimates, and it must be disposed of in the manner and purpose for which this House has voted the money. I think that the Hon. Minister, before he enters into any trouble, had better see to it that he gets into consultation with those who are to advise him and see if the necessity does not arise for him to bring down a special Resolution to this House dealing with this particular matter. I think that that intimation at this stage might probably save complications later on.

Hon. R. G. MAPP: Mr. Speaker, I hope that that is not an insinuation that I have not taken legal and constitutional advice because I have done so. It is because of such advice that I have made this statement to the House.

Mr. SPEAKER: After all, legal and constitutional advice is a good thing, but this House is very alert on its rights and privileges. I must remind the Hon. Minister of that.

Mr. CRAWFORD: Mr. Speaker, may I request that you read the particular paragraph?

Mr. SPEAKER: I will ask the Clerk to read the appropriate paragraph. *(The Clerk read the paragraph.)*
4.35 p.m.

Mr. CRAWFORD: Before you pass on, Sir, did we understand that the Hon. Minister has accepted your suggestion on the matter? We do not know if we heard you correctly, but we understood you to say that before he acted in the manner he is proposing, he should consult the appropriate authorities on the matter. His reply was that he had already done so. Are we to understand that he will proceed in the manner he is outlining?

Mr. SPEAKER: I do not know how he is going to proceed; I can only give him my warning: so it is a matter for the Minister. I have done my duty.

Mr. BARROW: On a point of order, I think you will remember, Sir, that some time ago this side of the House disapproved very strongly of the method of changing money votes of the House by oblique statements made by the Ministers or by laying on the Table of the House a statement that money has been used in a direction other than that actually voted by the House. What I want to say in addition to Your Honour's warning is this: I wanted it to be placed on record that we on this side do not consider a statement to be a substitute for a vote of the Legislature. If the Legislature has voted a sum of money to be expended on a specific project, the Minister cannot by making a statement out of which normally there is no debate, inform the House that he intends to spend the money in another way. What they have been doing up to now is to spend the money and not tell us anything at all, and we have had to make very strenuous objections on this side of the House to that procedure.

Hon. R. G. MAPP: On a point of order, the hon. member has just made a statement which is not true. He knows very well that we cannot do that. The Auditor General who is not controlled by us would not allow it. Mr. Speaker, there is no Public Accounts Committee in this House as in the House of Commons, and if there is a statement made before the House which the House accepts, the Auditor General feels that it is done on the authority of the House; so to say that you can hide and do something without reference to the House is not true.

Mr. SPEAKER: I must let the Hon. Minister know that the House does not pass a statement; the House only receives statements.

Mr. CRAWFORD: What I want to find out, Sir, is what does the Minister mean by saying that the House accepts a statement. What machinery have we?

Mr. SPEAKER: You cannot even argue it.

Hon. R. G. MAPP: Mr. Speaker, let me clear this matter because I am anxious to follow the best procedure. I am very anxious to see a Public Accounts Committee such as there is in Trinidad and in the House of Commons, because as members will know, the Minister will go before such a Committee and make a statement, and it would not be necessary to come back to the House on the matter. He will tell that Committee, if he does not propose to go on with a particular item, how he proposes to spend that money which was passed in the Estimates. There would be no debate necessary in the House if this went before a Public Accounts Committee.

Mr. BARROW: Mr. Speaker, I am surprised at the hon. member. I am making a categorical statement here now; I am saying that money has been spent from time to time, and the last debate we had on this was an expenditure under the Ministry of Agriculture, which was not the subject matter of a vote of the House. I am not saying they did not make a statement surreptitiously in the dark. I suppose I would die.....

Mr. SPEAKER: I think the expenditure was under Education and not Agriculture.

Mr. BARROW: It was under Agriculture but there may also have been one under Education as well. As a matter of fact, you will remember that up to 1956 they had spent \$17 million and had not brought any supplementary Appropriation Bill, and then they had to bring in late in 1955 or early 1956 an omnibus Appropriation Act to legalise the expenditure of \$17 million. Although the constitution of the island clearly says that every supplementary Estimate shall be the subject of an Appropriation Act at the end of each year, that was brought in ten years after.

Hon. M. E. COX: On a point of order, that is a lie; it does not say that at all; it says at the end of every Session. I knew he was going to do that because he said already that

we were misappropriating taxpayers' money on that same question.

Mr. BARROW: I would not even worry with him, Sir, when he says that is a lie, because we have never had a ten-year Parliament; so let us see how what I said is a lie that at the end of every year one must introduce an Appropriation Act. He says it should be at the end of every Session. Have we ever had a ten-year Session in this House? We have a five-year term; so there are five one-year Sessions in a five-year term. I never argue law with laymen; I can always argue it with Your Honour; so why should I worry with anything like that on the other side? Whatever his interpretation of the law is, I am saying that we have never had a ten-year session and they did come for \$17 million.

This is what I wanted to make clear when I rose on a point of order: I suppose I will die before I discover where this mysterious Table is on which matters of the House are laid, because we know when a matter is laid on the Table of the House like the Unemployment Report, sometimes it gets lost in the Government Printery or at the Barbados Advocate. A statement is made that it is laid, but you never see it. You will find that in the Letters Patent.....

Mr. CORBIN: On a point of order, according to the constitution, at the end of every year an Appropriation Bill should be produced to this House and to the island of Barbados to let us know how money is spent. That is all I want to say. *(Cheers from Minister of Trade, Industry and Labour)*

Mr. BARROW: Why doesn't the member for St. Michael who cheered the hon. junior member for St. Andrew when he rose without knowing for what he rose call him a liar for reiterating what the Minister says was a lie? He is one of the occupational hazards of democracy. You will find, Sir, that under Article 33 of the Letters Patent and the Royal Instructions, the Governor has to take care that no public money whatever, whether or not it is appropriated to any particular services, be issued and disposed of otherwise than by warrant under his hand.
4.45 p.m.

You will also find, in Article 15 of the Letter Patent and the Royal Instructions as amended, this. Now, there is a dual check on this. The Governor has to ensure that no money is spent unless there is warrant for it. Under Article 15, it is stated:-

"All public moneys raised, or which shall be raised, by authority of any law within the Island, shall be issued by warrant under the hand of the Governor, and disposed of for the support of the Government of the Island, or for such other purposes as shall be particularly appointed by such laws, and not otherwise."

In other words, if you have a sum of money appropriated for a specific purpose, it can only be disposed of according to Article 15 for the support of the Government of the Island unless you have a subsequent law which directs or re-directs the vote into a different channel. However, I rise to say - and I do not care how much the hon. member gets up and says that I am telling lies; I am saying this categorically - that I do not want the hon. member to feel by coming in here and making a statement that he is going to divert public money from a purpose which was specific. We regard that as an acceptance for re-appropriation. I want to go on record as drawing it to his attention.

Mr. WALCOTT: I thought the hon. member would have accepted your advice.

Hon. R. G. MAPP: I am on a point of order.

Mr. WALCOTT: Sir, I am not going to accept that.

Hon. R. G. MAPP: I just want to ask Your Honour this.

Mr. WALCOTT: That is not a point of order; that is a point of bad behaviour.

Hon. R. G. MAPP: I have already indicated that I would accept your advice. I have already done that and I will do it again to make doubly sure that I have done it.

Mr. WALCOTT: Sir, Standing Order, No. 59, deals with Public Money and Paragraph 2 reads as follows:-

"All aids and supplies and aids to the Governor are the sole gift of the General Assembly; and all Bills for the granting of any such aids and supplies are to begin with the General Assembly; and it is the undoubted and sole right of the Assembly to direct, limit and appoint in such Bills the ends, purposes, considerations, conditions, limitations and qualifications of such grants, which may not be changed or altered by the Council."

Sir, if this is something which has been changed, altered or is not in accordance with our Rules, it should re-enter the House in the manner in which it can be the process of a Resolution to be adopted as a money Bill. Why I say that is because there is this fright by members on the Government side. They do not like things to be debated in here and because of that, they take this short cut course of introducing these things.

Mr. SPEAKER: I think the hon. member has dealt with that sufficiently.

HOUSE RESUMES CONSIDERATION OF INTERPRETATION BILL

Mr. SPEAKER: When the Sitting was suspended, the House was considering the Interpretation Bill.

Mr. TALMA: Mr. Speaker, while agreeing with the general principle of these amendments to the Interpretation Act

Mr. SPEAKER: I thought the hon. senior member for St. Peter was the last person addressing the House on that matter.

Mr. WALCOTT: I am finished.

Mr. TALMA: While agreeing with the general principle of these amendments to the Interpretation Act, 1949, which in many respects may be regarded as a result of the constitutional advancement which we have reached and as being consequential in form and effect, yet there are a few points which I should like to make in order to ensure that the proposed amendments take the proper form and shape which was intended.

Now the Interpretation Act of 1949 is an Act to make provision for the definition of certain terms and expressions for shortening the language used in Acts and subsidiary legislation and for other matters.

The Bill which is before us seeks to amend the Interpretation Act in many respects. In Clause 2 which seeks to amend Section 2 of the Interpretation Act, 1949, it is stated in paragraph (b) by inserting immediately after the definition of "land" appearing therein the following new definition:

"Minister" means a Minister appointed under Clause XVIII B of the Barbados Letters Patent 1914, and includes the Premier;"

Now, Mr. Speaker, I have taken the trouble to go through the Letters Patent of 1914 and I have not found Clause XVIII B as set out in the Act. There is no Clause XVIII B in the Letters Patent of 1914. It may be that the Letters Patent have been amended by an Order-in-Council and there is a Clause XVIII B which includes the Ministers and the Premier. But to say on the face of the Bill that "Minister" means a Minister appointed under Clause XVIII B of the Barbados Letters Patent 1914, and includes the Premier, is not strictly correct.

Clause XVIII B of the Letters Patent deals with the dismissal and the suspension of Officers. Clause XVIII B must have been a recent amendment since the introduction of

Ministerial system in order for the term of "Minister" to be used.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I rise on a point of order. That point was raised a bit earlier and I did not have the opportunity to reply to that. These amendments to the Letters Patent and Royal Instructions have already been drafted and referred to London, but they cannot come into effect until these amendments have been passed, and the Letters Patent and the Bills have been dealt with. 4.55 p.m.

The Letters Patent and the amendments to the Bill will be proclaimed at the same time. Those amendments are being held in London until such time as these amendments have been got through.

Mr. TALMA: I am grateful to the Hon. Premier for his explanation. Unless we had this explanation we could not understand these proposed amendments. If that is so, that will cover the proposed amendments in Clause 2 of the Bill. The proposed amendment to the principal Act in Clause 6 of this Bill reads as follows:-

"The Principal Act is hereby amended by inserting immediately after Section 28A thereof the following new Section to be numbered 28B..." and the new Section is set out here. In this new amendment the constitutional position of the Governor is clearly set out and defined; his powers and duties are clearly set out. Although the policy of the Governor and his duties have been restricted to a great extent and his functions in future will be more or less ceremonial and so on, yet, from this proposed amendment, the Governor will still retain certain powers and duties and will not be expected to follow the advice of his Ministers on certain occasions. I refer to Sub-clauses 28B (1) and 28 (3). The Governor's powers and duties are defined and set out in two working compartments. Clause 28B (1) states this:-

"Where by any Act or any subsidiary legislation the Governor is required to exercise any powers or perform any duties which are expressed to be exercisable by or to be performed by him in accordance with the advice or recommendation of any person or authority, he shall exercise those powers and perform those duties in accordance with the advice or recommendation of such person or authority.

Provided that before he acts in accordance with any such recommendation he may, in his discretion, once refer that recommendation back for consideration by the person or authority concerned."

Under that Clause, the Governor will be compelled to carry out duties which are to be performed by him, but he still has the power to refer any recommendations back for the consideration of the person or authority concerned. Clause 28 (3) states this:

"Where by an Act or any subsidiary legislation, the Governor is required to exercise any powers or perform any duties which are expressed to be exercisable by or to be performed by him after consultation with any person or authority he shall not be obliged to exercise those powers or perform those duties in accordance with the advice tendered by that person or authority."

Under this Clause, the Governor can refuse and ignore the advice tendered by any person or authority but under Clause 28B (1) he will be required to perform certain duties and functions in accordance with the advice of any person or authority even although he has the power to refer back any recommendation and ask for a re-consideration of it. In other words, the Governor, in matters in which he will have consultation with any person or authority, can still follow his own opinion or conscience and ignore the advice or any adviser or expert. That is set out in sub-clause 28 (3). The Governor is still vested with certain powers and is still competent to exercise his discretion as he alone sees fit. I want to make that clear because people may have the impression that the Governor will not have any power at all. It is specifically stated here in Sub Clause 28 (3) that he can refuse the advice of his advisers with regard to

certain duties and functions. That reminds me of the functions performed by the Governor in 1959 after the Local Government Elections. It would seem, on the face of this, that not only was the Governor, Sir Robert Arundell, exercising his duties and functions in a proper way, but future Governors may have that power to perform similar duties in what, in their opinion, is fair and in the interest of the community.

Hon. Dr. H. G. H. CUMMINS: On a point of order. I just want to correct the hon. member. He says that the Governor will still have power to act on his own in similar circumstances. That is not so. In any case or circumstances in which the Governor has to act on the advice of his Ministers, he has to accept that advice. It is in the case of other functions in which he may have to consult certain persons when he has to act in his own discretion. 5.05 p.m.

There are other things still in which he has to act in his own discretion even after consultation with somebody.

Mr. TALMA: Mr. Speaker, I was pointing out that even in Clause 28B (3) the Governor after consultation with any person or authority shall not be obliged to exercise those powers or perform those duties in accordance with the advice tendered by that person or authority. In other words, he can ignore the advice even after consultation, and I was merely making the point that even in the Local Government matter, what happened in so far as the action taken by the then incumbent, Sir Robert Arundell, in 1959 can happen again, because the Governor still has that power even after consultation.

Mr. Speaker, it is just that the argument was used on the last occasion even before constitutional advancement, and this amendment under the Interpretation Act still does not give that power; and I am going further to say that even after we have passed these amendments and new enactments have been put on the Statute Book under the Interpretation Act and the Local Government Act, the Governor will still have that power to nominate Aldermen and things of that nature. I am not here, Mr. Speaker, to explain anything further, but I agree generally speaking with the proposed amendments and say that it is only a pity that the Opposition did not participate in the constitutional talks at the time and agree to the numerous amendments and new Bills which have to be brought in, in that the majority of the Bills are, in truth and in fact, consequential and merely bring our legislation in line with the new Constitution which is being agreed on.

Mr. MOTTLEY: Mr. Speaker, the only reason why I will speak on this is because I would like it to be known that whatever a Party's feelings might be in this territory, all of us would agree with any constitutional amendments which would give us the right to govern ourselves. There is no point in the Government in power thinking for a minute that those of us who are in the Opposition today would be so stupid as to believe that the present Government will always be in power, and therefore they are passing legislation for a particular Government or improving the Constitution so that we can govern ourselves only by the present Government. It is a matter of governing ourselves, and that is why I wholeheartedly support this Bill.

There is only one thing I have to say, and I was at pains to listen very carefully although I was not here at first to hear the Premier express his view to something which he said is contrary to what the hon. senior member for Christ Church has said; but one need not have any legal luminaries to explain this to you. If you take up the 1947 Instructions, and read them side by side with these, you will see just where we are heading. No one wants to go over anything about the Aldermen incident, because I was too mixed up in it to discuss it now; but whatever members may think, there is no point in those who have been sent here to represent the people getting on any housetop and attempting to fool people that this Bill today changes the situation from what it was in dealing with a matter such as that which occurred in 1959. As a matter of fact, Sir, for political reasons quite a number of persons throughout the West Indies

and some of the greatest legal brains in the West Indies thought that they should align themselves with what I considered not an honest expression of opinion by persons who should know better; not those who were over-zealous because of their political outlook, but those who should know better because they were trained.

I am in a position, Mr. Speaker, to say that there were several people who knew and who expressed the view that these people were only talking through their hats and trying to fool people. They knew that in the conventions or Instructions or whatever you like to call them, they were following the less informed and that the Governor had these powers and could use them. This is the first opportunity I have had of speaking on that matter, because I think you will recall that I kept very silent on it. When some of my friends or people who call themselves my friends told me that they felt the Governor was wrong on this Aldermanic issue, I asked them to tell me how he was wrong. They felt that the Governor should have given the Government the opportunity of selecting the six Aldermen. My answer to that was very simple. Since 1946 I have seen a lot of changes, but I have never changed my allegiance and Party and I am respected for it in this entire island.

I have seen the Bushe Experiment put into operation when it was decided that the Governor would call upon the person who could best command a majority. I saw men picked away from Parties, but there was nothing you could hold in front of me which could induce me in any way; there was nothing you had to offer. I asked my friends what would have been the position when the Walcott and Wilkinson Party ran the island and the Adams Party came in and had a majority in this House, and how they would like the Governor because there was no limit to filling the Other Place to put a majority in the Other Place with a different political outlook so that nothing could get through. Of course, there are some others on the Government side whom I respect very much for the stand which they took in this matter, because they realise that it is democracy. What is the point in saying that people have elected Mr. X or Mr. Y and therefore let us get a gun and shoot them; why curse the people and call them all sorts of names?

I wholeheartedly support this Bill, Mr. Speaker, but I do not want anybody to think, whether it be the Attorney General or anybody else, as I have said so often in here and as I have told the now Hon. Sir Grantley Adams when he was Premier of Barbados, that all the legal brains in this country are on the side of the Government.
5.15 p.m.

There must be other legal brains outside so that some of us who are outside can consult. If I want to know something of this sort of thing, I will consult those people who know about it. If I want to know something about shoes, I will consult a shoemaker. Despite whatever the Attorney General or any legal luminary may tell the Hon. Premier that he can go a little further, I want to say for the benefit of the public of Barbados, thank God, the position remains the same: and if you have an Act in Barbados which gives the right to the Governor to appoint Aldermen, the Governor can appoint them. I challenge the Hon. Premier or anybody to deny this. If something were to happen in similar circumstances as it happened then, and the Governor felt within his conscience that the principle of democracy was being defeated, he can according to this Bill act just as he acted in 1959. Of course, there are other instances in the Bill where he must abide by the decision of his Cabinet. However, it provides, as the hon. member who spoke last pointed out, that the Governor still has the right to exercise his powers whether you give him advice or not and he can do so when he sees anybody wanting to defeat the principles of democracy.

Last but not least, the Hon. Mr. C. L. R. James of Trinidad was brought here and everybody got on platforms and criticised the Governor: but I kept pretty quiet in this matter because I fully realise that in any community if you are going to adhere to the principles of democracy, whether you like it or not, you should abide by the decision of the electorate. If the people decide to give the Government 18

seats in the next General Election, what can we over here do about it? If you come along the hard path politically, it is difficult to understand their arguing differently. Some of the members of this Chamber ought to be ashamed of themselves to stand up in public and say that the other side bought votes. Only the other day I was surprised to hear a Minister of the Federal Government using that argument about St. Vincent. Some people cannot take defeat. As soon as one little territory should attempt to elect people who are not of the Government in power, you raise all sorts of questions and say that it is deceit and all sorts of things. You have people who want to stay in power at all costs. Now, Sir, you know that Antigua will elect the Labour Party in the majority. St. Lucia will also do the same thing: but as soon as St. Vincent elected a majority Party other than people of the Labour Party, you got the Labour Ministers accusing them of dishonesty. You are accusing the same people who may elect you at the next elections. One sure thing you will observe is that the Conservative Government in England will never find itself mixed up with anything in any of the colonies against the Government, whether it is a Labour Government or not in power. That is one thing which you must like the Conservative Party in England for. So long as they come and find a particular Government in power, they respect it.

Sir, I support this Bill. I only repeat that I do not know who gave the Hon. Premier that advice. I repeat, in accordance with the 1947 Instructions, this section remains the same. The Governor must take advice from his Cabinet up to a point. That point ceases when there is a matter in which he must use his own discretion. It does not mean that if the Ministers suggest to the Governor that Mr. "X" should be a member of the Executive Committee, the Governor would exercise his right and say "oh no, oh no." If the Premier says that we suggest Mr. "X" of such views to be a member of the Other Place, the Governor has to accept the suggestion: but provision is still made here, and rightly so, for him to act in his own discretion. I do not want the people to be misled that because of any fuss made or any "kick-up" members of the Government have got the Constitution so amended that whatever they say to the Governor, whether it is right or wrong or whether it is contrary to the principles of democracy, he must abide by their decision. That is not so.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I rise on a point of order. The hon. member keeps repeating that. I think the hon. member will agree that the Jamaica Constitution provides for full internal self-government. I think he will also say that the Trinidad Constitution provides for full internal self-government. May I inform the hon. member that the wording of the law on this point is absolutely the same as that of the other two countries. It is the same as that in Trinidad and in Jamaica.

Mr. MOTTLEY: I never said that Trinidad was any different or that Jamaica was any different. Let me bring the whole thing to light. It was not that Sir Grantley Adams believed that he was right but he found himself in the position that he could not get out of it. He knew then that on the facts before him - nothing to do with the elections at all, but on the actual Instructions - on the face of them the Governor was right, and he had the power to act as he did.
5.25 p.m.

The point is that the Governor had the power. With a Party which gets nine seats out of twelve whom would they ask to appoint the Aldermen? The whole truth of the matter is that some over-zealous youngsters got on the wrong trail and the Premier could not let them down at the time. When it comes to the question of jurists and able constitutional lawyers, I want to ask this question: could anybody in this country believe, with our constitutional advancement just around the corner, that Sir Robert Arundell would have acted without the advice of the Colonial Office? Could anybody believe, even the Government in power, that the Colonial Office would have advised Sir Robert Arundell without taking the advice of their best constitutional lawyers? If Sir Robert Arundell had made such a blunder, do you think he would have been called upon to act as Governor General? Could anybody believe that Sir Robert Arun-

dell would have acted without taking the advice of the Colonial Office?

Mr. SPEAKER: That matter is now ancient history; I think I have forgotten all about it.

Mr. MOTTLEY: Have you forgotten all about it, Sir? I am sorry about that but this is one part of history which I cannot forget. I am only saying that no one would expect that the Officer administering the Government would have acted without the advice of the Colonial Office, and the Colonial Office would hardly have acted without the advice of the most able and astute advisers on constitutional law. This was a very able eye-opener because the Colonial Office must see people elevated to power and to what lengths they would go to retain that power even to the setting aside of the principle of democracy, the very principle by which they have been put into power.

I have much pleasure in supporting this amendment and I want the Premier to know that I got advice as well as they got advice and this is the same thing as it was; that is to say, that the Governor has the same right now as he had in 1959. If a similar circumstance takes place in this country the Governor would take the advice of the Colonial Office. I have had instructions as to this Bill, but my own commonsense tells me that it gives the Governor the same power as the then Governor had in 1959. Anybody in the West Indies who would offer opposition to constitutional advancement, that which gives us the right to govern ourselves, would be very foolish. It would be folly to think that the Government which is in power today will be in power for all time and that the legislation which is being passed is being passed only for the Government which is in power.

Mr. CORBIN and Hon. M. E. COX rose to speak.

Mr. SPEAKER: The Hon. Leader of the House caught my eye first.

Hon. M. E. COX: Mr. Speaker, I was not prepared to speak on this Bill at all; but since the important question of the behaviour of the ex-Governor in the appointment of Aldermen in connection with the Local Government Elections has arisen, and since some hon. members have said that they do not want this recrimination to take place, but yet they have referred extensively to what took place, I claim the right to speak along similar lines. I am going to say from the outset that I still maintain and will always maintain that the ex-Governor flagrantly violated the Constitution of Barbados (Mr. MOTTLEY: Sir Grantley Adams did not say so.) I say that the ex-Governor flagrantly violated the Constitution of Barbados. I have never been a stooge for the Colonial Office or for anybody else. If it is the Governor, the Pope, the Archbishop or whoever it may be, if, in my opinion, any of them has committed a breach and I have to speak, I will speak against him fearlessly and take the consequences. The hon. junior member for Christ Church has said that he had only risen to show how right the ex-Governor, Sir Robert Arundell, was when he made his decision on the Aldermanic question. To the hon. member, no doubt, Sir Robert Arundell was right; to those who believe in holding on to the coat-tails of the Colonial Office, to those who have no self-determination and to those who feel that we are the sons and daughters or grandchildren of slaves and we have no right to be occupying the positions of our former masters, the ex-Governor would be right.

5.35 p.m.

He would be right to all those; but to those whose aim and determination it is to lift up their people and put them on equal footing with those who have exploited them for all the years and treated them as sub-human beings, we say it is wrong. Let me make our position clear; some people, perhaps those who were just holding on, thought that they should revere what Mr. Big Man says and take the time from him, as is done by some of the marionettes and associates of the wealthy of this island. We do not share that view at all, and least of all myself.

The position, Mr. Speaker, is that long before there was the acceptance of Party Government in Barbados, in

all the laws for which provision was made for Boards, the House of Assembly had the right to make appointments to these Boards. I was appointed a member of the Hospital Board by the House, and it could only have been done on a majority vote. Members were sent to Conferences and things like that by this House, and that could only have been done by a majority vote. The Labour Party captured a majority of seats from 1948 and formed the Government of Barbados, and soon after that, it decided to amend these Acts and all subsequent Acts and make provision for the Governor-in-Executive Committee instead of the House of Assembly to make the appointments.

Now I want to ask a simple question: if the Labour Party thought that by changing the Acts it would put the power in the hands of the Governor-in-Executive Committee to make these appointments where the Labour Party had a minority on that Committee, would the Labour Party take it out of the hands of the House of Assembly where it had the majority to pass it to the Executive Committee where it had a minority? I do not even think that a seven year old child would have done that. It is obvious, Mr. Speaker, that when that was done it was done as on several occasions. We have had to point out to this House of Assembly in no uncertain manner when members got up and challenged us saying that we were taking power out of the hands of the House of Assembly and putting it in the hands of the Governor-in-Executive Committee, that there is an agreement that whatever the four members of the Executive Committee who are members of this House say, that is the decision; and therefore in actual point of fact it is the decision of the Government or the Party running the Government and not the Governor. The hon. senior member for the City will agree with me that every time we came to this House to make provisions such as those in Bills, the late hon. junior member for the City would get up and say we were taking away power from the House. We used to point out that that was not so, but that we were putting power in the hands of the Executive Committee which was more or less controlled by the four members of the House of Assembly who were members of the Executive Committee.

Now, if that is so, Mr. Speaker, we could go on a little further. I know it is so, because all the appointments to the various Boards were recommended by the members of the House who were members of the Executive Committee, and that principle was accepted for all times. The first and the only time that that principle was abrogated was when Arundell in this matter decided not to accept the advice of the Executive Committee. That principle having been laid down, in Section 8 of the Executive Committee Act, I am now going to quote Section 7 (5) of the Local Government Act. It reads as follows:-

"Notwithstanding the foregoing provisions of this section, the Governor-in-Executive Committee shall on the occasion of the first meeting of the City Council appoint six Aldermen who shall, unless elected to continue in office, hold office until immediately after the election of the new Aldermen at the Annual meeting of the Council held immediately following the second ordinary election of Councillors."

'The Governor-in-Executive Committee', as I have pointed out, meant at the time and we understood it to mean long before then and still do understand it to mean today the members of the Executive Committee who are members of this House. Now, Sir, I go a little further and with your permission I am going to quote something. I have said on several platforms that nobody is going to trample the rights of the people whom I represent, or think that I am going to sit down and sleep and say O.K. Whether or not they appreciate my stand, I am going to take the stand which I know is right, fair, just and reasonable. When I heard the hon. senior member for St. Peter today talk about roguish behaviour and the hon. senior member for Christ Church who said how right Arundell was in carrying out his duties in a proper way by refusing to accept our advice, all I will say is that we know they run to the Colonial Office with everything; they do not run to the people of Barbados to rectify it.

I have here a copy of a memorandum which we submitted to the Governor on 24th September, 1953, and among other things this is what we said. This is paragraph 5 of the Memorandum we submitted to Sir Robert Arundell, who was then Governor of Barbados, on Ministerial conventions. 5.45 p.m.

"Furthermore, we would point out that it should also be made clear to the Legislature that the expression "grave or exceptional circumstance" can only refer to occasions of so extraordinary a nature as to threaten the safety of the State itself. (Sgd.) GRANTLEY ADAMS, H. G. H. CUMMINS, M. E. COX and F. L. WALCOTT".

Mr. WALCOTT: Sir, I rise on a point of order. I said that, but it was not accepted. They did not agree to it. Even if it were accepted, what I want to say is that dealing with the elections which had taken place for the City Council, the hon. member is wasting his time. Anybody who reads that and says that it means that the Aldermanic elections should be covered by that is only a rogue. Only a rogue can read that into that.

Hon. M. E. COX: Sir, I am not worried by that. I would not even say what I know. I quote that and that is part of the memorandum which was submitted and I here state categorically that it was accepted.

Mr. MOTTLEY: Sir, I rise on a point of order. If that was accepted, why this Bill? That is all I want to know. That has never been mentioned in the despatch.

Mr. WALCOTT: I rise on a point of order. That was our view, but they would not back us up in the despatch with that. "Grave and exceptional services" are stated and we did not agree with them but they were still inserted. If the hon. member does not know, let him read the whole memorandum and he will know that the whole memorandum was dealing within the context of what the Ministers were to deal with. So far as Aldermanic and City elections, we did not want to interfere with that.

Hon. M. E. COX: Sir, I do not mind the interruptions by the hon. member; I am still going to say what I have to say. As much as the hon. member is going to abuse me and make believe that I am a liar, I will still tell him with assurance that there are a lot of people who still believe in me and in truth.

Mr. WALCOTT: Do you believe that I was rolled in here on a wheelbarrow? Do you not believe that people like me too?

Hon. M. E. COX: I say that categorically. If I were like some of the other people keeping a lot of noise, they would take Ministerial Government at any price just to get into power.

Mr. WALCOTT: When the hon. member says that they would take Ministerial Government at any price just to get into power, whom does he mean?

Hon. M. E. COX: The hon. member knows that I do not mean him.

Mr. MOTTLEY: Sir, you know what they remind me of. When the Hon. Sir Grantley Adams was in this House, on an occasion he talked about Communists being over here, and the then hon. senior member for St. George, the present hon. junior member for St. John, asked if he meant him to which Sir Grantley said that he did not mean him. Now, Sir, the Hon. Minister of Trade has excused the hon. senior member for St. Peter. Do you mean me then?

Hon. M. E. COX: The hon. senior member for St. Peter was along with us then. It took almost two years before it was finalised.

Mr. MOTTLEY: Sir, the Hon. Minister has excluded the hon. senior member for St. Peter. He said that some of us over here would take it at any price. We are dealing with

something which I want to deal with on a high level. To say that is to make an improper suggestion. Do not suggest that we would have taken ministerial system at any price just to get into power.

Hon. M. E. COX: Alright, Sir. If the hon. member says that, I accept what he says, that he would not take it at any price.

What I was saying was that the memorandum which I just quoted set out quite a few items. It is not necessary to read the other items because they may not be appropriate but this is as we understand it to be. I said that we said that "grave and exceptional circumstances" could only mean something which borders on a riot or an uprising, but not out of the appointment of Aldermen. By the longest stretch of imagination, what sensible and impartial Governor, a man who is, so to speak, in charge of a country, a man who represents the British Government, would have acted as he did after sitting down for months discussing this?

Mr. MOTTLEY: Why did you not fire the Attorney General for not advising him correctly?

Hon. M. E. COX: I do not think if you were in power that you would have fired him. I repeat that was a blatant, glaring violation of the convention to which we had agreed in so far as the establishment of ministerial status was concerned.

Mr. MOTTLEY: Mr. Speaker, I rise on a point of order.

Hon. M. E. COX: I do not know why the hon. member is interrupting me.

Mr. SPEAKER: Let me hear what it is.

Mr. MOTTLEY: He said that was a glaring violation of the conventions. Let me draw his attention to the 27th May, 1959, and then to the 15th September, 1959.

Mr. STRAUGHN: You have been blown out of order; you can sit.

Mr. MOTTLEY: The hon. member is suffering from beriberi. What else can he be suffering from?

Mr. SPEAKER: This is no Local Government politics. The hon. member must take his seat. The hon. member is now out of order. As long as I am in the Chair, I will see to it that a high standard of decorum is maintained in here. 5.55 p.m.

Hon. M. E. COX: I know what the hon. member is saying. From the very inception of the discussions in Executive Committee in 1948 — I was in at all of those discussions and my signature was appended to all of these things like the signature of the hon. senior member for St. Peter. (Mr. WALCOTT: Mine is not appended to all). I contend that grave or exceptional circumstances were defined, although not written, as something bordering on riot or something like that. To tell me that the appointment of Aldermen just as the appointment of members of the Housing Board.... (Mr. WALCOTT: Oh. No! No! Nobody could challenge you on that.) To tell me that this is the same thing to be deemed 'grave and extraordinary circumstances' is straining the terms.....

Mr. WALCOTT: On a point of order. We are in total agreement on this point. The Hon. Minister knows that the phrase "grave and exceptional circumstances" was something which took us a long time to which to agree. These lawyers know more about the law than we who are laymen. I would like the hon. member to know that as to the appointments to Boards there was complete agreement. I do not feel that the hon. member could get the appointment of Aldermen to the City Council to coincide with the appointments to the Boards. I am sure that if the hon. member is a true democrat he would be guided by the voice of the people.

Hon. M. E. COX: I am sure that the hon. member knows the names which the Governor proposed; I am sure that there was no question of preventing the hon. senior member for the City from carrying on his Local Government. There were the names of some of the hon. member's best friends, people who said they would vote for him in any case.

Mr. SPEAKER: Let us get back to the point and leave out the personalities.

Mr. MOTTLEY: On a point of order. Who would believe that the hon. member would appoint some of my best friends anywhere? Would the hon. member recommend the appointment of some of my best friends to any Board?

Mr. SPEAKER: The hon. member denies that.

Hon. M. E. COX: I am asking him if Mrs. Olga Symonds is not one of his best friends.

Mr. MOTTLEY: I say No. There is a difference between my friends and my best friends. The hon. member is letting me know something now. (ASIDES)

Mr. SPEAKER: Hon. members seem to want a little break.

Hon. M. E. COX: If the hon. member says that I would not have appointed his best friend, that may be so; but I would like to tell him that I do not make the appointments. I still feel that there are some people who associate themselves with the hon. member and who would do an impartial job. I am sure that some of the names which we submitted are those of at least as many people as the hon. member could have continued with and formed his government — and those people are his friends. Even if it can be argued that the then Governor acted constitutionally, there are many experts on constitutional law, and one of them in dealing with various constitutions points out that even where there is a convention or custom or usage which has not been in operation for many years, it becomes paralysed. In other words, at no time from the time that the power to appoint members to various boards was transferred from the House of Assembly to the Executive Committee, as to any nominee by the members of the House, the Government did not refuse to accept the advice of the members of the House. This could not be regarded as something extraordinary because it was the appointment of Aldermen which the law says.....

Mr. MOTTLEY: On a point of order. If the hon. member looks at the Despatch of the 27th May, 1957, from the Secretary of State for the Colonies he will see that one of the conventions says this:

"One of the basic conventions that we have accepted is that in arriving at his decision in Executive Committee the Governor will, except where it appears to him that grave or exceptional circumstances compel him to act otherwise, accept in legislative matters the advice of the Ministers....."

The words "in legislative matters" are included. 6.05 p.m.
It says grave and exceptional circumstances in legislative matters.

Hon. M. E. COX: I see the hon. member is being advised by the hon. junior member for St. John.

Mr. BARROW: On a point of order, I consider myself more competent than the Minister. The Speaker of the Federal House agrees with me and a leading member of the Trinidad Bar agreed with me, and I am satisfied to be in that company rather than his.

Mr. MOTTLEY: I will go a little further than that and say that we took our constitutional opinion from a very eminent lawyer in England.

Hon. M. E. COX: All I am asking is this: what is a legislative matter? I have just referred to the law we passed

in this House of Assembly which was initiated by this Labour Government. What is it but a legislative matter? It is not a convention; it is a law of Barbados; so what are you telling me?

Mr. MOTTLEY: On a point of order, because you pass a law, it does not mean that it is a legislative matter. It is as plain as a pikestaff that a legislative matter means a matter which you are discussing which has to come to the Legislature.

Hon. M. E. COX: If that is your interpretation, it is not ours and we will never accept it. If that is so, why accept all the appointments to the various Boards?

Mr. MOTTLEY: Because it specifically sets out the Boards. As a matter of fact, Sir, why should we go on arguing this? The hon. member held his opinion and expressed it openly, but I never worried to express an opinion on the matter.

Mr. SPEAKER: That is a speech; therefore you are out of order.

Hon. M. E. COX: However, Sir, I am not going to prolong this debate much longer. I want to repeat for the last time that I have absolutely no doubt in my mind what the convention says, what it meant, what was the practice, what was accepted, what was agreed on and what was decided. I know that the then Governor acted unconstitutionally and that he did it no doubt because his political views are at variance with ours.

Mr. MOTTLEY: On a point of order, I do not think that is fair although the hon. member has a right to say it. The hon. member is one of Her Majesty's Government Ministers. It is not fair for the hon. member to say that the Governor acted in accordance with his political views, because he should know that the Governor took the advice of the Colonial Office. I hold no brief for any Governor, but I say it is not fair to say on the floor of this House that he was acting because of his political views.

Hon. M. E. COX: I only want to remind you that Lennox Boyd and Lyttelton backed up Sir Roy Welensky on those that are kept down in that country. I wonder if he thinks I have been sleeping all this time and not studying what was going on not only in Barbados but all around! In the bye-election in the same Carlisle Ward, the Conservatives won all around, and they boasted of it and did not hide that people should vote for the Governor against us. He never suggested for one moment that they should not have used his name in that campaign.

Mr. MOTTLEY: I must say that that is the most damnable lie I have heard in this House since I have been here.

Mr. SPEAKER: That is very strong language.

Mr. MOTTLEY: Mr. Speaker, it may be strong language and I apologise, but that is the greatest exaggeration and prevarication I have ever heard. For the hon. member's information, I spoke at fourteen meetings in one day during that bye-election, and at no time was I so stupid as to say: "Vote for the Governor" against somebody. The hon. member knows that is untrue. What would they vote for the Governor for? Who was the Governor? I was not! Does he think I was afraid in that election? If he does, he has another thought coming.

Hon. M. E. COX: I heard that with my own ears.

Mr. MOTTLEY: Does the hon. member say he heard that from me? The hon. member is not speaking the truth, because I spoke at every one of those meetings.....

Mr. SPEAKER: The hon. member has not said that the hon. senior member for the City made use of that slogan.

Mr. MOTTLEY: The hon. member knows well enough that I ran that campaign and spoke at every meeting. As a

matter of fact, there was not one meeting held that I did not attend, and if the hon. member says he heard that, I had to be there; so that is absolutely untrue.

Hon. M. E. COX: Mr. Speaker, that was the slogan.

Mr. MOTTLEY: The hon. member is saying that he heard that slogan with his own ears at a meeting.

Hon. M. E. COX: Do not put words in my mouth.

Mr. SPEAKER: From the beginning the impression I gained was that the Leader of the House said he has heard that as a slogan at some Party meeting.

Hon. M. E. COX: Let me correct that. I never said that at any meeting. I have never attended a meeting sponsored by any other Party than the Labour Party in the last ten years.

Mr. CORBIN: On a point of order.....

Hon. M. E. COX: Oh sit down, you idiot!

Mr. WALCOTT: On a point of order, the Hon. Minister cannot call the hon. member an idiot, and you should ask him to withdraw.

Mr. SPEAKER: It is most amusing to me. Not very long ago the Hon. Leader of the House saw the hon. member for St. Andrew rising to speak on a point of order, and I myself had very grave misgivings that there could ever be a point of order on which the hon. member was rising. In my usual way I allowed the hon. member to speak his point of order, and the Hon. Minister cheered. Marvellous! Now the hon. member rises again obviously not in the same frame of mind and the Minister questions it. It does take an hon. member with a certain temperament to be the occupier of this Chair.

Mr. CORBIN: Mr. Speaker, I will first of all ask the Hon. Minister to withdraw his remarks when he called me an idiot.

Hon. M. E. COX: Mr. Speaker, I am sorry; I was following the hon. senior member for St. Peter, but I withdraw.

Mr. WALCOTT: I never knew that I called the hon. member an idiot; so I do not see how you could follow me, because all along today the Minister cheered the hon. member. Do not follow me in that; follow me in other things.

Mr. CORBIN: Mr. Speaker, if the Minister is not finished, I will wait on him; but I am asking why he should call me an idiot when I rose on a point of order without his knowing what was the point of order. Who is the idiot? 6.15 p.m.

Mr. SPEAKER: Let it remain just a question.

Mr. CORBIN: Mr. Speaker, I was right. I am speaking on a point of order. I thought that members of this House would have been more reasonable than they are. I thought that they were like lasting materials. If you have the power, you would not be thrown in the streets. Mr. Speaker, I am glad that you can maintain your power and the dignity which you possess. Members of this House are like sheep without a shepherd. The reason is because members on that side of the House speak like sheep without a shepherd. I thought that this debate would have ended already but they are only multiplying words without solutions.

I will like to speak on the Bill after the hon. member is finished.

Mr. SPEAKER: I would like the hon. member and the House just to move the suspension of the Sitting for ten minutes, in order that I may be relieved.

Hon. M. E. COX: Mr. Speaker, I beg to move that the Sitting of this House be now suspended for fifteen minutes.

Mr. TUDOR: I beg to second that.

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

The Sitting was suspended accordingly.

6.20 p.m.

On Resumption.

Hon. M. E. COX: Mr. Speaker, I beg to draw to your attention that there is no quorum and ask that the Bell be rung.

The Bell was rung and a quorum was obtained.

Mr. SPEAKER: The hon. junior member for St. Andrew was addressing the House.

Mr. CORBIN: Mr. Speaker, this Bill seeks to amend the Interpretation Act, 1949 so as to implement certain of the proposals agreed upon for the attainment of internal self-government. I want to know, first of all, if after this Act comes into force, these changes would be good for the people of this Island or only for the Ministers. These are changes which come from abroad. Now, the first change before the coming into being of self-government was the changing over of the Vestries to Local Government and the poor people of this Island of Barbados since that change have shed many tears. They have cried every moment; so I want to know if this change is for the benefit of the Ministers or for the people of this Island. Changes must bring about either good or bad and I am saying that the poor people in this Island when they were living under the Vestries Act were crying tears; but now since it has been changed to Local Government, they are shedding sheer blood.

I am speaking conscientiously. I am asking the Government when they are making their constitutional changes to know why they are changing such a thing. There are one or two things which you must think of when you are making a change. You must look at the spark of justice and see if the spark of justice has changed before you change. There are Ministers who would like to hold the reins of Government for as long as they can and in doing so, they do not care who lives or dies. That is their policy. The people of this country have sent us here and we should come in here to do the best that we can for them.

Mr. Speaker, they talk about Aldermen. Who chose the Aldermen? The Government chose the Aldermen. That savours of Communism. It is the people of the community who should choose the people whom they want to represent them. Even from history of old, the people had to choose their leaders. Why should the Government choose the Aldermen and then the electors choose the Councillors? That savours of Communism and I am opening the eyes of the people to that. The Aldermen today do not have as much knowledge as the Councillors because the Councillors were Vestrymen and they knew the law as to the running of Local Government. The Councillors are the schoolmasters and the Government thought the Aldermen had the understanding and could lead and guide; but they have failed.

If you will allow me, Sir, I will show you how far the Aldermen have gone. I am asking for a little latitude. At the last meeting of the Northern District Council I was present and one of the Aldermen brought up two motions. The first one was to discharge the clergymen. I said that that was a wrong move. I said that the clergyman's coming to say prayers, and so on, will cause the dignity of the Council to be maintained through God and if you discharged the clergyman, there was neither of us who were qualified to do his duty. Mr. Speaker, I am not going off the line, I am coming back to the Interpretation Act. The very same Alderman brought in another motion. The motion was to get all the people of the six parishes of the Northern District to bring their taxes to Coleridge Street and pay them. Surely that would be too congested.

Mr. SPEAKER: This House has no jurisdiction over the Councils.

Mr. CORBIN: This Act seeks to give the Ministers more power than they ever had. They can have direct power to do what they want to do. They can do what they please. You have been changing all the time but do these changes help the poor people of Barbados?

6.45 p.m.

They are suffering more as a result of the change than they have ever suffered. There will be a change and there will be a universal change in Barbados. The Government will be changed; the only possible means of the people in Barbados existing is if there is a change of this Government from one thing to the other. The people will then see what is what. Unless the Government changes.....

Mr. SPEAKER: Let us get back to the point.

Mr. CORBIN: The world is changing.

Mr. SPEAKER: We are dealing with constitutional changes.

Mr. CORBIN: The world is changing constitutionally. I want to know if the constitutional change will be helpful to the community or not. They have changed Local Government and the Ministers want to say that the change did not come from them; but I can testify that the change was from the Ministers. The Central Government has paid the Valuation Officers to go all over the island of Barbados.

Mr. SPEAKER: We are dealing with constitutional changes.

Mr. CORBIN: That is one too.

Mr. SPEAKER: I fear not.

Mr. CORBIN: A constitutional change, I believe, is a change of Government from one to another. The Central Government is responsible for everything in Barbados. The local set-up has been changed by Central Government; they are responsible for the change. The Central Government has called upon the Local Government to change. The local people mourned; one man was paying \$17..... (Mr. SPEAKER knocked the Gavel.) Let us get back to the point. I hope that this Government will be changed and regardless of whatever be the change I hope that there will be righteousness. In that way my poor people will not suffer. The changes which have been made have caused my poor people to suffer. There are too many people suffering from starvation since the law has been changed. If the Government is in their position in the next Session I hope that they will maintain that dignity to the end of their days and when others perish they will live on.

Mr. Speaker, when you come to self-government, there are many countries which have achieved self-government. Some of those who are trying to achieve it may lose their position; they have been fighting, blasting, killing and destroying. Up to now that state of affairs has not reached us. I hope that these changes will be for the benefit of Barbados; I hope they will prevent such disasters from coming to this island. We are Barbadian people and I do not think that in the West Indies you will meet better people than Barbadians. We are in close contact with the English people in language, in dignity, in creed and in knowledge. We are a good people; we follow the tradition of the people in England. That is what has caused us to be where we are and I hope that when these changes come about they will be for the better because the Ministers are seeking control. They will do what they will, but I hope that our God who made Heaven and Earth will control this little island and will raise up proper persons to represent the people. There are those who have to go throughout the island of Barbados and look after the welfare of the people and then we have to bring the grievances of each parish to the Ministers; some of the Ministers do not even want to hear us.

Mr. Speaker, this is in reference to the constitutional changes. A constitutional change is not a direct change; you touch everything. I believe you know your Book better than I do. When you think of the words "constitutional changes" are they bringing everything into Court? They are not seeking after the need of the people. There are mem-

bers in this House who do not believe that somebody else has to take over. I am telling the Ministers that this is the last Session for them. The Government which is ruling today is the bramble and they will soon die out; they have not got long to stay. Let them prepare themselves for moving. (Hon. M. E. COX: Coalition?) There will not be any coalition; there will be peace. I am telling you now.

6.55 p.m.

I am giving you the facts. This is Homie Corbin, the insignificant man whom you called an idiot. You have been tried and found wanting. Without another word, Mr. Speaker, I hope for better in the future.

Mr. BARROW: Mr. Speaker, I think that Your Honour has allowed a considerable amount of latitude in the course of this debate, and it is not my intention to trespass any further on the time of the House or Your Honour's patience. Certain rash and misquoted statements have been made during the course of this debate which I personally feel ought to be refuted not from voicing any personal opinion of my own, but in referring actually to the Constitution of Barbados.

What I find absolutely remarkable, Sir, is that, despite all the advancement that the members on the Opposite side are boasting about that Clause 6 Sub-Clause of the Bill will bring in, and in view of the acrimonious debate and discussions on a public level which have taken place on the Governor's prerogative powers, they should bring in a Clause which states that whenever the Governor is required to exercise any powers or perform any duties which are expressed to be exercisable on the advice or on the recommendation of, or after consultation with, any person or authority, he shall not be obliged to exercise those powers or perform those duties in accordance with the advice tendered by that person or authority. So whatever may have been the position in 1959 at the time of the Aldermanic appointments to which I will refer at a later stage to illustrate what the true position was and still is, they are introducing a proposal here in this Bill which confirms that the Governor is not bound to accept the advice of any person in the Executive Committee except on Legislative matters, and therefore in view of their own proposal, I think that the debate which has taken place and the acrimony, accusations and allegations which have been made against the former Officer administering the Government of this country, are completely unnecessary and irrelevant.

SUSPENSION OF SITTING

Mr. SPEAKER: It now being 7 p.m. o'clock, this Sitting now stands suspended until 7.45 p.m. o'clock.

7.00 p.m.

On Resumption.

Mr. SPEAKER: On the Suspension, the hon. junior member for St. John was addressing the Chair.

Mr. BARROW: Mr. Speaker, I said before the Suspension of the Sitting that statements had been made during the course of the debate which reopened a vexed question - a question which every well thinking member of the public may have considered to be settled and accepted by all sections of the community. I also mentioned that it was rather paradoxical that the members of the Cabinet should now be fulminating against the former Officer who administered the Government of this island, and yet today bring down a provision which makes it possible for the Governor of the island to act contrary to any opinion, suggestion or advice tendered by any person or any body in those matters where he is advised by or consult with the members either of the Executive Committee or with the Executive Council, or any other group of persons or bodies corporate or otherwise.

What the member for St. Michael has been stating in most dogmatic terms is something which I personally deplore as a member of the Legislature - that a Governor should be attacked on something which took place over two years ago and which obviously was done in good faith, legally and according to the law. Now I want to warn any future or present Governor of Barbados about the type of persons that they are dealing with, because although they will come to the House and deplore attacks or criticism of members

of the administration - Civil Servants and people like the Financial Secretary - whom God preserve, but preserve in some place other than Barbados - they will attack the Head of the Administration with impunity. Sir Robert Arundell has gone to a well earned retirement, and I do not think that even Mr. Gairy of Grenada who was actually deported from his native land by Sir Robert Arundell and who is often accused of being hotheaded and irresponsible would fulminate and criticise Sir Robert Arundell in the way in which the member for St. Michael has criticised him today. What is more deplorable is that the very person who led the hon. member up the garden path has now retreated unequivocally from the position which he took up purely for political reasons.

You will remember, Sir, that at the time of this discussion about the appointment of Aldermen to the City Council I had no brief for any side in this matter. I have a personal opinion as a member of the Legislature and I have a legal opinion which is freely available to any member of the Government of this House or to the public who may ask my legal or personal opinion. (Hon. R. G. MAPP: Free?) Free, as other members of the Cabinet can tell you and without cost. My services have always been available to members of this Chamber; there is not a single member of this Chamber who can say that either inside or outside of here I have ever charged him one single penny, including the Minister of Agriculture, for a legal opinion. That is my undoing.

Now, as I said before, it is remarkable that members of the Government should be objecting to the Governor of the island having any authority to act contrary to or without the advice of the Cabinet - I do not live in an upstairs house and have no basket to lower at night before I attend to patients - and yet in Clause 6, subclause 3, they should state in the Bill which we are presently discussing that "Where by any Act or any subsidiary legislation, the Governor is required to exercise any powers or perform any duties which are expressed to be exercisable by or to be performed by him after consultation with any person or authority he shall not be obliged to exercise those powers or perform those duties in accordance with the advice tendered by that person or authority."

7.50 p.m.

If, therefore, the position in 1959 was that the Governor could not act without the advice of the Executive Committee or the Cabinet, why do they now introduce legislation to re-affirm and re-address the Governor in the position which they regarded not only as assailable but one which was indicated by their actions to the Officer administering the colony?

I will go back to the despatches which passed between the then Governor and Mr. Lennox-Boyd, the then Secretary of State for the Colonies in 1957, which despatches are still up to the passage of this Bill the Constitution of Barbados. What do we find? We have the keystones of the Constitution. We have the Executive Committee Act of 1891; we have the Interpretation Act of 1949, Chapter nine, and in addition to that we have conventions. Let me put it this way. It is accepted in Barbados that pronouncements made by the Governor and the despatches passed between the Secretary of State for the Colonies and the Officer administering the Colony from 1948 onwards should be regarded as conventional corner stones of the constitution of the island. We had a series of them in 1953 and in 1954 we had Ministerial Government instituted. In 1957, we had a series of memoranda which passed backwards and forwards and which were debated and discussed on the floor of this House. Those despatches were between the Right Honourable Sir Alan Lennox-Boyd and the then Governor of the Colony. They were discussed and accepted. My Party has not a single representative in the Bridgetown City Council; so this is a three-cornered fight between members on my right belonging to the Progressive Party of Barbados, between members of the Labour Party and between Sir Robert Arundell, who is in the middle. The Hon. Minister accuses the Governor of taking sides. If the Hon. Minister of Trade knew something more of his Latin exercises, I could quote to him something in Latin. The Governor is not here now.

Hon. M. E. COX: Mr. Speaker, I rise on a point of order. I am well aware that the Ex-Governor is not here. I was not prepared to say anything about this matter, but since reference was made to what took place during that period I feel justified in explaining my position. I have done nothing more than what the hon. member does and did to me when I was in England, when he said that I was mixed up in deals with Banks Breweries and all that sort of thing.

Mr. BARROW: I did not say Banks Breweries; I said the Mitchell Engineering group. If the hon. member was more advanced in his Latin exercises I would tell him what Juvenal said about the Orator, Cicero, *Antoni gladios potuit contemnere si sic omnia dixisset*.

Cicero wrote brilliant speeches against Mark Anthony but he never gave them in public. He would have been able to dispute what Mark Anthony said against him if he had said all those things that he wanted to say, but he never gave voice to them in public. His head was cut off and then they discovered his writings and they were able to dispute the source of Mark Antony's information. Anyhow, Sir Robert Arundell has gone into retirement and the Hon. Minister of Communications accuses him of dishonesty and partianship; so he brings in now a constitutional change in which he entrenches the Governor in the position which he fulminates against.

On the 27th May, 1957, in reference to the despatch of 304, by the Right Honourable Alan Lennox-Boyd, M.P., Secretary of State for the Colonies, Sir Robert Duncan Arundell, the then Governor wrote this after consultation with the Cabinet of Barbados. This is paragraph 4.

"With the establishment of a ministerial system of Government the constitution and functions of the Executive Committee remained unchanged, and I can best illustrate those functions by quoting from my Address to the Legislature on the occasion of the inauguration of the Ministerial system. I said -

"Executive Committee will continue to be the Government's principal instrument of policy. The Governor will continue to preside and decisions will continue to be reached in the light of the advice freely and frankly tendered by the Governor and by all members, including the Executive Council members and the Legislative Council member, and by the Financial Secretary, who by convention, attends all meetings of Executive Committee. I have seen this arrangement described as illogical, but it is workable, thanks to the abundant goodwill that exists between all concerned, and I am sure it is in the best interests both of the party in power and of good government."

"One of the basic conventions that we have accepted is that in arriving at his decision in Executive Committee, the Governor will, except where it appears to him that grave or exceptional circumstances compel him to act otherwise, accept in legislative matters the advice of the Ministers. It can thus be seen where responsibility lies."

Now, the hon. senior member for the City got up and reminded the hon. member that he had omitted to quote "in legislative matters." The hon. member was saying that the hon. senior member for St. Peter had signed to the proposal "in grave and exceptional circumstances", and that the Governor had disregarded the advice of the elected representatives and of the Executive Committee but surely the words "in legislative matters" go to the essence of the whole matter. (Hon. M. E. COX: What does that mean?) The hon. member asks, what does that mean. He does not know.

You go straight to paragraph 6 and paragraph 6 specifically states what matters are to be dealt with by the Cabinet. Those matters are the transaction of public financial business; considering ways and means; advising the Governor on any measures which the Executive may deem it expedient to bring before the Legislature; the conduct of public works; and the control and management of public institutions.

I am not finished. I want to say that I do not like to argue law with laymen; but since the hon. senior member for St. Michael has not only arrogated to himself the role and function of a lawyer but also the duty of a judge, this is what I want to tell him. There is a Latin maxim; *expressio unius exclusio alterius*; which means where there is specific mention of species which may be dealt with, those species not specifically mentioned are excluded.

8.00 p.m.

The functions therefore of the Cabinet are set out in items (a), (b), (c) and (d). To make assurance doubly sure, this is what it went on to say: "The Governor-in-Executive Committee would continue to deal with those matters, which under Section 28A of the Interpretation Act may not be delegated,....." In other words, Sir Robert Arundell was saying after consultation with the Ministers, that the Governor-in-Executive Committee would deal with those matters except those which cannot be delegated to the Ministerial System. There is no legal body known as the Cabinet of Barbados. The Executive Committee will continue to be an effective organ of government; it says that the Executive Committee should not be confined in any way. It goes on to say "with matters of an executive nature such as appointments to Boards, etc., and with matters for which the Chief Secretary is responsible to the Governor." Do you want the position clearer than that? If you were going about....

Hon. M. E. COX: On a point of order. As far as we are concerned, we cannot, under the Cabinet system, make appointments.

Mr. BARROW: That is the opposite to what the hon. member has said.

Hon. M. E. COX: What is delegating? We cannot pass subsidiary legislation; in this Bill the Cabinet will be able to deal with subsidiary legislation, and as far as the appointment of persons to Boards is concerned, the Cabinet cannot make the appointments. The Cabinet recommends.

Mr. BARROW: The hon. member is now saying that the Cabinet has no power to make appointments but that it can only advise. They are introducing a Bill which says in Clause 6 that where the Governor is acting on advice he is not bound to accept the advice; yet they are saying that Sir Robert Arundell was wrong. The hon. member has played right into my hands by saying that the Executive Committee does not make appointments but makes recommendations, and the Premier is now introducing a Bill which says that the Governor is not bound to accept the advice which is tendered to him.

Mr. Speaker, it is a very painful matter to me to have to explain this to the hon. member; it is like going back to the Primer standard which, for me, is a long time ago. The Despatch says that "the Governor-in-Executive Committee would continue to deal with those matters which under Section 28A of the Interpretation Act may not be delegated,....." delegated to whom? Delegated to the other members of the Executive Committee. The Governor-in-Executive Committee is the Governor acting with the advice of the Executive Committee. They tell you what matters may not be delegated and what matters the Cabinet may not deal with by themselves, matters for which they have to convene a full meeting of the Executive Committee. The despatch says that the Governor-in-Executive Committee would continue to deal with matters of an executive nature....." The hon. member asked me what is a legislative matters. This says what is not a legislative matter. A matter is not a legislative matter because the House of Assembly has passed an Act in relation to it. There are administering acts, Judicial acts, Legislative acts and so on. The despatch goes on to say "such as appointments to Boards, etc., and with matters for which the Chief Secretary is responsible to the Governor."

I am not claiming that the appointment of Aldermen is a matter in which the Chief Secretary is responsible to the Governor; but the appointment of Aldermen cannot be delegated because it comes within the provisions of Sections 27 and 28 of the Interpretation Act.

Hon. M. E. COX: On a point of order, I do not know that anything which was said here gave the indication that the

appointment to Boards was delegated to the Cabinet. I read the particular section of the Local Government Act which says that the appointment of Aldermen must be made by the Governor-in-Executive Committee. I referred to the conventions and later on I will develop that point if I am allowed to do so.

Mr. BARROW: I would like to be charitable and say that the hon. member does not understand what I am saying. I am reading out and showing by the despatches which have been sent down - and the Governor did not write these despatches on his own. These are matters which were discussed in this House and explained. "Governor-in-Executive Committee" means the Governor acting on the advice of the Executive Committee. They are bringing in a provision saying that wherever the Governor is acting on anybody's advice, he is not bound to accept that advice, but certain matters can be delegated to the Cabinet, matters particularly of.....

8.10 p.m.

Mr. STRAUGHN: On a point of order, the hon. member has repeated that more than once. If he talks about what we are introducing tonight, the Act says that if he has to act on the advice of or recommendation of, then he is bound to accept it. It is only if he is acting in his discretion or in consultation with. Those particular points are precisely in the Bill showing that if he is going on the advice, he has to accept it.

Mr. BARROW: If the hon. member cannot teach in Upper Primer, I regret I cannot be sent to Lower Primer. We are only dealing with the bright boys in Higher Primer. The hon. member for St. Michael admitted that they do not make appointments to Boards, but they advise the Governor. In other words, the matters which cannot be delegated are matters on which the Governor listens to the advice but is not bound to accept it. If the hon. member before he got up had read the Interpretation Act.....

Hon. M. E. COX: On a point of order, the convention lays it down that he must accept the advice of the Executive Committee except in cases which are regarded as grave and exceptional.

Mr. BARROW: Now, Sir, is the hon. member really being stupid or dishonest? I do not know which. The hon. senior member for the City got up and explained that the vital words "grave and exceptional" referred only to legislative matters.

(Hon. M. E. COX: That is a legislative matter.)

Now, Sir, honestly I am not dealing with the asides. Do you mean to say that after I have read the despatch of 27th May and have shown that there is a difference between a legislative matter and an executive matter such as the appointment to Boards - and I was going to explain what the Interpretation Act says - that he is still saying that the appointments to Boards etc. is a legislative matter?

Hon. M. E. COX: On a point of order, if legislation is passed, it does not end there; it must be implemented. Legislation originates with the Ministers.

Mr. WALCOTT: On a point of order, I am not a lawyer, but I must tell the hon. member that I was part of that, and I can say he could not be more wrong about that aspect of it, because it was precisely on that aspect of legislative matters that we felt there should be no grave and exceptional circumstances; Parliament should have decided that and not the Government. It was always my view that grave and exceptional circumstances should never be in legislative matters, because it is not his business what we introduce. It is a matter, if we introduce something, for the House to pass it or kick it out; but legislative matters and executive matters are two different things.

Hon. M. E. COX: On a point of order, I did not worry to say that I could have said or read just now when I was reading from the document of 24th September, 1953 when the member said that he was not in agreement. I can quote

further items in that document which we put up to the Governor to which the hon. member had to agree.

Mr. WALCOTT: Mr. Speaker, the hon. member seems to be going crazy.

Hon. M. E. COX: It is all right for the hon. member to say that he did not agree.

Mr. WALCOTT: I had nothing to lose by saying that I disagreed. I am a member of the House of Assembly but that does not suit you. I am saying that things put in the despatch from the members of the Executive Committee were not agreed upon. What are you going to read? Go and read them if you want to!

Mr. BARROW: Now, Sir, I hope you are not going to have any further points of order. The hon. member has a privilege that none of us enjoys. For the benefit of the hon. junior member for St. Joseph, I am going back down to Lower Primer because he has relegated the hon. member who sat down before the last hon. member who spoke to Lower Primer.

I entirely support the stand taken by the hon. member for St. Peter that if you are going to have responsible Government, the Governor has no right interfering with legislative matters. In other words, let me explain. If the Legislature decides that the Chairman of the Barbados Labour Party is to appoint people to all the Boards in the island, the Governor should not say he does not agree that the Chairman of the Barbados Labour Party should do the appointing, because those are legislative matters. When they are discussing the Draft Bill, therefore, he should say he is going to veto it. The Governor of Barbados still has power to veto, and therefore not only is he bound before discussing it in Executive Committee, but once the Bill is passed, he cannot hold it up as long as it does not interfere with his legal rights. Once the Legislature has passed a Bill saying that the Chairman of the Barbados Labour Party shall make appointments, it ceases to be a legislative matter because the principle and policy has been laid down and has the sanction not only of the Cabinet, but has the seal of approval by the Legislature; it then gives the Executive power over what kind of appointments are made. If you are deciding who is to make these appointments, once you have decided that the Cabinet is to do that, it becomes - whether it is Mr. Shepherd or Sir Robert Arundell - an Executive action.

Fortunately for Barbados, Mr. Speaker, we have told the Secretary of State face to face that we feel that the whole Constitution should be embodied in a written document. We have no such thing in Barbados as a written Constitution; all our Constitution is written, but unfortunately it is not in a single document. You have to look at the Letters Patent and the Royal Instructions, at the Executive Committee Act of 1891, and pursue all these Memoranda and Despatches which cross between the Government of Barbados and the Secretary of State. You also have to look at the other amending legislation in the Executive Committee Act and the debates of this Chamber to find out what the Constitution really is; it is not the pronouncements in the Lower Green; they do not amount to a hurrah in the nether regions. When the hon. member talks about conventions, the conventions are to be observed. Some of them take the form of legal enactments and some of them remain; but I am saying that the Governor-in-Executive Committee means the Governor advised by the Executive Committee and he is not bound to accept the advice. The Governor-in-Executive Committee would continue to deal with those matters delegated. In other words, those are not in apposition to each other; those are mutually exclusive and necessary; so the two Clauses can be overlapping. You can have something in the Interpretation Act, Section 28A, which is also in the Executive Committee Act. These are Clauses, I suppose, in which the Governor is not bound to accept their advice: matters under Section 28A of the Interpretation Act such as appointments to Boards and matters for which the Chief Secretary is responsible to the Governor; so the appointment of Aldermen come under two of these three Clauses. Let us come to Section 27 and

28A of the Interpretation Act which amends the Interpretation Act of 1894. Under Section 27 you will find this:

"Where by or under any Act or, by virtue of any other power, the Governor or the Governor-in-Executive Committee, or any public officer or body, is empowered to appoint or name a person to be a member of any Board, tribunal, commission, committee or similar body, or to have and exercise any powers or perform any duties, the Governor, or the Governor-in-Executive Committee, or such public officer or body, may either appoint a person by name or direct the person for the time being holding the office designated by the Governor, or by the Governor-in-Executive Committee, or by such public officer or body, to be a member of such board, tribunal, commission, committee or similar body, or to have and exercise those powers and perform those duties; and thereupon, or from the date specified by the Governor, or by the Governor-in-Executive Committee, or by such public officer or body, the person appointed by name or the person holding office as aforesaid shall be a member of such board, tribunal, commission, committee, or similar body, or shall have and may exercise those powers and perform those duties accordingly."

8.20 p.m.

Now, Section 28 of the Act says:

"Where by any Act the Governor or Colonial Secretary is empowered to exercise any powers or perform any duties, he may unless by law expressly prohibited from so doing, depute any person by name or the person for the time being hold the office designated by him to exercise those duties or perform those duties on his behalf, subject to such conditions, exceptions and qualifications as the Governor may prescribe, and thereupon or from the date specified by the Governor, the person so deputed shall have and exercise those powers and perform those duties as aforesaid:"

And there is the proviso saying:

"Provided that nothing herein contained shall authorise the Governor to depute any person to hear any appeal or make subsidiary legislation under the power in that behalf conferred upon by any Act."

You would note the difference in the wording of those two Sections.

Hon. M. E. COX: Explain that.

Mr. BARROW: In Section 28, it gives the Governor and Colonial Secretary the power to delegate authority. The hon. member has admitted that they have to advise the Governor and he says that the Governor is bound to accept their advice except in grave and exceptional circumstances. Look at the hyenas.

Hon. M. E. COX: I object to that.

Hon. R. G. MAPP: That is alright.

Hon. M. E. COX: That is unparliamentary and I object to it.

Mr. SPEAKER: The hon. junior member for St. John will sit down. The hon. senior member for St. Michael has taken objection against the remark "look at the hyenas".

Mr. BARROW: I do not see any reason why objection should be taken, but if the hon. member finds it obnoxious, I will withdraw it, but not because somebody else thinks it is so.

Mr. SPEAKER: Do you mean if no other member of the House objects to that?

Mr. BARROW: Sir, I withdraw it.

Hon. R. G. MAPP: Mr. Speaker, I rise on a point of order. I do not know where all this recrimination is going

to get us, but I want to get the record straight. We were informed at a meeting with His Excellency that he had taken upon himself to arrogate to himself that power not because of any legislative matter but because he deemed it as a grave and exceptional circumstance. I say that for the record, I do not see any reason for all this recrimination and legal interpretation. While it may be all right, it does not get us anywhere. The Ex-Governor said that after he had taken the advice of the Colonial Office and the Attorney General, he deemed it a grave and exceptional matter because of that he did what he has done.

Mr. BARROW: I do not see how they can alter the Statute Law of the land.

Hon. R. G. MAPP: Mr. Speaker, I rise on a point of order. It is not a point that he deemed it a legislative matter; he said that when we appeared before him, "I deem this a grave and exceptional matter".

Mr. WALCOTT: Mr. Speaker, I rise on a point of order. The hon. junior member for St. John is not saying what the Governor said; he is saying that from the conventions which came before us you have the right to advise the Governor and he has to accept your advice with reference to legislative matters; but the hon. member is also saying that in the context of what it is that there is a difference.

I say this. I did not write the despatch. When I was a member of the Executive Committee, I said that I did not agree with any statement about "grave and exceptional circumstance". You want me to cut off your head because you agreed to that. It deals with legislative matters and the hon. member seems to have forgotten that this was being talked about as regards the matters which were to be sent down to the House of Assembly. We were not talking of matters as regards to the appointments to Boards or as regards aldermen.

Hon. R. G. MAPP: Mr. Speaker, I rise on a point of order. The whole argument has been that this decision was correct because it was a legislative matter.

Mr. WALCOTT: No; that is your view.

Hon. R. G. MAPP: That is not our view.

Mr. BARROW: Mr. Speaker, you are on a level a bit higher than they intellectually, and I think in the same debate we were saying all the time that this was not a legislative matter and it is clear by the interpretation and by the despatch of 27th May, what is a legislative matter.

Hon. R. G. MAPP: Mr. Speaker, I rise on a point of order. It was not a legislative matter. Surely, the hon. member would admit that His Excellency will have his advice from the Attorney General and the Colonial Office. He said that it was not a legislative matter and because it was not a legislative matter he need not take your advice at all. All that was told us was that "I deem it a grave and exceptional matter." I do not accept his interpretation, but, as you know, lawyers differ all the time.

Mr. WALCOTT: Mr. Speaker, I rise on a point of order. The point is that you must accept from certain people advice whether they are lawyers, engineers, or anybody else. But in this matter you need not be a lawyer. This is plain to us. This is a legislative matter and it is one to come before the Legislature. (A VOICE: You are wasting time.) You cannot tell me that I am wasting time. What do you think it is? You are the person wasting time. You do not understand the difference between a legislative matter and an executive matter.

Mr. BARROW: I really do not follow the Hon. Minister's argument. I thought that they were bound by secrets. I did not know that they could come in here and expose themselves.
8.30 p.m.

If the Governor said that he considers something to be grave and exceptional circumstances, I do not see how they

can alter the matter. In saying that it was a grave and exceptional matter that is regarded as an act of super-erogation on the part of Sir Robert Arundell. If he says so, that does not alter the position. I know about the inside and the outside part of the Colonial Office. I took the Premier to the Colonial Office and introduced him to everybody in there. I will not say what happened there because I am bound by official secrets. If Sir Robert Arundell says that he considered that that was a grave and exceptional matter - the hon. member has said that there was no mention of it being a legislative matter at all. There is no point in the Government arguing points of law. If the Governor says it is a matter for him, he is a trained Administrator and he would know how to deal with a situation. It is unfair to accuse the Governor of being biased and partial and of ignoring their advice when by law they are saying that he should have taken their advice.

In paragraph 12 of the Despatch this is what they say:

"These proposals were framed in consultation with the Premier and have been agreed in Executive Committee. I have also discussed them separately with my Executive Council, with some members of the Legislative Council and with the Parliamentary leaders of the political parties represented in the House of Assembly. There has been no opposition to the proposals which are regarded as the next logical and natural step towards full responsible Government in internal affairs. The only doubts that have been expressed have been on the timing, but I am satisfied that the introduction of the changes should precede rather than follow the first Federal Elections."

I want to say this: you will find that at all stages of my career from the time I began to think politically, I have always been in agreement with what the hon. senior member for St. Michael has read out. I see no reason why the Governor should dictate to the House what legislation should be brought down to the House. I am not saying that the Governor does dictate, but the hon. member is saying that the hon. senior member for St. Peter has said that the Governor was opposed to something being grave and exceptional circumstances. To me the only grave and exceptional matter is where you begin to legislate against minority groups. In the Letters Patent they say that no Bill can be assented to by the Governor dealing with anybody's property. If you legislate against Anglicans or people of non-European descent, these are the only grave and exceptional matters of which I can think. You cannot give the Governor any power at all to interfere with legislative matters. You will find that on the 31st July, 1957, Mr. Alan Lennox-Boyd replied to the despatch No. 304 of the 27th May, on the subject of further constitutional changes in Barbados. Then on the 15th September, 1959, you had Despatch No. 379 from Mr. Alan Lennox-Boyd and this despatch says this:

Colonial Office,
The Church House,
Great Smith Street,
S.W.1.
15th September, 1959.

Sir,

I have the honour to inform you that in the course of his recent visit to London, the Premier of Barbados, Dr. H. G. H. Cummins, C.B.E., and I discussed the proposals which have been made for a further measure of internal self-government in Barbados. Dr. Cummins was accompanied in the talks by the Minister of Social Services, Mr. F. E. Miller, and the Attorney General, Mr. C. A. Burton. The Governor Designate of Barbados, Sir John Stow, K.C.M.G. was also present.

2. As was to be expected, the talks were most friendly in character, and measure of agreement which was achieved will, I hope, be as welcome to the Government and people of Barbados as it is to Her Majesty's Government in the United Kingdom. The progress of the talks was greatly facilitated by the care and clarity with which the proposals were presented."
8.40 p.m.

Paragraph 3 says that the Democratic Labour Party and the Barbados National Party submitted comments on the proposals. I can read it out if any hon. member wants me to. I will read the end of paragraph 3:

"As you are aware, I have been anxious to ensure that whatever further constitutional advances are contemplated should be acceptable to all parties in Barbados, and I trust that this will now turn out to be so.

The following are the revised constitutional arrangements which I have informed the Premier I shall be prepared, where appropriate, to recommend to Her Majesty for Her consent:

- (1) That the Governor should automatically accept the advice of Ministers in exercising any function which is by law vested in the Governor-in-Executive Committee, subject to a right to refer matters back once for the reconsideration of Ministers."

You will see, Sir, that that is entirely consistent with clause 6 to which I have referred. This is the despatch on which this legislation is based. Now over the page I will continue to read from the despatch:

"This is intended to cover broadly all those matters in which the Governor is called upon to act 'on the advice' of his Ministers, as opposed to those in which he acts 'after consultation' with some person or authority, 'in his discretion', or in exercise of the Royal prerogative. I am advised that all or some of these distinctions require to be defined either in correspondence between us or in legislation.

- (2) That where the Governor is directed to exercise any function after consultation with any persons or authorities he should not be obliged to accept their advice."

That is what they have brought down to the House tonight in Clause 6 (3). This was written in September, 1959. (Hon. R. G. MAPP: Read it again!) Do not shout at me. You had a right to be listening and paying attention to the House. I am reading the next paragraph.

- "(3) That the instances in legislation in which the Governor is empowered to act without consulting any other persons or authorities should be examined in order to determine whether any of them require amendment.
- (4) That in exercising the prerogative in the prorogation and dissolution of the House of Assembly Governor should act in accordance with the conventions which Her Majesty observes in similar circumstances in the United Kingdom.
- (5) That under the proposed new arrangements the Governor should remain entitled to all papers which are available to the Cabinet and to any other information concerning the Government of Barbados which is so available."

Then there are the powers of Ministers and the Public Service. That, Sir, was the precursor of the legislation which we are now considering. That was as far as I can remember practically the last despatch showing what was agreed on between the Government of Barbados and the Parties, as they claimed, and the metropolitan Government. If I may go off the record to get something on the record, I would say that the proposals made in writing by the Official Opposition Party, the Democratic Labour Party, went far beyond the present proposals which are now being introduced, because we even suggested at that time in 1959 that the Governor should have no power of veto on legislation.

Now it has been vaunted all over the Federation that Barbados has the most advanced Constitution in the world

and that the Governor has no reserve powers. Let me explain for the benefit of those members who have not read their constitutional law recently - I would not say those who do not understand. The Governor has no right to send a Bill and direct the Legislature to pass that Bill; he never had that power since the time they cut off King Charles head. He did not have that power in Barbados at all because Barbados was a specially favoured colony along with Bermuda for its Royalist tendencies, and therefore they gave the Legislature in Barbados a fairly free way and restricted the powers of the Governor somewhat in that he did not have it in his power to send down a Bill and direct the Legislature to pass that Bill. He did have that power in Trinidad, although it is true it was never exercised. As a matter of fact, in 1939 or early in 1940, at any rate at the time of the Royal Commission, if you search the pages of the Report between pages sixty-six and seventy-six or seventy-eight, you will find that the Federal Prime Minister who was formerly Premier of Barbados recommended to the Royal Commission that the Governor in Barbados should have reserve powers so that they could push through legislation which the planters and the merchants were opposing. The hon. senior member for St. Michael was on that delegation. He was present on that occasion, and I am speaking not only from the Report, but it is the only day in 16 1/2 years that I have ever missed from school. I was present in the Park and they wanted to put me in detention. (A VOICE: You behaved badly in the Park.) The hon. member says I behaved badly in the Park. He must have been there behaving badly with me. They asked me why I was not at school, and I said I was in the Park.

Mr. Speaker, I am saying as a categorical fact that the Federal Prime Minister recommended to the Royal Commission that the Barbados Government should be given the very reserve powers that it is now objecting to on the grounds that it would enable the Governor to push through legislation that the planters did not want. That is absolutely true. I am stating these things as true. I did not drop out of the sky and then somebody brought me to the House of Assembly.....

Hon. M. E. COX: On a point of order, all the Prime Minister of the West Indies was trying to do was to get legislation enacted which would redound to the credit of the masses which the wealthy people of this island refused to do at the time. An Order in Council was made in England granting the franchise, adult suffrage and all that to Trinidad, Grenada, British Guiana and all those places when we could not get it in Barbados.

Mr. SPEAKER: That has been explained by the hon. member, not in so many words, but he said so.

Hon. M. E. COX: He said it as though we went up to the Colonial Office.....

Mr. SPEAKER: This is what I heard. I do not know what the hon. member for St. Michael heard. The hon. member for St. John said that these reserve powers were being sought by the now Prime Minister of the West Indies because the plantocracy here resisted certain legislation. That is what I heard.

Mr. BARROW: I am saying that it is true; I am saying that is what he said to be the case and why. I would be absolutely fair because you were present. I did not go before somebody for them to tell me that. It is a matter of history which anybody can go and check back. What I am saying is that you cannot approbate and reprobate; that as soon as you get what you want you are going to take that away from him.
8.50 p.m.

Hon. R. G. MAPP: Mr. Speaker, I rise on a point of order. As the Hon. Leader of the House pointed out just now, the member's whole emphasis was on the point that the Leader of this Party, that is the now Prime Minister emphasised that we should give the Governor reserve powers and now he wanted something opposite. That is not the point. Circumstances have changed.

Mr. SPEAKER: I am here to hear what is said.

Mr. BARROW: The hon. member has come back to say what he has in mind. This is nothing new. The Prime Minister of the West Indies always said that in those old days you could only get something done if the Constitution was arranged in the same way as Jamaica and Trinidad, because if you leave it to the old plantocracy you will never get something done. The Hon. Minister says now that circumstances have changed.

Mr. WALCOTT: What the hon. junior member for St. John is emphasising is you come in now and say that this is the Constitution which you want to give away but all the time you were saying that it was the best Constitution in the world. You cannot make people believe that you fought for this Constitution when it is the same Constitution which you would have given away. This is something like an old house. You have the same thing in the Bahamas and you do not praise it.

Hon. M. E. COX: Mr. Speaker, I rise on a point of order. The hon. member who has just sat down is misleading the House. The Constitution which we enjoy today is not the one we came and found. When we came here, there was no adult suffrage. You had to be in the possession of £200 per annum or \$80 a month as salary or you must have owned a dwelling-house with ten acres of land to qualify as a member of this House. We have completely transformed this constitution.

Mr. WALCOTT: That is not what we are talking about. He is talking about the way in which the Constitution has changed but we are talking about the Constitution vis-a-vis the Governor. You tell me that you brought in adult suffrage. Who fought for adult suffrage? Sir Grantley Adams did not even want it.

Mr. CRAWFORD: Mr. Speaker, I rise on a point of order. If I am allowed to intervene, surely, in order to bring this discussion to an end, may I say something? Hon. members are at loggerheads but certainly the hon. senior member for St. Peter is correct. When you are talking about the Constitution of the colony, you mean the power which is vested in the hands of the people in comparison with the power vested in the Crown and such things as adult suffrage do not come in. That is completely childish.

Hon. M. E. COX: Is that a point of order?

Mr. CRAWFORD: The hon. member knows absolutely nothing at all about what he is talking. What the devil do you know about the Constitution? What I forget, you do not know.

Mr. SPEAKER: The hon. member will now sit. The position is that it is now nearly 9 o'clock and the night is much warmer than I had thought. Members when they get up purporting to speak on points of order would do well if they contained themselves to points of order, and not make speeches of their own or to make clarifications or explanations of their own opinion. As I have always told this House, any member of this House is absolutely entitled to his own opinion even in legal matters. You can get up in here and talk of law; but whenever you finish, it means absolutely nothing. This Chamber is a law-making Chamber. The hon. member may be talking of what is accepted among lawyers, but as far as I am concerned, it is only a matter of interest. I do not have to care what he says. I am a law maker with my colleagues; I am no law interpreter. All that hon. members are saying matter nothing to me; therefore, I do not think hon. members need to contend among themselves about what is the interpretation. It does not matter what we say it is; it will always be in the last analysis left to somebody else to interpret it; therefore, we may keep our blood pressures down and all the other pressures down.

Mr. CRAWFORD: Your Honour is perfectly right; but all we are saying is that when you are talking about the Constitution, you are talking about the constitutional power which is vested either in the people themselves or vested in the Crown on behalf of the people. It is true to say that in the old days it was felt at one time that if Bar-

bados had had a Crown Colony Government rather than the Constitution it had everything would have been better.

Mr. BARROW: Sir, I almost forgot that I was making a speech because there were so many interruptions. What I would finally say is this: Even in my youth, any responsible statesman or politician could see as the only way of effecting a constitutional change in Barbados your not taking a retrograde step such as the reserve powers of the Governor but to initiate and insist on the passage of legislation.

I understand, although I may not entirely accept, the reasons advanced at that time; but what I am submitting is that not only these constitutional changes could have been effected without recourse to reverting to a retrograde form of Government, but as the hon. senior member for St. Michael pointed out, we had all these things, even the mechanics, so to speak, of the Constitution; we had all these things which he regarded as constitutional principles and they were effected in Barbados without giving reserve powers to the Governor; so it shows how stupid it was of them when they wanted to short circuit the democratic processes of fighting hard to convince the people, whether they be peasant proprietors, or John Joe, a citizen, of the efficacy of voting for them and then having the law changed. All of these things were effected without recourse to the reserve powers of the Governor; therefore, it is rather nonsensical to argue today that there was any substance in the present Prime Minister's supplication to the Royal Commission that the Governor of Barbados should have reserve powers so that we should have adult suffrage. It is true to say that we do not have the democratic processes which we should have, but we have the semblance operating here in Barbados and all of these things could have been attained without recourse to the advice which was then so strongly urged by the Federal Prime Minister.
9.00 p.m.

If the hon. member does not understand that, I feel very sorry for him. No one could argue that it was necessary for the Federal Prime Minister to say in 1939 that the only way in which we could get these things was by having reserve powers. That is nonsense. Some people like to go around corners; they do not like to have recourse to the voice of public opinion and that kind of thing. They like to go around the corners and get the Colonial Office to do everything for them. As a matter of fact, the late Mr. Morgan Jones looked at a gentleman and asked: "Are you defending Crown Colony Government?" and he said "Yes." That is something that happened in our time. I am not abusing the hon. senior member for St. Michael; I am trying to help him. (Hon. M. E. COX: I do not want any help from you.) We did not come in here by any wheelbarrow; we came in by the democratic principle. I did not ask the Secretary of State for the Colonies for assistance in getting into this House; I took my chance.

I appreciate the excursions into the unknown which the hon. senior member for St. Michael makes, because he must be the only one who has the temerity to make these excursions; one has to appreciate that he is making the right effort. However to abuse the Governor because, in his opinion, he did something exceptional is not only deplorable but, in the light of the proposal which they have in the very Bill which we are discussing, giving the Officer administering the Government of this colony the power to ignore advice, seems to be something which is savouring of intellectual, I do not want to say, dishonesty. That sounds very well in the Pine or in the inner Councils of the Executive Committee, but it does not convince anybody. We have lived history in here; this is nothing like going into the Pine or into any other housing scheme and asking people to swallow things. I will give you the last illustration of the idiocy of a statement like that made by the hon. member. If the Governor was wrong why do they not repeal the appointment of the Aldermen and appoint some of their yard fowls in their places? Why do they not re-appoint the Aldermen? Why do they not say that these appointments were illegal and that they have appointed the wrong people and they are now going to appoint the right people? In any case, the hon. senior member for St. Michael said that he was going to appoint the friends of the Mayor.

Hon. M. E. COX: On a point of order. I did not say that we would appoint all the friends of the Mayor; I said that some of the appointees were some of the best friends of the Mayor.

Mr. BARROW: The hon. member is annoyed with Sir Robert Arundell for the appointment of certain Aldermen.

Hon. M. E. COX: On a point of order. I was never annoyed with him for the appointment of anybody. I will always be annoyed with him for blatantly and flagrantly violating the Constitution of Barbados and the conventions to which we have agreed. I have all the history behind that and I will have to deal with it on a subsequent occasion.

Mr. BARROW: It is clear that the hon. member is floundering about, catching at straws and finding some means of getting to the shore. The hon. member has said that the Officer administering the Government blatantly and flagrantly violated the conventions when he was appointing some of the six Aldermen. When one argued on the ground not of legality or illegality, but whether it would not have been defeating the intention of the Electorate as some people have attempted to do, that is considered a waste of time. The debate has not reached that plateau; you begin to talk about natural principles and natural justice where the legalities are obviously unjust; but to argue the case that there were nine members elected by the people and only three members of the Government Party, and that to upset the balance of power by nominating these people whose views were not consistent with the majority of elected members would be to frustrate the intention, the wishes and desires of the Electorate is to elevate their arguments to a plane to which they have not aspired and which they do not deserve.

9.10 p.m.

I will decline from arguing the case on that ground, but I hope that every Governor takes note that, when they do everything or lean over backwards to do everything to accommodate the Ministers and find themselves in a position where they cannot accommodate them and still preserve the rule of law, they are the subject of abuse, and that they will understand the kind of people with whom they are dealing. I do not think that any official has any illusions of the type of mentality with which they have to deal from day to day. We do not have as an Opposition to curry-favour with any Governor or Secretary of State, because what we have had to tell them we have told them to their faces. I want to go on the record as saying that any Governor, any House of Assembly, any Prime Minister of Great Britain or any other person who joins with the Ministers or in Opposition to the Minister and tries to get through the Imperial Parliament or through this Parliament or through Despatches or by any other device, some constitutional machinery whereby they can act without consulting Parliament on legislative matters would come very close not to a constitutional crisis but to a civil crisis in this island, as far as we are concerned.

Mr. Speaker, the hon. member does not have to argue that point, because he is preaching to the converted. I only want to say in conclusion that I find it remarkable in the light of all the developments which I have outlined and which are there on the record for every one to see from 1885, 1891, 1914, 1925, the Bushe Experiment, 1953, 1954, 1957 and 1959 - all of which we personally would like to see embodied like the Jamaica Constitution in a single document - and in view of the current legislation which they themselves have set out in Section 6, subclause 3 - and I cannot read it too often, that "Where by any Act or any subsidiary legislation, the Governor is required to exercise any powers for perform any duties which are expressed to be exercisable by or to be performed by him after consultation with any person or authority he shall not be obliged to exercise those powers or perform those duties in accordance with the advice tendered by that person or authority," - that anyone can get up here today with any sense of honesty and argue that somebody was doing something illegal because after consultation in 1959 he declined to accept the advice which was tendered to him. If that was so wrong, I am asking the hon. member to move the deletion of this Clause from the Bill and I will second it.

The question that the 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. M. E. COX, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. BRYAN being in the Chair.

Clauses 1 to 4 inclusive were called and passed.

Clause 5 was called. It reads as follows:-

5. Section 28A of the principal Act is hereby repealed and the following section substituted therefor -

28A. Where by any Act or any subsidiary legislation the Executive Committee is empowered to exercise any powers or perform any duties the Executive Committee may unless by law expressly prohibited from so doing, depute any person by name or the person for the time being holding the office designated by them to exercise those powers or perform those duties on their behalf, subject to such conditions, exceptions and qualifications as the Executive Committee may prescribe, and thereupon or from the date specified by the Executive Committee, the person so deputed shall have and exercise those powers and perform those duties subject as aforesaid:

Provided that nothing contained in this section shall authorise the Executive Committee so to depute any power exercisable under or by virtue of the provisions of section twelve of this Act or exercisable under or by virtue of the provisions of the Emergency Powers Act, 1939."

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, in Clause 5, I am asking leave to substitute the words "the Executive Committee Act, 1891" for the words "this Act" appearing in line six of the Proviso.

With that amendment, I beg to move that Clause 5 stand part.

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

Mr. BARROW: Mr. Chairman, I do not see how you can do that. Section 12 of the Executive Committee Act is being currently debated by the House, and I do not see how you can pass a Section amending Section 12 or referring to Section 12 until you have amended Section 12, because if you pass this now, and that is not the law, when you pass Section 12 only the old Section 12 would be referred to by this. They started in the right order, but discussion on that Section was really suspended and was in abeyance for the time being; so I do not see how they are going to get out of that difficulty. If this is signed by His Honour the Speaker, it will only be referring to Section 12 as it now stands; so it should read, "Section 12 of the Act as it may be amended" or something like that; otherwise you will have to leave this over and deal with the other matter first and then come back to this.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking leave to withdraw that motion relative to Section 5.

Mr. CHAIRMAN: The Hon. Premier is asking leave to withdraw the motion relative to Section 5, and unless there be any objection, leave will be granted.

There being no objection, leave was granted the Hon. Premier.

9.20 p.m.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am now asking leave to postpone Section 5.

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

Clauses 6, 7 and 8 were called separately and passed.

On motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. M. E. COX, Mr. CHAIRMAN reported progress and asked for leave to sit again.

Mr. SPEAKER resumed the Chair and reported accordingly.

THE ADJOURNMENT

The Order Paper having been fixed,

Hon. M. E. COX: Mr. Speaker, I beg to move that the House do now adjourn until Tuesday, 23rd May, 1960 at 12 o'clock noon.

I should say here that the reason for adjournment until this time is because some of us will be out of the island.

Hon. D. D. GARNER: I beg to second that.

Mr. WALCOTT: Mr. Speaker, what I cannot understand is this. The Hon. Minister must understand that when he gets up and speaks, he should speak with a certain amount of sincerity; he should not get up on the adjournment to throw members off. It is a most indecent thing for the hon. member to throw hon. members off.

Hon. M. E. COX: Mr. Speaker, I must object to the hon. member's reference that I have done something indecent. I object to the word "indecent".

Mr. SPEAKER: I am asking the hon. senior member for St. Peter to withdraw the word "indecent".

Mr. WALCOTT: Sir, if you ask me to withdraw the word "indecent", I will withdraw it and say that it is not a decent thing to throw members off.

Hon. M. E. COX: Mr. Speaker, I am not going to accept that. I object to his saying that "it is not a decent thing".

Mr. WALCOTT: What is wrong with that?

Hon. M. E. COX: It is the same thing as what you said before.

Mr. SPEAKER: When the hon. member says "it is not a decent thing to throw members off", that is a personal reflection on the hon. senior member for St. Michael and I will ask the hon. member to withdraw the phrase.

Mr. WALCOTT: If you want me to withdraw the words "it is not a decent thing" which I regard as quite a proper phrase which I am making in reference to something which I regard as not right, I will withdraw the phrase but I will say that as regards the word "nasty" which is allowed to be used in this parliament, the phrase "it is not decent," is a Sunday School expression to that.

However, Sir, I would say that it is an improper thing for the hon. member to do and it is discourteous to hon. members. On the last occasion the Hon. Minister said that he is giving notice to the House that he is meeting on Tuesday and Thursday next week and that is why I used the words as strong as I used because it is a matter of courtesy. At least he can say to the same House today what has caused him to differ from his word on the last occasion. That is why I spoke earlier about the constitutional propriety and behaviour of members of the Government. The Hon. Minister of Trade feels that this whole House is a matter of little children to whom he is talking. When he said last Tuesday that he was going to meet on Tuesday and Thursday of this week, he made members arrange their business to suit our meeting on Tuesday and Thursday. I arranged my business in that manner. Today, he comes and does not say one word why he is not meeting on Thursday. If we are going to arrange our duties to suit a prior notice of Parliament meeting on Tuesday and Thursday, you should

tell us why you are not carrying that notice into effect. The Hon. Leader of this House must at this stage of our constitutional development be prepared to pay strict attention to courtesies such as this and do not regard members of this House as little children who do not deserve the respect to which they are entitled as members of Parliament. If I told the Hon. Minister that I am going to meet him on Thursday at 12 o'clock noon, he expects me to come and meet him on that day at that time. It is a matter of discourtesy for him not to tell us why is it that he is not meeting on Thursday. He should have told us so ever since we came in here. I expected that we were meeting on Thursday and I threw people off from meeting me on that date. I disrupted my business to suit our meeting on Thursday.

Hon. M. E. COX: Sir, I can assure the hon. member and members of this House that I meant no discourtesy. Since this item with which we were dealing dragged on for so long a time, the Hon. Premier suggested to me not long ago that we need not come back on Thursday, and in view of the fact that some of us have to be in Trinidad during the weekend and there are many matters which have to be dealt with before we leave, it was felt that we should not meet on Thursday. It is not a question of being discourteous. That is a last minute decision, so to speak, 9.30 p.m.

That is why I wanted the remarks withdrawn; it is not a question of being dishonest. This is a last moment decision. It is only shortly before I made the announcement that the Premier mentioned that we would not meet again on Thursday as had been arranged.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, there are thirteen of these Bills dealing with amendments to the Constitution. We had hoped to get through these Bills before some of us left for Trinidad. We have spent all day today on this one Bill. We could not finish many of these Bills by Thursday: we will not have achieved our objective and therefore there is no point in coming back here on Thursday. If we have inconvenienced certain hon. members by the former announcement of our meeting on Thursday, then we are very sorry for that; but, as the Hon. Leader of the House has said, this was a last-minute decision not to meet on Thursday.

Mr. BARROW: Mr. Speaker, it was my intention to raise this question of the opening of the Deep Water Harbour. We are assured that the House would be meeting until we have had all this legislation passed in this Chamber. If the adjournment of the House is now to be until the 23rd May, the whole machinery of Government must be at a standstill with two or three Ministers being in Trinidad. With 1,200 invitations which have gone out in connection with the opening of the Deep Water Harbour, only six workers have been invited to attend this function. I understand that it is the intention of the Head of a firm of consultants that the members of the public will not be allowed to go even within the Deep Water Harbour area. I want to say that \$25 million of the taxpayers' money has been expended....

Hon. M. E. COX: On a point of order. I would like to draw Your Honour's attention to Rule 15 of the Rules of this House.

Mr. SPEAKER: The hon. member is unfortunately out of order. Sub-clause 2 of Rule 15 said this:-

"Upon a motion for the adjournment moved under the provisions of this Order, a debate may take place in which any matter for which a Minister is responsible may be raised by any Member who has obtained the right to raise a matter on a motion for the adjournment of the House that day...."

If the hon. member had given any previous intimation - and that intimation would have to be given in writing as contained in Sub-clause three of this Clause of Rule 15 - he would have been in order. The hon. member will therefore not be allowed to dilate any further on that matter.

Mr. BARROW: Mr. Speaker, I do not think that the hon. member appreciates the position. It would have been impossible until seven minutes ago to know that the House

would have been adjourned until the 23rd May. I am showing why I am opposing the adjournment of the House until the 23rd of next month. Last Tuesday, which was the 18th April, the hon. senior member for St. Michael said that this House would be meeting on Tuesday and Thursday of this week. Until seven minutes ago we did not know that it was the intention of the Government to adjourn the House until after the opening of the Deep Water Harbour. I am merely stating that I have the right to speak and oppose the adjournment of the House as moved.

I intended to raise this matter before the opening of the Deep Water Harbour and there was a misrepresentation - whether it was an innocent misrepresentation or not I am not in a position to say, but there was a representation made to this House that it was not necessary for the Minister to make any representation at all. All the Minister did was to adjourn the House. The hon. member said that we would be meeting on Tuesday and Thursday; he now says that they are going to adjourn to a date which prejudices my right to raise the question concerning the opening of the Deep Water Harbour. Mr. Speaker, do you think that I would allow the hon. member to tell me what to do in this Chamber? Not only were we passively led into a false position but we were actively led astray. I am not in a position to have a full-dress debate on the subject of excluding the

general public from attending the opening of the Deep Water Harbour. When his Holiness the Pope makes a public pronouncement from the balcony of St. Peter's Cathedral in Rome to 250,000 people, he does not send out invitations to 1,200 people, six of whom are clergymen, and say: "I have a pronouncement to make"; the whole public is allowed to go into St. Peter's Square. The whole population of Barbados could be held in the Square outside St. Peter's Cathedral. I want to know, after the taxpayers' money has been spent to the tune of \$25 million, why the presence of the public at this opening ceremony is so obnoxious to the hon. member.

Mr. WALCOTT: Mr. Speaker, may I thank the Hon. Premier and the Minister of Trade for the explanation which they have given? I was only seeking my right where we were asked to the meeting of the House and the hon. member did not realise that it was inconvenient for those who have arranged to meet on Thursday.

The question that this House do now adjourn until Tuesday, 23rd May, 1961 at 12 o'clock noon, was put and resolved in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly.
9.40 p.m.